



## VILLAGE OF NORTH PALM BEACH REGULAR SESSION AGENDA

VILLAGE HALL COUNCIL CHAMBERS  
501 U.S. HIGHWAY 1

THURSDAY, JANUARY 08, 2026  
6:00 PM

Deborah Searcy  
Mayor

Lisa Interlandi  
Vice Mayor

Vacant  
President Pro Tem

Susan Bickel  
Councilmember

Orlando Puyol  
Councilmember

Chuck Huff  
Village Manager

Leonard G. Rubin  
Village Attorney

Jessica Green  
Village Clerk

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### **INSTRUCTIONS FOR “WATCH LIVE” MEETING**

To watch the meeting live please go to our website page (link provided below) and click the “Watch Live” link provided on the webpage:

<https://www.village-npb.org/995/16543/Watch-Meetings-Live?activeLiveTab=widgets>

### **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **ADDITIONS, DELETIONS, AND MODIFICATIONS TO THE AGENDA**

### **APPROVAL OF MINUTES**

1. Minutes of the Regular Session held December 11, 2025

### **COUNCIL BUSINESS MATTERS**

#### **STATEMENTS FROM THE PUBLIC, PETITIONS AND COMMUNICATIONS**

Members of the public may address the Council concerning items on the Consent Agenda or any non agenda item under Statements from the Public. **Time Limit: 3 minutes**

Members of the public who wish to speak on any item listed on the Regular Session or Workshop Session Agenda will be called on when the issue comes up for discussion. **Time Limit: 3 minutes**

Anyone wishing to speak should complete a Public Comment Card (on the table at back of Council Chambers) and submit it to the Village Clerk prior to the beginning of the meeting.

### **REPORTS (SPECIAL COMMITTEES AND ADVISORY BOARDS)**

#### **CONSENT AGENDA**

*The Consent Agenda is for the purpose of expediting issues of a routine or pro-forma nature. Councilmembers may remove any item from the Consent Agenda, which would automatically convey that item to the Regular Agenda for separate discussion and vote.*

2. Receive for file Minutes of the Recreation Advisory Board meeting held 10/14/25.

## **DECLARATION OF EX PARTE COMMUNICATIONS**

### **PUBLIC HEARINGS AND QUASI-JUDICIAL MATTERS**

- 3. 1ST READING OF ORDINANCE 2026-01 – CODE AMENDMENT – BUILDING HEIGHT REGULATIONS** Consider a motion to adopt on first reading Ordinance 2026-01 amending Appendix C (Chapter 45) "Zoning," of the Village Code of Ordinances; amending Article 1, "In General," by amending Section 45-27, "R-1 Single Family District," to clarify that the height measurement applies to the highest roof lines, Section 45-28, "R-2 Multiple Family Dwelling District, to incorporate the height measurement regulations from the R-1 Zoning District, and Section 45-36, "General Provisions," to clarify the setbacks for detached automobile garages in the R-1 and R-2 Zoning Districts.
- 4. 1ST READING OF ORDINANCE 2026-02 – CODE AMENDMENT – REORGANIZATION AND DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT** Consider a motion to adopt on first reading Ordinance 2026-02 amending the Village Code of Ordinances to recognize the Reorganization and Division of the Community Development Department and clarify the duties of each Director.

### **OTHER VILLAGE BUSINESS MATTERS**

#### **COUNCIL AND ADMINISTRATION MATTERS**

##### **MAYOR AND COUNCIL MATTERS/REPORTS**

##### **VILLAGE MANAGER MATTERS/REPORTS**

### **ADJOURNMENT**

If a person decides to appeal any decision by the Village Council with respect to any matter considered at the Village Council meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Village Clerk's office at 841-3355 at least 72 hours prior to the meeting date.

This agenda represents the tentative agenda for the scheduled meeting of the Village Council. Due to the nature of governmental duties and responsibilities, the Village Council reserves the right to make additions to, or deletions from, the items contained in this agenda.



***DRAFT MINUTES OF THE REGULAR SESSION***  
**VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA**  
**DECEMBER 11, 2025**

Present:

Deborah Searcy, Mayor  
Lisa Interlandi, Vice Mayor  
Susan Bickel, Councilmember  
Orlando Puyol, Councilmember  
Chuck Huff, Village Manager  
Len Rubin, Village Attorney  
Jessica Green, Village Clerk

Absent:

Kristin Garrison, President Pro Tem

**ROLL CALL**

Mayor Searcy called the meeting to order at 6:00 p.m. All members of Council were present except for President Pro Tem Garrison. All members of staff were present.

**PLEDGE OF ALLEGIANCE**

Vice Mayor Interlandi led the public in the Pledge.

**ADDITIONS, DELETIONS, AND MODIFICATIONS TO THE AGENDA**

Item #12 – Resolution – Professional Engineering and Surveying Services for Anchorage Park South Marina was removed from the agenda.

**AWARDS AND RECOGNITION**

The fall Business of the Season Award was awarded to The Safe Harbor Marina.

**APPROVAL OF MINUTES**

The Minutes of the Regular Session held November 13, 2025 were approved as written.

**STATEMENTS FROM THE PUBLIC**

**INTRODUCTION OF APPLICANTS TO RECREATION ADVISORY BOARD**

The following applicant was introduced to the Village Council:

Jeremiah Parisoe

INTRODUCTION OF APPLICANTS TO RECREATION ADVISORY BOARD *continued*

The following applicant was not able to attend the meeting:

Cristy Johnson

RESOLUTION 2025-59– APPOINTING ONE RESIDENT MEMBER TO THE RECREATION ADVISORY BOARD

By written ballots, the originals of which are attached to the minutes of record, the Council appointed Cristy Johnson to the Recreation Advisory Board.

A motion was made by Councilmember Puyol and seconded by Councilmember Bickel to adopt Resolution 2025-59 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPOINTING A MEMBER TO THE RECREATION ADVISORY BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Searcy expressed her thanks and appreciation to all those who applied and were willing to serve on the Village’s Recreation Advisory Board.

Thereafter, the motion to adopt Resolution 2025-59 passed with all present voting aye.

CONSENT AGENDA APPROVED

Councilmember Bickel moved to approve the Consent Agenda. Councilmember Puyol seconded the motion, which passed with all present voting aye. The following items were approved:

- Receive for file Minutes of the Police and Fire Pension Board meeting held 8/12/25.
- Receive for file Minutes of the General Employees’ Pension Board meeting held 8/21/25.
- Receive for file Minutes of the Environmental Committee meetings held 10/6/25 and 11/10/25.
- Receive for file Minutes of the Planning, Zoning and Adjustment Board meeting held 11/4/25.

PUBLIC HEARINGS AND QUASI-JUDICIAL MATTERS

PUBLIC HEARING AND SECOND READING OF ORDINANCE 2025-16- CODE AMENDMENT – PENSION AND CERTAIN OTHER BENEFITS FOR FIRE AND POLICE EMPLOYEES

A motion was made by Councilmember Puyol and seconded by Vice Mayor Interlandi to adopt and enact on second reading Ordinance 2025-16 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING DIVISION 4, “PENSION AND CERTAIN OTHER BENEFITS FOR FIRE AND POLICE EMPLOYEES,” OF ARTICLE V, “PENSIONS AND RETIREMENTS SYSTEMS,” OF CHAPTER 2, “ADMINISTRATION,” OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 2-170.1 TO IMPLEMENT CHANGES TO THE DEFERRED RETIREMENT OPTION PLAN RESULTING FROM MEMORANDUMS OF UNDERSTANDING WITH THE COLLECTIVE BARGAINING AGENTS REPRESENTING POLICE OFFICER AND FIREFIGHTER EMPLOYEES;

PUBLIC HEARING AND SECOND READING OF ORDINANCE 2025-16- CODE AMENDMENT – PENSION AND CERTAIN OTHER BENEFITS FOR FIRE AND POLICE EMPLOYEES  
*continued*

PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rubin explained that in September the Village Council approved and ratified Memorandums of Understanding with the Palm Beach County Police Benevolent Association, Inc. and the Professional Firefighters/Paramedics of Palm Beach County, Local 2928 IAFF, Inc. to extend the Deferred Option Retirement Plan (DROP) from five years to eight years. The ordinance was approved on first reading on October 23, 2025 and was being brought forth for second reading. The Police and Fire Pension Board considered the Ordinance at its November 17, 2025 meeting and had no objection to Village Council’s adoption as drafted.

Mayor Searcy opened the public hearing on Ordinance 2025-16.

There being no comments from the public, Mayor Searcy closed the public hearing on Ordinance 2025-16.

Thereafter, the motion to adopt and enact on second reading Ordinance 2025-16 passed with all present voting aye.

RESOLUTIONS – NOTICES OF INTENT TO USE UNIFORM METHOD OF COLLECTION FOR NON-AD VALOREM SEPCIAL ASSESSMENTS ON THE ANNUAL TAX BILL

RESOLUTION 2025-60– NOTICE OF INTENT FOR NON-AD VALOREM ASSESSMENT FOR FIRE PROTECTION

A motion was made by Councilmember Puyol and seconded by Vice Mayor Interlandi to adopt Resolution 2025-60 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, STATING THE VILLAGE’S INTENTION TO USE THE UNIFORM METHOD OF COLLECTION FOR NON-AD VALOREM SPECIAL ASSESSMENTS ON THE ANNUAL TAX BILL PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, TO BE LEVIED BY THE VILLAGE TO FUND THE COST OF FIRE PROTECTION SERVICES; STATING THE NEED FOR THE LEVY OF THE ASSESSMENT; PROVIDING A LEGAL DESCRIPTION OF THE BOUNDARIES OF REAL PROPERTY SUBJECT TO THE LEVY; PROVIDING FOR MAILING OF A COPY OF THIS RESOLUTION TO THE PALM BEACH COUNTY PROPERTY APPRAISER, THE PALM BEACH COUNTY TAX COLLECTOR, AND THE STATE OF FLORIDA DEPARTMENT OF REVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2025-61– NOTICE OF INTENT FOR NON-AD VALOREM ASSESSMENT FOR SOLID WASTE

A motion was made by Councilmember Puyol and seconded by Vice Mayor Interlandi to adopt Resolution 2025-61 entitled:

**RESOLUTION 2025-61– NOTICE OF INTENT FOR NON-AD VALOREM ASSESSMENT FOR SOLID WASTE *continued***

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, STATING THE VILLAGE’S INTENTION TO USE THE UNIFORM METHOD OF COLLECTION FOR NON-AD VALOREM SPECIAL ASSESSMENTS ON THE ANNUAL TAX BILL PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, TO BE LEVIED BY THE VILLAGE TO FUND THE COST OF SOLID WASTE SERVICES; STATING THE NEED FOR THE LEVY OF THE ASSESSMENT; PROVIDING A LEGAL DESCRIPTION OF THE BOUNDARIES OF REAL PROPERTY SUBJECT TO THE LEVY; PROVIDING FOR MAILING OF A COPY OF THIS RESOLUTION TO THE PALM BEACH COUNTY PROPERTY APPRAISER, THE PALM BEACH COUNTY TAX COLLECTOR, AND THE STATE OF FLORIDA DEPARTMENT OF REVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rubin explained that the purpose of the Resolutions was to impose a non-ad valorem assessment for Tax Year 2026 (or Fiscal Year 2027) due to the possible future limitations on the Village’s ability to collect ad valorem property taxes on potential increases in the applicable property tax exemptions. The assessments would reasonably allocate the costs of providing solid waste services and fire protection services among the properties that benefit from such services without regard to the property values and would be placed on the annual tax bill. The Resolutions state the Village’s intention to use the statutory method of collection to impose special assessments to recover the costs of providing solid waste services and fire protection services for properties located within the Village’s municipal limits.

The annual portion of the special assessment shall be placed on the annual tax bill and shall be collected by the Palm Beach County Tax Collector commencing with the 2026 Tax Year. Once the resolutions are adopted the Village must transmit copies to the Tax Collector, the Palm Beach County Property Appraiser and the Florida Department of Revenue by January 10, 2026. The Village must then enter into written agreements with both the Tax Collector and the Property Appraiser providing for reimbursement of necessary administrative costs incurred by those agencies. Once the agreements are executed, the Village will need to engage the services of a consultant to determine the amount of each assessment and the methodology of the imposition of the assessment against various types and sizes of properties of properties within the Village.

