

RESOLUTION NO. R-85-359.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF DELRAY BEACH TO REZONE PROPERTY AFTER ANNEXATION, PURSUANT TO SECTION 171.062, FLORIDA STATUTES, AND CITY OF DELRAY BEACH RESOLUTION NO. 1-85.

WHEREAS, by its Resolution No. 1-85, the City of Delray Beach has requested permission from the Board of County Commissioners of Palm Beach County to Rezone the property described therein after Annexation of same into the Corporate Limits of the City; and

WHEREAS, the property is currently zoned CG-General Commercial and is subject to County Land Use Controls; and

WHEREAS, the City proposes to rezone the parcel to SC-Specialized Commercial District; and

WHEREAS, the Comprehensive Land Use Plan identifies the subject site as having Commercial potential as described in Reference Area 19, No. 1 of the Comprehensive Plan: U.S. No. 1 from Bamboo Lane to NE 9th Street; and

WHEREAS, the property currently supports an existing auto dealership; and

WHEREAS, the Planning, Zoning and Building Department has reviewed the request and has determined that the proposed rezoning is consistent with the Comprehensive Land Use Plan designation of Commercial Potential for the subject site and would have little or no significant impact upon County Systems, nor would it trigger the County's Traffic Performance Standards, as outlined in the February 11, 1985 memorandum of the Planning Division, attached hereto and made a part hereof; and

WHEREAS, the Intergovernmental Coordination Element Section of the Palm Beach County Comprehensive Land Use Plan (Ordinance 80-8, as amended by Ordinances 81-27 and 82-26) provides that the Board of County Commissioners may find the proposed waiver request compatible with the Comprehensive Plan if the uses and/or densities proposed will have no significant impact upon County Systems, or such effect is mitigated by compliance with the Performance Standards; and

WHEREAS, Florida Statutes, Section 171.062, requires that when a City desires to rezone property which was previously subject to County Land Use Controls, that the City must request and receive permission for

**Inter-Office Communication**

PALM BEACH COUNTY

TO Stan Redick, Planning Director DATE February 11, 1985

FROM John Rupertus, Planner FILE

RE Annexation/Rezoning - City of Delray Beach  
Resolution No. 1-85

The Planning Division has reviewed the above waiver request under Chapter 171.062 Florida Statutes and County Ordinance 82-26, Amendment to the Intergovernmental Coordination Element of the County's Comprehensive Plan. The following comments are offered.

Background Information

The City of Delray Beach has recently annexed a .67 acre parcel of land situated north of Allen Avenue, if extended west, between U.S. Highway 1 and Dixie Highway. The request is now for the purpose of rezoning this tract from the County Zoning Classification CG (General Commercial) to the City's Zoning Classification SC (Specialized Commercial) District.

Land Use Plan Designation and Zoning District

- a) The subject site is presently zoned CG (General Commercial).
- b) The City proposes to rezone the property to SC (Specialized Commercial) District.
- c) The subject property has commercial potential as described in Reference Area 19, #1 of the Comprehensive Plan: U.S.1 from Bamboo Lane to N.E. 9th Street. The City has determined that the proposed use is consistent with its Comprehensive Plan.
- d) The City's proposed rezoning to SC is consistent with the County's Land Use Designation of Commercial Potential for the subject location.

Recommendation

The Planning Division has determined that the requested SC Zoning by the City of Delray Beach is consistent with the County's Comprehensive Plan. In addition, the project will not have a significant impact on County Systems.

JR:cjs

*ok*  
*JR*

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SIGNED *John Rupertus*