



CONDITIONAL USE APPLICATION



INSTRUCTIONS FOR COMPLETING AND FILING THE CONDITIONAL USE APPLICATION

Applications for conditional use approval 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:

1. Standard Application Items, as listed on Page 9;
2. Three (3) copies of a Traffic Study or Traffic Statement as applicable;
3. Processing fee of \$1655.00 for a New Application or \$675.00 for a Modification Requiring Board Review (make checks payable to the City of Delray Beach). The Applicant shall be responsible for all advertising fees including newspaper publications; and,
4. Other information may be requested, as required.
5. Any application that requires the review of performance standards shall be accompanied by the following plans: survey, site plan, landscape plan, preliminary engineering plan, composite overlay plan, architectural elevation plan, photometric plan and floor plan

Conditional use applications and modifications to conditional uses are reviewed by the Planning and Zoning Board, which holds its regular meetings on the third Monday of each month. Final action on a conditional use is by the City Commission, which meets on the first and third Tuesday of each month. An application for conditional use shall be submitted by the first Friday of the month in order to be on the agenda of the following month's P&Z Board meeting. It takes approximately eight (8) to ten (10) weeks between submission of the application and final action by the City Commission. This time may vary depending upon the number of comments made by staff, and the time required by the applicant to submit revisions.

Please refer to the appropriate sections of the City's Land Development Regulations when designing your project and completing this 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 Board member may request that the petition be placed on a worksession agenda. When this occurs, notice will be given to the petitioner and the designated representative of nearby neighborhood organizations (pursuant to a listing maintained by the Planning and Zoning Department). At the worksession, 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.

CU No.: _____

Date Received: _____

**CITY OF DELRAY BEACH PLANNING AND ZONING DEPARTMENT
APPLICATION FOR CONDITIONAL USE APPROVAL**

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: _____

PROJECT DATA

If new improvements on the site or changes to existing improvements are proposed the following data must be provided below and must be shown on the Sketch Plan.

Ground floor area: _____ sq.ft. _____ % of site
 Total floor area: _____ sq.ft. _____ % of site
 Parking/paved area: _____ sq.ft. _____ % of site
 Open (landscaped) space: _____ sq.ft. _____ % of site
 Water bodies: _____ sq. ft. _____ % of site

Number of residential dwelling units: _____
 Dwelling units per acre: _____

	<u>Number of Units</u>	<u>Size</u>	
Efficiency	_____	_____	sq.ft.
1 Bedroom	_____	_____	sq.ft.
2 Bedroom	_____	_____	sq.ft.
3 Bedroom	_____	_____	sq.ft.
4 Bedroom	_____	_____	sq.ft.

Parking spaces required pursuant to **LDR Section 4.6.9:** (Example: For a gasoline station state number of service bays or lifts and non-repair gross floor area).

Use _____: Calculated at _____ spaces per _____ = _____
 Use _____: Calculated at _____ spaces per _____ = _____
 Use _____: Calculated at _____ spaces per _____ = _____
 Use _____: Calculated at _____ spaces per _____ = _____
TOTAL = _____

Parking spaces provided:

Regular _____
 Compact _____
 Handicapped _____
TOTAL: _____

Building data provided pursuant to **LDR Section 4.3.4(K), Development Standards Matrix:**

Setbacks:

Front: _____ ft. Rear: _____ ft.
 Interior side: _____ ft. Street side: _____ ft.
 Height: _____ ft. Floors: _____

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 for conditional use approval for

(Project Name)

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 title certificate (opinion of title) 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 6). 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. Surveys (6 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.
1. 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.
5. Application filing fee, pursuant to LDR Section 2.4.3(K)(1).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.
6. 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. The attached map delineates the concurrency service areas within the City's municipal limits.

PLAN EXHIBITS

The survey, site plan, landscaping plan, preliminary engineering plans, composite overlay plan, tree survey, photometric plan, irrigation plan (excluding architectural elevations and floor plans, which utilize an architect's scale) shall be prepared at the same scale. Acceptable scales shall include of 1" =10', 1"=20' or 1"=30'.

In addition to the submitted plans, a digital copy of all plan exhibits provided on CD is required. The digital copy must be in a PDF format and shall be prepared at a size of 8½" x 11" or 11"x 17", depending upon legibility. The digital CD shall reflect the final plans submitted for Board action.

