



**DRO OVERSIGHT COMMITTEE (DROOC) SUBCOMMITTEE MEETING
FRIDAY, FEBRUARY 11, 2011, 2:00-4:00 PM
PZ&B – VISTA CENTER
2300 NORTH JOG RD, WEST PALM BEACH, FL 33411
2ND FLOOR CONFERENCE ROOM (VC-2E-12)**

TOPICS OF DISCUSSION

- A. REVIEW OF THE DECEMBER 10, 2010 DROOC MINUTES – (EXHIBIT - A)**
- B. DOA EAC-APPLICATION REQUIREMENTS – (EXHIBIT - B) - JB**
 - *Traffic Study*
- C. ABANDONMENT PPM – (EXHIBIT - C) - AS/CAR/MMK**
- D. GENERAL APPLICATION INFORMATION - JB**
 - *When and why the community groups section was added to the section for Overlays on the first page, and why we need to label COBWRA or other groups that are not listed in the ULDC, but listed on the application.*
- E. UPDATE ON URA**
- F. TECHNICAL MANUAL (PLAN TEMPLATES) - MMK**
- G. INTERIM USES TASK TEAM VOLUNTEERS**
- H. 2011 DROOC TASK TRACKING CHART – (EXHIBIT - D)**
- I. REGULATOR CLIMATE TEAM UPDATE**
- J. ELECT NEW CHAIR AND VICE-CHAIR**
- K. NEXT MEETING TOPICS**
- L. ADJOURNMENT**



**DEVELOPMENT REVIEW OFFICER OVERSIGHT COMMITTEE (DROOC)
MINUTES OF THE DECEMBER 10, 2010 SPECIAL SUBCOMMITTEE MEETING**

PREPARED BY EILEEN PLATTS, ZONING SECRETARY

On Friday, December 10, 2010 at 10:00 a.m. the DROOC Subcommittee met in the First Floor Conference Room (VC-1E-60), at 2300 North Jog Road, West Palm Beach, Florida.

1. CALL TO ORDER

Chairman Jeff Brophy called the meeting to order at 10:10 a.m.

Members Present – 8

Jeff Brophy – LDS – Chairman
Scott Mosolf – UDKS – Vice Chair
Collene Walter – UDKS
Jan Polson – Cotleur & Hearing
Gladys DiGirolamo – GL Homes
Kevin McGinley – Land Research Mgmt.
Bradley Miller – MLPC
Chris Barry – Jon Schmidt & Assoc.

Members Absent – 3

Jon Schmidt – Jon Schmidt & Assoc.
Chris Roog – GCBA
William Whiteford – Team Plan Inc.

Zoning Staff Present:

Maryann Kwok – Chief Planner
Eileen Platts – Admin.
Wendy Hernandez – CDR
Autumn Sorrow – CDR
Carrie Rechenmacher – CDR
Donna Adelsperger – CDR
Jan Wiegand – AR/PI
Alan Seaman – AR/PI
Lauren Benjamin – AR/PI
Aaron Taylor – AR/PI

Other Staff and Audience Present:

Lorenzo Aghemo – Planning Director
Lisa Amara – Planning – Admin.
Kathleen Chang – Planning – Admin.
Bryce Van Horn – Planning – Current
Anne Perry – LWDD
Nicole Smith – LWDD
Anna Cottrell – Cottrell Planners

A. COORDINATION ON SMALL AMENDMENT PROCESS

Lisa explained SCA and concurrent rezoning application processes, and how issues associated with the applications came up when staff were doing the Zoning application review. Some of these issues cause major impact to the SCA application. The new process will improve coordination between Planning/Zoning and Agent/Applicant. It will coincide all Board approvals. Planning/Zoning staff will also meet and review item at DRO Agency Staff meetings to discuss issues. Traffic Division will coordinate with Planning on the Traffic study associated with the SCA – require report 60 days prior to application submittal.

Jeff asked Lisa to walk them through the process with dates:

2/04/2011 - SCA Intake
2/16/2011 - DRO Intake
4/13/2011 - First DRO
4/22/2011 - (assuming it get certified the first time)
5/20/2011 - LPA
6/22/2011 - ZC
6/23/2011 - BCC

Lisa also mentioned that no condition of approval can be applied on SCA application, it will be considered as a Text Amendment. This does not apply to LGA.

