



CITY OF PALM BEACH GARDENS
COUNCIL AGENDA

May 4, 2023

6:00 P.M.

Mayor Reed
Vice Mayor Woods
Councilmember Tinsley
Councilmember Premuroso
Councilmember Middleton

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV. ANNOUNCEMENTS / PRESENTATIONS:

- a. PRESENTATION TO THE CITY OF PALM BEACH GARDENS CELEBRATING 50 YEARS OF GOVERNANCE UNDER THE COUNCIL-MANAGER FORM OF GOVERNMENT AS RECOGNIZED BY THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA).

V. COMMENTS FROM THE PUBLIC:

- **For subjects not on the agenda, please submit request form to the City Clerk prior to the commencement of this agenda item.**

VI. CITY MANAGER REPORT:

VII. CONSENT AGENDA:

- a. **APPROVE MINUTES** FROM THE APRIL 5, 2023, CITY COUNCIL MEETING.
- b. **APPROVE MINUTES** FROM THE APRIL 24, 2023, CITY COUNCIL SPECIAL MEETING.
- c. **RESOLUTION 26, 2023** – PEDESTRIAN CROSSING RAPID FLASHING BEACON SIGNS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE LOCAL AGENCY PROGRAM (LAP) SUPPLEMENTAL AGREEMENT NO. 1 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE CONSTRUCTION OF ACTIVATED IN-GROUND RECTANGULAR RAPID FLASHING BEACONS, FLASH WARNING, AND STATIC REGULATORY SIGNS AT 12 EXISTING SCHOOL/PEDESTRIAN CROSSINGS AT VARIOUS LOCATIONS IN THE CITY IN THE AMOUNT OF \$887,784.00; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [RESOLUTION 27, 2023](#) – FLORIDA POWER AND LIGHT COMPANY RYDER SUBSTATION REPLAT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE PLAT FOR FLORIDA POWER AND LIGHT COMPANY RYDER SUBSTATION PLANNED UNIT DEVELOPMENT (PUD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [PROCLAMATION](#) – 90TH ANNIVERSARY OF PALM BEACH STATE COLLEGE.
- f. [PROCLAMATION](#) – ASIAN AMERICAN, NATIVE HAWAIIAN AND PACIFIC ISLANDER HERITAGE MONTH.
- g. [PROCLAMATION](#) – BETTER HEARING MONTH.
- h. [PROCLAMATION](#) – CIVILITY MONTH.
- i. [PROCLAMATION](#) – DROWNING PREVENTION AWARENESS MONTH.
- j. [PROCLAMATION](#) – EMERGENCY MEDICAL SERVICES WEEK.
- k. [PROCLAMATION](#) – GUARDIAN AD LITEM MONTH.
- l. [PROCLAMATION](#) – HEPATITIS AWARENESS MONTH.
- m. [PROCLAMATION](#) – KIDS TO PARKS DAY.
- n. [PROCLAMATION](#) – MENTAL HEALTH AWARENESS AND TRAUMA INFORMED CARE MONTH.
- o. [PROCLAMATION](#) – NATIONAL BIKE AND BICYCLE SAFETY MONTH.
- p. [PROCLAMATION](#) – NATIONAL MISSING CHILDREN’S DAY.
- q. [PROCLAMATION](#) – NATIONAL POLICE WEEK.
- r. [PROCLAMATION](#) – NATIONAL PUBLIC WORKS WEEK.
- s. [PROCLAMATION](#) – NATIONAL SAFE BOATING WEEK.
- t. [PROCLAMATION](#) – NATIONAL TENNIS MONTH.
- u. [PROCLAMATION](#) – NO PLACE FOR HATE DAY.
- v. [PROCLAMATION](#) – PROFESSIONAL MUNICIPAL CLERKS WEEK.
- w. [PROCLAMATION](#) – TEACHER APPRECIATION WEEK.
- x. [PROCLAMATION](#) – TRAUMA AWARENESS MONTH.
- y. [PROCLAMATION](#) – WATER REUSE WEEK.

