

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**



Application No.: Z-2010-00668
Control No.: 2010-00125
Applicant: Palm Beach County
Owners:

Owner Name	Property Control Number
Affordable Equipment Sales & Service Inc	00424401000001120
Gran Barbara &	00424401000001130
Lefavor F A &	00424401000001140
Mercurio Peter &	00424401000001200
Barbarito Gerald M Dd Jcl Bishop Of	00424401000001210
Car Palm Llc	00424401000007120
Car Palm Llc	00424401000007120
Car Palm Llc	00424401000007290
Prism Enterprises Inc	00424401010000010
Perth Llc	00424401010000030
Florida Power & Light Co	00424401050000010
Lewis Brenda J	00424401050000560
Gardener Enterprises Inc	00424401050000580
Gardener Enterprises Inc	00424401050000590
Singh Latchmie N	00424401050000630
Sky Ranch Investment Llc	00424401050000870
Abbondanzio Giovanni	00424401050000910
704 Enterprises Inc	00424401050000920
704 Enterprises Inc	00424401050000930
Polo Shopping Ltd	00424401050001100
Le Favor Franklin A &	00424401110000231
Lefavor Franklin A &	00424401110000232
Lefavor F A &	00424401110000251
Rosner Realty Llc	00424412000001450
Mpi Country Grove Inc	00424412000001490
New River Enterprises Llc	00424412000001520
Mid American Properties	00424412000003010
Roshi Llc	00424412000003201
Summit Commons LLC	00424412000003210
Tenn Aston & Yvonne	00424412000005390
Stratemeyer Llc	00424412000007010
Poltze Inc	00424412000007160
Macdonald A &	00424412000007250
Massachusetts Refreshment Corp	00424412000007300
De Palma Frederick T Tr	00424412000007350
Boat Mart Inc	00424412000007360
Strata Realty Inc	00424412000007370
Huebler John D &	00424412010000010
Zurita Maria E	00424412010000020
Walker Roy E &	00424412010000060
Olivera Jesus A Jr &	00424412040000012
Hatim Bibi	00424412040001120
Mercurio John F &	00424412040001130
Pena Mario &	00424412050000030
Military Kelmar Llc	00424412050000200
Randolph Alex	00424412060000013
Randolph Alex	00424412060000014

Royals Ok Lunch Inc	00424412060000200
Ethan Holdings Llc	00424412070000010
Joyce R Giddens Tr	004244120700000130
Quevedo Miguel	004244120700000140
1154 Pb Llc	00424412090010012
1154 Pb Llc	00424412090010042
Marcos Aleman & Mireille	00424412090020040
Alvarez Marielly	00424412160000010
Diekevers T & Marilyn J &	00424412160000020
Giordano Rita	00424412160000040
Golden Mutual Trust Llc	00424412160000050
Garces Arbelio &	00424412160000060
Sansone Family Realty Trust &	00424412160000070
Basil Ross	00424412160000080
Unkelbach Irene G	00424412160000090
Hall Ira & Mary	00424412160000100
Kemp Darrin T	00424412180000110
Vincler Robert P	00424412180000120
Sanchez Olga &	00424412180000130
Sovic Betty Ann	00424412180000140
Adams Richard H & Barbara F	00424412180000150
Soreco Peter J &	00424412180000160
Cossio Robert	00424412180000170
Rivera Gilberto A Jr	00424412180000180
Torres Balbino &	00424412180000190
Johns Tara &	00424412180000200
Silvia Joseph J &	00424412180000210
Stadler Erica &	00424412180000220
White Timothy J &	00424412180000230
Mahmud Abm	00424412180000240
Stadler Matilde &	00424412180000250
Adams Douglas G	00424412180000260
Wells Fargo Bank	00424412180000270
Rivera Jesus	00424412180000280
Trenchard Robert M	00424412180000290
Brown Thomas V	00424412180000300
Talerico Edward R	00424412180000310
Malveto Virginia M	00424412180000320
Flags Plus Inc	00424412190000010
Martinez Celia	00424412190000031
Rull Juan L &	00424412190020010
B & B Leasing Inc	00424412320000010
Russo Daniel S	00424412320000020
Anthony Groves Inc	00424413000001051
Stinson Brian & Dawn	00424413000001060
Trio Llc	00424413000001170
Heaven Investments Inc	00424413000001231
2021 S Military Trail Wpb Llc	00424413000003001
Building Blocks Ii Learning Center	00424413000003210
Apple Inc	00424413000003240
Lopez Jose L	00424413000003250
Tropical Sundance Llc	00424413000003810
Good Shepherd United	00424413000003820
Park Lane Enterprises Llc	00424413000005030
2976 S Military Trail Llc	00424413000005050
Pb Schools Inc	00424413000005060
Blueprint Properties Inc	00424413000007030
Village On The Green At Greenacres Llc	00424413000007040
La Banca Domenick	00424413000007090
V S H Realty Inc	00424413000007100
Star Property Vi Llc	00424413010010080
Florida Power & Light Co	00424413010020010
Calvo Jesus &	00424413010030280

Paduana Teresa	00424413010040010
Purdy Lane Inc	00424413020010210
Checkers Drive In Restaurants	00424413020010230
Mim Inc	00424413020010250
A Aleem Construction Inc	00424413030010091
Schaerer Edward J	00424413030020071
Damato Jeffrey J &	00424413030020072
Goble Elfriede	00424413040010010
Tufano Michael	00424413040010020
Kent Ave Properties Llc	00424413040020020
Cjnb Inc	00424413040020241
Wall Gary S	00424413040020250
Tropical Sundance Llc	00424413050010030
Robert Yvette	00424413050010070
Newbery Kimberley J & Sandra	00424413050010090
Merkel Daryl R & Mary J	00424413050010480
Ivancevic Danilo &	00424413070000221
2550 Military Trail Llc	00424413090010040
St John Paul B	00424413090010060
Merkel Daryl R & Mary J	00424413090010500
Rashid Km Mojur &	00424413090010510
Cervera Delio	00424413090020090
Kyle Kipp J &	00424413090020470
Webb Kenneth	00424424000005160
Seaglates Investment Co	00424424000007060
Seaglates Investment Co	00424424000007061
Ritz Petroleum Llc	00424424000007080
Seaglates Investment Co	00424424000007090
Warbanks Properties Inc	00424424000007150
Young Realty Co	00424424000007160
Jaahl Lake Worth Llc	00424424000007161
Florida Carolina Furniture Outlet Inc	00424424000007590
Howley Edward	00424424010000140
Tritt Russell C	00424424010000164
Anjo Of Skylake Inc	00424424010000200
Four 290 Partners Inc	00424424010000221
F & A Food Property Corporation	00424424010000222
4400 Investments Llc	00424424010000224
Four 290 Partners Inc	00424424010000230
Four 290 Partners Inc	00424424010000240
Burry Linda	00424424010000260
El Mesias Church Of The Nazarene Inc	00424424010000430
Circle K Stores Inc	00424424020010010
Pronto Enterprises Of Palm Beach Inc	00424424020020010
Wood Properties	00424424040000010
Alvarenga Jorge &	00424424040000020
Hodges James W Iii	00424424040000370
Mcleod Nancy H Trust	00424424040000390
10th Avenue Properties Inc	00424424050000061
Duthler Gerald	00424424050000080
Community Credit Corp	00424424050000110
Sheldon Sally P	00424424050000120
Cordoba Juan C &	00424424050000150
Persad Jennifer	00424424050000170
Rolfo Alberto	00424424050000190
Weiss Bradley G & Cetty M	00424424050000200
Margraf E Arthur & Esther S	00424424050000220
Matalia Hitesh	00424424050000240
Mr Clean Laundry Llc	00424424050000260
Bluerock Holdings Llc	00424424050000280
Mortell Richard J	00424424070020010
Mortell Richard J	00424424070020030
Lm Investment Partners Llc	00424424070020170

Ketcham Douglas & Luellen	00424424070030110
Freeman Lynda A &	00424424100000630
Cvag Inc	00424424100002430
Hillman Todd W & Betsy W	00424424100003390
Duckworth O C & Rebecca L	00424424100003440
Aruba Food Service Inc	00424424100005170
Medrano Maria C	00424424100005260
Ortiz E V &	00424424100005290
Darebecafe Investment Corp	00424424100006080
Singh Elizabeth	00424424100006160
Paavan Corp	00424424100006200
Americas Sound Incorporated	00424424100006240
Wingo Guy L Iii	00424424100006310
Mazariegos Romeo &	00424424100008030
Valdes Sergio J &	00424424100008050
Cr Holdings Llc	00424424100008100
E B E Usa Inc	00424424100008130
Yorkridge Properties Inc	00424424100009000
Jeffrey Realty Investments Inc	00424424100009040
Hashagen Robert &	00424424100009070
Hashagen Robert &	00424424100009150
Loor Wilfrido G &	00424424100991088
Dsal Llc	00424424100991200
Pronto Enterprises Of Palm Beach Inc	00424424110000021
Stearns Investments	00424424200000012
Discount Auto Parts Inc	00424424320100010
Eunice Susan E	00424424320100160
Vogel Howard I & Alicia H	00424424320110010
Ens Investments Llc	00424424320110150
Spartan Motors Llc	00424424320120010
Bache & Horn Enterprises Inc	00424425000001010
Tiger Investment Group Inc	00424425000001020
Diwatch International Consultants Inc	00424425000001030
Diwatch Intrntnl Consultants Inc	00424425000001370
Salvation Army	00424425000001380
Stegall Beatrice O Trust	00424425000001410
Erebus Inc	00424425000001420
Murco Holding Inc	00424425000001460
State Street Bk & Trust Co Tr	00424425000001510
Eagle Petroleum Inc	00424425000003020
Lake Worth Center Llc	00424425000003021
Florida Power & Light Co	00424425000003040
Lake Worth Center Llc	00424425000003050
Jasp Holdings Llc	00424425000003070
Sundarsingh Valmiki & Annette	00424425000003340
Khan Munaff A &	00424425000003350
Castillo Orestes &	00424425000003380
Db Real Estate Assets I Llc	00424425000003610
Freeman Lynda A	00424425000005010
Blakeley Gregory	00424425000005020
Moore Ronald E &	00424425000005180
Milmel Inc	00424425000005960
Roberts Shirley A	00424425000006310
Behboudi Esfandiar &	00424425000006320
Koncir George &	00424425000006330
Mnr Lull Inc	00424425000006340
Southern Engineering & Constrctn Llc	00424425000006360
Johnson Howard	00424425000006370
Kjellgren Joyce A	00424425000006380
Atlantis Auto Center Inc	00424425000006390
Kjellgren Joyce A	00424425000006400
Roberts Shirley A	00424425000006410
Castillo Ulbicio	00424425000006690

