

**VILLAGE OF NORTH PALM BEACH**  
**Community Development Department**

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TO: Honorable Mayor and Council

THRU: Andrew D. Lukasik, Village Manager 

FROM: Denise Malone, AICP, Director of Community Development

DATE: September 27, 2018

SUBJECT: **ORDINANCE 2<sup>nd</sup> Reading – Amendment to the Village’s Comprehensive Plan Elements and Maps as part of the State Required Evaluation and Appraisal Report (EAR) Process**

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Village Administration has drafted amendments to the Village’s Comprehensive Plan Elements and Maps as part of the Evaluation and Appraisal Report (EAR) process outlined by state statute. Section 163.3191, Florida Statutes, requires that “at least once every seven (7) years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the comprehensive plan, and notify the state land planning agency as to its determination.” The Village completed its last evaluation of the Comprehensive Plan, or EAR, in 2006 and adopted EAR-based amendments to the Comprehensive Plan on January 28, 2010.

Pursuant to Rule 73C-49 of the Florida Administrative Code, the Village indicated to the Florida Department of Economic Opportunity (DEO) on January 1, 2017 that the Village’s Comprehensive Plan would be amended and transmitted to the DEO within the one (1) year required timeframe to reflect changes in state requirements. A more in-depth review of the Comprehensive Plan will take place in the upcoming months in conjunction with the preparation of the Master Plan-related Comprehensive Plan amendments, along with development of a Form Based Code to implement the Plan and completion of the Unified Land Development Code (ULDC).

The proposed EAR based amendments (see attached staff report and ordinance) include the following changes:

- 1) The Public School Concurrency Element (PSCE) is being deleted and most of its policies along with two (2) related maps are being relocated to a new Goal and Objectives within the Intergovernmental Coordination Element (ICE). Additionally, Policy 3.5 and Objective 8 with its associated Policies regarding School Level of Service are being deleted from the Capital Improvements Element (CIP). These changes are the result of changes in the Florida Statutes which eliminated requirements for school level of service and school concurrency, and for the inclusion of a Public Schools Facilities Element within the Comprehensive Plan. These proposed changes are also being done for consistency with the Interlocal Agreement for Coordinated School Planning between the Village and the School District of Palm Beach County which was approved by the Village Council on April, 2016.

- 2) New Coastal Management Element (CME) Goal, Objectives and Policies are being added in order to comply with Senate Bill 1094 (SB 1094) enacted by the Florida State Legislature in 2015. SB 1094 requires local governments in Florida with coastal access to consider sea level rise and other factors that increase flood risk. SB 1094 also requires that local governments include provisions in the CME of their Comprehensive Plans to implement this mandate.
- 3) The Future Land Use Element Table 3-5 Flood Zone Map Designations, Figure 3-6 Flood Zones, and Figure 3-7 Coastal High Hazard Area (CHHA) are being updated to reflect the current FEMA Flood Zones and the current Category 1 Storm Surge, respectively.
- 4) The General Requirements Element is being updated to delete references to Chapter 9J-5, Florida Administrative Code to reflect the transfer of State requirements to Chapter 163, Florida Statutes and to clarify new requirements for the EAR. In addition, the staff has proposed additional modifications to language regarding the Village's planning horizons and population build-out estimates in response to an objection received by the Department of Economic Opportunity (DEO) in its review of the previously transmitted amendment package.
- 5) All references to Chapter 9J-5, Florida Administrative Code located throughout the Comprehensive Plan Elements are being deleted or replaced with Chapter 163, Florida Statutes to reflect Statute changes. Due to the numerous instances and for brevity, these changes are being done administratively and are not reflected in the attachments.

**Village Council Transmittal Hearing:** At its January 11, 2018 meeting, the Village Council voted unanimously to transmit the proposed EAR amendment to the Department of Economic Opportunity (DEO) for review.

**DEO Objections, Recommendations and Comments Report (ORC):** The Department of Economic Opportunity issued an ORC report on March 30, 2018, which identified two (2) objections. Staff has prepared a response to DEO's objections, which is presented in Section V of the attached staff report. CDD staff worked with DEO on the proposed modifications to the transmitted EAR amendment package, including the additional technical information that DEO requested to be included with the text amendments.

**Planning Commission:** The proposed EAR amendments and revisions were presented to the Planning Commission on September 11, 2018 for review and comment. At the meeting, there was minimal discussion and no public comment. No additional changes were recommended to the proposed EAR amendment package.

The attached Ordinance has been prepared/reviewed by your Village Attorney for legal sufficiency.

**There is no fiscal impact.**

**Recommendation:**

**Village Administration requests Council approval on second reading of the attached Ordinance adopting amendments to the Village's Comprehensive Plan Elements Goals, Objectives, Policies and Maps as part of the State Required Evaluation and Appraisal Report (EAR) Process.**

1 **ORDINANCE NO. 2018-02**

2  
3 AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF  
4 NORTH PALM BEACH, FLORIDA, AMENDING THE VILLAGE OF NORTH  
5 PALM BEACH COMPREHENSIVE PLAN TO IMPLEMENT ITS EVALUATION  
6 AND APPRAISAL REPORT; REPEALING THE PUBLIC SCHOOL CONCURRENCY  
7 ELEMENT AND REVISING THE COASTAL MANAGEMENT ELEMENT AND  
8 THE INTERGOVERNMENTAL COORDINATION ELEMENT; UPDATING THE  
9 PLAN TO REFLECT STATUTORY CHANGES; PROVIDING FOR CONFLICTS;  
10 PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

11  
12 WHEREAS, Section 163.3167, Florida Statutes, requires that each local government prepare a  
13 Comprehensive Plan in compliance with the Community Planning Act, as amended; and  
14

15 WHEREAS, Section 163.3191, Florida Statutes, requires that each local government adopt an  
16 Evaluation and Appraisal Report (“EAR”) every seven years assessing the local government’s  
17 progress in implementing the Comprehensive Plan; and  
18

19 WHEREAS, having conducted a thorough review and assessment, the Village wishes to amend  
20 its Comprehensive Plan to incorporate the following EAR-based amendments:

- 21 A. Delete the Public School Concurrency Element and relocate most of the policies  
22 along with two (2) related maps to a new Goal and Objectives within the  
23 Intergovernmental Coordination Element and revise Policy 3.5 and delete the  
24 Objective and related policies regarding School Levels of Service from the  
25 Capital Improvements Element due to changes in Florida Statutes eliminating the  
26 requirements for school concurrency and the inclusion of a Public Schools  
27 Facilities Element within the Comprehensive Plan (the changes are consistent  
28 with the Interlocal Agreement for Coordinated School Planning between the  
29 Village and the School District of Palm Beach County);
- 30 B. Add new Coastal Management Element Goals, Objectives and Policies in  
31 compliance with Senate Bill 1094 adopted by the Florida Legislature in 2015  
32 (Chapter 2015-69, Laws of Florida);
- 33 C. Update Table 3-5 (Flood Zone Map Designations) and Figures 3-6 (Flood Zones)  
34 and 3-7 (Coastal High Hazard Areas) of the Future Land Use Element to reflect  
35 current FEMA Flood Zones and current Category 1 storm surge; and
- 36 D. Update the General Requirements Element and the remainder of the  
37 Comprehensive Plan Elements to delete references to Chapter 9J-5 of the Florida  
38 Administrative Code to reflect the transfer of the requirements to Chapter 163,  
39 Florida Statutes. .
- 40 E. Update the General Requirements Element to reflect modifications to the  
41 Village’s planning horizons and population build-out estimates.  
42

43 WHEREAS, the Village’s Local Planning Agency conducted a duly advertised public hearing on  
44 January 9, 2017 to consider the proposed EAR-based amendment to the Village’s  
45 Comprehensive Plan; and  
46

47 WHEREAS, having conducted all of the duly advertised public hearings required by Chapter 163,  
48 Florida Statutes, the Village Council wishes to adopted the EAR-based amendments to its  
49 Comprehensive Plan and determines that the adoption of this Ordinance is in the interests of the  
50 health, safety and welfare of the residents and citizens of the Village of North Palm Beach.

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

3  
4 Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

5  
6 Section 2. The Village Council hereby adopts the revisions to the Village of North Palm Beach  
7 Comprehensive Plan attached hereto as Composite Exhibit "A" and incorporated herein by  
8 reference (additional language underlined and deleted language ~~stricken through~~), including:  
9 (a) deletion of the Public School Concurrency Element, including Figure 12-1, and the re-  
10 designation of Figures 12-2 and 12-3 to Figures 10-1 and 10-2; (b) revisions to the  
11 Intergovernmental Coordination Element; (c) revisions to the Capital Improvements Element;  
12 (d) revisions to the Coastal Management Element; (e) updates to Table 3-5 and Figures 3-6 and 3-7  
13 of the Future Land Use Element; and (f) revisions to the General Requirements Element. The  
14 Village Council further authorizes Village Administration to delete all references to Chapter 9J-5  
15 of the Florida Administrative Code and/or replace them with the correct references to Chapter 163,  
16 Florida Statutes.

17  
18 Section 3. All ordinances or parts of ordinances and resolutions or parts of resolutions in  
19 conflict herewith are hereby repealed to the extent of such conflict.

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

24  
25 Section 5. The effective date of this Ordinance, if the Comprehensive Plan amendment is not  
26 challenged, shall be thirty-one (31) days after the state land planning agency notifies the Village  
27 that the plan amendment package is complete. If timely challenged, this Ordinance shall be  
28 effective on the date the state land planning agency or the Administration Commission enters a  
29 final order determining this adopted Comprehensive Plan amendment to be in compliance.

30  
31 PLACED ON FIRST READING THIS 11<sup>TH</sup> DAY OF JANUARY, 2018.

32  
33 PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_\_ DAY OF  
34 \_\_\_\_\_, 2018.

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36  
37 (Village Seal)

\_\_\_\_\_  
MAYOR

38  
39  
40 ATTEST:

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

44  
45 APPROVED AS TO FORM AND  
46 LEGAL SUFFICIENCY:

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

**Village Council  
September 27, 2018  
Adoption Hearing Packet  
EAR-Based Amendments to the Comprehensive Plan**

**I. ITEM**

Village-initiated amendments to Elements and Maps of the Village Comprehensive Plan. The proposed amendments reflect changes in State requirements or legislation since the last Evaluation and Appraisal Report (EAR). These amendments are being undertaken by the Village as part of the EAR process outlined by the State.

**II. STAFF RECOMMENDATION**

Staff recommends **APPROVAL**. This recommendation is based on the findings that the proposed amendments meet Chapter 163, Florida Statutes, and all other appropriate Florida statutory requirements, and are consistent with the different Elements of the Village's Comprehensive Plan.

**III. BACKGROUND AND ANALYSIS**

Section 163.3191, Florida Statutes, requires that "at least once every seven (7) years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the comprehensive plan, and notify the state land planning agency as to its determination." The Village completed its last evaluation of the Comprehensive Plan, or EAR, in 2006 and adopted EAR-based amendments to the Comprehensive Plan on January 28, 2010.

Pursuant to Rule 73C-49 of the Florida Administrative Code, the Village indicated to the Florida Department of Economic Opportunity (DEO) on January 1, 2017 that the Village's Comprehensive Plan would be amended and transmitted to the DEO within the one (1) year required timeframe to reflect changes in state requirements. The proposed EAR-Based amendments to the Village of North Palm Beach's Comprehensive Plan are intended to reflect changes in State requirements or legislation. A more in-depth review of the Comprehensive Plan will take place in conjunction with the preparation of the Master Plan related Comprehensive Plan amendments along with development of a Form Based Code to implement the Plan and completion of the Unified Land Development Code (ULDC).

The proposed EAR based amendments include the following changes:

1) **The Public School Concurrency Element (PSCE)** is being deleted and most of its policies are being relocated to the **Intergovernmental Coordination Element (ICE)** as new Goal 10.4, and new Objectives 2.1, 2.2 and 2.3 with associated Policies. Figure 12-1 Concurrency Service Areas is being deleted, and Figure 12-2 School Facility Locations and Figure 12-3 Planned Additional Capacity are being relocated to the ICE. Additionally, Policy 7.5 and Objective 8 with its associated Policies regarding School Level of Service are being deleted from the **Capital Improvements Element (CIE)**. These changes are the result of changes in the Florida

Statutes which eliminated requirements for school level of service and school concurrency, and for the inclusion of a Public Schools Facilities Element within the Comprehensive Plan. These proposed changes are also being done for consistency with the Interlocal Agreement for Coordinated School Planning between the Village and the School District of Palm Beach County which was approved by the Village Council on April, 2016.

2) A new **Coastal Management Element** (CME) Goal 7.4 and related Objectives and Policies are being added in order to comply with Senate Bill 1094 (SB 1094) which was enacted in 2015 by the Florida State Legislature. SB 1094 requires local governments in Florida with coastal access to consider sea level rise and other factors that increase flood risk. SB 1094 also requires that local governments include provisions in the Coastal Management Element of their Comprehensive Plans to implement this mandate.

3) **Future Land Use Element** Table 3-5, Figure 3-6 Flood Zones and Figure 3-7 Coastal High Hazard Area (CHHA) are being updated to reflect the current FEMA Flood Zones and the current Category 1 Storm Surge, respectively.

4) The **General Requirements Element** is being updated to delete references to Chapter 9J-5, Florida Administrative Code to reflect the transfer of State requirements to Chapter 163, Florida Statutes. In addition, the staff has proposed additional modifications to language regarding the Village's planning horizons and population build-out estimates in response to an objection received by the Department of Economic Opportunity (DEO) in its review of the previously transmitted amendment package. (See Section V.)

5) All references to **Chapter 9J-5, Florida Administrative Code** throughout the Comprehensive Plan Elements are being deleted or replaced with Chapter 163, Florida Statutes to reflect Statute changes. Due to the numerous instances and for brevity, these changes are being done administratively and are not reflected in the attachments.

6) All references General Requirements Element and Future Land Use Maps (FLUM) were updated to reflect the updated 5 year (FY 2019 – FY 2023) & 10 year (FY 2024 – FY 2029) **planning horizons**.

The proposed Comprehensive Plan amendments included in this report do not address any significant policy issues beyond the requirements of the EAR. Potential policy issues, which may require more detailed analysis or which could be considered more significant, are being addressed through separate amendments to the Comprehensive Plan as part of the review associated with Master Plan implementation. A more in-depth review of the Comprehensive Plan will take place in conjunction with preparation of the Master Plan related Comprehensive Plan amendments along with development of a Form Based Code to implement the Plan and completion of the Unified Land Development Code (ULDC).

The proposed revisions to the different elements of the Comprehensive Plan are included as attachments in this staff report.

#### **IV. INTERJURISDICTIONAL REVIEW & PUBLIC COMMENT**

**Interlocal Plan Amendment Review Committee (IPARC):** Notification of the proposed Comprehensive Plan amendments was sent to IPARC on December 30, 2017, and to date, the Village has not received any objections or comments.

**Village Council Workshop:** At its December 14, 2017 Workshop Session, the Village Council, by consensus, agreed to place the item on the next available agenda for first reading occurring on January 11, 2018.

**Planning Commission:** A Planning Commission Workshop was held on December 5, 2017, at which time there were no changes recommended. The proposed amendments were presented to the Planning Commission on January 9, 2017 for the Commission's formal recommendation to the Council as the Local Planning Agency. Staff will provide a verbal update on the Planning Commission's recommendation.

**Village Council Transmittal Hearing:** At its January 11, 2018 meeting, the Village Council voted unanimously to transmit the proposed EAR amendment to the Department of Economic Opportunity (DEO) for review.

**DEO Objections, Recommendations and Comments Report (ORC):** The DEO issued an ORC on March 30, 2018, which identified two (2) objections. Staff has prepared a response to DEO's objections, which is presented in Section V. below.

**Planning Commission:** The proposed EAR amendments and revisions were presented to the Planning Commission on September 11, 2018 for review and comment. At the meeting, there was minimal discussion and no public comment. No additional changes were recommended to the proposed EAR amendment package.

**Village Council Adoption Hearing:** Scheduled for September 27, 2018 Village Council meeting.

#### **V. RESPONSE TO DEO OBJECTIONS, RECOMMENDATIONS & COMMENTS (ORC) REPORT**

The Department of Economic Opportunity issued an ORC on March 30, 2018. (See Attachment 1) The Community Development Department has prepared the following analysis to address DEO concerns based on the ORC report and subsequent discussion with the DEO. In the report, the DEO identified the following:

**DEO Objection 1** – “Section 1.5, General Requirements Element, and Future Land Use Maps. Planning Horizons Not Up-To-Date. The proposed amendment does not update the planning horizons used in the comprehensive plan. A local government comprehensive plan must include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. Both the current “Short Range” horizon of FY 2010-2014 and the “Long-term” horizon of FY 2015-2020 need to be updated.” Section 163.3177(5)(a), Florida Statutes

**DEO Objection 1 – Recommended Modifications:** Prior to adoption, the Village should revise this amendment so that Section 1.5 General Requirements Element and the Future Land Use Map reflects at least a 10-year planning horizon occurring after the adoption date, (i.e. 2018-2028). The updated horizon should relate to and be based on appropriate data and analysis including population projection for the long-range planning period. The specific planning horizons should be included in Section 1.5 General Requirements Element and indicated on Future Land Use Maps.