Mayor Searcy opened the public hearing on Resolutions 2025-60 and 2025-61.

There being no comments from the public, Mayor Searcy closed the public hearing on Resolutions 2025-60 and 2025-61.

Discussion ensued between Councilmembers, Mr. Rubin and Mr. Huff regarding the next steps in the process.

Thereafter, the motion to adopt Resolution 2025-60 passed with all present voting aye.

Thereafter, the motion to adopt Resolution 2025-61 passed with all present voting aye.

**RESOLUTION 2025-62– PUBLIC SAFETY EMERGENCY GENERATOR REPLACEMENT**

A motion was made by Councilmember Puyol and seconded by Councilmember Bickel to adopt Resolution 2025-58 entitled:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ACCEPTING A PROPOSAL FROM ALL FLORIDA CONTRACTING SERVICES, LLC FOR THE REPLACEMENT OF THE PUBLIC SAFETY BUILDING GENERATOR AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT FOR SUCH SERVICES; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE A GRANT AWARD FROM THE STATE FIRE MARSHAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Facilities Manager James Anthony explained that the purpose of the resolution was to accept a proposal from All Florida Contracting Services LLC to purchase and install a replacement emergency backup generator for the Public Safety Building. The current generator was over 20 years old and in need of replacement. A total of four (4) responses were received from a Request for Proposals. All Florida Contracting Services provided a quote of \$375,600. After review and scoring of the proposals by staff, it was determined that All Florida Contracting Services scored the highest and therefore staff was recommending acceptance of their proposal. The Village has been awarded a \$255,000 grant from the Division of State Fire Marshal to assist with the purchase.

Mr. Huff explained that the new generator would be considered a Capital Purchase utilizing CIP Funds to fund the purchase.

Thereafter, the motion to adopt Resolution 2025-62 passed with all present voting aye.

**MAYOR AND COUNCIL MATTERS/REPORTS**

Director of Parks and Recreation Ashley Shipman gave an update on the upcoming holiday festivities.

Mayor Searcy announced that Santa would be riding around the Village on Fire Truck #67 on December 20<sup>th</sup>.

Mayor Searcy thanked staff for their work on all of the holiday events and festivities.

Mayor Searcy stated that she received a request to donate the opportunity to be Mayor for the day to The Benjamin School Gala. Mayor Searcy asked for Council's recommendation.

Council came to consensus to allow the winner of the donation to The Benjamin School Gala to be an "Honorary Mayor" for a day.

Mayor Searcy stated that the Christmas holiday falls on a Thursday this year and recommended offering staff Friday, December 26<sup>th</sup> off as a paid holiday.

A motion was made by Councilmember Bickel and seconded by Vice Mayor Interlandi to authorize the Village Manager to have Friday, December 26, 2025 as a paid holiday for all Village employees.

Thereafter the motion passed with all present voting aye.

MAYOR AND COUNCIL MATTERS/REPORTS *continued*

Councilmember Bickel informed Village Clerk Jessica Green that she had completed her Florida State Ethics Training for the calendar year.

Councilmember Bickel stated that the question came up in the video whether or not Councilmembers should or should not attend Advisory Board meetings and the answer the attorney on the video gave was that it was not recommended due to the possibility of swaying a vote or offering unintentional impact. Councilmember Bickel asked if the policy that Councilmembers attend Advisory Board meetings should be rescinded.

Discussion ensued between Councilmembers and Mr. Rubin regarding their attendance at Advisory Board and Committee meetings.

Councilmember Bickel asked if there could be a written policy stating that Councilmembers are not allowed to speak at Advisory Board or Committee meetings unless it is for informational clarity.

Mr. Rubin stated that he would work with Mrs. Green to provide a policy or letter for the Councilmembers and Advisory Board and Committee members.

Councilmember Puyol read a priority statement from the Florida League of Cities Finance and Taxation Committee regarding the bill to remove property taxes. Councilmember Puyol discussed ways of educating the public regarding the proposed property tax reform.

Vice Mayor Interlandi asked for an update on Buoy Road.

Public Works Director Chad Girard stated that staff was working with Seacoast Utilities and should be receiving plans within the next week or two and anticipates that the project will go out for bid in February 2026. Mr. Girard stated that the swale remediation should take place before the holidays.

Councilmember Puyol thanked Mr. Huff and Mr. Girard for attending a neighborhood meeting on Fairhaven Place regarding requests for the cul-de-sac.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Huff thanked and congratulated the three incumbents, Deborah Searcy, Lisa Interlandi and Orlando Puyol for being re-elected to office without opposition to serve another two-year term.

Mr. Huff wished everyone a Merry Christmas, Happy Holiday and Happy Hanukkah.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 6:48 p.m.

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Jessica Green, MMC, Village Clerk

**Village of North Palm Beach**  
**Recreation Advisory Board Meeting**  
**MINUTES**  
**October 14, 2025 at 6:00 pm**  
**Village Hall Council Chambers**

1) **Call to Order:** Chair Rita Budnyk

2) **Roll Call:**

Rita Budnyk, Chair

Jennifer Gold Dumas, Vice Chair

~~Brigid Misselhorn, Secretary~~

Lisa Interlandi - Village Council Representative

Jonathan Sorensen

Francesca Wernisch, Recreation Manager

~~Emily Bales~~

Ashley Shipman, Director of Parks & Rec

Stephen Heiman

3) **Approval of Minutes:**

- September 9, 2025
- Motion made by Stephen Heiman and Seconded by Jennifer Gold Dumas; all approved

4) **Public Comments:**

- Christy Johnson – 917 Dogwood Rd.
  - i. School's out camps
    - 1. Would like more options for older kids / teens
    - 2. 9am – 12pm camp doesn't work for most people
    - 3. Spencer Sports is too expensive (more expensive than a full day of camp at PBG)
  - ii. Teens in sports
    - 1. Signed up for flag football; understood why 12-14 division was cancelled.
    - 2. Wonders if same thing will happen with soccer
      - a. SH – acknowledged this is a tough age group to get involved and recommended that board members and parents assist with delivering flyers and marketing
      - b. SH – suggests internship program for teens
    - 3. Suggests working with local schools to get flyers in backpacks
      - a. RB – asks which P&R staff member will be able to contact schools' athletic directors
        - i. Staff responded that they will work on communicating with the schools which will be much easier to manage once the department is fully staffed
- Belinda Morrell – 537 Bay Road
  - i. Agrees about helping teens find something to do

- ii. Requests landscaping around the base of new lights in Anchorage Park; suggests crotons because this will help deter the iguanas

## 5) Director's Report:

### SPECIAL PROJECTS:

- FPL Undergrounding begins this week; no timeline for the removal of the existing poles yet
- Community Center Parking Lot update – waiting on finalized design plans
  - SH – would like to see design plans to weigh in on in a constructive manner, as voice of residents. Would like a consistent routine of sharing plans.
- Anchorage Park Trail, Kayak Launch, & Fitness Equipment – waiting on finalized design plans

### ADDITIONAL PROJECTS:

- Anchorage Park sod and irrigation project – Working with Precision to find out which day this week they will begin sodding the bowl

### SPECIAL EVENTS:

- Links 5K Ghost Run
  - Saturday, October 25<sup>th</sup> beginning at 7:30am @ the Country Club
    - Still time to sign up! Need volunteers if interested – BIG thank you to Rita and Jennifer for already signing up to volunteer (There is a link on the Links5K webpage to sign up)
- NPB Boo Village: *Costumes, Candy, & Halloween Fun!*
  - Saturday, October 25<sup>th</sup> from 5pm-8pm @ the NPB Community Center
    - Golf Cart Trunk or Treat (North Parking Lot)
      - SH – expressed safety issue of golf carts on Prosperity for Halloween event. Suggested PD have an officer in bike lane especially at the end of the event.
    - Model Magic Monster Making Station courtesy of the Library
    - DJ and Food Trucks
    - Costume Contest @ 6:15pm
    - Inflatable Movie Screen: *Hotel Transylvania* @ 6:40(ish)
    - Inflatables (Corn Maze, Obstacle Course, etc.)
- \*NEW\* Boo Bark Bash: Doggy Costume Contest (*still in the planning stages*)
  - Friday, October 31<sup>st</sup> beginning at 8am or 8:30am
  - Will reach out to a couple of pet-friendly businesses to see if they can/want to be on site for this small program/event
- Annual Arts & Crafts Fall Festival
  - Saturday, November 1<sup>st</sup> from 9am-4pm @ the NPB Community Center
- \*NEW\* Pumpkin Decorating Activity (*still in the planning stages*)
  - Saturday, November 8<sup>th</sup> beginning at 10am @ the NPB Community Center
  - Ages: 3-8
  - Fee: \$10R/\$12NR
  - Recreation Assistant, Juliana, is putting this activity together so we are excited to continue implementing their great ideas and helping them to develop and grow professionally in this field
- Veterans Day Ceremony
  - Tuesday, November 11<sup>th</sup> beginning at 9am
  - Working on a Keynote Speaker and potential military equipment
    - JS – concerned that the shutdown may impact being able to secure a keynote speaker and any military equipment
  - Secured Honor Guard, TCS Jazz Band & Leadership Class, National Anthem Singer

### BUS TRIPS:

- Lone Cabbage Fish Camp – October 22<sup>nd</sup>

- UPCOMING: Brunch & Show on November 2<sup>nd</sup>, Mt. Dora & Renningers Extravaganza from November 14<sup>th</sup>-16<sup>th</sup>, Arcadia Antique market on November 22<sup>nd</sup>

### **ATHLETICS and PROGRAMS:**

- Flag Football:
  - League is going well
  - Awards Ceremony & Cookout is tentatively scheduled for Thursday, December 11<sup>th</sup>. We will be asking for volunteers 😊
    - Cristy Johnson mentioned that Allamanda has an event the same evening, so she suggested we may need to move the cookout so there isn't a conflict of people being able to attend
- Adult Kickball League
  - Begins Friday, October 24<sup>th</sup>
  - Registration is through the organization; link available on our webpage
- \*NEW\* Class beginning November 10<sup>th</sup>: **Circus Stars!**
  - Ages 6-12
  - One class will be held at Anchorage and the other at the Community Center  
Registration information is on the programs/classes webpage
    - RB – no clowns

### **6) New Business:**

### **7) Old Business:**

- Adding a fence around the Anchorage Park playground area – options and implementation
  - Staff explained that there will be signage with a QR code showing three options to select: fence in the entire playground, partial side fencing, or no fencing
- Options for the Lakeside Park playgrounds, other passive uses

### **8) Member Comments:**

- JGD – unleashed dogs in playground at Lakeside Park
- JGD – asked about what we can do about the iguanas

### **9) Staff Comments:**

### **10) Board Comments/Recommendations to be presented to Council**

### **11) Adjournment:** Motion made by Rita at 6:52pm

**VILLAGE OF NORTH PALM BEACH  
BUILDING AND ZONING DEPARTMENT  
VILLAGE ATTORNEY'S OFFICE**

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TO: Honorable Mayor and Council

THRU: Chuck Huff, Village Manager

FROM: Lance Lilly, Planning Consultant  
Leonard G. Rubin, Village Attorney

DATE: January 8, 2026

SUBJECT: **ORDINANCE 1st Reading** – Amending Appendix C (Chapter 45) of the Village Code of Ordinances to incorporate a general building height definition, incorporate the height regulations from the R-1 zoning district into the R-2 zoning district, and clarify existing provisions.

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Section 45-2 of the Village Code of Ordinances, “Definitions,” currently does not provide a general definition for measuring building height, although some Village zoning districts, notably the C-MU, C-NB, and C-3 Zoning Districts, include specific methodology for calculating height. The Planning, Zoning and Adjustment Board recently reviewed a request for the construction of a new building within the R-2 Multiple-Family Dwelling District, including an administrative appeal of the method by which height is calculated. The R-2 Zoning District regulations do not provide any methodology. Consequently, Village Staff recommended amending the Village’s Zoning Code to establish a uniform height measurement standard (in the absence of specific district regulations) and to apply the height measurement regulations applicable to buildings within the R-1 Single-Family Dwelling District to buildings within the R-2 Zoning District.

