



CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
June 1, 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:**
- 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 MAY 4, 2023, CITY COUNCIL MEETING.
 - b. **RESOLUTION 33, 2023** – DOWNTOWN PALM BEACH GARDENS ADDITIONAL SPECIAL EVENTS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING ADDITIONAL SPECIAL EVENTS FOR DOWNTOWN PALM BEACH GARDENS, LOCATED ON THE EAST SIDE OF ALTERNATE A1A BETWEEN KYOTO GARDENS DRIVE AND GARDENS PARKWAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
 - c. **RESOLUTION 34, 2023** – AVENIR – SPINE ROAD 6 PLAT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE PLAT OF AVENIR – SPINE ROAD 6 WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [RESOLUTION 37, 2023](#) – 2023 SAFE STREETS PLANNING AND DEMONSTRATION GRANT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR A 2023 SAFE STREETS FOR ALL PLANNING AND DEMONSTRATION GRANT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [PURCHASE AWARD](#) – ITB2022-149CE, LAP PROJECT – CONSTRUCTION OF PEDESTRIAN FLASHERS AT VARIOUS LOCATIONS.
- f. [PURCHASE AWARD](#) – ITB2023-158PS, RENOVATION OF COMPETITION POOL AT BURNS ROAD COMMUNITY CENTER.
- g. [PURCHASE AWARD](#) – RENEWAL OF AGREEMENT RFP2013-008FN, DEFERRED COMPENSATION 457 (B) PLAN PROVIDER.
- h. [PURCHASE AWARD](#) – RFP2023-070PD, SCHOOL CROSSING GUARD SERVICES.
- i. [PROCLAMATION](#) – ALZHEIMER’S AND BRAIN AWARENESS MONTH.
- j. [PROCLAMATION](#) – CODE ENFORCEMENT OFFICERS’ APPRECIATION WEEK.
- k. [PROCLAMATION](#) – LGBTQ PRIDE MONTH.
- l. [PROCLAMATION](#) – MEN’S HEALTH MONTH.
- m. [PROCLAMATION](#) – NATIONAL GUN VIOLENCE AWARENESS DAY.
- n. [PROCLAMATION](#) – NATIONAL HIV TESTING DAY.

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 3, 2023](#) – (2ND READING AND ADOPTION) CITY-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A CITY-INITIATED TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT OF THE CITY’S COMPREHENSIVE LAND USE PLAN TO REVISE A POLICY RELATED TO BUILDING HEIGHT WITHIN THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT, TO INCORPORATE A NEW POLICY RELATED TO DESIGN GUIDELINES IN THE TOD DISTRICT, AND TO INCORPORATE A NEW OBJECTIVE AND ASSOCIATED POLICIES FOR A MARINA DISTRICT; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO); PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. **ORDINANCE 4, 2023** – (2ND READING AND ADOPTION) 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.
- c. **ORDINANCE 7, 2023** – (2ND READING AND ADOPTION) 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.

- d. [*ORDINANCE 8, 2023](#) – (2ND READING AND ADOPTION) 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.**

- [*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.
- e. [ORDINANCE 10, 2023](#) – (1ST READING) PROHIBITING SIMULATED GAMBLING DEVICES AND ADULT ARCADES/INTERNET CAFES. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78. LAND DEVELOPMENT REGULATIONS. AT SECTION 78-159. PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. BY AMENDING TABLE 21: PERMITTED, CONDITIONAL, AND PROHIBITED USE CHART IN ORDER TO PROHIBIT ADULT ARCADES AND/OR INTERNET CAFES AND BY ADOPTING NEW SUBSECTION (j)(79) TO ADOPT REGULATIONS TO PROHIBIT SIMULATED GAMBLING DEVICES; 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.
- f. [*RESOLUTION 28, 2023](#) – IDENTIFICATION SIGNAGE FOR THE DIVOSTA TOWERS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A REVISION TO THE BUILDING IDENTIFICATION SIGNAGE FOR THE DIVOSTA TOWERS PLANNED UNIT DEVELOPMENT (PUD), LOCATED EAST OF ALTERNATE A1A, BETWEEN KYOTO GARDENS DRIVE AND PGA BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- g. [*RESOLUTION 31, 2023](#) – SITE PLAN FOR POD 21 OF THE AVENIR PLANNED COMMUNITY DEVELOPMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR A 204-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON APPROXIMATELY 62.78 ACRES, MORE OR LESS, KNOWN AS POD 21 WITHIN THE RESIDENTIAL DISTRICT (PARCEL A) OF THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD), LOCATED ON THE SOUTH SIDE OF AVENIR DRIVE, APPROXIMATELY 0.40 MILES WEST OF COCONUT BOULEVARD, THE AVENIR PCD BEING GENERALLY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD, EAST OF GRAPEVIEW BOULEVARD, WEST OF BAY HILL DRIVE, AND SOUTH OF BEELINE HIGHWAY, 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.**

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

- a. CITY MANAGER EVALUATION.

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.