



VILLAGE OF NORTH PALM BEACH SPECIAL SESSION AGENDA - **REVISED**

VILLAGE HALL COUNCIL CHAMBERS
501 U.S. HIGHWAY 1

THURSDAY, OCTOBER 17, 2024
6:00 PM

Susan Bickel
Mayor

Deborah Searcy
Vice Mayor

Lisa Interlandi
President Pro Tem

Kristin Garrison
Councilmember

Orlando Puyol
Councilmember

Chuck Huff
Village Manager

Leonard G. Rubin
Village Attorney

Jessica Green
Village Clerk

INSTRUCTIONS FOR “WATCH LIVE” MEETING

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

<https://www.village-npb.org/CivicAlerts.aspx?AID=496>

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, AND MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

1. Minutes of the Regular Session held September 26, 2024
2. Minutes of the Special Emergency Session held October 8, 2024

COUNCIL BUSINESS MATTERS

CONSENT AGENDA

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

3. **RESOLUTION** – Approving and ratifying a Memorandum of Understanding with the Federation of Public Employees to amend Article 12 of the Collective Bargaining Agreement pertaining to paid vacation; and authorizing the Village Manager to execute the Memorandum of Understanding.
4. **RESOLUTION** – Approval of a Cross Parking Agreement with First Unitarian Church.
5. Receive for file Minutes of the Planning, Zoning and Adjustment Board meeting held 8/6/24.
6. Receive for file Minutes of the Development Review Committee meetings on 7/10/24, 8/14/24 and 9/11/24.

DECLARATION OF EX PARTE COMMUNICATIONS

PUBLIC HEARINGS AND QUASI-JUDICIAL MATTERS

- 7. 1ST READING OF ORDINANCE 2024-16 – CODE AMENDMENT – FLOOD DAMAGE PREVENTION**
Consider a motion to adopt on first reading Ordinance 2024-16 amending the Village Code of Ordinances by amending Chapter 6 "Buildings and Building Regulations," to remove Technical Amendments superseded by the Florida Building Code and Amending Chapter 12.5 "Flood Damage Prevention," to update the date of the Flood Insurance Study and Flood Insurance Rate Maps, modify and delete definitions and specify the elevation of Manufactured Homes in Flood Hazard Areas.
- 8. 1ST READING OF ORDINANCE 2024-17 – CODE AMENDMENT – MARINA/PRIVATE DOCKING – C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT**
Consider a motion to adopt on first reading Ordinance 2024-17 amending Appendix C (Chapter 45), "Zoning," of the Village Code of Ordinances by Amending Article I, "In General," Section 45-2, "Definitions," to add a definition for the term Marina/Private Docking and amending Article III, "District Regulations," Section 45-35-3, "C-NB Northlake Boulevard Commercial District,;" to add Marina/Private Docking as a Special Exception Use.

OTHER VILLAGE BUSINESS MATTERS

- 9. RESOLUTION – APPOINTING A MEMBER TO THE BUSINESS ADVISORY BOARD**
Consider a motion to adopt a resolution appointing a member to the Business Advisory Board.

COUNCIL AND ADMINISTRATION MATTERS

MAYOR AND COUNCIL MATTERS/REPORTS

- 10. DISCUSSION - Awards and Recognition's Policy**

VILLAGE MANAGER MATTERS/REPORTS

REPORTS (SPECIAL COMMITTEES AND ADVISORY BOARDS)

ADJOURNMENT

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

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

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



DRAFT MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
SEPTEMBER 26, 2024

Present:

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

ROLL CALL

Mayor Bickel called the meeting to order at 6:00 p.m. All members of Council were present. All members of staff were present.

Mayor Bickel asked for a moment of silence for fellow Floridians on the west coast who were experiencing the effects of Hurricane Helene.

PLEDGE OF ALLEGIANCE

Vice Mayor Searcy led the public in the Pledge.

ADDITIONS, DELETIONS, AND MODIFICATIONS TO THE AGENDA

Mayor Bickel announced a removal and continuation of Item #14 – 1st Reading of Ordinance 2024-16 EAR Comprehensive Plan Amendments and Updated Water Supply Facilities Work Plan to the next Council meeting scheduled on October 10, 2024.

A motion was made by Vice Mayor Searcy and seconded by President Pro Tem Interlandi to continue Item #14 – 1st Reading of Ordinance 2024-16 EAR Comprehensive Plan Amendments and Updated Water Supply Facilities Work Plan to the next Council meeting scheduled on October 10, 2024.

Thereafter, the motion passed unanimously.

AWARDS AND RECOGNITION

Mayor Bickel read a Proclamation for Arbor Day. Members of the Environmental Committee accepted the proclamation and thanked Council.

Mayor Bickel read a Proclamation for Florida Climate Week. A representative for Florida Climate Week was not present to accept the proclamation. Mayor Bickel stated that the proclamation would be mailed to the recipient.

APPROVAL OF MINUTES

The Minutes of the Regular Session held August 22, 2024 and the Minutes of the Regular Session held September 12, 2024 were approved as written.

CONSENT AGENDA APPROVED

Vice Mayor Searcy asked if Library Director Julie Morrell could provide information regarding the statistics for the Library’s books and audiobooks.

Ms. Morrell explained the purposes of the proposed blanket purchase orders for the Library and provided projected statistics of circulating 83,000 regular books, and 36,000 e-books and e-audio books for the new fiscal year.

Vice Mayor Searcy moved to approve the Consent Agenda and Councilmember Puyol seconded the motion, which passed unanimously. The following items were approved:

Motion allowing Parks and Recreation Department, and Library Staff to accept donations valued over \$25,000 for Parks and Recreation Department, and Library Programs including support from the Friends of the Library.

Motion to grant a merit increase of 4.2% to the Village Clerk based upon the averaged score of the performance evaluations and directing the Village to process same.

Resolution approving an Eleventh Amendment to the Agreement for Grant Services with RMPK Funding, Inc. for a total compensation not to exceed \$20,000; and authorizing execution of the Amendment.

Resolution approving a Fiscal Year 2025 Blanket Purchase Order for the Parks and Recreation Department, and Library with Ani Con Services, LLC for plumbing services in the total amount of \$40,000.

Resolution approving a Blanket Purchase Order with Baker and Taylor, LLC in an amount not to exceed \$71,013 for Village Library Books.

Resolution approving a Blanket Purchase Order with OCLC, LLC in an amount not to exceed \$29,000 for Village Library access to electronic books and audio books.

Receive for file Minutes of the Business Advisory Board meeting held 3/19/24.

Receive for file Minutes of the Waterways Board meeting held 8/27/24.

PUBLIC HEARING AND QUASI-JUDICIAL MATTERS

PUBLIC HEARING AND SECOND READING OF AD VALOREM TAX MILLAGE RATE ORDINANCE AND BUDGET ORDINANCE

A motion was made by Vice Mayor Searcy and seconded by President Pro Tem Interlandi to adopt and enact on second reading Ordinance 2024-14 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL LEVY OF AD VALOREM TAXES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING AND SECOND READING OF AD VALOREM TAX MILLAGE RATE ORDINANCE AND BUDGET ORDINANCE *continued*

A motion was made by Vice Mayor Searcy and seconded by President Pro Tem Interlandi to adopt and enact on second reading Ordinance 2024-15 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ADOPTING THE ANNUAL BUDGET OF THE VILLAGE OF NORTH PALM BEACH FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025 AND AUTHORIZING ALLOCATIONS, APPROPRIATIONS AND EXPENDITURES IN ACCORDANCE WITH THE BUDGET AND AS AUTHORIZED BY LAW; APPROVING A COMPREHENSIVE PAY PLAN AND AUTHORIZING THE VILLAGE MANAGER TO MAKE TEMPORARY APPOINTMENTS TO BUDGETED POSITIONS; APPROVING A MASTER FEE SCHEDULE; PROVIDING FOR THE CREATION OF GOVERNMENTAL FUNDS WHEN NECESSARY; PROVIDING FOR THE RECEIPT OF GRANTS OR GIFTS; PROVIDING PROCEDURES FOR BUDGET AMENDMENTS; PROVIDING FOR THE LAPSE OF OUTSTANDING ENCUMBRANCES AND THE RE-APPROPRIATION OF UNEXPENDED APPROPRIATIONS FOR THE PRIOR FISCAL YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Huff thanked staff for their work on the budget. Mr. Huff stated that the increase to the budget was comprised of both Police and Fire contracts, the Comprehensive Pay Plan and the Operating Budget. Mr. Huff stated that the 19% increase in salaries were not just salaries but the salaries including benefits.

Mayor Bickel opened the public hearing on the Ad Valorem Tax Millage Rate and FY 2025 Budget.

Robert Silvani, 100 Cruiser Road S addressed the Council with his concerns regarding the proposed Ad Valorem Tax Millage Rate and FY 2025 Budget.

Karen Marcus, 920 Evergreen Drive, expressed her support regarding the proposed Ad Valorem Tax Millage Rate and FY 2025 Budget.

John Frerking, 130 Cruiser Road S, addressed the Council with his concerns regarding the proposed Ad Valorem Tax Millage Rate and FY 2025 Budget.

There being no further comments, Mayor Bickel closed the public hearing.

Mayor Bickel stated that a large part of the budget increase was due to Police and Fire salary increases as well as the compensation study that was done to bring all Village employees' salaries up to the 60th percentile of the neighboring communities' salaries. Mayor Bickel stated that making sure the Village's employees were paid adequately was worth the increase to the budget. Mayor Bickel stated that more meetings regarding the budget should occur in the next budget process cycle. Mayor Bickel stated that she did not take the budget process lightly and had spent a long time looking through the budget paperwork to know exactly what was being spent because she owed that to her family and the residents.

Vice Mayor Searcy stated that her participation in the budget process was taking countless hours meeting with staff and combing through the budget. Vice Mayor Searcy discussed and explained the steps that were taken by staff and Council to produce with the budget.

PUBLIC HEARING AND SECOND READING OF AD VALOREM TAX MILLAGE RATE ORDINANCE AND BUDGET ORDINANCE *continued*

Vice Mayor Searcy discussed and explained that there were policies and procedures that have to be met before purchases are made by the Village. Vice Mayor Searcy explained that all of the processes and decisions were mostly made behind the scenes by Village staff where the public is not aware. Vice Mayor Searcy discussed the difference in police salaries from 1974 to present stating that the present day salary was not much compared to the cost of living today. Vice Mayor Searcy expressed that everything that the Village does and purchases such as sidewalk repairs cost money. Vice Mayor Searcy discussed the challenges that the Village has had in hiring and retaining police officers and a Building Official. Vice Mayor Searcy reiterated that she was in support of the Village Place proposed project because it will bring in more tax dollars to cover costs and lower the millage rate.

President Pro Tem Interlandi thanked the public who participated in the budget process and encouraged the public to continue to be involved in future budget meetings and workshops. President Pro Tem Interlandi concurred that she and other Councilmembers spent many hours reviewing the budget. President Pro Tem Interlandi reviewed key factors that comprised the FY25 budget which included the fact that the Village did not see as much of an increase in property values as other municipalities, the Police and Fire contracts, and the need to compensate and retain qualified staff. President Pro Tem Interlandi discussed and explained the process of the compensation study. President Pro Tem Interlandi stated that she reviewed different aspects of the budget including Capital Improvements to see if costs could be cut. President Pro Tem Interlandi reviewed and discussed the history of the Village's millage rates and future projects of significant expense. President Pro Tem Interlandi stated that she supported the proposed budget.

Councilmember Puyol stated that when he speaks he speaks from the heart and sometimes is misunderstood or misinterpreted. Councilmember Puyol stated that he sat through all of the budget meetings and stated that he valued the residents of the community. Councilmember Puyol expressed that he voted for the Police and Fire contracts and that he agreed that they were needed. Councilmember Puyol discussed different emails he received from residents regarding the proposed budget. Councilmember Puyol stated that his intentions were not to be argumentative but that it was the resident's money being spent through the budget. Councilmember Puyol recommended using the Audit Committee in the future to take a closer look at the budget. Councilmember Puyol stated that he hoped to be transparent with Village employees and residents.

Mayor Bickel expressed that it was difficult to be a Councilmember and make decisions that may make people unhappy.

Mayor Bickel reopened the public hearing on the Ad Valorem Tax Millage Rate and FY 2025 Budget.

John Frerking, 130 Cruiser Road S, stated that it was not his intention to impugn anyone regarding the budget process. Mr. Frerking made recommendations regarding the Village newsletter.

There being no further comments, Mayor Bickel closed the public hearing.

Mayor Bickel announced that the rolled back rate was 6.4464 mills, the percentage increase over the rolled back rate was 14.79%, and the millage rate to be levied was 7.4000 mills.