The attached Ordinance amends Section 45-2 of the Village Code to add a general definition of “height of building” and to clarify where this definition applies within the Village, as follows:

*Building, height of*, means, when not otherwise specified in the regulations for any particular zoning district, the vertical distance measured from the existing average elevation of the highest adjacent grade at the base of the building to the highest point of the following:

- (1) The coping of a flat roof and deck lines on a mansard roof;
- (2) The average height level between the highest eaves and highest roof ridges or peak for gable, hip, or gambrel roofs; or
- (3) The average height between high and low points for a shed roof.

For a roof with equipment which extends more than four (4) feet above the highest point of the roof, stairways, elevator penthouses, and accessory operating equipment enclosed within the roofline are excluded from the maximum height. Screening material used to

conceal equipment on the roof are also excluded provided that the screening material is not under roof and is less than ten (10) feet in height.

The proposed Ordinance also amends the R-2 Multiple-Family Dwelling District to include provisions for measuring building height and to identify architectural elements exempt from height restrictions, mirroring the regulations currently applied in the R-1 Zoning District. At the request of the Planning, Zoning and Adjustment Board, these regulations were further clarified to provide that in the case of gable, hip, or gambrel roofs, height would be measured using the highest eaves and ridges in the event the building contains multiple roof lines.

Finally, the proposed Ordinance amends Section 45-36, "General Provisions," of the Village Code of Ordinances to: (1) state that the general height exceptions shall not apply within the R-1 and R-2 Zoning Districts because those regulations already provide for exemptions; and (2) clarify the setback requirements for detached automobile garages within the R-1 and R-2 residential zoning districts.

At its December 2, 2025 meeting, the Planning, Zoning and Adjustment Board recommended approval of the proposed Ordinance by a vote of five to one, subject to the adjustment for gable, hip, or gambrel roofs noted above.

As the Village Council is well aware, Senate Bill 180 currently prohibits the Village from adopting more burdensome or restrictive amendments to its land development regulations. However, Staff has concluded that each of the proposed amendments is either less restrictive than the current height regulations (which would be measured to the top of the structure in the absence of specific language) or merely clarifies existing language.

The attached Ordinance has been drafted and reviewed for legal sufficiency by the Village Attorney.

There is no fiscal impact.

**Recommendation:**

**Village Staff requests Council consideration and approval on first reading of the attached Ordinance amending Appendix C (Chapter 45), "Zoning," of the Village Code of Ordinances to provide a general building height definition, incorporate the height regulations from the R-1 Zoning District into the R-2 Zoning District, and clarify existing provisions in accordance with Village policies and procedures.**

**ORDINANCE NO. 2026-\_\_\_**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES; AMENDING ARTICLE I, "IN GENERAL," BY AMENDING SECTION 45-2 TO INCLUDE A DEFINITION FOR HEIGHT OF BUILDING; AMENDING ARTICLE III, "DISTRICT REGULATIONS," BY AMENDING SECTION 45-27, "R-1 SINGLE-FAMILY DISTRICT," TO CLARIFY THAT THE HEIGHT MEASUREMENT APPLIES TO THE HIGHEST ROOF LINES, SECTION 45-28, "R-2 MULTIPLE-FAMILY DWELLING DISTRICT," TO INCORPORATE THE HEIGHT MEASUREMENT REGULATIONS FROM THE R-1 ZONING DISTRICT, AND SECTION 45-36, "GENERAL PROVISIONS," TO CLARIFY THE SETBACKS FOR DETACHED AUTOMOBILE GARAGES IN THE R-1 AND R-2 ZONING DISTRICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, while some of the Village's zoning districts prescribe how the height of building is measured, the Village's Zoning Code does not currently define how building height is calculated for the remaining zoning districts; and

WHEREAS, the Village Council wishes to amend Appendix C (Chapter 45), "Zoning," of the Village Code of Ordinances to: (1) include a general definition for "height of a building;" (2) incorporate the height measurement regulations currently in effect within R-1 single-family dwelling district into the R-2 multiple-family dwelling district and clarify that the measurements apply to the highest roof line for gable, hip, or gambrel roofs; and (3) clarify the setbacks for detached automobile garages in the R-1 and R-2 zoning districts; and

WHEREAS, the Village Council determines that the proposed revisions to the Zoning Code either clarify existing language or are less burdensome or restrictive than the existing land development regulations; and

WHEREAS, on December 2, 2025, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, held a public hearing on this Ordinance and provided its recommendation to the Village Council; and

WHEREAS, the Village Council determines that the adoption of this Ordinance is in the best interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

1 Section 2. The Village Council hereby amends Article I, “In General” of Appendix C (Chapter  
2 45) of the Village Code of Ordinances by amending Sections 45-2 to read as follows (additional  
3 language is underlined):

4  
5 **ARTICLE I. – IN GENERAL**

6 \* \* \*

7  
8  
9 **Sec. 45-2. - Definitions.**

10 \* \* \*

11  
12 Building, height of, means, when not otherwise specified in the regulations  
13 for any particular zoning district, the vertical distance measured from the existing  
14 average elevation of the highest adjacent grade at the base of the building to the  
15 highest point of the following:

- 16  
17 (1) The coping of a flat roof and deck lines on a mansard roof;  
18  
19 (2) The average height level between the highest eaves and highest roof  
20 ridges or peak for gable, hip, or gambrel roofs; or  
21  
22 (3) The average height between high and low points for a shed roof.

23  
24 For a roof with equipment which extends more than four (4) feet above the highest  
25 point of the roof, stairways, elevator penthouses, and accessory operating  
26 equipment enclosed within the roofline are excluded from the maximum height.  
27 Screening material used to conceal equipment on the roof are also excluded  
28 provided that the screening material is not under roof and is less than ten (10) feet  
29 in height.

30 \* \* \*

31  
32  
33 Section 3. The Village Council hereby amends Article III, “District Regulations” of Appendix  
34 C (Chapter 45) of the Village Code of Ordinances to read as follows (additional language is  
35 underlined and deleted language is ~~stricken through~~):

36  
37  
38 **ARTICLE III. – DISTRICT REGULATIONS**

39  
40 **Sec. 45-27. R-1 single-family dwelling district.**

41 \* \* \*

- 42  
43  
44 B. Building height regulations. All single-family dwellings shall be limited to  
45 two (2) stories and thirty feet (30') in height. For the purposes of this  
46 subsection, height shall be measured from the average elevation of the  
47 existing grade prior to land alteration for properties outside of special flood  
48 hazard areas and from the required design flood elevation for properties

1 within special flood hazard areas. Height shall be measured to the highest  
2 point of the following:

- 3
- 4 1. The coping of a flat roof and the deck lines on a mansard roof;
- 5
- 6 2. The average height level between the highest eaves and highest roof ridges  
7 or peak for gable, hip or gambrel roofs; or
- 8
- 9 3. The average height between high and low points for a shed roof.

10  
11 Decorative architectural elements, chimneys, mechanical equipment, non-habitable  
12 cupolas, elevator shafts or similar appurtenances shall be excluded from the  
13 foregoing height restrictions. Rooftops shall not be used for pools, decks, or other  
14 spaces to congregate.

15 \* \* \*

16  
17  
18 **Sec. 45-28. R-2 multiple-family dwelling district.**

19 \* \* \*

20  
21  
22 B. *Building height regulations.* No main building shall exceed two (2) stories  
23 or thirty (30) feet in height, whichever be less. For the purposes of this  
24 subsection, height shall be measured from the average elevation of the  
25 existing grade prior to land alteration for properties outside of special flood  
26 hazard areas and from the required design flood elevation for properties  
27 within special flood hazard areas. Height shall be measured to the highest  
28 point of the following:

- 29
- 30 1. The coping of a flat roof and the deck lines on a mansard roof;
- 31
- 32 2. The average height level between the highest eaves and highest roof  
33 ridges or peak for gable, hip or gambrel roofs; or
- 34
- 35 3. The average height between high and low points for a shed roof.

36  
37 Decorative architectural elements, chimneys, mechanical equipment, non-  
38 habitable cupolas, elevator shafts or similar appurtenances shall be excluded  
39 from the foregoing height restrictions. Rooftops shall not be used for pools,  
40 decks, or other spaces to congregate.

41 \* \* \*

42  
43  
44 **Sec. 45-36. General provisions.**

45  
46 The provisions of this article shall be subject to the following provisions  
47 and exceptions:

1 A. Chimneys, water tanks, radio or television towers,  
2 telecommunications antenna/towers, church spires, elevator lofts,  
3 flagpoles and parapet walls may be erected above the height limits  
4 herein established. This provision applies to all zoning districts with  
5 the exception of the R-1 single-family dwelling district and the R-2  
6 multiple-family dwelling district.

7 \* \* \*

8  
9  
10 C. Detached garages not more than one (1) story in height may be  
11 erected and maintained ~~within~~ at least seven and one-half (7½) feet  
12 of from the rear property line and ten (10) feet from the side property  
13 line of any ~~such~~ lot within the R-1 or R-2 residential zoning districts.

14 \* \* \*

15  
16  
17 Section 3. The provisions of this Ordinance shall become and be made a part of the Code of  
18 the Village of North Palm Beach, Florida.

19  
20 Section 4. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for  
21 any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void,  
22 such holding shall not affect the remainder of this Ordinance.

23  
24 Section 5. All ordinances or parts of ordinances and resolutions or parts of resolutions in  
25 conflict herewith are hereby repealed to the extent of such conflict.

26  
27 Section 6. This Ordinance shall take effect immediately upon adoption.

28  
29 PLACED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026.

30  
31 PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_  
32 \_\_\_\_\_, 2026.

33  
34  
35 (Village Seal)

36 \_\_\_\_\_  
MAYOR

37  
38 ATTEST:

39  
40 \_\_\_\_\_  
41 VILLAGE CLERK

42  
43 APPROVED AS TO FORM AND  
44 LEGAL SUFFICIENCY:

45  
46 \_\_\_\_\_  
47 VILLAGE ATTORNEY

**VILLAGE OF NORTH PALM BEACH**  
**VILLAGE ATTORNEY'S OFFICE**

---

TO: Honorable Mayor and Council

THRU: Chuck Huff, Village Manager

FROM: Leonard G. Rubin, Village Attorney

DATE: January 8, 2026

SUBJECT: **ORDINANCE 1st Reading** – Amending the Village Code of Ordinance to recognize the reorganization and division of the Community Development Department and clarify the duties of each director.

---

When the current Comprehensive Pay Plan was adopted as part of the Fiscal Year 2026 budget, the former Community Development Department had been redesignated as the Building and Zoning Department. Through the adoption of Resolution No. 2025-54 on October 23, 2025, the Village Council amended the Comprehensive Pay Plan to create one full-time Director of Planning and Economic Development position and rename and restructure the Building and Zoning Department back to the Community Development Department. As a result, the Community Development Department will have two director positions reporting to the Village Manager: (1) the Planning and Economic Development Director; and (2) the Building Director.

The attached Ordinance recognizes the revised structure of the Community Development Department, with the Planning and Economic Development Director overseeing all planning and zoning and code compliance functions and the Building Director overseeing all building permitting and inspection functions. It further amends the Code to assign almost all of the duties of the former Community Development Director position to the new Director of Planning and Economic Development position. However, the Building Director shall oversee the Unsafe Building Abatement procedures set forth in Article IV of Chapter 6 of the Village Code, as well as overseeing applications for fill permits pursuant to Article II of Chapter 7 of the Village Code.

Finally, while all references to the Planning Commission were changed to the Planning, Zoning and Adjustment Board through the adoption of Ordinance No. 2023-18, this change was not codified by Municode. Therefore, Section 25 of the proposed Ordinance reaffirms this change without modifying each and every reference (to that the provision was not otherwise amended).

The attached Ordinance was prepared by this office and reviewed for legal sufficiency.

There is no fiscal impact.