- A. If the establishment of the use requires new improvements on a site or substantial changes to existing improvements, six copies of a sketch plan and survey (in collated, stapled and folded sets) together with one 11" x 17" reduced copy of the sketch plan must be submitted.

Sketch Plan: In addition to the information included in the Project Data Sheet, the following items must be included on the sketch plan:

1. Title Block showing project name, scale, date, page number, name of preparer.
 2. North arrow and location map insert.
 3. A vicinity map which clearly shows the subject property, adjacent properties, and their relationship to streets located within one-half mile of the property.
 4. Site boundaries per the legal description.
 5. Approximate location of all utilities on the site and the manner in which utilities are to be provided to the proposed structures.
 6. Location of all proposed structures with setbacks dimensioned from the closest property line.
 7. Intended use of each structure.
 8. Ingress and egress for vehicles and pedestrians, traffic flow, the location of parking areas, loading zones, landscape islands, and traffic aisles.
 9. Location of buffers, fencing, walls.
 10. Location and description of solid waste disposal and recycling facilities.
 11. Details on project phasing, if applicable.
 12. Other information, as required.
- B. If the establishment of the conditional use involves the review of performance standards six (6) copies of the following plans (in collated, stapled and folded sets) together with one 11" x 17" reduced copy must be submitted:
- Site plan pursuant to LDR Section 2.4.3(B)
 - Landscape Plan pursuant to LDR Section 2.4.3(C)
 - Preliminary Engineering Plan pursuant to LDR Section 2.4.3(D)
 - Composite Overlay Plan
 - Architectural Elevation Plan pursuant to LDR Section 2.4.3(G)
 - Floor Plan
 - Photometric Plan

Site Plan

LDR Section 2.4.3(B)

In addition to the information included in the Project Data Sheet, the following items must be included on the site plan:

1. Title Block showing project name, engineering scale, date, page number, name of preparer.
 2. North arrow and location map insert.
 3. Site boundaries per the legal description.
 4. Center line of right-of-way of any adjacent street, and location of any improvements between the property and the adjacent streets.
 5. Approximate location of lot lines of adjacent properties, structures, and improvements.
 6. Location of nearest driveway or point of access to adjacent properties (including any that are across a street), if within 50 ft. of subject property. If none, indicate on plan.
 7. Approximate location of all utilities on the site.
 8. Location of other significant features such as water bodies, trees and vegetation (tree survey may be required).*
- *Items 7 and 8 may be shown on a survey sheet, and then only the utilities or features which are to be incorporated into the development need be included on the site plan.
9. Location of all proposed structures with setbacks dimensioned from the closest property line.
 10. Intended use of each structure.
 11. Ingress and egress for vehicles and pedestrians, traffic flow indicated with arrows, pavement markings, traffic control devices.

12. Location of parking areas, loading zones, landscape islands, and traffic aisles. In addition, a detail showing parking space striping, space sizing, wheel stops and handicap accessibility features such as ramps.
13. Manner in which utilities are to be provided to the structures.
14. Location of buffers, fencing, walls.
15. Location of signs with heights and dimensions.
16. Lighting details, including location, height, and coverage of fixtures (including pole and wall mounted fixture details).
17. Location and description of solid waste disposal and recycling facilities, including height of enclosures and type of gating to be used.
18. Spot elevations, existing and proposed.
19. Finished floor elevations of all structures.
20. Type of building construction and occupancy classification pursuant to the Standard Building Code.
21. Details on project phasing, if applicable.
22. Signature and seal of preparer.

Landscape Plan
LDR Section 2.4.3(C)

The following information must be included on the landscape plan:

1. Title Block showing project name, engineering scale, date, page number, name of preparer.
2. Existing and proposed parking spaces, vehicular use areas, access aisles, sidewalks, building locations and similar features.
3. Statement of intent as to method and coverage of irrigation.
4. Name and location of plan material to be installed or preserved.
5. Legend including botanical and common names, height, spread, and spacing of all plant material.
6. Location of all landscape features and preserve areas in context with existing and proposed buildings and improvements.
7. Tabulation which includes all relevant statistical information including but not limited to the following:
 - a. Total paved area _____ sq.ft.
 - b. Required interior green space = _____ sq.ft. (10% of total paved area).
 - c. Interior green space provided _____ sq.ft.
 - d. Total number of trees required _____ sq.ft. (1 interior tree is required for each 125 sq.ft. of required interior green space).
 - e. Number of interior trees provided _____ trees.
 - f. Perimeter green space required _____ sq.ft. (depth of buffers x length).
 - g. Perimeter green space provided _____ sq.ft.
 - h. Number of perimeter trees required _____ trees (1 perimeter tree is required for each 30 lineal feet).
 - i. Number of perimeter trees provided _____ trees.