Dempsey James M	00424425080010010
Mollah Mohammed &	00424425080010040
4360 Inc	00424425080030010
Ettman Jonathan & Laura	00424425080030050
Ettman Jonathan & Laura	00424425080030100
Ettman Jonathan & Laura	00424425080030110
Tacos	00424425080040010
Jiffy Lube International Of Maryland Inc	00424425080070010
Tuller Properties Llc	00424425080070040
Ortega Mgmt Corp	00424425370010000
Dolphin Stations Llc	00434405000007110
Bachrach Floyd I Family Ltd	00434405040000020
Alvarez Zoraida Tr	00434405040000260
Torres Justa H &	00434405040000270
Hernandez Daimy &	00434405040000471
Louigene Venante Marie	00434405040000481
Odle Gary A	00434405060020010
Bills Trailer Park Llc	00434405060020020
Bills Trailer Park Llc	00434405060030010
Carlstedt Oscar G Co	00434405060040010
366 South Congress Llc	00434405060050010
Hickman Wallace W Sr &	00434405080030030
Hickman Wallace W Sr &	00434405080030050
Woodward Inc	00434405080040010
Santiesteban Enrique	00434407000001050
Best David A &	00434407030020011
Aladdin Usa Corporation li	00434407090210010
Yeend & Castaneda Llp	00434407120000051
Millwood Properties East Llc	00434407120000052
Ormazabal & Sabugo Llc	00434407120000061
Ormazabal & Sabugo Llc	00434407120000062
Columbian Building Assn Of Wpb Inc	00434407120000070
Patidar Invstmnts	00434407120000092
Millwood Prop Owners Assn Inc	00434407220020000
Canales Jorge &	00434408100020201
Belcher Charles D Electrical Svcs Inc	00434408100030010
Murphy Linda L	00434408150010010
Murphy Linda L	00434408150010020
Ahrens Lorraine D Trust	00434408150040010
Wheelihan Richard S Jr &	00434408150040030
Duclos Family Trust D-1	00434408150040040
Duclos Family Trust D-1	00434408150040070
Beshara Assoc Inc	00434408150040091
Duclos Family Trust D-1	00434408150040092
Duclos Family Trust D-1	00434408150040100
Alzate Bernardo & Luz	00434408220000190
G & B Communications Inc	00434408220000222
Masson Tonda C	00434419120000010
Masson Peter P & Tonda C	00434419120000030
Coastal Investors Inc	00434419170000010
Cramer Shaun E &	00434419200660130
Morales Jose J &	00434419200660140
Florida Search Co	00434419200660150
G B M Holding Llc	00434420011010020
Holden Geraldine	00434420011010030
Eastman Bernard D	00434420011010040
Holden Geraldine	00434420011010050
Eastman Bernard D	00434420011020030
Eastman Noel Jr	00434420011020040
G B M Holding Llc	00434420011020080
Carroll John	00434420011040010
Soodeen Chatoor P	00434420011040020
Inter Films Usa Inc	00434420011040030

3912 Congress Avenue Land Trust	00434420011040050
Carroll John J	00434420011040060
Evans Kennedy	00434420011040070
Hazara Enterprises Inc	00434420011040080
Massie Francis W	00434420011060010
Is & Rg Llc	00434420011060020
Tran Hong V	00434420011060040
All Air Conditioned	00434420011060060
Partners Preferred Yeild Iii Inc	00434420011070040
Partners Preferred Yeild Iii Inc	00434420011080010
Morell Joicie A Tr	00434420020000081
Mccranel Peter	00434420020000130
Evans Kennedy	00434420020000161
Lopez Martin &	00434420020000280
Lopez Martin &	00434420020000300
Ultimate Door Palm Beach Inc	00434420230010000
Constant Motion Llc	00434420230020000
Bailey Derle B Sr &	00434430010090020
Butler Susan C	00434430010090030
Haitian Evangelical Crusade Assn Inc	00434430010090040
Hansen Thomas C & Helen L	00434430010150010
Dick Herbert E &	00434430010160011
Chowdhury Mohammed O &	00434430010160012
Marned Properties #2 Llc	00434430010310030
Lp Roca Investments Inc	00434430010320020
Bethel Assembly Of Lake Worth Fl Inc	00434430010330030
Bethel Assembly Of Lake Worth Fl Inc	00434430010340040
Coral Lakes Apartments Inc	00434430010340050
P F A Sara Llc	00434430010650010
Clapp Patricia M &	00434430010650031
M Mauck Omfs	00434430010970010
Sheel Guadalupe D	00434430010970020
4801 Congress Avenue Llc	00434430010970030
Zurlo Eugene	00434430010980010
Prince Partners	00434430010980030
Martinez Edith &	00434430010980051
Owens Michael R	00434430010980052
Prince Partners	00434430010980053
Prince Congress Prop Inc	00434430011280010
Daisog Corp	00434430011280030
Bandam Ent	00434430040000010
Daisog Corp	00434430110000010
Daisog Corp	00434430110000020
Daisog Corp	00434430110000030
Daisog Corp	00434430110000040
Columbia Jfk Medical Center	00434430150000010
Columbia Jfk Medical Center	00434430150000020
Congress Pointe Inc	00434430160010000
Wendys International Inc	00434430160020000
Gardener Enterprises Inc	00424401050000600
Lefavor Franklin A	00424401110000220
Autozone Inc	00424412000001010
Autozone Inc	00424412000001440
Palm Beach County	00424412000003310
Zimmerman Donald W Sr & Johanna Trust	00424412010000050
Mercurio John F &	00424412040001151
Pena Mario &	00424412050000010
Randolph Alex	00424412060000011
Randolph Alex	00424412060000012
Mendez Johana	00424412070000020
1154 Pb Llc	00424412090010011
Le Favor F A &	00424412090010021

Bagnell Walter & Mary A	00424412090010030
Bagnell Walter & Mary A	00424412090010041
Darebecafe Investment Corp	00424412090020010
Gil Carlos	00424412090020021
Cottin Gregory & Patricia H	00424412090020022
Rivera Gilbert	00424412160000030
Sutton Terrace Condo Assn	00424412190000021
Macaluso Marianne	00424412190000032
Laosuwan Surachai &	00424413000001230
Seaglades Investment Co	00424413000003230
Plantation Plaza Llc	00424413000005100
Village On The Green At Greenacres Llc	00424413000007050
Thewlis Robert E & Catherine R	00424413000007070
Blueprint Properties Inc	00424413000007110
Village On The Green At Greenacres Llc	00424413000007120
Village On The Green At Greenacres Llc	00424413000007370
Horizon Custom Bldrs Inc	00424413010040271
Mipal Realty Company	00424413030020011
Cjnb Inc	00424413040020011
New Light Fellowship Inc	00424424000005030
Wbp Partners Llc	00424424000005670
Bella Vista Development Llc	00424424000006070
Seaglades Investment Co	00424424000007062
Ritz Petroleum Llc	00424424000007070
4400 Investments Llc	00424424010000220
Saint Martin Llc	00424424010000223
Intracoastal Packing Inc	00424424050000030
Community Credit Corporation	00424424050000100
Aruba Food Service Inc	00424424100003360
Darebecafe Investment Corp	00424424100006060
Darebe Cafe Investment Corp	00424424100006120
Turcios Misliam D	00424424100008070
Hashagen Robert &	00424424100009120
Hashagen Robert &	00424424100009170
Hashagen Robert &	00424424100040000
Saint Martin Llc	00424424100991166
Saint Martin Llc	00424424100991170
F & A Food Property Corporation	00424424100991174
Stegall Emmett Tr	00424425000001430
Gmj 4424 Military Trail Llc	00424425000001520
Lake Worth Ventures I Llc	00424425000003000
Bevaqua Inc	00424425000003430
Southland Corp	00424425000006350
Dh Investments Properties Llc	00424425080030130
Tacos Al Carbon Inc	00424425080040060
Tuller Properties Llc	00424425080040080
Tacos Al Carbon Inc	00424425080040090
Tacos Al Carbon Inc	00424425080040110
Tuller Properties Llc	00424425080070060
L & M Baez Fmly Ltd Ptnrshp	00424425210010000
Baez Mario M &	00424425210020000
Wellman Care Inc	00424425370020000
Realtors Assn Of The Palm Beaches	00434405000007040
Realtors Assn Of The Palm Beaches	00434405000007041
Southland Corp	00434405000007042
Realtors Assn Of The Palm Beaches	00434405000007100
Daniel Borislow Llc	00434405000007120
Realtors Assn Of The Palm Beaches	00434405000007140
Southland Corp	00434405040000010
Rose James M Trust	00434405060010010
Realtors Assn Of The Palm Beaches	00434405080010010
Realtors Assn Of The Palm Beaches	00434405080010040
Realtors Assn Of The Palm Beaches	00434405080010070