B. DISCUSS DWG FILE FORMAT AND SCHEDULE FOR IMPLEMENTATION OF ELECTRONIC PLAN PROCESS – (EXHIBIT – A1-A5)

Alan provided an update; follow up on their 12/7/10 meeting with the Subcommittee. Collene explained that agents want control of their plans – proprietary issue. The DROOC recommended to the Zoning Director to keep the .DWF and **NOT** the .DWG requirement.

Jeff already sent an email documenting reasons to allow the .DWF.

C. INTERIM USES VOLUNTEERS FOR SUBCOMMITTEE TO MEET IN FEBRUARY 2011 PER ZONING DIRECTOR

MMK explained that this really means phased use. Interim Use is reserved for Ag related uses. MMK gave examples how uses got phased in and out and eventually replaced by the more permanent uses. Collene Walter, Chris Barry, Bradley Miller, Gladys Girolamo, Jeff Brophy and Jennifer Morton will be the Subcommittee members for this project.

D. TOPICS FOR DISCUSSION AT NEXT MEETING

Gladys brought up DOA/EAC process. For those applications that are in to amend a condition and has nothing to do with traffic should not be required to do a traffic study, i.e. scale back the submittal requirements. Improve coordination (comments) between Building/Zoning admin amendment processes. This request has already been placed on the next DROOC Agenda for February 11, 2011.

E. CALENDAR FOR 2011 DROOC MEETINGS

The DROOC 2011 Calendar of Meetings has been revised to reflect the changes requested by the Subcommittee Members and will be posted on the DROOC webpage as well as be emailed to the Subcommittee Members. Please print out the calendar and place these dates in your appointment books. Thank you.

F. ADJOURNMENT

The meeting adjourned at 10:45 a.m.

County Administrator
Robert Weisman

Palm Beach County Zoning Division
2300 N. Jog Road
West Palm Beach, Florida 33411
Phone: (561) 233-5200
FAX: (561) 233-5165



COMMUNITY DEVELOPMENT GENERAL APPLICATION

Check (/) type of application:

- [] ZC/BCC [] Full DRO [] Concurrency [] Type II ZC Variance [] Subdivision (Concurrent)
[] Other

I. PROPERTY LOCATION

- A. Control No. Application No. Project Name:
B. Property Control Number (PCN): List additional PCN's on separate sheet and attach to application.
PCN:
C. Section/Township/Range: Gross Acreage of Subject Property: Gross Acreage of affected area:
D. Location of Subject Property (proximity to closest major intersection or road):
Address: Project No.
E. Subdivision Name: Plat Name:
F. Is subject property located in the future annexation area of a municipality(s) or within one (1) mile of a municipality or adjacent County? If yes, list municipality(s) or County: BCC District:
G. Traffic Analysis Zone (TAZ): Traffic Trips Concurrency Case No.: Expiration Date: / /
H. Water: Sewer Provider: Drainage District:
I. Tier J. Overlays: Check (v) all applicable overlays, studies, plans and groups.

Prior to certification or final approval of an application, a letter from the (*) Overlay or community group, is required stating the project has been reviewed, listing comments and concerns.

OVERLAYS

- [] * AIRPORT ZONING OVERLAY (AZO) (233-7423)
[] CONDITIONAL OVERLAY ZONE (COZ)
[] GLADES AREA ECONOMIC OVERLAY (GAO)
[] INDIANTOWN ROAD OVERLAY (IOZ)
[] INFILL REDEVELOPMENT OVERLAY (IRO)
[] LAKE OKEECHOBEE SCENIC TRAIL OVERLAY (LOSTO)
[] LAKE WORTH ROAD COMMERCIAL COORIDOR OVERLAY (LWRCCO)
[] NATIVE ECOSYSTEM OVERLAY (NEO)
[] NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ)
[] PALM BEACH INTERNATIONAL AIRPORT OVERLAY (PBI AO)
[] RESEARCH AND TECHNOLOGY OVERLAY (RTO)
[] SUGAR CANE GROWERS COOPERATIVE OF FLORIDA PROTECTION AREA OVERLAY (SCGCF O)
[] SR80 NONRESIDENTIAL OVERLAY
[] TURNPIKE AQUIFER PROTECTION OVERLAY (TAPO)
[] * WESTGATE COMMUNITY REDEVELOPMENT AREA OVERLAY (WCRAO) (233-3633)

