SUBJECT: Processing Public Ownership (PO) Deviation(s) Application

PURPOSE: Establish procedures for reviewing and processing Public Ownership (PO) Deviation(s) Applications.

AUTHORITY: Pursuant to Unified Land Development Code (ULDC) Articles 4.B.4.C.10; 5.A.3; 6.A.1.B.4; and 7.B.1.C Deviations, are permitted for development supporting government facilities within the Public Ownership (PO) Zoning District, subject to approval by the Board of County Commissioners (BCC).

PROCEDURES: 1. Pre-Application Appointment:
   a) The requesting Government Entity (for Palm Beach County – Facilities Development and Operations (FDO), this requirement may be waived by the Zoning Director) shall schedule a Pre-application appointment with the Community Development (CD) Coordinator to discuss the request and to confirm that the proposed deviation(s) are consistent with those allowed in the ULDC.
   b) A draft of the application may be provided for review at the time of the Pre-application appointment if the requesting entity is familiar with the Code provisions and application submittal requirements. Allow 5 days to process. (The application may be allowed to proceed to step #3 below, if the application is deemed complete and sufficient by the CD Coordinator).
   c) Staff shall enter a PCN application into ePZB and attach all documents submitted including any meeting notes.

2. Preliminary Review of PO Application:
   a) If not already submitted, the requesting Government Entity (for FDO, this requirement may be waived by the Zoning Director) shall prepare and submit a "Draft" of the application which consists of: Zoning Form #92 and PO Deviation Report (BCC Staff Report) for preliminary review by CD Coordinator.
   b) Staff shall attach all documents received to the existing PCN in ePZB system.
   c) Staff shall have five (5) working days to review the documents and provide a written response to the Government Entity. Staff shall include the possible BCC Hearing date(s) in the response.

3. Application Submittal – Packet/Staff Report Requirements for BCC:
   a) All documents submitted to Zoning shall be submitted in PDF format, on a Compact Disc (CD) in addition to paper copies, (for FDO, all application documents shall be in PDF format and may be submitted by email provided the documents do not exceed the maximum file limits (20k), however, paper copies and a CD with PDF of all documents may be submitted in lieu of email). The requesting Government Entity shall submit the official application which consists of the following documents:
      1. The completed and notarized Zoning Form #92, (Attachment #1).
      2. The PO Deviation Report (BCC Staff Report), (see Attachment #2 for template).
      3. All other supporting documents as stated in Form #92 and/or any additional documents as recommended by the CD Coordinator during the Pre-application appointment or draft review stages.
   b) The completed application shall be submitted based on the monthly CD Intake Date in accordance with the Zoning Division’s Official Calendar, refer to Zoning Web Site for the current calendar. There shall be no exceptions for submittal on the CD Intake submittal date.
   c) CD Coordinator shall create a Deviation “DEV” application in the ePZB system and attach all documents submitted.
4. Legal Ads, Courtesy Notices, Posting of Notice Boards and BCC-Zoning Hearing:
   a) CD Coordinator shall be responsible for preparing the legal advertisement based on the request/information provided by the Government Entity.
   b) CD Coordinator shall also prepare and process the required Courtesy Notifications to Property Owners, as required, pursuant to ULDC Section 2.B.5.A. The Courtesy Notices will state the name, phone number, address and email address of the designated Project Manager or Contact from the Government Entity. Responses to any letters will be mailed directly to the requesting Government Entity, and they will be responsible for notifying the BCC of the responses to the notification. Zoning Division will be responsible for all costs associated with the advertisements and notifications.
   c) The PO Deviation applications are exempt from the ULDC requirement of Posting of Notice Boards on the property.
   d) Staff shall schedule the application for the next applicable BCC-Zoning Hearing in accordance with the Zoning Calendar. CD Coordinator will inform the Government Entity of the scheduled hearing date.

5. Result Letter:
   a) The application will be added to the BCC-Zoning Result List and a Result Letter will be prepared by Staff and be approved by the Zoning Director’s appointee within seven (7) working days following the BCC-Zoning Hearing to reflect the final decision as rendered by the Board.
   b) A BCC resolution is not applicable.

Attachments:
1. Form #92, Public Ownership (PO) Zoning District Deviation Application/Agenda Request Form;
2. PO Deviation Report - Template.