Hickman Wallace W Sr &	00434405080030010
Hickman Wallace W Sr &	00434405080030040
Gerke Gabrielle &	00434405080040070
Our First Bldg Inc	00434405080050010
Bozicevic Mark & Joy	00434405080050050
Morejon Alfredo &	00434405080050260
Morejon Alfredo &	00434405080050270
Simone Madeline	00434407000001021
First Choice Credit Union	00434407120000021
Palm Beach County	00434408100020011
Aca Palm Beach Investments Llc	00434408100020211
Aca Palm Beach Investments Llc	00434408100020221
Masson Peter P & Tonda C	00434419110010011
Masson Peter P & Tonda C	00434419110010012
Piljan Food Inc	00434419120000160
Piljan Food Inc	00434419170000282
Eastman Noel Jr Trust	00434420011020011
Eastman Bernard D	00434420011020012
Eastman Bernard D	00434420011020070
Eastman Bernard D	00434420011020090
L & L Of Palm Beach Inc	00434420020000101
Zapata Janneth &	00434420020000270
Dominguez Alain L &	00434430010130012
Bethel Assembly Of Lake Worth Fl Inc	00434430010310050
Bethel Assembly Of Lake Worth Fl Inc	00434430010320050
Bethel Assembly Of Lake Worth Fl Inc	00434430010330010
Bethel Assembly Of Lake Worth Fl Inc	00434430010330020
Coral Lakes Apartments Inc	00434430010330050
Coral Lakes Apartments Inc	00434430010610010
Coral Lakes Apartments Inc	00434430010620010
Coral Lakes Apartments Inc	00434430010640031
Coral Lakes Apartments Inc	00434430010640032
Amoco Oil Co /Lessee	00434430010650032
Prince Partners	00434430010980040
Zheng Sunny	00434430040000040
S & S Enterprises Inc	00434419320010010
Lake Worth Storage Associates Llc	00424413450010000
Lake Worth Storage Associates Llc	00424413450020000
Walgreen Co	00424413460010000
Custom Investments Llc	00424425380010000
S&S Rentals Llc	00434419320010020
Emerald Lake Apts Llc	00434430000001010
Eastman Bernard D	00434420011010060
Mid American Properties	00424412000003420
Mid American Properties	00424412000003430
Yang Li Fel &	00434419200660290
Medical Services Of America Inc	00434430010320030
Kyle Kipp J &	00424413090020451
Tacos Al Carbon Inc	00424425080040120
Don Ramon li Inc	00424401050000270
Interloc Inc	00434430010980020

Agent: Planning, Zoning, and Building - Autumn Sorrow
Telephone No.: (561) 233-5278
Project Manager: Autumn Sorrow, Senior Site Planner

Location: Along the east and west sides of Congress Avenue and Military Trail, and bordered by Southern Boulevard to the north and extend as far south as the Lake Worth Drainage District L-8 Canal. Additional locations are along Lake Worth Road and 10th Avenue North. (Urban Infill PRA Rezoning)

TITLE: an Official Zoning Map Amendment **REQUEST:** to allow a rezoning from multiple Zoning Districts to the Urban Infill (UI) Zoning District

APPLICATION SUMMARY: Proposed is the rezoning of 263.64-acres for approximately 92 parcels of land from multiple zoning districts to the Urban Center (UC) Zoning District. Also proposed is the rezoning of 435.10-acres for approximately 501 parcels of land from multiple zoning districts to the Urban Infill (UI) Zoning District. The general locations of the rezonings are along the east and west sides of Congress Avenue and Military Trail, and bordered by Southern Boulevard to the north and extends as far south as the Lake Worth Drainage District L-8 Canal. Additional locations are along Lake Worth Road and 10th Avenue North. (see map insert). The rezoning shall apply to those properties that have a UC or a UI Future Land Use designation only.

ISSUES SUMMARY:

o History

On August 22, 2005, the Board of County Commissioners (BCC) amended the Comprehensive Plan to establish an Urban Redevelopment Area pursuant to Ordinance 2005-029. The goal of the Urban Redevelopment Area is to coordinate redevelopment efforts and provide development regulations and infrastructure improvements needed in the area consistent with the following Comprehensive Plan policies:

- Provide and enhance viable redevelopment opportunities to discourage further westward expansion;
- Provide a variety of housing options for persons and families of all income ranges; support existing Comprehensive Plan and Managed Growth Tier System provisions for sustainable urban development;
- Utilize and enhance existing infrastructure facilities and services; and,
- Attract new residents, businesses, and services to improve the quality of life for the current population in the Urban Redevelopment Area.

Priority Redevelopment Areas

Additional amendments were adopted pursuant to Ordinance 2007-026 on November 26, 2007, to implement the Urban Redevelopment Area (URA) Planning Study and Corridor Master Plans. Those amendments established the Priority Redevelopment Areas (PRA) that are generally located along the east and west sides of Congress Avenue and Military Trail, bordered by Southern Boulevard to the north and extend as far south as the Lake Worth Drainage District L-8 Canal, with additional locations along Lake Worth Road and 10th Avenue North. The BCC adopted Ordinances 2009-046 and 2008-056 which changed multiple land uses for the subject properties to the UC and UI Future Land Use (FLU) designations.

o Consistency with Comprehensive Plan

The Planning Division has reviewed the request and found the request to be consistent with the site’s newly adopted UC FLU designations of the Comprehensive Plan. See Planning Comments for additional information.

o Consistency with the Code

The purpose of this County-initiated rezoning is to bring the subject parcels into consistency with the newly adopted UC Future Land Use Designation and to further the goals of the Comprehensive Plan. The subject sites which had prior approvals will be required to comply with previous conditions of approval, if applicable and the subsequent ULDC Amendments.

Concurrent with the County-initiated rezoning process are amendments to the Unified Land Development Code (ULDC) to implement the policies of the Comprehensive Plan and the goals of the Urban Redevelopment Area Master Plan. The ULDC creates an Overlay for the Urban Redevelopment Area and establishes development regulations consistent with the following purpose and intent:

- Implement the concepts of the July 2007 Palm Beach County Urban Redevelopment Area Planning Study and Corridor Master Plan prepared by the Treasure Coast Regional Planning Council inclusive of the 2009 Planning Division addendum;
 - Implement the Urban Redevelopment Area Objectives and Policies of the Plan, with an emphasis on Priority Redevelopment Area policies;
 - Utilize Smart Growth and Form Base Code principles to create a predictable regulatory framework to encourage the fundamental principals of urban design and architecture to create authentic traditional development; and,
 - Encourage development that is in a form that is compact, mixed use, and walkable, with emphasis on safety, comfort, and ecological responsibility.
- o Compatibility with Surrounding Land Uses

As mentioned above, the rezoning to the UC Zoning District affects approximately 263.24 acres along the east and west sides of Congress Avenue and Military Trail, and bordered by Southern Boulevard to the north and extend as far south as the Lake Worth Drainage District L-8 Canal. Additional locations are along Lake Worth Road and 10th Avenue North. The UC Zoning District is the most intense of the two proposed zoning districts (UC and UI), which is comprised mostly of intense commercial uses and located at the major intersections. At this time, the rezoning to UC will not affect compatibility with surrounding land uses as no new developments are proposed with these rezonings. It is important to note that the concurrent ULDC amendments will include provisions that will address compatibility and protect adjacent properties when new development and/or renovations are proposed within the PRA. The ULDC amendments will create regulations for the new UC Zoning District as it relates to building height, building use, building type, allowable uses, location of parking and outdoor uses, access points, interconnectivity, streets and blocks. The design and form and how the buildings are placed are further defined by their proximity to the street, existing commercial uses, and adjacent residential units.

o Prior Approvals/nonconformities

For projects that have prior approvals they are vested for that information that is clearly labeled/indicated on their Development Permit (e.g. site plan or building permit) and stated in their Development Order. Modifications to prior approvals are subject to the regulations and thresholds of modifications as stated in Article 1.E, 'Prior Approvals' and Article 1.F, 'Nonconformities'.

Many of the sites within these areas are nonconforming under the current regulations. Expansion, maintenance, renovations, or damage repair beyond the thresholds require the site to comply with new Urban Redevelopment Area Overlay (URAO) Code. Article 1 of the ULDC currently contains thresholds to address nonconformities in relationship to what is vested and to what extent renovations and modifications can be made; that threshold is 30% of the assessed improvement value of the structure established by the Property Appraiser. The proposed code has increased the nonconformity threshold to 50% for the properties located within the Urban Redevelopment Area Overlay.

