



**Village of North Palm Beach  
Planning, Zoning and Adjustment Board  
AGENDA  
Tuesday, March 4, 2025 at 6:30 pm  
Village Hall Council Chambers**

**1. Roll Call**

Cory Cross, Chair  
Scott Hicks, Vice-Chair  
Thomas Hogarth, Member  
Jonathan Haigh, Member  
Donald Solodar, Member  
Timothy Hulihan, Member  
Mark Michels, Member  
Village Staff, Attorney, and Councilmember

**2. Deletions, Additions or Modifications to the Agenda**

**3. Public Comment for Non-Agenda Items**

**4. Approval of Minutes**

a. February 4, 2025

**5. Declaration of Ex-parte Communications**

**6. Quasi-judicial Matters / Public Hearing**

The Village Attorney is to swear in all persons speaking.

**a. Site Plan and Appearance Review**

**i. New Business**

**1. 111 Shore Court – (Exterior Color Change)**

Application by Alex Caldwell, owner of Triple Quality Painting, agent for Shore Club “C” Condominium Association, Inc., property owner, for Site Plan and Appearance Review approval for new exterior colors for the building located at 111 Shore Court

**2. 821 Prosperity Farms Road – St. Claire (Monument Sign)**

Application by Michael Lockwood, Director of Building & Construction for the owner of the property, Gerald M. Barbarito Bishop of Diocese of Palm Beach, for Site Plan and Appearance Review approval for a new monument sign on an existing base located at 821 Prosperity Farms Road.

**3. 120 US Highway 1 – Pure Project Home (Façade Change)**

A request from Veridiana Lucchesi of Pure Project Home, lessee of the property, on behalf of the property owner Pure Nene LLC, for a Site Plan and Appearance Review approval for a façade change of the existing building located at 120 US Highway 1.

**b. Code Amendments**

**i. New Business**

**1. C-T Transitional Commercial District Uses Code Amendment**

Request by Village Staff for consideration of the following ordinance:

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 BY AMENDING ARTICLE III, “DISTRICT REGULATIONS,” SECTION 45-32.1, “C-T TRANSITIONAL COMMERCIAL DISTRICT,” TO ADOPT A NEW TABLE OF USES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**7. Commission Member Comments**

**8. Staff Updates**

**9. Adjournment**

*All members of the public are invited to appear at the public hearing, which may be continued from time to time, and be heard with respect to this matter.*

*If a person decides to appeal any decision made with respect to any matter considered at the subject meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which shall include 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 Planning Commission. Due to the nature of governmental duties and responsibilities, the Planning Commission reserves the right to make additions to, or deletions from, the items contained in this agenda.*



**THE VILLAGE OF NORTH PALM BEACH  
PLANNING, ZONING AND ADJUSTMENT BOARD  
REGULAR MEETING MINUTES  
TUESDAY, FEBRUARY 4, 2025 at 6:30 PM**

**Present**

Cory Cross, Chair  
Scott Hicks, Member  
Thomas Hogarth, Member  
Jonathan Haigh, Member  
Timothy Hulihan, Member  
Donald Solodar, Member  
Mark Michaels, Member

**Village Staff**

Leonard Rubin, Village Attorney  
Caryn Gardner-Young, Community Development Director

**1. CALL TO ORDER**

Chair Cross called the meeting to order at 6:30 p.m.

**a. ROLL CALL**

Roll was called, and it was determined a quorum was present.

**2. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA: None.**

**3. PUBLIC COMMENT FOR NON-AGENDA ITEMS: None.**

**4. APPROVAL OF MINUTES:**

**a. January 7, 2025**

Mr. Solodar motioned to approve the January 7, 2025 minutes as submitted, seconded by Mr. Hicks. The **motion passed** unanimously (5-0).

**5. DECLARATION OF EX-PARTE COMMUNICATIONS: None.**

**6. QUASI-JUDICIAL MATTERS**

Village Attorney Leonard Rubin swore in those wishing to provide testimony.

**a. SITE PLAN AND APPEARANCE REVIEW**

**i. NEW BUSINESS**

**1. 531 US Highway 1– (ASD)**

Ms. Gardner-Young requested postponement until the applicant was present.

*The Board revisited the application at approximately 8:00 pm although the application was still not in attendance.*

Ms. Gardner-Young presented the request for Site Plan and Appearance Review approval for a face change on an existing monument sign located at 531 US Highway 1.

Ms. Gardner-Young stated that the sign in question is an existing monument sign that was damaged and needed to be replaced. She clarified that since it was an existing sign and remained in the same location, setbacks were not reviewed. She noted that the height of the sign was not altered and that the only change was to the sign's face.

Chair Cross opened public comment.

Deborah Cross, 2560 Pepperwood Circle South, emphasized the importance of making addresses highly visible. She noted that when visiting a new location, having a clearly displayed address is crucial for ensuring visitors can easily find their destination.

Chair Cross closed public comment.

#### Member comments

Dr. Michaels suggested that new signs should be designed to include visible address numbers. He acknowledged that while most signs may not change over the next 30 years, some will, and having address numbers can help with location identification.

Mr. Solodar stated that he would like to see the address included as well. However, he noted that since the applicant was not present and the area is not urban, staff should be asked to strongly recommend the inclusion of the address.

Mr. Haigh stated that the sign was originally a stucco sign that had its surface chipped off, leaving it in a deconstructed state for a few years. He noted that it previously had lettering or street numbers before being tiled and asked whether the approval included the tile on the exterior in addition to the face change. He pointed out that the tile appeared to have been added within the last six months, based on his frequent observations.

Ms. Gardner-Young confirmed that the approval would encompass all modifications, including the tile and the face change. She acknowledged the presence of black tile but had not previously noticed it

Mr. Solodar motioned to approve with the recommendation the street number is added to the sign, unless the number is located on the building, seconded by Mr. Haigh. The **motion passed** unanimously (6-0).

## 2. **509 Northlake Blvd – (Village Cue Club)**

Ms. Mimi McAndrews, of XMS Sports d/b/a Village Cue Club, lessee of the property, on behalf of the property owner, 509 Northlake Boulevard requested approval for a face change of an existing wall sign located at 509 Northlake Blvd.

Ms. McAndrews began her presentation and reviewed before and after pictures; billiard events; and face change request.

Chair Cross opened public comment. No one came forth to speak so Chair Cross closed public comment.

Member comments

Mr. Hogarth expressed concern about the size of the font.

Chair Cross asked if there was a sign plan for the building. Ms. Gardner-Young confirmed there is no master sign plan, noting that the property has not had one for a long time. She stated that past signage approvals were granted, but the property owner was informed that future approvals must comply with code requirements. She acknowledged that the current sign is well-designed and had no objections.

The remaining Board members had no questions or comments.

*Mr. Haigh arrived at 6:37 PM.*

Mr. Michaels motioned to approve, seconded by Mr. Hicks. The **motion passed** unanimously (6-0).

**b. PUBLIC HEARING**

**i. NEW BUSINESS**

**1. Commercial Mixed Use Zoning District Sign Regulations**

Ms. Gardner-Young explained that the zoning district lacks specific sign regulations due to its form-based code approach. When reviewing signage for the 200 Yacht Club project, staff encountered challenges with setbacks and building placement. To address this, the city hired Jennifer Morton's firm, including a specialist in signage for form-based codes. The updated regulations will be integrated into the existing sign code and presented as a single package to the village council.

Mr. Alex Ahrenholz, Principal Planner with J Morton, introduced himself and additional team members. He began his presentation and reviewed the following the Village of North Palm Beach Code of Ordinances Chapter 45, Article IX and Location Map.

Ms. Kara Wood, District Planning Group, continued the presentation and reviewed the following: City Place, West Palm Beach; Form-Based Code sign research; Delray Beach; New Sec.45-117 – US -1 Mixed-Use (C-MU) District; Sign Types; CMY Frontage Types; and Ground/Monument Standards.

Mr. Ahrenholz concluded the presentation by reviewing the following: Proposed Ordinance; Temporary/Accessory Signage; and Public Engagement.

Chair Cross opened public comment.

Mr. Chris Ryder, 118 [rest of address inaudible], recommended banning all temporary signs, arguing that the current fix only reduces the issue without solving it. He suggested requiring permits for temporary signs, limiting them to 90 days per year. He also raised concerns about missing code sections in the agenda backup and noted that a simple clarification from staff could have avoided confusion. Lastly, he questioned the hiring of a former employee by the village, suggesting it could give the appearance of impropriety.

Chair Cross closed public comment.

Member comments

Mr. Haigh asked if the general sign code covers lighting and landscaping, with confirmation that it does. He suggested adding a minimum vertical clearance requirement for projected or hanging signs to ensure pedestrian safety. He also found the wording under section 45-6 regarding wall-mounted sign height unclear, noting that the intent may need to be clarified for better understanding.

Ms. Wood noted that the standard likely comes from the CNB district without modifications. She suggested that the wording aims to balance aesthetics by preventing wall-mounted signs from being too close to the roof while maintaining proportionality.

Mr. Hicks had no comments.

Mr. Solodar noted that the new sign regulations would primarily apply to new buildings, but few have been built in the zone aside from a pizza shop and a memory care center. He pointed out that existing signs have addresses at the bottom, while the new requirement places them at the top, potentially creating inconsistency.

Ms. Wood explained that non-conforming signs would not need to be updated unless removed or replaced. She stated that the intent is to allow property owners to benefit from their investment while gradually aligning signage with new regulations over time.

Chair Cross asked if requiring address numbers at the top of signs would create an inconsistency issue. Ms. Wood acknowledged the concern but noted that inconsistencies are expected as properties redevelop under new form-based code standards. She explained that long-term planning aims to create a more pedestrian-oriented corridor, which will naturally differ from existing conditions. She added that placement should address visibility issues, such as numbers being obscured by landscaping.

Mr. Hogarth noted that the language in section 145-117 regarding the number of permanent sign types in the CMU district could be clearer, as not all businesses will qualify for five. He also pointed out that canopy and awning signs are the only sign types with a content restriction and suggested applying similar limitations across all sign types for consistency.

Ms. Wood explained that the restriction likely stems from space limitations, preventing excessive content on smaller signs. She agreed that staff should review the wording to ensure consistency and avoid allowing unrestricted messaging on some signs while limiting it on others.

Mr. Haigh noted that the wording could limit awnings to displaying only the building name instead of allowing individual tenants to use their space for signage. Ms. Wood agreed that the intent is to permit tenant names but acknowledged the language may need clarification.

Mr. Hogarth expressed concerns about painted wall signs, stating they can appear outdated and difficult to maintain. He also questioned the approach to permitting window signs and whether they should follow the same regulations as permanent signs. Ms. Wood clarified that window signs are subject to size limitations but do not require permits.

Mr. Hogarth also asked about the allowance of two facade signs per building and whether this applied to multi-tenant buildings. It was confirmed that the rule applies per building, but tenants can have additional signage through ground or monument signs and clarifying the language to distinguish between building-wide and tenant-specific signage was suggested.

Regarding sign size standards, Ms. Gardner-Young explained that most were carried over from previous codes, with minor adjustments for placement closer to the street. She acknowledged the need to clarify how square footage is calculated based on tenant space width.

Mr. Hogarth questioned whether the proposed sign regulations allow for larger signs than the current code, noting differences in square footage, height, and setbacks. He expressed concern about encouraging larger signs before buildings become conforming.

Ms. Gardner-Young acknowledged that the CMU district currently lacks a clear sign code and that the goal is to create regulations that work without requiring waivers. She confirmed that second-floor tenants are not permitted to have signage, even if they have walk-in access from a balcony.

Mr. Hogarth asked if a master sign plan applies to the district. Ms. Gardner-Young agreed that clarification is needed and stated that for multi-tenant properties, a uniform sign plan should be required to ensure consistency.

Dr. Michaels questioned why the village does not have a single, uniform sign code instead of separate regulations for different areas. He suggested that consultants should review the entire sign code to ensure consistency before sending it to the council. He also agreed with Mr. Hogarth's dislike of painted signs.

Ms. Gardner-Young explained that the mixed-use district follows a different design approach, bringing buildings closer to the street, unlike traditional shopping centers. A separate sign code prevents the need for frequent waivers due to differences in building design.

Chair Cross acknowledged the complexity of the CMU code and signage regulations but suggested simplifying some elements, such as standardizing the allowed size for projecting signs. He supported allowing signs for each ground-floor tenant with street frontage, similar to strip malls, regardless of sign type. He viewed the proposal as a good start but encouraged refinements based on feedback from staff and consultants.

Discussion ensued about second-floor signage.

Mr. Hogarth stated that one key takeaway is to clearly define building name signage, business signage, and tenant signage opportunities. He emphasized the importance of establishing clear guidelines for each building type to ensure consistency and clarity. Ms. Wood acknowledged the feedback.

Dr. Michaels motioned to continue the item until the next meeting. Mr. Haigh seconded the motion. The **motion passed** unanimously (6-0).

## **7. BOARD MEMBER COMMENTS**

Chair Cross acknowledged Dr. Michaels' comment about incorporating the building address into signage and codifying that requirement. He stated that he believed this had already been done but noted that it applied to buildings rather than signs. He agreed that moving forward, this requirement should be implemented for signage as well.

Mr. Hogarth asked about the South Side Docks rebuild. Dr. Michaels referenced a previous discussion with the Waterways Board two years ago in which it was stated that the dock would be completed in 2025. They noted that they had raised the issue again at a recent meeting and questioned the timeline for planning and construction.

Clarification was sought regarding whether the filing was for the ramp construction and sheet piling to complete the wall. It was suggested that sheet piles might be driven to manage water flow. Dr. Michaels mentioned that they had not seen resolutions from the Waterways Board being sent to the council for consideration.

Concerns were raised about the condition of the South Side Docks, noting that they may pose safety risks due to potholes and unstable sections. Dr. Michaels emphasized that the docks should be a higher priority to prevent potential injuries.

## **8. STAFF UPDATES:**

Chair Cross advised the next meeting was scheduled for Tuesday, March 4, 2025.

## **9. ADJOURNMENT**

With no further business before the Board, Chair Cross adjourned the meeting at 8:13 p.m.



**Subject/Agenda Item:**

**SP-2025-05 111 Shore Court**

**Consideration of Approval:** A request from Alex Caldwell, owner of Triple Quality Painting, agent for Shore Club “C” Condominium Association, Inc., property owner, for Site Plan and Appearance Review approval for new exterior colors for the building located at 111 Shore Court

- Quasi-Judicial
- Legislative
- Public Hearing

<b>Originating Department:</b>  <b>Planning &amp; Zoning</b>  Project Manager  _____ Caryn Gardner-Young, AICP	<b>Reviewed By:</b>  Community Development Director  _____ Caryn Gardner-Young, AICP
<b>Attachments:</b>  1. SPAR Application stamp-dated January 29, 2025 2. Survey stamp-dated January 29, 2025 3. Color Renderings stamp-dated January 29, 2025 (6 pages)	<b>Public Notice:</b> <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Dates: Paper: Mailing <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance:

**I. Executive Summary**

The applicant is proposing to change the exterior colors for the building located at 111 Shore Court.

**II. Site Data**

<b>Existing Use:</b>	Condominium Building
<b>Parcel Control Numbers:</b>	68-43-42-16-29-003-0000
<b>Existing Future Land Use Designation:</b>	High Density Residential
<b>Existing Zoning District:</b>	Apartment Dwelling District (R-3)

**Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:**

Direction	Existing Land Use	Future Land Use	Zoning District
North	Water	Not Applicable	Not Applicable
South	Water	Not Applicable	Not Applicable
East	Water	Not Applicable	Not Applicable
West	Single Family Homes	High Density Residential	Apartment Dwelling District (R-3)

**III. Annexation/Zoning History**

The subject parcel site is located on Shore Court, approximately 784 feet east of US Highway 1. The subject site has a future land use designation of High Density Residential and a zoning designation of Apartment Dwelling District (R-3).

**IV. Applicable Code Provisions:**

**Section IV Criteria for Appearance**

**V. Summary of Proposed Site Plan and Appearance Details:**

The petitioner's site plan and appearance documents consist of the following:

1. SPAR Application stamp-dated January 29, 2025
2. Survey stamp-dated January 29, 2025
3. Color Renderings stamp-dated January 29, 2025 (6 pages)

**VI. Staff Analysis:**

***Background:***

The petition is for Site Plan and Appearance Review approval for the following:

1. Exterior Building color change

There are three (3) buildings located in the immediate area, which share access and parking spaces but this petition is only applicable to the 111 Shore Court, Building C. The building has three stories and was originally built in 1967, and the exterior has not been updated since 2017. The residents desire to change the drab brown and institutional white colors to those that are more Florida “beachy.” The applicant was caught painting the building without prior Planning, Zoning and Adjustment Board approval.

The existing colors are white, yellow, and brown. The proposed colors are Cold Form (PPG1097-1) (white) and Aquamarine Dream (PPG1135-4) (green). Aquamarine Dream will be used for Body 1A only. Everything else will be painted Cold Form including, but not limited to, accents,

tailings, shutters, soffits, top fascia and the body 1C and 2. Please see attached diagram for the locations of the proposed colors.

**Staff Analysis for the Exterior Color change:**

**Code Requirements**

**VII. APPEARANCE Code – Planning Commission Role & Responsibilities**

**Sec. 6-36. - Powers and duties of planning commission concerning the appearance code.**

The planning commission shall have the following powers and duties:

- (1) To hold public hearings on and make recommendations for amendments to the appearance plan.
- (2) To consult with and cooperate with other committees and village departments, and any other municipal or governmental bodies on matters affecting the appearance of the village.
- (3) To study exterior design drawings, landscape and site plans, and materials for any proposed public buildings, public works, or other public improvements and to make recommendations to the council or village manager regarding the architectural or aesthetic aspects thereof.
- (4) To study and review preliminary and final plans and make recommendations to the village council.
- (5) To hold site plan and appearance review hearings, when required, and to issue or deny site plan and appearance approval for multiple-dwelling, commercial, mixed-use, and industrial buildings under the provisions of this division and the appearance plan in Appendix A of this code.

