

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: December 16, 2008

☒ Consent ☐ Regular
☐ Workshop ☐ Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) Receive and file the North Palm Beach County General Aviation Airport Development of Regional Impact (DRI) Annual Report; and
- B) Authorize distribution of the Annual Report in accordance with Section 380.06(18) Florida Statutes.

Summary: Resolution No. 90-294 requires this Annual DRI Report to be submitted annually to the Board of County Commissioners, Treasure Coast Regional Planning Council, State of Florida Department of Community Affairs, and all affected permitting agencies. **Countywide (AH)**

Background and Justification: The Board of County Commissioners by Resolution No. 90-294 adopted a Development Order for the Development of a General Aviation Airport in North Palm Beach County. Attached to this summary is a copy of the North Palm Beach County General Aviation Airport DRI Annual Report for the period February 22, 2007 to February 22, 2008. Resolution No. 90-294 requires that the DRI Annual Report be submitted to the Board for acceptance and approval to transmit the report to the Treasure Coast Regional Planning Council and all other permitting agencies.

Attachments:

- 1. 2007-2008 DRI Annual Report (1 original; no signatures required)

Recommended By:

Department Director

Date

Approved By:

County Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues (Grants)	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>* See below</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____
Budget Account No: Fund _____ Department _____ Unit _____ Object _____
Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* There is no Fiscal Impact resulting from this item.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

atwillhite 11.21.08
OFMB 11/21/08 CM 11/19/08

Ann J. Jacoby 11/24/08
Contract Dev. and Control 11/24/08

B. Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 9/03
ADM FORM 01

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive
Tallahassee, Florida 32399
850/488-4925

**DEVELOPMENT OF REGIONAL IMPACT
ANNUAL REPORT**

Subsection 380.06(18), Florida Statutes, places the responsibility on the developer of an approved development of regional impact (DRI) for submitting an annual report to the local government, the regional planning agency, the Department of Community Affairs, and to all affected permit agencies, on the date specified in the development order. The failure of a developer to submit the report on the date specified in the development order may result in the temporary suspension of the development order by the local government until the annual report is submitted to the review agencies. This requirement applies to all developments of regional impact which have been approved since August 6, 1980. If you have any questions about this required report, call the DRI Planner at (850) 488-4925.

Send the original completed annual report to the designated local government official stated in the development order with one copy to each of the following:

- a) The regional planning agency of jurisdiction;
- b) All affected permitting agencies;
- c) Division of Resource Planning and Management
Bureau of State Planning
2740 Centerview Drive
Tallahassee, Florida 32399

ANNUAL STATUS REPORT

Reporting Period: 02/22/07 to 02/22/08
Month/Day/Year Month/Day/Year

Development: North Palm Beach County General Aviation Airport
Name of DRI

Location: Unincorporated, Palm Beach County
City County

Developer: Palm Beach County: Palm Beach County Department of Airports
Company Name

Address: Palm Beach International Airport, Building 846
Street Location

West Palm Beach, Florida 33406-1491
City, State, Zip

1. Describe any changes made in the proposed plan of development, phasing, or in the representations contained in the Application for Development Approval since the Development of Regional Impact received approval. Note any actions (substantial deviation determinations) taken by local government to address these changes.

NOTE: If a response is to be more than one sentence, attach as Exhibit A a detailed description of each change and copies of the modified site plan drawings. Exhibit A should also address the following additional items if applicable:

- a) Describe changes in the plan of development or phasing for the reporting year and for the subsequent years;

None. Pursuant to Section 6 of Florida House Bill 7203, due to real estate market conditions, all phase, buildout, and expiration dates for DRI projects under active construction on July 1, 2007, are extended for three years and is not subject to further DRI review, nor may be considered when determining whether a subsequent extension is a substantial deviation under F.S. 380.06. That extension is self-executing and requires no action on behalf of the developer.

It is anticipated that the DRI will be abandoned either during or soon after the next reporting period pursuant to Section 163.3177(k), *Florida Statutes*.