PUBLIC HEARING AND SECOND READING OF AD VALOREM TAX MILLAGE RATE ORDINANCE AND BUDGET ORDINANCE *continued*

The motion to adopt and enact on second reading Ordinance 2024-14 approving the Ad Valorem Tax Millage Rate passed 4 to 1 with Mayor Bickel, Vice Mayor Searcy, President Pro Tem Interlandi and Councilmember Garrison voting aye and Councilmember Puyol voting nay.

The motion to adopt and enact on second reading Ordinance 2024-15 approving the Fiscal Year 2024-2025 Annual Budget passed 4 to 1 with Mayor Bickel, Vice Mayor Searcy, President Pro Tem Interlandi and Councilmember Garrison voting aye and Councilmember Puyol voting nay.

RESOLUTION 2024-86 – ANCHORAGE PARK BOAT RAMP REPLACEMENT

A motion was made by Councilmember Puyol and seconded by President Pro Tem Interlandi to adopt Resolution 2024-86 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM FERREIRA CONSTRUCTION CO. INC. FOR THE ANCHORAGE PARK BOAT RAMP REPLACEMENT AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CONTRACT FOR SUCH SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

Marc Holloway, Field Operations Manager stated that the Village issued a Request for Proposals for the reconstruction of the boat ramp at Anchorage Park on August 7, 2024 in which three (3) proposals were received. A Selection Committee met on September 5, 2024 and ranked the proposals. Based on the rankings, the Selection Committee recommended Ferreira Construction Company. Mr. Holloway discussed and explained the proposals.

Councilmember Puyol stated that he would like to see the design of the boat ramp from Engenuity Group.

Vice Mayor Searcy asked how long the boat ramp would be closed.

Mr. Holloway stated that the boat ramp reconstruction would take ninety (90) days but they did not have a start date established yet.

Vice Mayor Searcy asked if residents would be able to launch their boats at another location during the reconstruction.

Mr. Huff stated that he would reach out to the Town of Lake Park's marina.

President Pro Tem Interlandi asked if it was possible to reconstruct the boat ramp at the same time that the dry storage renovation was taking place.

Mr. Holloway stated that it was determined that there would not be enough space to do both projects at the same time.

Mayor Bickel asked if the dry storage rentals were being prorated during construction.

Mr. Huff stated that the dry storage rentals would be prorated for three (3) months.

Thereafter the motion to adopt Resolution 2024-86 passed unanimously.

RESOLUTION 2024-87 – PUBLIC WORKS FACILITY GENERATOR CONTRACTS

A motion was made by Councilmember Puyol and seconded by President Pro Tem Interlandi to adopt Resolution 2024-87 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING THE PURCHASE OF A NEW GENERATOR FOR THE PUBLIC WORKS FACILITY; APPROVING A CONTRACT WITH INTRACOASTAL GENERATORS, INC. FOR THE PURCHASE OF THE GENERATOR AND APPROVING A CONTRACT WITH MINUTEMAN ELECTRIC, INC. FOR THE INSTALLATION OF THE GENERATOR AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE CONTRACTS; AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE CLARK TO AMEND THE CAPITAL PROJECTS FUND BUDGET TO TRANSFER \$59,267.00 FROM THE CAPITAL RESERVE ACCOUNT TO THE FACILITIES – MACHINERY AND EQUIPMENT CAPITAL ACCOUNT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Facilities Manager James Anthony explained that the emergency generator at the Public Works facility was crucial to maintaining power and was in need of replacement. The existing generator installed in January 1991 had exceeded its operational lifespan and needed frequent repairs and has become increasingly difficult to source parts. Mr. Anthony explained that the purchase was divided in two parts as the selected generator vendor did not provide installation services. The generator would be purchased from IntraCoastal Generators, Inc. and the installation would be done by Minuteman Electric, Inc.

Councilmember Puyol asked how the generator would be fueled.

Mr. Anthony stated that the generator would be fueled by diesel.

Thereafter the motion to adopt Resolution 2024-87 passed unanimously.

RESOLUTION 2024-88 – POLICE VEHICLES PURCHASE

A motion was made by Councilmember Puyol and seconded by President Pro Tem Interlandi to adopt Resolution 2024-88 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING THE PURCHASE OF FOUR CHEVROLET TAHOE SPORT UTILITY POLICE VEHICLES FROM GARBER CHEVROLET PURSUANT TO PRICING ESTABLISHED IN AN EXISTING FLORIDA SHERIFFS ASSOCIATION CONTRACT AND EQUIPPED BY DANA SAFETY SUPPLY, INC. PURSUANT TO PRICING ESTABLISHED IN AN EXISTING CITY OF MIAMI CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works Director Chad Girard explained that the purchase was for four (4) black and white Chevrolet Tahoes to be utilized as Police Department Patrol Vehicles. Staff was requesting that the vehicles be procured prior to FY 2025 utilizing the available funds held in the Village's Special Projects Fund. During the request for quotes, staff discovered that the vendor had four units that became available as another municipality was not utilizing its full order. The vehicles will need to be painted and equipped to match the North Palm Beach standard.

RESOLUTION 2024-88 – POLICE VEHICLES PURCHASE *continued*

Vice Mayor Searcy asked when the vehicles would be available.

Mr. Girard explained that the vehicles were in stock, the purchase order would be made on 10/1/24 and then the vehicles would need to be painted and then outfitted by Dana Safety Supply.

Police Chief Jenkins thanked Public Works for procuring the vehicles and getting discounts on the different outfitting packages.

Thereafter the motion to adopt Resolution 2024-88 passed unanimously.

RESOLUTION 2024-89 – COUNTRY CLUB SWIM TRAINING ACTIVITIES AGREEMENT

A motion was made by Councilmember Puyol and seconded by Vice Mayor Searcy to adopt Resolution 2024-89 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A LICENSE AGREEMENT WITH NPB AQUATIC GROUP, INC. TO UTILIZE THE COUNTRY CLUB POOL FOR ORGANIZED SWIM TRAINING ACTIVITIES AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

General Manager Beth Davis explained that the purpose of the license agreement was for use of the North Palm Beach Country Club Pool Facility to conduct NPB Swim Team training activities. Richard Cavanah and Al Aguirre were both principals of NPB Aquatic Group, Inc. and the Village has had a License Agreement in place with Richard Cavanah since 2019. Ms. Davis stated the swim team/club was the oldest swim team/club in South Florida.

Vice Mayor Searcy expressed her excitement that the North Palm Beach Swim Team was the oldest in South Florida.

Councilmember Puyol stated that he had swam at a competition in 1963 in the North Palm Beach Country Club swimming pool.

Mayor Bickel stated that the North Palm Beach Country Club swim team has been very illustrious and has produced Olympic gold medalists. Mayor Bickel expressed her gratitude for the swimming programs offered by the Village.

Thereafter the motion to adopt Resolution 2024-89 passed unanimously.

RESOLUTION 2024-90 – SECOND AMENDMENT TO CONTRACT FOR BUILDING DEPARTMENT SERVICES

A motion was made by Councilmember Puyol and seconded by Vice Mayor Searcy to adopt Resolution 2024-90 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A SECOND AMENDMENT TO THE CONTRACT FOR BUILDING DEPARTMENT SERVICES WITH C.A.P. GOVERNMENT, INC. TO INCREASE THE TOTAL

RESOLUTION 2024-90 – SECOND AMENDMENT TO CONTRACT FOR BUILDING DEPARTMENT SERVICES *continued*

AMOUNT OF COMPENSATION FOR FISCAL YEAR 2024 AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE SECOND AMENDMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Girard explained that the compensation for Building Department services provided by C.A.P. Government Inc. needed to be increased due to a shortfall of funds available to maintain the services through the end of the fiscal year. The total compensation would be increased from \$100,000 to \$160,000. Mr. Girard discussed and explained the factors that made it necessary to have the increase.

John Samadi, 512 Marline Road expressed his concerns regarding the issues with keeping and retaining employees in the Building Department.

Discussion ensued between Councilmember Puyol, Mr. Girard and Mr. Huff regarding the Building Department's status, permitting process and the hiring of a new Building Official.

Thereafter the motion to adopt Resolution 2024-90 passed unanimously.

Discussion – Business Advisory Board – Filling remaining vacancy and change monthly meeting requirement

Mayor Bickel stated that Mr. Tighe who was recently appointed to the Business Advisory Board was no longer able to fulfill the responsibility of membership and resigned. Mayor Bickel asked what Council's choices would be in order to fill the vacancy.

Village Clerk Jessica Green explained that two of the applicants tied for last place and would need to be brought back and voted upon.

Mayor Bickel asked Mrs. Green to contact the two applicants that tied for last place and find out if they were still interested.

Mayor Bickel asked if the Council wanted to change the meeting requirements of the board to on-call versus being required to meet monthly.

Councilmember Puyol stated that he met the current and new Business Advisory Board members at their last meeting and that they expressed that they wanted to meet on a monthly basis.

Mr. Rubin explained that the latest revisions to the Village code required all of the boards to meet monthly with the exception of the Audit Committee and the Infrastructure Surtax Committee and it was up to Council to decide if they wanted to change the meeting requirements for the Business Advisory Board.

Discussion ensued regarding whether to revise the meeting requirements of the Business Advisory Board.

Council came to consensus to keep a monthly meeting requirement for the Business Advisory Board.

MAYOR AND COUNCIL MATTERS/REPORTS

Mayor Bickel recommended that Council have a discussion or workshop regarding allowing senior living facilities in residential neighborhoods.

Mr. Rubin stated that there were statutory requirements related to senior living facilities and he would research and bring back information for a discussion at a future Council meeting.

MAYOR AND COUNCIL MATTERS/REPORTS *continued*

Mayor Bickel stated that she has had a number of discussions with fixed income residents who live in the condominiums behind the Brass Ring Pub, and they have expressed that they were having trouble making ends meet. Mayor Bickel stated that although she was not supportive of additional heights within the Village, she would support additional height of two to three stories to those condominiums in order for those residents to have a bigger investment in their property.

Vice Mayor Searcy stated that she would be in support of adding height to those condominiums.

Discussion ensued between Councilmembers regarding researching into adding height to the condominiums located behind the Brass Ring Pub.

President Pro Tem Interlandi stated that approximately forty (40) pounds of trash was picked up at the recent Anchorage Park cleanup. President Pro Tem Interlandi stated that she recently attended a joint meeting of the Environmental Committee and Waterways Board and stated that one of the projects discussed was proposing a community oyster garden. President Pro Tem Interlandi stated that she looked forward to getting involved in the process.

Vice Mayor Searcy thanked staff for a successful “Touch a Truck” event. Vice Mayor Searcy also thanked staff for Hurricane Helene storm preparations.

Councilmember Garrison announced that she would be taking a vacation the first two weeks of October and would not be in attendance at the October 10th Council meeting.

VILLAGE MANAGER MATTERS/REPORTS

Mr. Huff also thanked staff for Hurricane Helene storm preparations.

Mr. Huff stated that there was a meeting that took place on September 25th where the replacement of the East Alleyway wall was discussed and that approximately twenty-five (25) people attended. Mr. Huff stated that he provided Council with a summary of the meeting.

Mr. Huff explained the process that recently took place to hire a new Recreation Director. Mr. Huff announced that Ms. Ashley Shipman was hired as the Village’s new Recreation Director.

Mr. Huff announced that Julie Morrell would become the new Library Director on October 1st.

Mr. Huff stated that the Library power was knocked out by lightning and the power was restored earlier that afternoon, but a lot of IT equipment was taken out and therefore there was currently no Wi-Fi service. Mr. Huff thanked Public Works and the Police Department for their assistance in getting the power restored.

President Pro Tem Interlandi thanked staff for assisting in removing the tree that fell on Lighthouse Drive due to the storm.

Mayor Bickel asked Mr. Silvani if he wanted to make a public comment.

Mr. Silvani expressed concerns regarding issues at Lakeside Park.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:35 p.m.



**DRAFT MINUTES OF THE SPECIAL EMERGENCY SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
OCTOBER 8, 2024**

Present:

Susan Bickel, Mayor
Deborah Searcy, Vice Mayor
Lisa Interlandi, President Pro Tem
Orlando Puyol, Councilmember
Chuck Huff, Village Manager
Glen Torcivia, Village Attorney
Jessica Green, Village Clerk

Absent:

Kristin Garrison, Councilmember

ROLL CALL

Mayor Bickel called the meeting to order at 4:00 p.m. All members of Council were present, except for Councilmember Garrison who was out of town. Members of staff present were Deputy Manager Samia Janjua, Deputy Village Clerk Marquetta Fells, and Police Chief Richard Jenkins.

RESOLUTION 2024-91 – DECLARING LOCAL STATE OF EMERGENCY

A motion was made by Vice Mayor Searcy and seconded by Councilmember Puyol to adopt Resolution 2024-91 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY WITHIN THE VILLAGE DUE TO THE IMPACTS OF HURRICANE MILTON; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Huff gave an update on Hurricane Milton and requested that Council pass a resolution declaring a local state of emergency.