**Recommendation:**

**Village Staff requests Council consideration and approval on first of the attached Ordinance amending the Village Code to recognize the reorganization and division of the Community Development Department and clarifying the duties of the Planning and Economic Development Director and Building Director in accordance with Village policies and procedures.**

**ORDINANCE NO. 2026-\_\_\_**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES TO RECOGNIZE THE REORGANIZATION AND DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT AND CLARIFY THE DUTIES OF EACH DIRECTOR; AMENDING ARTICLE III, "ADMINISTRATIVE CODE," OF CHAPTER 2, "ADMINISTRATION" BY AMENDING SECTIONS 2-40 AND 2-111; AMENDING ARTICLE III, "CONSTRUCTION REQUIREMENTS," OF CHAPTER 5, "BOATS, DOCKS AND WATERWAYS," BY AMENDING SECTION 5-72; AMENDING ARTICLE III, "APPEARANCE CODE," ARTICLE IV, "ABATEMENT OF UNSAFE OR UNSANITARY BUILDINGS," ARTICLE V, "SIGNS AND OUTDOOR DISPLAYS," AND ARTICLE VI, "IMPACT FEES," OF CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," BY AMENDING SECTIONS 6-56, 6-59, 6-60, 6-61, 6-74, 6-75, 6-76, 6-79, 6-80, 6-82, 6-83, 6-84, 6-85, 6-111, 6-117, AND 6-124; AMENDING ARTICLE II, "FILLING PERMIT," OF CHAPTER 7, "FILL PERMIT," BY AMENDING SECTIONS 7-18 AND 7-20; AMENDING ARTICLE I, "ADMINISTRATION," OF CHAPTER 12.5, "FLOOD DAMAGE PROTECTION," BY AMENDING SECTION 12.5-3; AMENDING ARTICLE II, "GARBAGE, TRASH AND REFUSE," AND ARTICLE IV, "ABATEMENT OF PUBLIC NUISANCES ON PRIVATE PROPERTY," OF CHAPTER 14, "HEALTH AND SANITATION," BY AMENDING SECTIONS 14-27, 14-81, 14-82, AND 14-83; AMENDING ARTICLE I, "PROPERTY MAINTENANCE STANDARDS," AND ARTICLE II, "ABANDONED REAL PROPERTY," OF CHAPTER 15, "HOUSING," BY AMENDING SECTIONS 15-3 AND 15-14; AMENDING ARTICLE VII, "PEDDLERS AND SOLICITORS," OF CHAPTER 17, "LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS," BY AMENDING SECTIONS 17-84, 17-85, 17-88, 17-92, AND 17-93; AMENDING ARTICLE I, "IN GENERAL," ARTICLE IV, "CONCURRENCY MANAGEMENT," AND ARTICLE V, "STORMWATER MANAGEMENT," OF CHAPTER 21, "PLANNING AND DEVELOPMENT," BY AMENDING SECTIONS 21-3, 21-44, 21-47, 21-70, AND 21-104; AMENDING ARTICLE II, "WORK PERFORMED WITHIN RIGHTS-OF-WAY," OF CHAPTER 24, "STREETS, SIDEWALKS AND PUBLIC PLACES," BY AMENDING SECTION 24-22; AMENDING ARTICLE II, "GENERALLY," ARTICLE III, "DISTRICT REGULATIONS," ARTICLE VI, "REZONINGS; VARIANCES; WAIVERS; ADMINISTRATIVE APPEALS," AND ARTICLE VIII, "LANDSCAPING," OF APPENDIX C (CHAPTER 45), "ZONING," BY AMENDING SECTIONS 45-16.1, 45-16.2, 45-20, 45-2545-27, 45-34.1, 45-35.1, 45-36, 45-37, 45-38, 45-50, 45-51, AND 45-82; AMENDING APPENDIX A, "APPEARANCE PLAN," BY AMENDING SECTION I, "BASIS FOR APPEARANCE PLAN;" AMENDING THE VILLAGE CODE TO CHANGE ALL CODE REFERENCES FROM THE PLANNING COMMISSION TO THE PLANNING, ZONING AND ADJUSTMENT BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1 WHEREAS, through the adoption of Resolution No. 2025-54, the Village Council approved the  
2 redesignation of the Building and Zoning Department as the Community Development Department,  
3 with two separate director positions: the Director of Planning and Economic Development,  
4 overseeing all planning and zoning and code compliance functions, and the Director of Building,  
5 overseeing all permitting and inspection functions; and

6  
7 WHEREAS, the Village Council wishes to revise the Village Code of Ordinances to reflect the current  
8 configuration of the Community Development Department and the responsibilities of each  
9 Department director and determines that the adoption of this Ordinance is in the best interests of the  
10 Village and its residents.

11  
12 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF  
13 NORTH PALM BEACH, FLORIDA as follows:

14  
15 Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

16  
17 Section 2. The Village Council hereby amends Article III, “Administrative Code,” of Chapter 2,  
18 “Administration,” of the Village Code of Ordinances to read as follows (additional language is  
19 underlined and deleted language is ~~stricken through~~):

20  
21 ARTICLE III. ADMINISTRATIVE CODE

22  
23 DIVISION 1. GENERALLY.

24  
25 \* \* \*

26  
27 **Sec. 2-40. Departmental organization.**

28  
29 (a) The administrative service of the village shall be divided under the chief  
30 administrator (village manager) into the following departments and heads thereof:

31  
32 \* \* \*

33  
34 (5) Department of community development, director of ~~community~~  
35 ~~development~~ planning and economic development and director of  
36 building.

37  
38 \* \* \*

39  
40 DIVISION 11. DEPARTMENT OF COMMUNITY DEVELOPMENT

41  
42 **Sec. 2-111. Director’s duties.**

43  
44 The department of community development shall have two directors. The  
45 director of ~~community development~~ planning and economic development shall be  
46 responsible for all matters relating to planning and zoning, ~~building permitting and~~  
47 ~~inspection~~, and code compliance. The director of building shall be responsible for  
48 all matters relating to building permitting and inspection.

\* \* \*

Section 3. The Village Council hereby amends Article III, "Construction Requirements," of Chapter 5, "Boats, Docks and Waterways," of the Village Code of Ordinances to read as follows (additional language is underlined and deleted language is ~~stricken through~~):

\* \* \*

**Sec. 5-72. Minimum design requirements for seawalls.**

All bulkheads and seawalls constructed shall within the village shall comply with the dimensional and compatibility requirements of this section. The provisions of this section shall not apply to repairs to existing bulkheads and seawalls where the total cost of the repairs is less than fifty (50) percent of the replacement cost of the bulkhead or seawall.

\* \* \*

- (3) The seawall or bulkhead cap shall be placed at the following established minimums and maximum cap elevations:

Property Location	Minimum Cap Elevation	Maximum Cap Elevation (NAVD88)
Zone X & X500 - not in the FEMA Special Flood Hazard Area or Coastal High Hazard Area	Four feet (4') NAVD88	Six inches (6") above grade or four feet and six inches (4'6") NAVD88, whichever is greater. The grade (natural elevation) shall be calculated by selecting a minimum of two (2) elevation points within 1 foot (1') of the rear property line on each adjoining side property line and calculating the average of the selected elevation points.
In the FEMA Special Flood Hazard Area or Coastal High Hazard Area with an established base flood elevation (BFE)	Four feet (4') NAVD88	Six inches (6") above grade as defined above or five feet (5') NAVD88, whichever is greater.
In the FEMA Special Flood Hazard Area or Coastal High Hazard Area with an established base flood elevation (BFE), and in the waters of the Intracoastal, Lake Worth or the Atlantic Ocean	Five feet (5') NAVD88	Six inches (6") above grade as defined above, or six (6') NAVD88, whichever is greater; or  Equal in elevation to BFE shown on the flood insurance rate map published by the Federal Emergency Management Agency (FEMA), provided that mitigation measures for aesthetic compatibility and other impacts to adjacent properties for seawall cap heights greater than six feet (6') NAVD88 are approved by the <u>Community Planning and Economic Development Director</u> , the Village Engineer and the Building <del>Official</del> <u>Director</u> .

1  
2 \* \* \*  
3

4 Section 4. The Village Council hereby amends Article III, "Appearance Code," of Chapter 6,  
5 "Buildings and Building Regulations," of the Village Code of Ordinances to read as follows  
6 (additional language is underlined and deleted language is ~~stricken through~~):  
7

8 \* \* \*  
9

10 DIVISION 3. SITE PLAN AND APPEARANCE REVIEW.  
11

12 \* \* \*  
13

14 **Sec. 6-56. Application requirements.**  
15

16 Applications for site plan and/or appearance review must include sufficient  
17 information to demonstrate compliance with all village requirements. Plans must be  
18 professionally prepared and drawn to scale with accurate dimensions, and must include  
19 the following unless waived by the ~~community~~ planning and economic development  
20 director:  
21

22 \* \* \*  
23

- 24 (2) A boundary sketch including the total area, dimensions, and legal  
25 description for the property. The ~~community~~ planning and economic  
26 development director may require a survey if deemed necessary to  
27 facilitate review of the application.  
28

29 \* \* \*  
30

31 **Sec. 6-59. Approval by planning, zoning and adjustment board ~~commission~~.**  
32

33 No building or other permit otherwise required under the ordinances of the  
34 village shall be approved by the ~~community~~ planning and economic development  
35 director except upon the granting of site plan and appearance approval by the planning,  
36 zoning and adjustment board ~~commission~~, or on appeal, approval by the village  
37 council (see section 6-35). The foregoing requirements shall not preclude the issuance  
38 of permits without such approval if the ~~community~~ planning and economic  
39 development director determines that any of the following apply:  
40

41 \* \* \*  
42

- 43 (4) Any deviations from a valid site plan and appearance approval are  
44 minor and not substantial or had been authorized by conditions placed  
45 on the site plan and appearance approval. Unless authorized by prior  
46 conditions, the following types of deviations may never be considered  
47 minor or not substantial: increasing residential density; increasing the  
48 horizontal or vertical size of a building; and/or adding land uses that  
49 had previously been excluded. The director must document any such

determination with an explanation of why is it was deemed minor or had been authorized. The director must forward this determination to the planning, zoning and adjustment board ~~commission~~, and also to the village council if the site plan and appearance approval had been appealed to or considered by the village council.

**Sec. 6-60. Follow-up by community development department.**

Upon the granting of site plan and appearance approval, the ~~community~~ planning and economic development director will retain the exterior drawings, sketches, landscape and site plans, renderings and materials upon which such approval was granted to determine, from time to time as the project is in progress and finally upon its completion, that there have been no unauthorized deviations from the evidence upon which the granting of the approval was originally based. The community development department shall not issue a certificate of occupancy or final inspection approval for any building or structure where there have been any unauthorized deviations from the site plan and appearance approval.

**Sec. 6-61. Expiration of site plan and appearance approval.**

\* \* \*

- (b) No later than three (3) months prior to the expiration of the two-year period, the applicant may request an extension of up to one (1) year to commence development. Such extension may be granted by the ~~community~~ planning and economic development director for good cause shown.

\* \* \*

Section 5. The Village Council hereby amends Article IV, “Abatement of Unsafe or Unsanitary Buildings,” of Chapter 6, “Buildings and Building Regulations,” of the Village Code of Ordinances to read as follows (additional language is underlined and deleted language is ~~stricken through~~):

\* \* \*

**Sec. 6-74. Enforcement and right of entry.**

- (a) The provisions of this article shall be enforced by the ~~community development~~ building director.
- (b) The ~~community development~~ building director or his/her authorized designee, in accordance with the provisions of this section, may enter any building or premises at all reasonable times to make an inspection or enforce any of the provisions of this article. In cases of emergencies or exigent circumstances where extreme hazards are known to exist, the ~~community development~~ building director may enter the building, structure, or premises at any time.
- (c) When attempting to enter a building, structure or premises that is occupied, the ~~community development~~ building director or his/her authorized designee shall

1 first identify him or herself, display proper credentials and request entry. If the  
2 building, structure, or premises is unoccupied, the ~~community development~~  
3 building director shall first make a reasonable effort to locate the owner or  
4 other persons having charge of the building and request entry. If entry is  
5 refused, or if the owner or other persons having charge of an unoccupied  
6 building cannot be located, the ~~community development~~ building director shall  
7 have recourse to every remedy provided by law to secure entry, including an  
8 inspection warrant.

- 9
- 10 (d) When the ~~community development~~ building director or his/her authorized  
11 designee shall have obtained permission to enter, secured an inspection  
12 warrant, or obtained another remedy provided by law to secure entry, no person  
13 shall fail, after proper credentials are displayed, to promptly permit entry into  
14 the building, structure or premises by the ~~community development~~ building  
15 director or his/her authorized designee for the purpose of inspection and  
16 examination pursuant to this section. Any person violating this section may be  
17 prosecuted within the limits of the law.

18

19 **Sec. 6-75. Inspection.**

20

21 The ~~community development~~ building director shall inspect, or cause to be  
22 inspected, any building, structure or portion thereof which is or may be unsafe or  
23 unsanitary. After the ~~community development~~ building director has inspected or  
24 caused to be inspected a building, structure or portion thereof, and has determined that  
25 such building, structure or portion thereof is unsafe or unsanitary, he/she shall initiate  
26 proceedings to cause the abatement of the unsafe or unsanitary condition by repair,  
27 vacation or demolition, or any combination thereof.

28

29 **Sec. 6-76. Violations.**

- 30
- 31 (a) Whenever the ~~community development~~ building director has determined that  
32 such structure, property or portion thereof is unsafe or unsanitary, the  
33 ~~community development~~ building director shall prepare a written notice of  
34 violation to be issued to the owner of record and all interested parties (defined  
35 as any person or entity having a legal or equitable interest in the property by  
36 virtue of a mortgage, lien or similar instrument) as identified by a search of the  
37 public records in and for Palm Beach County.
- 38
- 39 (b) The notice of violation shall contain, but not be limited to, the following  
40 information:
- 41
- 42 (1) The street address, legal description and property control number of the  
43 building, structure or property.
- 44
- 45 (2) A statement indicating the building or structure has been declared  
46 unsafe or unsanitary by the ~~community development~~ building director,  
47 and a summary of the conditions that led to the ~~community~~  
48 ~~development~~ building director's determination.
- 49

1 (3) A statement advising that if the following required action as determined  
2 by the ~~community development~~ building director is not commenced  
3 within or completed by the time specified, the building will be ordered  
4 vacated and posted to prevent further occupancy until the work is  
5 completed.

6  
7 a. If the building or structure is to be repaired, the notice shall  
8 require that all necessary permits be secured and the work  
9 commenced within thirty (30) days and continued to  
10 completion within such time as the ~~community development~~  
11 building director determines.

12  
13 b. If the building or structure is to be vacated, the notice shall  
14 indicate the time within which vacation is to be completed.

15  
16 c. If the building or structure is to be demolished, the notice shall  
17 require that all required permits for demolition be secured and  
18 that the demolition be completed within such time as  
19 determined reasonable by the ~~community development~~  
20 building director. If the building is occupied, the notice shall  
21 require that the premises be vacated within thirty (30) days.

22 \* \* \*

23  
24  
25 (5) State that the ~~community development~~ building director may cause the  
26 work to be done and after such repair, reconstruction, alteration,  
27 removal and/or demolition by or on behalf of the ~~community~~  
28 ~~development~~ building director, the village may record a lien against the  
29 property in accordance with this article to recover the costs incurred by  
30 the village in performing the work.

31 \* \* \*

32  
33  
34 (c) If a building or structure is not brought into compliance in accordance with the  
35 notice or a hearing is not timely requested, a notice of pending administrative  
36 action shall be recorded with the county clerk of court, served upon the  
37 property owner and other interested parties as indicated below and contain the  
38 name of the property owner, the property address and legal description. This  
39 notice shall remain until such time as the conditions rendering the building or  
40 structure unsafe have been abated. At such time, the ~~community development~~  
41 building director shall file a release of the notice of pending administration  
42 with the county clerk of court.

43 \* \* \*

44  
45  
46 **Sec. 6-79. Hearing.**

47 \* \* \*

1 (b) Any interested party entitled to notice may request a hearing before the special  
2 magistrate. Such request must be in writing and received by the ~~community~~  
3 ~~development~~ building director within fifteen (15) days from the date of service  
4 and must contain, at a minimum, the following:  
5

- 6 (1) Identification of the building or structure by street address;
- 7
- 8 (2) Legal interest of person requesting the hearing;
- 9
- 10 (3) Statement detailing the issues on which he or she desires to be heard;
- 11
- 12 (4) The legal signature of the person requesting the hearing, his or her  
13 telephone number and mailing address.  
14

15 Upon timely receipt of the request, the ~~community development~~ building director shall  
16 schedule a hearing before the special magistrate as soon as practicable. Written notice  
17 of the hearing shall be delivered personally or by certified mail, return receipt  
18 requested, to the party requesting the hearing at the address provided in the request.  
19

20 \* \* \*

21  
22 **Sec. 6-80. Implementation.**  
23

24 (a) If no hearing is timely requested as set forth above, the ~~community~~  
25 ~~development~~ building director may take action to repair or reconstruct the  
26 building, structure or portion thereof and/or to cause the building or structure  
27 to be removed or demolished if required by the notice.  
28

29 (b) If a hearing is requested, and the special magistrate determines:  
30

- 31 (1) That the condition exists as set forth in the notice of violation, and that  
32 the remedial action required in the notice has not been voluntarily  
33 completed by the property owner, or other legally interested party, the  
34 special magistrate shall issue a written order authorizing the  
35 ~~community development~~ building director to repair, reconstruct the  
36 building, structure or portion thereof and/or to cause the building or  
37 structure to be removed or demolished.  
38
- 39 (2) That the condition, as set forth in the notice of violation does not exist  
40 or has been corrected as required by the notice of violation, the notice  
41 of violation shall be dismissed by written order of the special magistrate  
42 and the notice of pending administrative action shall be released.  
43

44 (c) The ~~community development~~ building director may, upon written request of  
45 the property owner, grant an extension of time as the ~~community development~~  
46 building director may determine to be reasonable to complete the required  
47 remedial action. If the extensions of time, in total, exceed one hundred twenty  
48 (120) days, the special magistrate, without further public hearing, must also  
49 approve the extension.

1  
2 \* \* \*  
3

4 **Sec. 6-82. Performance of work.**

5  
6 The repair or demolition of an unsafe building or structure as required in the  
7 notice by the ~~community development~~ building director or the final decision by the  
8 special magistrate shall be performed in an expeditious and workmanlike manner in  
9 accordance with the requirements of all applicable codes and accepted engineering  
10 practice standards.  
11

12 **Sec. 6-83. Recovery of costs.**

13 \* \* \*  
14

15  
16 (b) The ~~community development~~ building director shall certify the costs borne by  
17 the village, as described above, and shall serve such cost certification upon the  
18 property owner by certified mail return receipt requested and by first class  
19 mail. This cost certification is a demand for payment from the property owner.  
20

21 **Sec. 6-84. Imposition of lien.**

22  
23 (a) If the owner fails to make payment within thirty (30) days of the issuance of  
24 the ~~community development~~ building director's cost certification, the amount  
25 of the certified costs shall be assessed by the special magistrate against the  
26 affected land and such special assessment shall create and constitute a lien  
27 against such land, payable to the village.  
28

29 \* \* \*  
30

31 **Sec. 6-85. Authority to expend funds.**

32  
33 Nothing contained herein shall require the village council to appropriate or  
34 expend any funds to carry out the purpose of this section. The authority granted herein  
35 is permissive and shall not be construed to impose an obligation on the ~~community~~  
36 ~~development~~ building director or the village.  
37

38 Section 6. The Village Council hereby amends Article V, "Signs and Outdoor Displays," of  
39 Chapter 6, "Buildings and Building Regulations," of the Village Code of Ordinances to read as  
40 follows (additional language is underlined and deleted language is ~~stricken through~~):  
41

42 \* \* \*  
43

44 **Sec. 6-111. General provisions.**

45 \* \* \*  
46

47  
48 (E) *Variance.*  
49

1 \* \* \*

2  
3 (3) All applications for variances to regulations established by this article  
4 shall be filed with the ~~community~~ planning and economic development  
5 director upon a form supplied by the village. The application shall be  
6 accompanied by the filing fee established in the master fee schedule  
7 adopted annually as part of the village budget.  
8

9 \* \* \*

10 **Sec. 6-117. Design, construction, and location standards.**

11 \* \* \*

12  
13  
14  
15 (I) *Sign concept for multiple occupancy complexes.* A sign concept for building  
16 wall signs to be placed on multiple occupancy complexes shall be approved  
17 prior to a building wall sign being permitted to be constructed, altered or  
18 remodeled after the effective date of this code. The sign concept shall be  
19 included as a submittal for authorization to erect such a sign and shall be  
20 maintained on file in the department of community development. As a  
21 minimum, the sign concept shall specify the types, dimensions, placement,  
22 colors, and shape of the signs and the style of lettering which shall lend a  
23 unified appearance to the signs of the occupants of the complex. The sign  
24 concept shall only be modified with the approval of the planning commission  
25 upon submission of a revised plan and specifications detailing the revised  
26 concept. The term sign concept shall include any master sign plan approval  
27 meeting the requirements of this subsection. Permits for building wall signs  
28 determined by the ~~community~~ planning and economic development director or  
29 the director's designee to be in conformance with the approved sign concept  
30 and determined by the building official to be in compliance with all other  
31 requirements of this chapter may be issued without additional planning  
32 commission review or approval as otherwise required by article III of this  
33 chapter.  
34  
35

36 Section 7. The Village Council hereby amends Article VI, "Impact Fees," of Chapter 6,  
37 "Buildings and Building Regulations," of the Village Code of Ordinances to read as follows  
38 (additional language is underlined and deleted language is ~~stricken through~~):  
39

40 \* \* \*

41  
42 **Sec. 6-124. Definitions.**

43  
44 The following words, terms, and phrases, when used in this article, shall have  
45 the meanings ascribed to them in this section, except where the context clearly  
46 indicates a different meaning:  
47

48 \* \* \*

1                    *Director* means the ~~community development~~ building director or other village  
2 employee designated by the director to review applications for building permits that  
3 require impact fee payments pursuant to this article.  
4

5                    \* \* \*

6  
7 Section 8.        The Village Council hereby amends Article II, "Filling Permit," of Chapter 7, "Fill  
8 Permits," of the Village Code of Ordinances to read as follows (additional language is underlined and  
9 deleted language is ~~stricken through~~):

10                   \* \* \*

11  
12                   **Sec. 7-18. Application; issuance.**

13  
14                   (a)        Applications for the permit required by this article shall be in writing and  
15 directed to the ~~community development~~ building director and shall be  
16 accompanied by a surveyor's sketch plan of what is proposed to be done and  
17 shall also show the details of any proposed construction, the proposed area to  
18 be filled, the area to be dredged for procuring fill materials, if the proposed  
19 construction is intended to be created from dredged material, and such other  
20 information and data as may be pertinent to the proposed filling.  
21

22                   \* \* \*

23  
24                   **Sec. 7-20. Expiration date; renewal; revocation.**

25  
26                   (a)        All permits issued under this article shall be valid for a period of two (2) years  
27 from the date thereof, but shall be automatically revoked if the proposed work  
28 is not completed within such period except for good cause shown.  
29  
30                   (b)        The renewal of any permit prior to sixty (60) days after its expiration may be  
31 granted by the ~~community development~~ building director for good cause  
32 shown.  
33

34                   \* \* \*

35  
36  
37 Section 9.        The Village Council hereby amends Article I, "Administration," of Chapter 12.5,  
38 "Flood Damage Protection," of the Village Code of Ordinances to read as follows (additional  
39 language is underlined and deleted language is ~~stricken through~~):

40                   \* \* \*

41  
42                   **Sec. 12.5-3. Duties and powers of the floodplain administrator.**

43  
44                   (a)        *Designation.* The Village Planner is designated as the Floodplain  
45 Administrator or as designated by the ~~Community Development~~ Planning and  
46 Economic Development Director. The Floodplain Administrator may delegate  
47 performance of certain duties to other employees.  
48  
49

1 \* \* \*

2  
3 Section 10. The Village Council hereby amends Article II, "Garbage, Trash and Refuse," of  
4 Chapter 14, "Health and Sanitation," of the Village Code of Ordinances to read as follows (additional  
5 language is underlined and deleted language is ~~stricken through~~):

6  
7 \* \* \*

8  
9 **Sec. 14-27. Collection of residential yard waste.**

10 \* \* \*

11  
12  
13 (d) *Assessment of costs.*

14 \* \* \*

15  
16  
17 (4) The assessment shall bear interest at the current legal rate of interest per annum  
18 as provided by law and shall constitute a lien upon the land from the date of  
19 the recording of the assessment. Lien assessments may be enforced by civil  
20 action in the appropriate court of competent jurisdiction. The lien shall  
21 continue in full force until discharged by payment or otherwise or until settled  
22 and released by the ~~community~~ planning and economic development director  
23 or the village manager.