**Sec. 6-58. - Action of planning commission.**

Upon consideration of an application, the planning commission shall issue a site plan and appearance approval upon a finding that the plan conforms to the village appearance plan and other applicable land development regulations. This approval may contain special conditions in response to unusual aspects of the application or to ensure that the approval carries out Village policies and code without undue permitting delays. If the planning commission determines that these criteria are not met, the planning commission may provide such advice, counsel, suggestions, and recommendations as it may deem necessary to guide the prospective applicant in the development of a plan which would comply with the requirements and purposes of the appearance plan and other village land development regulations.

**Sec. 6-59. - Approval by planning commission.**

No building or other permit, otherwise required under the village's ordinances, shall be approved by the community development director except upon the granting of the site plan and appearance approval by the planning commission, or on appeal, approval by the Village Council (see section 6-35). The foregoing requirements shall not preclude the issuance of permits without such approval if the community development director determines that any of the following apply: Permits for single-family dwellings, permits for a village-owned facility, no external architectural features as defined in section 6-31, and any deviation from valid site plan and appearance approval are minor and not substantial.

#### CODE OF ORDINANCES APPENDIX A, SECTION IV CRITERIA FOR APPEARANCE

These criteria are intended to establish a checklist of items that affect the physical aspect of the Village environment. Pertinent to appearance are the design of the site, buildings and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

These criteria are not intended to restrict imagination, innovation, or variety but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the Village.

#### **D BUILDING DESIGN**

1. Specific architectural styles are not mandated or banned, but the village encourages new buildings to reflect or evolve the distinct local character exemplified by the North Palm Beach Country Club Clubhouse, Village Hall and the Public Safety Building. This character is derived from local and regional examples including Anglo-Caribbean architecture, Florida vernacular, and masonry modern.
2. Evaluation of appearance of a project shall be based on quality of its design and relationship to surroundings.
3. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
4. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.
  - a. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those which are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways and adjoining properties.
  - b. Inappropriate materials and methods, and those which will produce inconsistency with the structure of the building, shall be avoided.
  - c. Materials shall be of durable quality.
  - d. In any design in which the structural frame is exposed to view, the structural materials shall meet the other criteria for materials.
5. Building components—such as windows, doors, eaves, and parapets—shall have good proportions and relationship to one another.

6. The village discourages walls without windows or with too few windows; all-glass walls; and facades without visual interest or with entrances that are concealed or absent.
7. Colors shall be harmonious, with bright or brilliant colors used only for accent.
8. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located so as not to be visible from any public ways, including waterways, service alleys, and adjoining properties.
9. Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.
10. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from public ways, including waterways, service alleys, and adjoining properties, using materials as stated in criteria for equipment screening.
11. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
12. Inappropriate, incompatible, bizarre, and exotic designs shall be avoided.
13. The provisions of the North Palm Beach Village Code in regard to bulk regulations and standards, and those portions of the Village Code which directly affect appearance, shall be part of the criteria of this subsection.

**G MAINTENANCE—PLANNING AND DESIGN FACTORS**

1. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
2. Materials and finishes shall be selected for their durability and wear as well as for their beauty.  
  
Proper measures and devices shall be incorporated for protection against the elements, neglect, damage and abuse.
3. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Such configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

**H FACTORS FOR EVALUATION**

The following factors and characteristics relating to a development, and which affect appearance, will govern the Appearance Board's evaluation of a design submission after the Board has been advised by the Office of the Building Official that the plan conforms to Village ordinances:

LOGIC OF DESIGN

EXTERIOR SPACE UTILIZATION

ARCHITECTURAL CHARACTER  
ATTRACTIVENESS  
MATERIAL SELECTION  
HARMONY AND COMPATIBILITY  
CIRCULATION—VEHICULAR AND PEDESTRIAN  
MAINTENANCE ASPECTS

**VIII. Conclusion & Finding of Fact**

The Planning, Zoning and Adjustment Board must determine if the Applicant has met the prerequisites for granting Site Plan and Appearance Review approval as outlined in the staff report. If the Planning, Zoning and Adjustment Board approves the Site Plan and Appearance Review petition, staff suggests the following conditions:

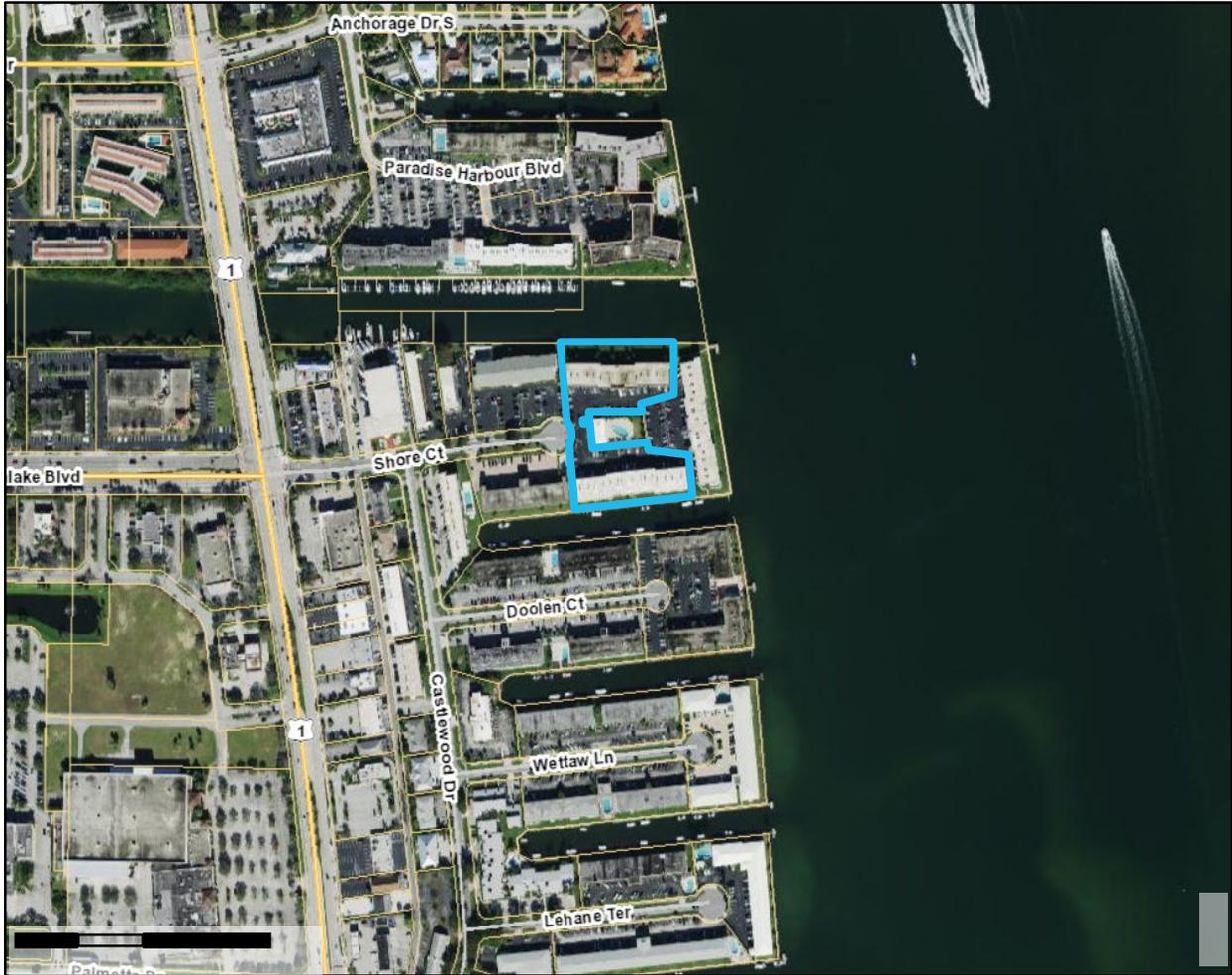
- A. The most stringent requirements of Exhibit “A” Development Review Committee Report and Recommendation dated January 29, 2025 and strict compliance with the Exhibits listed below, which are attached hereto and made part hereof as Exhibit “B”:
  - 1. SPAR Application stamp-dated January 29, 2025
  - 2. Survey stamp-dated January 29, 2025
  - 3. Color Renderings stamp-dated January 29, 2025 (6 pages)
  
- B. Non-compliance with any of the conditions of approval will result in the Village withholding the issuance of any building permits or Certificates of Occupancy. (Planning and Building)
  
- C. The conditions of approval shall be binding on the Applicant and its successors in interest and assigns, and a violation of such conditions shall constitute a violation of the Village Code of Ordinances. They may be enforced by the Village as outlined in Article VI, Chapter 2 of the Village Code or as otherwise authorized by law. (Planning and Zoning)
  
- D. The Applicant shall be bound by all oral and written representations made on the record and as part of the application process, irrespective of whether such representations are included as formal conditions.

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**PLANNING, ZONING AND ADJUSTMENT BOARD ACTION – March 4, 2025**

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Exhibit B  
Location Map







# Shore Club C Condo

## PPG Renderings

2-28-24  
REV 3-15-24  
REV 6-4-24  
REV 7-17-24  
REV 9-25-24  
REV 10-31-24 Scheme 3 change in column color  
REV 2-10-25



Accent 1 / Accent 2 / Body 1 B / Body 1 C / Body 1 D / Body 2 / Railing / Roof Trim / Shutter / Soffit / Support

PPG1097-1  
Cold Foam

Body 1 A

PPG1135-4  
AQUAMARINE DRFAM



ORIGINAL

NOTE: The purpose of this document is to provide paint renderings to reflect color and placement. The final responsibility of the color placement and color should be confirmed by the client and the painter.



Body 2 – Not shown in rendering

Accent 1 / Accent 2 / Body 1 B / Body 1 C / Railing / Shutter / Soffit / Support / Top Fascia



PPG1097-1  
Cold Foam

Body 1 A



PPG1135-4  
AQUAMARINE DREAM



Body 1D



ORIGINAL

NOTE: The purpose of this document is to provide paint renderings to reflect color and placement. The final responsibility of the color placement and color should be confirmed by the client and the painter.



Accent 1 / Accent 2 / Body 1 B / Body 1 C / Body 2 / Railing / Shutter / Soffit / Support / Top Fascia

PPG1097-1  
Cold Foam

Body 1 A

PPG1135-4  
AQUAMARINE DREAM



ORIGINAL

NOTE: The purpose of this document is to provide paint renderings to reflect color and placement. The final responsibility of the color placement and color should be confirmed by the client and the painter.





**Subject/Agenda Item:**

**SP-2024-16 - 821 Prosperity Farms Road (St. Claire)**

**Consideration of Approval:** A request from Michael Lockwood, Director of Building & Construction for the owner of the property, Gerald M. Barbarito Bishop of Diocese of Palm Beach, for Site Plan and Appearance Review approval for a new monument sign on an existing base located at 821 Prosperity Farms Road.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

<p><b>Originating Department:</b></p> <p><b>Planning &amp; Zoning</b></p> <p>Project Manager</p> <p>_____</p> <p>Caryn Gardner-Young, AICP</p>	<p><b>Reviewed By:</b></p> <p>Community Development Director</p> <p>_____</p> <p>Caryn Gardner-Young, AICP</p>
<p><b>Attachments:</b></p> <ol style="list-style-type: none"><li>1. SPAR Application stamp-dated December 19, 2024</li><li>2. Justification Statement stamp-dated February 5, 2025</li><li>3. Warranty Deed stamp-dated February 3, 2025</li><li>4. Site Map stamp-dated February 3, 2025</li><li>5. Sign Engineering Drawing with landscaping stamp-dated February 5, 2025 (2pages)</li><li>6. Photographs of the existing sign stamp-dated February 3, 2025</li></ol>	<p><b>Public Notice:</b></p> <p><input type="checkbox"/> Required</p> <p><input checked="" type="checkbox"/> Not Required</p> <p>Dates:</p> <p>Paper:</p> <p>Mailing</p> <p><input type="checkbox"/> Required</p> <p><input checked="" type="checkbox"/> Not Required</p> <p>Notice Distance:</p>

**I. Executive Summary**

The applicant is proposing to replace the sign on an existing sign base for the property located at 821 Prosperity Farms Road

**II. Site Data**

**Existing Use:** Church and School  
**Parcel Control Numbers:** 68-43-42-08-00-000-7000  
**Parcel Size:** 16.12 acres  
**Existing Future Land Use Designation:** Low Density Residential  
**Existing Zoning District:** Multi-Family Dwelling District

<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Single Family Homes	Low Density Residential	Single Family Dwelling District (R-1)
<i>South</i>	Single Family Homes	Low Density Residential	Single Family Dwelling District (R-1)
<i>East</i>	Multiple family Units	Medium Density Residential	Multiple Family Dwelling District (R-2)
<i>West</i>	Single Family Homes	Low Density Residential	Single Family Dwelling District (R-1)

**III. Annexation/Zoning History**

The subject parcel site is on the west side of Prosperity Farms Road approximately 190 feet north of Dogwood Road. The subject site has a future land use designation of Low Density Residential and a zoning designation of Multi-Family Dwelling District, with a 9,670 square foot building constructed in 1970.

**IV. Applicable Code Provisions:**

**Article V Signs and Outdoor Displays, Section 6-115 Permitted permanent accessory signs.  
Section IV Criteria for Appearance E. Signs**

**V. Summary of Proposed Site Plan and Appearance Details:**

The petitioner's site plan and appearance documents consist of the following:

1. SPAR Application stamp-dated December 19, 2024
2. Justification Statement stamp-dated February 5, 2025
3. Warranty Deed stamp-dated February 3, 2025
4. Site Map stamp-dated February 3, 2025
5. Sign Engineering Drawing with landscaping stamp-dated February 5, 2025 (2pages)
6. Photographs of the existing sign stamp-dated February 3, 2025

**VI. Staff Analysis:**

**Background:**

The petition is for Site Plan and Appearance Review approval for the following:

1. A new sign on an existing monument sign base

**Staff Analysis for Monument:**

The applicant requests Village approval of a new sign to sit on an existing sign base. The setback from the property lines has not changed so no review was performed for this standard. However, the setback would impact the height and copy area of the monument sign. Although the property is zoned R-2 Zoning District, the definition of commercially developed parcel (not residential or agricultural) would control regarding sign criteria. The sign is approximately 842 feet from Prosperity Farms Road. Therefore, the following requirements must be met:

<b>Measurements</b>	<b>Maximum Allowed</b>	<b>Proposed</b>
<i>Sign Copy Area</i>	45 square feet (setback more than 30')	31.91 square feet
<i>Sign Height</i>	10 feet (setback more than 30')	7.6 feet

Based upon the sign code requirements, the proposed sign meets the copy area requirements.

The Planning, Zoning and Adjustment Board determines whether the face change meets the Code's Appearance Plan requirements. The criteria and design standards are listed next.

**Code Requirements**

**VII. APPEARANCE Code – Planning Commission Role & Responsibilities**

**Sec. 6-36. - Powers and duties of planning commission concerning the appearance code.**

The planning commission shall have the following powers and duties:

- (1) To hold public hearings on and make recommendations for amendments to the appearance plan.
- (2) To consult with and cooperate with other committees and village departments, and any other municipal or governmental bodies on matters affecting the appearance of the village.
- (3) To study exterior design drawings, landscape and site plans, and materials for any proposed public buildings, public works, or other public improvements and to make recommendations to the council or village manager regarding the architectural or aesthetic aspects thereof.
- (4) To study and review preliminary and final plans and make recommendations to the village council.

- (5) To hold site plan and appearance review hearings, when required, and to issue or deny site plan and appearance approval for multiple-dwelling, commercial, mixed-use, and industrial buildings under the provisions of this division and the appearance plan in Appendix A of this code.

**Sec. 6-58. - Action of planning commission.**

Upon consideration of an application, the planning commission shall issue a site plan and appearance approval upon a finding that the plan conforms to the village appearance plan and other applicable land development regulations. This approval may contain special conditions in response to unusual aspects of the application or to ensure that the approval carries out Village policies and code without undue permitting delays. If the planning commission determines that these criteria are not met, the planning commission may provide such advice, counsel, suggestions, and recommendations as it may deem necessary to guide the prospective applicant in the development of a plan which would comply with the requirements and purposes of the appearance plan and other village land development regulations.

**Sec. 6-59. - Approval by planning commission.**

No building or other permit, otherwise required under the village's ordinances, shall be approved by the community development director except upon the granting of the site plan and appearance approval by the planning commission, or on appeal, approval by the Village Council (see section 6-35). The foregoing requirements shall not preclude the issuance of permits without such approval if the community development director determines that any of the following apply: Permits for single-family dwellings, permits for a village-owned facility, no external architectural features as defined in section 6-31, and any deviation from valid site plan and appearance approval are minor and not substantial.

**CODE OF ORDINANCES APPENDIX A, SECTION IV CRITERIA FOR APPEARANCE**

These criteria are intended to establish a checklist of items that affect the physical aspect of the Village environment. Pertinent to appearance are the design of the site, buildings and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

These criteria are not intended to restrict imagination, innovation, or variety but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the Village.

**E SIGNS**

1. Wall signs shall be part of the architectural concept. Size, color, lettering, location, and arrangement shall be harmonious with the building design, and shall be compatible with signs on adjoining buildings. Signs shall have good proportions.
2. Ground signs shall be designed to be compatible with the architecture of the building. The same criteria applicable to wall signs shall apply to ground signs.

3. Identification signs of a prototype design shall conform to the criteria for building and ground signs.
4. Materials used in signs shall have good architectural character and be harmonious with building design and surrounding landscape.
5. Every sign shall have good scale in its design and in its visual relationship to buildings and surroundings.
6. Colors shall be used harmoniously and with restraint. Excessive brightness and brilliant colors shall be avoided. Lighting shall be harmonious with the design. If external spot or floor lighting is used, it shall be arranged so that light source is shielded from view.
7. The sign provisions of the North Palm Beach Village Code shall be part of the criteria of this subsection.

