



FUTURE LAND USE MAP AMENDMENT APPLICATION



INSTRUCTIONS FOR COMPLETING AND FILING THE FUTURE LAND USE MAP AMENDMENT APPLICATION

Applications for Future Land Use Map (FLUM) Amendments may be submitted to the Planning and Zoning Department at any time between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday. Please print or type all of the required information, and ensure that the application is complete and accurate. In order to be accepted for processing, the application must be accompanied by the Standard Application Items, as listed on Page 7 along with the \$2,760.00 processing fee (make checks payable to the City of Delray Beach). The applicant is also responsible for all advertising fees (LDR Section 2.4.3(K)(1)).

All FLUM Amendments except for Small Scale Amendments as defined by FS 163.3187 and subsequent amendments, are limited to a twice per year processing and adoption schedule. FLUM Amendments are reviewed by the P&Z Board. FLUM Amendments are transmitted to the State of Florida Department of Community Affairs (DCA), following a public hearing by the City Commission. It takes approximately sixty (60) days for the DCA to complete its "Objections Recommendations and Comments" (ORC) process. Final action on a FLUM Amendment is by the City Commission. A list of schedule submission deadlines for FLUM Amendments may be obtained from the P&Z Department. It takes approximately six (6) to seven (7) months between submission of the application and final action.

Small Scale Amendments shall be submitted by the first Friday of each month in order to be on the agenda of the following month's P&Z Board meeting. The adopted amendment is forwarded to the DCA, but may be exempted from the ORC process. Unless challenged, Small Scale Amendments will become effective 31 days after adoption. If challenged, they become effective upon the issuance of a final order by the DCA finding them in compliance. It takes approximately twelve (12) weeks between submission of the application and final action.

Please refer to the appropriate sections of the City's Land Development Regulations for the procedures and findings required for a FLUM Amendment application. A pre-application conference with a member of the Planning staff is strongly recommended, and can be scheduled at your convenience. We will be glad to assist you in any way possible.

NOTE:

- Ø It is the policy of the Planning and Zoning Board of the City of Delray Beach that it is generally inappropriate for Board Members to discuss, with petitioners, their agents, or affected parties, a land use petition which is subject to a public hearing outside of a formal meeting situation. In order to provide a forum for discussion prior to the public hearing, a petitioner or a Board Member may request that the petition be placed on a Work Session agenda. When this occurs, notice will be given to the petitioner and to the designated representative of nearby neighborhood organizations (pursuant to a listing maintained by the Planning and Zoning Department). At the work session, the petitioner may present his/her project and, discussion may ensue among the Board, staff, and petitioner. At the Chair's discretion, limited public comment may be taken.
- Ø Development presentations before all Boards and City Commission must be either on a LCD projector (power point) or an overhead projector. If you wish to use the City's equipment please notify staff ahead of time. Board-mounted displays should not be used as a part of a presentation.

FLUM No: _____

Date Received: _____

**CITY OF DELRAY BEACH PLANNING AND ZONING DEPARTMENT
APPLICATION FOR FUTURE LAND USE MAP (FLUM) AMENDMENT**

Project Name: _____

Address or General Location: _____

PART ONE - APPLICANT INFORMATION:

APPLICANT

Name: _____

Address: _____

Telephone Number: _____ E-Mail/Fax: _____

AGENT

Name: _____

Address : _____

Telephone Number: _____ E-Mail/Fax: _____

OWNER (if other than applicant)

Name: _____

Address: _____

Telephone Number: _____ E-Mail/Fax: _____

OWNER'S CONSENT

(This form must be completed by **ALL** property owners)

I _____, the fee simple owner of the following
(Owner's Name)

described property (give legal description): _____

hereby petition to the City of Delray Beach to change the Future Land Use Map designation From _____ To _____

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. I consent to inspection and photographing of the subject property by the Planning and Zoning Department Staff for purposes of consideration of this application and/or presentation to the approving body. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

Owner's Signature)

The foregoing instrument was acknowledged before me this _____, day of _____, 20 ____ by _____, who is personally known to me or has produced _____ (type of identification) as identification and who did (did not) take an oath.

(Printed Name of Notary Public)

(Signature of Notary Public)

Commission # _____, My Commission Expires _____

(NOTARY'S SEAL)

OWNER'S DESIGNATION OF AGENCY

(This form must be completed by **ALL** property owners if designating an Agent)

I _____, the fee simple owner of the following
(Owner's Name)

described property (give legal description): _____

hereby affirm that _____
(Applicants/Agent's Name)

is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Delray Beach, Florida, and are not returnable.

(Owner's Signature)

The foregoing instrument was acknowledged before me this _____, day of _____, 20 ____ by _____, who is personally known to me or has produced _____ (type of identification) as identification and who did (did not) take an oath.