STUDIES AND NEIGHBORHOOD PLANS AND GROUPS

- [] HIGH RIDGE ROAD STUDY
[] JOG ROAD CORRIDOR STUDY
[] LAKE WORTH PARK OF COMMERCE
[] MACARTHUR/DICKINSON STATE PARK GREENLINE
[] SKEES ROAD STUDY
[] *ACREAGE LAND OWNERS ASSOCIATION (228-1030; acreagelandowners.org)
[] CENTRAL WESTERN COMMUNITY
[] *COALITION OF BOYNTON WEST RESIDENTIAL ASSOCIATION (COBWRA) 732-6104
[] *COUNTYWIDE COMMUNITY REVITALIZATION TEAM (CCRT) (OFFICE OF COMMUNITY REVITALIZATION (OCR) 233-5311)
[] *ALLIANCE OF DELRAY
[] *JUPITER FARMS RESIDENTIAL GROUP (746-0394; JFResidents@aol.com)

II. LAND USE AND ZONING

- A. Current Zoning Designation: Current Land Use Designation:
B. Proposed zoning designation: Proposed land use designation:
C. Zoning Quad Map #: Land Use Atlas Map #: REDI Aerial Page #:
D. Existing Use(s) on Property: Proposed Use(s):
E. Official Zoning Map Amendment [] yes [] no. If yes, attach justification statement addressing existing and proposed site conditions, proposed internal and external improvements and each standard as indicated in Article 2.B.1.B of the ULDC.
[] Rezoning to Standard District (Z) only [] Rezoning with Conditional Use (Z/CA or Z/CB)
[] Rezoning with Conditional Overlay Zone (Z/COZ) [] Rezoning with concurrent Type II Variance
[] Rezoning with concurrent Small Scale Comprehensive Plan Amendment (Z/SCA)
[] Rezoning with concurrent Subdivision Variance [] Rezoning with other



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

JON P. MACGILLIS, ASLA, ZONING DIRECTOR

PPM #	ZO-O-047
Issued:	02/14/11
Effective:	02/14/11

SUBJECT: Development Order Abandonment

AUTHORITY: Article 2.A.1.Q Development Order Abandonment (ABN)

PURPOSE: To clarify the process established in Article 2 that explains how an applicant can request to abandon a Development Order (DO).

GENERAL: Approval Authority

A request to abandon a prior DO must be subject to the approval by the same Authority that granted the original DO, as follows:

- A prior DO that was subject to the Public Hearing Process must seek approval from either the Zoning Commission (ZC) or the Board of County Commissioners (BCC), whichever is applicable.
- A prior DO approved through the Administrative Approval process must seek approval by the Development Review Officer (DRO) or the Zoning Director (ZD), whichever is applicable.

Simultaneous (Concurrent) or Standalone Abandonment Application

An abandonment of a prior DO can be accomplished in 2 ways depending on the proposed request:

- 1) Concurrent - An application to abandon a prior DO may be submitted simultaneously with a request for a new DO.
- 2) Standalone - An application to abandon a prior DO may be submitted without a request for a new DO.

Both types of Abandonment applications will be evaluated based on whether the prior DO was implemented. The application shall indicate if the DO was implemented or not.

Implemented DO

Utilize the following factors to determine whether a DO was implemented, consideration shall be given to the following factors:

- 1) Whether any construction or additional construction authorized in the DO has commenced.
- 2) Whether a physical or economic use of the development order has occurred, including physical or economic expansion.

Fees

A DO cannot be abandoned until all outstanding fees are paid in full.

PROCEDURES: Submittal Requirement

Submittal requirements for the different scenarios as described in the table below shall be as follows:

1. For Abandonment requests, with a concurrent review of a new DO, are subject to the DOA¹ or DRO approval processes. In addition to the DOA and DRO application forms, the applicant shall also submit the ABN application.
2. For Abandonment requests, which eliminate the entire DO may be processed as standalone abandonments, subject to a DOA¹ or Zoning Director’s approval. The applicant shall submit the ABN application.