#### **G MAINTENANCE—PLANNING AND DESIGN FACTORS**

1. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
2. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage and abuse.
3. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Such configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

#### **H FACTORS FOR EVALUATION**

The following factors and characteristics relating to a development, and which affect appearance, will govern the Appearance Board's evaluation of a design submission after the Board has been advised by the Office of the Building Official that the plan conforms to Village ordinances:

LOGIC OF DESIGN

EXTERIOR SPACE UTILIZATION

ARCHITECTURAL CHARACTER

ATTRACTIVENESS

MATERIAL SELECTION

HARMONY AND COMPATIBILITY

CIRCULATION—VEHICULAR AND PEDESTRIAN  
MAINTENANCE ASPECTS

**VIII. Conclusion & Finding of Fact**

The Planning, Zoning and Adjustment Board must determine if the Applicant has met the prerequisites for granting Site Plan and Appearance Review approval as outlined in the staff report. If the Planning, Zoning and Adjustment Board approves the Site Plan and Appearance Review petition, staff suggests the following conditions:

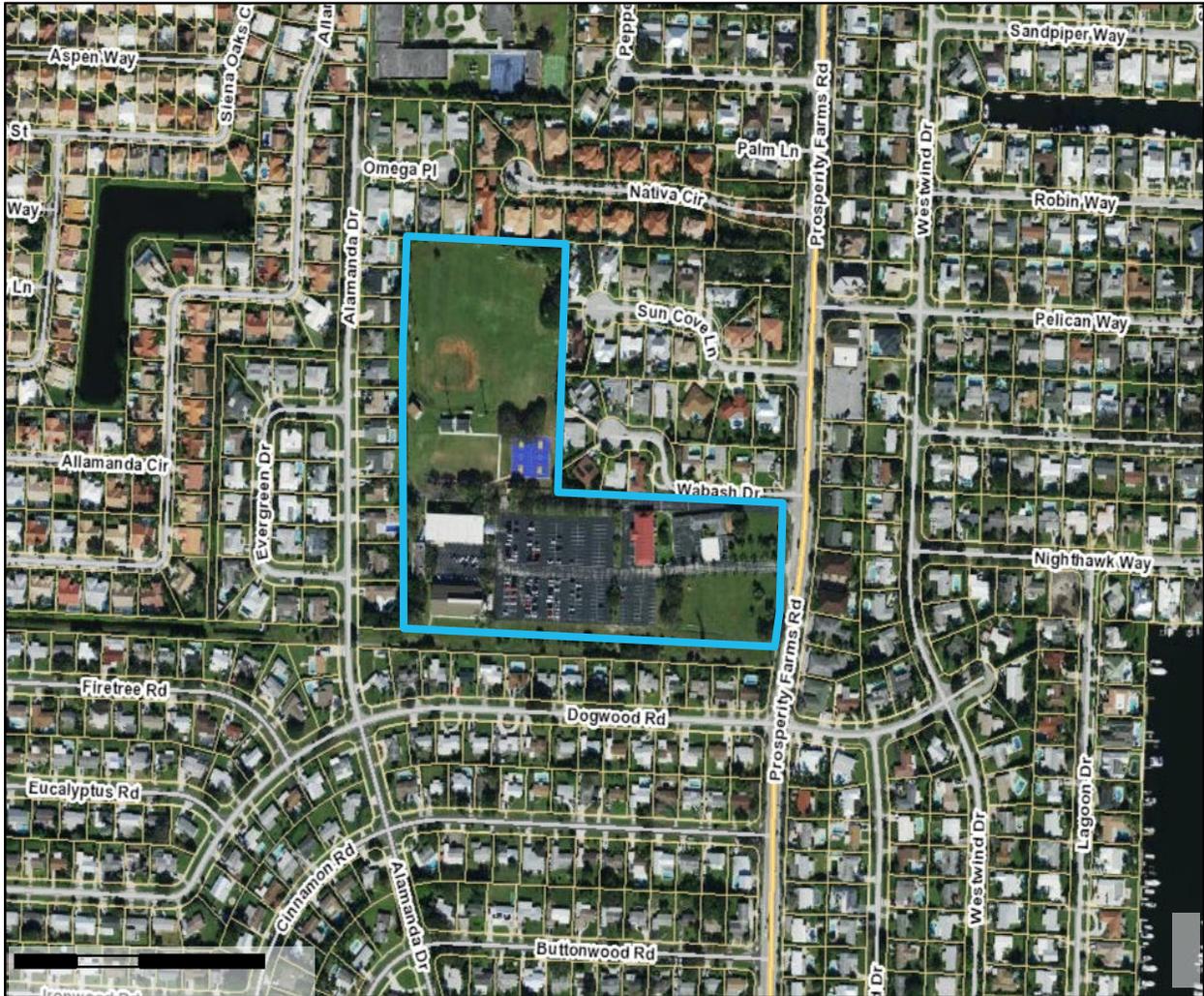
- A. The most stringent requirements of Exhibit “A” Development Review Committee Report and Recommendation dated February 3, 2025 and strict compliance with the Exhibits listed below, which are attached hereto and made part hereof as Exhibit “B”:
  - 1. SPAR Application stamp-dated December 19, 2024
  - 2. Justification Statement stamp-dated February 5, 2025
  - 3. Warranty Deed stamp-dated February 3, 2025
  - 4. Site Map stamp-dated February 3, 2025
  - 5. Sign Engineering Drawing with landscaping stamp-dated February 5, 2025  
(2pages)
  - 6. Photographs of the existing sign stamp-dated February 3, 2025
- B. Non-compliance with any of the conditions of approval will result in the Village withholding the issuance of any building permits or Certificates of Occupancy. (Planning and Building)
- C. The conditions of approval shall be binding on the Applicant and its successors in interest and assigns, and a violation of such conditions shall constitute a violation of the Village Code of Ordinances. They may be enforced by the Village as outlined in Article VI, Chapter 2 of the Village Code or as otherwise authorized by law. (Planning and Zoning)
- D. The Applicant shall be bound by all oral and written representations made on the record and as part of the application process, irrespective of whether such representations are included as formal conditions.

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**PLANNING, ZONING AND ADJUSTMENT BOARD ACTION – March 4, 2025**

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Exhibit B  
Location Map





**Subject:** Justification Statement for Proposed Sign Installation at St. Clare Catholic School

To whom it may concern,

I am submitting this justification statement in support of my application for the installation of a proposed sign at St. Clare Catholic School. Our school is a cornerstone of the community, dedicated to providing a safe, welcoming, and organized environment for students, families, and visitors. The addition of this sign is essential for the following reasons:

1. **Enhancing Traffic Flow & Safety** – The sign will provide clear wayfinding for vehicle traffic, particularly during student drop-off and pick-up times, ensuring a smooth and safe flow for families, staff, and visitors.
2. **Compliance with Code Requirements** – The proposed sign has been carefully designed to fully adhere to all zoning and signage regulations set forth by the Village of North Palm Beach, including size, height, illumination, and placement specifications.
3. **Preserving Community Aesthetics & Safety** – Thoughtfully designed to complement the surrounding environment, the sign will maintain the visual integrity of our neighborhood. It will not obstruct pedestrian pathways, interfere with visibility, or create any public safety concerns. If illuminated, the lighting will be carefully directed to minimize light pollution and avoid disruption to nearby residences or businesses.
4. **Serving the School & Community** – In addition to improving safety and navigation within the parking lot, the sign will also serve as an essential tool for sharing information about school and church events, fostering greater community engagement.

For these reasons, I respectfully request approval of this proposed sign, which will significantly enhance both safety and communication while adhering to all necessary requirements. I appreciate your time and consideration and am happy to provide any additional information or modifications as needed.

Sincerely,

A handwritten signature in blue ink that reads "Rachel Polak".

Rachel Polak  
Principal  
St. Clare Catholic School

# This Indenture,

Made this 19<sup>th</sup> day of December, A. D. 1984, Between EDWARD A. MCCARTHY, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole.

of the County of Dade in the State of Florida, party of the first part, and THOMAS V. DAILY, Bishop of the Diocese of Palm Beach, his successors in office, a corporation sole.

of the County of Palm Beach in the State of Florida, whose post office address is P.O. Box 87, Palm Beach Gardens, Florida 33410

party of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of Ten and 00/100 Dollars, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate, and being in the County of Palm Beach, State of Florida, to wit:

The South 983.69 feet of the West 1/2 of the Southeast 1/4 of the Southwest 1/4, less PL of CROMWELL ESTATES 11, and the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 8, Township 42 South, Range 43 East.

NO TAXABLE CONSIDERATION

Documentary Tax Pd \$ .45  
Intangible Tax Pd.  
Clerk, Palm Beach County, Florida  
*J. B. Dunkle*

5.60  
-45

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

*Ethel Marinelli*  
*Russell Lopez*

*Edward A. McCarthy* ES  
EDWARD A. MCCARTHY, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole ES

STATE OF FLORIDA,  
COUNTY OF Dade

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared EDWARD A. MCCARTHY, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole.

to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 19<sup>th</sup> day of

December, A. D. 1984

*Ethel Marinelli*



NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES JUNE 5 1985  
BONDED THRU GENERAL INS. UNDERWRITERS

This instrument prepared by:  
Address

J. Patrick Fitzgerald  
Wood, Lucksinger & Epstein  
1501 Venera Avenue  
Coral Gables, Florida 33146

RECORD VERIFIED  
PALM BEACH COUNTY FLA  
JOHN B. DUNKLE  
CLERK CIRCUIT COURT

VILLAGE OF  
NORTH PALM BEACH  
FEB 3 2025  
COMMUNITY DEVELOPMENT  
RECEIVED

84 278134

84 DEC 20 PM 3 20

84424 P0343

VILLAGE OF  
NORTH PALM BEACH

FEB 3 2025

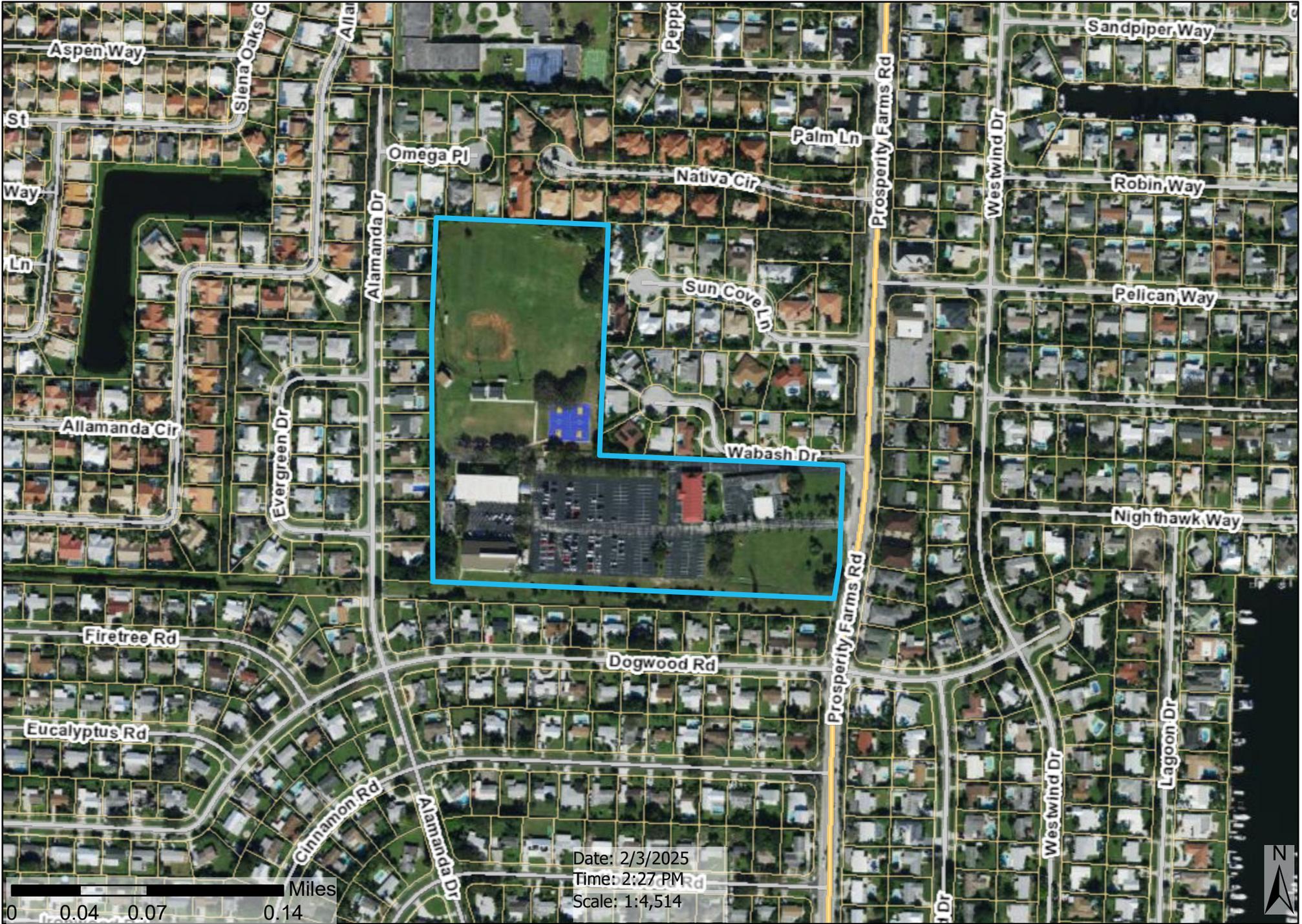
COMMUNITY DEVELOPMENT  
RECEIVED

VILLAGE OF  
NORTH PALM BEACH  
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Page 1 of 1

1 of 1

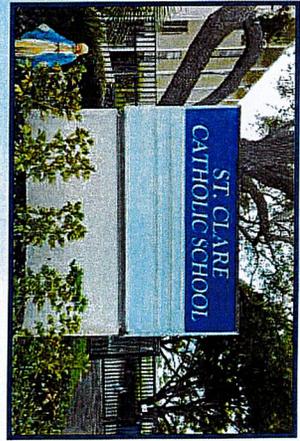


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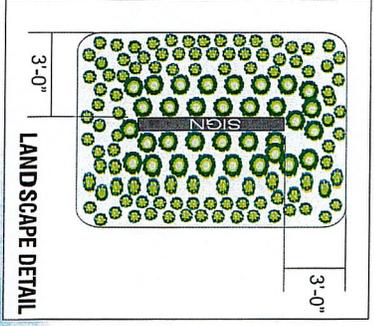


FEB 5 2025

COMMUNITY DEVELOPMENT  
REMOVE EXISTING S/F CABINET  
UTILIZE EXISTING BASE, FOOTER &  
SUPPORT.

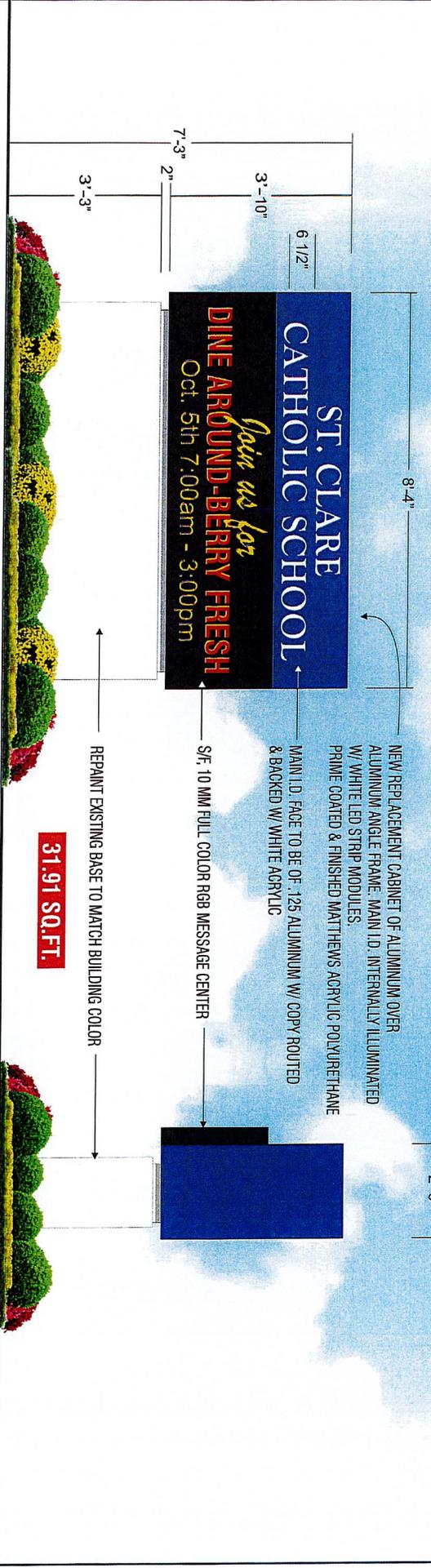


EXISTING CONDITION



Landscaping: The applicant provides a landscape plan or diagram to show that the existing landscaping meets the code requirements of Landscape area around signs.

- A three (3) foot wide planting area shall be required around the base of all sign
- One (1) shrub for each ten (10) square feet of sign surface area shall be installed within the three (3) foot planting area at the base of the sign.
- Ground/monument signs may be surrounded by ground cover instead of shrubs.