- b) State any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

Palm Beach County updated its Comprehensive Plan to incorporate the current North Palm Beach County General Airport Master Plan into the Comprehensive Plan. This eliminates the necessity of DRI applications for development approvals or requests for substantial deviation determinations to be filed for incremental developments the Department of Airports plans to make for subsequent reporting years.

During this reporting period, the Department of Airports was in the process of completing a System Wide Master Plan Update for the four (4) airports under the control of Palm Beach County, including North Palm Beach County General Aviation Airport, in an effort to evaluate the aviation needs of the County, and the region as a whole, in the future. The Board of County Commissioners approved the updated Master Plans on April 15, 2008, which is subsequent to the reporting period for this Annual Report.

- c) Attach a copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Paragraph 380.06(15)(f), F.S.

None during this reporting period.

2. Has there been a change in local government jurisdiction for any portion of the development since the development order was issued? If so, has the annexing local government adopted a new Development of Regional Impact development order for the project? Provide a copy of the order adopted by the annexing local government.

There has been no change in local government jurisdiction since the Development Order was issued.

3. Provide copies of any revised master plans, incremental site plans, etc., not previously submitted.

NOTE: If a response is to be more than one or two sentences, attach as Exhibit B.

See attached Exhibit "B". During this reporting period, the Department of Airports was in the process of completing a System Wide Master Plan Update for the four (4) airports under the control of Palm Beach County, including North Palm Beach County General Aviation Airport, in an effort to evaluate the aviation needs of the County, and the region as a whole, in the future. The Board of County Commissioners approved the updated Master Plans on April 15, 2008, which is subsequent to the reporting period for this Annual Report.

4. Provide a summary comparison of development activity proposed and actually conducted for the reporting year as well as a cumulative total of development proposed and actually conducted to date.

Example: Number of dwelling units constructed, site improvements, lots sold, acres mined, gross floor area constructed, barrels of storage capacity completed, permits obtained, etc.

NOTE: If a response is to be more than one sentence, attach as Exhibit C.

Attached Table 1 contains a summary of development activity proposed and conducted and the cumulative total of development to date.

5. Have any undeveloped tracts of land in the development (other than individual single-family lots) been sold to a separate entity or developer? If so, identify tract, its size, and the buyer. Provide maps which show the tracts involved.

<u>None</u>	<u>N/A</u>
Tract	Buyer

NOTE: If a response is to be more than one sentence, attach as Exhibit D.

No undeveloped tracts of land in the development have been sold to any separate entities or developers.

6. Describe any lands purchased or optioned adjacent to the original Development of Regional Impact site subsequent to issuance of the development order. Identify such land, its size, and intended use on a site plan and map.

NOTE: If a response is to be more than one sentence, attach as Exhibit E.

No lands have been purchased or optioned adjacent to the project site during the reporting year.

7. List any substantial local, state, and federal permits which have been obtained, applied for, or denied during this reporting period. Specify the agency, type of permit, and duty for each.

NOTE: If a response is to be more than one sentence, attach as Exhibit F.

There has been no substantial permitting activity during the reporting period.

8. Provide a list specifying each development order condition and each developer commitment as contained in the ADA and state how and when each condition or commitment has been complied with during the annual report reporting period.

NOTE: Attach as Exhibit G.

See attached as Table 2.

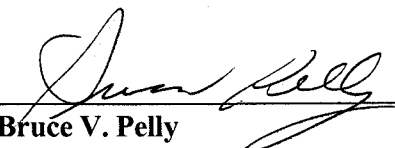
9. Provide any information that is specifically required by the development order to be included in the annual report.

Development Order Condition No. 17. A copy of the summary was provided with a previous annual report.