Zoning Director

Supersession History:
PPM ZO-O-063, Issued 2/17/2017
PPM ZO-O-063, Revised 3/26/2018

U:\Zoning\ADMIN\PPM\s\DRAFTs\ZO-O-063 PO Deviations\Final – Revised 3-26-2018
PUBLIC OWNERSHIP (PO) ZONING DISTRICT DEVIATION APPLICATION/AGENDA REQUEST FORM

Pursuant to ULDC Articles 4.B.4.C.10; 5.A.3; 6.A.1.B.4; and 7.B.1.C, deviations are permitted for development supporting government facilities within the Public Ownership (PO) Zoning District, subject to approval by the Board of County Commissioners (BCC). This form serves as the official application to initiate agenda placement for qualifying deviation proposals.

I. Proposed Deviation(s)

Application/Project Name (same as the accompanying report):

[ ] 1. Article 4 – Homeless Resource Center
[ ] 2. Article 5 – Supplementary Standards
[ ] 3. Article 6 – Parking
[ ] 4. Article 7 – Landscaping

II. Deviation Information

Complete the chart below to identify each proposed deviation. In the event of more than five (5) deviations are proposed, a separate sheet shall be attached to identify the additional deviation proposals.

<table>
<thead>
<tr>
<th>Code Section(s)</th>
<th>Required</th>
<th>Proposed</th>
<th>Deviation(s)</th>
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</thead>
<tbody>
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III. Additional Instructions

This application shall be submitted to the Community Development (CD) Coordinator, in accordance with ULDC requirements and Zoning PPM ZO-O-063 – Processing PO Deviations Applications, refer to the Zoning Web page for details. All PO applications must be submitted on the CD Intake dates of the Official Zoning Calendar (refer to Zoning Web page for the current Zoning Calendar).

This Application Form # 92 must be accompanied by a PO Deviation Report (BCC Staff Report), (refer to PPM ZO-O-063, for a template) which is prepared by the Director or designee of the requesting PBC Department or Government Entity. All documents shall be submitted in PDF format, all reports will be published in the exact form and manner in which they were received.

The PO Deviation Report shall be prepared in the following manner:

a. be prepared and submitted on legal size paper;
b. bear the official seal of the requesting government entity atop the cover page of the report;
c. present the affiliation of the requesting entity (i.e. Palm Beach County, State of Florida, etc.) and/or department or agency title, as applicable, immediately below the official seal;
d. identify the date of the request;
e. be addressed to the Mayor and members of the Palm Beach County Board of County Commissioners;
f. be addressed from, and initiated by, the Director or designated appointee of the requesting department/entity (same as signature below);
g. identify the purpose of the report as "Public Ownership (PO) Zoning District Deviation(s)";
h. include a data table, listing each deviation with the following data:
1. the referenced ULDC section(s) from which each deviation is proposed, indicate what is required by Code; what is being proposed and the extent of the proposed deviation(s);
2. situs address applicable to the site for which a deviation is proposed;
3. general location of the subject site;
4. Parcel Control Number (PCN) of the subject site;
5. BCC district applicable to the subject site;
6. Zoning District applicable to the subject site;
7. Future Land Use (FLU) designation assigned to the subject site;
8. PZB control number that corresponds to the subject site (if applicable);
9. lot area (acreage) of the subject site;
10. lot dimensions of the subject site;
11. construction status (i.e. existing, pending, proposed, etc.) of the subject site; and,
12. any additional information deemed relevant to the subject site and deviation proposal.

i. include a descriptive section entitled “SUMMARY” to consist of a narrative description of the subject site; site history; adjacent uses; purpose/objective of each proposed deviation; and any other information deemed important and appropriate to describe, explain, and provide support for each proposed deviation(s);

j. include a descriptive section entitled “ANALYSIS” whereby each applicable ULDC standard (refer to Article 5.A.3, for list of Deviation Standards) shall be stated in full, followed by an assessment/response to demonstrate compliance with each standard and to serve as support for the proposed deviation(s);

k. include a descriptive section entitled “CONCLUSION” to consist of a statement of recommended action on the proposed deviation and summary of prevailing circumstance or merits that warrant the proposed deviation(s);

l. provide a Project Manager/Contact information (if different from the person in heading); name, address, email address, telephone #, etc.) who will act as the contact person for this application, to receive all notification responses and provide all supporting documents, as applicable; and,
m. attach all other supporting documents, such as, but not limited to; a vicinity map to depict the general site location; an aerial photo of the site and general surroundings; Zoning and/or Future Land Use maps that apply to the subject site; photos of the site and/or surroundings; land survey or plat corresponding to the site; approved/proposed site plan, landscape plan, architectural elevations, or other relevant graphic; correspondence(s) related to each proposed deviation; and/or any other miscellaneous materials to assist and support the review, analysis, and ability to understand and relate to each proposed deviation. All attachments shall be listed at the conclusion of the report and in the sequence in which they appear.