NEW REPLACEMENT CABINET OF ALUMINUM OVER ALUMINUM ANGLE FRAME. MAIN I.D. INTERNALLY ILLUMINATED W/ WHITE LED STRIP MODULES. PRIME COATED & FINISHED MATTHEWS ACRYLIC POLYURETHANE MAIN I.D. FACE TO BE OF .125 ALUMINUM W/ COPY ROUTED & BACKED W/ WHITE ACRYLIC

S/F 10 MM FULL COLOR RGB MESSAGE CENTER

REPAINT EXISTING BASE TO MATCH BUILDING COLOR

31.91 SQ.FT.

S/F MONUMENT SIGN LAYOUT SCALE: 1/2" = 1'-0"

JOB INFORMATION	DESIGN INFORMATION	COLOR SPECIFICATIONS	NOTES	DESIGN AND COLOR REVISIONS
CLIENT: ST. CLARE CATHOLIC SCHOOL	SCALE: AS NOTED		ALL technical components are UL Listed, Sign grounding & bonding as per NEC 2020 - 600.7 Min. 20' Long disconnect switch per NEC 600.7 Min. 1/2" conduit, Antenna/omni Time Clock per NEC 405.2.2.1 & Conforms to the requirements of the 9th Edition of NEC 2023 Section 1629 HVHZ & 3107 Ultimate Design Wind = 180 MPH Risk Category = III Exposure	DESIGN AND COLOR REVISIONS CORRECTED BY CHANGES SHEET, INC. SUBMITTED FOR YOUR USE WITH THIS SUBMITTAL PROJECT. IT IS NOT TO BE TRANSMITTED TO ANY OTHER AGENCY OR ORGANIZATION. DESIGN REVISIONS SHOULD TRANSMITTED TO CHANGES SHEET, INC. THE COLOR REVISIONS BY CHANGES SHEET, INC.
PROJECT: MONUMENT SIGN	DESIGNER: C. COOPER			
LOCATION: 821 PROSPERITY FARMS RD, NORTH PALM BEACH, FL 34408	DATE: 10/2/24			
COUNTRY:	REVISIONS:			
SALESPERSON: R. SIMS	FILE: #1024004 ST. CLARE CATHOLIC SCHOOL			
CLIENT AUTHORIZATION		DATE:		

**FERRIN SIGNS**

FLORIDA  
945 26th St.  
West Palm Beach, FL 33407  
561.802.4242  
www.ferrinsigns.com

MICHIGAN  
1000 E. Lake Park Dr.  
Farmington Hills, MI 48334  
248.851.1111

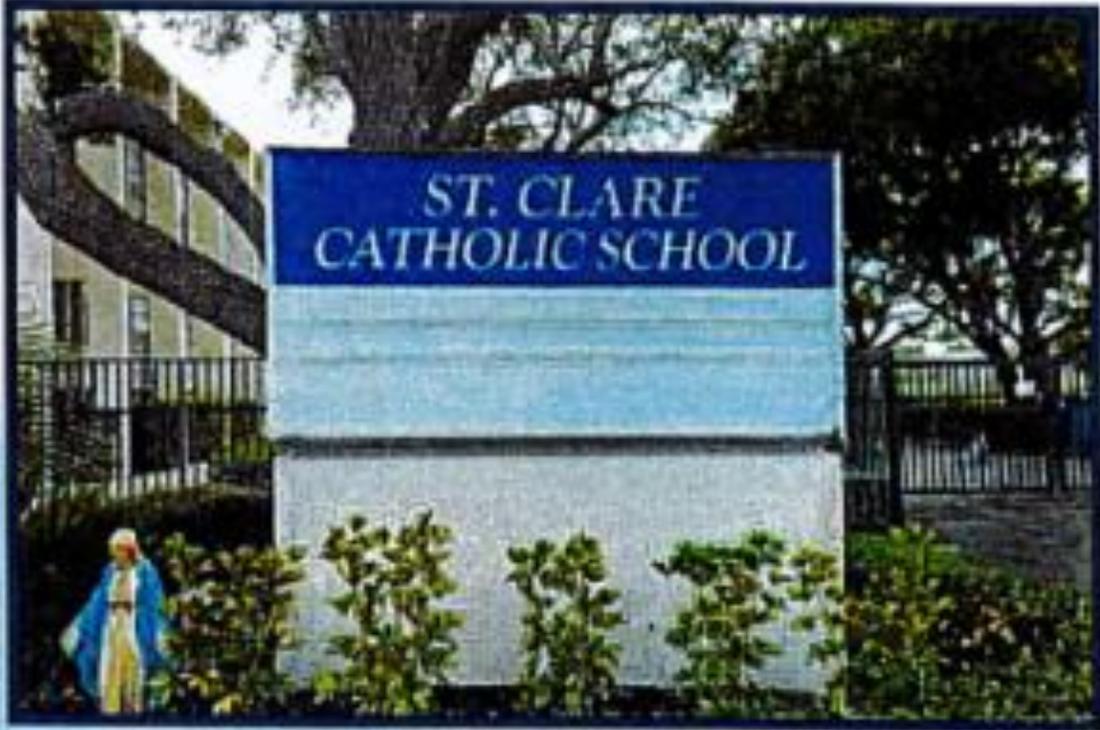
OHIO  
1000 E. Lake Park Dr.  
Farmington Hills, MI 48334  
248.851.1111

SALES PERSON: R. SIMS

CLIENT AUTHORIZATION

DATE:





**EXISTING CONDITION**

SP-2025-02

Date: February 21, 2025



**Subject/Agenda Item:**

**SP-2025-02 120 US Highway 1 (Pure Project Home)**

**Consideration of Approval:** A request from Veridiana Lucchesi of Pure Project Home, lessee of the property, on behalf of the property owner, Pure Nene LLC, for Site Plan and Appearance Review approval for a façade change of the existing building located at 120 US Highway 1.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

<b>Originating Department:</b>  <b>Planning &amp; Zoning</b>  Project Manager  _____ Mariah Hampton	<b>Reviewed By:</b>  Community Development Planner:  _____ Mariah Hampton
<b>Attachments:</b>  1. SPAR Application stamp-dated January 22, 2025 2. Narrative stamp-dated January 22, 2025 3. Warranty Deed stamp-dated January 22, 2025 4. Survey stamp-dated January 22, 2025 5. Site Plan stamp-dated January 22, 2025 6. Building elevations stamp-dated January 22, 2025 7. New façade proposal stamp-dated January 22, 2025	<b>Public Notice:</b> <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Dates: Paper: Mailing <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance:

**I. Executive Summary**

The applicant is proposing to renovate the façade of an existing building located at 120 US Highway 1. The applicant was previously granted project approval by the Planning, Zoning and Adjustment Board in 2022, and is returning to revise the façade design that was included within the previous approval. The project proposes to maintain existing window dimensions in lieu of installing floor to ceiling storefront style windows. The building façade is the sole feature within this request to be revised from the previous approval.

**II. Site Data**

**Existing Use:** Vacant  
**Parcel Control Numbers:** 68-43-42-16-01-000-2181  
**Parcel Size:** .47 acres  
**Existing Future Land Use Designation:** Commercial  
**Existing Zoning District:** Shopping Commercial (C-S)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Restaurant	Commercial	C-S Shopping Commercial
<i>South</i>	Retail Stores	Commercial	C-S Shopping Commercial
<i>East</i>	Residential	High Density Residential	R-3 – Apartment Dwelling District
<i>West</i>	Retail Building	Commercial	C-3 – Community Commercial

**III. Annexation/Zoning History**

The subject parcel site is on the east side of US Highway 1 approximately 942 feet south of Northlake Blvd. The subject site has a future land use designation of Commercial and a zoning designation of C-S (Shopping Commercial District), with a 4,950 square feet principal structure, constructed in 1966.

**IV. Applicable Code Provisions:**

The façade of the building structure is the sole feature affected by this proposal, and the applicable sections from the Village’s Code of Ordinances are listed in the table below.

**SECTION IV CRITERIA FOR APPEARANCE**

B. RELATIONSHIP OF BUILDING AND SITE TO ADJOINING AREA

1. Adjacent buildings of different architectural styles or characteristics may be made more compatible by such means as screens, site breaks, and materials.

**V. Summary of Proposed Site Plan and Appearance Details:**

The petitioner's site plan and appearance documents consist of the following:

1. SPAR Application stamp-dated January 22, 2025
2. Narrative stamp-dated January 22, 2025
3. Warranty Deed stamp-dated January 22, 2025
4. Survey stamp-dated January 22, 2025
5. Site Plan stamp-dated January 22, 2025
6. Building elevations stamp-dated January 22, 2025
7. New façade proposal stamp-dated January 22, 2025

## **VI. Staff Analysis:**

### Background:

This application was presented at the July 5, 2022 Planning Commission meeting for approval of the site and facade changes to the existing facility. The commission granted project approval with the following conditions:

1. The handicapped spaces need to be amended to allow for proper access to the front door;
2. Parking in the rear is too close to the ramp;
3. Drive aisles are not meeting code minimum widths;
4. Parking lot landscape islands are not provided at the western end of the parking spaces;  
and
5. Parking lot lighting not provided.

The applicant has updated the foundation planting area, reduced the parking spaces while included ADA parking, and provided a five (5) foot walkway to the front door. The landscape islands have been provided at the western end of the parking spaces, adjacent to the right-of-way. The islands are the minimum length of fifteen (15) feet, with a width of eight (8) feet. A ground cover or shrubs are required within those islands, so this has been included as a condition of approval.

### Specific site changes made by the applicant include:

1. A reduction in parking spaces from 27 to 20 to increase on site vegetation;
2. An increase in ADA parking (2 spaces provided);
3. An increase in the height of the parapet on the sides and rear of the building to screen rooftop mechanical equipment;
4. An added 5' wide walkway near the building entrance for ADA access;
5. Relocated the ramp in the rear of the building to avoid blocking parking spaces;
6. Added six (6) Natchez Crape Myrtle trees; and
7. Added 30" hedges of Green Island Ficus and Clusia Rosea in various locations on site.

The dumpster enclosure was requested to remain in its current location by the Public Works Department because it is the same configuration as other businesses along the alley. The ramp to the rear door is needed for furniture deliveries. The building is only 6 inches higher than the parking lot, so the sides of the ramp can be sloped as well for a car to mount if necessary. This has been included as a condition of approval.

After incorporating all Board required modifications to the project site, the applicant decided to pursue an alternate building façade in effort of pursuing sustainable development practices.

Altering the façade design would allow the applicant to renovate the structure without removing the knee wall of the front face of the building. The applicant proposes to maintain existing window dimensions in lieu of installing floor to ceiling storefront style windows. The Planning, Zoning and Adjustment Board has the discretion to determine whether the façade change meets the Code's Appearance Plan requirements.

### **Code Requirements**

## **VII. Appearance Code – Planning Commission Role & Responsibilities**

### **Sec. 6-36. - Powers and duties of planning commission concerning the appearance code.**

The planning commission shall have the following powers and duties:

- (1) To hold public hearings on and make recommendations for amendments to the appearance plan.
- (2) To consult with and cooperate with other committees and village departments, and any other municipal or governmental bodies on matters affecting the appearance of the village.
- (3) To study exterior design drawings, landscape and site plans, and materials for any proposed public buildings, public works, or other public improvements and to make recommendations to the council or village manager regarding the architectural or aesthetic aspects thereof.
- (4) To study and review preliminary and final plans and make recommendations to the village council.
- (5) To hold site plan and appearance review hearings, when required, and to issue or deny site plan and appearance approval for multiple-dwelling, commercial, mixed-use, and industrial buildings under the provisions of this division and the appearance plan in Appendix A of this code.

### **Sec. 6-58. - Action of planning commission.**

Upon consideration of an application, the planning commission shall issue a site plan and appearance approval upon a finding that the plan conforms to the village appearance plan and other applicable land development regulations. This approval may contain special conditions in response to unusual aspects of the application or to ensure that the approval carries out Village policies and code without undue permitting delays. If the planning commission determines that these criteria are not met, the planning commission may provide such advice, counsel, suggestions, and recommendations as it may deem necessary to guide the prospective applicant in the development of a plan which would comply with the requirements and purposes of the appearance plan and other village land development regulations.

### **Sec. 6-59. - Approval by planning commission.**

No building or other permit, otherwise required under the village's ordinances, shall be approved by the community development director except upon the granting of the site plan and appearance approval by the planning commission, or on appeal, approval by the Village Council (see section

6-35). The foregoing requirements shall not preclude the issuance of permits without such approval if the community development director determines that any of the following apply: Permits for single-family dwellings, permits for a village-owned facility, no external architectural features as defined in section 6-31, and any deviation from valid site plan and appearance approval are minor and not substantial.

#### CODE OF ORDINANCES APPENDIX A, SECTION IV CRITERIA FOR APPEARANCE

These criteria are intended to establish a checklist of items that affect the physical aspect of the Village environment. Pertinent to appearance are the design of the site, buildings and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

These criteria are not intended to restrict imagination, innovation, or variety but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the Village.

#### **D BUILDING DESIGN**

1. Specific architectural styles are not mandated or banned, but the village encourages new buildings to reflect or evolve the distinct local character exemplified by the North Palm Beach Country Club Clubhouse, Village Hall and the Public Safety Building. This character is derived from local and regional examples including Anglo-Caribbean architecture, Florida vernacular, and masonry modern.
2. Evaluation of appearance of a project shall be based on quality of its design and relationship to surroundings.
3. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
4. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.
  - a. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those which are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways and adjoining properties.
  - b. Inappropriate materials and methods, and those which will produce inconsistency with the structure of the building, shall be avoided.
  - c. Materials shall be of durable quality.
  - d. In any design in which the structural frame is exposed to view, the structural materials shall meet the other criteria for materials.
5. Building components—such as windows, doors, eaves, and parapets—shall have good proportions and relationship to one another.
6. The village discourages walls without windows or with too few windows; all-glass walls; and facades without visual interest or with entrances that are concealed or absent.

7. Colors shall be harmonious, with bright or brilliant colors used only for accent.
8. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located so as not to be visible from any public ways, including waterways, service alleys, and adjoining properties.
9. Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.
10. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from public ways, including waterways, service alleys, and adjoining properties, using materials as stated in criteria for equipment screening.
11. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
12. Inappropriate, incompatible, bizarre, and exotic designs shall be avoided.
13. The provisions of the North Palm Beach Village Code in regard to bulk regulations and standards, and those portions of the Village Code which directly affect appearance, shall be part of the criteria of this subsection.

## **G MAINTENANCE—PLANNING AND DESIGN FACTORS**

1. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
2. Materials and finishes shall be selected for their durability and wear as well as for their beauty.

Proper measures and devices shall be incorporated for protection against the elements, neglect, damage and abuse.

3. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Such configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

## **H FACTORS FOR EVALUATION**

The following factors and characteristics relating to a development, and which affect appearance, will govern the Appearance Board's evaluation of a design submission after the Board has been advised by the Office of the Building Official that the plan conforms to Village ordinances:

LOGIC OF DESIGN

EXTERIOR SPACE UTILIZATION

ARCHITECTURAL CHARACTER

ATTRACTIVENESS

MATERIAL SELECTION

HARMONY AND COMPATIBILITY

CIRCULATION—VEHICULAR AND PEDESTRIAN

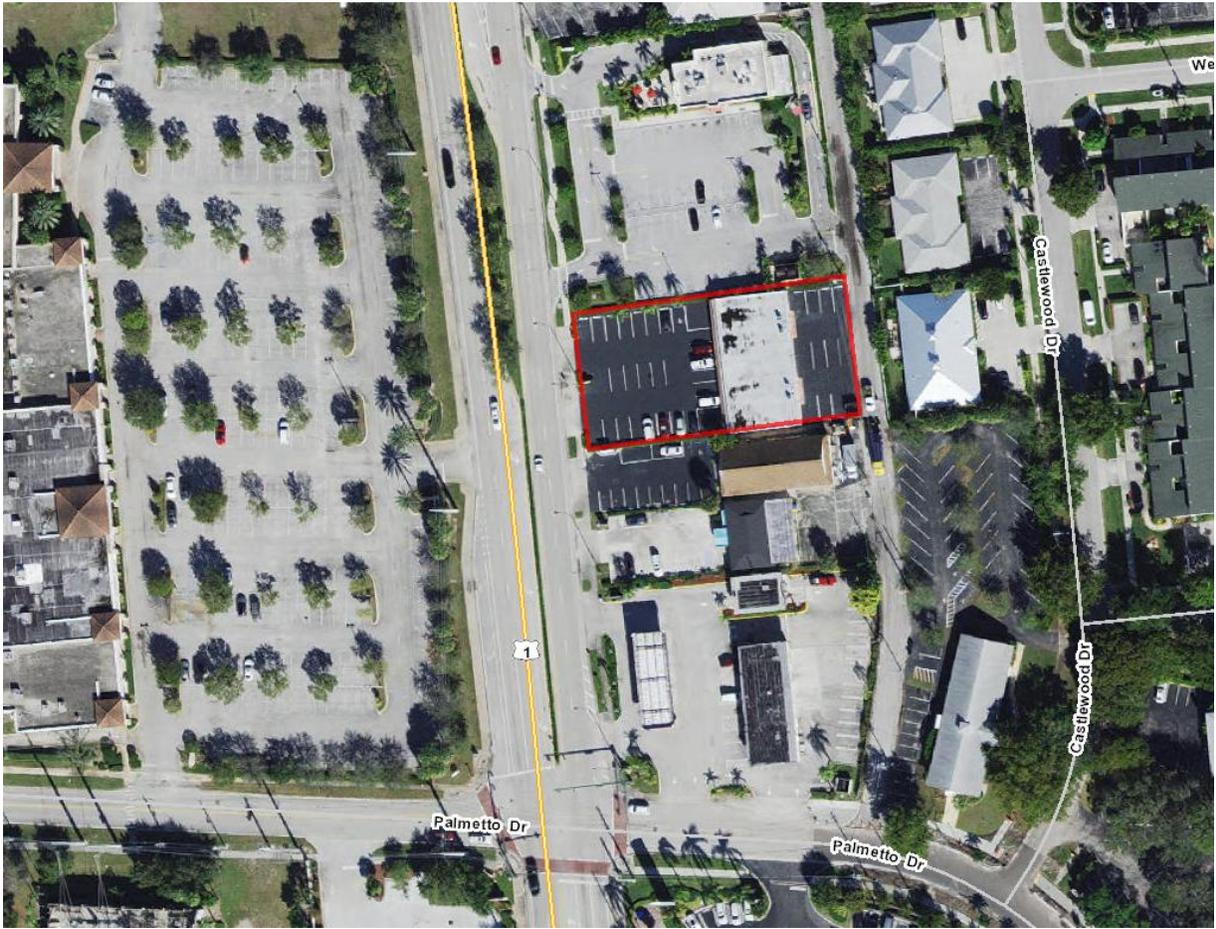
MAINTENANCE ASPECTS

**VIII. Conclusion & Finding of Fact**

The Planning, Zoning and Adjustment Board must determine if the Applicant has met the prerequisites for granting Site Plan and Appearance Review approval as outlined in the staff report. If the Planning, Zoning and Adjustment Board approves the Site Plan and Appearance Review petition, staff suggests the following conditions:

- A. The most stringent requirements of Exhibit “A” Development Review Committee Report and Recommendation dated January 22, 2025 and strict compliance with the Exhibits listed below, which are attached hereto and made part hereof as Exhibit “B”:
  - 1. SPAR Application stamp-dated January 22, 2025
  - 2. Narrative stamp-dated January 22, 2025
  - 3. Warranty Deed stamp-dated January 22, 2025
  - 4. Survey stamp-dated January 22, 2025
  - 5. Site Plan stamp-dated January 22, 2025
  - 6. Building elevations stamp-dated January 22, 2025
  - 7. New façade proposal stamp-dated January 22, 2025
- B. Non-compliance with any of the conditions of approval will result in the Village withholding the issuance of any building permits or Certificates of Occupancy. (Planning and Building)
- C. The conditions of approval shall be binding on the Applicant and its successors in interest and assigns, and a violation of such conditions shall constitute a violation of the Village Code of Ordinances. They may be enforced by the Village as outlined in Article VI, Chapter 2 of the Village Code or as otherwise authorized by law. (Planning and Zoning)
- D. The Applicant shall be bound by all oral and written representations made on the record and as part of the application process, irrespective of whether such representations are included as formal conditions.