Application Procedures

An applicant shall submit an application for an abandonment in accordance with Article 2.A.1.G, Application Procedures.

- 1) Applicant shall provide consent from all property owners if abandoning an entire DO.
- 2) Applicant shall provide the status of all conditions of approval as stated in the result letter or resolution.
- 3) Staff shall review the request for a ABN and confirm the correct Authority for the abandonment.
 - a. Public Hearing (Requested Uses, Conditional Uses, Type II Variances)
 - b. Administrative DRO, Variances Type 1A, & 1B. (Special Permits, Zoning Confirmation Letters)²
- 4) Staff shall in ensure there is no reliance by other parties on additional performance.
- 5) Staff shall ensure abandonment of a DO does not create any non-conformities.
- 6) Staff shall review the documents provided in #2 and ensure conditions of approval are satisfied, if not then determine what are the impacts. If the applicant is seeking a new DO, staff shall determine if the conditions can be carried over to the DO.

Abandonment Scenario	Approval Process	
	Public Hearing	Administrative
Abandon <u>entire</u> DO with a concurrent review of a new DO with the same type of approval process [New Concurrency]	DOA	Full DRO
Abandon <u>entire</u> DO with a concurrent review of a new DO with a lesser level of approval. [New Concurrency]	ABN ³	DRO or ZD depending on request
Abandon <u>entire</u> DO with no new DO [No concurrency left]	ABN ³	DRO or ZD depending on request
Abandon a DO with consolidated conditions for other DO’s [New Concurrency]	DOA ¹	N/A

¹ The application will be processed as a DOA, unless it qualifies as an Expedited Application Consideration (EAC).
² These administrative processes cannot be abandoned, they are either rescinded or expire.
³ Abandonment of an entire DO, will not require a staff report. These Abandonments after certified from the DRO will be placed on the next ZC/BCC agenda

 Director

Article 2

Q. Development Order Abandonment

1. General

A Development Order for a conditional use or similar Development Order granted under [Ordinance 1957-003](#), [Ordinance 1973-002](#), [Ord. No.1992-002](#) or Ord. No. 2003-067, as amended, may be abandoned according to the procedures in this Section. [Ord. 2010-022]

Authority

2. Development Orders Not Implemented

All development orders which were never implemented shall be either: [Ord. 2005 – 002]

a. Abandoned

Abandoned simultaneously with issuance of a subsequent development order;

b. Administratively Abandoned

Administratively abandoned upon demonstration to the Zoning Director that the development order was not implemented; or

c. Reviewed for Revocation

Reviewed for revocation pursuant to [Article 2.E, MONITORING](#).

3. Implemented Development Orders

Certain implemented Development Orders qualify for administrative abandonment. Other implemented Development Orders require Public Hearing abandonment by the Board (BCC or ZC) that approved the Development Order. [Ord. 2009-040] [Ord. 2010-022]

a. Administrative Abandonment

A Development Order, which was used, implemented or benefited from, may be administratively abandoned by filing an application with the Zoning Director demonstrating that the following criteria are met;

- 1) All conditions of approval have been met;
- 2) There is no reliance by other parties on additional performance; and
- 3) Consent of all property owners has been received.

b. Public Hearing Abandonment

A development order, which was used, implemented or benefited from, may be abandoned simultaneously with the issuance of a subsequent development order by the BCC or ZC, as applicable. The property owner also has the option to petition the BCC or the ZC to abandon the development order through expedited application review process, pursuant to [Article 2.B.2.G.2, Expedited Application Consideration \(EAC\)](#). [Ord. 2009-040]

c. Unpaid Status Fees

A development order shall not be abandoned, either administratively or by approval of a subsequent development order, until all unpaid status report fees imposed by action pursuant to [Article 2.E, MONITORING](#), have been paid.

4. Additional Guidelines

In determining whether a development was used, implemented or benefited from, consideration shall be given to the following factors:

- a. Whether any construction or additional construction authorized in the development order has commenced.
- b. Whether a physical or economic use of the development order has occurred, including physical or economic expansion.

G. Development Order Amendment

1. General

A development order for a Class A conditional use, requested use or Class B conditional use may be amended, extended, varied or altered only pursuant to the standards and procedures established for its original approval, or as otherwise set

Comment [mmk1]: PPM Z-O-047 clarifies that applicant must seek abandonment approval from the same Authority that granted the prior approval .