VIII. **PUBLIC HEARINGS:** (* Designates Quasi-Judicial Hearing)

➤ **For subjects under Public Hearings, please submit request form to the City Clerk prior to the commencement of this agenda item.**

a. **ORDINANCE 4, 2023** – (1ST READING) CITY-INITIATED LAND DEVELOPMENT REGULATIONS AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78. LAND DEVELOPMENT REGULATIONS. AT SECTION 78-57. TARGETED EXPEDITED PERMITTING PROGRAM. BY REPEALING SUBSECTIONS (a), (b), AND (c), READOPTING SAME, AS REVISED, AND BY ADOPTING NEW SUBSECTION (d); FURTHER AMENDING CHAPTER 78. BY ADOPTING NEW SECTION 78-59. WORKFORCE AND AFFORDABLE HOUSING PROGRAM; FURTHER AMENDING CHAPTER 78. AT SECTION 78-99. EXEMPTIONS AND CREDITS. BY REPEALING SUBSECTIONS (b), (c), AND (d), READOPTING SAME, AS REVISED, AND BY ADOPTING NEW SUBSECTION (e); FURTHER AMENDING CHAPTER 78. AT SECTION 78-141. RESIDENTIAL ZONING DISTRICT REGULATIONS. BY AMENDING TABLE 10: PROPERTY DEVELOPMENT REGULATIONS—RESIDENTIAL ZONING DISTRICTS AND BY ADOPTING NEW NOTE 11 TO TABLE 10; FURTHER AMENDING CHAPTER 78. AT SECTION 78-154. PUD—PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT. BY REPEALING SUBSECTIONS (g)(1), (g)(2), AND (g)(4), READOPTING SAME, AS REVISED, AND BY AMENDING TABLE 13: PUD RESIDENTIAL DENSITY LIMITS; FURTHER AMENDING CHAPTER 78. AT SECTION 78-155. PCD—PLANNED COMMUNITY DEVELOPMENT OVERLAY DISTRICT (PCD). BY REPEALING SUBSECTIONS (e)(1) AND (g), READOPTING SAME, AS REVISED, AND BY AMENDING TABLE 15: MAXIMUM RESIDENTIAL DENSITY IN PCDS; FURTHER AMENDING CHAPTER 78. AT SECTION 78-157. MXD—MIXED USE DEVELOPMENT DISTRICT. BY REPEALING SUBSECTION (a) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-159. PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. BY ADOPTING NEW SUBSECTION (j)(78) AND AMENDING TABLE 21: PERMITTED, CONDITIONAL, AND PROHIBITED USE CHART; FURTHER AMENDING CHAPTER 78. AT SECTION 78-181. USES. BY REPEALING SUBSECTION (c)(8), READOPTING SAME, AS REVISED, AND BY ADOPTING NEW SUBSECTION (c)(9); FURTHER AMENDING CHAPTER 78. AT SECTION 78-222. TRANSIT ORIENTED DEVELOPMENT (TOD) OVERLAY DISTRICT. BY REPEALING SUBSECTION (f)(5), AND READOPTING SAME, AS REVISED; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

b. **ORDINANCE 6, 2023** – (2ND READING AND ADOPTION) BUDGET AMENDMENT FOR FISCAL YEAR 2023. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING THE CITY OF PALM BEACH GARDENS' BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. [*RESOLUTION 24, 2023](#) – OSPREY ISLES PLANNED UNIT DEVELOPMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING AN AMENDMENT TO THE OSPREY ISLES PLANNED UNIT DEVELOPMENT (PUD) TO REMOVE 3.36 ACRES FROM THE APPROXIMATELY 101.36-ACRE PUD FOR A NEW PUD ACREAGE OF 98 ACRES, MORE OR LESS, THE SUBJECT SITE BEING GENERALLY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD APPROXIMATELY 1.27 MILES EAST OF COCONUT BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- d. [ORDINANCE 7, 2023](#) – (1ST READING) SMALL-SCALE AMENDMENT TO THE COMPREHENSIVE PLAN. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ADOPTING A SMALL-SCALE AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND-USE MAP IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPSS-21-09-000019 IN ORDER TO CHANGE THE LAND-USE DESIGNATION OF A PARCEL ON 9.88 ACRES IN SIZE, MORE OR LESS, FROM PROFESSIONAL OFFICE (PO) AND RESIDENTIAL MEDIUM (RM) TO RESIDENTIAL LOW (RL), THE SUBJECT PROPERTY BEING GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF NORTHLAKE BOULEVARD AND MEMORIAL PARK ROAD; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO); PROVIDING THAT THE FUTURE LAND-USE MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [*ORDINANCE 8, 2023](#) – (1ST READING) A PLANNED UNIT DEVELOPMENT REZONING. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, REZONING CERTAIN PARCELS OF REAL PROPERTY, BEING COMPRISED OF 43.41 ACRES IN SIZE, MORE OR LESS, AND CONSISTING OF THREE (3) PARCELS, TWO (2) OF WHICH COMPRISE 13.24 ACRES, MORE OR LESS, AND HAVE A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH A MIX OF UNDERLYING ZONING CONSISTING OF RESIDENTIAL LOW (RL-3), RESIDENTIAL MEDIUM (RM), AND PROFESSIONAL OFFICE (PO), WITH THE THIRD PARCEL COMPRISING 30.17 ACRES, MORE OR LESS, AND BEING ZONED ENTIRELY RL-3, TO PUD OVERLAY WITH AN UNDERLYING ZONING OF RL-3 SO THAT THE ENTIRE 43.41 ACRES, MORE OR LESS, SHALL BE UNIFIED IN ONE (1) PUD OVERLAY, SUCH PARCELS BEING GENERALLY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD, APPROXIMATELY 1.3 MILES EAST OF COCONUT BOULEVARD; PROVIDING THAT THE ZONING MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**RESOLUTION 25, 2023 IS A COMPANION ITEM TO ORDINANCE 8, 2023
AND WILL REQUIRE COUNCIL ACTION ON SECOND READING.**