XERISCAPE CALCULATIONS

- j. Required shrubs and ground covers _____ sq.ft. (30% of required interior and perimeter green space, see b & f).
- k. Shrubs and ground cover provided _____ sq.ft.
- l. Required native plant materials _____ sq.ft. (25% of required shrubs & ground cover, see j).
- m. Native plant materials provided _____ sq.ft.
- n. Number of native trees required _____ trees (50% of required trees, see d & h)
- o. Native trees provided _____ trees.
8. Location of outdoor lighting.
9. Location of refuse areas and method of screening.
10. Location of utility easements and overhead lines.

11. Location of Signs.
12. Demonstrate that the proposed landscaping is consistent with existing vegetation preserved on site.
13. **Required Management Plan:** For all areas of preserved plant communities larger than one-half (½) acre in area, the owner shall submit a narrative management plan indicating the manner in which the native plant communities will be preserved. The narrative shall include:
 - a. Whether or not the existing vegetation is to be preserved in the existing species composition.
 - b. If applicable, the manner in which the composition of existing plant material is to be preserved, hand removal of invasive species, prescribed burning, etc.
 - c. Maintenance schedule for removal of exotics.
 - d. Maintenance Schedule of removal of debris.
14. Signature and seal of preparer.

Preliminary Engineering Plan

LDR Section 2.4.3(D)

Preliminary engineering plans shall be drawn on a topographic base (unless the use of spot elevations is previously approved by the City Engineer) with topographic features extended to ten feet (10') beyond the site.

The following information must be included on the Preliminary Engineering Plan:

1. Title Block showing project name, scale, date, page number, name of preparer.
2. Approximate location as shown in records of Delray Beach and/or field observations of all existing water, sewer, and drainage facilities, along with streets, sidewalks, and above ground improvements which provide service to and on the site. Notes shall state the disposition of all existing facilities including service lines, meters, etc.
3. Proposed location, sizing and design basis of water, sewer, fire suppression, and drainage facilities, which are to serve the site including pertinent calculations and the method of providing service to the proposed structures.
4. Location of proposed street lights.
5. Surface water management calculations indicating the proposed system's ability to meet storm water quality and quantity requirements in accordance with L.W.D.D. and S.F.W.M.D Regulations.
6. A plan sheet which includes all proposed improvements on one plan sheet at a scale other than what is required in Section 2.4.3(B)(1) may be included. This additional submittal is in addition to plans submitted meeting the scale requirement in Section 2.4.3(B)(1).
7. Signature and seal of preparer.

Composite Overlay Plan

The submittal and review of a composite overlay plan is crucial in helping to ensure that the physical features being proposed do not conflict with each other; and it helps to obtain faster plan approval certification. A composite overlay plan is a single plan sheet that illustrates and labels specific features that have the potential to introduce design conflicts, and allows early review to ensure such conflicts do not occur.

The single composite overlay plan sheet must be submitted that includes the following information:

- § All existing and proposed landscape materials and locations
- § All existing and proposed overhead and subsurface utilities along the perimeter and those that traverse the site, such as:
 - Water lines, irrigation lines, fire hydrants, fire suppression and check valves
 - Sewer lines, cleanouts, etc.
 - Septic tanks and lines
 - Electrical transformers and anticipated electric lines (overhead and buried)
 - Storm systems, inlets, drainage pipes, easements

- Telephone lines and boxes
- General utility easements
- § All existing and proposed freestanding lighting poles
- § All physical improvements, such as parking lots, buildings, etc.

Any conflicts among the site plan features noted above will need to be substantially resolved prior to a supportive recommendation made for site plan approval.

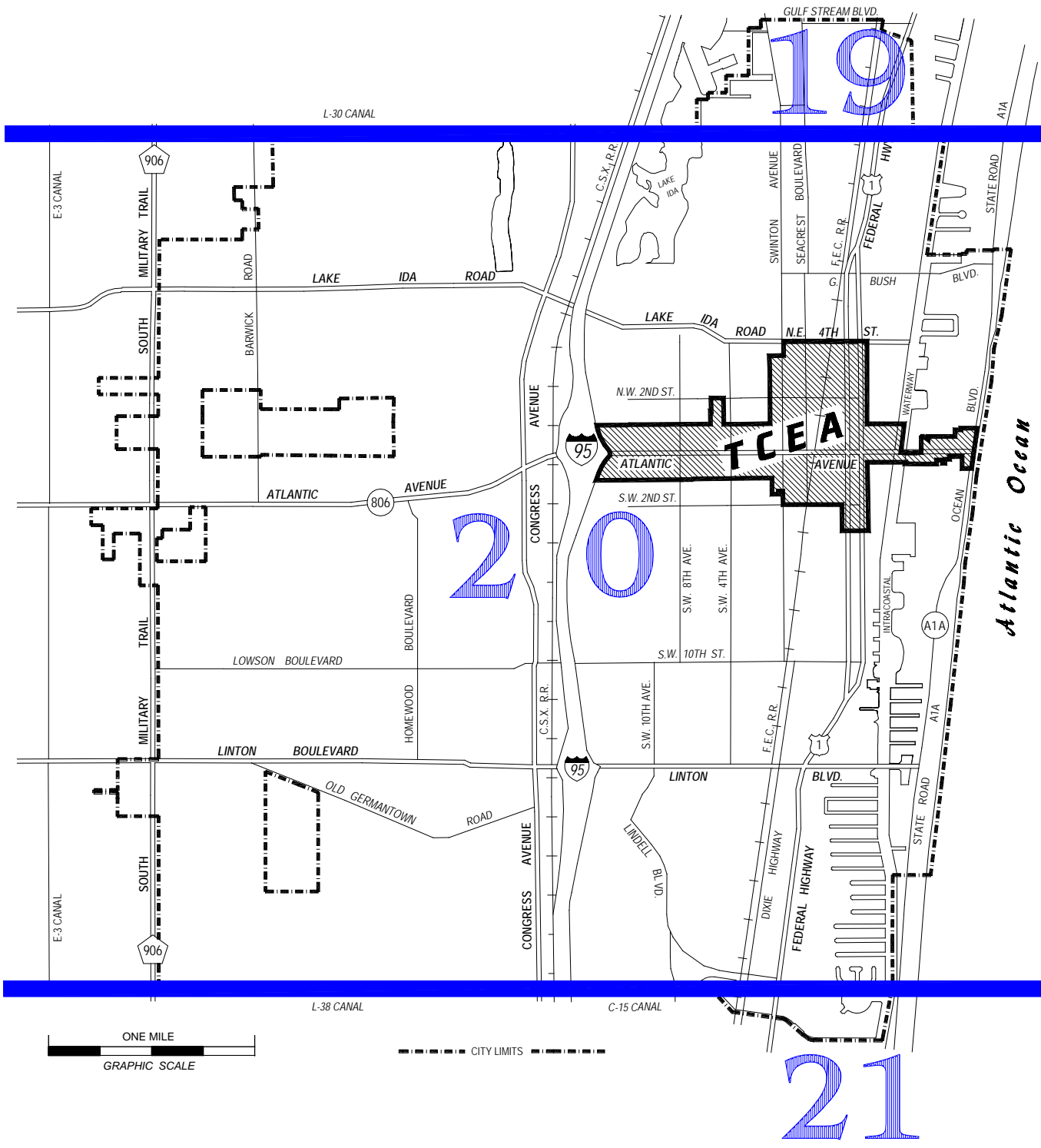
Architectural Elevations

LDR Section 2.4.3(G)

The following information must be included on the architectural elevation plan:

1. Title Block showing project name, scale (architectural scale is permitted), date, page number, name of preparer.
2. All four (4) elevations (north, east, south and west), of the proposed structure(s) or the elevation which is being modified when an existing structure is involved.
3. Dimension all elevations including height measurements.
4. All architectural features of the structures, the type of exterior surfaces and exterior color.
5. The location of air conditioning and other mechanical equipment and methods of proposed screening.
6. The location of air conditioning equipment and other features depicted on a roof plan.

- CITY OF DELRAY BEACH, FLORIDA -



**CONCURRENCY SERVICE AREA
(CSA) MAP**



CITY OF DELRAY BEACH, FL
PLANNING & ZONING DEPARTMENT
2002

-- DIGITAL BASE MAP SYSTEM --