Police Chief Richard Jenkins gave an update on Hurricane Milton and the emergency preparation measures that were being undertaken by Palm Beach County and by the Village.

Mr. Huff stated that all Village offices would be closed at noon on Wednesday, October 9 through Thursday, October 10 and reopen on Friday, October 11.

Vice Mayor Searcy requested that updates on the Village's preparations and garbage pick-up scheduling for the hurricane be sent to residents.

Discussion ensued regarding whether to use a curfew and how to extend the declaration if necessary.

RESOLUTION 2024-91 – DECLARING LOCAL STATE OF EMERGENCY *continued*

Mr. Torcivia stated that Council could delegate the ability to extend the declaration to the Village Manager.

A motion was made by Councilmember Puyol and seconded by Vice Mayor Searcy to amend Resolution 2024-91 adding the language that states that the Village Manager has the discretion to extend the state of emergency up until 8 a.m. on Friday, October 11, 2024.

Thereafter, the motion to adopt Resolution 2024-91 as amended passed with all present voting aye.

ADJOURNMENT

With no further business to come before the Council, the meeting adjourned at 4:11 p.m.

Jessica Green, MMC, Village Clerk

Personal Day – All full-time personnel shall receive one (1) eight hour personal day per fiscal year which may be used in lieu of a scheduled workday. Requests to use the personal day shall be made upon at least fourteen (14) working days prior notice and will be granted unless exigent circumstances exist as determined by the Department Director. The personal day is forfeited if not used by September 30th of the respective fiscal year and may not be used on the same day as any other type of leave. It cannot be saved or rolled into another fiscal year. The personal day must be taken in a full day increment. There is no cash conversion for the day if it is not used and there is no cash payout upon separation of employment.

All other provisions of Article 12 remain unchanged.

The attached Resolution has been prepared and/or reviewed by the Village Attorney for legal sufficiency.

Recommendation:

Village Staff requests Council consideration and approval of the attached Resolution approving and ratifying the Memorandum of Understanding Amending Article 12 of the 2023-2025 Collective Bargaining Agreement with the Federation of Public Employees and authorizing the Village Manager to execute the Memorandum of Understanding on behalf of the Village.

RESOLUTION 2024-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING AND RATIFYING A MEMORANDUM OF UNDERSTANDING WITH THE FEDERATION OF PUBLIC EMPLOYEES TO AMEND ARTICLE 12 OF THE COLLECTIVE BARGAINING AGREEMENT PERTAINING TO PAID VACATION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village and the Federation of Public Employees (FPE) are parties to a Collective Bargaining Agreement (CBA) ratified by the FPE and approved and ratified by the Village on October 13, 2022 through the adoption of Resolution No. 2022-87; and

WHEREAS, the Village and the FPE have agreed to amend Article 12 (Paid Vacation) of the CBA through the execution of a Memorandum of Understanding (MOU), effective upon ratification by both parties; and

WHEREAS, the collective bargaining unit voted to ratify the MOU on October 3, 2024; and

WHEREAS, the Village Council determines that approval and ratification of the MOU is in the best interests of the Village and its residents.

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

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

Section 2. The Village Council hereby approves and ratifies a Memorandum of Understanding with the Federation of Public Employees, a copy of which is attached hereto and incorporated herein, and authorizes the Village Manager to execute the MOU on behalf of the Village.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

(Village Seal)

MAYOR

ATTEST:

VILLAGE CLERK

THE VILLAGE OF NORTH PALM BEACH
AND
THE FEDERATION OF PUBLIC EMPLOYEES, AFL-CIO, A DIVISION OF THE
NATIONAL FEDERATION OF PUBLIC AND PRIVATE EMPLOYEES, (AFL-CIO)
AFFILIATED WITH DISTRICT 1 – MEBA (AFL-CIO).

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into by and between the Village of North Palm Beach referred hereinafter as “Employer” and the Federation of Public Employees, a Division of the Federation of Public and Private Employees, AFL-CIO, herein referred to as “Union”. The Village the Union hereby agree as follows:

1. The Village and Union are parties to a Collective Bargaining Agreement (“CBA”) the term of which ends 9/30/2025.
2. The Village and Union agree to amend Article 12 Paid Vacation, as follows (new language underlined):

ARTICLE 12 PAID VACATION

Section 1. Vacation time will be accrued, may be used, and may be paid out in accordance with the Village Personnel Rules and Regulations for non-bargaining unit employees as that policy is amended from time to time. Vacation days accrue, but may not be taken during the first 180 days of employment. All personnel who have completed their first 180 days of full-time employment shall be entitled to take vacation with pay in accordance with the following accrual schedule:

0 but less than 5 years	10 days (80 hours) per year
5 but less than 10 years	15 days (120 hours) per year
Over 10 years	20 days (160 hours) per year

<u>Less than three (3) years</u>	<u>96 hours</u>
<u>Three (3) but less than five (5) years</u>	<u>112 hours</u>
<u>Five (5) but less than nine (9) years</u>	<u>128 hours</u>
<u>Nine (9) but less than fifteen (15) years</u>	<u>160 hours</u>
<u>Fifteen (15) years or more</u>	<u>192 hours</u>

Personal Day – *All full-time personnel shall receive one (1) eight hour personal day per fiscal year which may be used in lieu of a scheduled workday. Requests to use the personal day shall be made upon at least fourteen (14) working days prior notice and will be granted unless exigent circumstances exist as determined by the Department Director. The personal day is forfeited if not used by September 30th of the respective*

fiscal year and may not be used on the same day as any other type of leave. It cannot be saved or rolled into another fiscal year. The personal day must be taken in a full day increment. There is no cash conversion for the day if it is not used and there is no cash payout upon separation of employment.

3. All other terms of the Collective Bargaining Agreement (CBA) shall not be altered by any of the terms of this MOU.
4. This MOU, which materially amends the CBA which respect to paid vacation, will take effect the first full pay period following ratification by bargaining unit employees and the Village Council. There will be no retroactive accruals for this benefit.

Date: 10/3/24


Guy T. Masters, Business Rep.

Date: _____

Chuck Huff, Village Manager

**VILLAGE OF NORTH PALM BEACH
PUBLIC WORKS DEPARTMENT**

TO: Honorable Mayor and Council
THRU: Chuck Huff, Village Manager
FROM: Chad Girard, P.E., Public Works Director
DATE: October 17, 2024
SUBJECT: **RESOLUTION** – Approval of a Cross Parking Agreement with First Unitarian Church

The Village has maintained a cross parking agreement with the First Unitarian Church since 2005. The Agreement authorizes the Village to utilize up to thirty (30) parking spaces in the Church’s parking lot Monday through Friday for a fee, and authorizes the Church to utilize parking spaces in front of the Village’s Public Works facility on Saturdays and Sundays free of charge. The Public Works facility has limited parking for staff members, and the Church’s parking lot, located just south of the Public Works facility, provides parking for most Public Works employees.

The most recent Agreement expired on September 30, 2024. The Church has initiated an update to the agreement. The attached Agreement shall commence on October 1, 2024 and shall continue through September 30, 2029. The Church has requested that the compensation for the spaces be increased to \$604.70 per month, or \$7,256.40 per year (from \$537.00 per month or \$6,450 per year). Upon execution of the new Agreement, the Village will be required to pay the sum of \$1,814.10 for the remainder of the calendar year (October 1st through December 31st). On January 1, 2025 the Village shall pay the remainder of the fee for the first year in the amount of \$5,442.30. During the second year of this Agreement, the Village shall pay to the Church the sum of \$695.40 per month or \$8,344.80 per year, following the same payment schedule.

For each subsequent year after the second year (commencing October 1, 2026), the amount of compensation paid by the Village to the Church shall increase by three percent (3%), with the payment for the first three months due on October 1st and the payment for the remaining nine months due on the immediately following January 1st.

Either party may terminate the Agreement by providing one hundred and twenty (120) days’ written notice to the other party. In the event of termination, any compensation paid by the Village to the Church shall be prorated and refunded accordingly.

The attached Resolution and Agreement have been prepared/reviewed for legal sufficiency by the Village Attorney.

Account Information:

Fund	Department	Account Number	Account Description	Amount
General Fund	Public Works Administration	A6018-33491	Contractual Services	\$ 7,256.40

Recommendation:

Village Staff recommends approval Council consideration and approval of the attached Resolution approving a Cross Parking Agreement with the First Unitarian Church with an annual payment of \$7,256.40 the first year (with subsequent increases set forth in the Agreement), with funds expended from Account No. 6018-33491 (Public Works – Contractual Services), and authorizing the Mayor and Village Clerk to execute the Agreement in accordance with Village policies and procedures.

RESOLUTION 2024-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, APPROVING A NEW CROSS PARKING AGREEMENT WITH THE FIRST UNITARIAN CHURCH; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, through the adoption of Resolution 2016-41, the Village Council approved a Cross Parking Agreement with The First Unitarian Universalist Congregation of the Palm Beaches a/k/a First Unitarian Church (“Church”) authorizing the Village to utilize up to thirty parking spaces in the Church’s parking lot Monday through Friday for a monthly fee and authorizing the Church to utilize parking spaces in front of the Village’s Public Works facility on Saturdays and Sundays free of charge; and

WHEREAS, the 2016 Cross Parking Agreement, as amended, expired on September 30, 2024, and the parties wish to execute a new Cross Parking Agreement retroactive to October 1, 2024; and

WHEREAS, the Village Council determines that the execution of a new Cross Parking Agreement is in the best interests of the residents and citizen of the Village of North Palm Beach.

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

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

Section 2. The Village Council hereby approves a new Cross Parking Agreement with The First Unitarian Universalist Congregation of the Palm Beaches a/k/a First Unitarian Church retroactive to October 1, 2024, a copy of which is attached hereto and incorporated herein, and authorizes the Mayor and Village Clerk to execute the Agreement on behalf of the Village. The compensation for the first year shall be \$7,256.40 (with subsequent increases as set forth in the Agreement), with funds expended from Account No. A6018-33491 (Public Works Administration – Contractual Services).

Section 3. All resolutions or parts of resolution in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

(Village Seal)

MAYOR

ATTEST:

VILLAGE CLERK

CROSS PARKING AGREEMENT

THIS CROSS PARKING AGREEMENT is made and entered into this _____ day of October, 2024, by and between the Village of North Palm Beach, Florida, a Florida municipal corporation (“Village”), 501 U.S. Highway One, North Palm Beach, Florida 33408, and The First Unitarian Universalist Congregation of the Palm Beaches a/k/a First Unitarian Church (“Church”), 635 Prosperity Farms Road, North Palm Beach, Florida 33408.

WITNESSETH:

WHEREAS, the Village and the Church are parties to a Cross Parking Agreement dated July 28, 2016 (“2016 Cross Parking Agreement”), as amended, whereby the Church agreed to allow the Public Works Department to park vehicles on the Church’s property from Monday through Friday for a monthly fee and the Village agreed to allow the Church to utilize the parking spaces in front of the Public Works Department on Saturday and Sunday free of charge; and

WHEREAS, the 2016 Cross Parking Agreement, as amended, terminates on September 30, 2024, and the Village and the Church wish to enter into this new Agreement.

NOW, THEREFORE, in consideration of the mutual representations and obligations set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals

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

2. Agreement Term

The term of this Cross Parking Agreement shall commence retroactive to October 1, 2024 and shall continue through September 30, 2029, unless terminated earlier in accordance with Section 5 below.

3. Cross Parking

- A. During the term of this Agreement, the Church grants the Village the right, on Monday through Friday of each week, to park up to thirty (30) vehicles in its parking lot located at 635 Prosperity Farms Road, North Palm Beach, Florida.
- B. During the term of this Agreement, the Village grants the Church the right, on Saturday and Sunday of each week, to utilize the parking spaces in front of the Village’s Public Works Department located at 645 Prosperity Farms Road, North Palm Beach, Florida.

4. Compensation

- A. During the first year of this Agreement, the Village shall pay to the Church the sum of \$604.70 per month or \$7,256.40 per year as follows:
 - 1. On October 1, 2024, the Village shall pay to the Church the sum of \$1,814.10, representing the payment through December 31, 2024.

2. On January 1, 2025, the Village shall pay to the Church the sum of \$5,442.30, representing payment through September 30, 2025.
- B. During the second year of this Agreement, the Village shall pay to the Church the sum of \$695.40 per month or \$8,344.80 per year as follows:
 1. On October 1, 2025, the Village shall pay to the Church the sum of \$2,086.20, representing the payment through December 31, 2025.
 2. On January 1, 2026, the Village shall pay to the Church the sum of \$6,258.60, representing payment through September 30, 2026.
 - C. For each subsequent year after the second year (commencing October 1, 2026), the amount of compensation paid by the Village to the Church shall increase by three percent (3%), with the payment for the first three months due on October 1st and the payment for the remaining nine months due on the immediately following January 1st.
 - D. The Church is not required to compensate the Village for use of its parking spaces.

