

IN THE CITY COMMISSION  
CHAMBERS OF THE CITY OF  
DELRAY BEACH, FLORIDA

**CONDITIONAL USE MODIFICATION REQUEST FOR THE PALM TRAN SOUTH  
COUNTY FACILITY EXPANSION**

**ORDER OF THE CITY COMMISSION  
OF THE CITY OF DELRAY BEACH, FLORIDA**

1. This conditional use request to expand the operations of the Palm Tran South County Facility has come before the City Commission on January 16, 2018.

2. The Applicant and City staff presented documentary evidence and testimony to the City Commission pertaining to the conditional use request for the Palm Tran South County Facility Expansion. All of the evidence is a part of the record in this case. Required findings are made in accordance with Subsections I and II.

**I. COMPREHENSIVE PLAN**

a. **Comprehensive Plan - Future Land Use Element Objective A-1:** This objective requires that the property shall be developed or redeveloped as it pertains to height, in a manner so that the future use and intensity is appropriate in terms of soil, topographic, and other applicable physical considerations, is complementary to adjacent land uses, and fulfills remaining land use needs.

**Is this objective met?**

Yes \_\_\_\_ No \_\_\_\_

b. **Future Land Use Map:** The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Future Land Use Map. The subject property has a Future Land Use Map designation of Commercial Core and is zoned Central Business District.

**Future Land Use - Is project's proposed location consistent with the  
Future Land Use Map?**

Yes \_\_\_\_ No \_\_\_\_

c. **Concurrency:** Facilities which are provided by, or through, the City shall be provided to new development concurrent with issuance of a Certificate of

Occupancy. These facilities shall be provided pursuant to levels of service established within the Comprehensive Plan.

Concurrency as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

**Are the concurrency requirements met as respect to water, sewer, drainage, streets and traffic, parks, open space, and solid waste?**

**Yes**\_\_\_\_\_ **No**\_\_\_\_\_

d. **Consistency**: Will the granting of the conditional use be consistent with and further the goals and policies of the Comprehensive Plan?

**Yes** \_\_\_\_\_ **No**\_\_\_\_\_

## **II. LDR REQUIREMENTS:**

a. **LDR Section 2.4.5(E) Required Findings: (Conditional Use)**: Pursuant to Section 2.4.5(E)(5), in addition to provisions of Chapter 3, the conditional use will not:

- i. Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;
- ii. Hinder development or redevelopment of nearby properties.

**Will Section 2.4.5(E)(5) be met?**

**Yes** \_\_\_\_\_ **No**\_\_\_\_\_

3. The comments and notes set forth in the staff report are hereby incorporated herein.

4. The City Commission has applied the Comprehensive Plan and LDR requirements in existence at the time the conditional use request was submitted.

5. The City Commission finds there is ample and competent substantial evidence to support its findings in the record submitted and adopts the facts contained in the record including but not limited to the staff reports, testimony of experts and other competent witnesses supporting these findings.

6. Based on the entire record before it, the City Commission approves \_\_\_\_ denies \_\_\_\_ the conditional use request set forth above, and hereby adopts this order this 16th day of January, 2017, by a vote of \_\_\_\_ in favor of approval and \_\_\_\_ opposed.

\_\_\_\_\_  
Cary D. Glickstein, Mayor

ATTEST:

\_\_\_\_\_  
Katerri Johnson, CMC  
City Clerk

\_\_\_\_\_  
City Attorney