***RESOLUTION 25, 2023** – A MAJOR CONDITIONAL USE APPROVAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE STAR OF DAVID PLANNED UNIT DEVELOPMENT (PUD) WITH A CONDITIONAL USE APPROVAL FOR A CEMETERY USE CONSISTING OF 43.41 ACRES, MORE OR LESS, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF NORTHLAKE BOULEVARD AND MEMORIAL PARK ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- f. **ORDINANCE 9, 2023** – (2ND READING AND ADOPTION) CITY-INITIATED INVOLUNTARY ANNEXATION OF 16 PARCELS ON WEST NORTHLAKE BOULEVARD. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ANNEXING A CONTIGUOUS AND COMPACT AREA OF UNINCORPORATED REAL PROPERTY COMPRISING A TOTAL OF 301.64 ACRES, MORE OR LESS, IN ACCORDANCE WITH SECTION 171.0413, FLORIDA STATUTES, SUCH PARCELS BEING GENERALLY LOCATED ON THE SOUTH SIDE OF NORTHLAKE BOULEVARD BETWEEN 120TH AVENUE NORTH AND GRAPEVIEW BOULEVARD, AND ON THE NORTH SIDE OF NORTHLAKE BOULEVARD BETWEEN 130TH AVENUE NORTH AND AVOCADO BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING ARTICLE II OF THE CITY CHARTER TO REDEFINE THE CORPORATE LIMITS PURSUANT TO INVOLUNTARY ANNEXATION; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF STATE, THE FLORIDA GOVERNOR'S OFFICE, AND PALM BEACH COUNTY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- g. ***RESOLUTION 22, 2023** – SITE PLAN AND MAJOR CONDITIONAL USE APPROVAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN AND MAJOR CONDITIONAL USE FOR A 600-STUDENT CHARTER SCHOOL ON APPROXIMATELY 7.26 ACRES, MORE OR LESS, WITHIN THE RESIDENTIAL PARCEL (PARCEL A) OF THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD), THE SUBJECT SITE BEING GENERALLY LOCATED ON THE SOUTH SIDE OF AVENIR DRIVE AND APPROXIMATELY 1,500 FEET, MORE OR LESS, WEST OF THE INTERSECTION OF AVENIR DRIVE AND COCONUT BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING WAIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- h. ***RESOLUTION 23, 2023** – GARDENS BUSINESS CENTER SITE PLAN. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING THE GARDENS BUSINESS CENTER SITE PLAN (PARCELS 27.05 AND 27.06) OF THE REGIONAL CENTER PLANNED COMMUNITY DEVELOPMENT (PCD) TO PERMIT THE CONSTRUCTION OF A 5,871-SQUARE-FOOT RETAIL BUILDING ON A 1.36-ACRE PARCEL, GARDENS BUSINESS CENTER BEING GENERALLY LOCATED ON THE NORTH SIDE OF PGA BOULEVARD AND INCLUDING PARCELS EAST AND WEST OF MINSK GARDENS BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING WAIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

IX. RESOLUTIONS:

- **For subjects under Resolutions, please submit request form to the City Clerk prior to the commencement of this agenda item.**
- a. **RESOLUTION 17, 2023** – APPOINTMENTS TO THE POLICE PENSION BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF TWO (2) RESIDENT TRUSTEES TO THE CITY OF PALM BEACH GARDENS' POLICE OFFICERS' PENSION BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. ITEMS FOR COUNCIL ACTION/DISCUSSION AND ITEMS OF INTEREST:

XI. CITY ATTORNEY REPORT:

XII. ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED that if any interested party wishes to appeal any decision made by the City Council with respect to any matter considered at this public hearing, such interested parties will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-799-4122 no later than five (5) days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

NOTE:

All presentation materials must be received by the City Clerk prior to the presentation to the Council.