5. Termination

Either party may terminate this Agreement by providing one hundred twenty (120) days' written notice to the other party. In the event of termination by either party, any compensation paid by the Village to the Church for use of the Church parking lot after the termination date shall be prorated and refunded by the Church to the Village.

6. Indemnification

- A. To the extent provided by law and without waiving its sovereign immunity protections or the limitations of liability set forth in Section 768.28, Florida Statutes, the Village agrees to indemnify and hold the Church harmless from all claims, demands, causes of action or liability, resulting from injury or death to persons or damage to or loss of property arising out of or related to the Village exercising its parking rights on property owned by the Church, which indemnification shall include, but not be limited to, reasonable attorney's fees and all costs incurred by the Church defending itself at both the trial and appellate levels.
- B. The Church agrees to indemnify and hold the Village harmless from all claims, demands, causes of action or liability, resulting from injury or death to persons or damage to or loss of property arising out of or related to the Church exercising its parking rights on property owned by the Village, which indemnification shall include, but not be limited to, reasonable attorney's fees and all costs incurred by the Village defending itself at both the trial and appellate levels.
- C. Nothing set forth in this section shall create a cause of action in favor of any third party.

7. **General Provisions**

- A. **Entire Agreement:** The provisions of this Agreement constitute the entire understanding between the parties. No other representations or understandings are binding on the Village and Church unless contained in this or any subsequently adopted agreement.
- B. **Governing Law and Venue:** This Agreement shall be construed and governed by the laws of the State of Florida. The parties agree that venue of any proceedings arising out of this Agreement shall lie exclusively in Palm Beach County, Florida. The parties knowingly, voluntarily, and intentionally **waive any right they may have to trial by jury** with respect to any litigation arising out of or in connection with this Agreement.
- C. **Construction of Agreement:** The parties acknowledge that each shared equally in the drafting and preparation of this Agreement and, accordingly, no court or administrative officer construing this Agreement shall construe it more strictly against one party than the other and every covenant, term and provision shall be construed according to its plain meaning.
- D. **Counterparts:** This Agreement may be executed in one or more counterparts, each of which shall be deemed as original, but all of which shall constitute the same instrument.
- E. **Attorney's Fees:** In any litigation between the parties regarding the enforcement or interpretation of this Agreement, the prevailing party to such litigation shall be entitled to recovery from the non-prevailing party reasonable attorney's fees and all costs of litigation (whether or not taxable) at both the trial and appellate levels.
- F. **Severability:** If any part of this Agreement is contrary to, prohibited by or deemed invalid under applicable law or regulation, such provision shall be inapplicable and deemed omitted to the extent so contrary, prohibited, or invalid, but the remainder shall not be invalidated and shall be given full force and effect so far as possible.
- G. **Notices:** All notices required by this Agreement shall be sent by certified mail, return receipt requested, and sent to the addresses appearing on the first page of this Agreement.
- H. **Inspector General:** The Church is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this Agreement, and in furtherance thereof, may demand and obtain records and testimony from the Church. The Church understands that in addition to all other remedies and consequences provided by law, failure of the Church to fully cooperate with the Inspector General when requested may be deemed by the Village to be a material breach of the Agreement justifying termination.

[Remainder of page blank – signatures on next page]

IN WITNESS WHEREOF, the parties have executed this Amendment to Cross Parking Agreement on the date first written above.

VILLAGE OF NORTH PALM BEACH

(VILLAGE SEAL)

By: _____
Susan Bickel, Mayor

ATTEST:

By: _____
Jessica Green, MMC, Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Leonard G. Rubin, Village Attorney

**FIRST UNITARIAN UNIVERSALIST
CONGREGATION OF THE PALM BEACHES
A/K/A FIRST UNITARIAN CHURCH**

Witnesses:

Print Name:

By: _____
Name: David Traupman
Title: President

Print Name:



**THE VILLAGE OF NORTH PALM BEACH
PLANNING, ZONING AND ADJUSTMENT BOARD
REGULAR MEETING MINUTES
TUESDAY, AUGUST 6, 2024 at 6:30 PM**

Present

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

Village Staff

Susan Garret, Village Attorney
Caryn Gardner-Young, Community Development Director
Mariah Hampton, Planner
Lisa Interlandi, Village Council

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.

Ms. Gardner-Young stated Board member Mark Michels had advised staff he would not be in attendance.

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

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

4. APPROVAL OF MINUTES

a. June 4, 2024

Mr. Solodar motioned to approve the June 4, 2024, minutes as presented, seconded by Mr. Haigh. The **motion passed** unanimously (6-0).

b. July 2, 2024

Mr. Solodar motioned to approve the July 2, 2024, minutes as presented, seconded by Mr. Hicks. The **motion passed** unanimously (6-0).

5. DECLARATION OF EX-PARTE COMMUNICATIONS: None.

6. QUASI-JUDICIAL MATTERS/PUBLIC HEARING

Village Attorney Susan Garret swore in those wishing to provide testimony.

a. SITE PLAN AND APPEARANCE REVIEW

i. NEW BUSINESS

1. 1201 US Highway 1, Suites 24 and 25 (Matteo's)

Remy Van Driel presented a proposal on behalf of the property owner Crystal Cove Commons LLC, for Site Plan and Appearance Petition

approval for architectural evaluation and outdoor seating approval for Matteo's Restaurant located at 1201 US Highway 1, Suites 24 and 25.

Ms. Gardner-Young shared the staff report with recommendations for approval with conditions. She noted the item would go before Village Council for two (2) readings.

Member comments

Mr. Hullihan asked for clarification on the signage and seating map. Mr. Van Drew explained briefly. Ms. Gardner-Young confirmed there was existing approval for the seating area as proposed.

Mr. Hogarth asked the applicant to explain the width of the public walkway. Ms. Gardner-Young clarified the previous approval had been for a total of eight (8) feet, five (5) feet and three (3) feet with a post in between. Mr. Van Drew shared the site plan and discussion continued. Mr. Hogarth advised his recommendation would be for an eight (8) foot path.

Mr. Hogarth asked if framing was being added to the ceiling. Mr. Van Drew advised that repairs had been made to the existing framing and beams. He described the canvas and frame briefly.

Mr. Hogarth inquired as to the materials used. Mr. Van Drew outlined plans for the look of the false façade. He noted color changes had been made at the request of the plaza owners. Discussion continued regarding longevity of external painted wood and the fake ivy shown on the trellis.

Mr. Hicks asked about the air flow in the outdoor seating area and whether it was sufficient for a summer evening. Mr. Van Drew described the area briefly and noted it would be exposed during rain.

Mr. Solodar asked about plans for lights after closing. Mr. Van Drew stated they would not be adding to the existing lighting and noted the restaurant's sign would be on a timer.

Mr. Solodar clarified there would be no outside entertainment. Mr. Van Drew stated there would be speakers fastened to the storefront and discussed the intent to focus on dining rather than a bar.

Mr. Hogarth motioned to recommend approval of the PUD amendment to Village Council with staff conditions and the additional condition that the five (5) foot public walkway be enlarged to eight (8) feet around the perimeter of the outdoor seating and that painted wood trim as shown on the architectural drawings be substituted with aluminum, seconded by Mr. Hullihan. The **motion passed** unanimously (6-0).

7. PUBLIC HEARINGS

a. NEW BUSINESS

i. Sign Text Amendment Ordinance

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 CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," OF THE VILLAGE CODE OF ORDINANCES BY REPEALING ARTICLE V, "SIGNS AND OUTDOOR DISPLAYS," IN ITS ENTIRETY; AMENDING ARTICLE III, "DISTRICT REGULATIONS," OF APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 45-34, "C-G GENERAL COMMERCIAL DISTRICT," SECTION 45-34.1, "C-3 REGIONAL BUSINESS DISTRICT," SECTION 45-34.3, "C-NB NORTHLAKE BOULEVARD COMMERCIAL DISTRICT, AND SECTION 45-38, "I-1 LIGHT INDUSTRIAL DISTRICT," TO REMOVE SIGN REGULATIONS; AMENDING APPENDIX C (CHAPTER 45), "ZONING," OF THE VILLAGE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE IX, "SIGNS AND OUTDOOR DISPLAYS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Village Attorney Garret shared the staff report, including background on the recommended amendments to the Sign Code and changes made to the draft since the Board workshop.

Ms. Gardner-Young sought feedback on whether an amortization period should be included for nonconforming signs. Discussion ensued regarding the appropriate amortization period, whether nonconforming situations were being created through the amendment, and potential for an appeal or variance process. City Attorney Garret provided additional clarity on due process requirements for a reasonable time period to come into conformity. Consensus was to not include amortization.

Ms. Gardner-Young asked the Board whether the Village should allow off-premises signage. Consensus was that off-premises signage should continue to not be allowed.

Ms. Gardner-Young advised there is a provision in the existing Code for a Master Signage Plan, but it is not mandatory. She noted she had sought feedback from impacted business owners and had not received any responses. Consensus was that a Master Signage Plan should be mandatory.

Ms. Gardner-Young sought feedback regarding sign illumination.

Mr. Haigh commented that regulation of intensity of light made sense to him, but not regulation of the color temperature.

Chair Cross stated some illumination at the face of the sign should be established, but he was not sure of the number.

Mr. Haigh suggested language stating that if the illumination of the sign affects the health, safety, and welfare of the public, it needs to be regulated in some way.

City Attorney Garret provided a brief overview of research she had conducted on how the issue is addressed in other municipalities. She advised there are a number of calculations utilized.

Mr. Hullihan suggested a shift to lumen would be appropriate. He stated he thought color temperature was also important. Discussion continued. Consensus was to direct staff to look at the policy of three (3) different cities and bring the item back for further discussion.

Mr. Hogarth highlighted changes to regulations on auto dealerships and asked the impetus of the change. Ms. Gardner-Young advised the language had been moved to a single Sign Code rather than being included in each individual section.

Mr. Hogarth asked for clarification on the intent related to vehicle signs. City Attorney Garret stated the intent was to prohibit vehicle signs aside from small identification signs. Mr. Hogarth stated size needed to be defined and suggested the language remain as-is, and that language related to exemptions be reviewed. Discussion continued regarding exemptions and enforcement of vehicle signs.

Mr. Hogarth advised the exemption of ornamental figures should be stricken, along with the maximum height for street numbers, measurement of sign height in reference to flood elevations, reference to non-commercial messages. Continuing, he asked that maximum vertical dimension of wall signage be reviewed, and “except one (1)” under coordination of construction of wall mounted signs, size restriction specific to canopy signs, and extrusion distance for letters on wall signs be stricken. He noted minimum sign setbacks were laid out in the Zoning Code and should be removed to avoid conflicts. He highlighted the allowable percentages on changeable copy signs as an issue to investigate further. Discussion ensued briefly regarding residential signs and temporary non-commercial signs.

Mr. Solodar asked if it was okay under the Code to have a for sale or lease sign advertising a vacancy on US-1 for a period of years. Ms. Gardner-Young advised that under the existing Code, the sign would require a temporary sign permit, which is valid for six (6) months and can be renewed indefinitely.

Mr. Hogarth commented that the regulation of construction fence banner signs was very permissive of contractor or construction company advertising, and he did not find it necessary. Discussion ensued and consensus was to eliminate the section.

The Board had no further comments and there was no input from the public.

ii. **Comprehensive Plan Amendment (EAR) Ordinance**

Request by Village staff for consideration by the Local Planning Agency of the following ordinance:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE VILLAGE OF NORTH PALM BEACH COMPREHENSIVE PLAN TO IMPLEMENT ITS EVALUATION AND APPRAISAL REPORT; ADOPTING A NEW INTRODUCTION SECTION AND EVALUATING AND MONITORING SECTION; AMENDING THE FUTURE LAND USE ELEMENT, THE CONSERVATION ELEMENT, THE COASTAL MANAGEMENT ELEMENT, THE RECREATION AND OPEN SPACE ELEMENT, THE INTERGOVERNMENTAL COORDINATION ELEMENT, THE CAPITAL IMPROVEMENT ELEMENT, THE INFRASTRUCTURE ELEMENT, THE

HOUSING ELEMENT, THE ANNEXATION ELEMENT, AND THE PROPERTY RIGHTS ELEMENT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Gardner-Young shared the staff report, including the current Village Comprehensive Plan and its elements, as well as the update process, public participation, an overview of proposed changes, and next steps.

Mr. Hullihan highlighted typographical errors in his previous comments as added to the Future Land Use, Transportation, and Infrastructure Elements. He noted that the addition of the objective to develop a bicycle and pedestrian plan by 2026 had been approved by a 3-2 vote at the July meeting but had not been added to the document. He suggested language also be added to the data section to consider the use of alleyways by bicycles and pedestrians in making future renovations, as well as to address the psychology of lane choice and traveling speed.