**Staff Analysis and Response:** This item is a housekeeping issue and staff has addressed the objection and provided corrected text and map labels in the EAR amendment adoption package. The 2017 BEBR population estimates, the 2010 Census, and the 2015 Palm Beach County Population Allocation Model were utilized in the preparation of the transmitted EAR amendments, but a summary of staff analysis of the population projection was not. The previous and anticipated stable population growth can be supported by the currently adopted Future Land Use Maps and by service providers to Village residents. The Village is a predominately built-out community where population growth will occur primarily through redevelopment. The maps and Section 1.5 General Requirements Element have been updated to reflect the revised planning horizon (See Attachment 9). Additionally, the Village has recently completed a Master Plan visioning process and has adopted a Master Plan report. The Village is anticipating future Comprehensive Plan policy changes to implement the resident's vision of the Village future development. These policy changes could not be completed in the required EAR timeframe, so will occur as a subsequent amendments to the Comprehensive Plan.

**DEO Objection 2**– Section 1.5, General Requirements Element, and Future Land Use Maps. Section 163.3178(2)(f), Florida Statutes requires the Village's comprehensive plan to include a redevelopment component that outline principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The proposed amendment adds a new component in the form of Goal 7.4 of the Coastal Management Element with corresponding new objectives and policies along with new Table 3-5 for Flood Zone Maps Designations corresponding with a new Figure 3.-6 map of flood zones. Nevertheless, the amendment does not demonstrate the following Peril of Flood requirements have been address through principles, strategies, engineering solutions and BMPs based upon relevant and appropriate data and analysis:

1. Development and redevelopment principles, strategies and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater run-off and the related impacts of sea-level rise (sec. 163.3178(2)(f)(1), FS)
2. Encouragement of the use of best practices development and redevelopment principles strategies and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency (sec. 163.3178(2)(f)(4), F.S.)
3. Establishing flood-resistant construction requirements consistent with, or more stringent that, Florida Building Code and applicable flood plan management set forth in 44 C.F.R., Part 60. (sec. 163.3178(2)(f)(4), F.S.)

4. Requiring that construction activities seaward of the coastal construction lines established pursuant to Sec. 161.053, F.S. be consistent with Chapter 161, F.S. (sec. 163.3178(2)(f)(5), F.S.)

**DEO Objection 2 - Recommended Modifications:** DEO gave general guidance that proposed amendments should identify the relevant data sources on which they were based and that it should be clear that areas within the jurisdiction affected by high-tide events, storm surge, flash floods and projected sea-level rise were analyzed and inform proposed policy. DEO had the following specific recommendations by Issues 1-4 outlined in the Objection above, specifically: (See Attachment 1)

- **Objection 2, Issues 1-2** - The Village should use professionally accepted sources and analyze the data to identify areas that are at-risk from high-tide events, storm surge, flash floods, stormwater run-off and project sea level rise. Examples of preferred data sources were provided and as well as a recommendation to modify the data source for the revised Coastal High Hazard Area Map.
- **Issues 3 -4** - Prior to adoption, the Village should revise Objective 9 to require flood-resistant construction requirements consistent with, or more stringent than, Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R part 60. (sec. 163.3178(2)(f)(5), F.S.)

Prior to adoption, the Village should revise Objective 9 to require that construction activities seaward of the coastal construction line established pursuant to s. 161.053, F.S., be consistent with chapter 161, F.S. (sec. 163.3178(2)(f)(5), F.S.)

**Staff Analysis and Response to Objections:** Below is the additional data and analysis that was used to develop the peril of flood policies as well as land development code regulations that are already in place, which meet or exceed requirements.

**Objection 2, Issues 1-2** – DEO identified concerns appeared to have primarily been related to staff not referencing the data utilized to develop the previously transmitted policies, as well as the data source for the Coastal High Hazard Area Map:

Staff relied on the following data sources to address the peril of flood requirements in Chap 163.3178:

- NOAA Sea Level Rise Viewer, <https://coast.noaa.gov/digitalcoast/tools/slr.html>
- Southeast Florida Regional Compact on Climate Change Compact’s Unified Sea Level Rise Projection.  
<http://www.southeastfloridaclimatecompact.org/wp-content/uploads/2015/10/2015-Compact-Unified-Sea-Level-Rise-Projection.pdf>
- 2018 Village’s Community Rating System Annual Recertification Report
- 2017 FEMA Flood Zone maps, October 5, 2017

The Village currently has no repetitive flood loss properties, no lands that permit development seaward of the coastal construction line and no substantial impacts from sea level rise until 2100. The Village is also a participant in the FEMA's Community Rating System (CRS), which is encouraged in 163.3178. Additionally, staff utilized NOAA's sea level rise viewer, which is based on elevation data to anticipate future sea level rise impact, to analyze sea level impacts in the Village (See Attachment 2). Significant impacts to developed real property in the Village are not anticipated until there is approximately 5 feet of sea level rise. Based on the South Florida Climate Change Compact's unified sea level rise projection, the Village will not likely experience 5 ft of sea level rise until well beyond the planning period in the year 2100, where the projected sea level rise is anticipated to be between 31" and 81". Included in the transmittal packet was an update to Figure 3-6 Flood Zones, which reflects the data from the most recent FEMA maps published on October 5, 2017 and staff analysis based on current and appropriate data in the creation of the transmitted amendments.

The DEO was also initially concerned that Coastal High Hazard Area Map (Figure 3-7) was based on an older data source, but after discussion with Village Staff requesting clarification from DEO on this issue, it was determined that Department had made this request in error. The Village's map is based on NOAA SLOSH model basin data pb3 from 2009 and staff has confirmed with Palm Beach County and NOAA website that this is the most current data. NOAA is continuing to map 3-6 basins per year, but has not updated pb3 basin data since 2009. There is also an on-going FEMA project to better model peril of flood and update FEMA flood maps to more accurately reflect storm surge impacts, but that data is not anticipated to be published until approximately 2020 or later. Therefore, the Village's previously transmitted Coastal High Hazard Area map will be adopted as transmitted.

**Objection 2, Issues 3-4** – DEO's concerns were related to ensuring that the Village was implementing specific peril of flood regulations and had adequate policies for properties near the coastal construction line.

The Village has recently adopted flood resistant land development regulations (Village Ordinance No. 2017-11) consistent with the objectives of 163.3178, which fully address DEO's concerns in Issue 3. In 2017, the Village repealed its previous flood ordinance and adopted the Florida Division of Emergency Management's model flood ordinance language. This model ordinance was developed by the Florida Division of Emergency Management to coordinate with the Florida Building Code and to satisfy the requirements of the National Flood Insurance Program ("NFIP") administered by FEMA. The Village also included a NFIP higher standard of an additional twelve (12") inches of freeboard in the flood plain. As these regulations are land development requirements, the Village has adopted them into its Code of Ordinances. Policies 9.2 & 9.3 in the new Coastal Management Element specifically require the enforcement of these previously adopted peril of flood regulations and reinforces their application to new development and redevelopment. This element also includes objective and policy language that reflect the Village's commitment to continue to look at policies and regulations to further mitigate peril of flood to residents and their real property. The Village has mapped its stormwater infrastructure and has contracted to collect data and evaluate the feasibility of a stormwater utility to further fund infrastructure improvements based on a stormwater master plan. Further, the Village is working towards implementing its Citizen's Master Plan report through future comprehensive plan and land development code

amendments, where additional stormwater regulations and site development strategies will be key components for redevelopment.

The DEO issue 4 was initially raised as it was not clear to the Department that the Village's jurisdiction includes only John D. MacArthur Beach State Park lands along the coast. DEO has confirmed to Village staff that these policies are not required as they are not applicable to the jurisdiction.

## **VI. CONCLUSION**

The amendments proposed in this report are being undertaken by the Village as part of the Evaluation and Appraisal Report's (EAR) process outlined by the State. These amendments reflect changes in State requirements or legislation.

The Village believes that the amendments meet Chapter 163, Florida Statutes and all other appropriate Florida statutory requirements and are internally consistent with the different elements of the Village's Comprehensive Plan. The Village believes that it has addressed DEO's objections with recommended changes and by providing the additional referenced supporting data. Therefore, staff is recommending approval of the proposed amendments to the Comprehensive Plan.

## **ATTACHMENTS**

### **EAR –Based Comprehensive Plan Amendments**

- 1. DEO Objections Comments & Recommendations Report (ORC)**
- 2. Village Flood Ordinance 2017-11**
- 3. NOAA Sea Level Rise Viewer for the Village of North Palm Beach**
- 4. Deleted Public School Concurrency Element**
- 5. Intergovernmental Coordination Element**
- 6. Capital Improvements Element**
- 7. Coastal Management Element**
- 8. Future Land Use Element**
- 9. General Requirements Element with updated planning horizons**
- 10. FLUM with updated planning horizons.**

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

March 30, 2018

The Honorable Darryl Aubrey, Mayor  
Village of North Palm Beach  
501 US Highway 1  
North Palm Beach, Florida 33408

Dear Mayor Aubrey:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the Village of North Palm Beach (Amendment No. 18-1ER), which was received on January 30, 2018 and determined complete on February 2, 2018. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S. Review comments received by the Department from the appropriate reviewing agencies are also enclosed.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified two objections and have included recommendations regarding measures that can be taken to address the objections. The Department is prepared to work with the Village to resolve the objections and to assist with the comments in the enclosed report.

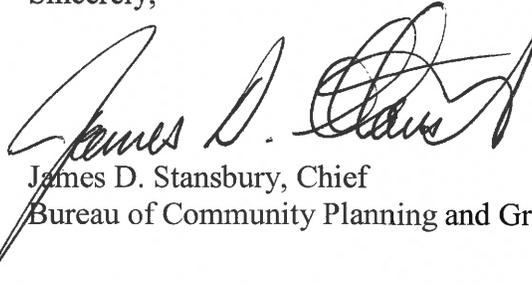
The Village should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(4)(e)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of the Department of Economic Opportunity report, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions related to this review, please contact Dan Pennington, at (850) 717-8524, or by email at [dan.pennington@deo.myflorida.com](mailto:dan.pennington@deo.myflorida.com).

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/dp

Enclosures: Objections, Recommendations, and Comments Report  
Procedures for Adoption  
Agency Comments

cc: Denise Malone, AICP, Director of Community Development, Village of North Palm Beach  
Michael J. Busha, AICP, Executive Director, Treasure Coast Regional Planning Council

**OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT**  
**PROPOSED COMPREHENSIVE PLAN AMENDMENT**  
**VILLAGE OF NORTH PALM BEACH (18-1ER)**

The Department reviewed the Village's proposed amendment related to the Evaluation and Appraisal Review (EAR) and identified two objections. The objections are provided below. If the Village adopts the amendment without addressing the objection, the Department may find the amendment not in compliance pursuant to section 163.3184(4)(e)4., Florida Statutes, (F.S.).

**Objection 1** - Section 1.5, General Requirements Element, and Future Land Use Maps – Planning Horizons Not Up-To-Date

The proposed amendment does not update the planning horizons used in the comprehensive plan. A local government comprehensive plan must include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. Both the current "Short Range" horizon of FY 2010-2014, and the "Long-term" horizon of FY 2015-2020, need to be updated.

**Authority:** Section 163.3177(5)(a), Florida Statutes

**Recommendation:** Prior to adoption, the Village should revise this amendment so that Section 1.5 of the General Requirements Element and Future Land Use Map reflects at least a 10-year planning horizon occurring after the adoption date, (i.e., 2018 – 2028). The updated horizon should relate to and be based on appropriate data and analysis including population projections for the long-range planning period. The specific planning horizons should be included in Section 1.5 of the General Requirements Element, and clearly indicated on Future Land Use Map(s).

**Objection 2** - Section 163.3178(2)(f), F.S. requires the Village's comprehensive plan to include a redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The proposed amendment adds a new component in the form of Goal 7.4 of the Coastal Management Element with corresponding new objectives and policies along with new Table 3-5 for Flood Zone Map Designations corresponding with a new Figure 3-6, map of flood zones. Nevertheless, the amendment does not demonstrate the following Peril of Flood requirements have been addressed through principles, strategies, engineering solutions and BMPs based upon relevant and appropriate data and analysis:

1. Development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff and the related impacts of sea-level rise (sec. 163.3178(2)(f)(1), F.S.)
2. Encouragement of the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real

- property from flood zone designations established by the Federal Emergency Management Agency. (sec. 163.3178(2)(f)(2), F.S.)
3. Establishing flood-resistant construction requirements consistent with, or more stringent than, Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60. (sec. 163.3178(2)(f)(4), F.S.)
  4. Requiring that construction activities seaward of the coastal construction control lines established pursuant to s. 161.053, F.S., be consistent with chapter 161, F.S. (sec. 163.3178(2)(f)(5), F.S.)

Section 163.3177(1), F.S., requires all mandatory and optional elements of the comprehensive plan and plan amendments to be based upon relevant and appropriate data and analysis. Data must be taken from professionally accepted sources. Analysis of collected data should then be used to establish meaningful and predictable redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas, when opportunities arise.

**Authority:** Section 163.3178(2)(f)1, 2,3, 4 and 5, F.S. and Section 163.3177(1), F.S

**Recommendations:** For the Village to outline meaningful principles and strategies to be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise, data must first be collected and analyzed for areas within the jurisdiction affected by high-tide events, storm surge, flash floods and projected sea level rise. Collection and analysis of data for these areas [e.g., by use of a Geographic Information System (GIS) mapping approach] will likely result identification of localized areas within the Village vulnerable to the impacts of storms and floods. With the data and analysis in-hand, redevelopment principles, strategies, and engineering solutions and Best Management Practices (BMPs) can then be applied to meet the required Peril of Flood issues areas 1 and 2.

**Issues 1-2:** The Village should collect the data from professionally acceptable sources and analyze the data to identify areas that are at-risk from high-tide events, storm surge, flash floods, stormwater run-off, and projected sea level rise. After collecting the data and performing the analyses, the Village should revise this amendment, prior to adoption, to provide specific development and redevelopment principles, strategies, and engineering solutions to reduce the flood risk, property damage, and harm to human life in coastal areas affected by high-tide events, storm surge, flash floods, and projected sea level rise.

- For sea level rise, a variety of methods, models, and tools have been developed and made easily available to better identify those portions of the community most vulnerable to increased future flooding hazard and increased surge zones impacts. Resources available to assist the Village in this effort include the mapping tools provided by the National Oceanic and Atmospheric Administration, Florida Department of Transportation, Climate Central (Surging Seas), and the University of Florida's GeoPlan Center, available these web links:
  - <https://coast.noaa.gov/digitalcoast/tools/flood-exposure>;
  - <https://coast.noaa.gov/digitalcoast/tools/slr>;

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- <https://coast.noaa.gov/slrdata/>;
  - <http://sls.geoplan.ufl.edu>; and,
  - [https://ss2.climatecentral.org/#15/26.8302/-80.0504?show=satellite&projections=0-K14\\_RCP85-SLR&level=6&unit=feet&pois=hide](https://ss2.climatecentral.org/#15/26.8302/-80.0504?show=satellite&projections=0-K14_RCP85-SLR&level=6&unit=feet&pois=hide).
- For high tide events, certain data are available locally for the Village of North Palm Beach from the National Oceanic and Atmospheric Administration (NOAA) – go to the site:
    - <https://tidesandcurrents.noaa.gov/noaatidepredictions.html?id=8722557&legacy=1>
  - For storm surge, data are available locally for the Village of North Palm Beach from the local Palm Beach County Planning Office, Palm Beach County Emergency Management Office and the Treasure Coast Regional Planning Council. An underlying data source for storm surge data is the Palm Beach County, *Sea, Lake and Overland Surges from Hurricanes (SLOSH)* model from the year 2017 revisions. The *SLOSH Display Program (SDP)* is software developed as a tool to aid emergency managers and community planners in visualizing storm surge vulnerability. This software can be accessed at the NOAA site: <http://slosh.nws.noaa.gov/slosh/#sloshDsp> or, from the local Palm Beach County Emergency Management Office. The Village should revise the proposed Coastal High Hazard Area (CHHA) map included in the amendment to use the most recent state regional evacuation study (published 2017) based on NOAA *SLOSH* model.

After identifying areas most vulnerable to impacts high-tide events, storm surge, flash floods and projected sea level rise, the Village can identify any issues of concern to the community that could result in improved resiliency and eliminate or reduce inappropriate and unsafe development in the coastal areas when opportunities arise. The amendment could be revised to include development and redevelopment principles, strategies, and engineering solutions limiting the land use exposure risk to vulnerable public or private facilities and infrastructure, cultural, historic and natural resources important to the community. For instance, recent storms have highlighted particularly vulnerable land uses such as convalescent and assisted living homes, day care facilities, and schools that may require special attention to be resilient to coastal flooding. The Village should also identify and encourage specific best practices and strategies to remove coastal real property from flood zone designations. This could include policies that will address, as the opportunity arises, identifying where repetitive losses to structures have occurred due to coastal flooding and where public facilities that are at peril of recurring flood damage.

Based upon community values and capacity to act, including available and projected fiscal resources, the Village can structure the redevelopment component to outline the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas. These principles can guide specific strategies to minimize impacts to identified facilities and resources and further the community's resilience to disasters and enhance the community's rapid social and economic post-disaster recovery.

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Another tool at the Village's disposal, provided as an option in sections 163.3177(6)(g)10., and 163.3164(1) F.S., is the identification of *Adaptation Action Areas*. *Adaptation Action Areas* are areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels. The designation of these areas in the Village's comprehensive plan can be used as a basis for prioritizing funding for infrastructure needs and adaptation planning.

**Issue 3 & 4:** Prior to adoption, the Village should revise Objective 9 to require flood-resistant construction requirements consistent with, or more stringent than, Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60. (sec. 163.3178(2)(f)(4), F.S.).

Prior to adoption, the Village should revise Objective 9 to require that construction activities seaward of the coastal construction control lines established pursuant to s. 161.053, F.S., be consistent with chapter 161, F.S. (sec. 163.3178(2)(f)(5), F.S.).