Exhibit B  
Location Map



## **Proposed Facade Transformation: A Sustainable and Aesthetic Approach**

Our proposed changes to the facade aim to blend beauty, functionality, and sustainability, creating a more harmonious and environmentally friendly space.

### **1. Modernizing the Facade**

We are transitioning the current facade to a clean, contemporary design featuring a crisp white exterior paired with sleek black window frames. This timeless aesthetic enhances the building's overall appearance while maintaining a minimalist elegance that integrates seamlessly with the surroundings.

### **2. Greening the Landscape**

To further beautify the facade, we are introducing a carefully curated selection of vegetation, including trees, bushes, and groundcover plants. These additions not only enhance the visual appeal but also contribute to the local ecosystem.

### **3. Sustainability through Improved Water Management**

Gravel is being incorporated into the landscape to improve water permeation, reducing runoff and promoting a healthier soil environment. By prioritizing permeable surfaces, we are actively addressing urban water management challenges.

### **4. Reducing the Environmental Footprint**

The inclusion of vegetation helps mitigate the building's carbon footprint by contributing to cleaner air and providing a natural cooling effect, thereby reducing reliance on artificial climate control systems.

### **5. Thoughtful Integration of Utilities**

New AC machines have been discreetly hidden from view by strategically elevating the facade, ensuring that the overall aesthetic remains unspoiled and uncluttered from street-level perspectives.

### **6. Subtle Lighting Design**

To enhance both safety and beauty, we are employing direct but subtle lighting on the plants. This approach highlights the natural elements of the landscape while minimizing the need for excessive artificial lighting, creating a warm and inviting atmosphere during evening hours.

Through these thoughtful updates, we are not only improving the appearance of the facade but also demonstrating our commitment to sustainable practices and community enrichment. We believe this proposal aligns with the values of our council and enhances the shared environment for all.

Prepared by:  
Timothy K. Anderson  
Attorney at Law  
Law Offices of Timothy K. Anderson  
480 Maplewood Drive Suite 5  
Jupiter, FL 33458  
561-744-8255  
File Number: 21-2902.05

Return to:  
Gonzalez & Rodriguez, P.L.  
1550 Madruga Avenue, Suite 110  
Coral Gables, FL 33146

Parcel Identification No. 68-43-42-16-01-000-2181

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

**This Indenture** made this 19th day of November, 2021 between **Shaw Properties, Inc.**, a Florida corporation whose post office address is **222 US Highway One, Suite 208H, Tequesta, FL 33469** of the County of **Palm Beach**, State of **Florida**, grantor\*, and **Pure Nene LLC**, a Florida limited liability company whose post office address is **480 Biltmore Way, Coral Gables, FL 33134** of the County of **Miami-Dade**, State of **Florida**, grantee\*,

**Witnesseth** that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Palm Beach County, Florida**, to-wit:

The South One-Half (1/2) of Lot 218 and the North One-Half (1/2) of Lot 219, Palm Beach Lake Worth Estates, according to the Plat thereof as recorded in Plat Book 25, Page 167, Public Records of Palm Beach County, Florida.

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]  
Witness Name: James K. Anderson  
[Signature]  
Witness Name: BRENT E. CARRINGTON

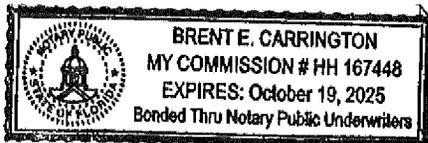
Shaw Properties, Inc., a corporation  
By: [Signature]  
Asta I. Shaw, President and Director

(Corporate Seal)

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 18 day of November, 2021 by Asta I. Shaw, President and Director of Shaw Properties, Inc., a corporation, on behalf of the corporation. She  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



[Signature]  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

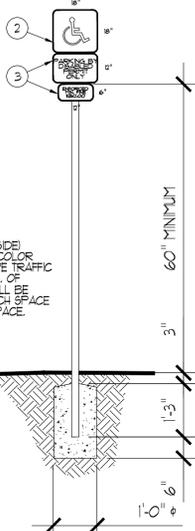
CONSULTANT

NOTES

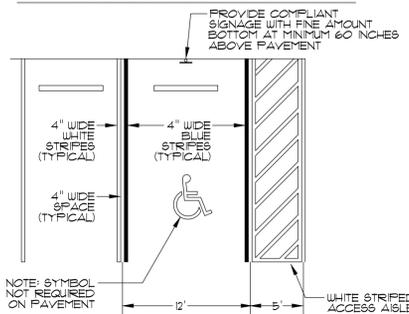
NOTE: SITE PLAN WAS PREPARED BY OTHERS AND IS INCLUDED FOR REFERENCE INTO THIS SET OF DRAWINGS. MODIFICATIONS HAVE BEEN MADE TO COMPLY WITH CODES AND STANDARDS.

**PARKING SPACES SIGNAGE**

- ALL LETTERS IN MIDDLE PORTION OF SIGN ARE 1 1/2" SERIES AT 1 1/2" SPACING. ALL LETTERS IN BOTTOM PORTION OF SIGN ARE 1" SERIES AT 1" SPACING.
- TOP PORTION OF SIGN SHALL HAVE A REFLECTIVE BLUE FOOT BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
- BOTTOM PORTION SHALL HAVE REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
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- PARKING SIGNS ARE TO BE MOUNTED AT STANDARD HEIGHT 60" MINIMUM FROM PAVEMENT TO BOTTOM OF SIGN.
- MINIMUM FINE SHALL BE 1/320.00.
- PAVEMENT BORDER LINES (ONE ON EACH SIDE) OF THE DISABLED SPACE WILL BE A BLUE COLOR OF A QUALITY EQUIVALENT TO SUPER STRIPE TRAFFIC PAINT SOLD BY FOX VALLEY SYSTEMS, INC. OF CARY, ILLINOIS. PHONE 1800-323-4710. SHALL BE STRIPED ON THE WEARING SURFACE OF EACH SPACE DESIGNED FOR THE DISABLED PARKING SPACE.
- VERIFY WITH LOCAL CODES.



**PARKING SPACES**



**TYPICAL ACCESSIBLE PARKING SPACE**

502.3 Access Aisle. Access aisles serving parking spaces shall comply with 502.3. Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle.

502.3.1 Width. Access aisles serving car and van parking spaces shall be 60 inches wide minimum.

502.3.2 Length. Access aisles shall extend the full length of the parking spaces they serve.

502.3.3 Marking. Access aisles shall be marked so as to discourage parking in them.

502.3.4 Location. Access aisles shall not overlap the vehicular way. Access aisles shall be permitted to be placed on either side of the parking space except for angled parking spaces which shall have access aisles located on the passenger side of the parking spaces.

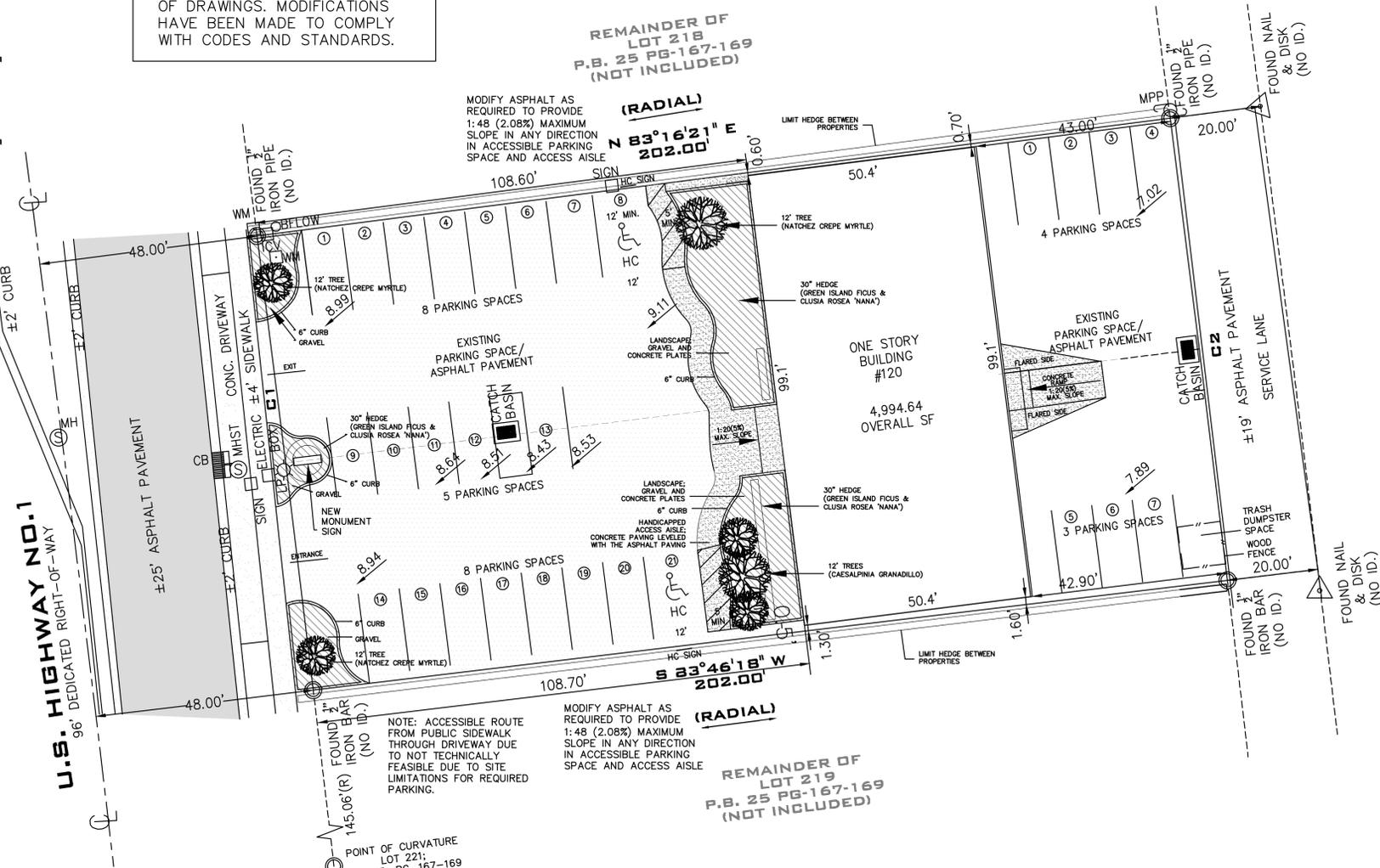
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502.6 Identification. Parking spaces identification signs shall include the International Symbol of Accessibility complying with 703.1.2.1. Signs shall be 60 inches minimum above the finish floor or ground surface measured to the bottom of the sign.

502.7 Relationship to Accessible Routes. Parking spaces and access aisles shall be designed so that cars and vans, when parked, cannot obstruct the required clear width of adjacent accessible routes.

**C1:**  
 $\Delta = 00^{\circ}29'54''$   
 $L = 100.00'$   
 $R = 11497.22'$

**C2:**  
 $\Delta = 00^{\circ}29'54''$   
 $L = 101.76'$   
 $R = 11699.22'$



**U.S. HIGHWAY NO. 1**  
 96' DEDICATED RIGHT-OF-WAY

ABBREVIATIONS AND LEGEND		LOCATION MAP	LEGAL DESCRIPTION	PARKING	PROPERTY ADDRESS
A/C	=DENOTES AIR CONDITIONING UNIT	P.C.P.	=DENOTES PERMANENT CONTROL POINT	NUMBER OF PARKING SPACES REQUIRED: 1 EACH 400 SF (BASE AREA)	120 US HIGHWAY NO. 1, NORTH PALM BEACH, FL 33408
B.S.	=DENOTES BASIS OF BEARINGS	P.O.B.	=DENOTES POINT OF BEGINNING	NUMBER OF PARKING SPACES NEEDED: FOR 450 SF - 1 SPACES MINIMUM	
ASPH.	=DENOTES ASPHALT	TYP.	=DENOTES TYPICAL	NUMBER OF PARKING SPACES PROVIDED: FRONT PARKING LOT (4,911) - 21 SPACES (2 ACCESSIBLE SPACES) REAR PARKING LOT (SERVICES) - 7 SPACES	
P	=DENOTES PROPERTY LINE	M.H.W.	=DENOTES MEAN HIGH WATER LINE		
B.M.	=DENOTES BENCH MARK	---	=DENOTES WOOD FENCE		
C.B.S.	=DENOTES CONCRETE BLOCK STUCCO	-x-	=DENOTES CHAIN LINK FENCE		
CONC.	=DENOTES CONCRETE	○	=DENOTES IRON PIPE (NO ID.)		
L.P.	=DENOTES LIGHT POLE	△	=DENOTES FOUND IRON PIPE (NO ID.)		
CB	=DENOTES CATCH BASIN	○	=DENOTES FOUND NAIL AND DISC		
Q	=DENOTES QUANTITY	■	=DENOTES ASPHALT PAVEMENT		
M.	=DENOTES MONUMENT LINE	■	=DENOTES DRAINAGE EASEMENT		
L.M.E.	=DENOTES LAKE & MAINTENANCE EASEMENT	X.XX	=DENOTES DRILL HOLE		
D.E.	=DENOTES DRAINAGE EASEMENT	---	=DENOTES MEASURE		
D.H.	=DENOTES DRILL HOLE	---	=DENOTES RECORD		
(M)	=DENOTES MEASURE	---	=DENOTES UTILITY EASEMENT		
WPP	=DENOTES WOOD POWER POLE	---	=DENOTES PLAT BOOK		
U.E.	=DENOTES UTILITY EASEMENT	---	=DENOTES PAGE		
P.B.	=DENOTES PLAT BOOK	---			
PG.	=DENOTES PAGE	---			



**1 SITE PLAN**  
 SCALE: ONE INCH EQUALS 1/8 FEET

3	OWNER REQUESTED REVISIONS	10.26.24
2	OWNER REQUESTED REVISIONS	10.6.23
1	PLAN REVIEW COMMENTS	1.3.23
	NO DESCRIPTION REVISIONS	DATE

**PURE PROJECT HOME**  
 120 US HIGHWAY 1  
 NORTH PALM BEACH, FLORIDA

SHEET TITLE: **SITE PLAN**

CONSTRUCTION DOCUMENTS

CHECKED BY: **RANDOLPH C HANSEN**

DATE: **30 SEPTEMBER 2022**

PROJECT NO: **2510**

DRAWING NO: **SP1**

REGISTERED ARCHITECT

AR 6984

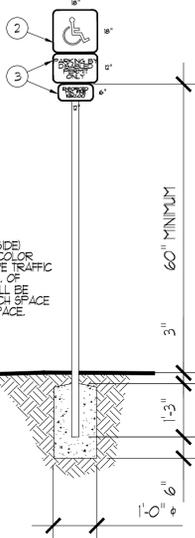
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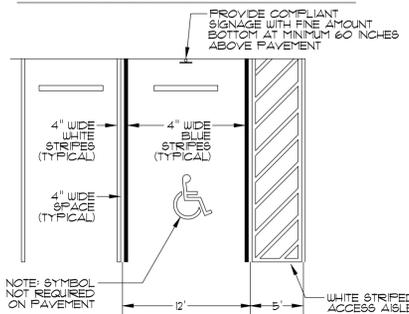
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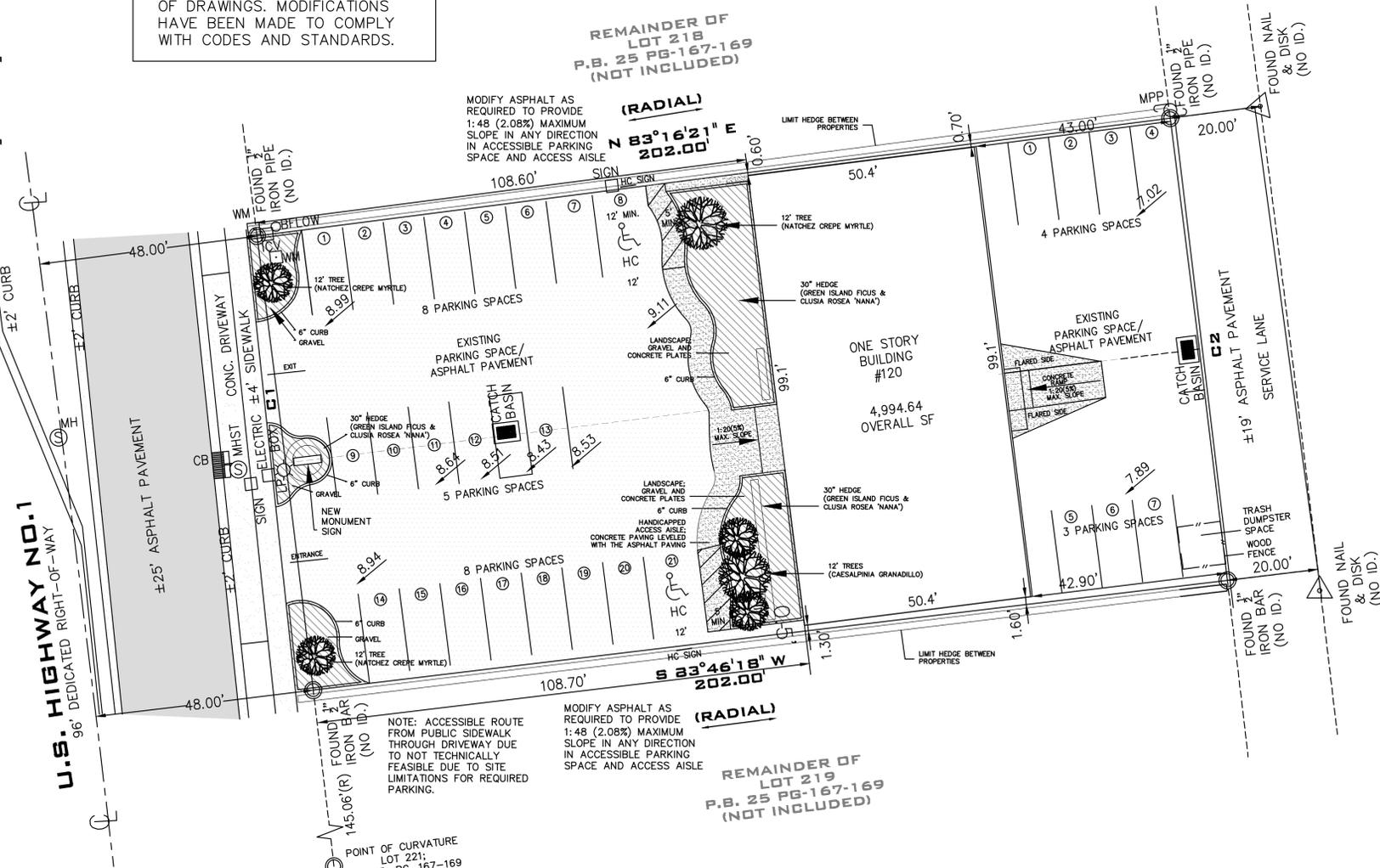
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TYP.	=DENOTES TYPICAL
M.H.W.	=DENOTES MEAN HIGH WATER LINE
—	=DENOTES WOOD FENCE
—	=DENOTES CHAIN LINK FENCE
—	=DENOTES IRON FENCE
—	=DENOTES FOUND IRON PIPE (NO ID.)
—	=DENOTES FOUND NAIL AND DISK
—	=DENOTES ASPHALT PAVEMENT
X.XX	=DENOTES ELEVATIONS
—	=DENOTES BRICK
—	=DENOTES RECORD
—	=DENOTES CONCRETE PAD