Mr. Hullihan commented on ongoing costs to the Village related to not only current but future infrastructure needs for a large-scale development and stated this needed to be considered in the associated economic analysis. Discussion continued.

Mr. Hicks commented on the Future Land Use Element, asking who designates environmentally sensitive lands for protection. Ms. Gardner-Young stated the Natural Areas Map should be referenced.

Mr. Hicks noted the minimum floor elevation reference should be updated and asked for clarification on how the Responsible and Responsive Government section was tied into the Master Plan. Discussion ensued regarding the intent of the amendments as previously recommended by Mr. Hullihan as well as the Village Master Plan. Consensus was to follow the recommendation of staff to amend the language of the section.

Mr. Solodar followed up on a previous discussion as to why the golf course was not included in the calculation of open space. Alex Ahrenholz, JMorton Planning and Landscape Architecture, outlined the analysis briefly. Consensus was to recommend Village Council consider incorporating all recreation and open space in the calculation.

Jim Hickey, Calvin Giordano and Associates, presented the Water Supply Plan briefly. He provided background information on creation of the plan and updates. Discussion ensued regarding coordination with South Florida Water Management District and Seacoast Utilities, as well as input from staff and consultants and factors applicable to the plan.

The Board had no further comments and there was no input from the public.

Mr. Hullihan motioned to recommend Village approval of the Comprehensive Plan and Water Supply Plan with changes as discussed, seconded by Mr. Haigh. The **motion passed** unanimously (6-0).

8. BOARD COMMENTS

Mr. Hogarth asked for an update on the Sushi Jo project. Ms. Gardner-Young advised she would follow up.

Mr. Haigh inquired about the chain link fence in front of Faith Lutheran Church. Ms. Gardner-Young stated she would investigate the requirements and report back.

Mr. Hullihan asked if there was an update on the Faith Lutheran Church parking lot lighting. Ms. Gardner-Young stated she had met the previous week and she hoped to present the change at the September meeting. Mr. Hullihan suggested the light should be turned off until the issue is resolved. Discussion continued.

9. STAFF UPDATES: None.

10. ADJOURNMENT

Chair Cross advised the next meeting was scheduled for Tuesday, September 10, 2024. With no further business before the Board, Chair Cross adjourned the meeting at 9:33 p.m.



**THE VILLAGE OF NORTH PALM BEACH
DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING MINUTES
WEDNESDAY, JULY 10, 2024**

Present: Jamie Mount, Public Works Assistant Director
Kimberly Cawley, Senior Fire Inspector
Zak Sherman, Leisure Services Director
Caryn Gardner-Young, Community Development Director
Scott Woods, Building Official
George Lopez, Police Department

Not Present: N/A

I. CALL TO ORDER

Caryn Gardner-Young called the meeting to order at 2:00 p.m.

II. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA

None.

III. NEW BUSINESS

1. SPECIAL EVENTS

a) 30th Annual Holiday Palm Beach Holiday Boat Parade

Marine Industries of Palm Beach County submitted a request to hold the 30th Annual Holiday Boat Parade at 1037 Marina Drive on December 7, 2024, from 5:00 PM to 8:00 PM.

DRC MEMBERS DISCUSSED THE FOLLOWING:

The Leisure Services Director stated that the bleachers used in past events will be available again, but transportation of the bleachers must be arranged by the organizers.

The Fire Inspector noted that fire lanes were not blocked during previous events and the fire department had no major concerns.

The Public Works Assistant Director mentioned there were no issues with dumpsters or sanitation last year.

The Police Department confirmed that multiple officers will be involved for crowd control and bridge monitoring, including a detail stationed on the north side of the bridge.

The Building Official raised questions regarding electrical setups and potential hazards from dripping outlets or improper extension cords but noted that previous events had managed these issues well.

The event was approved with no additional comments or objections.

IV. DISCUSSION ITEMS

Discussion regarding various projects, including the Mercedes dealership's parking lot improvements.

The DRC raised questions about when certain building permits and site plans should return to the DRC for further review, particularly for larger projects or those affecting public infrastructure, like fire access.

In response, Caryn Gardner-Young clarified that not all projects would return to the DRC unless the changes were substantial or had a direct impact on public safety or logistics. For example, minor adjustments, such as paint color changes or interior renovations, would typically not necessitate a follow-up review. However, if modifications involved fire access, traffic flow, or structural alterations that affected the overall site plan, they would require another review before proceeding.

V. CONCLUDING REMARKS

The next DRC meeting is scheduled for August 14, 2024, at 2:00 p.m.

VI. ADJOURNMENT

Caryn Gardner-Young adjourned the meeting at 2:24 p.m.



**THE VILLAGE OF NORTH PALM BEACH
DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING MINUTES
WEDNESDAY, AUGUST 14, 2024**

Present: Jamie Mount, Public Works Assistant Director
Kimberly Cawley, Senior Fire Inspector
Zak Sherman, Leisure Services Director
Caryn Gardner-Young, Community Development Director
Pedro Vieira, Building Official

Not Present: George Lopez, Police Department

I. CALL TO ORDER

Caryn Gardner-Young called the meeting to order at 2:03 p.m.

II. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA

None.

III. NEW BUSINESS

1. SPECIAL EVENTS

a) St. Claire Carnival

The St. Claire Home and School Association requested approval for their annual carnival, scheduled for January 17–19, 2025, at 821 Prosperity Farms Road.

The representative noted that the event would largely follow the same plan as last year, with tents, automobiles, and food offerings.

The Development Review Committee appreciated the early submission of the permit application, allowing ample time to address any concerns.

DRC MEMBERS DISCUSSED THE FOLLOWING:

The Leisure Services Director had no additional concerns, while the Fire Inspector mentioned the importance of securing the necessary permits closer to the event date, particularly the electrical permit.

It was agreed that all vendor paperwork and permits should be submitted by December 1, and a follow-up meeting on December 11 would ensure all preparations were finalized.

The DRC also emphasized the importance of passing electrical inspections and securing any required permits for tents larger than 10 x10.

The Public Works Assistant Director confirmed that their services last year were adequate, and no additional waste management services were anticipated. The meeting concluded with the event's approval, pending submission of the necessary permits and paperwork.

IV. DISCUSSION ITEMS

Discussion regarding outstanding building permits, including a project by Mercedes and a pediatric facility at 701 Northlake, with updates on their progress and compliance with code requirements.

V. CONCLUDING REMARKS

The next DRC meeting is scheduled for September 11, 2024, at 2:00 p.m.

VI. ADJOURNMENT

Caryn Gardner-Young adjourned the meeting at 2:18 p.m.



**THE VILLAGE OF NORTH PALM BEACH
DEVELOPMENT REVIEW COMMITTEE
REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 11, 2024**

Present: Jamie Mount, Public Works Assistant Director
Kimberly Cawley, Senior Fire Inspector
Zak Sherman, Leisure Services Director
Caryn Gardner-Young, Community Development Director

Not Present: Pedro Vieira, Building Official
George Lopez, Police Department

I. CALL TO ORDER

Caryn Gardner-Young called the meeting to order at 2:02 p.m.

II. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA

None.

III. NEW BUSINESS

1. SPECIAL EVENTS

a) Holiday Cheers & Beers

Stormhouse Brewing requested approval to hold their annual "Holiday Cheers & Beers" event on December 29, 2024, at 1201 US Highway 1.

The representative confirmed the event will feature approximately thirty types of beer breweries and twelve outside vendors. The event layout remains unchanged from previous years, with tents set up in the parking area, though caution tape will be used instead of physical barriers to separate the activities from traffic.

DRC MEMBERS DISCUSSED THE FOLLOWING:

Discussion followed regarding the tent size, fire hydrant access, and surrounding tenant notifications.

The Development Review Committee had no objections and agreed to move forward with a memo outlining conditions of approval.

b) Touch- A-Truck

Village Parks and Recreation Department requested approval to hold the annual "Touch-A-Truck" event at Anchorage Park on September 21, 2024, from 10:00 AM to 1:00 PM.

The representative confirmed the event setup is consistent with previous years, featuring approximately 15-20 trucks. There were no concerns or issues reported from last year's event.

DRC MEMBERS DISCUSSED THE FOLLOWING:

The Development Review Committee approved the request without further comments.

c) **Happy Halloween Party**

Village Parks and Recreation Department requested approval to hold the annual "Happy Halloween Party" at Anchorage Park on October 26, 2024, from 5:00 PM to 9:00 PM.

This year's event will feature two food trucks, a trackless train, crafts, and a movie ("Scooby-Doo").

DRC MEMBERS DISCUSSED THE FOLLOWING:

Discussion ensued regarding the logistics of the train on sidewalks and ensuring that cords for generators and movie screens do not obstruct ingress/egress paths.

The Development Review Committee provided suggestions for improved safety and approved the event, with a note to finalize details closer to the event.

d) **Links 5K Ghost Run**

Village Parks and Recreation Department requested approval to hold the annual "Links 5K Ghost Run" at the Village Country Club on October 26, 2024, from 7:30 AM to 9:30 AM.

The representative described the setup, which is identical to previous years, with a course on the golf course, and Lessing Group providing food and beverages. Additional details included event insurance, police presence, and plans for a brunch at the Country Club post-race.

DRC MEMBERS DISCUSSED THE FOLLOWING:

The Development Review Committee approved the event without objections.

DISCUSSION ITEMS

Discussion regarding logistical concerns for larger events, particularly ensuring fire hydrants and ingress/egress paths remain accessible during the events.

Caryn Gardner Young emphasized that conditions would be outlined in memos sent to event organizers, and no further review by the DRC would be required unless substantial changes were made.

IV. CONCLUDING REMARKS

The next DRC meeting is scheduled for October 9, 2024, at 2:00 p.m.

V. ADJOURNMENT

Caryn Gardner-Young adjourned the meeting at 2:15 p.m.

**VILLAGE OF NORTH PALM BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Honorable Mayor and Council

THRU: Chuck Huff, Village Manager

FROM: Caryn Gardner-Young, Community Development Director

DATE: October 17, 2024

SUBJECT: **ORDINANCE 1st Reading**– AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES BY AMENDING CHAPTER 6 “BUILDINGS AND BUILDING REGULATIONS,” TO REMOVE TECHNICAL AMENDMENTS SUPERSEDED BY THE FLORIDA BUILDING CODE AND AMENDING CHAPTER 12.5 “FLOOD DAMAGE PREVENTION,” TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, MODIFY AND DELETE DEFINITIONS, AND SPECIFY THE ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

This is an administrative/housekeeping request to amend Chapter 6 “Buildings and Building Regulations” of the Code of Ordinance to meet the requirements of the National Flood Insurance Program, Community Rating System. These modifications were provided to staff from the State of Florida Floodplain Management Office under the Florida Division of Emergency Management.

The National Flood Insurance Program (NFIP) rates cities for risk of flooding and these ratings are used by insurance companies to establish premiums. NFIP is a division of the Federal Emergency Management Agency (FEMA). In order for the Village to qualify for the best possible rating from NFIP, the Village must satisfy certain prerequisites and participate in periodic audits. The Village currently is CRS Class 5. To maintain, or potentially improve our NFIP Class, the Village must update its Floodplain Regulations. The attached Ordinance deletes Section 6-21, “Technical Amendments to the Florida Building Code, Residential,” of the Village Code to recognize that these amendments have been superseded by the current edition of the Florida Building Code. This Ordinance also amends Chapter 12.5, “Flood Damage Protection,” of the Village Code as follows:

- Recognizes the adoption of new Flood Insurance Rate Maps for Palm Beach County
- Modifies the elevation requirements for manufactured homes
- Amends the definition of market value to comply with FEMA regulations
- Makes additional housekeeping revisions (to location of Building Department and designation of Floodplain Administrator)

There is no fiscal impact.

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

Recommendation:

Village Staff recommends Village Council consideration and approval on first reading of the attached Ordinance amending Chapter 6 of the Village Code to delete superseded technical amendments to the Florida Building Code and amending Chapter 12.5 of the Village Code to maintain compliance with the National Flood Insurance Program, Community Rating System, in accordance with Village policies and procedures.

1 Prevention,” to identify the effective date of the revised Flood Insurance Study and Flood
2 Insurance Rate Maps.

3
4 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE
5 OF NORTH PALM BEACH, FLORIDA as follows:

6
7 Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein by
8 reference and made a part hereof.

