



"The Capital City of the Palm Beaches"

August 12, 2010

Cindy Mulkey
Department of Environmental Protection
Siting Coordination Office
Mail Station 48
3900 Commonwealth Blvd.
Tallahassee, Florida 32399

PLANNING AND ZONING DEPARTMENT

P.O. Box 3366
West Palm Beach, Florida 33402
Telephone: (561) 822-1435
Fax: (561) 822-1459
Administration

**Re: SWA Renewable Energy Facility Expansion Condition of Certification Modification
Completeness Review**

Dear Ms. Mulkey:

The City of West Palm Beach has performed a completeness review of the Solid Waste Authority (SWA) Condition of Certification Modification Application for the Renewable Energy Facility expansion. The City has determined that the application does not provide enough information for the City to make an adequate review of the matters within the City's jurisdiction at this time. Please see **ATTACHMENT I** for a list of the items that are needed for the City to complete an adequate review of the request.

If you require any additional information, please contact Eric Schneider, Principal Planner, at (561) 822-1446.

Sincerely,

Charles K. Wu, AICP
Planning Director

c: Ed Mitchell, City Administrator
Suzanne Payson, Assistant City Attorney
Angella Vann, Planning and Zoning Administrator
Eric Schneider, Principal Planner

ATTACHMENT I
Outstanding Items Required to Complete Review

1. The conceptual plans included with the application show the main building at up to 154 feet tall and the {smoke stack} at 310 feet tall. The City's Community Service zoning designation limit structures to 60 feet tall. There is a provision in the zoning description that states the following:

Section 94-202(b) *State standards*. Mandatory standards or regulations affecting any use permitted in the community service (CS) district, enacted or adopted by the state legislature or a state regulatory agency, shall prevail if there exists a conflict with the provisions of this section. (City's Zoning and Land Development Regulations)

No information was presented if there are mandatory standards or regulations enacted or adopted by the state legislature or a state regulatory agency that require the building or stacks to exceed the height of the zoning district. In the absence of this information, then the text provided with the application that no variance from the City's Zoning and Land Development Regulations is incorrect.

2. Please provide the heights of the existing renewable energy facility for comparison with what is proposed. Please note the existing facility was not constructed under the City's current zoning district regulations should it exceed 60 feet in height.
3. The application mentions the materials lay down area and construction worker parking. Where will these be located?
4. The application mentions that there will be two 10 hour construction shifts. What time of day does this occur? And what are the proposed hours for the delivery of equipment and materials?
5. While not directly related to the construction of the new renewable energy facility, staff would like clarification as to why the exotic trees (Brazilian pepper and Australian pines) within the Rookery are not being removed. The City's Zoning and Land Development Regulations require the removal of exotics.