**LEGAL DESCRIPTION**

THE SOUTH 1/2 OF LOT 218 AND THE NORTH 1/2 OF LOT 219, BLOCK X, OF "PALM BEACH LAKE NORTH ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, AT PAGE 167-169, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AREA OF PROPERTY: 20,378 SQUARE FEET AND/OR 0.467 ACRES MORE OR LESS.

**PARKING**

NUMBER OF PARKING SPACES REQUIRED: 1 EACH 400 SF (BASE AREA)

NUMBER OF PARKING SPACES PROVIDED: 17 SPACES (11 SPACES MINIMUM)

NUMBER OF PARKING SPACES PROVIDED: FRONT PARKING LOT (16) - 2 SPACES (2 ACCESSIBLE SPACES) REAR PARKING LOT (SERVICES) - 1 SPACES

**PROPERTY ADDRESS**

FOLO NO. 68-43-42-16-01-000-2181

120 US HIGHWAY NO. 1, NORTH PALM BEACH, FL 33408

**1 SITE PLAN**  
 SCALE: ONE INCH EQUALS 1/8 FEET

3 OWNER REQUESTED REVISIONS 10.26.24  
 2 OWNER REQUESTED REVISIONS 10.6.23  
 1 PLAN REVIEW COMMENTS 1.3.23  
 NO DESCRIPTION DATE

**PURE PROJECT HOME**  
 120 US HIGHWAY 1  
 NORTH PALM BEACH, FLORIDA

SHEET TITLE  
 SITE PLAN

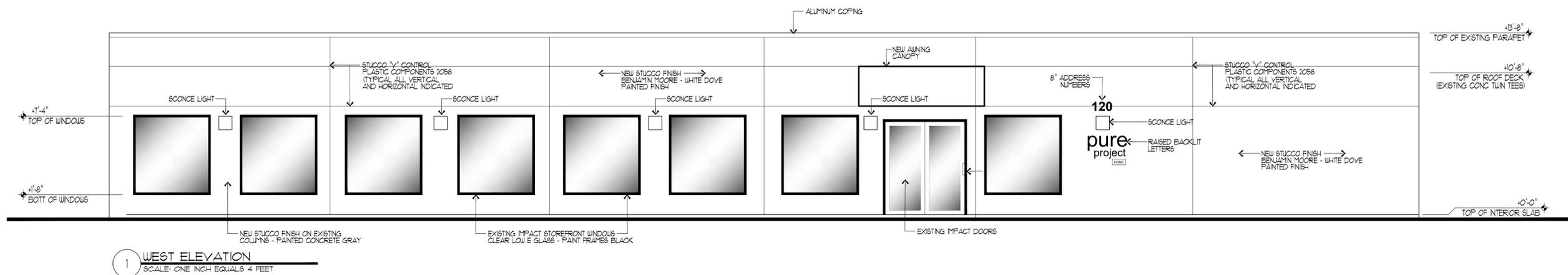
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STATE OF FLORIDA  
 RANDOLPH C HANSEN  
 REGISTERED ARCHITECT  
 AR 6984

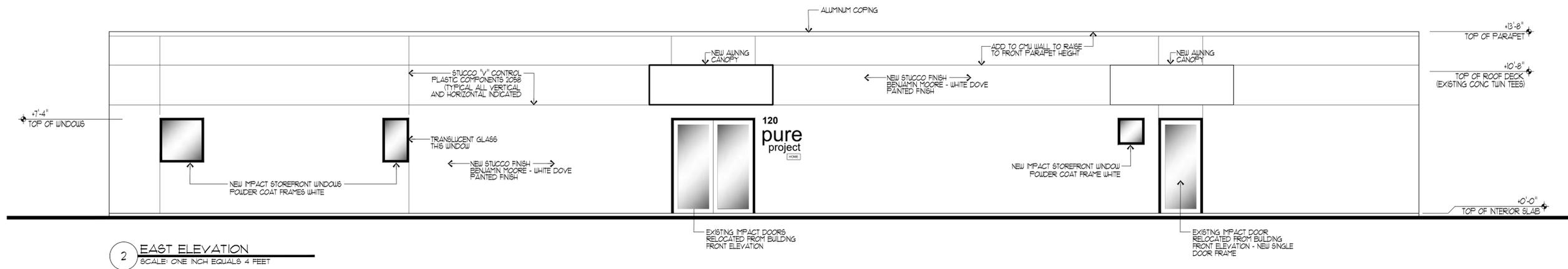
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 CHECKED BY  
 DATE  
 PROJECT NO  
 DRAWING NO  
 SP1

CONSULTANT

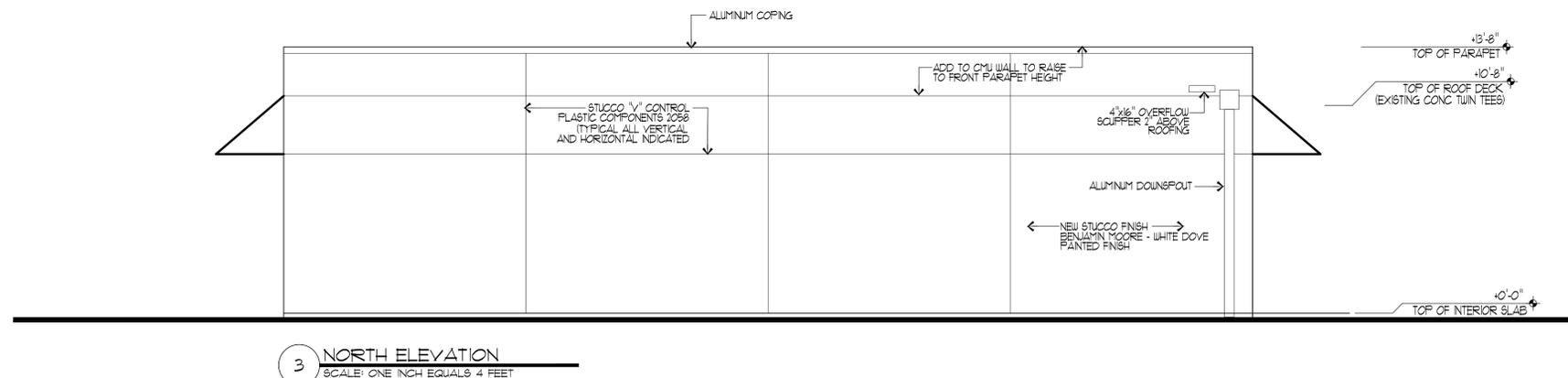
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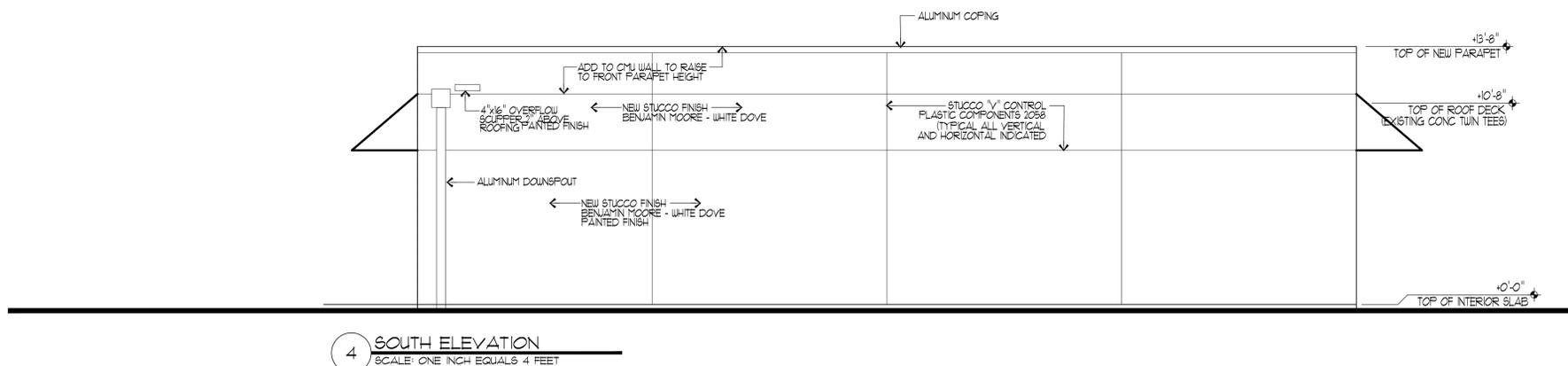
**1 WEST ELEVATION**  
 SCALE: ONE INCH EQUALS 4 FEET



**2 EAST ELEVATION**  
 SCALE: ONE INCH EQUALS 4 FEET



**3 NORTH ELEVATION**  
 SCALE: ONE INCH EQUALS 4 FEET



**4 SOUTH ELEVATION**  
 SCALE: ONE INCH EQUALS 4 FEET

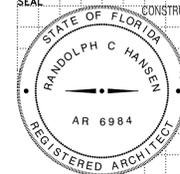
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	NO DESCRIPTION REVISIONS	DATE

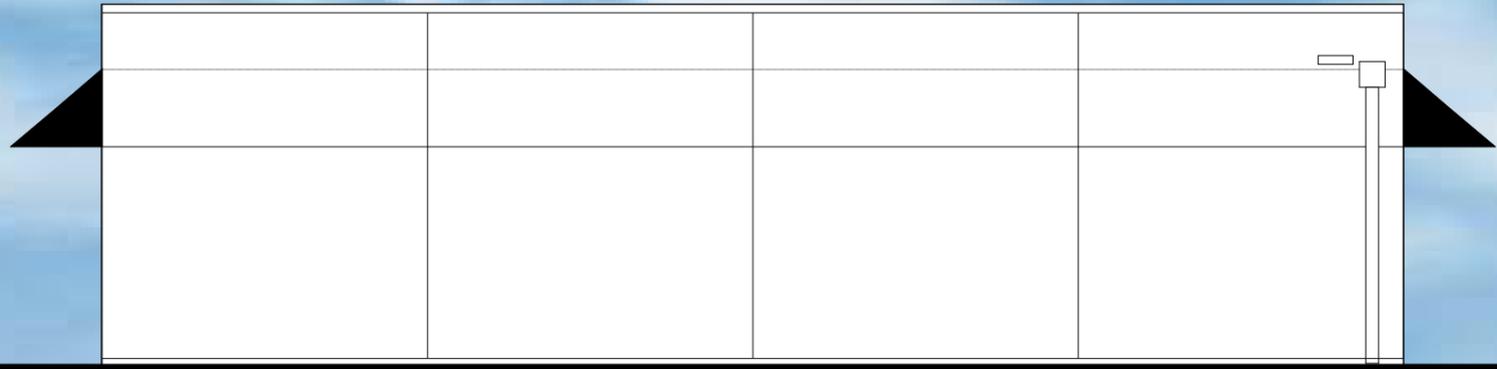
PROJECT TITLE  
**PURE PROJECT HOME**  
 120 US HIGHWAY 1  
 NORTH PALM BEACH, FLORIDA

SHEET TITLE  
**BUILDING ELEVATIONS**

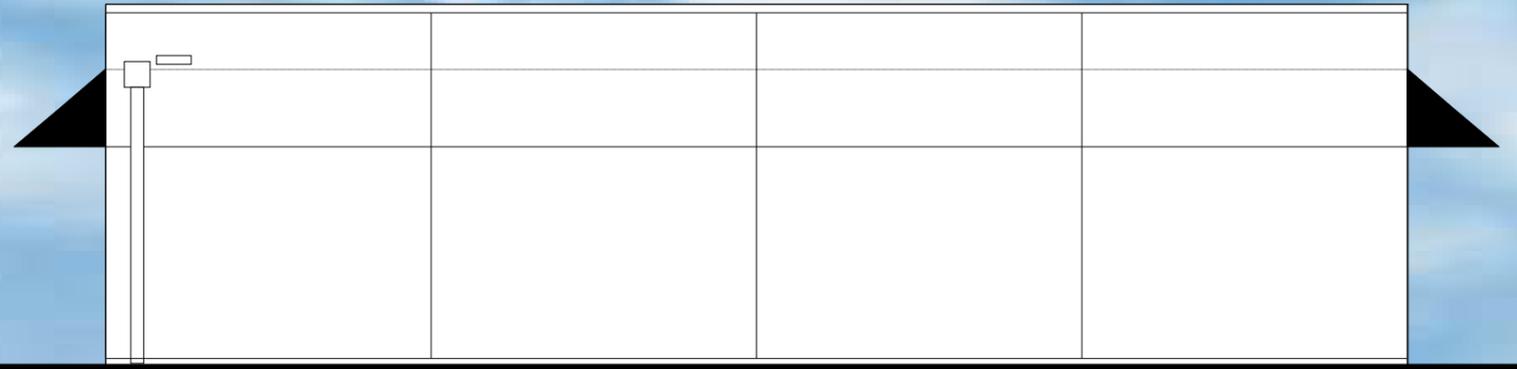
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SEAL  
 STATE OF FLORIDA  
 CONSTRUCTION DOCUMENTS  
 DRAWN BY  
 HANSEN  
 CHECKED BY  
 HANSEN  
 DATE  
 30 SEPTEMBER 2023  
 PROJECT NO  
 22518  
 DRAWING NO  
**A3**

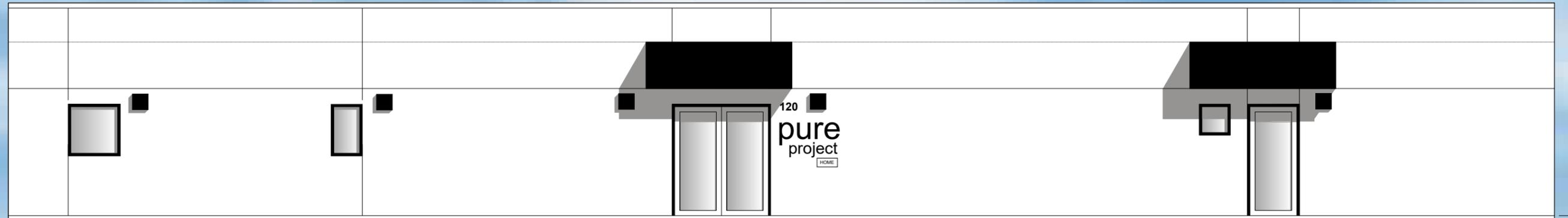




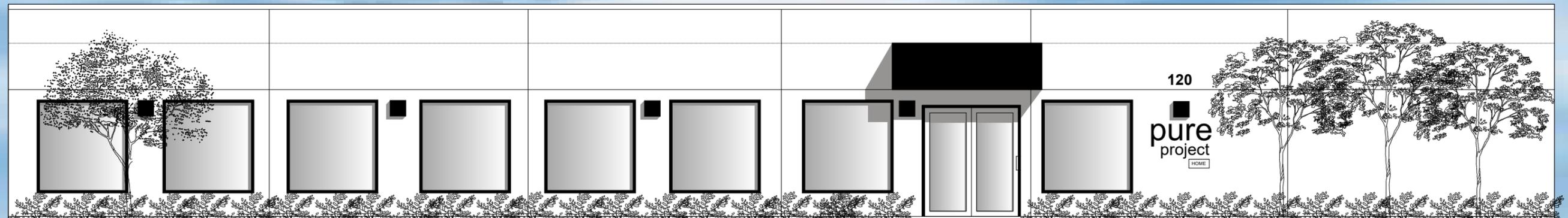
Pure Project Home - North Elevation



Pure Project Home - South Elevation



Pure Project Home - East Elevation



Pure Project Home - West Elevation

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

---

TO: Members of the Planning, Zoning and Adjustment Board  
FROM: Caryn Gardner-Young, Community Development Director  
CC: Leonard G. Rubin, Village Attorney  
DATE: March 4, 2025  
SUBJECT: **Ordinance Amendment to Zoning Regulations** to amend the Uses within the C-T Transitional Commercial District

---

**Background:**

Village Staff has recognized that the Village's Code of Ordinance is outdated. Many regulations were adopted in the 1970s and have not be updated. As time progressed, many of the regulations are no longer applicable or need to be substantially changed. As the Code of Ordinance is vast, Village Staff plans on modernizing the document on a phased approach.

