

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 22-97 (SCPA), AN APPLICATION BY URBAN DESIGN STUDIOS, AND APPROVAL OF ORDINANCE NO. 1032. THE APPLICANT IS SEEKING A CHANGE OF LAND USE DESIGNATION FOR TEN (10) TRACTS OF LAND TOTALING 31.846 ± ACRES, MORE OR LESS, FROM THE VILLAGE'S COMMERCIAL (COM) LAND USE DESIGNATION TO THE VILLAGE'S MIXED USE SOCIAL CENTER (MXS) LAND USE DESIGNATION AND FOR FIVE (5) TRACTS OF LAND TOTALING 9.289 ± ACRES FROM PALM BEACH COUNTY'S LR-2 LOW RESIDENTIAL LAND USE DESIGNATION TO THE VILLAGE'S MIXED USE SOCIAL CENTER (MXS) LAND USE DESIGNATION, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 7/10 OF A MILE WEST OF STATE ROAD 7. BY AGENT: LENTZY JEAN-LOUIS.

Issue:

The Applicant is seeking a Future Land Use Map Amendment to change the Land Use Designation for ten (10) tracts totaling approximately 31.846 acres of land from Village's Commercial (COM) Land Use Designation to the Village's Mixed Use Social Center Land Use Designation and for five (5) tracts of land totaling 9.298± acres from Palm Beach County's LR-2 Low Residential Land Use Designation to the Village's Mixed Use Social Center (MXS) Land Use Designation, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

Overall, the proposed future land use amendment from the Village's Commercial (COM) Land Use Designation and Palm Beach County's Low Residential (LR-2, PBC) Land Use Designation to the Village's Mixed Use Social Center (MXS) Land Use Designation is consistent with the Village's Comprehensive Plan, compatible with adjacent future land uses, and meets all relevant concurrency level of service standards. Finally, the proposed land use amendment package is consistent with the requirements of Chapter 163, F.S., concerning the requirements for the processing of future land use amendments.

The Local Planning Agency considered the application and Ordinance No. 1032 on November 10, 2022 and recommended Approval by a vote of X-X.

Recommended Action:

Staff is recommending Approval of Application No. 22-97 (SCPA) and Ordinance No. 1032 on first reading.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	11/17/22	Action

ORDINANCE NO. 1032

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3187, ET SEQ., FLORIDA STATUTES, PURSUANT TO A PRIVATELY INITIATED APPLICATION # 22-97(SCPA) WHICH PROVIDES FOR AN AMENDMENT TO THE VILLAGE FUTURE LAND USE MAP DESIGNATING 41.135± ACRES, MORE OR LESS, OF REAL PROPERTY AS “MIXED USE SOCIAL CENTER (MXS)”; WHICH PROPERTY IS LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD AND APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 / US 441, INFORMALLY KNOWN AS THE “SOUTHERN BOULEVARD PROPERTIES POD 6”; FURTHER PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities draft and adopt comprehensive development plans to provide thorough and consistent planning with regard to land within their corporate limits; and

WHEREAS, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, the Village of Royal Palm Beach, Florida, has received privately initiated application #22-97(SCPA) requesting a small scale amendment to the Village’s Comprehensive Development Plan which meets all the requirements of a “small scale” development as defined in Section 163.3187(1), Florida Statutes; and

WHEREAS, the Village of Royal Palm Beach, Florida, has carefully prepared an amendment to its comprehensive development plan in order to adopt a map amendment concerning a proposed Mixed Use Social Center (MXS) land use designation; and

WHEREAS, the Village of Royal Palm Beach has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Department of Economic Opportunity and after the proposed amendment of the plan was returned to the Village of Royal Palm Beach, in accordance with Chapter 163.3187, Florida Statutes; and

WHEREAS, the Village Council desires to adopt the amendment to the current comprehensive development plan to guide and control the future development of the Village, and to preserve, promote and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: The Village of Royal Palm Beach Comprehensive Plan is hereby amended by adopting this amendment to its current Comprehensive Development Plan dated July 4, 2009. This amendment specifically changes the land use designation for ten (10) parcels of property totaling 31.846± acres from the Village Commercial (COM) future land use designation to the Village Mixed Use Social Center (MXS) future land use designation and five (5) parcels of property totaling 9.289± acres from the Palm Beach County LR-2—Low Residential land use designation to the Village Mixed Use Social Center (MXS) future land use designation, and further amends the Village's Future Land Use Map accordingly. Said parcel comprises approximately 41.135± acres, more or less, and is more particularly described on the attached Exhibit "A." The amended Village Future Land Use Map, which shows the new land use designation for this parcel, is attached hereto as Exhibit "B" and made a part hereof and of the current comprehensive development plan.

Section 2: A copy of the Comprehensive Development Plan, as amended, is on file in the office of the Village Clerk, Village of Royal Palm Beach, Florida.

Section 3: The Village's Planning and Zoning Director is hereby directed to transmit one (1) copy of the amendment to the current Comprehensive Development Plan to the State Land Planning Agency along with a letter indicating the number of acres for the amendment submitted, the cumulative number of acres involved in small scale developments within the Village of Royal Palm Beach that the Village Council has approved during the past calendar year, a copy of the executed adopting ordinance and the Future Land Use Map, in color format, depicting the subject property, and the ordinance effective date.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 6: The effective date of this plan amendment shall be thirty-one (31) days following adoption of this Ordinance by the Village of Royal Palm Beach. If timely challenged,

this amendment does not become effective until the State Land Planning Agency or the Administration Commission issues a final order determining the small scale development amendment is in compliance pursuant to Sec. 163.3187(5)(c), *Florida Statutes*. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

FIRST READING this 17th day of November, 2022.

SECOND AND FINAL READING this 15th day of December, 2022.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

EXHIBIT A
LEGAL DESCRIPTION

POD 6 LEGAL DESCRIPTION:

A PARCEL OF LAND BEING ALL OF TRACTS DT-1 AND DT-2 OF THE PLAT OF TUTTLE ROYALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 101 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

TOGETHER WITH A PORTION OF TRACT 9 AND 10, BLOCK 9 OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 1319.62 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTOR ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN04901-2003; THENCE S88°52'41"E, A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1963.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY S87°52'10"E A DISTANCE OF 36.50 FEET; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY THE FOLLOWING TWO CALLS S88°13'01"E A DISTANCE OF 957.09 FEET; THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO A POINT ON THE WESTERLY LINE OF THE PLAT OF LOWE'S HOME CENTER AS RECORDED IN PLAT BOOK 87, PAGE 193 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WESTERLY LINE S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE LEAVING SAID WESTERLY LINE N88°18'13"W A DISTANCE OF 154.82 FEET TO A POINT ON THE EASTERLY LINE OF AN 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE S01°05'13"E A DISTANCE OF 15.60 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT DT-3 OF SAID PLAT OF TUTTLE ROYALE; THENCE ALONG SAID NORTHERLY LINE N88°33'11"W A DISTANCE OF 1048.97 FEET; THENCE LEAVING SAID NORTHERLY LINE N01°31'44"E A DISTANCE OF 341.89 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 41.135 ACRES MORE OR LESS.

EXHIBIT B VILLAGE'S REVISED FUTURE LAND USE MAP