10. Provide a statement certifying that all persons have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), F.S.

The Developer certifies that all persons to whom copies of the Annual Report must be sent, pursuant to Section 380.06(15) and 380.16(18), *Florida Statutes*, and pursuant to Section 6 of the Development Order, have been provided copies of the Annual Report. These include: Palm Beach County, Treasure Coast Regional Planning Council, Department of Community Affairs, City of Palm Beach Gardens, State of Florida Department of Environmental Protection, and South Florida Water Management District. (See list attached as Exhibit "H")

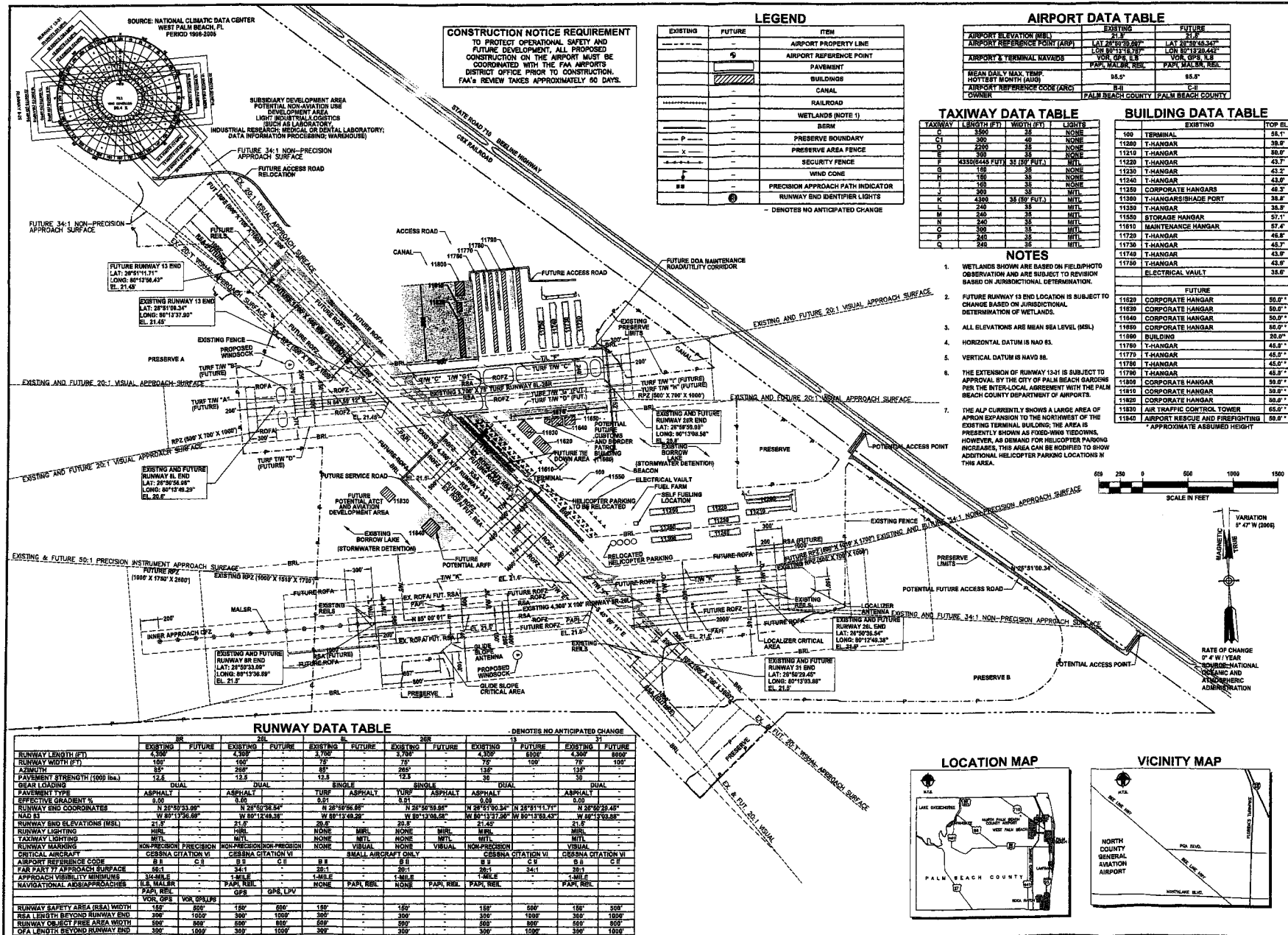
Person completing the questionnaire:


Bruce V. Pelly

Title:

Director

Palm Beach County Department of Airports



DEPARTMENT OF AIRPORTS
PALM BEACH COUNTY

CH2MHILL

EXHIBIT "B"

REVISIONS

APPROVALS

APPROVED FOR THE AIRPORT

DATE: 10/10/06

BY: JERRY ALLEN

TITLE: DIRECTOR OF PLANNING & DEVELOPMENT

DATE: 10/10/06

REVISION DATE: MARCH 10, 2006

FRUIT DATE: MARCH 10, 2006

DEPT. OF AIRPORTS NO. TASK I-06-DOA-C-004

SHEET NO. 2 of 9

TABLE 1
NORTH COUNTY GENERAL AVIATION AIRPORT DEVELOPMENT OF REGIONAL IMPACT
PROJECT PHASING STATUS

PHASE/ LAND USES	PROJECT STATUS				
Phase III: 2000-2005					
Approved Land Uses	Units or Square Footage Approved	Units or Square Footage Built	Units or Square Footage Under Construction	Date Completed/To Be Completed	Special Notes
Residential Single Family Multifamily TOTAL	N/A				
Retail Specialty General TOTAL	N/A				
Office General TOTAL	10,300 s.f.	6,808			Exclusive of paths and walkways
Aviation ¹ Hangar T-Hangar Plane Ports	248,900 s.f. 253,800 s.f. 65,800 s.f.	62,800 248,831 10,040			
Tie Down & Apron	40,000 s.y. 142,230 s.y	100,000			
Runways	2 at 4,300' 1 at 3,700'	2 at 4,300' 1 at 3,700' (turf)			
Fuel Storage	25,100 gal.	20,500 gal.			

PERCENTAGE OF PHASE III COMPLETE: 60%

PERCENTAGE OF PHASE III UNDER CONSTRUCTION: 0%

*Verified by Field Survey

¹ The proposed development under the Hyperion Farms, Inc. Development Site Lease Agreement reported in last year's Annual Report has not taken place because the lease agreement expired without construction of any of the proposed facilities. During this reporting period, the County has undertaken the design of additional hangar facilities on the northside of the airfield; construction is anticipated in early 2009.

TABLE 2
NORTH COUNTY GENERAL AVIATION AIRPORT
DEVELOPMENT OF REGIONAL IMPACT
COMPLIANCE WITH DEVELOPMENT ORDER CONDITIONS

<u>STATUS</u>					
D.O. CONDITION #	DEVELOPMENT ORDER CONDITION	DATE	COMPLETED	PROJECTED COMPLETION DATE	NOT APPLICABLE AT THIS TIME
1	Consolidation of prior D.O.		X		
2	ADA and supplemental information included		X		
3	Site plan amendment to include 50 acres of planting.	See Condition #7			
4	Commence development within 4 years		10/92		
5	Commence construction of buildings within 30 days of clearing, grass north runway	Ongoing		Concurrent with construction	
6	Unconfined particulate control	Ongoing			
7	Plant 50 acres of native plants	Ongoing			
8	No disturbances to hammock areas		X		
9	Stop construction if discovery of archeological artifacts and notify	As applicable			
10	Execute interlocal agreement		9/92		

<u>STATUS</u>					
D.O. CONDITION #	DEVELOPMENT ORDER CONDITION	DATE	COMPLETED	PROJECTED COMPLETION DATE	NOT APPLICABLE AT THIS TIME
11	Use of preserves		X		
12	Replacement of 29 acres of wetland functions and values		4/94		
13	Provide and delineate buffer prior to clearing within 100 feet		4/94		
14	Establish and provide barrier, set preserve boundaries		4/94		
14	Fence preserves A and B		4/94		
15, 16	Prepare habitat management plan		8/92		
17	Prepare species protection plan		3/91		
18	Protection of species of special concern		X		
19	Exotics eradication	Ongoing			
20	Drainage plan/conceptual permit		3/91		
21	Wetland control elevation/ conceptual permit		3/91		
22	Management of preserved wetland habitats	Ongoing			

