



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
February 6, 2020
7:00 P.M.**

**Mayor Marciano
Vice Mayor Litt
Councilmember Marino
Councilmember Woods
Councilmember Lane**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV. ANNOUNCEMENTS / PRESENTATIONS:

- a. MAYORS VETERANS CHECK PRESENTATION.
- b. UPDATE ON THE ONE YEAR ANNIVERSARY OF THE CLOSEST TO THE PIN CHARITY EVENTS.
- c. PALM BEACH GARDENS POLICE AND FIRE RESCUE FOUNDATION SUPPORT OF THE VETERAN'S HOSPITAL.
- d. COMMISSION ON ACCREDITATION OF AMBULANCE SERVICES AWARD.
- e. OPERATION120, INC. – EMPOWERING FEMALE VETERANS.

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS:

VI. 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.**

VII. CITY MANAGER REPORT:

VIII. CONSENT AGENDA:

- a. **APPROVE MINUTES** FROM THE JANUARY 9, 2020 CITY COUNCIL MEETING.
- b. **PURCHASE AWARD** – REPLACEMENT OF PLAYGROUND AT JOE RUSSO PARK.

- c. [RESOLUTION 14, 2020](#) – “PROJECT GREENACRES” ECONOMIC DEVELOPMENT INCENTIVES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, PROVIDING CONCEPTUAL APPROVAL FOR “PROJECT GREENACRES” ECONOMIC DEVELOPMENT INCENTIVES FROM THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- d. [RESOLUTION 19, 2020](#) – AMENDMENT NO. 1 TO PUBLIC PRIVATE PARTNERSHIP AGREEMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING AMENDMENT NO. 1 TO THE INTERLOCAL LEASE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF PALM BEACH GARDENS FOR THE DISTRICT PARK PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [PROCLAMATION](#) – 211 AWARENESS WEEK.
- f. [PROCLAMATION](#) – NATIONAL ENGINEERS WEEK.

IX. [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 1, 2020](#) – (2nd READING AND ADOPTION) BUDGET AMENDMENT. 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, 2019, AND ENDING SEPTEMBER 30, 2020, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b. [ORDINANCE 21, 2019](#) – (2nd READING AND ADOPTION) CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT TO ADD AGRICULTURAL RESIDENTIAL AND AGRICULTURAL ESTATE ZONING DISTRICTS AS CONSISTENT WITH RURAL RESIDENTIAL LAND USE. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ADOPTING A TEXT AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPTA-19-08-000035 THAT PROVIDES FOR AN AMENDMENT TO THE FUTURE LAND USE ELEMENT TO PROVIDE UPDATES TO CERTAIN TABULAR DATA, NOMENCLATURE, AND OTHER AMENDMENTS THAT ASSIGN NEWLY CREATED ZONING DISTRICTS TO THE APPROPRIATE FUTURE LAND USE DESIGNATION; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; 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.