9
10 Section 2. The Village Council hereby amends Article II, “Minimum Construction
11 Standards,” of Chapter 6, “Buildings and Building Regulations,” of the Village Code of
12 Ordinances to read as follows (deleted language is ~~stricken through~~):

13
14 **ARTICLE II. MINIMUM CONSTRUCTION STANDARDS**

15
16 * * *

17
18 **~~Sec. 6-21. Technical amendments to the Florida Building Code, Residential.~~**

19
20 ~~R322.2.1 Elevation requirements.~~

21
22 1. ~~Buildings and structures in flood hazard areas not designated as Coastal A~~
23 ~~Zones shall have the lowest floors elevated to or above the base flood elevation plus~~
24 ~~1 foot or the design flood elevation, whichever is higher.~~

25
26 2. ~~Buildings and structures in flood hazard areas designated as Coastal A~~
27 ~~Zones shall have the lowest floors elevated to or above the base flood elevation plus~~
28 ~~1 foot (305 mm), or to the design flood elevation, whichever is higher.~~

29
30 3. ~~In areas of shallow flooding (AO Zones), buildings and structures shall have~~
31 ~~the lowest floor (including basement) elevated at least as high above the highest~~
32 ~~adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at~~
33 ~~least 3 feet if a depth number is not specified.~~

34
35 4. ~~Basement floors that are below grade on all sides shall be elevated to or~~
36 ~~above the base flood elevation plus 1 foot or the design flood elevation, whichever~~
37 ~~is higher.~~

38
39 ~~**Exception:** Enclosed areas below the design flood elevation, including basements~~
40 ~~whose floors are not below grade on all sides, shall meet the requirements of~~
41 ~~Section R322.2.2.~~

42
43 ~~R322.3.2 Elevation requirements.~~

44
45 1. ~~All buildings and structures erected within coastal high hazard areas shall~~
46 ~~be elevated so that the lowest portion of all structural members supporting the~~
47 ~~lowest floor, with the exception of piling, pile caps, columns, grade beams and~~

1
2 (1) Are below the closest applicable base flood elevation, even in areas
3 not delineated as a special flood hazard area on a FIRM, the area
4 shall be considered as flood hazard area and subject to the
5 requirements of this chapter and, as applicable, the requirements of
6 the Florida Building Code.

7
8 (2) Are above the closest applicable base flood elevation, the area shall
9 be regulated as special flood hazard area unless the applicant obtains
10 a Letter of Map Change that removes the area from the special flood
11 hazard area.

12
13 (e) *Other laws.* The provisions of this chapter shall not be deemed to nullify
14 any provisions of local, state or federal law.

15
16 (f) *Abrogation and greater restrictions.* The ordinance from which this chapter
17 is derived supersedes any ordinance in effect for management of
18 development in flood hazard areas. However, it is not intended to repeal or
19 abrogate any existing ordinances including but not limited to land
20 development regulations, zoning ordinances, stormwater management
21 regulations, or the Florida Building Code. In the event of a conflict between
22 this chapter and any other ordinance, the more restrictive shall govern. This
23 chapter shall not impair any deed restriction, covenant or easement, but any
24 land that is subject to such interests shall also be governed by this chapter.

25
26 (g) *Interpretation.* In the interpretation and application of this chapter, all
27 provisions shall be:

28
29 (1) Considered as minimum requirements;

30
31 (2) Liberally construed in favor of the governing body; and

32
33 (3) Deemed neither to limit nor repeal any other powers granted under
34 state statutes.

35
36 **Sec. 12.5-3. Duties and powers of the floodplain administrator.**

37
38 (a) *Designation.* The Village Planner ~~Building Official~~ is designated as the
39 Floodplain Administrator or such other person as may be designated by the
40 Community Development Director. The Floodplain Administrator may
41 delegate performance of certain duties to other employees.

42
43 (b) *General.* The Floodplain Administrator is authorized and directed to
44 administer and enforce the provisions of this chapter. The Floodplain
45 Administrator shall have the authority to render interpretations of this
46 chapter consistent with the intent and purpose of this chapter and may
47 establish policies and procedures in order to clarify the application of its
48 provisions. Such interpretations, policies, and procedures shall not have the

1 effect of waiving requirements specifically provided in this chapter without
2 the granting of a variance pursuant to section 12.5-7.

3
4 * * *

5
6 Section 4. The Village Council hereby amends Article II, "Definitions," of Chapter 12.5,
7 "Flood Damage Protection," of the Village Code of Ordinances to read as follows (additional
8 language is underlined and deleted language is ~~stricken through~~):

9
10
11 **ARTICLE II. – DEFINITIONS**

12
13 **Sec. 12.5-21. General.**

14
15 * * *

16
17 (d) *Definitions.*

18
19 * * *

20
21 *Coastal high hazard area.* A special flood hazard area extending from
22 offshore to the inland limit of a primary frontal dune along an open coast and any
23 other area subject to high velocity wave action from storms or seismic sources.
24 ~~Coastal high hazard areas are also referred to as "high hazard areas subject to high~~
25 ~~velocity wave action" or "V Zones" and are designated on Flood Insurance Rate~~
26 ~~Maps (FIRM) as Zone V1-V30, VE, or V.~~

27
28 *Critical facility.* A facility for which even a slight chance of flooding might
29 be too great. Critical facilities include, but are not limited to schools, nursing
30 homes, hospitals, police, fire and emergency response installations, installations
31 which produce, use or store hazardous materials or hazardous waste. The term
32 includes facilities that are assigned Risk Category III and Risk Category IV
33 pursuant to the Florida Building Code, Building.

34
35 *Design flood.* The flood associated with the greater of the following two (2)
36 areas: [Also defined in FBC, B, Section 202.]

- 37
38 (1) Area with a floodplain subject to a 1-percent or greater chance of
39 flooding in any year; or
40
41 (2) Area designated as a flood hazard area on the community's flood
42 hazard map, or otherwise legally designated.

43
44 *Design flood elevation.* The elevation of the "design flood," including wave
45 height, relative to the datum specified on the community's legally designated flood
46 hazard map. In areas designated as Zone AO, the design flood elevation shall be
47 the elevation of the highest existing grade of the building's perimeter plus the depth
48 number (in feet) specified on the flood hazard map. In areas designated as Zone AO

1 where the depth number is not specified on the map, the depth number shall be
2 taken as being equal to two (2) feet. [Also defined in FBC, B, Section 202.]
3

4 *Development.* Any man-made change to improved or unimproved real
5 estate, including but not limited to, buildings or other structures, tanks, temporary
6 structures, temporary or permanent storage of equipment or materials, mining,
7 dredging, filling, grading, paving, excavations, drilling operations or any other land
8 disturbing activities.
9

10 *Encroachment.* The placement of fill, excavation, buildings, permanent
11 structures or other development into a flood hazard area which may impede or alter
12 the flow capacity of riverine flood hazard areas.
13

14 *Existing building and existing structure.* Any buildings and structures for
15 which the "start of construction" commenced before August 15, 1978. Also defined
16 in FBC, B, Section 202.]
17

18 ~~*Existing manufactured home park or subdivision.* A manufactured home
19 park or subdivision for which the construction of facilities for servicing the lots on
20 which the manufactured homes are to be affixed (including, at a minimum, the
21 installation of utilities, the construction of streets, and either final site grading or
22 the pouring of concrete pads) is completed before August 15, 1978.~~

23
24 ~~*Expansion to an existing manufactured home park or subdivision.* The
25 preparation of additional sites by the construction of facilities for servicing the lots
26 on which the manufactured homes are to be affixed (including the installation of
27 utilities, the construction of streets, and either final site grading or the pouring of
28 concrete pads).~~

29
30 *Federal Emergency Management Agency (FEMA).* The federal agency that,
31 in addition to carrying out other functions, administers the National Flood
32 Insurance Program.
33

34 *Flood or flooding.* A general and temporary condition of partial or complete
35 inundation of normally dry land from: [Also defined in FBC, B, Section 202.]
36

- 37 (1) The overflow of inland or tidal waters.
38
39 (2) The unusual and rapid accumulation or runoff of surface waters
40 from any source.
41

42 *Flood damage-resistant materials.* Any construction material capable of
43 withstanding direct and prolonged contact with floodwaters without sustaining any
44 damage that requires more than cosmetic repair. [Also defined in FBC, B, Section
45 202.]
46

47 *Flood hazard area.* The greater of the following two (2) areas: [Also defined
48 in FBC, B, Section 202.]

- 1
2 (1) The area within a floodplain subject to a 1-percent or greater chance
3 of flooding in any year.
4
5 (2) The area designated as a flood hazard area on the community's flood
6 hazard map, or otherwise legally designated.
7

8 *Flood Insurance Rate Map (FIRM).* The official map of the community on
9 which the Federal Emergency Management Agency has delineated both special
10 flood hazard areas and the risk premium zones applicable to the community. [Also
11 defined in FBC, B, Section 202.]
12

13 *Flood Insurance Study (FIS).* The official report provided by the Federal
14 Emergency Management Agency that contains the Flood Insurance Rate Map, the
15 Flood Boundary and Floodway Map (if applicable), the water surface elevations of
16 the base flood, and supporting technical data. [Also defined in FBC, B, Section
17 202.]
18

19 *Floodplain Administrator.* The office or position designated and charged
20 with the administration and enforcement of this chapter (may be referred to as the
21 Floodplain Manager).
22

23 *Floodplain development permit or approval.* An official document or
24 certificate issued by the community, or other evidence of approval or concurrence,
25 which authorizes performance of specific development activities that are located in
26 flood hazard areas and that are determined to be compliant with this chapter.
27

28 *Floodway.* The channel of a river or other riverine watercourse and the
29 adjacent land areas that must be reserved in order to discharge the base flood
30 without cumulatively increasing the water surface elevation more than one (1) foot.
31 [Also defined in FBC, B, Section 202.]
32

33 *Floodway encroachment analysis.* An engineering analysis of the impact
34 that a proposed encroachment into a floodway is expected to have on the floodway
35 boundaries and base flood elevations; the evaluation shall be prepared by a
36 qualified Florida licensed engineer using standard engineering methods and
37 models.
38

39 *Florida Building Code.* The family of codes adopted by the Florida Building
40 Commission, including: Florida Building Code, Building; Florida Building Code,
41 Residential; Florida Building Code, Existing Building; Florida Building Code,
42 Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.
43

44 *Functionally dependent use.* A use which cannot perform its intended
45 purpose unless it is located or carried out in close proximity to water, including
46 only docking facilities, port facilities that are necessary for the loading and
47 unloading of cargo or passengers, and ship building and ship repair facilities; the
48 term does not include long-term storage or related manufacturing facilities.

1
2 *Highest adjacent grade.* The highest natural elevation of the ground surface
3 prior to construction next to the proposed walls or foundation of a structure.
4

5 *Historic structure.* Any structure that is determined eligible for the
6 exception to the flood hazard area requirements of the Florida Building Code,
7 Existing Building, Chapter 12 Historic Buildings.
8

9 *Letter of Map Change (LOMC).* An official determination issued by FEMA
10 that amends or revises an effective Flood Insurance Rate Map or Flood Insurance
11 Study. Letters of Map Change include:
12

13 (1) *Letter of Map Amendment (LOMA).* An amendment based on
14 technical data showing that a property was incorrectly included in a
15 designated special flood hazard area. A LOMA amends the current
16 effective Flood Insurance Rate Map and establishes that a specific
17 property, portion of a property, or structure is not located in a special
18 flood hazard area.
19

20 (2) *Letter of Map Revision (LOMR).* A revision based on technical data
21 that may show changes to flood zones, flood elevations, special
22 flood hazard area boundaries and floodway delineations, and other
23 planimetric features.
24

25 (3) *Letter of Map Revision Based on Fill (LOMR-F).* A determination
26 that a structure or parcel of land has been elevated by fill above the
27 base flood elevation and is, therefore, no longer located within the
28 special flood hazard area. In order to qualify for this determination,
29 the fill must have been permitted and placed in accordance with the
30 community's floodplain management regulations.
31

32 (4) *Conditional Letter of Map Revision (CLOMR).* A formal review and
33 comment as to whether a proposed flood protection project or other
34 project complies with the minimum NFIP requirements for such
35 projects with respect to delineation of special flood hazard areas. A
36 CLOMR does not revise the effective Flood Insurance Rate Map or
37 Flood Insurance Study; upon submission and approval of certified
38 as-built documentation, a Letter of Map Revision may be issued by
39 FEMA to revise the effective FIRM.
40

41 *Light-duty truck.* As defined in 40 C.F.R. 86.082-2, any motor vehicle rated
42 at eight thousand five hundred (8,500) pounds Gross Vehicular Weight Rating or
43 less which has a vehicular curb weight of six thousand (6,000) pounds or less and
44 which has a basic vehicle frontal area of forty-five (45) square feet or less, which
45 is:
46

47 (1) Designed primarily for purposes of transportation of property or is
48 a derivation of such a vehicle, or

- 1
2 (2) Designed primarily for transportation of persons and has a capacity
3 of more than twelve (12) persons; or
4
5 (3) Available with special features enabling off-street or off-highway
6 operation and use.
7

8 *Lowest floor.* The lowest floor of the lowest enclosed area of a building or
9 structure, including basement, but excluding any unfinished or flood-resistant
10 enclosure, other than a basement, usable solely for vehicle parking, building access
11 or limited storage provided that such enclosure is not built so as to render the
12 structure in violation of the non-elevation requirements of the Florida Building
13 Code or ASCE 24. [Also defined in FBC, B, Section 202.]
14

15 *Manufactured home.* A structure, transportable in one (1) or more sections,
16 which is eight (8) feet or more in width and greater than four hundred (400) square
17 feet, and which is built on a permanent, integral chassis and is designed for use with
18 or without a permanent foundation when attached to the required utilities. The term
19 "manufactured home" does not include a "recreational vehicle" or "park trailer."
20 [Also defined in 15C-1.0101, F.A.C.]
21

22 *Manufactured home park or subdivision.* A parcel (or contiguous parcels)
23 of land divided into two (2) or more manufactured home lots for rent or sale.
24

25 *Market value.* ~~The price at which a property will change hands between a~~
26 ~~willing buyer and a willing seller, neither party being under compulsion to buy or~~
27 ~~sell and both having reasonable knowledge of relevant facts. As used in this chapter,~~
28 ~~the term refers to the market~~ The value of buildings and structures, excluding the
29 land and other improvements on the parcel. Market value may be established by a
30 qualified independent appraiser, is the Actual Cash Value (in-kind replacement cost
31 depreciated for age, wear and tear, neglect, and quality of construction) determined
32 by a qualified independent appraiser, or tax assessment value adjusted to
33 approximate market value by a factor provided by the County Property Appraiser.
34

35 *New construction.* For the purposes of administration of this chapter and the
36 flood resistant construction requirements of the Florida Building Code, structures
37 for which the "start of construction" commenced on or after August 15, 1978 and
38 includes any subsequent improvements to such structures.
39

40 ~~*New manufactured home park or subdivision.* A manufactured home park~~
41 ~~or subdivision for which the construction of facilities for servicing the lots on which~~
42 ~~the manufactured homes are to be affixed (including at a minimum, the installation~~
43 ~~of utilities, the construction of streets, and either final site grading or the pouring~~
44 ~~of concrete pads) is completed on or after August 15, 1978.~~
45

46 *Park trailer.* A transportable unit which has a body width not exceeding
47 fourteen (14) feet and which is built on a single chassis and is designed to provide

1 seasonal or temporary living quarters when connected to utilities necessary for
2 operation of installed fixtures and appliances. [Defined in F.S. § 320.01]

3
4 * * *

5
6 Section 5. The Village Council hereby amends Article III, “Flood Resistant Development,” of
7 Chapter 12.5, “Flood Damage Protection,” of the Village Code of Ordinances to read as follows
8 (additional language is underlined and deleted language is ~~stricken through~~):

9
10
11 **ARTICLE III. FLOOD RESISTANT DEVELOPMENT**

12
13 * * *

14
15 **Sec. 12.5-34. Manufactured homes.**

16
17 (a) *General.* All manufactured homes installed in flood hazard areas shall be
18 installed by an installer that is licensed pursuant to F.S. § 320.8249, and
19 shall comply with the requirements of Chapter 15C-1, F.A.C. and the
20 requirements of this chapter. If located seaward of the coastal construction
21 control line, all manufactured homes shall comply with the more restrictive
22 of the applicable requirements.

23
24 (b) *Foundations.* All new manufactured homes and replacement manufactured
25 homes installed in flood hazard areas shall be installed on permanent,
26 reinforced foundations that:

27
28 (1) In flood hazard areas (Zone A) other than coastal high hazard areas,
29 are designed in accordance with the foundation requirements of the
30 Florida Building Code, Residential Section R322.2 and this chapter.
31 ~~Foundations for manufactured homes subject to subsection (f) are~~
32 ~~permitted to be reinforced piers or other foundation elements of at~~
33 ~~least equivalent strength.~~

34
35 (3) In coastal high hazard areas (Zone V), are designed in accordance
36 with the foundation requirements of the Florida Building Code,
37 Residential Section R322.3 and this chapter.

38
39 (c) *Anchoring.* All new manufactured homes and replacement manufactured
40 homes shall be installed using methods and practices which minimize flood
41 damage and shall be securely anchored to an adequately anchored
42 foundation system to resist flotation, collapse or lateral movement. Methods
43 of anchoring include, but are not limited to, use of over-the-top or frame ties
44 to ground anchors. This anchoring requirement is in addition to applicable
45 state and local anchoring requirements for wind resistance.

46
47 (d) *Elevation.* ~~Manufactured homes that are placed, replaced, or substantially~~
48 ~~improved shall comply with subsection (e) or (f), as applicable. All~~

1 manufactured homes that are placed, replaced, or substantially improved in
2 flood hazard areas shall be elevated such that the bottom of the frame is at
3 or above the elevation required, as applicable to the flood hazard area, in
4 the Florida Building Code, Residential Section R3222.2 (Zone A) or
5 Section R322.3 (Zone V and Coastal A Zone).
6

7 ~~(e) — *General elevation requirement.* Unless subject to the requirements of~~
8 ~~subsection (f), all manufactured homes that are placed, replaced, or~~
9 ~~substantially improved on sites located: (a) outside of a manufactured home~~
10 ~~park or subdivision; (b) in a new manufactured home park or subdivision;~~
11 ~~(c) in an expansion to an existing manufactured home park or subdivision;~~
12 ~~or (d) in an existing manufactured home park or subdivision upon which a~~
13 ~~manufactured home has incurred "substantial damage" as the result of a~~
14 ~~flood, shall be elevated such that the bottom of the frame is at or above the~~
15 ~~elevation required, as applicable to the flood hazard area, in the Florida~~
16 ~~Building Code, Residential Section R322.2 (Zone A) or Section R322.3~~
17 ~~(Zone V).~~
18

19 ~~(f) — *Elevation requirement for certain existing manufactured home parks and*~~
20 ~~*subdivisions.* Manufactured homes that are not subject to subsection (e),~~
21 ~~including manufactured homes that are placed, replaced, or substantially~~
22 ~~improved on sites located in an existing manufactured home park or~~
23 ~~subdivision, unless on a site where substantial damage as result of flooding~~
24 ~~has occurred, shall be elevated such that either the:~~
25

26 ~~(1) — Bottom of the frame of the manufactured home is at or above the~~
27 ~~elevation required, as applicable to the flood hazard area, in the~~
28 ~~Florida Building Code, Residential Section R322.2 (Zone A) or~~
29 ~~Section R322.3 (Zone V); or~~
30

31 ~~(2) — Bottom of the frame is supported by reinforced piers or other~~
32 ~~foundation elements of at least equivalent strength that are not less~~
33 ~~than 36 inches in height above grade.~~
34

35 ~~(g) (e) *Enclosures.* Enclosed areas below elevated manufactured homes shall~~
36 ~~comply with the requirements of the Florida Building Code, Residential~~
37 ~~Section R322.2 or R322.3 for such enclosed areas, as applicable to the flood~~
38 ~~hazard area.~~
39

40 ~~(h) (f) *Utility equipment.* Utility equipment that serves manufactured homes,~~
41 ~~including electric, heating, ventilation, plumbing, and air conditioning~~
42 ~~equipment and other service facilities, shall comply with the requirements~~
43 ~~of the Florida Building Code, Residential Section R322, as applicable to the~~
44 ~~flood hazard area.~~
45

46 * * *

47 Section 6. The provisions of this Ordinance shall become and be made a part of the Code of
48 the Village of North Palm Beach, Florida.

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Section 7. 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 8. 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 9. This Ordinance shall be effective immediately upon adoption.

PLACED ON FIRST READING THIS ____ DAY OF _____, 2024.

PLACED ON SECOND, FINAL READING AND PASSED THIS ____ DAY OF _____, 2024.

(Village Seal)

MAYOR

ATTEST:

VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

VILLAGE ATTORNEY

VILLAGE OF NORTH PALM BEACH COMMUNITY DEVELOPMENT DEPARTMENT

TO: Honorable Mayor and Council

THRU: Chuck Huff, Village Manager

FROM: Caryn Gardner-Young, Community Development Director

DATE: October 17, 2024

SUBJECT: **ORDINANCE 1st Reading** – Ordinance Amending Uses within C-NB Northlake Boulevard Commercial Zoning District to include Marina/Private Docking as a Special Exception Use

In 2003, through the adoption of Ordinance No. 05-2003, the Village established the Northlake Boulevard Overlay Zoning District (NBOZ), consisting of real property that fronted upon or was adjacent to Northlake Boulevard. The NBOZ regulations were amended in 2011 through the adoption of Ordinance No. 2011-02 (adopting regulations restricting pain management clinics) and Ordinance No. 2011-05 (extending the compliance deadline for non-conforming landscaping and signs) and in 2012 through the adoption of Ordinance No. 2012-07 (adopting procedures for review of Conditional and Special Permit uses and adopting a new Land Use Chart in Section 4-2). Finally, in 2020, through the adoption of Ordinance No. 2020-06, the Village Council converted the NBOZ to the Northlake Boulevard Commercial Zoning District (C-NB).

In August 2015, the Village contracted with the Treasure Coast Regional Planning Council (TCRPC) to develop a master plan for future infill development and redevelopment within the Village's municipal limits. During January and February of 2016, the TCRPC conducted a weeklong economic development and urban design charrette to assist the Village in accomplishing its goals. Working with members of the public and other interested parties, the TCRPC created a report, which was formally adopted by the Village Council, through Resolution 2016-73 and named it "The Village of North Palm Beach Citizens' Master Plan Report". In this report, there were recommendations for the Village to develop a form-based code for the Village's commercial corridors and to consolidate various commercial zoning districts. The Village retained the firm of Dover, Kohl & Partners to implement these changes, which were formally adopted in Ordinance No. 2020-06.

Since the adoption of Ordinance No. 2020-06, the Village discovered that some items contained in the NBOZ were inadvertently omitted from the C-NB. Specifically, a Land Use Chart was included in Section 4-2 of the NBOZ Zoning regulations, which listed the uses permitted and uses requiring a Special Permit or a Conditional Use approval. One of the uses listed in Section 4-2 was marina/private mooring, which required Conditional Use approval. However, this use was not included in the Allowable Uses Table (Table 4-1) of the C-NB Zoning District. While the terms are generally used interchangeably, the Allowable Uses Table for the C-NB used the term "special exception use" in lieu of the term "conditional use."

In the past, this Board and the Village Council have approved the ability of one property owner along Northlake Boulevard to install private mooring facilities under the former NBOZ regulations. Recently, the Village has received another request for private mooring, but based upon the existing regulations, this use is not permitted in the C-NB Zoning District. The Village is seeking to address the oversight of

not including marina/private mooring (redesignated marina/private docking) as a Special Exception Use in the C-NB Zoning District.

At the September 10th Planning, Zoning and Adjustment Board (PZAB) meeting, the Board directed Village Staff to present the proposed Ordinance to the Waterways Board for a recommendation. The Waterways Board met September 24th and the Board's recommended revisions were incorporated into the attached Ordinance

At its October 1, 2024 meeting, on a motion by Board Member Hulihan and seconded by Board Member Michels, the PZAB unanimously recommended approval of the Ordinance as presented by Village Staff.

The attached Ordinance has been prepared and reviewed by the Village Attorney to ensure its legal sufficiency.

There is no fiscal impact.

Recommendation:

Village Staff recommends Village Council consideration and approval on first reading of the attached Ordinance amending the Table of Uses for the C-NB Northlake Boulevard Commercial Zoning District to include marina/private docking as a conditional use and to incorporate a definition for the term in accordance with Village policies and procedures.

1 Section 2. The Village Council hereby amends Article III, “District Regulations,” of
2 Appendix C (Chapter 45) of the Village Code of Ordinances by amending Section 45-35.3 to read
3 as follows (additional language is underlined and deleted language is ~~stricken through~~):
4

5 **ARTICLE III. – DISTRICT REGULATIONS**

6
7 * * *

8
9 **Sec. 45-35.3. – C-NB Northlake Boulevard commercial district.**

10
11 * * *

12
13 **Article 4 Zoning Regulations**

14
15 **Sec. 4-1 Development review regulations.**

16
17 A. *Allowable Uses.* Table 4-1 indicates allowable uses in the C-NB district.

