



CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
October 5, 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. TOURISM UPDATE FOR DISCOVER THE PALM BEACHES AND PRESENTATION OF THE SUMMER/FALL CAMPAIGN.
- b. RECOGNITION OF PALM BEACH NORTH CHAMBER OF COMMERCE FOR BEING AWARDED THREE TOP HONORS FROM THE FLORIDA ASSOCIATION OF CHAMBER PROFESSIONALS (FACP).

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 SEPTEMBER 19, 2023, CITY COUNCIL MEETING.
- b. **RESOLUTION 50, 2023** – PLAT FOR AVENIR POD 18. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE PLAT OF AVENIR – POD 18 WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- c. **RESOLUTION 61, 2023** – WORKFORCE HOUSING FUND PROGRAM. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE IMPLEMENTATION OF THE WORKFORCE HOUSING FUND PROGRAMS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [RESOLUTION 62, 2023](#) – AVENIR – POD 16 PLAT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE PLAT OF AVENIR – POD 16 WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [PROCLAMATION](#) – E-WASTE DAY.
- f. [PROCLAMATION](#) – FAMILY PROMISE WEEK.
- g. [PROCLAMATION](#) – FIRE PREVENTION WEEK.
- h. [PROCLAMATION](#) – FLORIDA CITY GOVERNMENT WEEK.
- i. [PROCLAMATION](#) – JUMPSTART’S READ FOR THE RECORD DAY.
- j. [PROCLAMATION](#) – MOBILITY WEEK.
- k. [PROCLAMATION](#) – NATIONAL BREAST CANCER AWARENESS MONTH.
- l. [PROCLAMATION](#) – NATIONAL COMMUNITY PLANNING MONTH.
- m. [PROCLAMATION](#) – NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH.
- n. [PROCLAMATION](#) – NATIONAL LONG-TERM CARE RESIDENTS’ RIGHTS MONTH.
- o. [PROCLAMATION](#) – NATIONAL RED RIBBON WEEK.
- p. [PROCLAMATION](#) – SAFETY 4 LIFE STUDENT AMBASSADOR DAY.
- q. [PROCLAMATION](#) – SUDDEN CARDIAC ARREST AWARENESS MONTH.

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 12, 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 AT ARTICLE V. - SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 5. - NATURAL RESOURCES AND ENVIRONMENTALLY SIGNIFICANT LANDS, SECTION 78-249. - APPROVAL CRITERIA FOR PROPOSED LAND ALTERATION. TO REMOVE REFERENCES TO THE URBAN GROWTH BOUNDARY, AND AT SECTION 78-250. – PRESERVE AREA REQUIREMENTS. TO ALLOW MINOR ALTERATIONS IN PRESERVES; 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 18, 2023](#) – (1ST READING) CITY-INITIATED PETITION FOR A SMALL-SCALE COMPREHENSIVE PLAN MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ADOPTING A SMALL-SCALE AMENDMENT TO ITS COMPREHENSIVE PLAN FUTURE LAND USE MAP IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPSS-23-08-0000 IN ORDER TO CHANGE THE LAND-USE DESIGNATION OF 13.45 ACRES, MORE OR LESS, FROM PALM BEACH COUNTY COMMERCIAL HIGH WITH UNDERLYING HIGH RESIDENTIAL, 12 UNITS PER ACRE (CH-12), HIGH RESIDENTIAL, 12 UNITS PER ACRE (HR-12), AND RESIDENTIAL LOW, 3 UNITS PER ACRE (RL-3) TO PALM BEACH GARDENS RESIDENTIAL HIGH (RH) WITH A MARINA DISTRICT OVERLAY, THE SUBJECT PROPERTY BEING LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF PGA BOULEVARD AND ELLISON WILSON 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.
- c. [*ORDINANCE 19, 2023](#) – (1ST READING) CITY-INITIATED PETITION TO REZONE 13.45 ACRES. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, REZONING CERTAIN REAL PROPERTY, SUCH PROPERTY BEING COMPRISED OF 13.45 ACRES IN SIZE, MORE OR LESS, AND LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF PGA BOULEVARD AND ELLISON WILSON ROAD; PROVIDING THAT THESE PARCELS OF REAL PROPERTY, WHICH ARE MORE PARTICULARLY DESCRIBED HEREIN, SHALL BE REZONED FROM PALM BEACH COUNTY RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) AND MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY (RM) TO PALM BEACH GARDENS PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH AN UNDERLYING ZONING DESIGNATION OF RESIDENTIAL HIGH (RH); 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.
- d. [ORDINANCE 28, 2023](#) – (1ST READING) AMENDING CHAPTER 62, STREETS, SIDEWALKS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 62 - STREETS, SIDEWALKS, AND CERTAIN OTHER PUBLIC PLACES BY ADOPTING NEW SECTION 62-33. ENTITLED “STREETLIGHTS IN NON-CITY-OWNED RIGHTS-OF-WAY”; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 62 - STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES 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.

- e. [*RESOLUTION 58, 2023](#) – A PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING AN AMENDMENT TO THE PGA MARINA PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE REDEVELOPMENT OF APPROXIMATELY 7.52 ACRES WITH 451 DRY BOAT SLIPS, 20 WET BOAT SLIPS, AND MARINA RETAIL, BOAT AND WATERCRAFT SHOWROOM, AND SHIP STORE USES AND APPROVING A CONDITIONAL USE FOR A COMMERCIAL MARINA ON APPROXIMATELY 7.52 ACRES, THE PGA MARINA PUD BEING GENERALLY LOCATED ON THE NORTH SIDE OF PGA BOULEVARD APPROXIMATELY 0.15 MILES EAST OF THE INTERSECTION OF PGA BOULEVARD AND PROSPERITY FARMS ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR WAIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- f. [*RESOLUTION 59, 2023](#) – A MAJOR CONDITIONAL USE APPROVAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A MAJOR CONDITIONAL USE TO ALLOW A BAR USE FOR TOMMY BAHAMA MARLIN BAR RESTAURANT WITHIN THE GARDENS MALL, THE SUBJECT SITE BEING GENERALLY LOCATED NORTH OF PGA BOULEVARD, EAST OF FAIRCHILD GARDENS AVENUE, SOUTH OF GARDENS PARKWAY, AND WEST OF KEW GARDENS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; 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 51, 2023](#) – APPOINTMENTS TO THE ART IN PUBLIC PLACES ADVISORY BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE ART IN PUBLIC PLACES ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. [RESOLUTION 52, 2023](#) – APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. [RESOLUTION 53, 2023](#) – APPOINTMENTS TO THE PLANNING, ZONING AND APPEALS BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE PLANNING, ZONING, AND APPEALS BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [RESOLUTION 54, 2023](#) – APPOINTMENTS TO THE FIRE PENSION BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR MEMBERS TO THE CITY OF PALM BEACH GARDENS FIREFIGHTERS' 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.