- c. **ORDINANCE 22, 2019** – (2nd READING AND ADOPTION) CITY INITIATED LAND DEVELOPMENT REGULATIONS AMENDMENT TO AMEND CHAPTER 78 TO CREATE AGRICULTURAL RESIDENTIAL AND AGRICULTURAL ESTATE ZONING DISTRICTS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78. LAND DEVELOPMENT BY REPEALING SECTION 78-133. - RR 10/20--RURAL RESIDENTIAL DISTRICTS. AND READOPTING SAME, AS REVISED, TO CREATE THE NEW ZONING DISTRICT “AGRICULTURAL RESIDENTIAL”; ADOPTING NEW SECTION 78.133.1. TO CREATE THE NEW ZONING DISTRICT “AGRICULTURAL ESTATE”; AND BY ADOPTING NEW SECTION 133.2. TO READOPT THE RR 10/20--RURAL RESIDENTIAL DISTRICTS; FURTHER PROVIDING FOR DEFINITIONS, USES, DEVELOPMENT CRITERIA, AND RELATED TEXT CHANGES; FURTHER AMENDING CHAPTER 78 AT TABLE 9: ZONING DISTRICTS. TO ADD THE AR AND AE ZONING DISTRICTS; FURTHER AMENDING CHAPTER 78 BY REPEALING SECTION 78-141. - RESIDENTIAL ZONING DISTRICT REGULATIONS. AND READOPTING SAME, AS REVISED, TO ADOPT NEW DEVELOPMENT REGULATIONS FOR THE AR AND AE DISTRICTS; FURTHER AMENDING CHAPTER 78 AT SECTION 78-159. - PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. TO AMEND TABLE 21 AND SUBSECTION (j) TO ADOPT NEW DEVELOPMENT REGULATIONS FOR THE AR AND AE DISTRICTS; FURTHER AMENDING CHAPTER 78 AT SECTION 78-181. - USES. BY ADOPTING NEW SUBSECTIONS (c)(7) AND (8); FURTHER AMENDING CHAPTER 78 AT SECTION 78-186. - YARDS. BY REPEALING SUBSECTION (b)(7) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78 AT SECTION 78-345. - NUMBER OF PARKING SPACES REQUIRED. BY AMENDING TABLE 33: REQUIRED OFF-STREET PARKING SPACES; FURTHER AMENDING CHAPTER 78 AT SECTION 78-395. - RECREATIONAL VEHICLES AND WATERCRAFT. BY REPEALING SUBSECTION (a) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78 AT SECTION 78-751. – DEFINITIONS. BY ADOPTING NEW DEFINITIONS FOR “ACCESSORY QUARTERS”; “AGRICULTURE, BONA FIDE”; “AGRICULTURE, LIGHT MANUFACTURING”; “AGRICULTURE, STORAGE”; “BED AND BREAKFAST”; “EQUESTRIAN ARENA, COMMERCIAL”; “ESTATE KITCHEN”; “GUEST COTTAGE”; “NURSERY, WHOLESALE”; “STABLE, COMMERCIAL”; AND “STABLE, PRIVATE”; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78 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.
- d. **ORDINANCE 27, 2019** – (2ND READING AND ADOPTION) CITY INITIATED LAND DEVELOPMENT REGULATIONS AMENDMENT TO AMEND CHAPTER 34 TO CREATE A NOISE EXEMPTION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 34 “ENVIRONMENT” OF THE CODE OF ORDINANCES OF THE CITY OF PALM BEACH GARDENS, FLORIDA, BY ADOPTING AN ENTIRELY NEW SECTION 34-62, ENTITLED “BONA FIDE AGRICULTURAL OPERATIONS”. TO CREATE AN EXEMPTION TO NOISE REGULATIONS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- e. [ORDINANCE 28, 2019](#) – (2ND READING AND ADOPTION) CITY INITIATED LAND DEVELOPMENT REGULATIONS TO AMEND CHAPTER 79 TO ALLOW FOR RUSTIC FENCING. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 79 PROPERTY MAINTENANCE STANDARDS AT SECTION 79-5 MAINTENANCE AND APPEARANCE STANDARDS FOR ALL REAL PROPERTY BY REPEALING SUBSECTION (A)(1) AND READOPTING SAME, AS REVISED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- f. [ORDINANCE 23, 2019](#) – (2ND READING AND ADOPTION) CITY INITIATED LARGE-SCALE COMPREHENSIVE PLAN MAP AMENDMENT TO AMEND THE FUTURE LAND USE FOR APPROXIMATELY 378.7 ACRES FOLLOWING ANNEXATION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ADOPTING A LARGE-SCALE AMENDMENT TO ITS COMPREHENSIVE PLAN FUTURE LAND USE MAP IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-19-08-000029 IN ORDER TO CHANGE THE LAND USE DESIGNATION ON 378.7 ACRES, MORE OR LESS, FROM PALM BEACH COUNTY RURAL RESIDENTIAL, 1 UNIT PER 5 ACRES (RR-5) TO PALM BEACH GARDENS RURAL RESIDENTIAL (RR) AND FROM PALM BEACH COUNTY COMMERCIAL LOW, RURAL RESIDENTIAL, 1 UNIT PER 5 ACRES (CL/RR-5) AND COMMERCIAL LOW-OFFICE, RURAL RESIDENTIAL, 1 UNIT PER 5 ACRES (CL-O/RR-5) TO PALM BEACH GARDENS COMMERCIAL (C), FOLLOWING ANNEXATION; THE SUBJECT PROPERTY BEING LOCATED ON THE SOUTH SIDE OF NORTHLAKE BOULEVARD, APPROXIMATELY 1.0 MILE EAST OF COCONUT BOULEVARD; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER REVIEWING AGENCIES; 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.