The first step was to amend the Village's Sign Code. However, recently the owner of property in the C-T Transitional Commercial District contacted the Village regarding amending the uses in this Zoning District to provide for more flexibility. These uses were last updated in 1999.

Presently, the uses permitted are:

Section 45-32.1 B. *Uses permitted.* The following uses are permitted in the C-T transitional commercial district:

1. Financial institutions;
2. Professional and business offices, not including medical and dental clinics;
3. Florists;
4. Clothing stores;
5. Stationery stores;
6. Photo studios/camera shops;
7. Sporting goods stores;
8. Gift shops;
9. Candy shops;
10. Seamstress/tailor shop;
11. Personal service establishments, such as barber shops, hair salons, and nail salons;
12. Instructional dance/music studios;
13. Family day care home;
14. Multiple-family dwelling structures of two (2), three (3), or four (4) dwelling units, provided that residential density does not exceed twelve (12) units per acre.

If something is not listed, it is deemed prohibited.

The Village presently has eleven (11) properties with the C-T District designation. Please see attached map. These properties are predominately along the east side of Alternate A1A, with one property located on Prosperity Farms Road (Village Grocery Store - 9267)

Village Staff reviewed the existing uses and looked at what other jurisdictions allowed within transitional zoning districts.

**Discussion:**

Transitional zoning districts are used to create a gradual shift between different land use types, like residential and commercial, by establishing buffer zones with mixed uses or less intensive development. The creation of these buffer zones mitigates potential conflicts between incompatible land uses and promotes a smoother transition between areas, ultimately enhancing livability and property values within a community.

The general description of the C-T Transitional Commercial District is to provide for the development of low-intensity residential and business uses. The C-T district is intended to serve as a transition between strictly residential areas and intense commercial development. This means the Village needs to consider the impacts that a permitted commercial business will have upon adjacent residential properties. These impacts are noise, litter, traffic, etc.

Over time, uses have changed substantially and it is uncommon to see a standalone photo studio/camera shop or candy store. Sporting goods stores tend to be big box stores like Dick’s Sporting Goods, which is opposite to the mom and pop stores that have historically been operating in the Village. Further, many uses were not considered when the Code of Ordinance was adopted. For example, Live/Work Units did not exist then. In addition, the nature of the areas where the CT District is located has also changed. Alternate A1A and Northlake Boulevard are not the same as they were fifty years ago. There is more traffic and the area has been built out.

As a result, Village Staff agrees that the C-T Transitional Commercial District uses should be updated. Village Staff is proposing to provide general categories, which are determined by their nature, rather than specific business types. The Village has already started to go in this direction by using such an approach in the C-NB Northlake Boulevard Commercial District, the C-MU US-1 Mixed-Use District, and the C-3 Regional Business District.

Below is the proposed Use Chart

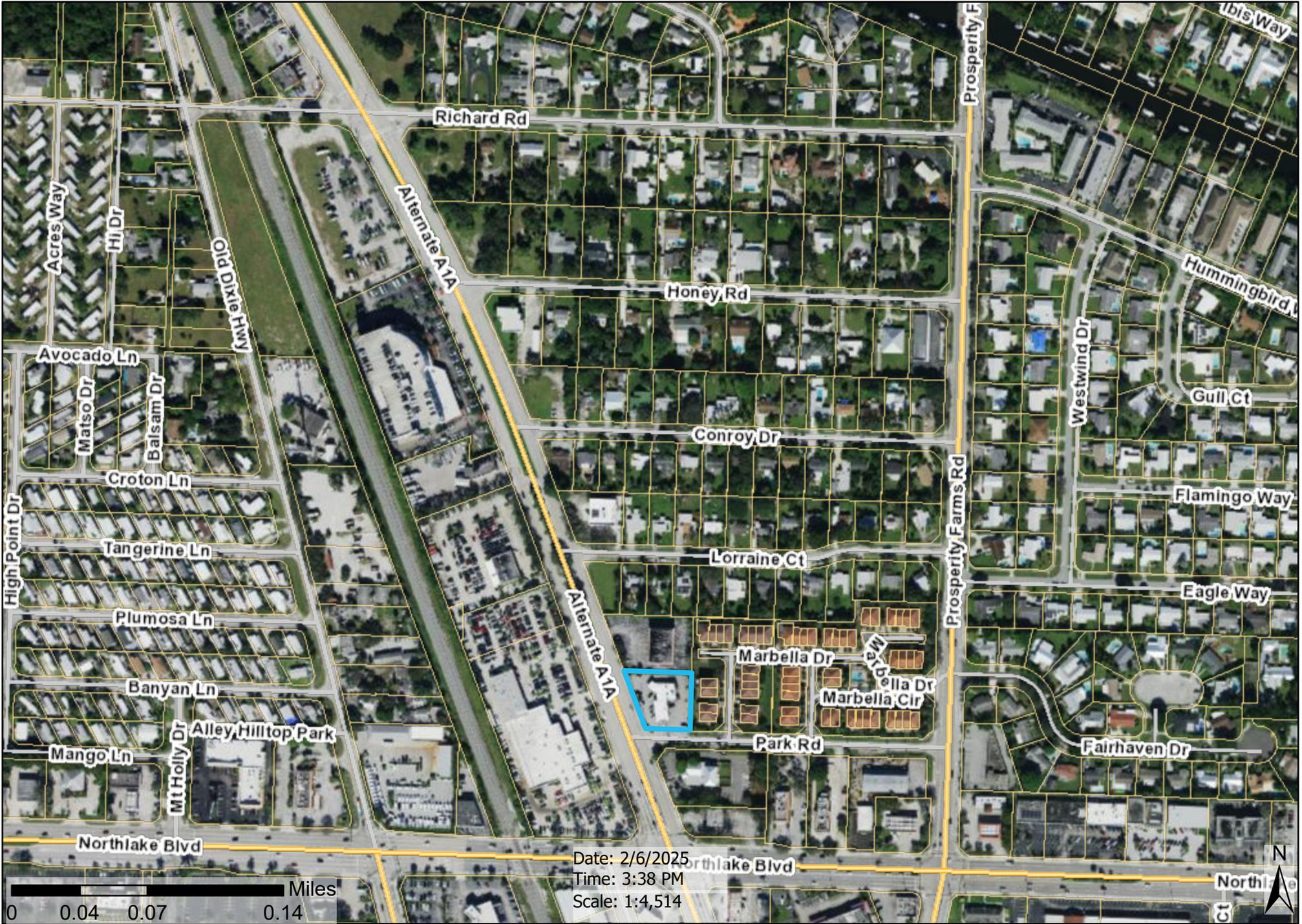
	PERMITTED USES	SPECIAL EXCEPTION	NOT PERMITTED
<b>RESIDENTIAL USES</b>			
Mobile home park			X
Dwelling, one family detached			X
Dwelling, all other dwelling types	X		
Live/Work Units	X		
Assisted living facility			X

Community residential home <sup>1</sup>			X
<b>LODGING USES</b>			
Hotel/Motel			X
Timeshare unit			X
Bed and Breakfast			X
<b>BUSINESS USES</b>			
Office, general	X		
Office or clinic, medical or dental	X		
Stores & services, general	X		
Store & services, large format			X
Adult Entertainment			X
Convenience Store with or without fuel		X	
Drive-thru facility (for any use)			X
Heavy commercial and light industrial			X
Medical marijuana treatment center			X
Restaurant less than 3,000 sq. ft. and no table service	X		
Telecommunications antennas			X
Vehicle sales or repair			X
Cocktail lounges and bars			X
<b>CIVIC &amp; EDUCATION USES</b>			
Child care		X	
Civic space	X		
Family day care	X		
Government Building	X		
Hospital or Medical Center			X
Public Space	X		
School, public or private		X	
Church or Place of Worship		X	

<sup>1</sup> Subject to the same requirements as apply in the R-2 zoning district.

**Recommendation:**

The Village Staff requests that the Planning, Zoning and Adjustment Board review and recommend adoption of the proposed Ordinance amending the Village’s Zoning Code to amend the list of permitted, special exception, and prohibited uses in the C-T Transitional Commercial Zoning District.



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## Sec. 45-2. Definitions.

For the purpose of this Code, certain words and terms are defined as follows:

*Accessory use* is a use customarily incident and accessory to the principal use of land or building located on the same lot.

*Accessory building or structure* shall include a building or structure customarily incident and accessory to the principal use of land or building located on the same lot. In the R-1 residential dwelling district, accessory buildings shall be limited to an open-air pavilion and an automobile garage. In the R-2 dwelling district, an accessory building shall be limited to an automobile garage.

**Adult entertainment.** Adult entertainment means any adult arcade, adult theater, adult booth, adult bookstore/adult video store, adult motel or adult dancing establishment as defined in Ordinance No. 88-31, Palm Beach County Adult Entertainment Code; or any establishment or business operated for commercial gain where any employee, operator or owner exposes his/her specified anatomical area for viewing by patrons, including but not limited to: massage establishments whether or not licensed pursuant to Chapter 480, Florida Statutes, tanning salon, modeling studio, or lingerie studio.

*Antenna* is a transmitting or receiving device used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals. (See *antenna tower* for applicable regulations).

*Antenna tower* is a guyed, monopole or self-supporting structure, whether free standing or attached to another structure, containing one or more antennas intended for transmitting or receiving television, AM/FM radio, digital, microwave, cellular, telephone or similar form of electronic communication.

*Antiques:* Objects of an earlier period such as furniture, jewelry, stamps, coins, miniaturized replicas, works of art, or other decorative articles that are collected primarily because of their age, history, or expectation of increasing value.

**Assisted Living Facility** means a facility licensed by the agency for health care administration which provides housing, meals and personal care and services to adults for a period exceeding twenty-four (24) hours, as defined in F.S. § 429.02, as amended.

*Average elevation* shall be used to calculate the maximum allowable height of single-family dwellings within the R-1 Zoning District that are not located within a special flood hazard area. The average elevation is an average of the existing elevation of the buildable area of a lot prior to any land alteration. The average elevation shall be calculated by the mathematical average of elevation points dispersed at approximately ten-foot equidistant intervals across the buildable area of a parcel. Where required, the average elevation survey shall be submitted with construction plans, and the calculated average elevation shall be depicted on all exterior elevation sheets of the construction plans.

*Building* is any structure, either temporary or permanent, having a roof or other covering and designed for the shelter or enclosure of any person, animal or property.

**Child care facility** means a licensed facility with more than five (5) children that are unrelated to the operator of the facility and which complies with F.S. ch. 402.

**Community residence** is a facility that provides lodging for more than three (3) unrelated persons occupying the whole or part of a dwelling as a single housekeeping unit sharing common living, sleeping, cooking and/or eating facilities and which may operate on a referral basis from state, county or local social services agencies or self-help programs or be affiliated with a treatment or rehabilitation program. A community residence shall not include a licensed community residential home or a licensed assisted living facility. A community residence is not a

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permitted use within any residential zoning district and may only be established through the reasonable accommodation process.

*Community residential home* as defined in F.S. ch. 419, means a dwelling unit licensed to serve residents who are clients of the department of elderly affairs, the agency for persons with disabilities, the department of juvenile justice, or the department of children and families or licensed by the agency for health care administration which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

*Decorative post structure* is the support base for a light fixture and shall comply with the following requirements:

- (1) The installation of a decorative post structure shall comply with all village building, electrical and zoning codes.
- (2) Free standing.
- (3) Conform with the architectural design of the main building veneer.
- (4) May be located within the main building setback areas.
- (5) Not more than two (2) decorative post structures per driveway entrance and not more than four (4) decorative post structures per lot.
- (6) Not more than thirty (30) inches in width and depth and/or diameter.
- (7) Not less than eighteen (18) inches setback from any lot line.
- (8) Not more than thirty six (36) inches in height without a fixture. Exception: Not more than seventy-two (72) inches in height without a fixture when setback a minimum of thirty-five (35) feet from any side lot line or rear lot line on corner lots and not less than thirty-six (36) inches from any public right-of-way.

*Detached fence storage area* is a storage area attached to a fence erected on the property line in conformance with fence requirements of the North Palm Beach Code. Such storage area shall not exceed three (3) feet in depth nor be longer or higher than the fence to which it is attached. Said storage area shall be constructed of the same material, design and color as the fence to which it is attached and the fence and storage area shall be constructed of opaque materials which properly screen the interior of the storage area from the view of the adjacent property owners. Detached fence storage areas shall not be erected closer to the street than the adjacent front wall of the main building. No such storage area shall be erected unless its construction conforms to village ordinances.

*Drug store* is an establishment that combines a pharmacy with the sale of products typically associated with a convenience store, and provides services such as photo processing or basic health assessments (such as vaccinations or minor examinations). These uses are subject to additional regulations regarding the dispensing of controlled substances set forth in section 45-36.T of this chapter.

*Dwelling* is any building or structure designed exclusively for residential occupancy. A dwelling may be designed for one-family, two-family or multiple-family occupancy, but not including hotels, clubs, motels, boarding or lodging houses or house trailers whether such trailers be mobile or located in stationary fashion as when on blocks or other foundation.

*Dwelling unit* is a single unit providing complete, independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

*Family* shall mean one (1) or more persons living in the same single or multiple family dwelling as a single housekeeping unit sharing common living, sleeping, cooking and/or eating facilities, all of whom are related by blood, marriage or adoption, or a group of persons all of whom are not so related which does not exceed three (3)

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unrelated persons in number. This term shall not include the occupants of a community residential home or an assisted living facility.

**Family day care home** is an occupied residence in which child care is regularly provided for five (5) or fewer preschool children from more than one unrelated family and which receives a payment, fee or grant for any of the children receiving care, whether or not operated for profit. The maximum five (5) preschool children shall include preschool children living in the home and preschool children received for day care and not related to the resident caregiver. Elementary school siblings of the preschool children receiving day care may also receive day care outside of school hours provided the total number of children, including the caregiver's own and those related to the caregiver, does not exceed ten (10).

*Floor area* is all usable floor space within the exterior walls of a structure.

*Fractional ownership* shall mean the occupancy or use of a dwelling unit by co-owners pursuant to a fractional ownership plan for any length of time. Fractional ownership includes direct ownership in a property as well as indirect ownership through a corporation, limited liability company or other entity holding title to the property.

*Fractional ownership plan* means an arrangement whether by tenancy in common, sale, deed or any other means, whereby the purchaser or co-owner receives an ownership interest and the right to use the property for a specific and discernible period through time-based division.

*Front, side and rear line* of a building shall be deemed and construed to include both the main portion of such structure and all projections therefrom, including any garage, carport or an extended roof beyond the normal eave or cornice forming a cover or roof over an entrance to such dwelling. Any awnings or shutters supported by vertical posts, columns or pipes shall also constitute the building line. The building line shall not include the eaves of such structures nor any open terraces, stoops, steps, or planting boxes which do not extend more than four (4) feet above the level of the yard grade.

Exception. Cantilevered canvas awnings may extend no more than eight (8) feet into the required front, side or rear setback and shall be set back two (2) feet from the side property line.

*Front yard* is that area between the front building line and the front line of the lot, and extending from one (1) side line to the other.

*Lamp post* is a free standing structure that is not more than four (4) inches in width and depth and/or diameter and not more than eighty-four (84) inches in height. The installation of a lamp post shall comply with all village building, electrical and zoning codes. A lamp post may be installed within the main building setback area.

*Landscaped area* means a pervious landscaped area unencumbered by structures, buildings, paved parking lots, sidewalks, pools, decks, or any impervious surface. Landscape material shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or mulch or bark.

*Liner building* means a separate building along a street or other public space that hides parking or blank walls from view.

*Living area* is that area within any dwelling or rooming unit, measured between the inner sides of the exterior walls, made usable for human habitation, with the following exceptions: Any utility room or storage space that is not accessible from within the principal structure; all common corridors, hallways or exits provided for access or vertical travel between stories of apartments of multifamily units.

*Lot* is a parcel of land occupied or to be occupied by one (1) main building and its accessory buildings with such open and parking spaces as are required by the provisions of this ordinance, and having its principal frontage upon a street.

*Lot of record* is a part of the land subdivision, the map of which has been recorded in the office of the clerk of the court of Palm Beach County, Florida.

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*Mechanical equipment* means necessary or accessory equipment mounted on or adjacent to a principal structure, including but not limited to central air conditioning equipment, ventilation equipment, generators, heating equipment, antennas, satellite dishes, refrigeration equipment, household appliances, solar and conventional hot water heaters, elevator machinery and similar type equipment.

*Medical or dental office or clinic* means a facility providing health care services to the public by physicians, dentists, chiropractors, osteopaths, physical therapists, nurses, acupuncturists, podiatrists, optometrists, psychiatrists, veterinarians, or others who are duly licensed to practice their respective medical or dental profession in the State of Florida, as well as those technicians and assistants who are acting under the supervision and control of a licensed health care practitioner. These uses shall not include establishments where patients are lodged overnight and are subject to additional regulations regarding the dispensing of controlled substances set forth in section 45-36.S of this chapter. Notwithstanding the foregoing, accessory uses for veterinary clinics include day and overnight boarding for patients and outside runs and exercise areas for dogs.

*Medical marijuana treatment center dispensing facility*. A retail facility established by a licensed medical marijuana treatment center that sells or dispenses marijuana, products containing marijuana, or related supplies, but does not engage in any other activity related to the preparation, wholesale storage, distribution, transfer, cultivation, or processing of any form of marijuana, marijuana products, or related supplies.

*Mixed-use* means a development pattern where complementary uses of land are located within walking distances. Complementary uses may include retail commercial; non-retail commercial such as offices; lodging uses; civic and education uses; and dwellings other than one family detached dwellings.

*Mobile home park* means a residential tenancy in which a mobile home is placed upon a rented or leased lot in a park in which ten (10) or more lots are offered for rent or lease.