24 \* \* \*

25  
26  
27 Section 11. The Village Council hereby amends Article IV, "Abatement of Public Nuisances on  
28 Private Property," of Chapter 14, "Health and Sanitation," of the Village Code of Ordinances to read  
29 as follows (additional language is underlined and deleted language is ~~stricken through~~):

30 \* \* \*

31  
32  
33 **Sec. 14-81. Notice of public nuisance; right to request hearing.**

34 \* \* \*

35  
36  
37 (b) The village's ~~community~~ planning and economic development director or  
38 designee is hereby authorized and directed to notify in writing the owner of  
39 any property upon which a public nuisance exists, as specified in section 14-  
40 80 above. The notice shall detail the nature of the public nuisance, the  
41 method(s) of correction, and the date by which corrective action must be  
42 completed, which shall be at least ten (10) days from the date of the notice.  
43 The notice shall further advise the property owner of the right to request a  
44 hearing as specified below, and that the failure to abate the nuisance will result  
45 in the village taking corrective action and the assessment of costs and  
46 imposition of a lien against the property.

47 \* \* \*



1 concrete, and brick paver surfaces shall not show signs of excessive  
2 surface deterioration, such as potholes and substantial cracks. All  
3 driveways shall be free of mold, mildew and errant vegetation. Stone  
4 surface driveways shall be maintained in a neat appearance and  
5 bordered. Stone material shall be so maintained as to not spread onto  
6 public streets and sidewalks.

7  
8 \* \* \*

9  
10 Section 13. The Village Council hereby amends Article II, “Abandoned Real Property,” of  
11 Chapter 15, “Housing,” of the Village Code of Ordinances to read as follows (additional language is  
12 underlined and deleted language is ~~stricken through~~):

13 \* \* \*

14  
15 **Sec. 15-14. Registration of abandoned property.**

- 16  
17 (a) Any mortgagee who holds a mortgage on real property located within  
18 the village that is improved with a residential building shall perform an  
19 inspection of the property that is the security for the mortgage upon the  
20 issuance of a notice of default and the expiration of any cure period set  
21 forth in the mortgage documents. If such property is found to be vacant  
22 or shows evidence of vacancy, it shall be deemed abandoned and the  
23 mortgagee shall, within ten (10) days of the inspection, register the  
24 property with the ~~community~~ planning and economic development  
25 director, or his or her designee, on forms provided by the village. A  
26 registration is required for each vacant property or dwelling unit within  
27 a multi-family dwelling.

28  
29 \* \* \*

30  
31 Section 14. The Village Council hereby amends Article VII, “Peddlers and Solicitors,” of Chapter  
32 17, “Licenses and Miscellaneous Building Regulations,” of the Village Code of Ordinances to read  
33 as follows (additional language is underlined and deleted language is ~~stricken through~~):

34  
35 \* \* \*

36  
37 **Sec. 17-84. Application for permit or license.**

- 38  
39 (a) Applicants for issuance of a permit pursuant to this article must file  
40 with the ~~community~~ planning and economic development director a  
41 sworn application in writing, which shall be accompanied by the  
42 application fee established by the village council. The application shall,  
43 at a minimum, include the following information:

44  
45 \* \* \*

46  
47 **Sec. 17-85. Granting or rejecting application.**

1 The ~~community~~ planning and economic development director shall consider  
2 each application for a permit filed pursuant to this article and with the consent of the  
3 village manager shall either grant or reject such application and give prompt notice of  
4 such action to the applicant.

5  
6 \* \* \*

7  
8 **Sec. 17-88. Limitation on hours for peddling or solicitation.**

9  
10 No person holding a permit issued pursuant to this article shall engage in any  
11 solicitation or peddling on Sundays and shall only engage in such activities within the  
12 hours of 9:00 a.m. and 8:00 p.m. the remainder of week (except by appointment or  
13 invitation of the person or occupant of a residence), unless specific authorization to  
14 the contrary is first obtained from the ~~community~~ planning and economic development  
15 director.

16  
17 \* \* \*

18  
19 **Sec. 17-92. Revocation of permit.**

20  
21 If a permit holder fails to comply with the provisions of this article or the  
22 ~~community~~ planning and economic development director subsequently determines  
23 that information set forth in the application was false or misleading, the ~~community~~  
24 planning and economic development director with the consent of the village manager  
25 may revoke the permit and give prompt notice of such action to the permit holder.

26  
27 **Sec. 17-93. Appeal.**

28  
29 Any person aggrieved by the action of the ~~community~~ planning and economic  
30 development director or village manager in the denial or revocation of a permit as  
31 provided by this article shall have the right to appeal to the village council by filing  
32 written notice thereof with the village clerk within fourteen (14) days of such denial  
33 or revocation and setting forth the grounds for the appeal. The council shall set a time  
34 and place for hearing on such appeal and shall so notify the applicant, by mail, not less  
35 than five (5) days prior to such scheduled hearing.

36  
37 \* \* \*

38  
39 Section 15. The Village Council hereby amends Article I, "In General," of Chapter 21, "Planning  
40 and Development," of the Village Code of Ordinances to read as follows (additional language is  
41 underlined and deleted language is ~~stricken through~~):

42  
43 \* \* \*

44  
45 **Sec. 21-3. Public notice requirements for development applications and**  
46 **approvals.**

47  
48 \* \* \*

1 (b) *Mailing requirements.*

2 \* \* \*

3  
4  
5 (2) All notices shall be provided by first-class mail, unless  
6 otherwise required by the ~~community~~ planning and economic  
7 development director. Mail notice shall be postmarked no later  
8 than the minimum number of calendar days as required in  
9 subsection (a) above.

10 \* \* \*

11  
12  
13 (c) *Posting requirements.*

14  
15 (1) The applicant shall provide the signs, subject to the criteria for  
16 size and contents established by the ~~community~~ planning and  
17 economic development director.

18 \* \* \*

19  
20  
21 Section 16. The Village Council hereby amends Article IV, “Concurrency Management,” of  
22 Chapter 21, “Planning and Development,” of the Village Code of Ordinances to read as follows  
23 (additional language is underlined and deleted language is ~~stricken through~~):

24 \* \* \*

25  
26  
27 **Sec. 21-44. Definitions.**

28 \* \* \*

29  
30 *Adequate public facilities determination* means a determination approved by  
31 the director of ~~community~~ planning and economic development, pursuant to the terms  
32 of this article, that serves as a conditional statement that, based upon existing public  
33 facility capacity and planned public facility capacity, adequate public facilities are  
34 thought to be available to serve development at the time of the approval of the adequate  
35 public facilities determination. A subsequent application for a development permit for  
36 development that has been approved based upon adequate public facilities  
37 determination shall be required to receive a new adequate public facilities  
38 determination, or certificate of concurrency reservation, whichever is appropriate.

39 \* \* \*

40  
41  
42 *Certificate of concurrency reservation* means a certificate approved by the  
43 director of ~~community~~ planning and economic development pursuant to the terms of  
44 this article that constitutes proof of adequate public facilities to serve the proposed  
45 development. A subsequent application for a development permit for development for  
46 which a certificate of concurrency reservation has been approved, shall be determined  
47 to have adequate public facilities as long as the development order for which the  
48 certificate of concurrency reservation was approved has not expired, and the  
49 development is not altered to increase the impact of development on public facilities.

1  
2 \* \* \*

3  
4 **Sec. 21-47. Regulatory program; review of development to ensure adequate**  
5 **public facilities are available.**

6  
7 \* \* \*

8  
9 (c) *Review to determine public facility adequacy.*

10  
11 \* \* \*

12  
13 (2) *Rules of general applicability.*

14  
15 a. *Timing.* An application for an adequate public facilities  
16 determination or a certificate of concurrency reservation  
17 may be submitted at any time during the year. Review  
18 of the application shall be initiated by the director of  
19 community planning and community development  
20 pursuant to subsection (c)(4) upon receipt of a complete  
21 application. Any application containing false  
22 information may be rejected and any adequate public  
23 facilities determination or certificate of concurrency  
24 reservation issued based upon false information may be  
25 revoked.

26  
27 \* \* \*

28  
29 e. *Effect.*

30  
31 3. *Conditional certificate of concurrency*  
32 *reservation.* Receipt of conditional certificate of  
33 concurrency reservation is a statement that an  
34 application for a certificate of concurrency  
35 reservation considered in conjunction with a  
36 development agreement has been conditionally  
37 approved by the director of community  
38 planning and economic development because it  
39 is demonstrated that (a) existing available public  
40 facility capacity up to an amount sufficient to  
41 serve the proposed development has been  
42 reserved; (b) there is reasonable likelihood that  
43 the balance of the public facility capacity needed  
44 for the proposed development can be provided  
45 pursuant to a development agreement; (c) a  
46 request has been made for the consideration and  
47 approval of a development agreement  
48 concurrent with the application for development  
49 permit to accommodate the balance of public

1 facility capacity needs for the proposed  
2 development, and (d) final approval of a  
3 certificate of concurrency reservation is  
4 conditional on the concurrent approval of a  
5 development agreement and a development  
6 order for the proposed development. When the  
7 conditional certificate of concurrency  
8 reservation is considered in conjunction with the  
9 development agreement and application for  
10 development permit and all the public facility  
11 component standards of subsection (c)(6) are  
12 met, it shall be approved as a certificate of  
13 concurrency reservation.

14 \* \* \*

15  
16  
17 (4) *Procedure for review of application.*

18  
19 a. *Submission of application.* An application for either an  
20 adequate public facilities determination or a certificate  
21 of concurrency reservation shall be submitted at any  
22 time during the year, to the department of community  
23 development in a form established by the director of  
24 ~~community~~ planning and economic development and  
25 made available to the public. Review of the application  
26 shall be initiated by the director of ~~community-planning~~  
27 and economic development pursuant to subsection  
28 (c)(2)a. Any application containing false information  
29 may be rejected and any adequate public facilities  
30 determination or certificate of concurrency reservation  
31 issued based upon false information may be revoked.

32  
33 b. *Determination of completeness and review.*

34  
35 1. *Determination of completeness.* After receipt of  
36 an application for certificate of concurrency  
37 reservation, the director of ~~community~~ planning  
38 and economic development shall determine,  
39 within fifteen (15) days of initiation of  
40 processing, whether it is complete and includes  
41 data necessary to evaluate the application. If it  
42 is determined that the application is not complete,  
43 written notice shall be served on the applicant  
44 specifying deficiencies. The director of  
45 ~~community~~ planning and economic  
46 development shall take no further action on the  
47 application unless the deficiencies are remedied.  
48

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2. *Review and recommendation of village departments and service providers.* When the director of community planning and economic development determines the application is complete, the application shall be forwarded to village departments and service providers for review. Within fifteen (15) days, the village departments and service providers shall provide a statement as to whether or not adequate public facilities are available, pursuant to the standards of subsection (c)(5) or (c)(6), whichever is appropriate.
  
3. *Decision to issue or deny.*
  - (a) *Adequate public facilities determination.* Upon receipt of a statement from the village departments and service providers regarding an application for an adequate public facilities determination, the director of community planning and economic development shall review the statements and the application within ten (10) days, and determine if it complies with all the public facility component standards of subsection (c)5. If the application complies with all of the public facility component standards in subsection (c)(5), the director of community planning and economic development shall issue an adequate public facilities determination.
  
