

RESOLUTION NO. R-2004-

RESOLUTION APPROVING AN OFFICIAL ZONING AMENDMENT TO
A PLANNED DEVELOPMENT DISTRICT, PETITION OF PALM BEACH
COUNTY BY FACILITIES DEVELOPMENT AND OPERATIONS, AGENT.
(LOCAL GOVERNMENT – PBC)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Petition PDD2004-352 was presented to the Board of County Commissioners at public hearings conducted on September 20, 2004 and September 30, 2004; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered and approved a resolution approving a Development of Regional Impact (DRI) Development Order (DO) for these properties; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This official zoning map amendment, with conditions as adopted, is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment, with conditions as adopted, is consistent with the stated purpose and intent of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. This official zoning map amendment, with conditions as adopted, does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment, with conditions as adopted, would result in a logical, orderly and timely development pattern.
6. This official zoning map amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

7. This official zoning map amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.

WHEREAS, Article 2 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition PDD2004-352, the petition of the Palm Beach County Board of County Commissioners for an Official Zoning Map Amendment (rezoning) from the Agricultural Residential and Special Agricultural Zoning Districts to the Planned Industrial Park Development District, on a parcel of land legally described in EXHIBIT A, which is generally located as shown in EXHIBIT B, was APPROVED ON SEPTEMBER 30, 2004, subject to the conditions of approval in EXHIBIT C1.

Commissioner _____ moved for the approval of the Resolution.

The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	-
Tony Masilotti, Vice Chairman	-
Jeff Koons	-
Warren H. Newell	-
Mary McCarty	-
Burt Aaronson	-
Addie L. Greene	-

The Chair thereupon declared that the resolution was duly passed and adopted on September 30, 2004. This zoning resolution shall become effective upon the effective date of the amendments to the Palm Beach County Comprehensive Plan adopted in amendment round 2004-04-ERP.

Filed with the Clerk of the Board of County Commissioners on _____ day of _____, 2004.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: _____
COUNTY ATTORNEY

BY: _____
DEPUTY CLERK

EXHIBIT A

LEGAL DESCRIPTION

THE WEST ½ OF SECTION 5, ALL OF SECTIONS 6 AND 7, AND THE WEST ½ OF SECTION 8, ALL LYING IN TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT OF WAY OF THE C-18 CANAL AS RECORDED IN DEED BOOK 1097, PAGE 261, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 1,919.23 ACRES, MORE OR LESS.

BEARINGS BASIS: N89°56'58"E ALONG THE NORTH LINE OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 41 EAST.