One of the following scenarios will apply to a parcel within the Urban Redevelopment Area Overlay:

- Vacant Parcels- Development of the site shall comply with the Comprehensive Plan and Unified Land Development Code Requirements for the Urban Center requirements.
- Prior Approvals-
Article 1.E.1.B:
All development orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the BCC, the ZC, the DRO, Enforcement Boards, all other PBC decision making and advisory boards, Special Masters, Hearing Officers, and all other PBC Officials, issued pursuant to the procedures established by prior PBC land development regulations shall remain in full force and effect until superseded by amendment, expiration, revocation, or abandonment. The uses, structures, lot size, site elements and the associated site design, access, intensity, density, and tabular data shown on a valid development order such as a development permit or plan that was approved in accordance with a prior ordinance shall not be subject to the requirements of this Code for any information clearly shown. This information may be carried forward onto subsequent plans if necessary to implement the previously approved plan. **[Ord. 2010-005]**

- Modifications of Prior Approvals-
 Article 1.E.1.C.2
 Proposed modifications may not increase a nonconformity. The applicant shall identify the extent of the proposed modification on the applicable plan and in the application pursuant to Art. 2, Plan Requirements. The application and plan shall: **[Ord. 2010-005]**
 - list all prior Zoning resolutions and prior ULDC Amendment Ordinances to establish a record of any prior vesting claim; **[Ord. 2010-005]**
 - delineate on the plan the boundary of the affected area and indicate all proposed modifications; If necessary, the Zoning Director shall render decision on the affected area. **[Ord. 2010-005]**
 - identify all nonconformities with prior approved development orders, which includes: lot, structure, use, and site elements of the subject property or affected area of the subject property to establish a record of nonconformities in the tabular data of the plan, and notate on the plan these nonconformities, where applicable. **[Ord. 2010-005]**
 - all nonconformities outside of the affected area that are clearly shown on a prior development order shall be vested. **[Ord. 2010-005]**

Table 1.F.1.F, Nonconformities – Percentage and Approval Process for Expansion

Improvement Classification	Major Nonconforming Use in a Conforming Structure (1)	Minor Nonconforming Use in a Conforming Structure (1) (2)	Conforming Use in a Nonconforming Structure	Nonconforming Site Element (4)
Expansion				
Non-Government and Government	One time only 10% max. allowed with DRO Approval.	One time only 10% max. allowed with DRO Approval.	Comply with Code through applicable review approval process.	Comply with applicable Code to greatest extent possible through applicable review approval process.
IR-O, URAO, WCRA-O (4)	Shall not be expanded in area it occupies unless it is being expanded into an area of a structure, which was designed and approved for such use in a valid development order prior to becoming nonconforming.	Shall not exceed 10% max. of approved floor area of the structure or 10% of the improvement value of the structures on site, whichever is less, or other form of measures pursuant to Art. 1.F.4.D.	Shall not change or increase the nonconforming features of the structure. Shall not result in the expansion of a nonconforming use.	
[Ord. 2010-005]				
Notes:				
1. Nonconforming use in a nonconforming structure shall not expand.				
2. Expansion shall be based upon intensity or density pursuant to Art. 1.F.4.D, Nonconforming Use.				
3. A higher percentage shall be allowed for Redevelopment Areas and Overlays to encourage infill and redevelopment that requires built forms to regulate uses. All improvements must comply with applicable Sections of Art. 3.B, Overlays.				
4. Refer to Art. 1.F.5, Nonconforming Site Elements for additional information.				

G. Maximum Improvement to a Nonconformity

The standards, limitations, and approval processes for improvements to nonconformities shall be as follows: **[Ord. 2010-005]**

- Maintenance, Renovation and Natural Disaster Damage Repair - The total combined value for improvement classifications shall not exceed the allowable maximum percentage of any single improvement classification. The percentage of each improvement classification is pursuant to Table 1.F.1.G, Nonconformities - Percentage

and Approval Process for Maintenance, Renovation, and Natural Disaster Damage Repair. **[Ord. 2010-005]**

2. Maintenance – may be performed in any 12-consecutive month period. **[Ord. 2010-005]**
3. Renovation and Natural Disaster Damage Repair - The cumulative changes in total value of improvement are calculated over the previous five-year period as a nonconforming use or structure is renovated or repaired for damages. **[Ord. 2010-005]**
4. Public utility facilities with nonconforming structures on existing sites shall not be subject to the requirements of this Chapter. **[Ord. 2010-005]**
5. For additional requirements for each type of nonconformities, see applicable Sections of this Chapter. **[Ord. 2010-005]**
6. No variance shall be permitted for the percentages stated in Table 1.F.1.F, Nonconformities – Percentage and Approval Process for Expansion. **[Ord. 2010-005]**
7. Repair for non natural disaster damage shall comply with percentage pursuant to Table 1.F.1.F, Nonconformities – Percentage and Approval Process for Expansion. **[Ord. 2010-005]**

**Table 1.F.1.G,
Nonconformities – Percentage (1) and Approval Process for
Maintenance, Renovation and Natural Disaster Damage Repair**

Improvement Classifications	Major Nonconforming use (1) (2)	Minor Nonconforming use (1) (2)	Conforming Use in Nonconforming Structure (1)	Nonconforming Site Elements
Non-Government				
Maintenance	≤20%; By Right	≤30%; By Right	≤20%; By Right	Comply with applicable Code to greatest extent possible through applicable review approval process. (5)
Renovation				
Natural Disaster Damage Repair				
Government (3)			OR	
Maintenance	≤30%; By Right	≤45%; By Right	>20%≤30%; DRO	
Renovation				
Natural Disaster Damage Repair				
URAO WCRA-O, IR-O (4)				
Maintenance	≤20%; By Right	30%; By Right	30%; By Right	
Renovation				
Natural Disaster Damage Repair	OR >20%≤ 30%; DRO	OR >30 ≤ 50%; DRO	OR ≤ 50%; DRO	
[Ord. 2010-005]				
Notes:				
1.	All percentages shall be based on the Improvement Value of the structure pursuant to Art. 1.F.1.D, unless stated otherwise herein.			
2.	For nonconforming use in a conforming or nonconforming structure, the percentage of the nonconforming use shall apply.			
3.	A higher percentage shall be allowed for Government structures as appraisals by the Property Appraiser's Office are conducted less for Government structures due to exemptions for property tax.			
4.	A higher percentage shall be allowed for Redevelopment Areas and Overlays to encourage infill and redevelopment that requires built forms to regulate uses. All improvements must comply with applicable Sections of Art. 3.B, Overlays.			
5.	If the use or structure is nonconforming, the maximum allowable percentage for improvements for the site elements shall be included in the total value of improvements.			

o Public Informational Meetings

On May 25, 2010 and June 8, 2010, the Palm Beach County Planning and Zoning Divisions held two Public Information Meetings to allow staff to explain to property owners of 1) the County initiated rezoning process and 2) the proposed ULDC that address development regulations for specific locations of the Urban Redevelopment Area. At the May 25, 2010, meeting the following inquiries and comments were voiced by the public: affect(s) of annexation into a municipality; the ability to rebuild after a natural disaster; traffic impacts; existing stormwater management problems; nonconformities; permitted uses under the new zoning designations; “walkable” designs are not appropriate along Military Trail; and the ability to opt-out of the plan. At the June 8, 2010, meeting the following inquiries and comments were voiced by the public: the lack of proper notification of the land-use amendments; the ability to opt-out of the plan now; nonconformities; proposed code amendments relating to site and building design; and concerns that density is already high and do not support the encouragement for increased density.

o Zoning Commission (ZC) Hearing and subsequent meetings

At the July 1, 2010 ZC hearing, Zoning Division staff gave a presentation of the proposed application, followed by comments from the public. Three people spoke at the hearing stating that they were not properly notified of the Site Specific Land-Use amendments and even questioned proper notification of the Rezoning applications. Zoning Division staff commented that the individuals were at the hearing because they did receive notice of the rezonings. Bryan Davis, Principal Planner, of the Planning Division and the County Attorney, Robert Banks, attested that proper notification was sent out to all property owners during the Site Specific Land-Use amendments. The 3 individuals were not necessarily opposed to the rezoning, but they had concerns about how the rezonings and subsequent code amendments would affect them in the future as far as redeveloping and selling of their property. The Zoning Commission had concerns relating to the proper notifications of the Site Specific Land-Use amendments and stated that proper notification was not done and that property owners should have been sent certified and regular mail. The ZC recommended approval of the rezonings with the exception of the 3 properties (PCN:00-41-24-412-00-000-5390; 00-43-44-07-12-000-0092; and 00-43-44-05-06-014-0010 & 00-43-44-05-05-000-0770) where the property owners spoke regarding mis-notification. The ZC wanted to exempt these properties from the rezoning, subject to them meeting with staff and approval by the Board of County Commissioners.

On July 1, 2010, Planning and Zoning staff met with representatives from the Palm Beach County School Board District (PBCSBD) to discuss their property (00-43-44-05-06-014-0010 & 00-43-44-05-05-000-0770) and the effects of the rezoning and subsequent code amendments. [The site is now being used as Repair and Maintenance, General/Dispatching. At said meeting, County staff explained the new code requirements (pending approval) for the new Zoning District as well as the new code language regarding vesting prior approvals. At the conclusion of the meeting the representatives from the PBCSBD stated that they no longer have any opposition to the rezoning.

On July 6, 2010, Zoning staff met with the property owners (Mr. Patel and Ms. Patel) for PCN: 00-43-44-07-12-000-0092 to discuss their property and the effects of the rezoning and subsequent code amendments. [The site is now being used as a convenience store] At said meeting Zoning staff answered many of their questions regarding the existing code requirements for the existing zoning designation (Commercial Neighborhood) and the proposed UI Zoning District (Urban Infill) and code amendments. Zoning staff also explained to them the language in Article 1 regarding non-conforming uses, site elements, and the percent thresholds regarding future expansions/modifications/renovations. Zoning staff also explained the review and appeal process for the existing Commercial Neighborhood Zoning District and the proposed UI Zoning District. At the conclusion of the meeting the property owners stated that they were not necessarily opposed to the rezoning but wanted to review the existing code requirements versus the proposed code with their attorney to see what would work best for them and their future business plans. The property owners said that they would get back with staff prior to the July 22, 2010 BCC hearing on their decision to proceed with the rezoning. On July 21, 2010, staff received an e-mail from the property owners with a comprehensive list of questions that they wanted answered before they made their decision to proceed with the rezoning. Due to the timeliness of the questions and the research needed to answer BCC

Agusut 26, 2010

Page 301

their questions staff recommended that a second meeting be held between the first and second BCC readings.

On July 16, 2010, representatives from the Planning and Zoning Division met with the property owner and representative for PCN: 00-42-44-12-00-000-5390 to discuss their property and the effects of the the new Urban Infill zoning designation and the proposed code amendments. At the meeting, we discussed the existing code requirements for the existing use and structure (commercial plaza) and zoning designation (General Commercial); the proposed use requirements for a Place of Worship and/or Banquet facility (Entertainment, Indoor) under the existing General Commercial Zoning Designation and under the proposed Urban Infill (UI) Zoning Designation; as well as how the proposed code requirements would affect their site. Also discussed in the meeting were the provisions in the Unified Land Development Code regarding non-conforming uses, structures, and lots which are applied to all properties within the unincorporated Palm Beach County. We reviewed the following:

- 1) The language in Article 1 regarding non-conforming uses, site elements, and the percent thresholds regarding future expansions/modifications/renovations; and
- 2) The approval process for a Place of Worship and/or Banquet facility (Entertainment, Indoor). As a follow-up, please note that it was confirmed that a Banquet facility (Entertainment, Indoor) is subject to Development Review Officer (DRO) approval in the UI Zoning District; which is a staff level approval.
- 3) The implications if the property owner decided to opt-out of the County initiated rezonings.

At the conclusion of the meeting, the property owner stated that they were comfortable with the rezonings and would like to proceed accordingly.

o Board of County Commission (BCC) Hearing and subsequent meetings

At the July 22, 2010 BCC hearing, Zoning Division staff gave a presentation of the proposed application, followed by comments from the public. Four individuals spoke on behalf of the rezonings for the properties they own and/or represent: 1) Ankur Patel, 1197 S. Congress Avenue; 2) Chip Carlson, 4848 S. Military trail; 3) Gary Brandenburg, 4165 S. Military Trail; and 4) William Whiteford, spoke in regards to Don Ramón's restaurant and the overall URA concept and regulations.

Mr. Patel had questions about the use of his site, nonconformities, vesting existing site conditions, etc. Zoning staff agreed to met with Mr. Patel again before the BCC second reading and final adoption on August 26, 2010. On August 4, 2010, Zoning and Building staff met with the property owners to answer questions regarding the new UI zoning designation and code amendments. Zoning staff explained the proposed requirements for the UI zoning designation, the proposed code amendments, and the current code requirements and how they affect your property. The following information was discussed: 1) Future Land Use (FLU) designations established by the Comprehensive Plan and the requirement for Zoning Designations to be consistent with the FLU; 2) existing nonconforming site elements; 3) existing structure elements; 4) existing nonconforming use of a convenience store; and 5) existing nonconforming site elements. At the conclusion of the meeting the property owners asked three questions that they wanted answered in writing; staff answered their questions in a follow-up letter dated August 11, 2010. [At time of printing this report staff has not heard from the property owner if they wish to proceed with the rezoning]

Mr. Carlson (agent) spoke in regards to a car wash approval that he received approval of in July 2005 (pursuant to Resolution ZR-2005-002). The agent expressed concerns that this approval is now deemed nonconforming under the proposed Urban Infill code requirements. The BCC directed the agent and staff to meet prior to the BCC second reading and final adoption on August 26, 2010. On August 10, 2010, Planning and Zoning staff met with the agent and the property owner to answer questions regarding the new UI zoning designation and the proposed code amendments. Zoning staff answered many questions regarding the existing code requirements for the approved, but unbuilt use (car wash) and zoning designation (General Commercial) and the proposed zoning designation (Urban Infill) and code amendments. Zoning staff also explained the language in Article 1 regarding non-conforming uses, site elements, and the percent thresholds regarding future expansions/modifications/renovations for both CG and UI zoning designations. The agent and the owner stated that their intent is to sell the property with the car wash approval to an interested party and they were concerned that financial institutions may not grant loans to potential buyers because the use and site design will be considered nonconforming under the UI zoning district. During the

meeting staff and the agent also discussed the possibility of the site being rezoned and redesigned to a Special Development District (SDD). At the conclusion of the meeting the agent stated that they wanted to review the code requirements for nonconformities, the SDD, and wanted to work with the Planning Division on sketching designs that would be consistent with the SDD. [At time of printing this report staff has not heard from the property owner if they wish to proceed with the rezoning]

Mr. Brandenburg (agent) spoke on behalf of his project at 4165 S. Military Trail (CA-2010-974) for a 24 fueling gas station with a convenience store. The agent submitted his application during the interim policy, before the Urban Infill Zoning Designation and code amendments were approved; therefore, he is subject to the General Commercial Zoning Designation requirements and the Urban Infill policies outlined in the Comprehensive Plan. The agent explained to the BCC that his project is not able to get certified because it has not been designed to meet the intent of the UI policies of the Comprehensive Plan which includes, but is not limited to, buildings along the street frontages, with access, service areas and parking to the rear of the building location on the parcel. The agent expressed his concern that the building can not be placed along the street because it would limit the visibility of the fueling stations and may cause security issues. There was considerable discussion between the Commissioners, staff, and the agent regarding the site design of the gas station, intensity of the proposed gas station, and possible security issues. The agent stated that his project will be an improvement to the area and the new code requirements may cause his clients to relocate to an alternative location. The Planning, Zoning, and Building Executive Director sent a follow-up letter dated July 27, 2010 to the agent outlining the reasons why application CA-2010-974 can not be certified. A follow-up meeting with staff and the agent is scheduled for August 20, 2010. [At time of printing this report the follow-up meeting has not occurred]

Mr.Whiteford (agent) spoke in regards to the overall URA concept. The agent handed out a letter to the BCC and staff listing his concerns on the URA: 1) Infrastructure plan, 2) Economic Development, 3) No Market Demand, 4) Nonconformities, and 5) Why has the County opted-out all of its own property? On August 12, 2010, Planning and Zoning staff met with the agent to review his concerns outlined in the letter that he handed out at the BCC meeting. Zoning Staff explained to the agent that most of his concerns are in regards to the over URA master plan and that the proposed rezoning and code amendments are being proposed to implement the policies already adopted in the Comprehensive Plan. The agent also wanted clarification in regards to the language of 'Natural Disasters'. The code allows property that is damaged by Natural Disasters to rebuild their site for exactly was previously approved. The agent wanted to know if this also included non-natural disasters such a fire. Zoning staff acknowledged his concern and suggested that a Policy Memo may be drafted to further clarify nonconformities and the thresholds for future maintenance, renovations, and natural damage disaster repairs. At the conclusion of the meeting the agent stated that he appreciated staff meeting with him and that he would be informing his clients of the information that was discussed. Staff told the agent that if his clients have specific questions regarding how the proposed rezoning and code amendments would affect their site to please schedule a meeting with staff before the August 26, 2010 BCC meeting.

PUBLIC COMMENT SUMMARY: At the time of publication, staff had received numerous telephone contacts from the public regarding this project requesting additional information about the UC and UI Zoning Districts and the overall URA PRA Master Plan. The majority of the callers didn't voice objection or support of the project, instead they just sought information if they were affected or not. Staff provided the callers the requested additional information. Staff received 13 letters in opposition and 8 letters in support of the application. The main issues for objection stated were: higher taxes, lower property values, benefiting big business only, proposal is unworkable and ill-advised, planned restrictions would severely limit small property owners future or continued usage of land, and zoning restrictions are onerous and poorly conceived by county staff.

RECOMMENDATION: Staff recommends approval of the Official Zoning Map Amendment to rezone the subject properties from multiple zoning districts to the Urban Infill (UI) Zoning Districts.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from multiple Zoning Districts to the Urban Infill (UI) Zoning District.

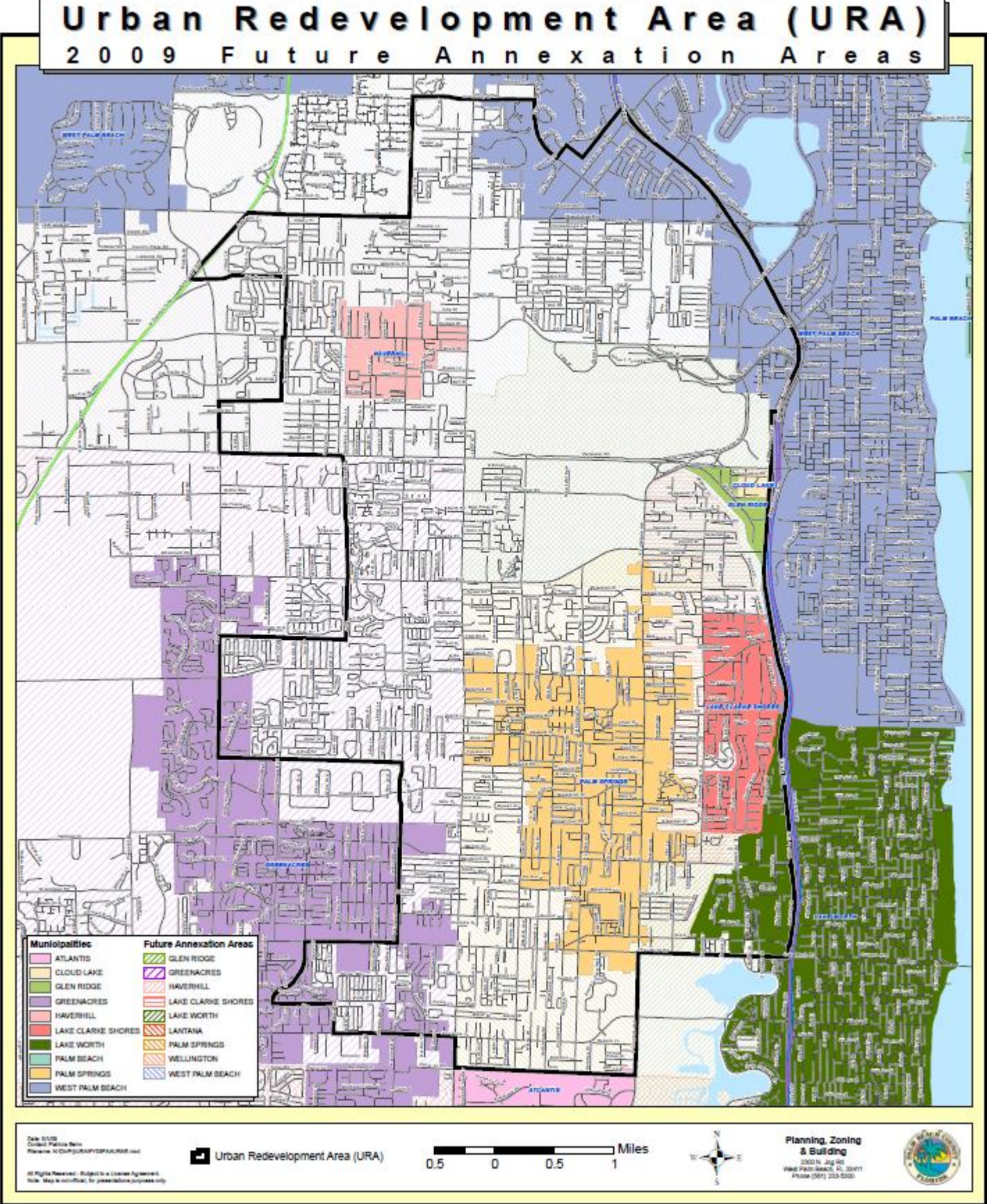


Figure 1: Overall URA Map

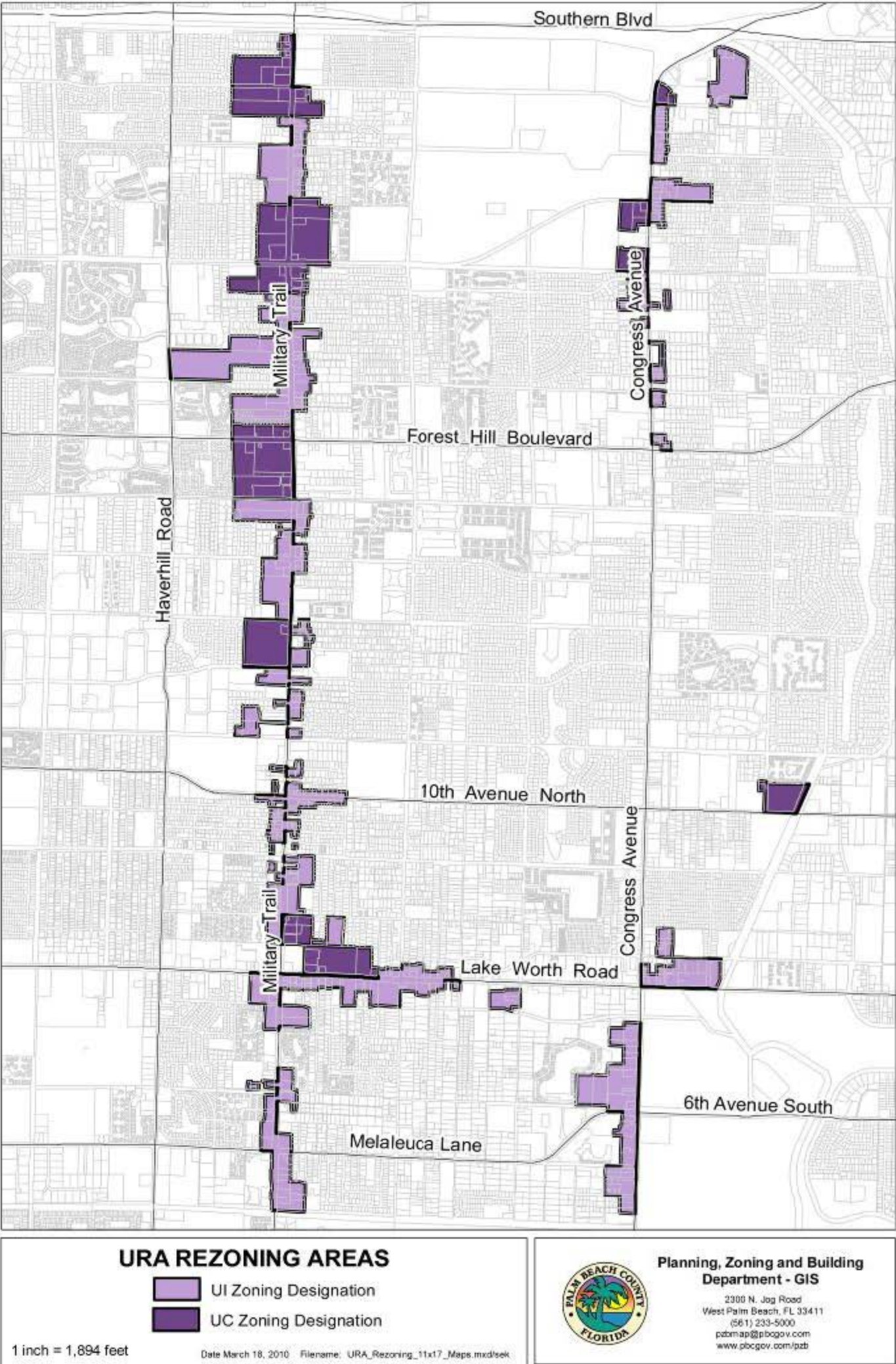


Figure 2 URA Map (showing both UC and UI)



Figure 3 URA Map for UC area

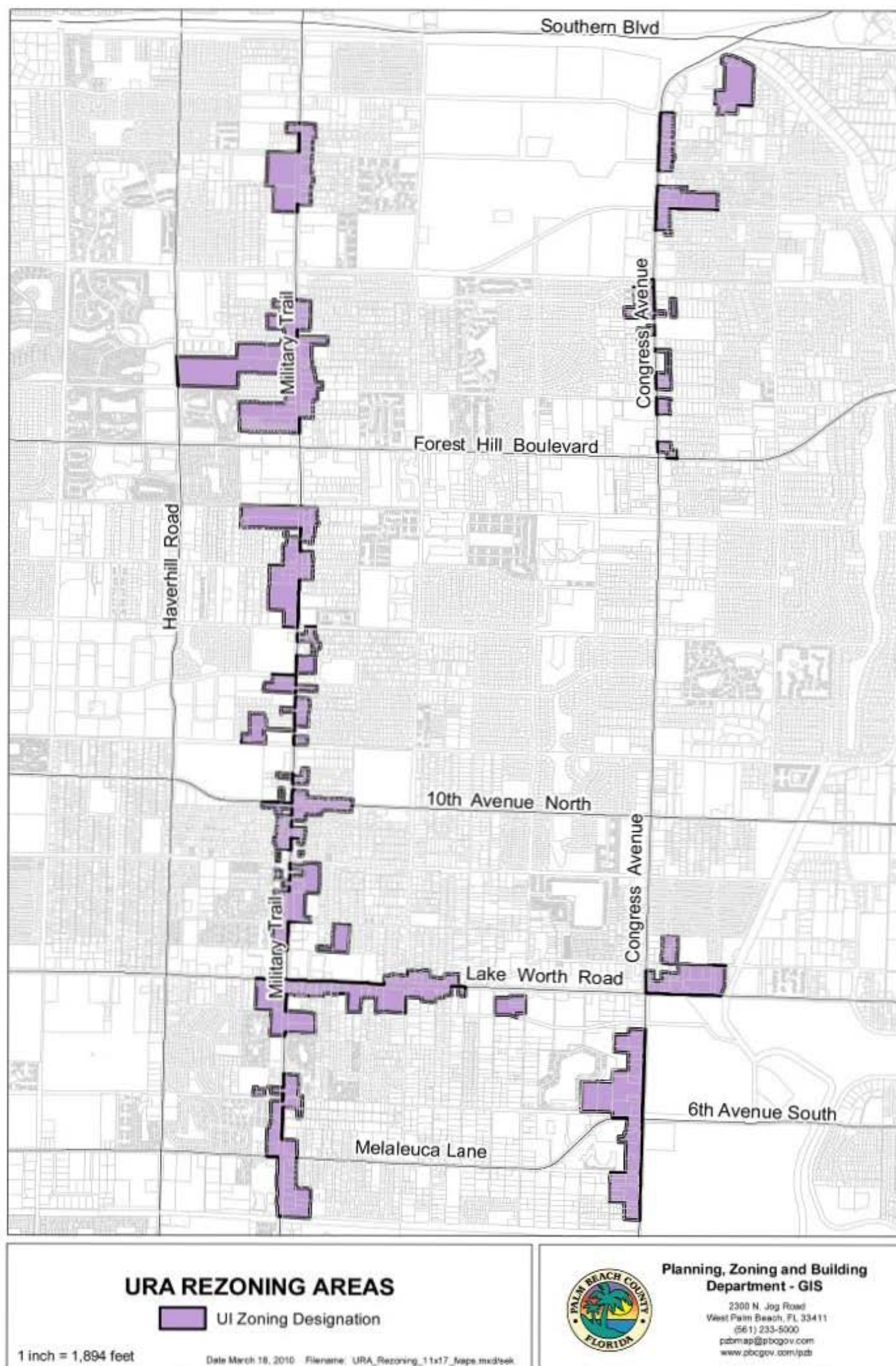


Figure 4 URA Map for UI area

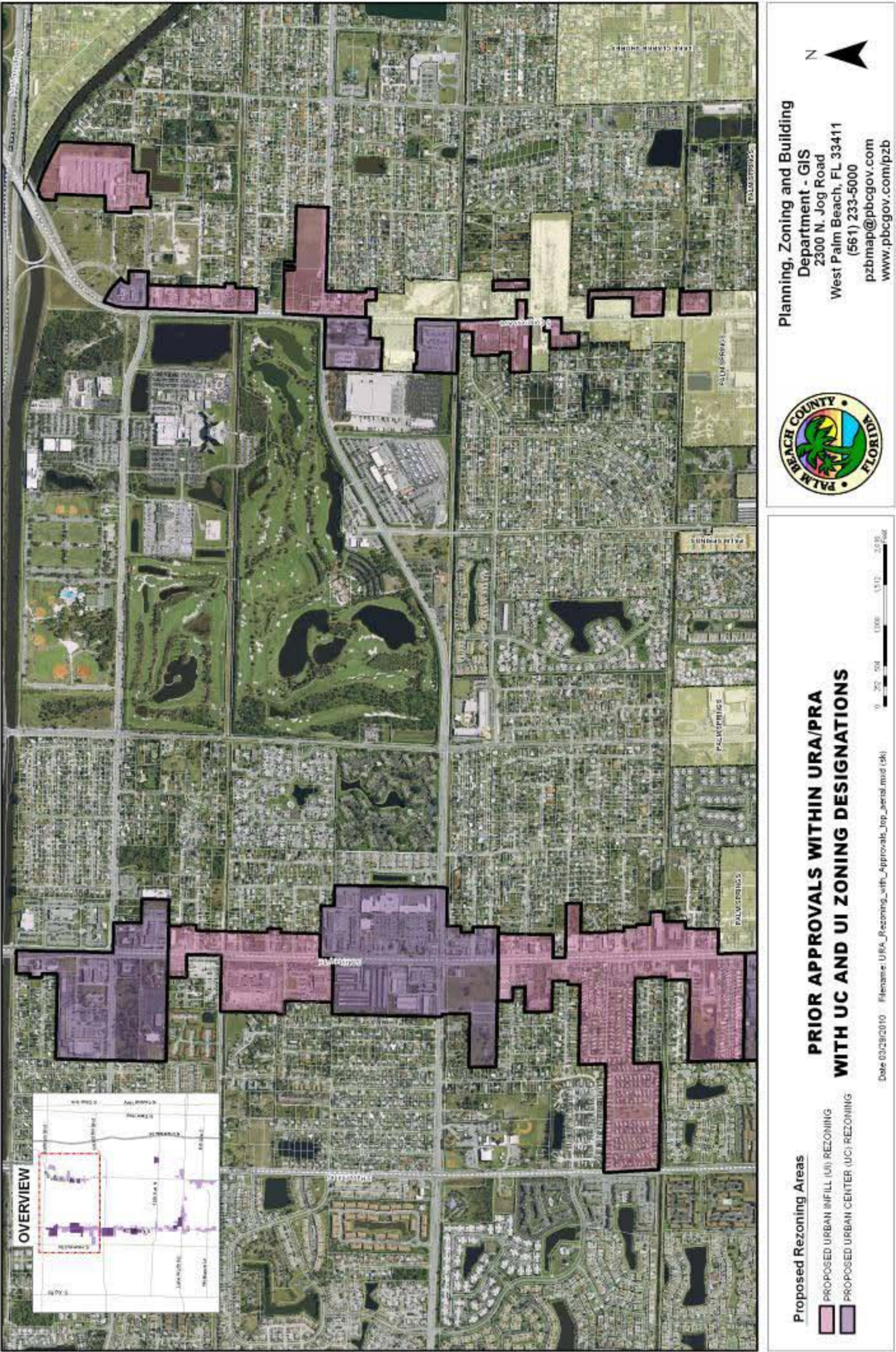


Figure 5 Aerial top

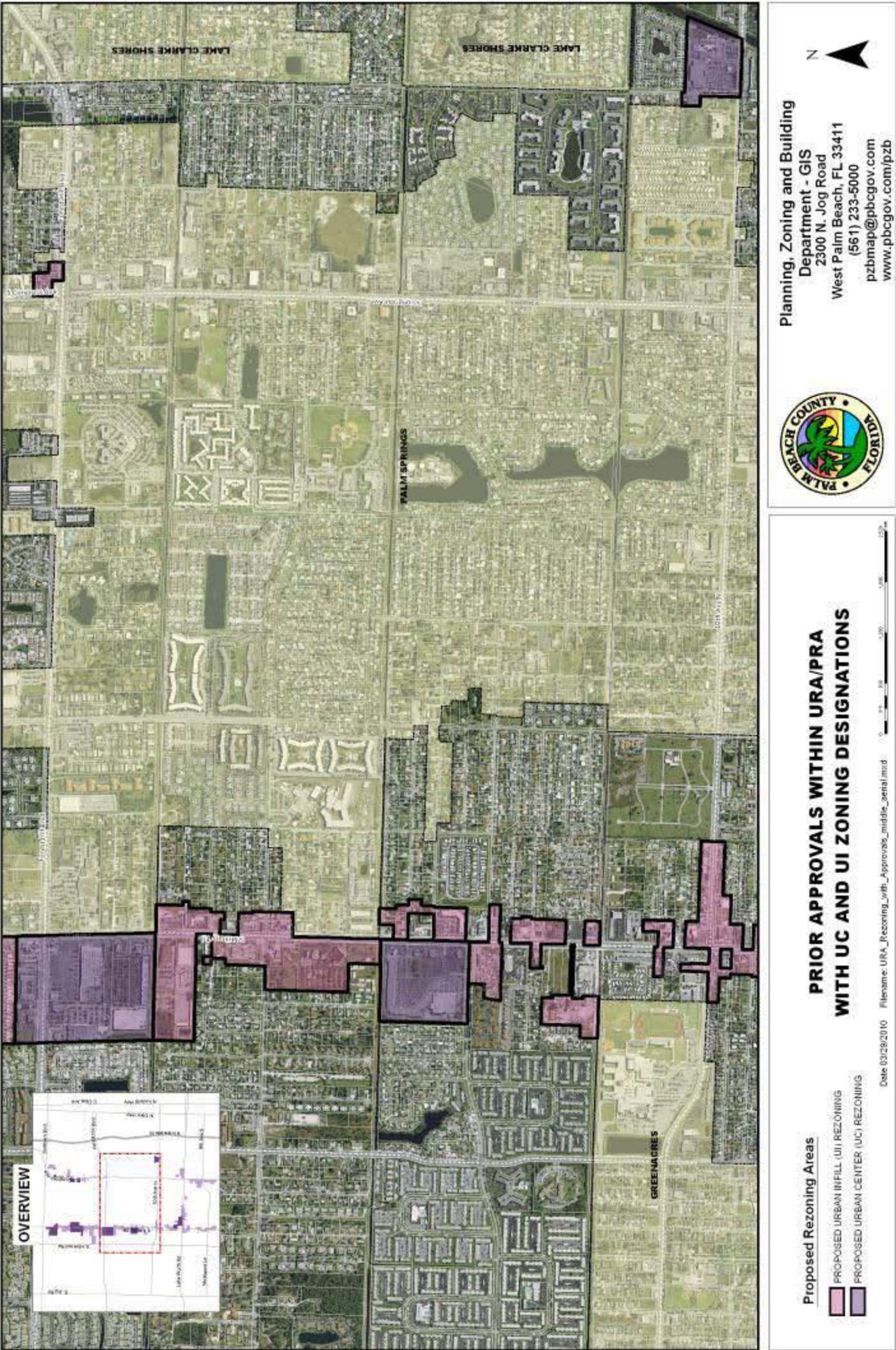


Figure 6 – Aerial Middle

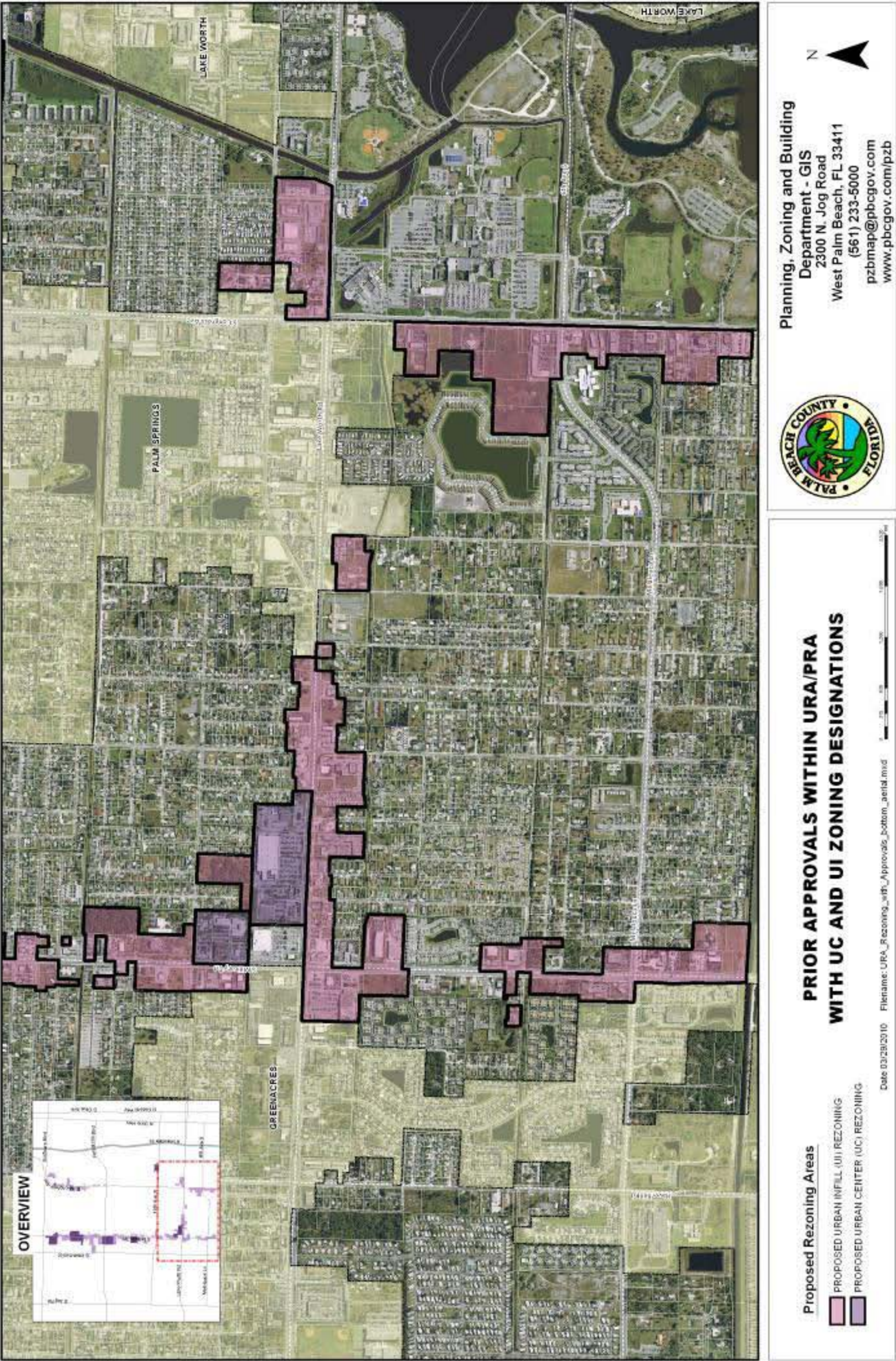


Figure 7 Aerial Bottom

STAFF REVIEW AND ANALYSIS

PLANNING DIVISION COMMENTS:

FUTURE LAND USE (FLU) PLAN DESIGNATION: Urban Infill (UI).

TIER: The subject site is in the Urban/Suburban Tier.

FUTURE ANNEXATION AREAS: The subject properties are within the future annexation areas for Haverhill, Cloud Lake, Glen Ridge, West Palm Beach, Greenacres, Palm Springs, Lake Worth, Atlantis, and Lake Clarke Shores.

INTERGOVERNMENTAL COORDINATION: The subject properties are located within one mile of Haverhill, Cloud Lake, Glen Ridge, West Palm Beach, Greenacres, Palm Springs, Lake Worth, Atlantis, and Lake Clarke Shores.

CONSISTENCY WITH FUTURE LAND USE (FLU) PLAN DESIGNATION/ SPECIAL OVERLAY DISTRICT/NEIGHBORHOOD PLAN/PLANNING STUDY AREA: Proposed is an Official Zoning Map Amendment to rezone lands in the Urban Redevelopment Area from multiple zoning designations to the corresponding Urban Infill Zoning District.

Approximately 430.45 acres will be rezoned to the Urban Infill (UI) Zoning District.

The Comprehensive Plan was amended in Rounds 2008-02 and 2009-02, creating the Future Land Use designations of Urban Center (UC) and Urban Infill (UI). The Plan mandated the creation of new land development regulations and zoning districts consistent with the amendment. The land development regulations for the Urban Redevelopment Area are scheduled for adoption on August 26, 2010.

The Florida Growth Management Act mandates that land use and zoning designations be consistent with one another. Presently, the Zoning designations for the subject properties are inconsistent with the Urban Infill (UI) Land Use designation. In order for the land use and zoning to be consistent, all of the properties within the Urban Redevelopment Area that have Urban Infill (UI) Future Land Use designations must be rezoned to the corresponding Zoning designation.

Properties in the Urban Redevelopment area that have a land use designation other than Urban Infill (UI) will not be affected by this Official Zoning Map Amendment.

FINDINGS: The request is consistent with the land use designations of the Palm Beach County Comprehensive Plan and the intent of the Urban Redevelopment Area Overlay.

ENGINEERING COMMENTS:

REQUIRED ENGINEERING RELATED PERMITS

This application is for re-zoning only. Once a site plan is developed for individual projects, the property owner shall obtain an onsite Drainage Review from the Palm Beach County Engineering Department, Permit Section, prior to the application of a Building Permit.

The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section, for access onto County owned and maintained roads and a permit from the Florida Department of Transportation for access onto State owned and maintained roads.

PALM BEACH COUNTY HEALTH DEPARTMENT:

No staff analysis required for this application.

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

No staff analysis required for this application.

OTHER:

FIRE PROTECTION: The Palm Beach County Department of Fire Rescue will provide fire protection. The Palm Beach County Department of Fire Rescue will provide fire protection.

SCHOOL IMPACTS: No staff analysis required for this application.

PARKS AND RECREATION: No staff analysis required for this application.

CONCURRENCY: No change to the existing concurrency with this rezoning request.

WATER/SEWER PROVIDER: No change to the existing water providers with this rezoning request.

FINDING: The proposed Zoning Map Amendment complies with Article 2.F of the ULDC, Concurrency (Adequate Public Facility Standards).