## ORDINANCE NO. 2017-11

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA AMENDING THE VILLAGE OF NORTH PALM BEACH CODE OF ORDINANCES BY REPEALING CHAPTER 12.5, "FLOOD DAMAGE PREVENTION," AND SIMULTANEOUSLY ADOPTING A NEW CHAPTER 12.5; ADOPTING FLOOD HAZARD MAPS; DESIGNATING A FLOODPLAIN ADMINISTRATOR; ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of North Palm Beach and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, North Palm Beach was accepted for participation in the National Flood Insurance Program on August 15, 1978 and the Village Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, Section 553.73(5), Florida Statutes, allows adoption of local administrative and local technical amendments to the Florida Building Code that are more stringent and to implement the National Flood Insurance Program and incentives;

WHEREAS, the Village Council is adopting requirements (1) to increase the minimum elevation requirement for buildings and structures in flood hazard areas; and (2) establish requirements for critical facilities in flood hazard areas for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to Section 553.73(5), Florida Statutes, is formatting those requirements to coordinate with the Florida Building Code; and

WHEREAS, the Village Council has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code*.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA that the following floodplain management regulations and local technical amendments to the *Florida Building Code* are hereby adopted.

Section 1. The foregoing whereas clauses are hereby ratified as true and correct and incorporated herein by reference and made a part hereof.

Section 2. The Village Council hereby repeals Chapter 12.5, "Flood Damage Prevention," of the Village Code of Ordinances in its entirety and simultaneously adopts a new Chapter 12.5, to read as follows:

## **Chapter 12.5**

### **FLOOD DAMAGE PREVENTION**

#### **ARTICLE I. ADMINISTRATION**

##### **Sec. 12.5-1. General provisions.**

(1) *Title.* These regulations shall be known as the *Flood Damage Prevention Ordinance* of Village of North Palm Beach hereinafter referred to as "this ordinance."

(2) *Scope.* The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

(3) *Intent.* The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- a. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- b. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- c. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- d. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;

- e. Minimize damage to public and private facilities and utilities;
- f. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- g. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- h. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

(4) *Coordination with the Florida Building Code.* This ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

(5) *Warning.* The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

(6) *Disclaimer of Liability.* This ordinance shall not create liability on the part of Village Council of North Palm Beach or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

#### **Sec. 12.5-2. Applicability.**

(1) *General.* Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(2) *Areas to which this ordinance applies.* This ordinance shall apply to all flood hazard areas within North Palm Beach as established in subsection 12.5-2(3).

(3) *Basis for establishing flood hazard areas.* The Flood Insurance Study for Palm Beach County, Florida and Incorporated Municipalities dated October 5, 2017, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Building Department at Building Division, The Shops at Village Square, 420 U.S. Highway One, Suite 21, North Palm Beach, FL 33408.

(4) *Submission of additional data to establish flood hazard areas.* To establish flood hazard areas and base flood elevations, pursuant to subsection 12.5-5 the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- a. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the *Florida Building Code*.
- b. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

(5) *Other laws.* The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

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

(7) *Interpretation.* In the interpretation and application of this ordinance, all provisions shall be:

- a. Considered as minimum requirements;
- b. Liberally construed in favor of the governing body; and
- c. Deemed neither to limit nor repeal any other powers granted under state statutes.

#### **Sec. 12.5-1. Duties and powers of the floodplain administrator.**

(1) *Designation.* The Village Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

(2) *General.* The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to subsection 12.5-7.

(3) *Applications and permits.* The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- a. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- b. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
- c. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- d. Provide available flood elevation and flood hazard information;
- e. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- f. Review applications to determine whether proposed development will be reasonably safe from flooding;
- g. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
- h. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

(4) *Substantial improvement and substantial damage determinations.* For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- a. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- b. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

- c. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- d. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this ordinance is required.

(5) *Modifications of the strict application of the requirements of the Florida Building Code.* The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to subsection 12.5-7.

(6) *Notices and orders.* The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

(7) *Inspections.* The Floodplain Administrator shall make the required inspections as specified in subsection 12.5-6 for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

(8) *Other duties of the Floodplain Administrator.* The Floodplain Administrator shall have other duties, including but not limited to:

- a. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to subsection 12.5-3(4);
- b. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- c. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
- d. Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* to determine that such certifications and documentations are complete;

- e. Notify the Federal Emergency Management Agency when the corporate boundaries of North Palm Beach are modified; and
- f. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

(9) *Floodplain management records.* Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at Building Division.

#### **Sec. 12.5-4. Permits.**

(1) *Permits required.* Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

(2) *Floodplain development permits or approvals.* Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

(3) *Buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this ordinance:

- a. Railroads and ancillary facilities associated with the railroad.
- b. Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
- c. Temporary buildings or sheds used exclusively for construction purposes.
- d. Mobile or modular structures used as temporary offices.
- e. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- f. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- g. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- h. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- i. Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

(4) *Application for a permit or approval.* To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

- a. Identify and describe the development to be covered by the permit or approval.
- b. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- c. Indicate the use and occupancy for which the proposed development is intended.
- d. Be accompanied by a site plan or construction documents as specified in subsection 12.5-5.

- e. State the valuation of the proposed work.
- f. Be signed by the applicant or the applicant's authorized agent.
- g. Give such other data and information as required by the Floodplain Administrator.

(5) *Validity of permit or approval.* The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the *Florida Building Codes*, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

(6) *Expiration.* A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

(7) *Suspension or revocation.* The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

(8) *Other permits required.* Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- a. The South Florida Water Management District; section 373.036, F.S.
- b. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
- c. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, F.S.
- d. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
- e. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- f. Federal permits and approvals.

**Sec. 12.5-5. Site plans and construction documents.**

(1) *Information for development in flood hazard areas.* The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- a. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
- b. Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with subsection 12.5-5(2)b or c.
- c. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with subsection 12.5-5(2)a.
- d. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
- e. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- f. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- g. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
- h. Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.
- i. Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

(2) *Information in flood hazard areas without base flood elevations (approximate Zone A).* Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- b. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
- c. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
  - i. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
  - ii. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
- d. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

(3) *Additional analyses and certifications.* As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- a. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in subsection 12.5-5(4) and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

- b. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- c. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in subsection 12.5-5(4).
- d. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

(4) *Submission of additional data.* When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

#### **Sec. 12.5-6. Inspections.**

(1) *General.* Development for which a floodplain development permit or approval is required shall be subject to inspection.

(2) *Development other than buildings and structures.* The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

(3) *Buildings, structures and facilities exempt from the Florida Building Code.* The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

(4) *Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.* Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator:

- a. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
- b. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with subsection 12.5(5)2.b, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

(5) *Buildings, structures and facilities exempt from the Florida Building Code, final inspection.* As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in subsection 12.5-6(4).

(6) *Manufactured homes.* The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.

#### **Sec. 12.5-7. Variances and appeals.**

(1) *General.* The Construction Board of Adjustment and Appeals established by the Village shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the Construction Board of Adjustment and Appeals shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*. This section does not apply to Section 3109 of the *Florida Building Code, Building*.

(2) *Appeals.* The Construction Board of Adjustment and Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.

(3) *Limitations on authority to grant variances.* The Construction Board of Adjustment and Appeals shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in subsection 12.5-7(7), the conditions of issuance set forth in subsection 12.5-7(8), and the comments and recommendations of the Floodplain Administrator and the Building Official. The Construction Board of Adjustment and Appeals has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

(4) *Restrictions in floodways.* A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in subsection 12.5-5(3).

(5) *Historic buildings.* A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

(6) *Functionally dependent uses.* A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of subsection 12.5-7(4), is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

(7) *Considerations for issuance of variances.* In reviewing requests for variances, the Construction Board of Adjustment and Appeals shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

- a. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- b. The danger to life and property due to flooding or erosion damage;
- c. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- d. The importance of the services provided by the proposed development to the community;
- e. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- f. The compatibility of the proposed development with existing and anticipated development;
- g. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- h. The safety of access to the property in times of flooding for ordinary and emergency vehicles;

- i. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- j. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

(8) *Conditions for issuance of variances.* Variances shall be issued only upon:

- a. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
- b. Determination by the Construction Board of Adjustment and Appeals that:
  - i. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
  - ii. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
  - iii. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- c. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
- d. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

**Sec. 12.5-8. Violations.**

(1) *Violations.* Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

(2) *Authority.* For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

(3) *Unlawful continuance.* Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by Chapter 22, section 109.4 of the Code of Ordinances.

(4) *Penalties for noncompliance.* No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter. Failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variance or special exceptions) shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than sixty (60) days, or both, for each violation, and, in addition, shall pay all costs and expenses involved in the case.

Secs. 12.5-9—12.5-20. – Reserved.

**ARTICLE II. DEFINITIONS**

**Sec. 12.5-21. General.**

(1) *Scope.* Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

(2) *Terms defined in the Florida Building Code.* Where terms are not defined in this ordinance and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

(3) *Terms not defined.* Where terms are not defined in this ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

(4) *Definitions.*

*Alteration of a watercourse.* A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

*Appeal.* A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

*ASCE 24.* A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

*Base flood.* A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

*Base flood elevation.* The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]

*Basement.* The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see "Basement (for flood loads)".]

*Coastal construction control line.* The line established by the State of Florida pursuant to section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

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

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

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

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

*Design flood elevation.* The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 202.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Light-duty truck.* As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

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

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

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

*Market value.* The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

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

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

*Park trailer.* A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S.]

*Recreational vehicle.* A vehicle, including a park trailer, which is: [See section 320.01, F.S.)

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Sand dunes.* Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

*Special flood hazard area.* An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202.]

*Start of construction.* The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]

*Substantial damage.* Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 202.]

*Substantial improvement.* Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

*Variance.* A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

*Watercourse.* A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Secs. 12.5-22—12.5-30. – Reserved.

### ARTICLE III. FLOOD RESISTANT DEVELOPMENT

#### Sec. 12.5-31 Buildings and structures.

(1) *Design and construction of buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to subsection 12.5-4(3), buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of subsection 12.5-37.

(2) *Buildings and structures seaward of the coastal construction control line.* If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- a. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the *Florida Building Code*, Building Section 3109 and Section 1612 or *Florida Building Code*, Residential Section R322.
- b. Minor structures and non-habitable major structures as defined in section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.

(3) *Critical facilities.* New critical facilities shall, to the extent feasible, be located outside of the special flood hazard area and outside of the 0.2% annual chance flood hazard area (500-year floodplain). If documentation is provided that feasible sites outside of the special flood hazard are not available that satisfy the objectives of a proposed critical facility, then the critical facility shall have the lowest floor elevated to the base flood elevation plus 3 feet. Floodproofing and sealing measures shall ensure that toxic substances will not be displaced or released into floodwater. Access routes that are elevated to or above the base flood elevation shall be provided to the extent feasible.

**Sec. 12.5-32. Subdivisions.**

(1) *Minimum requirements.* Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- a. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- b. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- c. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

(2) *Subdivision plats.* Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- a. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
- b. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with subsection 12.5-5(2)a; and
- c. Compliance with the site improvement and utilities requirements of subsection 12.5-33.

**Sec. 12.5-33. Site improvements, utilities and limitations.**

(1) *Minimum requirements.* All proposed new development shall be reviewed to determine that:

- a. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- b. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- c. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

(2) *Sanitary sewage facilities.* All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

(3) *Water supply facilities.* All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

(4) *Limitations on sites in regulatory floodways.* No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in subsection 12.5-5(3)a demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

(5) *Limitations on placement of fill.* Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

(6) *Limitations on sites in coastal high hazard areas (Zone V).* In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by subsection 12.5-5(3)d demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with subsection 12.5-37(8)c.

#### **Sec. 12.5-34. Manufactured homes.**

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

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

- a. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.2 and this ordinance. Foundations for manufactured homes subject to subsection 12.5-34(6) are permitted to be reinforced piers or other foundation elements of at least equivalent strength.
- b. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.3 and this ordinance.

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

(4) *Elevation.* Manufactured homes that are placed, replaced, or substantially improved shall comply with subsection 12.5-34(5) or (6), as applicable.

(5) *General elevation requirement.* Unless subject to the requirements of subsection 12.5-34(6), all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V).

(6) *Elevation requirement for certain existing manufactured home parks and subdivisions.* Manufactured homes that are not subject to subsection 12.5-34(5), including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- a. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V); or
- b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

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

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

**Sec. 12.5-35. Recreational vehicles and park trailers.**

(1) *Temporary placement.* Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- a. Be on the site for fewer than 180 consecutive days; or
- b. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

(2) *Permanent placement.* Recreational vehicles and park trailers that do not meet the limitations in subsection 12.5-35(1) for temporary placement shall meet the requirements of subsection 12.5-34 for manufactured homes.

**Sec. 12.5-36. Tanks.**

(1) *Underground tanks.* Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

(2) *Above-ground tanks, not elevated.* Above-ground tanks that do not meet the elevation requirements of subsection 12.5-36(3) shall:

- a. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
- b. Not be permitted in coastal high hazard areas (Zone V).

(3) *Above-ground tanks, elevated.* Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

(4) *Tank inlets and vents.* Tank inlets, fill openings, outlets and vents shall be:

- a. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- b. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

**Sec. 12.5-37. Other development.**

(1) *General requirements for other development.* All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

- a. Be located and constructed to minimize flood damage;
- b. Meet the limitations of subsection 12.5-33(4) if located in a regulated floodway;
- c. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- d. Be constructed of flood damage-resistant materials; and
- e. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

(2) *Fences in regulated floodways.* Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of subsection 12.5-33(4).

(3) *Retaining walls, sidewalks and driveways in regulated floodways.* Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of subsection 12.5-33(4).

(4) *Roads and watercourse crossings in regulated floodways.* Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of subsection 12.5-33(4). Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of subsection 12.5-5(3)c.

(5) *Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V).* In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

- a. Structurally independent of the foundation system of the building or structure;
- b. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
- c. Have a maximum slab thickness of not more than four (4) inches.

(6) *Decks and patios in coastal high hazard areas (Zone V).* In addition to the requirements of the *Florida Building Code*, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

- a. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
- b. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
- c. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
- d. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

(7) *Other development in coastal high hazard areas (Zone V)*. In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- a. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- b. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
- c. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

(8) *Nonstructural fill in coastal high hazard areas (Zone V)*. In coastal high hazard areas:

- a. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- b. Nonstructural fill with finished slopes that are steeper than one-unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- c. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

Section 3. The Village Council hereby amends Chapter 6, "Buildings and Building Regulations," by adopting the following technical amendments to the *Florida Building Code, Residential* (additional language is underlined).

Sec. 6-21. Technical amendments to the Florida Building Code, Residential

### **R322.2.1 Elevation requirements.**

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot (305 mm), or to the design flood elevation, whichever is higher.
3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet 2 feet (610 mm) if a depth number is not specified.
4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.

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

### **R322.3.2 Elevation requirements.**

1. All buildings and structures erected within coastal high-hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of piling, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
2. Basement floors that are below grade on all sides are prohibited.
3. The use of fill for structural support is prohibited.
4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

**Exception:** Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

Section 4. *Fiscal Impact Statement.* In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

Section 5. *Applicability.* For the purposes of jurisdictional applicability, this ordinance shall apply in the Village of North Palm Beach. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

Section 6. *Codification.* It is the intent of the Village Council that the provisions of this ordinance shall become and be made a part of the Village of North Palm Beach's Code of Ordinances, and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7. *Conflicts.* All ordinances and resolutions and parts of ordinances and resolutions directly in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 8. *Severability.* If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared.

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

PLACED ON FIRST READING THIS 10<sup>TH</sup> DAY OF AUGUST, 2017.

PLACED ON SECOND, FINAL READING AND PASSED THIS 24<sup>TH</sup> DAY OF AUGUST, 2017.

(Village Seal)

  
MAYOR

ATTEST:

  
VILLAGE CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
VILLAGE ATTORNEY



## ~~12.0 PUBLIC SCHOOL CONCURRENCY~~

### ~~12.1 INTRODUCTION~~

~~The Public School Concurrency element is a required element, imposed by local option via the execution of an Interlocal Agreement by local government jurisdictions in Palm Beach County. Specifically Chapters 163.3180(13), and 163.3177 (12) Florida Statutes establish the PUBLIC School Concurrency requirement and, Chapter 9J-5.025, Florida Administrative Code, establishes the minimum criteria to guide its preparation. The following definitions shall be applicable to the Public School Concurrency element:~~

~~—— **Ancillary Plant** - Facilities to support the educational program, such as warehouses, vehicle maintenance, garages, and administrative buildings.~~

~~—— **Core Facility** - Those facilities which include the media center, cafeteria, toilet facilities, and circulation space of an educational plant.~~

~~—— **District Schools** - All District owned regular, elementary, middle, high schools, magnet and special educational facilities.~~

~~—— **Educational Plant Survey** - A study of present educational and ancillary plants and the determination of future needs to provide an appropriate educational program and services for each student.~~

~~—— **Florida Inventory Of School Houses (FISH)** - The report of permanent school capacity. The FISH capacity is the number of students that may be housed in a facility (school) at any given time based on using a percentage of the number of existing satisfactory student stations and a designated size for each program according to s. 235.15, Florida Statutes. In Palm Beach County, permanent capacity does not include the use of relocatable classrooms (portables).~~

~~—— **Public School Concurrency Service Area or “Concurrency Service Area”** - The specific geographic area adopted by local governments, within a school district, in which school concurrency is applied and determined when concurrency is applied on a less than district wide basis.~~

### ~~12.2 VILLAGE GOAL STATEMENT~~

~~It is the Goal of the Village of North Palm Beach to: (1) Provide for future availability of public school facilities consistent with the adopted level of service standard. This goal shall be accomplished recognizing the constitutional obligation of the school district to provide a uniform system of free public schools on a countywide basis; and (2) maintain and enhance joint planning processes and procedures for coordination of public education facilities for planning and decision-making regarding population projections;~~

public school siting, and the development of public education facilities concurrent with residential development and other services.