  - (b) *Certificate of concurrency reservation.* Upon receipt of a statement from the village departments and service providers regarding the application for a certificate of concurrency reservation, the director of community planning and economic development shall review the statements and the application within ten (10) days, and determine if it complies with all the public facility component standards of subsection (c)(6). If the director determines that the application complies with all of the public facility component standards of subsection (c)(6), the director of community

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planning and economic development  
shall recommend that the planning,  
zoning and adjustment board  
~~commission~~ review and recommend to  
the village council that the council issue  
a certificate of concurrency reservation.  
If the director of ~~community~~planning  
and economic development or the  
planning, zoning and adjustment board  
~~commission~~ or the village council  
determines that an application fails to  
meet any one (1) of the public facility  
component standards of subsection  
(c)(6), the applicant shall be notified of  
such deficiency, and may, in the case of  
a certificate of concurrency reservation,  
remedy the application through a  
development agreement or other means  
within ninety (90) days. If during the  
ninety-day period, the applicant resolves  
the deficiencies, the application shall be  
reconsidered by the village council and  
approved, approved with conditions, or  
denied, consistent with the standards in  
subsection (c)(6). In the case of a  
conditional certificate of concurrency  
reservation, the applicant may request  
approval of conditional certificate of  
concurrency reservation. A conditional  
certificate of concurrency reservation  
shall be approved by the village council  
if it is demonstrated that:

\* \* \*

Section 17. The Village Council hereby amends Article V, “Stormwater Management,” of Chapter  
21, “Planning and Development,” of the Village Code of Ordinances to read as follows (additional  
language is underlined and deleted language is ~~stricken through~~):

\* \* \*

**Sec. 21-70. Water quality**

(a) *Definitions.*

\* \* \*

(2) *Director:* The director of ~~community~~ planning and economic  
development

1  
2 \* \* \*  
3

4 (c) *Construction site runoff.* To protect and preserve water quality, Best  
5 Management Practices (BMPs) for construction site runoff shall be  
6 employed. During construction projects involving a substantial  
7 improvement, or for parcels one acre or larger, or when deemed  
8 necessary by the ~~Community~~ Planning and Economic Development  
9 Director, projects shall provide a stormwater pollution prevention plan  
10 or an equivalent document. The stormwater pollution prevention plan  
11 shall include the installation of erosion and sediment controls,  
12 including a silt fence and crushed rock to stabilize areas used for  
13 mobilization. The construction site operator is required to take  
14 corrective action as needed and conduct inspections of the stormwater  
15 pollution controls every seven (7) days or when one-half inch (0.5") or  
16 greater of rainfall occurs within a twenty-four (24) hour period. All  
17 controls shall be consistent with the performance standards for erosion  
18 and sediment control contained in the Erosion and Sediment Control  
19 Designer and Reviewer Manual prepared by the Florida Department of  
20 Transportation and the Florida Department of Environmental  
21 Protection, as well as the Village's Erosion and Sediment Control  
22 Policy.  
23

24 Section 18. The Village Council hereby amends Article VI, "Archaeological Site Protection  
25 Regulations," of Chapter 21, "Planning and Development," of the Village Code of Ordinances to read  
26 as follows (additional language is underlined and deleted language is ~~stricken through~~):  
27

28 \* \* \*  
29

30 **Sec. 21-104. - Development subject to archaeological review.**

31  
32 Development shall be subject to this article as follows:

33  
34 (a) *Previously unidentified archaeological sites discovered during*  
35 *development.* When one or more artifacts of human skeletal or  
36 fossilized remains or non-human vertebrate fossils are found on a site  
37 during development, all development activity directly over the find  
38 shall cease. The following procedure shall apply:  
39

40 \* \* \*  
41

42 (3) Within three (3) working days, the archaeologist consultant to  
43 the village shall inspect and evaluate the site for the purpose of  
44 determining whether artifacts or human skeletal or fossilized  
45 remains or non-human vertebrate fossils are located on a site. If  
46 the qualified archaeologist determines a significant  
47 archaeological resource is on site or likely to be on site, the  
48 director of the ~~community~~ planning and economic development  
49 ~~department~~ shall issue an order suspending construction and

1 define the area where the order suspending construction applies,  
2 based upon the archaeologist's assessment. Such order does not  
3 have the effect of a stop work order and shall not stop  
4 construction activity not directly impacting the defined  
5 potential archaeological site;

- 6  
7 (4) The archaeologist consultant shall evaluate the significance of  
8 the archaeological find and send a written archaeological  
9 evaluation report to the property owner and director of ~~the~~  
10 community planning and economic development ~~department~~  
11 within seven (7) working days from issuance of the suspension  
12 order; and  
13

14 \* \* \*

15  
16 Section 19. The Village Council hereby amends Article II, "Work Performed Within Rights-of-  
17 Way," of Chapter 24, "Streets, Sidewalks and Public Places," of the Village Code of Ordinances to  
18 read as follows (additional language is underlined and deleted language is ~~stricken through~~):  
19

20 \* \* \*

21  
22 **Sec. 24-22. - Permit revocation and penalties.**

23 \* \* \*

- 24  
25  
26 (b) *Other Fines.* Where a permittee fails to comply with other conditions  
27 of the permit, including but not limited to: failure to post the permit,  
28 failure to remove "red-tagged" barricades and/or signage within the  
29 twenty-four (24) hour period, where an emergency does not exist, the  
30 community planning and economic development director, or designee,  
31 shall cause the permittee to be served by certified mail or hand delivery,  
32 or as otherwise provided by state law, at the permittee's business  
33 address as disclosed in the application for the permit, a notice of permit  
34 violation and intent to fine. The notice shall include the facts or  
35 circumstances that warrant the intended fine. Fines to be charged shall  
36 be established by resolution of the village council. The permittee shall  
37 be given adequate opportunity to request a prior administrative hearing  
38 before the code enforcement special magistrate.  
39

40 Section 20. The Village Council hereby amends Article II, "Generally," of Appendix C (Chapter  
41 45) of the Village Code of Ordinances to read as follows (additional language is underlined and  
42 deleted language is ~~stricken through~~):  
43

44 \* \* \*

45  
46 **Sec. 45-16.1. Similar uses.**

- 47  
48 (a) The community planning and economic development director shall determine  
49 which uses proposed within a commercial or mixed-use zoning district have

1 substantially the same characteristics as a use specifically listed as a permitted  
2 use. Proposed uses with characteristics that are similar to a permitted use, but  
3 not substantially the same, may be established only upon written application to  
4 the community development director for a special use permit.  
5

6 (b) In evaluating an application for a special use permit for the establishment of a  
7 similar use, the ~~community~~ planning and economic development director shall,  
8 in consultation with other village departments, consider the characteristics of  
9 the proposed use, including, but not limited to, size, intensity, density,  
10 operating hours, demands for public facilities, traffic impacts and business  
11 practices.  
12

13 (c) Upon review and evaluation of the application, the ~~community~~ planning and  
14 economic development director shall present his or her recommendation to the  
15 village council for final consideration on the next available council agenda.  
16 \* \* \*

17  
18 (f) If the conditions imposed by the special use permit are not met, the ~~community~~  
19 planning and economic development director may revoke the permit. A permit  
20 holder may appeal the revocation of a special use permit by filing an appeal,  
21 in writing, to the Planning Commission within thirty (30) days of receipt of  
22 written notice of revocation.  
23

24 **Sec. 45-16.2. Special exception uses.**

25 \* \* \*

26  
27  
28 (e) *Procedure.*

29  
30 (1) The special exception use shall be subject to preliminary review by the  
31 community development department. Once the ~~community~~ planning  
32 and economic development director certifies that the application is  
33 complete, the director shall forward it to the planning commission for  
34 a public hearing.  
35

36 (2) The planning, zoning and adjustment board ~~commission~~ shall review  
37 the application and forward a recommendation of approval, approval  
38 with conditions or denial to the village council. If the special exception  
39 request was included with a site plan and appearance application, the  
40 planning commission shall forward the complete application to the  
41 village council for final decision.  
42

43 \* \* \*

44  
45 **Sec. 45-20. Adult entertainment establishment.**

46 \* \* \*

47  
48  
49 (4) *Prohibited locations.*

1  
2 (b) In addition to the distance requirements set forth in subsection (a), an adult  
3 entertainment establishment shall not be allowed to open, exist or do business  
4 anywhere except in the C-S and C-G zoning district where adult entertainment  
5 establishments are an expressly permitted use subject to review by the village  
6 director of community planning and economic development for conformance  
7 with the requirements of the village's land development regulations.  
8

9 \* \* \*

10 **Sec. 45-25. Reasonable accommodation procedure.**

11 \* \* \*

12 (c) *Procedure.*

13 \* \* \*

14  
15  
16  
17  
18  
19 3. The Community Planning and Economic Development Director, or  
20 his/her designee, shall have the authority to consider and make a  
21 recommendation to the Village Council on requests for reasonable  
22 accommodation. The Community Planning and Economic  
23 Development Director, or his/her designee, shall issue a written  
24 recommendation within forty-five (45) calendar days of the date of  
25 receipt of a completed application and may recommend:

- 26  
27 a. Granting the accommodation request;  
28 b. Granting a portion of the request and denying a portion of the  
29 request, and/or imposing conditions upon the grant of the  
30 request; or  
31 c. Denying the request.

32  
33 If reasonably necessary to reach a recommendation on the request for  
34 reasonable accommodation, the Community Planning and Economic  
35 Development Director, or his/her designee, may, prior to the end of said  
36 forty-five-day period, request additional information from the  
37 requesting party, specifying in sufficient detail what information is  
38 required. The requesting party shall have fifteen (15) calendar days  
39 after the date of the request for additional information to provide the  
40 requested information. In the event a request for additional information  
41 is made, the forty-five-day period to issue a written recommendation  
42 shall no longer be applicable, and the Community Planning and  
43 Economic Development Director, or his/her designee, shall issue a  
44 written recommendation within thirty (30) calendar days after receipt  
45 of the additional information. If the requesting party fails to provide the  
46 requested additional information within said fifteen-day period, the  
47 Community Planning and Economic Development Director, or his/her  
48 designee, shall issue a written notice advising that the requesting party  
49 has failed to timely submit the additional information, and therefore the

1 request for reasonable accommodation shall be deemed abandoned  
2 and/or withdrawn and no further action by the Village with regard to  
3 said reasonable accommodation request shall be required.  
4

5 Once the written recommendation is complete, the ~~Community~~  
6 Planning and Economic Development Director shall request that the  
7 Village Manager place the matter on the next available Village Council  
8 agenda. Along with the written recommendation, the ~~Community~~  
9 Planning and Economic Development Director shall provide the  
10 Village Council with copies of all materials considered by the  
11 ~~Community~~ Planning and Economic Development Director, including,  
12 but not limited to, all materials submitted by the requesting party. Other  
13 than public comment, no testimony or additional evidence shall be  
14 submitted to the Village Council at the public meeting. The Village  
15 Council shall, after due consideration of the ~~Community~~ Planning and  
16 Economic Development Director's written recommendation and all  
17 other materials submitted and considered by the ~~Community~~ Planning  
18 and Economic Development Director, enter a final written  
19 determination accepting, accepting with modification or rejecting the  
20 ~~Community~~ Planning and Economic Development Director's written  
21 recommendation.  
22

23 The notice of determination shall be sent to the requesting party (i.e.,  
24 the disabled individual, the qualifying entity or the individual's or  
25 entity's representative) by certified mail, return receipt requested.  
26 Notice shall be deemed complete when deposited in the U.S. Mail.  
27

28 4. In determining whether the reasonable accommodation request shall be  
29 granted or denied, the requesting party shall be required to establish  
30 that they are protected under the FHA, ADA or other applicable state  
31 or federal regulation by demonstrating that they are handicapped or  
32 disabled, as defined in the FHA, ADA or other state or federal  
33 regulation. Although the definition of disability is subject to judicial  
34 interpretation, for purposes of this section the disabled individual must  
35 show:  
36

- 37 a. A physical or mental impairment which substantially limits one  
38 (1) or more major life activities; and
- 39 b. A record of having such impairment; or
- 40 c. That they are regarded as having such impairment.  
41

42 The requesting party shall further demonstrate that the proposed  
43 accommodations being sought are reasonable and necessary to afford  
44 handicapped/disabled persons equal opportunity to use and enjoy  
45 housing. The foregoing (as interpreted by the courts), as well as the  
46 applicant's ability to demonstrate compliance with the requirements set  
47 forth in subsection (c)(2) above (where applicable) shall be the basis  
48 for the ~~Community~~ Planning and Economic Development Director's

1 recommendation and the Village's Council determination on the  
2 reasonable accommodation request.

