



## Legislation Text

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File #: 19-1070, Version: 1

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**TO: Mayor and Commissioners**  
**FROM: Anthea Gianniotis, Development Services Director**  
**THROUGH: Neal de Jesus, Interim City Manager**  
**DATE: November 5, 2019**

POTENTIAL ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND REZONING OF THE CITY-OWNED 4.06-ACRE PARCEL LOCATED ON THE NORTH SIDE OF THE L-30 CANAL, EAST OF INTERSTATE 95, AND WEST OF LAKE IDA.

**Recommended Action:**

Provide Direction.

**Background:**

The City currently owns two parcels of land located on the north side of the L-30 canal, which borders the Lake Ida Park & Dog Park located at 1455 Lake Ida Road. In 2015, the land was deeded to the City of Delray Beach by Palm Beach County for \$100,000 with restrictive provisions. The deed was granted upon the expressed condition that the properties be used as open green space or for passive park purposes, which may include accessory structures and improvements, such as pedestrian pathways, gazebos, shade structures, and temporary docking facilities. In the event the City allows the property to be developed and/or used for any other purpose, title of the property shall revert to the County.

The largest portion of the land (4.0626 acres) is located within unincorporated Palm Beach County. It currently has a Palm Beach County Medium Residential (MR-5) Future Land Use designation and a Palm Beach County Agricultural Residential (AR) zoning designation. A small sliver of land along the northern L-30 canal bank was part of the land deeded to the county, but is technically located within the City's municipal boundary. This small parcel has City of Delray Beach Open Space land use and zoning.

The parcel location limits the provision of services. It does not have vehicular access from a public right-of-way; limited access for maintenance is available from I-95 and from the Lake Ida waterway. The Utilities Department has determined the provision of water and sewer service by the City is cost-prohibitive.

The County has issued code enforcement violations against the City for the parcel located in unincorporated Palm Beach County.

The City has initiated the voluntary annexation process to bring the parcels into the municipal boundary and assign Open Space land use and zoning designations. At the August 19, 2019 Planning and Zoning Board meeting, the board voted in a public hearing to recommend approval of the proposed annexation (4-1; Osborn dissented), Future Land Use Map amendment (5-0), and

rezoning (5-0).

**City Attorney Review:**

N/A

**Funding Source/Financial Impact:**

The land is City-owned. N/A

**Timing of Request:**

N/A