### **12.3 OBJECTIVES AND POLICIES**

**OBJECTIVE 1:** ~~The Village shall ensure that the capacity of schools is sufficient to support student growth at the adopted level of service standard for each year of the five-year planning period and through the long term planning period.~~

**Policy 1.1:** ~~The LOS standard is the school's utilization which is defined as the enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses (FISH). The level of service (LOS) standard shall be established for all schools of each type within the School District as 110 percent utilization, measured as the average for all schools of each type within each Concurrency Service Area. No individual school shall be allowed to operate in excess of 110% utilization, unless the school is the subject of a School Capacity Study (SCS) undertaken by the School District, working with the Technical Advisory Group (TAG) which determines that the school can operate in excess of 110% utilization. The SCS shall be required if a school in the first student count of the second semester reaches 108 % or higher capacity. As a result of an SCS, an individual school may operate at up to 120% utilization.~~

**Policy 1.2:** ~~If, as a result of a School Capacity Study (SCS), a determination is made that a school will exceed 120% utilization or cannot operate in excess of 110% utilization, then the School District shall correct the failure of that school to be operating within the adopted LOS through 1) program adjustments 2) attendance boundary adjustments or 3) modifications to the Capital Facilities Program to add additional capacity. If, as a result of the SCS a determination is made that the school will exceed 110% and can operate within adopted guidelines, the identified school may operate at up to 120% utilization. If as a result of one or more School Capacity Studies that demonstrate that the schools of a particular type can operate at a higher standard than the 110% utilization standard of the CSA, the Comprehensive Plan will be amended to reflect the new LOS for that school type in that CSA.~~

**Policy 1.3:** ~~The School Capacity Study (SCS) shall determine if the growth rate within an area, causing the enrollment to exceed 110 percent of capacity, is temporary or reflects an ongoing trend affecting the LOS for the 5 year planning period. The study shall include data which shows the extent of the exceedance attributable to both existing and new development. Notification shall be provided to the local government within whose jurisdiction the study takes place. At a minimum, the study shall consider:~~

- 
- ~~1. Demographics in the school's Concurrency Service Area (CSA);~~
  - ~~2. Student population trends;~~
  - ~~3. Real estate trends (e.g. development and redevelopment);~~
  - ~~4. Teacher/student ratios; and~~

~~5, Core facility capacity;~~

~~**Policy 1.4:** The adopted LOS standard shall become applicable to the entire County at the beginning of the 2004-05 school year, by which time as the School District has achieved the countywide adopted level of service for all schools of each school type.~~

~~**Policy 1.5:** Concurrency Service Areas (CSA) shall be established on a less than district-wide basis, as depicted on Figure 12-1 and described in the Concurrency Service Area Boundary Descriptions in Table 12-1.~~

~~1. The criteria for Concurrency Service Areas shall be: Palm Beach County is divided into twenty-one CSAs. Each CSA boundary shall be delineated considering the following criteria and shall be consistent with provisions in the Interlocal Agreement:~~

- ~~a. School locations, student transporting times, and future land uses in the area.~~
- ~~b. Section lines, major traffic ways, natural barriers and county boundaries.~~

~~2. Each CSA shall demonstrate that:—~~

- ~~a. Adopted level of service standards will be achieved and maintained for each year of the five-year planning period; and~~
- ~~b. Utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans and other relevant factors.~~
- ~~c. Consistent with s.163.3180(13)(c)2., F.S., changes to the CSA boundaries shall be made only by amendment to the PSFE and shall be exempt from the limitation on the frequency of plan amendments. Any proposed change to CSA boundaries shall require a demonstration by the School District that the requirements of 2(a) and (b), above, are met.~~

~~**Policy 1.6:** The Village of North Palm Beach shall consider as committed and existing the public school capacity which is projected to be in place or under construction in the first three years of the School District's most recently adopted Five Year Plan, as reflected in Table 11-2.B (Five Year Capital Improvement Schedule of the Capital Improvement Element of the Village of North Palm Beach Comprehensive Plan), when analyzing the availability of school capacity and making level of service compliance determinations.~~

~~**Policy 1.7:** The Village of North Palm Beach shall amend Table 11-2.B (Five Year Capital Improvement Schedule) of the Capital Improvement Element when committed facility capacity is eliminated, deferred or delayed, to ensure consistency with the School District Five Year Plan.~~

~~**Policy 1.8:** For purposes of urban infill, the impact of a home on an existing single family lot of record shall not be subject to school concurrency.~~

~~**Policy 1.9:** The Village of North Palm Beach shall suspend or terminate its application of School concurrency upon the occurrence and for the duration of the following conditions:~~

~~1. School concurrency shall be suspended in all CSAs upon the occurrence and for the duration of the following conditions:~~

~~2. The occurrence of an "Act of God"; or~~

~~3. The School Board does not adopt an update to its Capital Facilities Plan by September 15th of each year; or~~

~~4. The School District's adopted update to its Capital Facilities Program Plan does not add enough FISH capacity to meet projected growth in demand for permanent student stations at the adopted level of service standard for each CSA and ensures that no school of any type exceeds the maximum utilization standard in any CSA; or~~

~~5. The School District Capital Facilities Plan is determined to be financially infeasible as determined by the State Department of Education, or as defined by the issuance of a Notice of Intent to Find an Amendment to a Capital Improvement Element not in compliance as not being financially feasible, by the Department of Community Affairs; or by a court action or final administrative action; or~~

~~6. If concurrency is suspended in one third or more of the CSAs pursuant to Policy 1.9.2 below.~~

~~7. School Concurrency shall be suspended within a particular CSA upon the occurrence and for the duration for the following conditions:~~

~~a. Where an individual school in a particular CSA is twelve or more months behind the schedule set forth in the School District Capital Facilities Plan, concurrency will be suspended within that CSA and the adjacent CSAs for that type of school; or~~

- 
- ~~b. The School District does not maximize utilization of school capacity by allowing a particular CSA or an individual school to exceed the adopted Level of Service (LOS) standard; or~~
  - ~~c. Where the School Board materially amends the first 3 years of the Capital Facilities Plan and that amendment causes the Level of Service to be exceeded for that type of school within a CSA, concurrency will be suspended within that CSA and the adjacent CSAs only for that type of school.~~
- 
- ~~d. Service Areas in which the School District has notified the County that the application of concurrency has been suspended.~~
  - ~~e. Once suspended, for any of the above reasons, concurrency shall be reinstated once the Technical Advisory Group (TAG) determines the condition that caused the suspension has been remedied or the Level of Service for that year for the affected CSAs have been achieved.~~
  - ~~e. If a Program Evaluation Report recommends that concurrency be suspended because the program is not working as planned, concurrency may be suspended upon the concurrence of 33% of the PARTIES signatories of the "Palm Beach County Interlocal Agreement with Municipalities of Palm Beach County and the School District of Palm Beach County to establish Public School Concurrency".~~
  - ~~g. Upon termination of the Interlocal Agreement the County shall initiate a Comprehensive Plan Amendment to terminate school concurrency.~~

~~**OBJECTIVE 2:** To provide for mitigation alternatives which are financially feasible and will achieve and maintain the adopted level of service standard in each year of the five-year planning period.~~

~~**Policy 2.1:** Mitigation shall be allowed for those development proposals that cannot meet adopted level of service standard. Mitigation options shall include options listed below for which the School District assumes the operational responsibility and which will maintain the adopted level of service standards for each year of the five-year planning period.~~

- ~~1. Donation of buildings for use as a primary or alternative learning facility; and/or~~
- ~~2. Renovation of existing buildings for use as public school facilities; or~~
- ~~3. Construction of permanent student stations or core capacity.~~

~~The site plan for buildings being renovated pursuant to number 2 above, that are fifty years of age or older, shall demonstrate that there are no adverse impacts on sites listed in the National Register of Historic Places or otherwise designated in accordance with appropriate State guidelines as locally significant historic or archaeological resources.~~

~~**Policy 2.2:** A development order shall be issued and mitigation measures shall not be exacted when the adopted level of service standard cannot be met in a particular concurrency service area, as applied to an application for a development order, if the needed capacity for the particular CSA is available in one or more contiguous CSAs.~~

~~**OBJECTIVE 3:** To ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standard.~~

~~**Policy 3.1:** The Village of North Palm Beach, in coordination with the School District and other local governments, shall annually amend Table 11-2.B of the Capital Improvement Element (School District of Palm Beach County Five Year Capital Improvement Schedule), to maintain consistency with the School Board's adopted Five Year Plan and to maintain a financially feasible capital improvements program and ensure that level of service standards will continue to be achieved and maintained in each year of the five year planning period.~~

~~**OBJECTIVE 4:** To establish a process of coordination and collaboration between the County, local governments, and the School District in the planning and siting of public school facilities in coordination with planned infrastructure and public facilities.~~

~~**Policy 4.1:** The Village of North Palm Beach shall coordinate and provide for expedited review of development proposals with the School District during the development review process to ensure integration of public school facilities with surrounding land uses and the compatibility of uses with schools.~~

~~**Policy 4.2:** There shall be no significant environmental conditions and significant historical resources on a proposed site that can not be mitigated or otherwise preclude development of the site for a public educational facility.~~

~~**Policy 4.3:** The proposed site shall be suitable or adaptable for development in accordance with applicable water management standards, and shall not be in conflict with the adopted or officially accepted plans of the South Florida Water Management District, or any applicable Stormwater Utility or Drainage District.~~

~~**Policy 4.4:** The proposed location shall comply with the provisions of the Coastal Zone Management Element of the comprehensive plan, if applicable to the site.~~

~~**Policy 4.5:** The Village of North Palm Beach shall encourage the location of schools~~

proximate to urban residential areas by:

~~1. Assisting the School District in identifying funding and/or construction opportunities (including developer participation or Village of North Palm Beach capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements;~~

~~2. Providing for the review for all school sites as indicated in Policy 4.1 above;~~  
and,

~~3. Allowing schools as a permitted use within all urban residential land use categories.~~

~~**Policy 4.6:** The Village of North Palm Beach shall coordinate with the School District for the collocation of public facilities, such as parks, libraries, and community centers with schools, to the extent possible, as sites for these public facilities and school are chosen and development plans prepared.~~

~~**OBJECTIVE 5:** To establish and maintain a cooperative relationship with the School District and municipalities in coordinating land use planning with development of public school facilities which are proximate to existing or proposed residential areas they will serve and which serve as community focal points.~~

~~**Policy 5.1:** The Village of North Palm Beach shall abide by the “Palm Beach County Interlocal Agreement with Municipalities of Palm Beach County and the School District of Palm Beach County to establish Public School Concurrency”, which was fully executed by the parties involved and recorded with the Clerk of the Circuit Court of Palm Beach County on January 25, 2001, consistent with ss.163.3177 (6) (h) 1.and 2. F.S. and 163.3180, F.S.~~

~~**Policy 5.2:** The Technical Advisory Group (TAG) shall be established by the County, participating local governments, and the School District. The five member TAG will be comprised of a certified public accountant, a general contractor, a demographer, a business person, and a planner, nominated by their respective associations as indicated in the Interlocal Agreement to establish Public School Concurrency mentioned in Policy 5.1 above. The Technical Advisory Group shall review and make recommendations including but not limited to the following:~~

- ~~1. The Capital Facilities Plan;~~
- ~~2. The Ten and Twenty Year work programs;~~
- ~~3. Schools that trigger a School Capacity Study;~~
- ~~4. Concurrency Service Areas boundaries;~~
- ~~5. School District Management Reports;~~
- ~~6. Operation and effectiveness of the Concurrency Program; and~~

~~7. Program Evaluation Reports.~~

~~**Policy 5.3:** The Village of North Palm Beach shall provide the School District with annual information needed to maintain school concurrency, including information required for the School District to establish:~~

- ~~1. School siting criteria;~~
- ~~2. Level of service update and maintenance;~~
- ~~3. Joint approval of the public school capital facilities program;~~
- ~~4. Concurrency service area criteria and standards; and~~
- ~~5. School utilization.~~

~~**Policy 5.4:** The Village of North Palm Beach shall provide the School District with its Comprehensive Plan, along with the five-year land use and population projections, to facilitate development of school enrollment projections and shall annually update this information. The Village of North Palm Beach shall coordinate its Comprehensive Plan and the Future Land Use Map with the School District's long range facilities maps (Ref: Table 12-2; Figures 12-1 and 12-2), to ensure consistency and compatibility with the provisions of this Element.~~

~~**Policy 5.5:** The Village of North Palm Beach shall advise the School District of a proposed public school site's consistency with the Village of North Palm Beach Comprehensive Plan and land development regulations, including the availability of necessary public infrastructure to support the development of the site.~~

~~**Policy 5.6:** The Village of North Palm Beach shall provide opportunity for the School District to comment on comprehensive plan amendments, rezonings, and other land-use decisions which may be projected to impact on the public schools facilities plan.~~

~~**Policy 5.7:** The Village of North Palm Beach shall coordinate with local governments and the School District on emergency preparedness issues which may include consideration of:~~

- ~~1. Design and/or retrofit of public schools as emergency shelters;~~
- ~~2. Enhancing public awareness of evacuation zones, shelter locations, and —evacuation routes;~~
- ~~2. Designation of sites other than public schools as long term shelters, to allow schools to resume normal operations following emergency events.~~

~~**OBJECTIVE 6:** To establish a joint process of coordination and collaboration between the Village of North Palm Beach, Palm Beach County and the School District in the planning and decision making on population projections.~~

~~**Policy 6.1:** The County shall convert the BEBR projections into both existing and new residential units and disaggregate these units throughout incorporated and unincorporated Palm Beach County into each CSA, using BEBR's annual estimates by municipality, persons-per-household figures, historic growth rates and development potential considering the adopted Future Land Use maps of all local government Comprehensive Plans. These projections are shown in Exhibit E of the Interlocal Agreement as "Projected Units Table" which shall be amended annually and provided to the School District, unless the interlocal agreement is amended accordingly.~~

~~**Policy 6.2:** The Village of North Palm Beach commits to working with the School District and Palm Beach County to improve this methodology and enhance coordination with the plans of the School District and local governments. Population and student enrollment projections shall be revised annually to ensure that new residential development and redevelopment information provided by the municipalities and the County as well as changing demographic conditions are reflected in the updated projections. The revised projections and the variables utilized in making the projections shall be reviewed by all signatories through the Intergovernmental Plan Amendment Review Committee (IPARC). Projections shall be especially revisited and refined with the results of the 2000 Census. The responsibilities of local governments and the School District on population projections are described in Section VIII-B of the Interlocal Agreement.~~

**TABLE 12-1**  
**Concurrency Service Area Boundaries**

The Palm Beach County School District is divided into twenty three CSAs for school concurrency. The Palm Beach County School CSA boundaries, described in the following paragraphs, are bounded by Section lines, major traffic ways, natural barriers and county boundaries consistent with Section 163.3180(13) (c) 2. F.S. Changes to the CSA boundaries shall be made by plan amendment and exempt from the limitation on the frequency of plan amendments.