- 18
19 1. The uses listed in Table 4-1 are grouped into four (4) use groups:
20 Residential Uses, Lodging Uses, Business Uses, and Civic, &
21 Education & Recreation Uses.
22
23 2. In one (1) of the columns following each listed use, a symbol is
24 provided to indicate that:
25
26 a. This use is permitted by right; or
27
28 b. This use may be approved as a special exception; see section
29 45-16.2 for standards and procedures; or
30
31 c. This use, like other uses not listed in Table 4-1, is not
32 permitted in the C-NB district.
33
34 3. Terms in Table 4-1 are defined in section 45-2 under “Use Groups,”
35 with the exception of the term marina/private docking, which is
36 defined in subsection 5 below.
37
38 4. Also refer to section 45-16.1 on uses that are similar to uses listed
39 in Table 4-1.
40
41 5. For the purposes of Table 4-1, marina/private docking means docks,
42 slips or piers where boats are securely tied to the dock, slip, or pier.
43 Marinas shall comply with the following supplementary use
44 standards:
45
46 a. For each boat slip, a marina shall provide access to a facility
47 for sewage pump out and potable water approved by the
48 Palm Beach County Health Departments.
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b. The length of docks and piers is regulated by chapter 5 of this code.

c. An accessory marine store shall be permitted.

d. No live aboard vessels shall be permitted.

Table 4-1 Allowable Uses

	PERMITTED USE	SPECIAL EXCEPTION	NOT PERMITTED
RESIDENTIAL USES			
Mobile home park			•
Dwelling, one family detached			•
Dwelling, all other dwelling types	•		
Live/work unit	•		
Assisted living facility		•	
Community residential home			•
LODGING USES			
Bed-and-breakfast establishment	•		
Hotel	•		
Motel	•		
Time-share unit	•		
BUSINESS USES			
Offices, general	•		
Office or clinic, medical or dental	•		
Stores & services, general	•		

	PERMITTED USE	SPECIAL EXCEPTION	NOT PERMITTED
Stores & services, large format		•	
Adult entertainment			•
Convenience store with fuel		•	
Dog daycare		•	
Drive-through facility (for any use)		•	
Garage, parking		•	
Heavy commercial and light industrial:			
Contractor and trade operation		•	
Vehicle sales or repair		•	
All other			•
Medical marijuana treatment center			•
Restaurant or cocktail lounge	•		
Telecommunications antennas		•	
<u>CIVIC, EDUCATION & RECREATION USES</u>			
Child care facility	•		
Church or place of assembly	•		
Civic space	•		
Family day care	•		
Government building	•		
Hospital or medical center		•	

	PERMITTED USE	SPECIAL EXCEPTION	NOT PERMITTED
Public space	•		
School, public or private		•	
<u>Marina/private docking</u>		• —	

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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 _____, 2024.

PLACED ON SECOND, FINAL READING AND PASSED THIS ____ DAY OF _____, 2024.

(Village Seal)

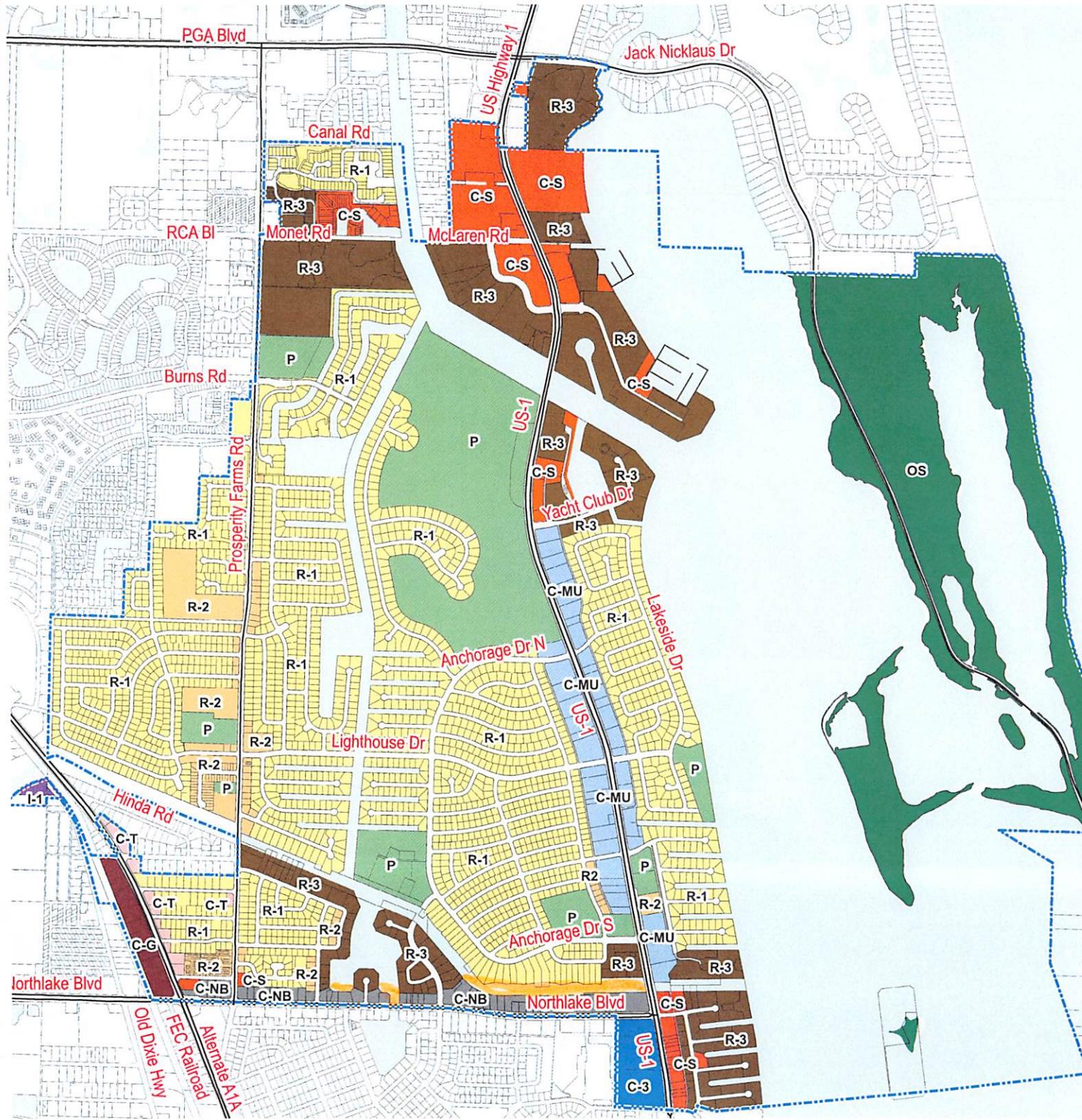
MAYOR

ATTEST:

VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

VILLAGE ATTORNEY

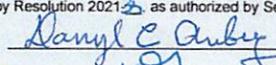
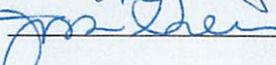


Village of North Palm Beach Official Zoning Map

- R-1 - Single-Family Dwelling District
- R-2 - Multiple Family Dwelling District
- R-3 - Apartment Dwelling District
- C-T - Transitional Commercial District
- C-S - Shopping Commercial District
- C-G - General Commercial District
- C-MU - US-1 Mixed-Use District
- C-3 - Regional Mixed-Use District
- C-NB - Northlake Bl. Commercial District
- I-1 - Light Industrial District
- P - Public District
- OS - Conservation & Open Space District
- Village of North Palm Beach

VILLAGE OF NORTH PALM BEACH
PALM BEACH COUNTY, FLORIDA

This is to certify that this official zoning map supersedes and replaces the previous official zoning map that had been adopted on January 12, 2006, by Resolution 2006-02. This latest official zoning map was adopted on April 23, 2021, by Resolution 2021-3, as authorized by Section 45-17 of the Village Code.

 Mayor
 Village Clerk

0 500 1,000 2,000 Feet 

Map prepared in March 2021 by Spikowski Planning Associates, Fort M

VILLAGE OF NORTH PALM BEACH
OFFICE OF THE VILLAGE CLERK

TO: Honorable Mayor and Council
THRU: Chuck Huff, Village Manager
FROM: Jessica Green, Village Clerk
DATE: October 17, 2024
SUBJECT: **RESOLUTION** – Business Advisory Board Appointment

In accordance with Chapter 2, Article 1 of the Code of Ordinances, the Village Council may appoint citizens as members of its Boards to serve at the pleasure of the Council.

At the August 8, 2024 Council meeting, Village Council interviewed and considered 7 applicants for the 4 vacant positions on the Business Advisory Board. The Village Council voted on the 7 applicants by ballot and the results were tallied. Based on the voting results, the following applicants were appointed to the Business Advisory Board:

Mimi McAndrews
Patrick Tighe
Brenda Robinson
James Sebree

Based on the voting results, the following 3 applicants were not appointed:

Donna Carbone
Chad Chitwood
Norma L. Mirsky

Ms. Carbone and Ms. Mirsky received the same amount of votes and Mr. Chitwood did not receive any votes.

After the Village Clerk notified the applicants of their appointments, Mr. Patrick Tighe replied by email stating that he had a change in his responsibilities and was unable to accept the appointment. Mr. Tighe's email was forwarded to the Village Council.

At the September 12, 2024 Council meeting, Village Council requested that the 2 applicants that tied for last place be contacted and asked if they were still interested in being considered for appointment to the Business Advisory Board. The Village Clerk contacted Ms. Carbone and Ms. Mirsky. Ms. Carbone declined being considered for the Business Advisory Board and Ms. Mirsky accepted. Consequently, Staff has prepared a Resolution appointing Ms. Mirsky to the Board for Village Council consideration and approvals.

The attached resolution has been prepared/reviewed by the Village Attorney for legal sufficiency.

There is no fiscal impact.

Recommendation:

Village Administration recommends Council consideration and adoption of the proposed Resolution appointing Norma L. Mirsky to the Business Advisory Board for a term ending on April 30, 2026.

RESOLUTION 2024-___

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

WHEREAS, in accordance with Chapter 2, Article I of the Village Code of Ordinances, the Village Council may appoint residents of the Village as members of Village advisory boards to serve at the pleasure of the Village Council, subject to the terms and conditions set forth therein; and

WHEREAS, the Village Council wishes to appoint one resident member to serve on the Business Advisory Board to fill a vacant position created when Patrick Tighe declined his appointment.

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

Section 1. The following person is hereby appointed to the Business Advisory Board as indicated herein:

BUSINESS ADVISORY BOARD

Norma L. Mirsky

April 30, 2026

Section 2. The Village Clerk is hereby directed to send a conformed copy of this Resolution to the member appointed above.

Section 3. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS 17TH DAY OF OCTOBER, 2024.

(Village Seal)

MAYOR

ATTEST:

VILLAGE CLERK



THE VILLAGE OF

North Palm Beach

Office of the Village Clerk

501 U.S. HIGHWAY ONE • NORTH PALM BEACH, FLORIDA 33408-4906 • 561-841-3355 • FAX 561-881-7469

npbclerk@village-npb.org • www.village-npb.org

APPLICATION FOR APPOINTMENT TO BUSINESS ADVISORY BOARD

Applicant Norma L. Mirsky Business Name Compass, Fl

Home Address 11370 Twelve Oaks Way, #114
North Palm Beach, Fl 33408 Business Address 150 Worth Avenue, Ste 232,
Palm Beach, Fl 33480

NPB Resident 8 years full-time seasonal n/a Occupation Real Estate Broker

Home Phone 561-775-8010 Email Address norna@mirskyrealty.com

Business Phone 561-820-1535 Website www.mirskyrealtygroup.com

Cell Phone 561-313-6504 I am the business Owner Operator Manager (check all that apply)

Business Type Retail Professional Services Personal Services Commercial Realtor and/or Business Broker Other

Commercial Property Owner (list addresses) I have sold commercial properties and businesses over the years, but do not own any
My Father did own a strip center in North Palm Beach years ago on Northlake and Pro

Educational Background B.A. from USF in Education, Real Estate Broker for over 30 years, Condo Ass, Manage
Advisory Board of Palm Beach National Bank for 7 years, Florida Supreme Court Certi

Occupational Experience Owned a Real Estate Company for over 30 years. Recently sold to Compass, Florida.
Company from 1985 to 1990.

Professional Memberships Past President of the Palm Beach Board of Realtors

Civic Affiliations I have volunteered over the years to tutor underprivileged children from my background
Education

Business Development Experience I started my real estate company in 1990 with 1 office and 3 agents. I grew the busines
10 year period with over 60 agents. One of my offices was located at 700 U.S. One, Nc
(had the office for 14 years).

Signature *Norma L Mirsky* Date May 3, 2024

Additional information (resume, etc.) may be attached at applicant's option. Thank you for your interest in serving our community.

Please Note: by Florida law, this document is a public record. If you do not want your email address released in response to a public-records request, do not include your email address. If your home address, home phone, and cell phone number are exempt under Florida Statutes, please advise the Clerk's office when submitting this form.

ALL MEMBERS OF VILLAGE ADVISORY BOARDS ARE REQUIRED TO COMPLETE ETHICS TRAINING BY READING THE PALM BEACH COUNTY CODE OF ETHICS AND VIEWING THE ETHICS TRAINING VIDEO.