(Printed Name of Notary Public)

(Signature of Notary Public)

Commission # _____, My Commission Expires _____

(NOTARY'S SEAL)

AFFIDAVIT

Before me, the undersigned authority, personally appeared _____,
who being by me first duly sworn, deposes and says: (Applicant's Name)

1. That the accompanying property owners list is, to the best of my knowledge, a complete and accurate list of all property owners' names, mailing addresses, and legal descriptions of all property lying within five hundred feet (500') of the subject property as recorded on the latest official County tax rolls.

2. That the subject property is legally described as follows: (give legal description)

(Applicant's Signature)

The foregoing instrument was acknowledged before me this _____, day of _____, 20 ____ by _____, who is personally known to me or has produced _____ (type of identification) as identification and who did take an oath.

(Printed Name of Notary Public)

Signature of Notary Public)

Commission # _____, My Commission Expires _____

(NOTARY'S SEAL)

Standard Application Items

LDR Section 2.4.3(A)

1. A copy of the latest recorded warranty deed and a certificate from an attorney or title insurance company (not title insurance) certifying who the current fee simple title holders of record of the subject property are, and the nature and extent of their interest therein.
2. The written consent of the owner(s) must be provided in a certified form (Page 4). When an application is executed on behalf of a corporation or business entity, documentation must be provided which demonstrates that the corporation's representative is authorized to act on behalf of the corporation. These forms are available from the Planning and Zoning Department.
3. A vicinity map which clearly shows the subject property, adjacent properties, and their relationship to streets located at a minimum within one-half mile of the property. Vicinity map shall be at a scale that is readily readable and include sufficient landmarks to quickly identify location of proposed project.
4. Survey (2 copies) which shows the property described pursuant to the legal description contained in the warranty deed. Such survey shall show all improvements on the property and must be certified as reflecting conditions on the site as they existed within six (6) months prior to the filing of the application. The survey shall be drawn at a scale of 1"=10'; or 1"=20' or 1"=30'.
5. A list of property owners within a 500' radius of the subject taken from the latest official County tax roll. In addition, a tax map showing all property lying within 500' of the subject property must be provided. **NOTE:** The applicant shall provide standard white (number 10) pre-addressed envelopes with the required postage for mailed notices. (Postage may either be in the form of stamps or metered postage. For metered postage, please ensure that the mailing date is turned off). The mailing labels must be typed and shall state the property owner's name, mailing address and property control number (PCN#). (For duplicates i.e. owners name and addresses are the same, please provide postage for only one pre-addressed envelope and submit the remaining duplicate labels). Please note: The list of property owners, tax map and mailing labels can be obtained at: Palm Beach County Property Appraiser's Office, 14925 Cumberland Drive (northwest corner of West Atlantic Avenue and Cumberland Drive), Delray Beach, FL 33446 Ph: (561)276-1250.
6. Application filing fee, pursuant to LDR Section 2.4.3(K)(1). In addition, the applicant shall be responsible for all advertising fees including newspaper publications. If the required advertising fees are not paid at least four days (4) prior to the hearing, the presiding body, shall postpone action on the application until such fees are paid. In the event such postponement results in additional mailing or publication costs, the applicant shall be responsible for the additional fees.
7. A traffic study which addresses the most intense development potential of the site at both the existing and proposed land use map designations must be provided. The study shall be prepared in accordance with Palm Beach County Unified Land Development Code, Traffic Performance Ordinance. **Note:** This requirement may be waived if it is determined by the Planning and Zoning Director that the existing

and proposed zoning classifications are of similar intensity and that the potential changes in traffic are insignificant.

8. A justification statement addressing Future Land Use Element, Policy A-1.7 of the Comprehensive Plan, which requires amendments to the Future Land Use Map be based upon the findings listed below. The justification statement must be supported by data and analysis that demonstrate compliance with these findings:

§ Demonstrated Need – That there is a need for the requested land use. The need must be based upon circumstances such as shifts in demographic trends, changes in the availability of land, changes in the existing character and FLUM designations of the surrounding area, fulfillment of a comprehensive plan objective or policy, annexation into the municipal boundaries, or similar circumstances. The need must be supported by data and analysis verifying the changing demographics or other circumstances. This requirement shall not apply to requests for the FLUM designations of Conservation or Recreation and Open Space; nor shall it apply to FLUM changes associated with annexations when the City’s advisory FLUM designation is being applied, or when the requested designation is of similar intensity to the advisory designation. However, the findings described in the remainder of this policy must be addressed with all FLUM amendments.

§ Consistency -- The requested designation is consistent with goals, objectives, and policies of the most recently adopted Comprehensive Plan.

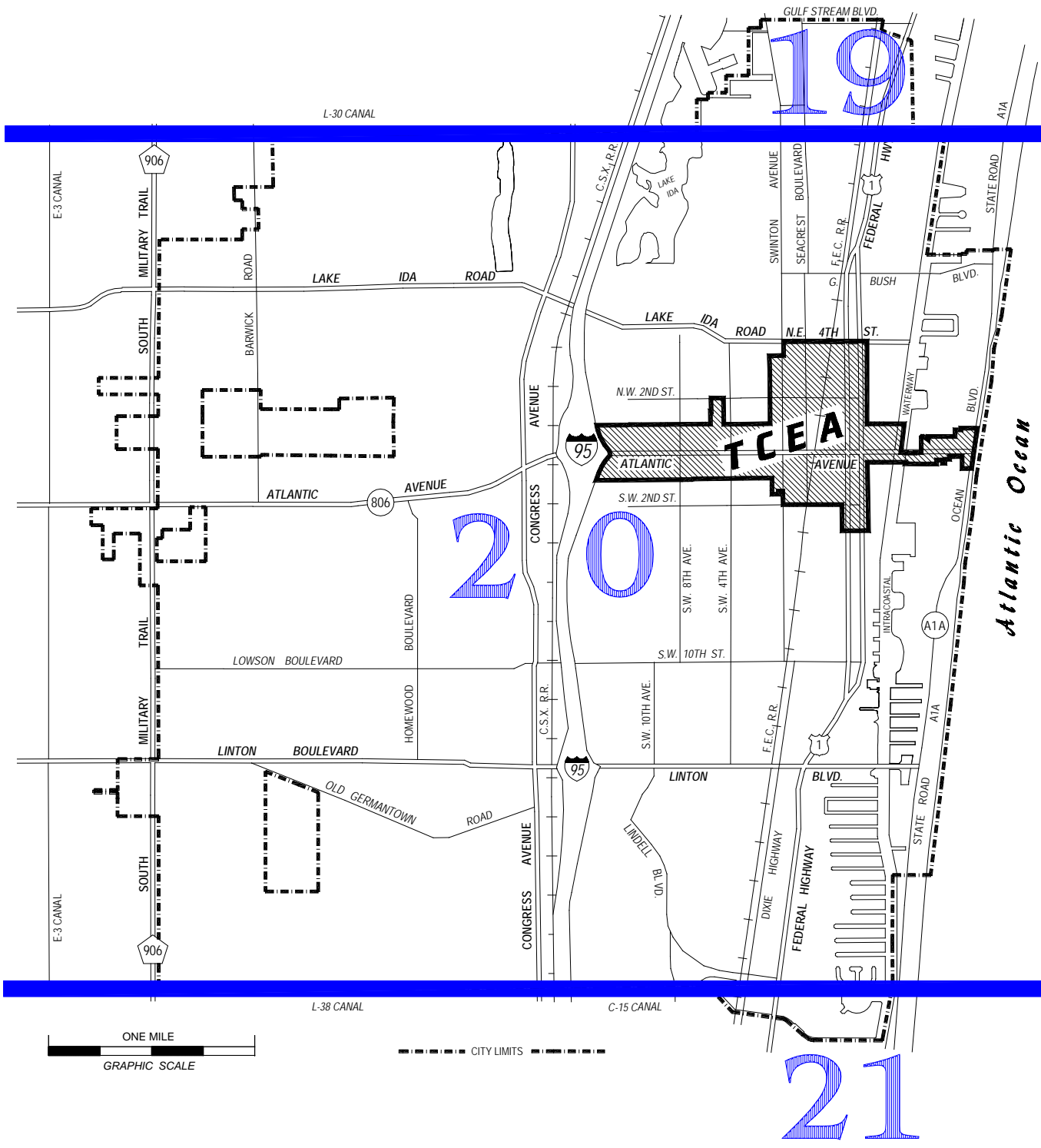
§ Concurrency -- Development at the highest intensity possible under the requested designation can meet the adopted concurrency standards.

§ Compatibility -- The requested designation will be compatible with existing and future land uses of the surrounding area.

§ Compliance -- Development under the requested designation will comply with the provisions and requirements of the Land Development Regulations

9. For all projects which include residential dwelling units complete the attached “School District of Palm Beach County – School Concurrency Application and Service Provider Form” and a check or money order for the appropriate fee made payable to: The School District of Palm Beach County.

- CITY OF DELRAY BEACH, FLORIDA -



**CONCURRENCY SERVICE AREA
(CSA) MAP**

CITY OF DELRAY BEACH, FL
PLANNING & ZONING DEPARTMENT
2002

-- DIGITAL BASE MAP SYSTEM --