**CSA** \_\_\_\_\_ **Boundaries**

**#1**

\_\_\_\_\_ **NORTH** -The Martin / Palm Beach County Border

\_\_\_\_\_ **SOUTH** -Donald Ross Rd

\_\_\_\_\_ **EAST** -The Atlantic Ocean

\_\_\_\_\_ **WEST** -Florida's Turnpike

**CSA** \_\_\_\_\_ **Boundaries**

**#2**

\_\_\_\_\_ **NORTH** -The Martin / Palm Beach County Border

**SOUTH** -Donald Ross Rd and the South Section Line of Sections (using T-R-S) 41-42-21, 41-42-20, 41-42-19, 41-41-24, and 41-41-23, then Southwest along the centerline of the C-18 canal to the Bee Line Hwy

\_\_\_\_\_ **EAST** -Florida's Turnpike

\_\_\_\_\_ **WEST** -Bee Line Hwy

**CSA** \_\_\_\_\_ **Boundaries**

**#3**

\_\_\_\_\_ **NORTH** -Donald Ross Rd

**SOUTH** -The South Section Line of Sections 42-43-10, 42-43-09, 42-43-08, 42-43-07, and 42-42-12, East of Military Trl, then South along Military Trl to Northlake Blvd, then West along Northlake Blvd to Florida's Turnpike

\_\_\_\_\_ **EAST** -The Atlantic Ocean

\_\_\_\_\_ **WEST** -Florida's Turnpike

**CSA** \_\_\_\_\_ **Boundaries**

#4

**NORTH** ~~The South Section Line of Sections 41-42-21, 41-42-20, 41-42-19, 41-41-24, and 41-41-23, then Southwest along the C-18 Canal to the Bee Line Hwy, then Northwest along the Bee Line Hwy until the intersection of Bee Line Hwy and the West Section Line of Section 41-41-18~~

**SOUTH** ~~Northlake Blvd West to Grapeview Blvd, North along Grapeview Blvd to the South Section Line of Section (using T-R-S) 42-41-08, then West along the South Section Line of Sections 42-41-08 and 42-41-07~~

\_\_\_\_\_ **EAST** ~~Florida's Turnpike~~

**WEST** ~~The West Section Line of (using T-R-S) 41-41-18 South of the Bee Line Hwy, and the West Section Lines of Sections 41-41-19, 41-41-30, 41-41-31, 42-41-06, and 42-41-07~~

**CSA** \_\_\_\_\_ **Boundaries**

#5 \_\_\_\_\_ **NORTH** ~~The South Section Line of Sections 42-43-10, 42-43-09, 42-43-08, 42-43-07, and 42-42-12 West to Military Trl~~

**SOUTH** ~~The South Section Line of Sections 42-43-34, 42-43-33, 42-43-32, 42-43-31, and 42-42-36 West to Military Trl~~

\_\_\_\_\_ **EAST** ~~The Atlantic Ocean~~

\_\_\_\_\_ **WEST** ~~Military Trl~~

**CSA** \_\_\_\_\_ **Boundaries**

#6 \_\_\_\_\_ **NORTH** ~~Northlake Blvd~~

**SOUTH** ~~The South Section Line of Sections 42-42-36 West of Military Trl, 42-42-42-34, 42-42-33, 42-42-32, and 42-42-31~~

\_\_\_\_\_ **EAST** ~~Military Trl~~

**WEST** ~~The West Section Line of Sections 42-42-18, 42-42-19, 42-42-30, and 42-42-31~~

**CSA** \_\_\_\_\_ **Boundaries**

#7 \_\_\_\_\_ **NORTH** ~~The South Section Line of Sections 42-43-34, 42-43-33, 42-43-32, 42-43-31, and 42-42-36 West to Military Trl~~

\_\_\_\_\_ **SOUTH** ~~The North Line of the South Half of Sections 43-43-23, 43-43-22, 43-43-21, 43-43-20, 43-43-19, and 43-42-24 East of Military Trl~~

\_\_\_\_\_ **EAST** ~~The Atlantic Ocean~~

\_\_\_\_\_ **WEST** ~~Military Trl~~

**CSA** **Boundaries**

**#9** **NORTH** The South Section Line of Sections 42-42-36 (West of Military Trl), 42-42-35, 42-42-34, 42-42-33, 42-42-32, and 42-42-31

**SOUTH** The North Section Line of Sections 43-42-24 West of Military Trl, 43-42-23, 43-42-22, 43-42-21, 43-42-20, and 43-42-19

**EAST** Military Trl

**WEST** The West Section Line of Sections 43-42-06, 43-42-07, 43-42-18, and 43-42-19 North of the South Line of the North Half

**CSA** **Boundaries**

**#10** **NORTH** Northlake Blvd West to Grapeview Blvd, North along Grapeview Blvd, then West along the South Section Line of Sections 42-41-08, and 42-41-07, then South along the West Section Line of 42-41-18 until intersecting with the Canal generally delimiting the Northern extent of The Acreage and the Southern extent of the J. W. Corbett preserve, West along the centerline of the Canal through the center of Sections 42-40-13, 42-40-14, 42-40-15, 42-40-17, and 42-40-18, then North along the East Section Line of Section 42-39-13 to the North Line of the South Half of Section 42-39-13, then West along the North Line of the South Half of Section 42-39-13 to the West Section Line of Section 42-39-13

**SOUTH** Southern Blvd West of 441, West to the West Section Line of Section 43-40-33

**EAST** The East Section Line of Sections 43-41-01, 43-41-12, 43-41-13, 43-41-24, 43-41-25, and 43-41-36 South to Southern Blvd

**WEST** The L-8 Canal South of the South Section Line of Section 42-40-31 and West of the West Section Line of Section 43-40-08, the West Section Line of Section 43-40-08 South of the L-8 Canal, the West Section Line of Sections 43-40-16, 43-40-21, 43-40-28, and 43-40-33 South to Southern Blvd

**CSA** **Boundaries**

**#11** **NORTH** The North Line of the South Half of Sections 43-43-23, 43-43-22, 43-43-21, 43-43-20, 43-43-19, and 43-42-24 East of Military Trl

**SOUTH** The South Section Line of Sections 44-43-02, 44-43-03, 44-43-04, 44-43-05, 44-43-06, and 44-42-01 East of Military Trl

**EAST** The Atlantic Ocean

**WEST** Military Trl

**CSA** \_\_\_\_\_ **Boundaries**

**#12** \_\_\_\_\_ **NORTH** -The North Section Line of Sections 43-42-24 West of Military Trl, 43-42-23, 43-42-22, 43-42-21, 43-42-20, and 43-42-19

**SOUTH** -The South Section Line of Sections 44-42-01 West of Military Trl, 44-42-02, 44-42-03, 44-42-04, 44-42-05, and 44-42-06

\_\_\_\_\_ **EAST** -Military Trl

**WEST** -The West Section Line of Section 43-42-19 South of the North Line of the South Half, and State Rd 7

**CSA** \_\_\_\_\_ **Boundaries**

**#14** \_\_\_\_\_ **NORTH** -The South Section Line of Sections 44-43-02, 44-43-03, 44-43-04, 44-43-05, 44-43-06, and 44-42-01 East of Military Trl

**SOUTH** -The South Section Line of Sections 44-43-26, 44-43-27, 44-43-28, 44-43-29, 44-43-30, and 44-42-25 East of Military Trl

\_\_\_\_\_ **EAST** -The Atlantic Ocean

\_\_\_\_\_ **WEST** -Military Trl

**CSA** \_\_\_\_\_ **Boundaries**

**#15** \_\_\_\_\_ **NORTH** -The South Section Line of Sections 44-42-01 West of Military Trl, 44-42-02, 44-42-03, 44-42-04, 44-42-05, and 44-42-06

\_\_\_\_\_ **SOUTH** -The L-14 Canal

\_\_\_\_\_ **EAST** -Military Trl

\_\_\_\_\_ **WEST** -State Rd 7

**CSA** \_\_\_\_\_ **Boundaries**

**#16** \_\_\_\_\_ **NORTH** -Southern Blvd West of 441, West to the West Section Line of Section 43-40-33

**SOUTH** -The South Section Line of Sections 44-41-25, 44-41-26, 44-41-27, 44-41-28, 44-41-29, and 44-41-30 East of the L-40 Canal

\_\_\_\_\_ **EAST** -U.S. Hwy 441 / State Rd 7

**WEST** -The L-40 Canal and the West Section Line of Section 43-40-33 South of Southern Blvd

**CSA** **Boundaries**

**#17** **NORTH** -The South Section Line of Sections 44-43-26, 44-43-27, 44-43-28, 44-43-29, 44-43-30, 44-42-25, 44-42-26, and 44-42-27 East of Jog Rd

**SOUTH** -The Boynton Canal

**EAST** -The Atlantic Ocean

**WEST** -Jog Rd

**CSA** **Boundaries**

**#18** **NORTH** -The L-14 Canal West to the Florida Turnpike, then North along the Turnpike to the South Section Line of Section 44-41-29, then West along the South Section Line of Sections 44-42-30, 44-41-25, 44-41-26, 44-41-27, 44-41-28, 44-41-29 and 44-41-30 East of the L-40 Canal

**SOUTH** -The Boynton Canal

**EAST** -Jog Rd

**WEST** -The L-40 Canal

**CSA** **Boundaries**

**#19** **NORTH** -The Boynton Canal

**SOUTH** -The South Section Line of Sections 46-43-03, 46-43-04, 46-43-05, 46-43-06, 46-42-01, 46-42-02, 46-42-03, 46-42-04, 46-42-05, 46-42-06, State Rd 7 South to the South Section Line of Section 46-41-01, West along the South Section Line of Section 46-41-01 extended to the L-40 Canal

**EAST** -The Atlantic Ocean

**WEST** -The L-40 Canal

**CSA** **Boundaries**

**#20** **NORTH** -The South Section Line of Sections 46-43-03, 46-43-04, 46-43-05, 46-43-06, 46-42-01, 46-42-02, 46-42-03, 46-42-04, 46-42-05, 46-42-06, State Rd 7 South to the South Section Line of Section 46-41-01, West along the South Section Line of Section 46-41-01 extended to the L-40 Canal

**SOUTH** -The South Section Line of Sections 46-43-28, 46-43-29, 46-43-30, 46-42-25, 46-42-26, 46-42-27, 46-42-28, 46-42-29, 46-42-30, 46-41-25, and 46-42-26 East of the L-40 Canal, the portion of the line formed by these Section Lines West of I-95 generally approximates the C-15 Canal

**EAST** -The Atlantic Ocean

**WEST** -The L-40 Canal

**CSA** **Boundaries**

**#21** **NORTH** The South Section Line of Sections 46-43-28, 46-43-29, 46-43-30, 46-42-25, 46-42-26, 46-42-27, 46-42-28, 46-42-29, 46-42-30, 46-41-25, and 46-42-26 East of the L-40 Canal, the portion of the line formed by these Section Lines West of I-95 generally approximates the C-15 Canal

**SOUTH** The Palm Beach / Broward County Border

**EAST** The Atlantic Ocean

**WEST** The L-40 and L-36 Canals

**CSA** **Boundaries**

**#22** **NORTH** The Martin / Palm Beach County Border

**SOUTH** The Palm Beach / Broward County Border

**EAST** From the Martin / Palm Beach County Border, the Bee Line Hwy South to the West Section Line of 41-41-18, the West Section Lines of Sections 41-41-18, 41-41-19, 41-41-30, 41-41-31, 42-41-06, 42-41-07, and 42-41-18 until intersecting with the Canal generally delimiting the Northern extent of The Acreage and the Southern extent of the J. W. Corbett preserve, West along the centerline of the Canal through the center of Sections 42-40-13, 42-40-14, 42-40-15, 42-40-17, and 42-40-18, then North along the East Section Line of Section 42-39-13 to the North Line of the South Half of Section 42-39-13, then West along the North Line of the South Half of Section 42-39-13 to the West Section Line of Section 42-39-13, then South along The West Section Line of South Half of Section 42-39-13, The West Section Line of Section 42-39-24, 42-39-25, and 42-39-36 North of the L-8 Canal, the L-8 Canal South to the West Section Line of Section 43-40-08, then South along The West Section Lines of Sections 43-40-08 South of the L-8 Canal, 43-40-16, 43-40-21, 43-40-28, and 43-40-3 then South along the L-40 Canal and the L-36 Canal to the Palm Beach / Broward County Border.

**WEST** The Shoreline of Lake Okeechobee South to the South Section Line of Section (41-37-22, East along the South Section Line of Sections 43-37-22, and 41-37-23, then South along the East Section Line of Sections 41-37-26, 41-37-35, 42-37-02, 42-37-11, 42-37-14, 42-37-23, 42-37-26, and 42-37-35, then West along the South Section Line of Section 42-37-35 to the East Section Line of Section 43-37-02, then South along the East Section Line of Sections 43-37-02, 43-37-11, 43-37-14, 43-37-23, 43-37-26, and 43-37-35, then in a Southerly direction to the East Section Line of Section 44-37-02, then South along the East Section Line of Sections 44-37-02, 44-37-11, 44-37-14, and 44-37-23 to the L-16 Canal, then West along the L-16 Canal and the L-21 Canals, also referenced as the Bolles Canal, to the West Section Line of Section 44-35-34, then North along the West Section Line of Sections 44-35-34, 44-35-27, 44-35-22, 44-35-15, 44-35-10, 44-35-03, 43-35-34, and 43-35-27 to the Shoreline of Lake Okeechobee, then Westerly along the Shoreline of Lake Okeechobee to the Palm Beach / Hendry County Border, South along the Palm Beach / Hendry County Border to the Palm Beach / Broward County Border

**GSA** **Boundaries**

**#23** **NORTH** ~~The South Section Line of Sections 43-37-22 East of Lake Okeechobee, and 41-37-23~~

**SOUTH** ~~The L-16 and L-21 Canals, also referenced as the Bolles Canal~~

**EAST** ~~The East Section Line of Sections 41-37-26, 41-37-35, 42-37-02, 42-37-11, 42-37-14, 42-37-23, 42-37-26, and 42-37-35, then West along the South Section Line of Section 42-37-35 to the East Section Line of Section 43-37-02, then South along the East Section Lines of Sections 43-37-02, 43-37-11, 43-37-14, 43-37-23, 43-37-26, and 43-37-35, then in a Southerly direction to the East Section Line of Section 44-37-02, then South along the East Section Line of Sections 44-37-02, 44-37-11, 44-37-14, and 44-37-23 to the L-16 Canal~~

**WEST** ~~The West Section Line of Sections (using T-R-S) 43-35-27 South of the Shoreline of Lake Okeechobee, 43-35-34, 44-35-03, 44-35-10, 44-35-15, 44-35-22, 44-35-27, and 44-35-34 South to the L-21 or Bolles Canal~~

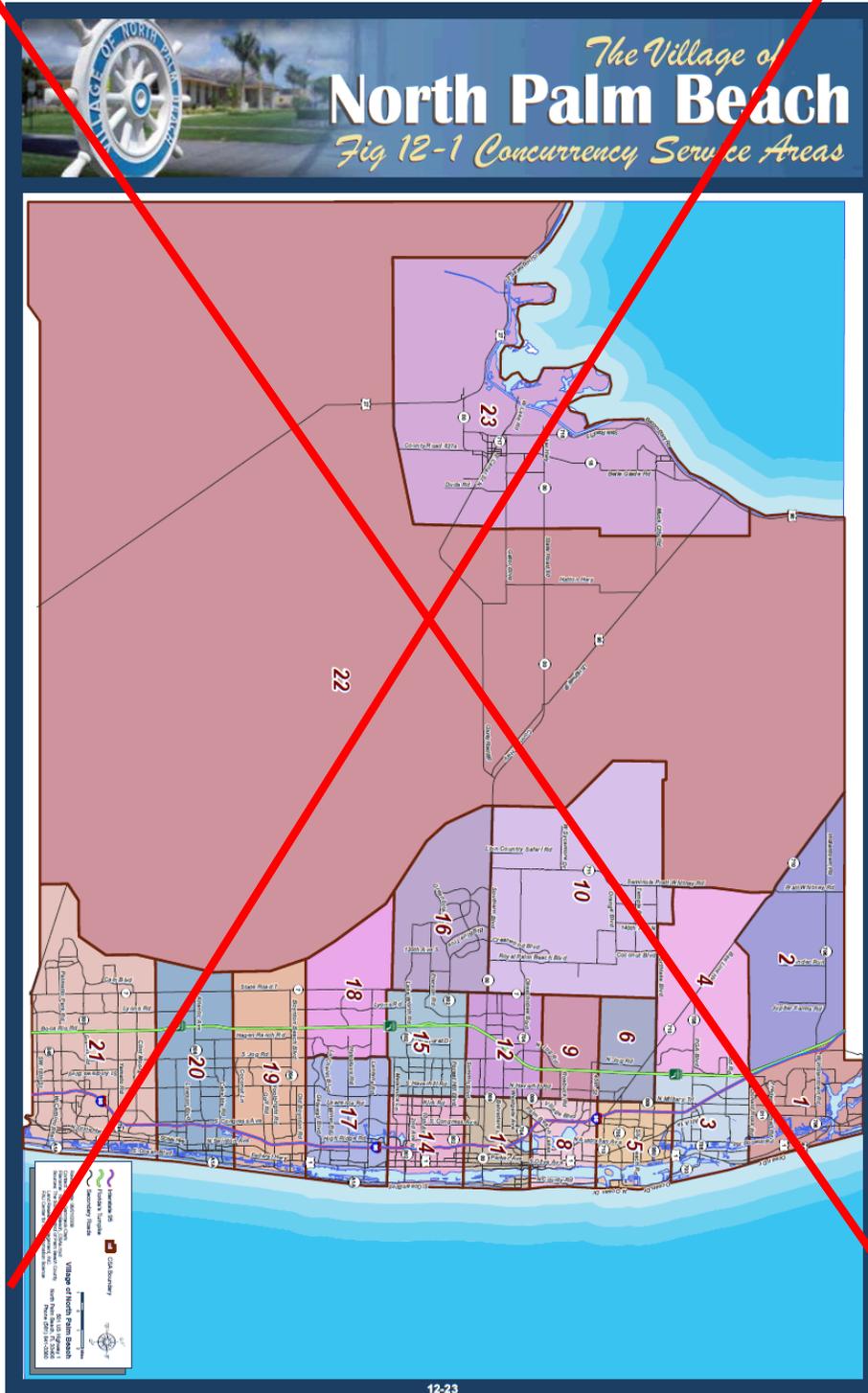
**TABLE 12-2**  
**PUBLIC SCHOOL CONCURRENCY MAP SERIES**

The following school concurrency data are exhibited on Maps 12-1 through 12-3 through 12-3:

<b><u>Figure No.</u></b>	<b><u>Title</u></b>	<b><u>Page</u></b>
<u>12-1</u>	Concurrency Service Areas	12-17
<u>12-2</u>	School Facility Locations	12-18
<u>12-3</u>	Planned Additional Capacity Locations Shown For Confirmed Sites	12-19