FINDINGS:

Rezoning Standards:

When considering a development order application for rezoning to a standard zoning district, the BCC and ZC shall consider standards 1-8 indicated below. An amendment, which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved. Staff has reviewed the request for compliance with the standards that are expressly established by Article 2.B.1.B and provides the following assessment:

1. **Consistency with the Plan** - *The proposed amendment is consistent with the Plan.*

The Planning Division has reviewed the request to rezone from multiple Zoning Districts to the UI Zoning District and found the request to be consistent with the UI land use designation of the Plan.

2. **Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The BCC adopted Ordinance 2009-046 and 2008-056 which changed multiple land uses for the subject properties to the UC and UI Future Land Designations. The rezoning request is in accordance with the requirement of ULDC Article 3.C.1.A. “Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts”. The rezoning of the parcels to the UI Zoning District will bring them into compliance with the UI Future Land Use designation. The subject sites will be required to comply with previous conditions of approval, if applicable and the subsequent ULDC Amendments, as they come in for future development.

3. **Compatibility with Surrounding Uses** - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The rezonings will not affect compatibility with surrounding uses at this time as there is no development proposed with these rezonings. The overall intent of the URA/PRA is to encourage development and redevelopment by requiring a new urbanism design that focuses on compact development, mixed use, and walkability, with emphasis on safety, comfort, and ecological responsibility, as well as visually appealing architecture and site designs. The goal of the URA/PRA is

to give incentives (through increased density and intensity and decreased parking, landscaping, etc. requirements) to encourage development and remove the blighted areas to enhance the quality of life for the surrounding businesses and homes.

4. **Effect on Natural Environment** – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

Environmental Resource Management (ERM) has reviewed the requested amendment and determined that there are no significant environmental issues associated with this application beyond compliance with ULDC requirements. Any future application that comes in will be reviewed and analyzed for environmental impacts and will be required to comply with code in effect at the time of submittal.

5. **Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed amendment will allow the parcels to be consistent with the future land designations and the URA Master Plan which has been created as the development pattern for this geographic area.

6. **Consistency with Neighborhood Plan** – *The proposed zoning district is consistent with applicable neighborhood plans in accordance with BCC policy.*

The rezonings will not have any affect on the neighborhood plans at this time.

7. **Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency.*

The rezonings will not have any affect on public facilities at this time. Any new future applications for development will have to comply with Art.2.F, Concurrency.

8. **Changed Conditions or Circumstances** – *There are demonstrated changed conditions or circumstances that necessitate the amendment.*

The existing multiple Zoning Districts are not consistent with the existing Future Land Use designations of UI. The changed circumstances are the newly adopted UI Future Land Use designations and the requirement for the zoning to be consistent with the Future Land Use designations.

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