3  
4 \* \* \*

5  
6 Section 21. The Village Council hereby amends Article III, "District Regulations," of Appendix  
7 C (Chapter 45) of the Village Code of Ordinances to read as follows (additional language is  
8 underlined and deleted language is ~~stricken through~~):  
9

10 **Sec. 45-27. R-1 single-family dwelling district.**

11  
12 \* \* \*

13  
14 G. *Off street parking regulations.* At least one parking space measuring at least  
15 nine (9) feet by eighteen (18) feet (one hundred sixty-two (162) square feet)  
16 shall be provided. All parking spaces shall consist of a durable surfaced area  
17 as approved by the community planning and economic development director,  
18 and may be enclosed in the dwelling, in an accessory building or in an  
19 unenclosed area or a driveway. All vehicles parking on a lot must be parked on  
20 a durable surface.

21  
22 H. *Accessory structures.* One detached automobile garage and one open-air  
23 pavilion may be constructed on any lot within the R-1 single-family dwelling  
24 district provided that all requirements of this chapter are met. Open air  
25 pavilions shall be subject to the following additional conditions and  
26 restrictions:  
27

28 \* \* \*

29  
30 7. *Design.*

31  
32 \* \* \*

33  
34 (b) At the request of a property owner, the community planning and  
35 economic development director may approve the use of  
36 different building materials or alternate architectural themes or  
37 styles when such materials, themes or styles are complementary  
38 to the main or principal building.

39  
40 (c) Should the community planning and economic development  
41 director deny the request for different building materials or  
42 alternate architectural themes or styles, a property owner may  
43 appeal this decision to the planning, zoning and adjustment  
44 board ~~commission~~ by submitting a written request for a hearing  
45 to the community planning and economic development director  
46 within thirty (30) calendar days of the date of the determination.  
47 The appeal shall be placed on the next available agenda and the  
48 decision of the planning commission shall be final, subject only  
49 to judicial review by writ of certiorari.

1  
2 \* \* \*  
3

4 **Sec. 45-34.1. C-3 regional business district.**

5  
6 \* \* \*  
7

8 (10) *Special C-3 planned unit development (PUD) provisions.* It is the intention of  
9 the village to provide a mechanism and process to promote the redevelopment  
10 of the obsolete and underutilized areas of the C-3 zoning district with large-  
11 scale, master-planned projects that promote: a mix of uses; connectivity;  
12 pedestrian-oriented development; removal of surface parking; creation of  
13 public/civic gathering spaces; and shopping, entertainment, and restaurant uses  
14 within the form of an urban neighborhood incorporating residential  
15 development as an integral use. These projects promote the economic and  
16 redevelopment goals of the village, and the village has created these planned  
17 unit development (PUD) provisions to facilitate these goals. The development  
18 regulations applicable within the PUD are not permitted or allowed by right  
19 and shall only apply if the village council determines that each of the threshold  
20 criteria is met. Properties located in the C-3 zoning district that do not meet the  
21 threshold criteria set forth below may utilize the general PUD provisions  
22 of section 45-35.1 of this code as set forth in section 45-35.1(D). Properties  
23 located in the C-3 zoning district that do meet each of the threshold criteria  
24 below may, at the option of the property owner, utilize the following special  
25 PUD regulations:

26  
27 \* \* \*  
28

29 d. *Application procedures.* PUD applications made under this section  
30 shall be accompanied by the applicable fee and shall contain the  
31 following:

32 \* \* \*  
33

34  
35 8. Conceptual architecture elevations and/or renderings and any  
36 other information requested by the community planning and  
37 economic development director.  
38

39 \* \* \*  
40

41 **Sec. 45-35.1. Planned unit development.**

42 \* \* \*  
43

44  
45 VI. *Effect of approval of village council.* The approval of the application by the  
46 village council shall allow the building official to issue a building permit in  
47 conformity with the application as approved. This permit shall specify with  
48 particularity the exact modifications to the provisions of this chapter which  
49 have been approved by the village council. The holder of this permit may then

1 proceed with his project in conformity with said permit. No deviations from  
2 the conditions of the permit shall be allowed except those which shall be in  
3 conformity with the basic provisions of this ordinance as they apply to the  
4 zoning district in which the project is located. The ~~e~~community planning and  
5 economic development director may adjust a modification to the provisions of  
6 this chapter only if the adjustment had been authorized by conditions that the  
7 Village Council placed on the planned unit development approval.

8  
9 \* \* \*

10 **Sec. 45-36. General provisions.**

11  
12 \* \* \*

13  
14  
15 Q. *Outdoor seating.*

16  
17 \* \* \*

18  
19 (6) *Special requirements for the C-MU and C-3 zoning districts.* In the C-  
20 MU and C-3 zoning districts only, the preceding requirements for  
21 outdoor seating are modified as follows:

22  
23 \* \* \*

24  
25 c. Outdoor seating may be provided ~~on~~ in an area designated for  
26 parking and/or loading without providing additional parking  
27 spaces. However, permission for such outdoor seating would be  
28 on a provisional basis and would be subject to revocation as  
29 follows:

30  
31 i. Permission may be revoked by the ~~e~~community planning  
32 and economic development director if there is evidence  
33 that the permission is contributing to spillover parking  
34 on nearby properties.

35  
36 \* \* \*

37  
38 U. *Use of portable storage containers and roll-off dumpsters in all zoning*  
39 *districts.*

40  
41 \* \* \*

42  
43 (5) *Length of time.*

44  
45 \* \* \*

46  
47 c. If ongoing construction continues on the property past one  
48 hundred and eighty (180) consecutive days, the permit holder  
49 for a roll-off dumpster may request one or more extensions of

1 time of up to ninety (90) consecutive days each. For the purpose  
2 of this section, ongoing construction means construction-  
3 related activities are being carried out on a continuing basis  
4 pursuant to a valid permit, with regularly scheduled successful  
5 inspections. The ~~community~~ planning and economic  
6 development director may revoke a permit at any time if the  
7 director determines that ongoing construction is no longer  
8 occurring on the property. The property owner may challenge  
9 the director's revocation of a permit or any extension thereof by  
10 requesting a hearing before the code enforcement special  
11 magistrate.

12 \* \* \*

13  
14  
15 **Sec. 45-37. Historic site overlay district.**

16 \* \* \*

17  
18  
19 C. *Creation of local register of historic sites.* A local register of historic sites is  
20 hereby created as a means of identifying and classifying various sites,  
21 buildings, structures, objects and districts as historic and/or architecturally  
22 significant. The local register will be kept by the director of ~~community~~  
23 planning and economic development.

24 \* \* \*

25  
26  
27 H. *Certificate of appropriateness.*

28  
29 1. *When required.*

30 \* \* \*

31  
32  
33 b. For each of the regulated work items listed below, the following  
34 applies.

35  
36 i. *Ordinary maintenance.* If the work constitutes  
37 "ordinary maintenance" as defined in this code, the  
38 work may be done without a certificate of  
39 appropriateness.

40  
41 ii. *Staff approval.* If the work is not "ordinary  
42 maintenance," but will result in the "original  
43 appearance" as defined in this code, the certificate of  
44 appropriateness may be issued by the director of  
45 ~~community~~ planning and economic development.

46  
47 **Sec. 45-38. I-1 light industrial district.**

48 \* \* \*

1  
2 D. *Supplemental use regulations for select permitted or special exception uses.*  
3 Permitted or special exception uses in the I-1 district shall be subject to the  
4 following conditions:

5  
6 \* \* \*

7  
8 13. Film production studio:

9  
10 \* \* \*

11  
12 b. *Film permit:* Prior to commencement of any regulated activity  
13 related to the production of a film within the Village, a film  
14 permit shall be issued by the Director of the Palm Beach County  
15 Film and Television Commission. The duration of the permit  
16 shall not exceed twenty-four (24) months without approval of  
17 the Community Planning and Economic Development Director.

18  
19 \* \* \*

20  
21 J. *Off-street parking and loading regulations.*

22  
23 \* \* \*

24  
25 2. *Parking spaces required.* For each of the uses permitted in subsection  
26 C., the Community Planning and Economic Development Director or  
27 his or her designee shall determine, prior to the submittal of a site plan  
28 application, which of the following general categories of parking  
29 spaces requirements shall apply to a specific development concept:

30  
31 \* \* \*

32  
33 Section 22. The Village Council hereby amends Article VI, “Rezoning; Variances; Waivers;  
34 Administrative Appeals,” of Appendix C (Chapter 45) of the Village Code of Ordinances to read as  
35 follows (additional language is underlined and deleted language is ~~stricken through~~):

36  
37 \* \* \*

38  
39 **Sec. 45-50. Variances.**

40  
41 \* \* \*

42  
43 (2) *Variance application process.*

44  
45 a. *Generally.* Upon receipt of an application for a variance, the  
46 community planning and economic development director shall  
47 schedule the variance for review and processing. Variances shall be  
48 processed and noticed pursuant to section 23-3.  
49

1 b. *Application requirements.* Variance requests shall contain information  
2 sufficient in detail to reasonably apprise the ~~community~~ planning and  
3 economic development director or his/her designee, and the planning,  
4 zoning and adjustment board of the nature and substance of the  
5 proposed variance. Variance requests shall be filed by written  
6 application to the community development department. Each  
7 application shall be accompanied by the applicable fee and shall  
8 contain the following information or as otherwise required on the  
9 community development department application submittal checklist:

10 \* \* \*

11  
12 **Sec. 45-51. Waivers.**

13 \* \* \*

14  
15  
16  
17 (2) An application for such waiver may be made by any property owner or tenant  
18 or by a governmental office, department, board or bureau. Such applications  
19 shall be filed with the ~~community~~ planning and economic development director  
20 of the village, using forms supplied by the director, who shall transmit the  
21 same, together with all the plans, specifications, application materials, and  
22 other papers pertaining to the application, to the planning commission. The  
23 applicant shall identify each waiver request in writing as part of the application,  
24 fully explaining the nature of the request, the extent to which it departs from a  
25 standard zoning regulation, and the basis for which it is sought.

26 \* \* \*

27  
28  
29 Section 23. The Village Council hereby amends Article VIII, "Landscaping," of Appendix C  
30 (Chapter 45) of the Village Code of Ordinances to read as follows (additional language is underlined  
31 and deleted language is ~~stricken through~~):

32 \* \* \*

33  
34  
35 **Sec. 45-82. Administration.**

36 \* \* \*

37  
38  
39 C. *Modifications.* The ~~Community~~ Planning and Economic Development  
40 Director may modify a locational requirement for required landscaping if  
41 necessary due to site constraints that were discovered after site plan and  
42 appearance approval or PUD approval; however, the amount of landscaping  
43 may not be reduced.

44 \* \* \*

45  
46  
47 Section 24. The Village Council hereby amends Appendix A, "Appearance Plan," of the Village  
48 Code of Ordinances to read as follows (additional language is underlined and deleted language is  
49 ~~stricken through~~):

1  
2 \* \* \*  
3

4 SECTION 1. BASIS FOR APPEARANCE PLAN

5  
6 \* \* \*  
7

8 The Appearance Plan is administered through the Office of the North Palm Beach  
9 director of ~~community~~ planning and economic development. In 1977, the Planning  
10 Commission began serving as the Appearance Board and continues to act upon matters  
11 relating to appearance as authorized by the Appearance Plan and Code.  
12

13 \* \* \*  
14

15 Section 25. As previously adopted by Section 5 of Ordinance No. 2023-18, all references in the  
16 Village Code of Ordinances to the Planning Commission, to the extent not expressly modified herein,  
17 shall be amended to reference the Planning, Zoning and Adjustment Board.  
18

19 Section 26. The provisions of this Ordinance shall become and be made a part of the Code of the  
20 Village of North Palm Beach, Florida.  
21

22 Section 27. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for  
23 any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such  
24 holding shall not affect the remainder of this Ordinance.  
25

26 Section 28. All ordinances or parts of ordinances and resolutions or parts of resolutions in conflict  
27 herewith are hereby repealed to the extent of such conflict.  
28

29 Section 29. This Ordinance shall take effect immediately upon adoption.  
30

31 PLACED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026.  
32

33 PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
34 2026.  
35

36  
37 (Village Seal)

\_\_\_\_\_  
MAYOR

38  
39  
40 ATTEST:

41  
42 \_\_\_\_\_  
43 VILLAGE CLERK  
44

45 APPROVED AS TO FORM AND  
46 LEGAL SUFFICIENCY:

47  
48 \_\_\_\_\_  
49 VILLAGE ATTORNEY