**FIGURE 12-1**

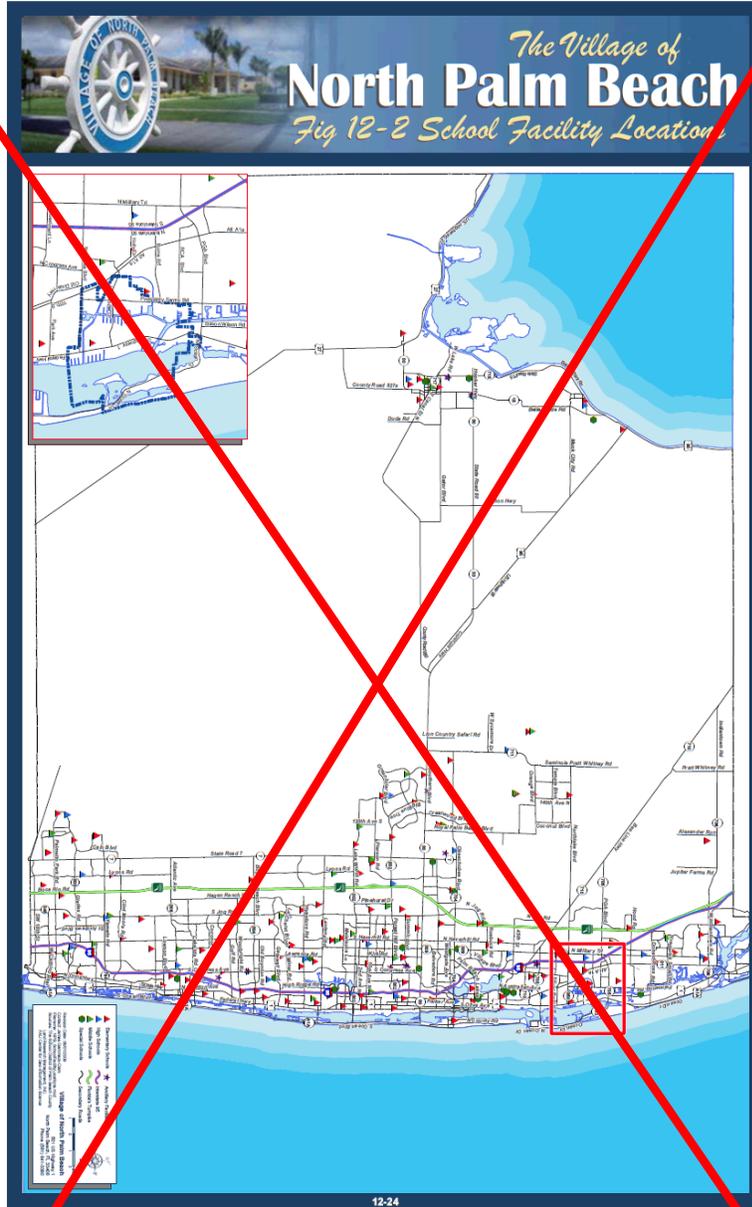
*\*Figure Deleted*



12-23

**FIGURE 12-2**

\*Figure relocated to Intergovernmental Coordination Element, Figure 10-1



**FIGURE 12-3**

\*Figure relocated to Intergovernmental Coordination Element, Figure 10-2



## INTERGOVERNMENTAL COORDINATION ELEMENT

### **NEW 10.4 GOAL: PUBLIC SCHOOL COORDINATED PLANNING** [former Public School Concurrency Element (PSCE)]

IT IS THE GOAL OF THE VILLAGE TO MAINTAIN AND ENHANCE JOINT PLANNING PROCESSES AND PROCEDURES FOR COORDINATION OF PUBLIC EDUCATION FACILITIES FOR PLANNING AND DECISION-MAKING REGARDING POPULATION PROJECTIONS, PUBLIC SCHOOL SITING, AND THE DEVELOPMENT OF PUBLIC EDUCATION FACILITIES CONCURRENT WITH RESIDENTIAL DEVELOPMENT AND OTHER SERVICES. THIS GOAL SHALL BE ACCOMPLISHED RECOGNIZING THE CONSTITUTIONAL OBLIGATION OF THE SCHOOL DISTRICT TO PROVIDE A UNIFORM SYSTEM OF FREE PUBLIC SCHOOLS ON A COUNTYWIDE BASIS.

#### **Objective 2.1: [former PSCE] Intergovernmental Coordination**

To establish and maintain a cooperative relationship with the School District and municipalities in coordinating land use planning with development of public school facilities which are proximate to existing or proposed residential areas or other appropriate existing and future land uses they will serve and which serve as community focal points.

**Policy 2.1.1:** [revised former PSCE] The Village shall abide by the “Interlocal Agreement between the School Board of Palm Beach County, Palm Beach County and Municipalities of Palm Beach County for Coordinated Planning” (the 2016 Interlocal Agreement) which was approved by the Village Commission on April 27, 2017, consistent with ss.163.3177(6)(h)1. and 2. F.S. and 163.3180 F.S.

**Policy 2.1.2:** [former PSCE] The Village, in coordination with the School District, the County and other local governments, shall annually adopt the updated School District of Palm Beach County Five-Year Capital Improvement Schedule by opting into the annual countywide ordinance. This provision is intended to maintain consistency with the School Board’s adopted Five Year Plan and to maintain a financially feasible capital improvements program and ensure that level of service standards will continue to be achieved and maintained in each year of the five year planning period.

**Policy 2.1.3:** [revised formerly PSCE] The Village shall provide the School District with annual report of projections of development and redevelopment information generated from the Village’s development and approvals needed to maintain school adequacy, including information required for the School District to establish:

- a. School siting criteria;
- b. School Districts 5 year Capital Facilities Plan
- c. School utilization.

**Policy 2.1.4:** [formerly PSCE] The Village shall provide the School District with its Comprehensive Plan, to facilitate development of school enrollment projections and shall annually update this information. The Village shall coordinate its Comprehensive Plan and the Future Land Use Map with the School District's long range facilities maps (See Map Series Maps), to ensure consistency and compatibility with the provisions of this Element. The Village shall provide the School District, based on the schedules outlined in the 2016 Interlocal Agreement, with information generated from the Village's development and approvals, including but not limited to:

- a. Certificates of Occupancy issued for new residential units.
- b. Adopted future land use amendments and development orders, including amendments to development orders.
- c. Projections for development and redevelopment for the coming year.

**Policy 2.1.5:** [formerly PSCE] The Village shall provide opportunity for the School District to comment on comprehensive plan amendments, development orders, and other land-use decisions which may be projected to impact on the public schools facilities plan. The Village shall incorporate letters from the school district identifying school capacity availability into Village project staff reports presented to the Village Commission. The Village may incorporate conditions of approval into ordinances or resolutions to mitigate development impacts at the request of the School District as the Village deems appropriate.

**Policy 2.1.6:** [formerly PSCE] The Village shall coordinate with local governments and the School District on emergency preparedness issues which may include consideration of:

- a. Design and/or retrofit of public schools as emergency shelters;
- b. Enhancing public awareness of evacuation zones, shelter locations, and evacuation routes;
- c. Designation of sites other than public schools as long term shelters, to allow schools to resume normal operations following emergency events.

**Objective 2.2:** [former PSCE.] **School Facility Siting Coordination**

To establish a process of coordination and collaboration between the County, local governments, and the School District in the planning and siting of public school facilities in coordination with planned infrastructure and public facilities.

**Policy 2.2.1:** [former PSCE] The Village shall coordinate and provide for expedited review of development proposals with the School District during the development review process to ensure integration of public school facilities with surrounding land uses and the compatibility of uses with schools.

**Policy 2.2.2:** Upon the receipt of notice from the School District of its intent to acquire or lease a property for a school site, the Village shall review and provide a determination of consistency with the future land use designation, zoning district and the Village's Comprehensive Plan. The Village's comments may address the

availability of necessary and planned infrastructure and the co-location of the proposed school facility with other public facilities such as parks, libraries and community centers.

**Policy 2.2.3:** The Village abides by the school siting development review procedures outlined in the “Interlocal Agreement between the School Board of Palm Beach County, Palm Beach County and Municipalities of Palm Beach County for Coordinated Planning”

**Policy 2.2.4:** [former PSCE] Educational facilities shall not be located on sites that will significantly impact environmental conditions or historical resources if the impacts on these conditions or resources cannot be appropriately mitigated.

**Policy 2.2.5:** [former PSCE] Proposed school site locations shall be suitable or adaptable for development in accordance with applicable water management standards, and shall not be in conflict with the adopted or officially accepted plans of the South Florida Water Management District, or any applicable Stormwater Utility or Drainage District.

**Policy 2.2.6:** [former PSCE] Proposed school site locations shall comply with the provisions of the Coastal Zone Management Element of the Comprehensive Plan, if applicable to the site.

**Policy 2.2.7:** [former PSCE] The Village shall encourage the location of schools proximate to urban residential areas or other appropriate existing and future land uses by:

- a. Assisting the School District in identifying funding and/or construction opportunities (including developer participation or Village capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements;
- b. Providing for the review for all school sites as indicated in Policy 2.2.1 above; and,
- c. Considering elementary intermediate and secondary school uses as an allowable use in most future land use designations and zoning districts.

**Policy 2.2.8:** [former PSCE] The Village shall coordinate with the School District for the collocation of public facilities, such as parks, libraries, and community centers with schools, to the extent possible, as sites for these public facilities and schools are chosen and development plans prepared.

**OBJECTIVE 2.3:** [former PSCE] **Population Projections**

To establish a joint process of coordination and collaboration between the Village, Palm Beach County and the School District in the planning and decision making on population projections.

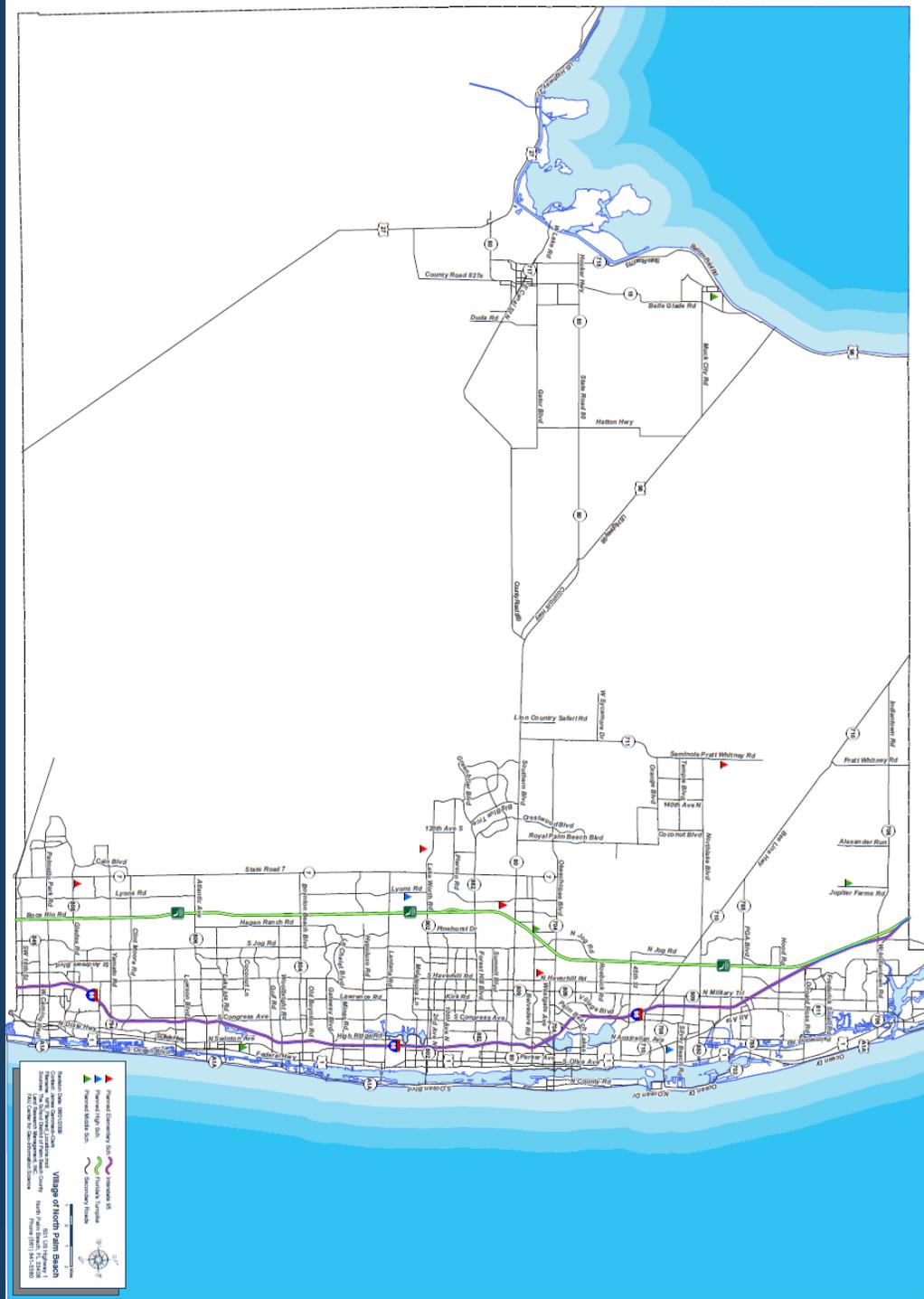
**Policy 2.3.1:** [former PSCE] The Village commits to working with the School District and Palm Beach County to improve the population allocation methodology and enhance coordination with the plans of the School District and local governments. Population and student enrollment projections shall be revised annually to ensure that new residential development and redevelopment information provided by the municipalities and the County as well as changing demographic conditions are reflected in the updated projections.





# The Village of North Palm Beach

Fig 10-2 Planned Additional Capacity



## Capital Improvements Element

### 11.0 CAPITAL IMPROVEMENTS

\*\*\*\* Omitted for Brevity\*\*\*\*

**Policy 3.5.** Financial feasibility means that sufficient revenues are currently available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for years 4 and 5, of the Five-Year Schedule of Improvements. Committed sources of revenue shall include ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees and developer contributions which are adequate to fund the projected costs of the capital improvements identified in the Comprehensive Plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the five-year period. Further, the plan is financially feasibility for transportation and public schools if level-of-service standards are achieved and maintained by the end of the planning period even if in a particular year such standards are not achieved.

\*\*\*\* Omitted for Brevity\*\*\*\*

~~Policy 7.5: For public school facilities, at a minimum, the Village shall require that the concurrency management system detailed in Objective 8, below, and the Public School Concurrency element is implemented.~~

~~**OBJECTIVE 8:** the School District of Palm Beach County shall maintain minimum level of service standards for public school facilities, as defined in the Public School Concurrency element. In the case of public school facilities, the issuance of Development Orders, Development Permits or development approvals shall be based upon the School District of Palm Beach County's ability to maintain the minimum level of service standards.~~

~~**Policy 8.1:** For public school facilities, the applicant for a Development Order or Development Permit which includes any residential component shall provide a determination of capacity by the School District of Palm Beach County that the proposed development will meet the public school facilities level of service. A determination by the School District is not required for existing single family legal lots of record, in accordance with the Public Schools Concurrency Policy 1.8.~~

~~**Policy 8.2:** In determining that the necessary public school facilities shall be in place when the impacts of the development occur, the following procedures shall be used:~~

- ~~1. The construction of the facilities is the subject of a binding and guaranteed contract with the School District of Palm Beach County that is executed and guaranteed for the time the Development Order issued;~~
- ~~2. The phasing and construction of the improvements are made binding conditions of approval of the Development Order or Development Permit;~~
- ~~3. The necessary facilities or services are under construction and bonded at the time a Development Order is issued; or~~
- ~~4. Construction appropriations are specified within the first three years of the most recently approved School District of Palm Beach County Six Five Year Capital Improvement Schedule, as reflected in Table 11-2 of this element, which shall reflect the addition of FISH capacity for each school, as shown in Appendix A. Concurrency Service Area Table of the Public School Concurrency element support documentation.~~
- ~~5. In accordance with Policy 8.1, and upholding the exceptions detailed therein, prior issuance of a Development Order/Permit, the School District of Palm Beach County shall determine that the level of service for public school facilities can be achieved and maintained. The necessary public school facilities shall be considered to be in place when sufficient capacity exists in the concurrency service area (CSA) in which the proposed development is located, or an immediately adjacent CSA.~~

## COASTAL MANAGEMENT ELEMENT

### NEW 7.4 GOAL: THE VILLAGE SHALL COORDINATE DEVELOPMENT AND REDEVELOPMENT ACTIVITIES TO ADDRESS REDUCTION OF CURRENT AND FUTURE FLOOD RISK AND TO ELIMINATE INAPPROPRIATE AND UNSAFE DEVELOPMENT IN THE COASTAL AREAS

**Objective 9:** The Village shall identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.

**Policy 9.1:** The Village shall develop, by 2021, new and revised current stormwater regulations, site development techniques, and best practices that may reduce losses due to flooding and claims made under flood insurance policies. This will include, but not be limited to structural and non-structural techniques such as low impact development best practices that will enhance water quality treatment while also providing flood mitigation benefits and flood mitigation strategies. New and revised Stormwater regulations shall also consider impacts to adjacent properties, and address development and infrastructure projects.

**Policy 9.2:** The Village shall ensure that applications for development and redevelopment include site development techniques that reduce losses due to flooding and claims made under flood insurance policies from current and future flood risk. This shall include structural and non-structural site development techniques such as, but not limited to, maintaining adequate levels of service for stormwater management, grading or the use of materials to withstand inundation, and minimizing flood damage to structures through flood proofing and siting utilities and infrastructure to account for predicted flood conditions.

**Policy 9.3:** The Village shall enforce regulations and codes which provide for general hazard mitigation including land use regulations, building construction codes, flood elevation controls, stormwater facility standards, and septic and sanitary sewer guidelines. These regulations shall also be applied to eliminate unsafe conditions, inappropriate uses and remove property from future flood risk including but not limited to flood zone designations established by the Federal Emergency Management Agency.

**Objective 10:** The Village shall continue and enhance its participation in programs that reduce flood insurance premiums for residents including but not limited to the National Flood Insurance Program's Community Rating System.

**Policy 10.1:** The Village will continue its participation in the National Flood Insurance Program's Community Rating System, and strive to improve its score, resulting in reductions in flood risk and insurance premiums for residents.

**Policy 10.2:** The Village shall prioritize public outreach and education to residents, the business and development community on the importance and benefits of mitigating flood risk and how the Village's participation in these efforts results in reduced flood insurance premiums.

**TABLE 3-5**

**FLOOD ZONE MAP DESIGNATIONS SHOWN ON FIGURE 3-6**

<u>FLOOD ZONE</u>	<u>DESCRIPTION</u>
<u>Zone AE</u>	<u>Special Flood Hazard Areas subject to inundation by 1% annual chance flood (100 year flood plain) with a base flood elevation of 5ft NAVD 88.</u>
<u>Zone VE</u>	<u>Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined</u>

Source: Flood Insurance Rate Map (FIRM), Village of North Palm Beach, Palm Beach County, Effective Date October 5, 2017.

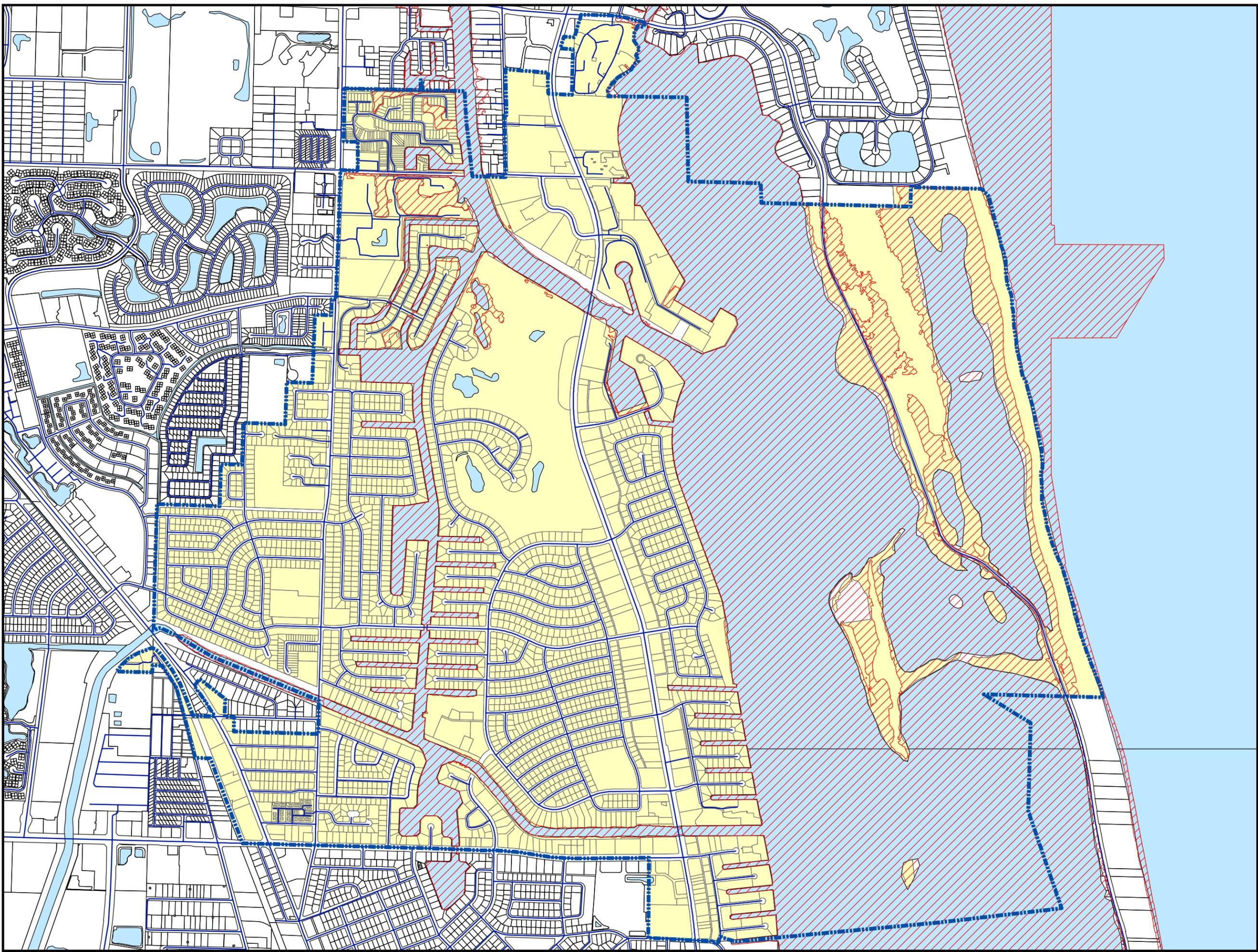
**TABLE 3-5**  
**EXPLANATION OF FLOOD-ZONE MAP DESIGNATIONS**

Flood Zone	Explanation
A1 - A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one foot, or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.
C	Areas of minimal flooding.
V1 - V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

**Notes:**

1. 100-year flood boundary - Line separating A and B flood zones.
2. 500-year flood boundary - Line separating B and C flood zones.
3. Base flood elevation in North Palm Beach - Ranges from 7 to 8 NGVD.

Sources: Flood Insurance Rate Maps (FIRM) for the Village of North Palm Beach, 10/82; LRM, Inc., 6/99.



**FIGURE 3-7**

**COASTAL HIGH HAZARD AREA (CHHA)**

Section 163.3178, F.S. (2011)



**Coastal High Hazard Area**  
Category 1  
Storm Surge



**North Palm Beach, Village Boundaries**

DATA SOURCE:  
PBC Dept. of Public Safety  
PBC Emergency Management Div.  
TCRPC Regional Evacuation Study  
2009 SLOSH Model

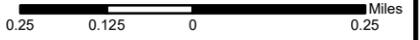
Notes: Ord. TBD



**VILLAGE OF NORTH PALM BEACH  
COMPREHENSIVE PLAN  
MAP SERIES**



Contact:  
Village of North Palm Beach  
Community Development Department



**FIGURE 3-6**

**FLOOD ZONES**

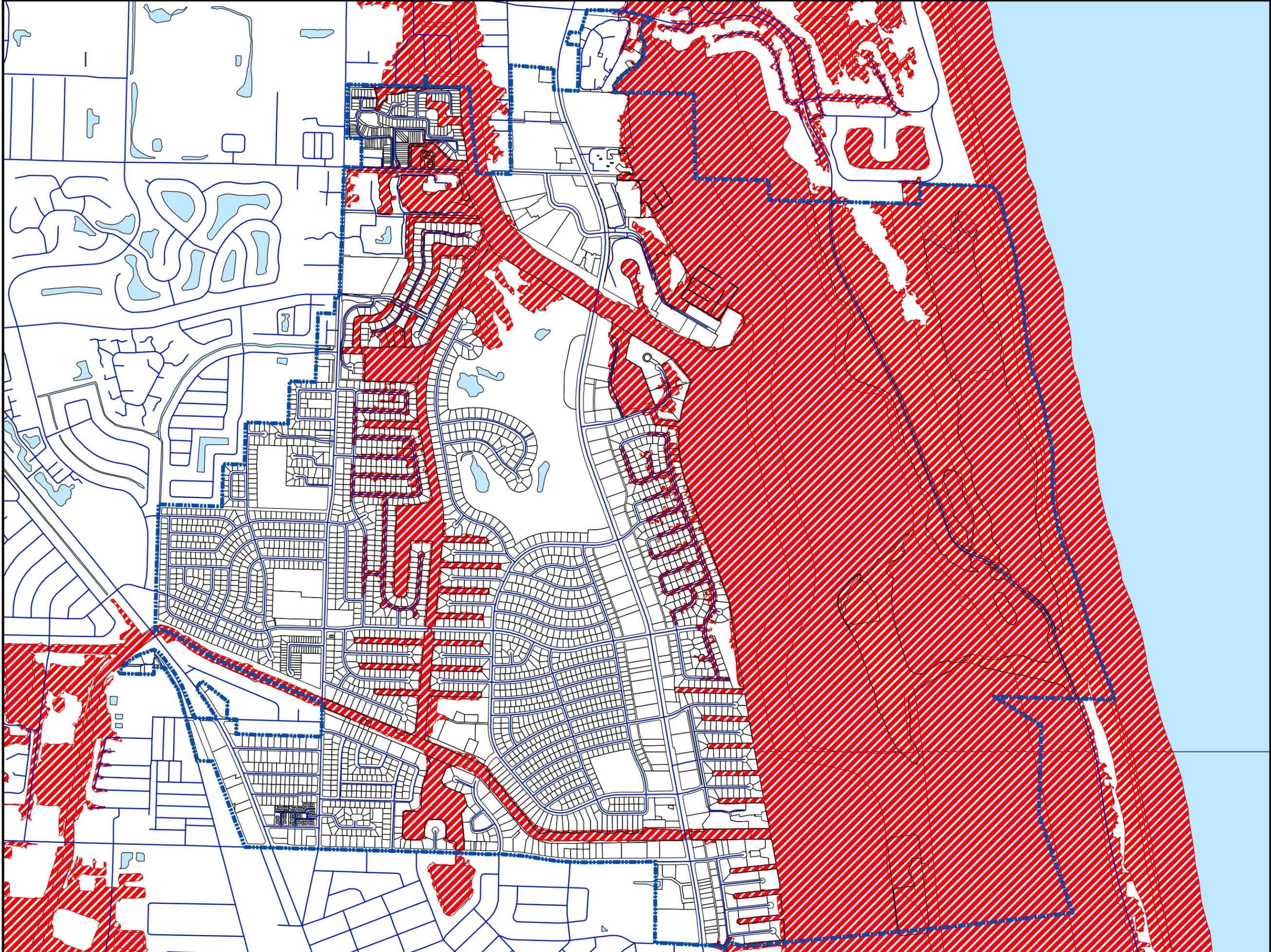


**Flood Zones AE & VE**

AE Zone - 100 Year Flood  
VE Zone - Coastal High Hazard Flood Zone



**North Palm Beach,  
Village Boundaries**



**DATA SOURCE:**  
Federal Emergency Management Agency  
Data Effective October 5, 2017

**Notes:** Ordinance Date TBD  
This map represents the most readily available data for general display purposes. No guarantee is made regarding the completeness and accuracy of the information. Consult the Village of North Palm Beach's Community Development Department for a Flood Zone Determination.



**VILLAGE OF NORTH PALM BEACH  
COMPREHENSIVE PLAN  
MAP SERIES**

**Contact:**  
Village of North Palm Beach  
Community Development Department



**NOTE: Changes that have occurred between transmittal and adoption are indicated in double ~~strike through~~ and double underline.**

## **1.0 GENERAL REQUIREMENTS**

Chapter 163.3161 - 163.~~320~~1497, Florida Statutes (~~Local Government Comprehensive Planning and Land Development Regulation Act~~ Community Planning Act) and Chapter ~~9J-5~~, Florida Administrative Code (~~Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments~~) establishes basic requirements for the format and content of the Village of North Palm Beach Comprehensive Plan.

### **1.1 FLORIDA STATUTES**

Chapter 163.3164(104), Florida Statutes defines comprehensive plan as “. . . a plan that meets the requirements of Sections 163.3177 and 163.3178”.

Section 163.3177 lists required conditions, studies, surveys and elements of the Comprehensive Plan, including:

1. Written and graphic material necessary to support the principles, guidelines and standards for the orderly and balanced future economic, social, physical, environmental and fiscal development of the area.
2. Elements of the comprehensive plan must be consistent with each other and the plan shall be economically feasible.
3. A capital improvements element, designed to consider the need for and the location of public facilities to encourage the efficient use of such facilities.
4. Coordination of the comprehensive plan with: (1) those of adjacent municipalities; (2) Palm Beach County; (3) Treasure Coast Regional Planning; and (4) the State Comprehensive Plan.
5. Two planning periods, one covering at least the first 5-year period following the plan's adoption and one covering at least a 10-year period.
6. Policy recommendations for the implementation of the various elements of the comprehensive plan.
7. The following elements: Future Land Use; Transportation; Infrastructure (Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge); Conservation; Recreation and Open Space; Housing; Coastal Management; Intergovernmental Coordination including School Board Coordination; and Capital Improvements;~~;~~ ~~and~~ ~~Public School Concurrence~~.

Section 163.3177(7)(k) allows a local government to include other pertinent elements to the comprehensive plan, upon recommendation by the Local Planning Agency.

Further, the following two provisions of Chapter 163, Florida Statutes are emphasized by the State:

1. North Palm Beach is charged with setting levels of service for public facilities in the comprehensive plan in accordance with which development must occur and permits will be issued; and
2. Public facilities and services needed to support development in North Palm Beach shall be available concurrent with the impacts of such development.

## ~~1.2 FLORIDA ADMINISTRATIVE CODE~~

~~Chapter 9J-5.005, Florida Administrative Code establishes the general requirements for a Comprehensive Plan.~~

\*\*\*\*\*Omitted for Brevity\*\*\*\*\*

### **1.12.5 Plan Implementation Requirements**

Recognizing that the intent of the Legislature is that comprehensive plans are to be implemented, sections containing goals, objectives, and policies shall describe how North Palm Beach's programs, activities, and land development regulations will be initiated, modified or continued to implement the comprehensive plan in a consistent manner.

It is not the intent of Chapter ~~163 9J-5~~ to require the inclusion of implementing regulations in the Village's comprehensive plan, but rather to require the identification of programs, activities, and land development regulations that will be part of the strategy for its implementation.

### **1.2.6 Evaluation and Appraisal Report (EAR) Monitoring and Evaluation Requirements**

Pursuant to Section 163.3191, F.S. the Village shall evaluate its Comprehensive Plan every seven (7) years to determine if plan amendments are necessary to reflect changes in state requirements pursuant 163.3177 F.S. and local conditions since the last update of the comprehensive plan. The Village will notify the state land planning agency as to its determination. If the Village determines amendments to the comprehensive plan are necessary, the Village shall prepare and transmit within one (1) year such plan amendments for review pursuant to 163.3184 F.S.

~~For the purpose of evaluating and appraising its implementation, the Village's comprehensive plan shall contain a section identifying the monitoring, updating and~~

~~evaluation procedures to be followed in preparing the required periodic evaluation and appraisal report (EAR). That section shall address:~~

- ~~1. Citizen participation in the process.~~
- ~~2. Updating appropriate baseline data and measurable objectives to be accomplished in the first five-year period of the plan, and for the long-term period.~~
- ~~3. Accomplishments in the first five-year period, describing the degree to which the goals, objectives and policies have been successfully reached.~~
- ~~4. Obstacles or problems which resulted in the underachievement of goals, objectives, or policies.~~
- ~~5. New or modified goals, objectives, or policies needed to correct discovered problems.~~
- ~~6. A means of ensuring continuous monitoring and evaluation of the plan during the ensuing five-year period.~~

### **1.2.7 Procedural Requirements**

The Village's comprehensive plan shall be adopted and amended pursuant to the procedural requirements of Sections 163.3161-.3215, Florida Statutes, including but not limited to the following:

1. The comprehensive plan shall be prepared, and periodically evaluated and amended in accordance with a schedule adopted by the Florida Department of Community Affairs.
2. Comprehensive plans shall be prepared in accordance with Section 163.3174 and ~~Subsection 163.3167(4)~~, Florida Statutes, relating to the Local Planning Agency (LPA). Proposed plans and amendments shall be considered at a public hearing with due public notice by the LPA prior to making its recommendation to the governing body.
3. Comprehensive plan amendments shall be considered and adopted in accordance with the procedures relating to public participation adopted by the Village and the LPA pursuant to Section 163.3181, Florida Statutes, ~~and Section 9J-5.004, Florida Administrative Code. North Palm Beach shall submit with its transmittal, pursuant to Subsections 163.3167(2) and 163.3191, Florida Statutes, a copy of the procedures for public participation that have been adopted by the Village.~~
4. The comprehensive plan and any amendments shall be transmitted after

formal action by the Village in accordance with the provisions of Sections 163.3184 and 163.3187, Florida Statutes, and any procedural rules adopted by the Department of Economic Opportunity Community Affairs pursuant to Subsection 163.3177(9), Florida Statutes.

5. ~~With the exception of small scale amendments, which may be submitted at any time, the comprehensive plan shall not be amended more than two times during any calendar year except in the case of amendments directly related to a Development of Regional Impact (DRI) pursuant to Sections 380.05, 380.061, and 163.3187(1) (c), Florida Statutes or in the case of any emergency pursuant to Section 163.3187(1) (a), Florida Statutes.~~ The comprehensive plan and amendments shall be adopted by ordinance and only after the public hearings required by Section 163.3184(1145) (b), Florida Statutes, ~~have been conducted after the notice required by Sections 163.3184(15) (b) and (c), Florida Statutes.~~ Upon adoption, North Palm Beach shall transmit to the Department of Economic Opportunity Community Affairs a copy of the ordinance and the required notices.

6. The comprehensive plan shall be periodically evaluated and updated as required by Section 163.3191, Florida Statutes, ~~and Chapter 9J-5, Florida Administrative Code.~~ A copy of the adopted report required by Section 163.3191, Florida Statutes, shall be transmitted to the Department of Economic Opportunity ~~prior to the time of transmittal of related amendments~~ pursuant to Section 163.3191(4), Florida Statutes.

### 1.3 COMPONENTS OF THE NORTH PALM BEACH COMPREHENSIVE PLAN

The North Palm Beach Comprehensive Plan is structured to meet all of the statutory and rule requirements as defined in Sections 1.1 ~~and 1.2~~ above.

#### 1.3.1 Goals, Objectives and Policies

The following sections of this document shall comprise the goals, objectives and policies component of the North Palm Beach Comprehensive Plan:

ELEMENT	SECTION
FUTURE LAND USE	3.0
TRANSPORTATION	4.0
HOUSING	5.0
INFRASTRUCTURE	6.0
COASTAL MANAGEMENT	7.0
CONSERVATION	8.0
RECREATION AND OPEN SPACE	9.0
INTERGOVERNMENTAL COORDINATION	10.0

CAPITAL IMPROVEMENTS	11.0
PUBLIC SCHOOL CONCURRENCY	12.0
ANNEXATION (Optional Element)	<u>123.0</u>

### 1.3.2 Capital Improvements Implementation

Sections 1.3.5 (below) and 11.4 (Capital Improvement Element) of this document shall comprise the capital improvements implementation component of the North Palm Beach Comprehensive Plan.