- g. [*ORDINANCE 24, 2019](#) – (2ND READING AND ADOPTION) CITY INITIATED PETITION TO REZONE APPROXIMATELY 337.95 ACRES FROM PBC AGRICULTURAL RESIDENTIAL TO PBG AGRICULTURAL RESIDENTIAL AND APPROXIMATELY 20.15 ACRES FROM PBC RESIDENTIAL ESTATE TO PBG AGRICULTURAL ESTATE FOLLOWING ANNEXATION (RUSTIC LAKES). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, REZONING CERTAIN REAL PROPERTY, SUCH PROPERTY BEING LOCATED ON THE SOUTH SIDE OF NORTHLAKE BOULEVARD, APPROXIMATELY 1.0 MILE EAST OF COCONUT BOULEVARD; PROVIDING THAT THIS PARCEL OF REAL PROPERTY, WHICH IS MORE PARTICULARLY DESCRIBED HEREIN, SHALL BE REZONED FROM PALM BEACH COUNTY AGRICULTURAL RESIDENTIAL (AR) TO PALM BEACH GARDENS AGRICULTURAL RESIDENTIAL (AR) FOR 337.95 ACRES, MORE OR LESS, AND FROM PALM BEACH COUNTY RESIDENTIAL ESTATE (RE) TO PALM BEACH GARDENS AGRICULTURAL ESTATE (AE) FOR 20.15 ACRES, MORE OR LESS; 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.

- h. [*ORDINANCE 25, 2019](#) – (2nd READING AND ADOPTION) CITY INITIATED PETITION TO REZONE APPROXIMATELY 9.8 ACRES FROM PBC MULTIPLE-USE PLANNED DEVELOPMENT TO PUD OVERLAY WITH UNDERLYING PO FOLLOWING ANNEXATION (BAYHILL COMMONS). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, REZONING CERTAIN REAL PROPERTY, SUCH PROPERTY BEING COMPRISED OF 9.8 ACRES IN SIZE, MORE OR LESS, AND LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTHLAKE BOULEVARD AND 112TH TERRACE NORTH; PROVIDING THAT THIS PARCEL OF REAL PROPERTY, AS MORE PARTICULARLY DESCRIBED HEREIN, SHALL BE REZONED FROM PALM BEACH COUNTY MULTIPLE USE PLANNED DEVELOPMENT (MUPD) TO PALM BEACH GARDENS PLANNED UNIT DEVELOPMENT (PUD) WITH AN UNDERLYING ZONING DESIGNATION OF PALM BEACH GARDENS PROFESSIONAL OFFICE (PO); 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 5, 2020 IS A COMPANION ITEM TO ORDINANCE 25, 2019 AND WILL REQUIRE COUNCIL ACTION

[*RESOLUTION 5, 2020](#) – PLANNED UNIT DEVELOPMENT SITE PLAN FOR BAY HILL COMMONS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE BAYHILL COMMONS PLANNED UNIT DEVELOPMENT (PUD) CONSISTING OF 9.8 ACRES, MORE OR LESS, LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTHLAKE BOULEVARD AND 112TH TERRACE NORTH, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- i. [*ORDINANCE 26, 2019](#) – (2nd READING AND ADOPTION) CITY INITIATED PETITION TO REZONE APPROXIMATELY 10.8 ACRES FROM PBC MULTIPLE-USE PLANNED DEVELOPMENT TO PUD WITH UNDERLYING PO FOLLOWING ANNEXATION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, REZONING CERTAIN REAL PROPERTY, SUCH PROPERTY BEING COMPRISED OF 10.8 ACRES IN SIZE, MORE OR LESS, AND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTHLAKE BOULEVARD AND 112TH TERRACE NORTH; PROVIDING THAT THIS PARCEL OF REAL PROPERTY, WHICH IS MORE PARTICULARLY DESCRIBED HEREIN, SHALL BE REZONED FROM PALM BEACH COUNTY MULTIPLE USE PLANNED DEVELOPMENT (MUPD) TO PALM BEACH GARDENS PLANNED UNIT DEVELOPMENT (PUD) WITH AN UNDERLYING ZONING DESIGNATION OF PALM BEACH GARDENS PROFESSIONAL OFFICE (PO); 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 6, 2020 IS A COMPANION ITEM TO ORDINANCE 26, 2019 AND WILL REQUIRE COUNCIL ACTION

***RESOLUTION 6, 2020** – PLANNED UNIT DEVELOPMENT SITE PLAN FOR W & W, IX. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE W & W, IX PLANNED UNIT DEVELOPMENT (PUD) CONSISTING OF 10.8 ACRES, MORE OR LESS, LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTHLAKE BOULEVARD AND 112TH TERRACE NORTH, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. RESOLUTIONS:

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

XI. ITEMS FOR COUNCIL ACTION/DISCUSSION:

- a. **DISCUSSION** ON ADOPTING A RESOLUTION DENOUNCING THE “BOYCOTT, DIVESTMENT, AND SANCTIONS” (BDS) MOVEMENT AS AN ANTI-SEMITIC ATTEMPT TO DELEGITIMIZE ISRAEL.

XII. CITY ATTORNEY REPORT:

XIII. 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.