



## Legislation Details (With Text)

**File #:** 19-0293  
**Type:** Public Hearing Quasi Judicial **Status:** Passed  
**In control:** Board of County Commissioners  
**On agenda:** 2/26/2019 **Final action:** 2/26/2019  
**Title:** REQUEST FOR APPROVAL OF A PUD ZONING AGREEMENT AND MASTER SITE PLAN FOR BRIDGEWATER PRESERVE (P115-006)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1\_2019\_0125\_P115-006\_Staff\_Report\_Final.pdf, 2. 3\_2019\_0123\_P115-006\_Master Plan.pdf, 3. 2\_2018\_0801\_P115-006\_App.pdf, 4. 4\_2018\_1108\_P115-006\_RESUB\_App.pdf, 5. 6\_2019\_0125\_P115-006\_Disclosure of Interest.pdf, 6. 7\_2019\_0125\_P115-006\_Sample Letter.pdf, 7. 8\_2019-0124\_P115-006\_Tearsheet.pdf, 8. 9\_2018\_0816\_P115-006\_Sign\_Cert.pdf, 9. 2019-02-26 PHQJ-2 Supp Memo.pdf, 10. LPA Minutes.pdf, 11. Bridgewater - Planned Unit Development Zoning Agreement dtd June 2018.pdf

Date	Ver.	Action By	Action	Result
2/26/2019	1	Board of County Commissioners	approved	Pass

**PLACEMENT:** Public Hearings - Quasi-Judicial

**TITLE:**

**REQUEST FOR APPROVAL OF A PUD ZONING AGREEMENT AND MASTER SITE PLAN FOR BRIDGEWATER PRESERVE (P115-006)**

### EXECUTIVE SUMMARY:

Request approval for a master site plan and Planned Unit Development (PUD) Zoning Agreement to increase the number of single family lots from 36 to 107 in the existing Bridgewater Preserve residential subdivision. The approximate 215 acre parcel is located on the west side of SE Island Way adjacent to the Palm Beach County line in southern Martin County. Included with this application is a Deferral of Public Facilities Reservation.

**DEPARTMENT:** Growth Management

**PREPARED BY:** **Name:** Peter Walden  
**Title:** Principal Planner

**REQUESTED BY:** Lucido and Associates, Morris A. Crady, AICP

**PRESET:**

**PROCEDURES:** Quasi-Judicial

**BACKGROUND/RELATED STRATEGIC GOAL:**

Bridgewater Preserve is an existing 215 acre single family residential subdivision located on the west side of SE Island Way, adjacent to the Palm Beach County Line in southern Martin County.

Bridgewater Preserve received final site plan approval on February 2, 2006. The site plan approved 36 five acre lots, consistent with the AR-5A Zoning and Agricultural Ranchette Future Land Use designation in place at that time.

On July 25, 2017, the Board of County Commissioners adopted CPA 17-3, a future land use amendment that changed the future land use designation on the property from Agricultural Ranchette, to Rural Density. The Board also approved Resolution 17-7.22 changing the zoning district designation to RE-2A, Rural Estate District to be consistent with the land use.

Also on July 25, 2017, the Board adopted Ordinance 1025 regarding CPA 17-4. The amendment added language to Comprehensive Plan Policy 4.7.A.3.(5) *Exceptions to location in the Primary Urban Service District* stating; "Any increase in residential density shall require approval by the Board of County Commissioners for a PUD Zoning Agreement and revised master/final site plan which is consistent with the Rural Density future land use designation and requires that the project connect to the existing potable water and sanitary sewer lines."

The same language was used to amend Policy 10.1A.8.(3) regarding the extension of sewer lines from the Primary Urban Service District for projects provided the project is proceeding in accordance with its timetable of development, is consistent with all conditions of approval, and is maintaining its schedule of construction or other activities established in the development order.

The Bridgewater project has certified that all infrastructure for the project is complete except for the installation of the water and sewer service. The initial project has been platted, but there has been no conveyance of any of the existing lots. There is an approved preserve area management plan for the project and the proposed master plan does not affect the preserve areas.

Potable water service is to be provided by way of a service agreement with the Town of Jupiter and the wastewater service will be provided by way of a service agreement with the Loxahatchee Environmental Control District.

Pursuant to Policy 4.1E.8 Public Benefits, the applicant has proposed contributions to both the South County Fire Station and sidewalk construction as stated in Exhibit F of the attached PUD agreement.

The following supporting materials are attached to this agenda item:

Staff Report

Master Plan

Application Materials

Resubmittal Materials

Disclosure of Interest

Sample Notice

Legal Ad Tearsheet

Sign Posting Certification

LPA Minutes (Supplemental)

## **ISSUES:**

There are no outstanding substantive issues. Final review of the PUD Zoning Agreement is ongoing

and the Agreement will be provided by Supplemental Memorandum.

**LEGAL SUFFICIENCY REVIEW:**

Because this request involves the application of a policy to a specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled-as a matter of due process- to cross-examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

1. Move that the Board receive and file the agenda item summary and the related staff report as exhibit one.
2. Move that the Board approve the request for PUD zoning and the master plan for Bridgewater Preserve.

**ALTERNATIVE RECOMMENDATIONS**

Request additional information.

**FISCAL IMPACT:**

**RECOMMENDATION**

The applicant has paid the \$13,800 development review fee and the \$290.00 sufficiency review fee.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

Same as above

**DOCUMENT(S) REQUIRING ACTION:**

- ☐ Budget Transfer / Amendment   ☐ Chair Letter   ☒ Contract / Agreement  
☐ Grant / Application   ☐ Notice   ☐ Ordinance   ☒ Resolution  
☐ Other:

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