Upon completion of this application and the accompanying PO Deviation Report (BCC Staff Report) as described above, this application shall be signed, dated and notarized below to serve as authorization for placement on a BCC Zoning Hearing Agenda to receive action by the Board.

Name and Title (type, stamp or print clearly) Date

Signature

The foregoing signature was acknowledged before me this ___ day of ________, 20____ by ____________________________ (name of person acknowledging). This person is personally known to me or has produced (type of identification) ______________________ as identification and did/did not take an oath (circle correct response).

Name (type, stamp or print clearly) Signature

My Commission Expires on: ______________________________

NOTARY’S SEAL OR STAMP

PO Deviation Application Page 2 of 2 Revised 5/30/17

Web version 2017
DATE: Month/Day/Year

TO: Commissioner, Mayor and members of the Board of County Commissioners

FROM: Requesting Director and Department

RE: Public Ownership (PO) Zoning District Deviation(s)

PROJECT NAME

List each deviation in a separate line:

<table>
<thead>
<tr>
<th>Code Section(s)</th>
<th>Required</th>
<th>Proposed</th>
<th>Deviation(s)</th>
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<tbody>
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<td>Situs Address</td>
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<td>General Location</td>
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<td>PCN</td>
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<td>BCC District</td>
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<td>Zoning District</td>
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<td>Future Land Use</td>
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<td>PZB Control No.</td>
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<td>Lot Area (Acres)</td>
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<td>Lot Dimensions</td>
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<td>Construction Status</td>
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SUMMARY

ANALYSIS

Pursuant to ULDC Articles 4.B.4.C.10; 5.A.3; 6.A.1.B.4; and 7.B.1.C, deviations are permitted for development supporting government facilities within the Public Ownership (PO) Zoning District, subject to approval by the BCC. Standards for granting a deviation are enumerated within the ULDC to assist the review, evaluation, and rendering of a final determination upon a proposed deviation. A professional assessment of the proposed deviation(s) has been conducted and a response to each standard is provided below.

A. THE PROPOSED DEVIATION(S) MAINTAINS COMPATIBILITY WITH THE USES AND CHARACTER OF LAND SURROUNDING AND IN THE VICINITY OF THE LAND PROPOSED FOR DEVELOPMENT.

B. ADVERSE EFFECTS ON ADJACENT USES AND LANDS, INCLUDING BUT NOT LIMITED TO VISUAL IMPACT, ARE DETERMINED TO BE MINIMAL OR OTHERWISE NEGligible UPON REVIEW AND CONSIDERATION OF SURROUNDING LANDS, USES, ZONING, FUTURE LAND USE (FLU), CHARACTER, AND/OR OTHER PREEXISTING CONDITIONS.

C. SPECIAL OR UNIQUE CIRCUMSTANCES AND/OR FACTORS EXIST THAT ARE
APPLICABLE TO THE PROPOSED USE, STRUCTURE, FEATURE, OR LAND
PROPOSED FOR DEVELOPMENT.

D. THE PROPOSED DEVIATION ALLOWS FOR REASONABLE AND/OR
PRACTICAL USE OF THE LAND PROPOSED FOR DEVELOPMENT.

E. APPROVAL OF THE DEVIATION IS CONSISTENT WITH THE PURPOSE, GOALS,
POLICIES, AND OBJECTIVES OF THE PLAN AND THIS CODE.

F. APPROVAL OF THE DEVIATION IS NOT INJURIOUS TO THE SURROUNDING
AREA OR OTHERWISE DETRIMENTAL TO PUBLIC HEALTH, SAFETY, AND
GENERAL WELFARE.

CONCLUSION

For all of the foregoing reasons and findings of fact, staff recommends and respectfully requests
APPROVAL of the proposed deviation from ULDC Article(s) _____ to allow _____. Approval
of the proposed deviation(s) will ______.

Project Manager/Contact:
>>>Enter contact person here, if different from page 1 above<<<
(Name, Division, Address, Email, Tel Phone #)

Attachments (as applicable): Vicinity Sketch
Aerial Photo
Zoning Map
FLU Map
Photos
Survey
Approved/Proposed Site Plan
Approved/Proposed Landscape Plan
Approved/Proposed Architectural Elevations
Letter(s) of Support, dated _____
Other (identify)

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