<u>STATUS</u>					
D.O. CONDITION #	DEVELOPMENT ORDER CONDITION	DATE	COMPLETED	PROJECTED COMPLETION DATE	NOT APPLICABLE AT THIS TIME
23	Littoral zone plan		9/92		
24	Connect to municipal water service				X
25	Connect to municipal sewer				X
26	Xeriscape landscaping	Ongoing		Concurrent with construction	
27	Water saving plumbing fixtures	Ongoing		Concurrent with construction	
28	Hazardous materials management plan		4/94		
29	County wellfield protection ordinance		X		
30	Fuel farm construction standards/permit		4/94		
31	Stormwater system design		4/94		
32	Install surface and groundwater monitoring stations		4/94		
33	Hazardous waste disposal	Ongoing			
34	SWA commitment		11/93		
35	Solid waste reduction/ recycling plan		5/92		

<u>STATUS</u>					
D.O. CONDITION #	DEVELOPMENT ORDER CONDITION	DATE	COMPLETED	PROJECTED COMPLETION DATE	NOT APPLICABLE AT THIS TIME
36, 37	Energy conservation features	Ongoing		Concurrent with construction	
38	Right-of-way commitment		11/93		
39	Contracts for intersection improvements		12/92		
40	Traffic monitoring	Ongoing			
41	Pay impact fee				X
42	Traffic study	Study Approved			Request for extension of time to submit traffic study filed during reporting period. HB 7203 extends submittal deadline an additional 3 years Traffic study submitted after this reporting period.
43	Substantial deviation trigger	Ongoing			X
44	Incorporate restrictions into leases	Ongoing		Concurrent with leasing.	
45	Changes to Interlocal Agreement to trigger substantial deviation				X
46	Land use compatibility measures				Area was annexed by Palm Beach Gardens
47	Police protection		9/93		

<u>STATUS</u>					
D.O. CONDITION #	DEVELOPMENT ORDER CONDITION	DATE	COMPLETED	PROJECTED COMPLETION DATE	NOT APPLICABLE AT THIS TIME
	assurance				
48	Consult with police protection provider		10/92		
49	Fire protection assurance		9/93		
50	Consult with fire protection provider		10/92		
51	Provide CFR site				X
52	Submit well/septic tank plans to Health Department		4/94		
53	Water and sewer				X
54	Provide/maintain landscape buffer		4/94	Concurrent with construction	
55	Building site plan review		12/93		
56	60-foot setback	Ongoing			
57	ULDC Compliance	Ongoing			
58-69	Operational restrictions	Ongoing			

EXHIBIT H

AGENCIES RECEIVING NORTH COUNTY DRI ANNUAL REPORT

Christopher J. Stahl
Florida Dept. of Environmental Protection
3900 Commonwealth Boulevard, MS 47
Tallahassee, FL 32399-3000

Jack Long, Director, Southeast District
Department of Environmental Protection
400 North Congress Avenue
West Palm Beach, FL 33416

Donna Harris
Div. of Planning & Resource Management
Florida Dept. of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

James Golden, Sr. Review Coordinator
South Florida Water Management District
P.O. Box 24680
West Palm Beach, FL 33416-4680

Michael Busha
Treasure Coast Regional Planning Council
301 E. Ocean Blvd., Suite 300
Stuart, FL 34994

Secretary, District IV
Florida Dept. of Transportation
3400 W. Commercial Boulevard
Ft. Lauderdale, FL 33309

Robert Weisman, County Administrator
Palm Beach County
301 North Olive Ave., Suite 1101
West Palm Beach, FL 33401

Ronald Ferris, City Manager
City of Palm Beach Gardens
10500 North Military Trail
Palm Beach Gardens, FL 33410