*Motel* is a group of two (2) or more attached, detached, or semidetached buildings containing guest rooms or apartments with automobile storage or parking space provided in connection therewith, designed and used primarily by automobile transients.

*Non-retail commercial* means any business classified as other than "retail trade" using the Standard Industrial Code (S.I.C.) System, provided that such business is permitted by the Village Code of Ordinances.

*Occupied* shall be deemed to include the words "arranged," "designed" or "intended to be occupied."

*Open-air pavilion* means a detached ancillary structure, open on all sides, with a partial to full roof covering of some type used for recreation, entertainment, contemplation or meditation purposes. This definition shall include all types of chickee or tiki huts, pergolas, gazebos, and other pavilion-type structures.

*Personal care* shall mean general responsibility for the safety of the resident while inside a residential building. Personal care includes, but is not limited to, daily awareness of the resident's functioning and whereabouts, making and reminding a resident of appointments or providing transportation, the ability and readiness for intervention in the event of a resident experiencing a crisis, and/or supervision in the areas of nutrition and medication.

*Pharmacy* is an establishment primarily engaged in the retail sale of a variety of prescription and non-prescription drugs and medicines, prosthetic supplies, surgical instruments and supplies, and sale and/or rental of aids for invalids. These uses are subject to additional regulations regarding the dispensing of controlled substances set forth in section 45-36.T of this chapter.

*Principal building or structure* is the building or structure in which the principal use of the lot is conducted.

*Principal use* is the primary or predominant use of any lot.

*Rear yard* is that area between the rear building line and the rear lot line, and extending from one (1) side line to the other. On all lots the rear yard shall be in the rear of the front yard facing the street.

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*Resident of a community residential home* means any of the following: an aged person as defined in F.S. ch. 400; a physically disabled or handicapped person as defined in F.S. ch. 760; a developmentally disabled person as defined in F.S. ch. 393; a nondangerous mentally ill person as defined in F.S. ch. 394; or a child as defined in F.S. ch. 39. Residents, as defined in F.S. chapters 400, 760, 393 and 394, shall not reside in the same community residential home as a child as defined in F.S. ch. 39.

*Retail commercial* means any business classified as a "retail trade" establishment using the Standard Industrial Code (S.I.C.) System, provided that such business is permitted by the Village Code of Ordinances.

*Satellite television antenna* is an apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit. Usable satellite signal is a signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television. Satellite dish antennas may be erected as an accessory structure in R-1 and R-2 zoning districts, subject to the following restrictions:

- (1) The satellite television antenna shall be mounted on the ground only, and shall be located only in the rear yard of any lot. The satellite television antenna shall be placed so that there shall be a rear and side yard of not less than five (5) feet, or if a corner lot, a side street yard of not less than twenty (20) feet.
- (2) Such antenna shall not exceed fifteen (15) feet in height, including any platform or structure upon which said antenna is mounted or affixed. Such antenna may not exceed fifteen (15) feet in diameter.
- (3) Installation of a satellite television antenna shall comply with the village building codes, electrical codes, zoning codes and other village codes that may apply thereto.
- (4) Not more than one (1) satellite television antenna shall be allowed on any lot.
- (5) Satellite television antennas shall meet all manufacturer specifications, be of noncombustible and corrosive-resistant material, and be erected in a secure, wind-resistant manner. Every such antenna must be adequately grounded for protection against a direct strike of lightning.
- (6) Satellite television antenna shall be screened from all adjoining private property by an opaque fence, an opaque wall or by natural landscape planting so planted as to provide maximum opacity that is a minimum of six (6) feet in height from grade.

*Setback* means the distance measured from a side, rear and front lot line or from the currently designated ultimate right-of-way line (i.e., federal, state, county and village) to the closest point within the lot that may be occupied by a building or an accessory structure. Front setbacks shall be based on the platted front line of the property or on the ultimate right-of-way line as determined by the village.

*Side yard* is that area between the side building line and the side line of the lot and extending from the front building line to the rear building line.

*Story* is that portion of a building between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between any floor and the ceiling next above it.

*Street* is any public or private thoroughfare which affords the principal means of access to abutting property. It may be designated on the map as a street, avenue, boulevard, drive, place, court, road, terrace, way, circle, lane, walk, path or otherwise.

*Structure* is anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

*Time-share unit* is a dwelling unit in which the right of use or occupancy circulates among various persons for specific periods of time less than one (1) year in accordance with a fixed time schedule.

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*Traditional chickee hut* means a type of chickee hut that consists solely of an open-sided wooden hut with a thatched roof of palm or palmetto or other traditional materials constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida and that does not incorporate any electrical, plumbing or other non-wood features.

*Transient commercial* means any one, or a combination of the following businesses oriented to serving either village residents or the motoring public (i.e. in transit through or visiting the area); (1) the sale of fuel, convenience goods and/or minor vehicular repair services; (2) hotel and/or motel accommodations; (3) restaurant facilities; (4) florist, tobacco store and stand, and hobbies, toys and games.

*Use group* means any of the four ((4) groups of allowable uses that certain zoning districts employ to define uses that are permitted by right, permitted by special exception only, or are not permitted in that zoning district. The four (4) groups are Residential Uses, Lodging Uses, Business Uses, and Civic & Education Uses. The following terms are used in these use groups:

#### RESIDENTIAL USE-GROUP DEFINITIONS:

*Assisted living facility* is defined earlier in section 45-2.

*Community Residential Home* is defined earlier in section 45-2.

*Dwelling, all other dwelling types* (see definition of dwelling and dwelling unit earlier in section 45-2).

*Dwelling, one family detached* (single-family dwelling) is a building containing one (1) dwelling unit that is not attached to any other dwelling by any means (see definition of dwelling and dwelling unit earlier in section 45-2).

*Live/work unit* is a single dwelling unit in a detached building, or in a multifamily or mixed-use building, that also accommodates permitted commercial uses within the dwelling unit.

*Mobile home park* is defined earlier in section 45-2.

#### LODGING USE-GROUP DEFINITIONS:

*Bed and breakfast establishment* is a dwelling unit or guest rooms personally and physically operated and occupied by an owner or manager where transient guests are permitted to reside and are provided breakfast in exchange for payment.

*Hotel* is a facility offering transient lodging accommodation to the general public and which may include additional facilities and services such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

*Motel* is defined earlier in section 45-2.

*Time-share unit* is defined earlier in section 45-2.

#### BUSINESS USE-GROUP DEFINITIONS:

*Adult Entertainment* is defined earlier in section 45-2.

*Brewery with offsite distribution* is an establishment primarily engaged in the production and distribution of beer, ale or other malt beverages, and which may include accessory uses such as tours of the brewery, retail sales, and/or on-site consumption, e.g., a "taproom."

*Contractor and trade operation* is an establishment that is primarily engaged in providing an off-site service but which maintains a business office and inventory or equipment at a central location, such as a general contractor or subcontractor, pest control operator, caterer, surveyor, etc.

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*Convenience store with fuel* is an establishment that provide limited services primarily to the motoring public such as fuel sales, car washing, or car detailing, and that may also sell merchandise including food and beverages.

*Dog daycare* is an establishment providing daytime care and training for domestic dogs and other pets.

*Drive-through facility* is any establishment that provides physical facilities which allow its customers to obtain food or goods, receive services, or be entertained while remaining in their vehicles.

*Garage, Parking.* A building or structure or portion thereof used exclusively for the storage or parking of automobiles. Service other than storage shall be limited to refueling, lubrication, and detailing.

*Heavy commercial and light industrial* is any commercial or industrial use that the Village of North Palm allows only in the C-G and I-1 zoning districts or does not allow in any zoning district, including, but not limited to:

- Contractor and trade operation
- Junkyard
- Kennel (commercial)
- Limited access self-storage facility
- Light manufacturing
- Vehicle sales or repair
- Warehouse

*Limited access self-storage facility* is an enclosed structure primarily for indoor storage.

*Medical marijuana treatment center* is defined earlier in section 45-2.

*Medical marijuana treatment center dispensing facility* is defined in in section 45-38 and prohibited in section 45-39.

*Offices, general* is a room or group of rooms used to conduct the affairs of a business, profession, service, or government and generally furnished with desks tables, files, and communication equipment. A medical or dental office or clinic is not considered '*Offices, general*' for purposes of this Code.

*Office or clinic, medical or dental* (see definition of *medical or dental office or clinic* earlier in section 45-2; also see additional regulations in subsections 45-36.S and 45-36.T).

*Restaurant or cocktail lounge* is an establishment where food and drink are prepared, served, and consumed mostly within the principal building; outdoor seating is subject to separate provisions in this Code. A brewpub or brewery taproom shall be considered a restaurant or lounge provided that there is no offsite distribution or wholesaling.

*Stores & services, general* means establishments that sell food or merchandise or provide personal or professional services, including, but not limited to, the following uses that are defined earlier in section 45-2: drug store; non-retail commercial; office or clinic, medical or dental; personal care; pharmacy; and retail commercial. The following uses are not considered '*Stores & services, general*' for purposes of this Code:

- Stores & services, large format
- Adult entertainment
- Contractor and trade operation
- Convenience store with fuel

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- Dog daycare
  - Drive-through facility (for any use) s
  - Garage, parking
  - Heavy commercial and light industrial
  - Limited access self-storage facilities
  - Medical marijuana treatment center
  - Medical marijuana treatment center dispensing facility
  - Restaurant or cocktail lounge
  - Telecommunications antenna
  - Vehicle sales or repair

*Stores & services, large format* has the same meaning as "*Stores & services, general*" as defined by this Code, except that the establishment contains over fifty thousand (50,000) square feet of enclosed floor area.

*Telecommunications antenna* include antenna towers (see definition of antenna and antenna tower earlier in section 45-2).

*Vehicle sales or repair* includes any establishment that repairs or displays and sells new or used motor vehicles including automobiles, motorcycles, golf carts, trucks, watercraft, recreational vehicles, and trailers.

#### CIVIC & EDUCATION USE-GROUP DEFINITIONS:

*Child care facility* is defined earlier in section 45-2.

*Church or place of worship* means a premises or structure used primarily or exclusively for religious worship and related religious services on a permanent basis by a tax-exempt religious group, sect, or denomination registered as a not-for-profit organization pursuant to Section 501(C)(3) of the United States Internal Revenue Code, as amended. A church or place of worship may include retreat site camp, convent, seminary or similar facilities operated for religious activities.

*Civic space* is a small outdoor space that serves as a focal point for civic and recreational uses. Civic spaces are typically constructed by landowners when they build on adjoining property.

*Family day care* is defined earlier in section 45-2.

*Government buildings* are provided by village, state, regional, or federal agencies to carry out public purposes.

*Hospital or medical center* means a facility which provides primary, secondary, or tertiary medical care, emergency medical services, including preventative medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

*Public space* is an outdoor space that is maintained by a government, private or nonprofit entity as a civic amenity for the general public. Public spaces include, but are not limited to, plazas, parks, playgrounds and water accesses.

*School, public or private* means an institution of learning which conducts regular classes and courses of study required for accreditation as an elementary or secondary school by the State Department of Education of Florida.

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*Used* shall be deemed to include the words "arranged," "designed" or "intended to be used."

*Yard* is the open space on the same lot with the main building, unoccupied and unobstructed from the ground upward.

*Xeriscape* means a method of water conservation gained through the utilization of trees, shrubs, vines, plants, groundcover and turf grasses which are drought tolerant. The implementation of appropriate planning and design, use of soil amendments, efficient irrigation, practical turf grass, use of drought tolerant plants, mulches and appropriate maintenance results in reduced water consumption but still provides a very wide range of attractive landscaping alternatives.

(Ord. No. 16-71; Ord. No. 22-82, § 1, 12-9-82; Ord. No. 9-85, § 1, 6-27-85; Ord. No. 17-90, § 1, 6-28-90; Ord. No. 21-90, § 1, 6-28-90; Ord. No. 23-90, § 1, 6-28-90; Ord. No. 10-95, § 1, 3-23-95; Ord. No. 23-95, § 1, 7-17-95; Ord. No. 29-95, § 1, 9-28-95; Ord. No. 4-98, § 1, 1-2-98; Ord. No. 05-2001, § 1, 3-8-01; Ord. No. 26-2001, § 1, 8-23-01; Ord. No. 2009-04, § 2, 4-23-09; Ord. No. 2010-21, § 4, 11-18-10; Ord. No. 2011-02, § 2, 2-10-11; Ord. No. 2012-03, § 2, 3-22-12; Ord. No. 2015-10, § 2, 6-11-15; Ord. No. 2017-21, § 2, 12-14-17; Ord. No. 2017-22, § 2, 12-14-17; Ord. No. 2020-06, § 9, 9-24-20; Ord. No. 2022-01, § 2, 1-13-22; Ord. No. 2022-09, § 2, 4-28-22; Ord. No. 2022-10, § 2, 5-12-22)

Cross reference(s)—Definitions for Code in general, § 1-2.

Sec: 45-32.1. - C-T transitional commercial district.

- A. *General description.* This residential/commercial transitional district is to provide for the development of low-intensity residential and business uses. The C-T district shall serve as a transition between strictly residential areas and intense commercial development.
- B. *Uses permitted.* The following uses are permitted in the C-T transitional commercial district:
1. Financial institutions;
  2. Professional and business offices, not including medical and dental clinics;
  3. Florists;
  4. Clothing stores;
  5. Stationery stores;
  6. Photo studios/camera shops;
  7. Sporting goods stores;
  8. Gift shops;
  9. Candy shops;
  10. Seamstress/tailor shop;
  11. Personal service establishments, such as barber shops, hair salons, and nail salons;
  12. Instructional dance/music studios;
  13. Family day care home;
  14. Multiple-family dwelling structures of two (2), three (3), or four (4) dwelling units, provided that residential density does not exceed twelve (12) units per acre.
- C. *Conditions for permitted uses:*
1. All activities, sales and storage of goods must be conducted entirely within completely enclosed buildings with permanent nonmoving outside walls.
  2. No outside sidewalk or parking lot storage (or) display of merchandise will be permitted.
  3. No manufacturing or production of products for retail or wholesale will be permitted.
- D. *Building height regulations.* No building or structure shall exceed two (2) stories or twenty five (25) feet.
- E. *Building site area regulations:* Maximum floor-area-ratio: 0.70.
- F. *Yards.*
1. *Front yards.*
    - (a) All buildings shall be constructed from the Alternate A-I-A or Prosperity Farms Road right-of-way to provide a front yard of not less than twenty (20) feet.
    - (b)

All buildings shall be set back from the right-of-way of streets which intersect with Alternate A-I-A or Prosperity Farms Road providing a yard of not less than ten (10) feet.

(c) The ground story of each building facade that faces a front yard must have at least 15% of its surface area in transparent glass that will transmit at least 50% of visible daylight.

2. *Side and rear yards.* All buildings shall be set back from side and rear lot lines so as to provide side and rear yards of not less than:

(a) Ten (10) feet when abutting a lot with residential zoning.

(b) Zero (0) feet when abutting a lot with commercial or mixed-use zoning.

G. *Off-street parking regulations.* Off-street parking shall be provided at half of the number of parking spaces required in:

1. The C-S zoning district for commercial uses; and

2. The R-2 zoning district for residential uses.

H. *Off-street parking layout, construction and maintenance* shall be as provided in section 45-36.J.

I. *Landscape standards.* Landscaping shall be required in the following areas as required by the village's landscaping requirements:

1. Miscellaneous landscape elements, as required in section 45-88;

2. Off-street parking lots, as required in section 45-89;

3. Site perimeters, as required in section 45-90, except that no perimeter landscaping is required along a lot line that abuts commercial zoning; and

4. Base of foundation, as required by section 45-91.

(Ord. No. 31-97, § 1(Exhibit A), 7-10-97; Ord. No. 23-99, § 1, 6-10-99; Ord. No. 15-2000, § 1, 5-25-00; Ord. No. 2020-06, § 18(Exh. 2), 9-24-20)

**Editor's note**— Ord. No. 2020-06, § 18, adopted September 24, 2020, renamed § 45-32.1 from "C-C transitional commercial district" to "C-T transitional commercial district."



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1. ~~Financial institutions;~~
2. ~~Professional and business offices, not including medical and dental clinics;~~
3. ~~Florists;~~
4. ~~Clothing stores;~~
5. ~~Stationery stores;~~
6. ~~Photo studios/camera shops;~~
7. ~~Sporting goods stores;~~
8. ~~Gift shops;~~
9. ~~Candy shops;~~
10. ~~Seamstress/tailor shop;~~
11. ~~Personal service establishments, such as barber shops, hair salons, and nail salons;~~
12. ~~Instructional dance/music studios;~~
13. ~~Family day care home;~~
14. ~~Multiple family dwelling structures of two (2), three (3), or four (4) dwelling units, provided that residential density does not exceed twelve (12) units per acre.~~

	PERMITTED USES	SPECIAL EXCEPTION	NOT PERMITTED
<b>RESIDENTIAL USES</b>			
Mobile home park			X
Dwelling, one family detached			X
Dwelling, all other dwelling types	X		
Live/Work Units	X		
Assisted living facility			X
Community residential home <sup>1</sup>	X		
<b>LODGING USES</b>			
Hotel/Motel			X
Timeshare unit			X
Bed and Breakfast			X
<b>BUSINESS USES</b>			
Office, general	X		
Office or clinic, medical or dental	X		
Stores & services, general	X		
Store & services, large format			X
Adult Entertainment			X
Convenience Store with or without fuel		X	
Drive-thru facility (for any use)			X

Heavy commercial and light industrial			X
Medical marijuana treatment center			X
Restaurant less than 3,000 sq. ft. and no table service	X		
Telecommunications antennas			X
Vehicle sales or repair			X
Cocktail lounges and bars			X
<b>CIVIC &amp; EDUCATION USES</b>			
Child care		X	
Civic space	X		
Family day care	X		
Government Building	X		
Hospital or Medical Center			X
Public Space	X		
School, public or private		X	
Church or Place of Worship		X	

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<sup>1</sup>Subject to the same requirements as apply in the R-2 zoning district.

\* \* \*

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

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

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

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

PLACED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

(Village Seal)

\_\_\_\_\_  
MAYOR

ATTEST:

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VILLAGE CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY