



**PLANNING AND DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION**

STAFF REPORT

TO: Mayor and Commissioners

THRU: Amanda B. Radigan, ^{AICP}
Director of Planning and Development

FROM: Gabe Sevigny, Principal Planner

DATE: September 2, 2025

PROJECT: Palmyra Annexation
2025.07.4989

REQUEST: Approve Palmyra Annexation request for Annexation of 27.97 acres, Future Land Use Map Amendment from Palm Beach County's Medium Residential with a maximum density of 5.0 dwelling units per acre (MR-5) to Low Density Residential (LDR), and Rezoning from Palm Beach County's Planned Unit Development (PUD) to Planned Unit Development (UD) consisting of approximately 27.04 acres, and a Future Land Use Map Amendment from Palm Beach County's Medium Residential with a maximum density of 5.0 dwelling units per acre (MR-5) to Low Density Residential (LDR) and Rezoning from Palm Beach County's Agriculture Residential (AR) to Single-Family Residential District (R-1-AAB) consisting of approximately 0.93 acres, site is located southwest of the intersection of Hypoluxo Road and Lawrence Road.

PROJECT DESCRIPTION

Property Owner: See Attached

Applicant: City of Boynton Beach

Address: 7180 Old Orchard Way, reference point

Location: The southwest corner of the intersection of Hypoluxo Road and Lawrence Road.

Existing Land Use: Palm Beach County Residential Medium Residential, 5 Units Per

Acre (MR-5)

Proposed Land Use: Low Density Residential (LDR)

Existing Zoning: Palm Beach County Planned Unit Development (PUD) and Agriculture Residential District (AR)

Proposed Zoning: Planned Unit Development (PUD); Single-Family Residential District (R-1-AAB)

Proposed Use: No changes in use proposed.

Acreage: 27.97 acres

Adjacent Uses:

North: Palm Beach County's Residential Planned Unit Development (PUD)

South: Palm Beach County's Single Family Residential District (RS) and Planned Unit Development (PUD)

East: Lawrence Road, and then Community Commercial District (C3), Single-Family Residential (R-1-A), and Planned Unit Development (PUD)

West: Single Family Residential District (RS)

BACKGROUND

The existing area is located in unincorporated Palm Beach County that has contiguity with the City of Boynton Beach on the east, and southern boundaries. All properties within the requested annexation are served by the City of Boynton Beach in regards to water and wastewater. In order for a property to be served by the City of Boynton Beach, a property owner is required to enter into an agreement with the City.

This agreement, titled "*Summary of Agreement for Water and Wastewater Service Outside the City Limits, Covenant for Annexation, and Irrevocable Special Power of Attorney*" (refer to the attached 'Agreements'), grants the City the authority to initiate voluntary annexation on behalf of the property owner at a time deemed appropriate by the City.

This mechanism allows the City to extend municipal services and facilitate development on properties located outside of its corporate boundaries—even in cases where contiguity does not yet exist. Once sufficient contiguity is established, the City may exercise the Special Power of Attorney to annex multiple properties collectively. This coordinated annexation approach streamlines the process, reduces administrative and

infrastructure costs, and provides a more efficient path for property development—whether at a small or large scale.

The subject site currently holds a Palm Beach County Future Land Use designation of MR-5 (Medium Residential, 5 units per acre) and is zoned Palm Beach County PUD (Planned Unit Development) and AR (Agricultural Residential). These designations permit residential development at a density of up to five dwelling units per acre. Additionally, properties zoned AR may allow for certain agricultural uses.

A concurrent City-initiated Code Amendment is under consideration that, if approved, would allow specific agricultural uses within the City's R-1-AAB zoning district, provided the property meets a minimum lot size of 0.75 acres (refer to the attached 'Existing FLUM,' 'Existing Zone,' 'Future FLUM,' and 'Future Zone' exhibits).

The application submitted is for voluntary annexation into the City of Boynton Beach, accompanied by a request to amend the Future Land Use classification to LDR (Low Density Residential) and the zoning designation to PUD and R-1-AAB, respectively. These proposed City designations would preserve the existing uses on the site and may accommodate certain accessory agricultural uses that are currently permitted under the County's AR zoning.

There is no anticipated change in use for the proposed annexation.

Review of the proposed annexation by staff finds the application meets the statutory conditions: the parcel is contiguous to the City boundary and "reasonably compact" in that it does not create enclaves or pockets. The remaining parcel is a dedicated drainage easement and not subject to future development. By State Statute it would not be defined as an enclave.

Voluntary annexations are regulated by Chapter 171.044, Florida Statutes; additional directions regarding the process are contained in the Palm Beach County Ordinance 2007-018. Pursuant to these requirements, on July 29, 2025 staff sent a notification of the proposed annexation to the Palm Beach County Administrator and Planning Director, and a formal notification of the Public Hearing was sent August 20, 2025 via certified Mail.

PROCESS

Since the size of the property under consideration does not exceed 50 acres, does not involve a text change to the goals, policies, and objectives of the comprehensive plan, and is not located within an area of critical state concern, the proposed Future Land Use Map amendment is subject to the small-scale comprehensive plan amendment process per provisions of Chapter 163.3187, Florida Statutes. The final adoption by the City Commission is planned for January 2022.

REVIEW BASED ON CRITERIA

The criteria used to review Comprehensive Plan amendments and rezonings are listed in the Land Development Regulations, Chapter 2, Article II, Section 2.B and Section 2.D.3. These criteria are required to be part of a staff analysis when the proposed change includes an amendment to the Comprehensive Plan Future Land Use Map (FLUM) or a rezoning.

- a. Demonstration of Need.** *A demonstration of need may be based upon changing conditions that represent a demand for the proposed land use classification and zoning district. Appropriate data and analysis that adequately substantiates the need for the proposed land use amendment and rezoning must be provided within the application.*

This request is accompanied by a request for annexation. The parcel currently has a Palm Beach County zoning and future land use designation, which would not be appropriate once the property is annexed into the City. Furthermore, the location has existing uses and structures and is developed. The proposed FLU classifications and proposed zoning allow for existing uses to be in compliance.

- b. Consistency.** *Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be consistent with the purpose and intent of, and promote, the applicable Comprehensive Plan policies, Redevelopment Plans, and Land Development Regulations.*

The proposed FLUM amendment is consistent with the intent of several Comprehensive Plan Future Land Use Element policies, including:

Policy 1.1.1 The City shall issue development orders or permits only if infrastructure for potable water, sanitary sewer, solid waste and stormwater drainage exist, is provided for in accord with the requirements of this Comprehensive Plan, or will exist concurrent with the impacts of the development, and is sufficient to maintain or exceed adopted levels of service.

Policy 1.1.6 The City shall ensure that all proposed land use changes submitted to the Department of Economic Opportunity will include data and analysis demonstrating that adequate water supplies and associated public facilities are available to meet projected growth demands. If necessary, an amendment to the Capital Improvements Element will also be included.

Policy 1.15.1 The City shall continue to promote the orderly annexation of lands consistent with Chapter 171, Florida Statutes.

Policy 1.15.3 The City shall require that property owners requesting annexation into the City concurrently apply for land use amendment and rezoning to the City's land use classification and zoning district. Reclassification and rezoning of properties annexed through city-initiated actions can be postponed for up to 6 months unless improvements are requested.

*c. **Land Use Pattern.** Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be contrary to the established land use pattern, or would create an isolated zoning district or an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM reclassifications and rezonings that would result in more desirable and sustainable growth for the community.*

The area is currently developed with a land use pattern established for commercial along Federal Highway and mixture of residential moving east to the Intracoastal Waterway. Both the zone changes and FLUM do not change any land use patterns for the area.

*d. **Sustainability.** Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would support the integration of a mix of land uses consistent with the Smart Growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.*

The proposed FLU and zoning designations will compliment the existing uses of the area as the area is already developed. By annexing properties that are served by the City of Boynton Beach for water and wastewater, this allows for a more conservative method for future water usage. The zone change and FLUM are required to applied at time of annexation.

*e. **Availability of Public Services / Infrastructure.** All requests for Future Land Use Map amendments shall be reviewed for long-term capacity availability at the maximum intensity permitted under the requested land use classification.*

The area is already developed and being served by the City of Boynton Beach. See attached for department estimates of expenditures to the City if approved for annexation, zone change, and FLUM.

*f. **Compatibility.** The application shall consider the following factors to determine compatibility:*

(1) Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be compatible with the current and future use of adjacent and nearby

properties, or would negatively affect the property values of adjacent and nearby properties; and

- (2) Whether the proposed Future Land Use Map amendment (FLUM) and rezoning is of a scale which is reasonably related to the needs of the neighborhood and the City as a whole.*

The area in question is already developed and is consistent with surrounding development for commercial and residential development.

g. Economic Development Impact Determination for Conventional Zoning

Districts. *For rezoning/FLUM amendments involving rezoning to a conventional zoning district, the review shall consider whether the proposal would further Economic Development Program, but also determine whether the proposal would:*

- (1) Represent a potential decrease in the possible intensity of development, given the uses permitted in the proposed land use category and/or zoning district; and*
- (2) Represent a potential decrease in the number of uses with high probable economic development benefits.*

See attached for department estimates for expenditures of impact on City services for an annexation, zone change, and FLUM associated with this proposal.

h. Commercial and Industrial Land Supply. *The review shall consider whether the proposed rezoning/FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:*

- (1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or*
- (2) The proposed rezoning/FLUM amendment provides substantiated evidence of satisfying at least four of the Direct Economic Development Benefits listed in subparagraph “g” above; and*
- (3) The proposed rezoning/FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation and/or rezoning.*

The proposal is for an area that is already developed as commercial and residential. No changes are anticipated at this time.

i. Alternative Sites. *Whether there are adequate sites elsewhere in the City for the proposed use in zoning districts where such use is already allowed.*

As the site is already developed, it would not be feasible to move to another site, therefore this criterion does not apply.

- j. Master Plan and Site Plan Compliance with Land Development Regulations.***
When master plan and site plan review are required pursuant to Section 2.D.1.e above, both shall comply with the requirements of the respective zoning district regulations of Chapter 3, Article III and the site development standards of Chapter 4.

Section 2.D.1.e states that “A master plan shall be required when a privately-initiated application is made to rezone lands to a planned zoning district.” The proposed zoning district is a conventional zoning district, therefore this criterion does not apply.

RECOMMENDATION

Staff has reviewed the proposed Annexation and Future Land Use & Zoning Map amendments against the review criteria provided in Chapter 2, Article II, Section 2, Subsections A.3, B.3.c & D.3 and has found the proposal to meet the aforementioned criteria. Therefore staff recommends that the request be approved.