Comment [mmk2]: This could be reworded to say Quasi-Judicial (Public Hearing) Abandonment. PH abandonment could be SIMULTANEOUS DOA/DOABN OR STANDALONE.

Comment [mmk3]: This could be revised to say if it was an administrative approved DO, abandonment approval is subject to DRO or Zoning Director depends on the type of administrative approval process.

Comment [mmk4]: This has been further clarified in the PPM. PH goes back to ZC or BCC Admin goes back to DRO or ZD.

Comment [mmk5]: This has been clarified in the PPM.

Comment [mmk6]: This is repeated in the DO Abandonment Form (#15). III Abandonment Criteria. Form 15 must be revised, Form 15 has 5 criteria. #4 and #5 are additional information that helps to determine whether a DO has been implemented.

Comment [mmk7]: This has no criteria listed here because an Abandonment of an IMPLEMENTED DO is a DOA process (could be a Full DOA or a DOA/EAC) Case by case. DOA use Art.2.B.2.B

forth in this Section. Before any conditional/requested use is amended, extended, varied or altered, the applicant shall demonstrate and the ZC/BCC shall find that a change of circumstances or conditions has occurred which make it necessary to amend, extend, vary or alter the conditional/requested use. [Ord. 2007-001]

2. Expedited Application Consideration (EAC)

Certain minor development order amendments may be eligible for expedited consideration and review:

a. Criteria

The application shall meet all of the following criteria in order to be reviewed, in an EAC process;

- 1) Approval of the Zoning Director and the County Engineer shall be obtained prior to submission. The Zoning Director and the County Engineer shall consult with any other department responsible for the conditions of approval. They shall approve or deny the request to obtain expedited consideration based on compatibility of the request with the surrounding area. The magnitude of the requested modification shall also be considered. The County Engineer and the Zoning Director shall only permit expedited consideration for proposals which have minimal site design impact, and which, if approved, will be compatible with surrounding areas; [Ord. 2007-001]
- 2) The proposed application, if approved, will not increase intensity or density of the project; [Ord. 2007-001]
- 3) Proof of compliance with all previous conditions of development approval; [Ord. 2007-001]
- 4) No change to the threshold certificate, except alteration of legal description, shall occur; [Ord. 2007-001]
- 5) The proposed amendment does not affect uses or intensities/densities within a DRI (Development of Regional Impact); and [Ord. 2007-001]
- 6) All impacts shall be internal to the project [Ord. 2007-001]

Comment [mmk8]: An EAC is a DOA. Applicant submits letter to Directors-Zoning + Land Development. Staff okays EAC based on 6 criteria. If No to EAC, then it is a Full DOA.

3. Procedures

After approval by the County Engineer and the Zoning Director to participate in an EAC process, the application shall be submitted and reviewed pursuant to the applicable development approval procedure, except that:

- a. After the application is certified by the DRO, the proposed modification may proceed directly to the next BCC hearing for which advertising requirements can be met. [Ord. 2007-001]

Comment [mmk9]: Agents have issues regarding external impact. Need to further define what is impact internal to the site.

Issuance of a DO for a conditional use, requested use, or DOA shall be deemed to authorize only the particular site configuration, layout and level of impacts which were approved pursuant to this Code, unless the approval is abandoned. Permitted uses may occur in conjunction with or in place of a conditional or requested use.

Comment [mmk10]: Refer to Abandonment Process.

DROOC Tasks for 2011

Item No.	Task	Lead Person	Section	Comments	Milestone Dates	Testing	Training	Implementation	Status of Task (O/C)
1	URA Code Revisions for 2011	Bill C	Code & CD	DROOC partipants on the URA Subcommittee to begin meetings in March	March	N/A	TBD		O
2	Interim Uses	Bill C	Code & CD	Establish Task Team to assist staff identify the issues and make possible code	March	N/A	N/A		O
3	EAC Criteria	Wendy	CD	Review existing code criteria can it be expanded to allow other amendments?	March	N/A	N/A		O

Item No.	Task	Lead Person	Section	Comments	Milestone Dates	Testing	Training	Implementation	Status of Task (O/C)
4									
5									
6									
	KEY:								
	O=Open								
	C=Closed								