### 1.3.3 ~~Monitoring and Evaluation~~

~~The intent of this section is to meet that portion of the general requirements regarding monitoring and evaluation procedures. Specifically, Chapter 9J-5-005(7), Florida Administrative Code, states: "Each element of the comprehensive plan shall contain procedures for monitoring, evaluating and appraising implementation of the plan. Specific measurable objectives shall be included to provide a basis for evaluating effectiveness as required by Section 163.3191, Florida Statutes."~~

~~Section 163.3161, Florida Statutes requires that the Village's planning program be a continuous and ongoing process. In order to institute the ongoing process, Section 163.3161 requires that a formal Evaluation and Appraisal Report (EAR) be prepared and submitted to the state each seven years.~~

~~Requirements of the EAR process include a detailed evaluation and assessment of the comprehensive plan, including statements to direct the updating process, as well as the following specifics:~~

- ~~• A brief description of the process used to prepare and adopt the EAR.~~
- ~~• A discussion of changes in population since the plan was adopted, or last amended.~~
- ~~• Identification of the amount and location of vacant land and its suitability for development.~~
- ~~• A discussion of the extent to which the community has been able to meet the demands of growth on its infrastructure, maintenance of level-of-service standards, concurrency management, and financial feasibility of the plan.~~
- ~~• A discussion of whether development has located where it was anticipated in the plan.~~
- ~~• An assessment of the success of coordinating land uses and school facilities planning.~~

- ~~An evaluation of the plan with respect to the Water Management District's Lower East Coast Water Supply Facilities Plan.~~
- ~~An assessment of the successes or shortcomings of each element.~~

### **1.3.34 Citizen Participation**

When the Village begins the adoption or amendment process, it is required by State law that appropriate public hearings be held. Procedures presented in Chapter 163, Part II, Florida Statutes are closely followed and adhered to at that time. As particular issues or matters of an expressed community concern arise, the Local Planning Agency (LPA) may hold additional public meetings or hearings, to address such concerns. Copies of public meeting legal notices are published pursuant to Chapter 163, Florida Statutes.

Depending upon the detail and need for summaries, the LPA may decide if, and when, to prepare Executive Summaries of comprehensive plan amendments, elements and/or support documentation.

### **1.3.45 Monitoring and Evaluating Capital Improvements**

In addition to the general requirements for monitoring and evaluation procedures identified in Chapter ~~163 9J-5.005(7)~~, Florida ~~Statutes Administrative Code~~, it is further required that the Capital Improvements Element, and particularly the 5-Year Schedule of Improvements, be reviewed on an annual basis. Therefore, the Village shall review the Capital Improvements element of the Comprehensive Plan each year to assess the need for amendments thereto. Each defined capital expenditure and/or project will be reviewed to determine its current status. Any capital project that has been completed will be reported as implemented. Those projects that have not been completed or have been partially accomplished will be reassessed for current applicability. If determined to be a valid current concern, incomplete or unaccomplished capital improvements will be re-prioritized and rescheduled. Those projects that are no longer valid Village concerns will be deleted from the list of projected improvements.

### **1.3.56 Maps Showing Future Conditions**

Required maps showing future conditions are included within the Goal, Objectives and Policies components of the various elements of the North Palm Beach Comprehensive Plan.

### **~~1.3.7 Comprehensive Plan Adoption Ordinance~~**

~~The comprehensive plan adoption ordinance is included herein as Exhibit 1-1. Copies of legal notices, published pursuant to Chapter 163, Florida Statutes are on file with the North Palm Beach Village Clerk.~~

## **1.4 SUPPORT DOCUMENTATION**

The balance of the statutory requirements not specifically cited in Sections 1.3.1 through 1.3.67 shall be considered as support documentation. These requirements are addressed in the 1989 Village of North Palm Comprehensive Development Plan document, and updated by the North Palm Beach Evaluation and Appraisal Report (EAR), dated May 1996 and 2007, the Water Supply Facilities Plan, dated July 2008,

the U.S. Highway 1 Corridor Study, dated 2008, the 2009 Support Documentation for the Capital Improvements Element update, and the 2009 Comprehensive Plan Support Documentation report. Support documentation that forms the basis for the Comprehensive Plan should be updated, as necessary, during the preparation of the annual review and update of the Capital Improvements Element and 5-Year Schedule of Improvements, the EAR, special studies commissioned by the Village, or as part of the EAR-based comprehensive plan amendments.

## 1.5 PLANNING PERIOD

According to Chapter 163 9J-5.005(7), Florida ~~Statutes~~ Administrative Code, the Village's comprehensive plan must include at least two planning periods; one for at least the first five-year period subsequent to the adoption and one for an overall ten-year period. On this basis, the following two required planning periods are utilized in the North Palm Beach Comprehensive Plan: Short-range – FY 2019-2023 ~~2010 – 2014~~; and Long-term – FY ~~2015 – FY 2020~~ 2024- FY 2029.

The Village is projected to be fully developed, with little to no remaining vacant land, during the short-range planning period, with the exceptions of future redevelopment or annexation activities. As a result, buildout impacts upon infrastructure and services, ~~as projected in the Evaluation and Appraisal Report (EAR)~~ are fully accounted for in the short-range planning period in the Comprehensive Plan as required in Section 16.3177 (6)(1), F.S. This conclusion will be reassessed at the time each subsequent Evaluation and Appraisal Report is prepared, and in the event of any Future Land Use Map amendments, or annexation activity, or future Comprehensive Plan text changes to implement the Village's Master Plan report.

## 1.6 POPULATION PROJECTIONS

~~Population projections for North Palm Beach were prepared during the 2006 EAR process. It was projected that buildout of the Village will occur during the FY 2010 – FY 2014 period. Based upon analysis in the EAR, it is projected that North Palm Beach will reach its buildout population potential of 13,091 permanent residents and 1,535 peak seasonal residents during the Short range planning period (FY 2010 – FY 2014) of this Comprehensive Plan.~~

The University of Florida's 2017 Bureau of Economic and Business Research (BEBR) population estimates as well as the Palm Beach County 2015 Population Allocation Model were utilized in the preparation of the Village's 2018 Evaluation and Appraisal Report (EAR). Based upon analysis in the EAR and the 2010 Census data, it is projected that North Palm Beach will reach its approximate build-out population potential of 14,206 residents based on the 2010 Census housing units and person per household data, approximate undeveloped acres with residential FLU and assuming an 8% vacancy rate. The 2017 BEBR population estimate was 12,574 residents with the 2015 Palm Beach County Population Allocation Model estimating approximately 1,999 peak seasonal residents. Future population growth will be driven by redevelopment and Comprehensive Plan map amendments during the short-range planning period (FY

2019 - FY 2023) of this Comprehensive Plan. The population projections will be revised at the time of each subsequent Evaluation and Appraisal Report is prepared.

**EXHIBIT 1-1**

**(Adoption Ordinance)**

**Ordinance will be included herein upon second reading**

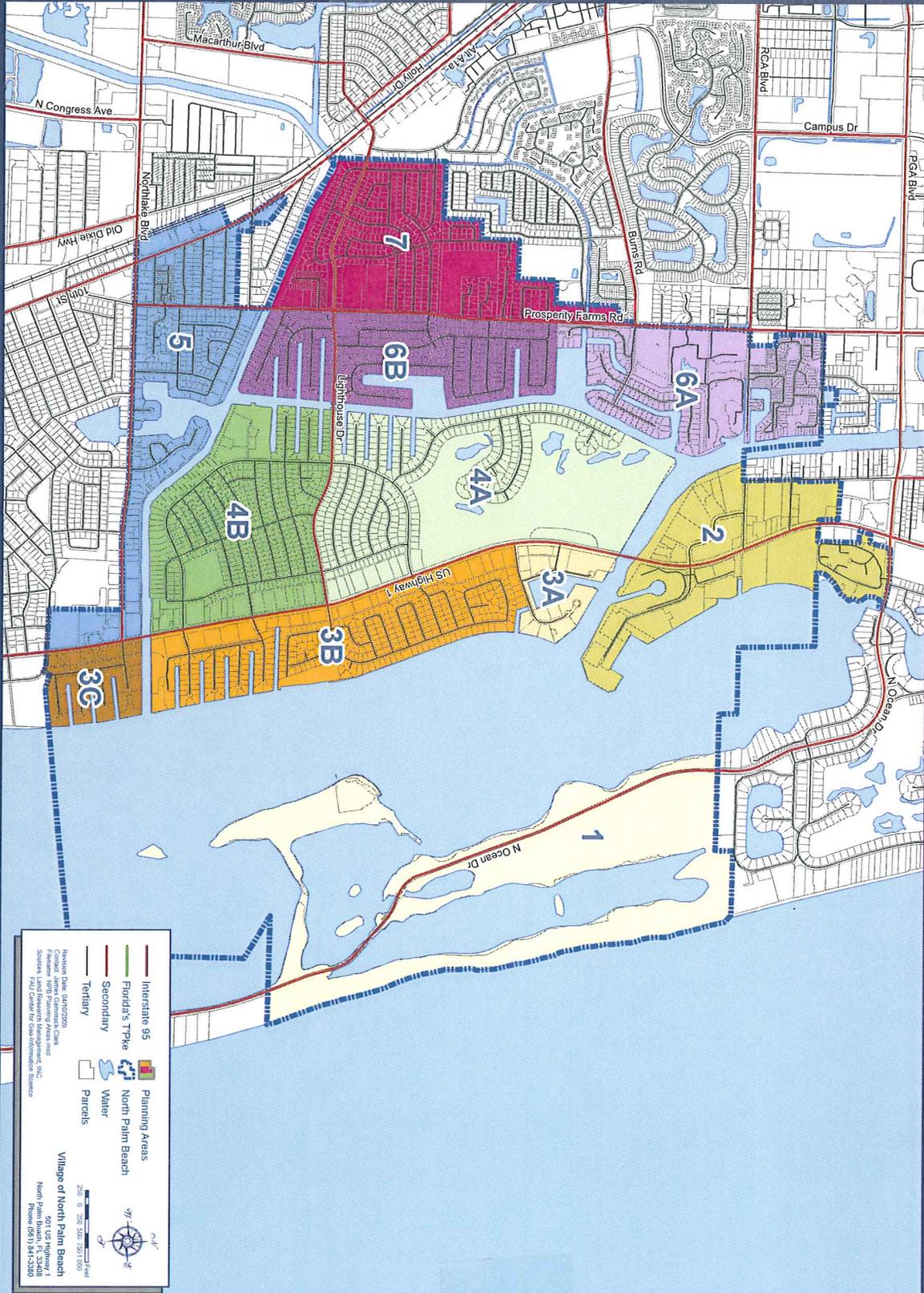
**Village of North Palm Beach  
Future Land Use Atlas (FLUA)  
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# The Village of North Palm Beach

## EXHIBIT 1 – PLANNING AREAS MAP KEY



## **TABLE 1** **LAND USE CLASSIFICATION SYSTEM**

For purposes of the Comprehensive Plan, the following land use classifications, which are applicable to North Palm Beach, are used to describe existing land uses in the Village. The classifications are consistent with those defined in Chapter 9J5, F.A.C. and concurrent with the Village's perception of use.

**Residential:** Land uses and activities within land areas used predominantly for housing and excluding all tourist accommodations.

**Commercial:** Land uses and activities within land areas which are predominantly related to the sale, rental and distribution of products and the provision or performance of services.

**Light Industrial/Business:** Land uses which are predominantly related to providing office, flex, light industrial and warehouse space for the purposes of light manufacturing, assembly and processing of products, office uses, research and development, and wholesale distribution and storage of products. In addition, commercial uses that serve the projected workforce and neighboring residential populations and which encourage internal automobile trip capture may also be permitted.”

**Recreation/Open Space:** Land uses and activities within land areas where recreation occurs and lands are either developed or vacant and concerned with active or passive recreational use.

**Conservation/Open Space:** Land uses and activities within land areas "designated" for the primary purpose of conserving or protecting natural resources or environmental quality, and includes areas designated for such purposes, or combinations thereof, as primary recreation, flood control, protection of quality or quantity of ground water or surface water, flood plain management, fisheries management, and/or protection of vegetative community or wildlife habitats. Permitted land uses shall include single-family units.

**Public Buildings & Grounds:** Lands and structures that are owned, leased, or operated by a government entity, such as libraries, police stations, fire stations, post offices, government administration buildings, and areas used for associated storage of vehicles and equipment. Also, lands and structures owned or operated by a private entity and used for a public purpose such as a privately held but publically regulated utility.

**Educational:** Land use activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.

**Other Public Facilities:** Land uses and activities within land areas concerned with other public or private facilities and institutions such as churches, clubs, fraternal organizations, homes for the aged and infirm, and other similar uses.

**Transportation:** Land areas and uses devoted to the movement of goods and people including streets and associated rights-of-way.

**Water:** All areas covered by water or any right-of-way for the purpose of conveying or storing water.

SOURCE: Florida Administrative Code; LRM, Inc.; NPBCP Amendment 09-1.

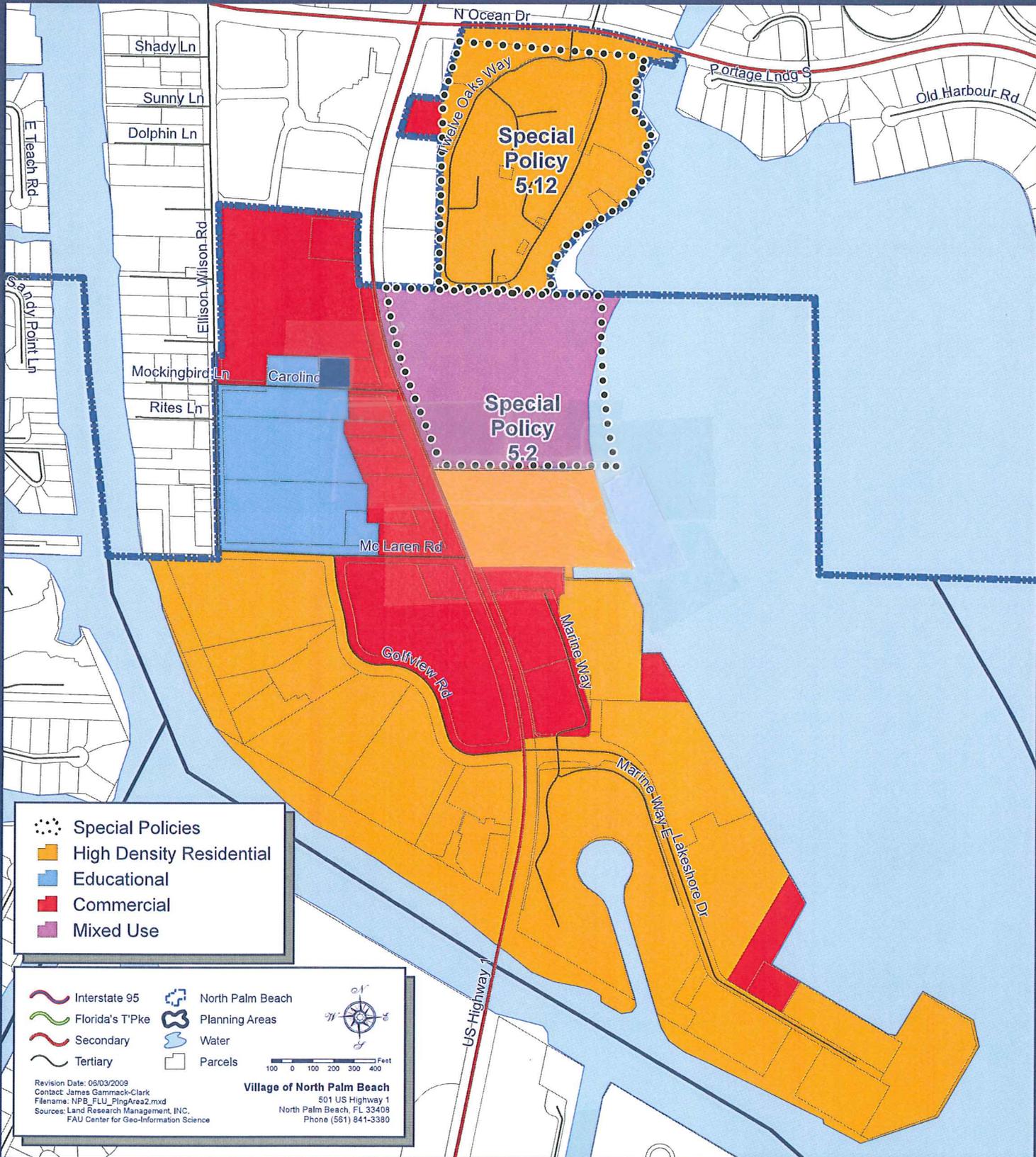
# The Village of North Palm Beach

## Future Land Use Planning Area 1



# The Village of North Palm Beach

## Future Land Use Planning Area 2



# The Village of North Palm Beach

## Future Land Use Planning Area 3a



High Density Residential  
 Commercial

Interstate 95	North Palm Beach	
Florida's T'Pke	Planning Areas	
Secondary	Water	
Tertiary	Parcels	

Revision Date: 08/03/2009  
 Contact: James Gammack-Clark  
 Filename: NPB\_FLU\_PingArea3a.mxd  
 Sources: Land Research Management, INC.  
 FAU Center for Geo-Information Science

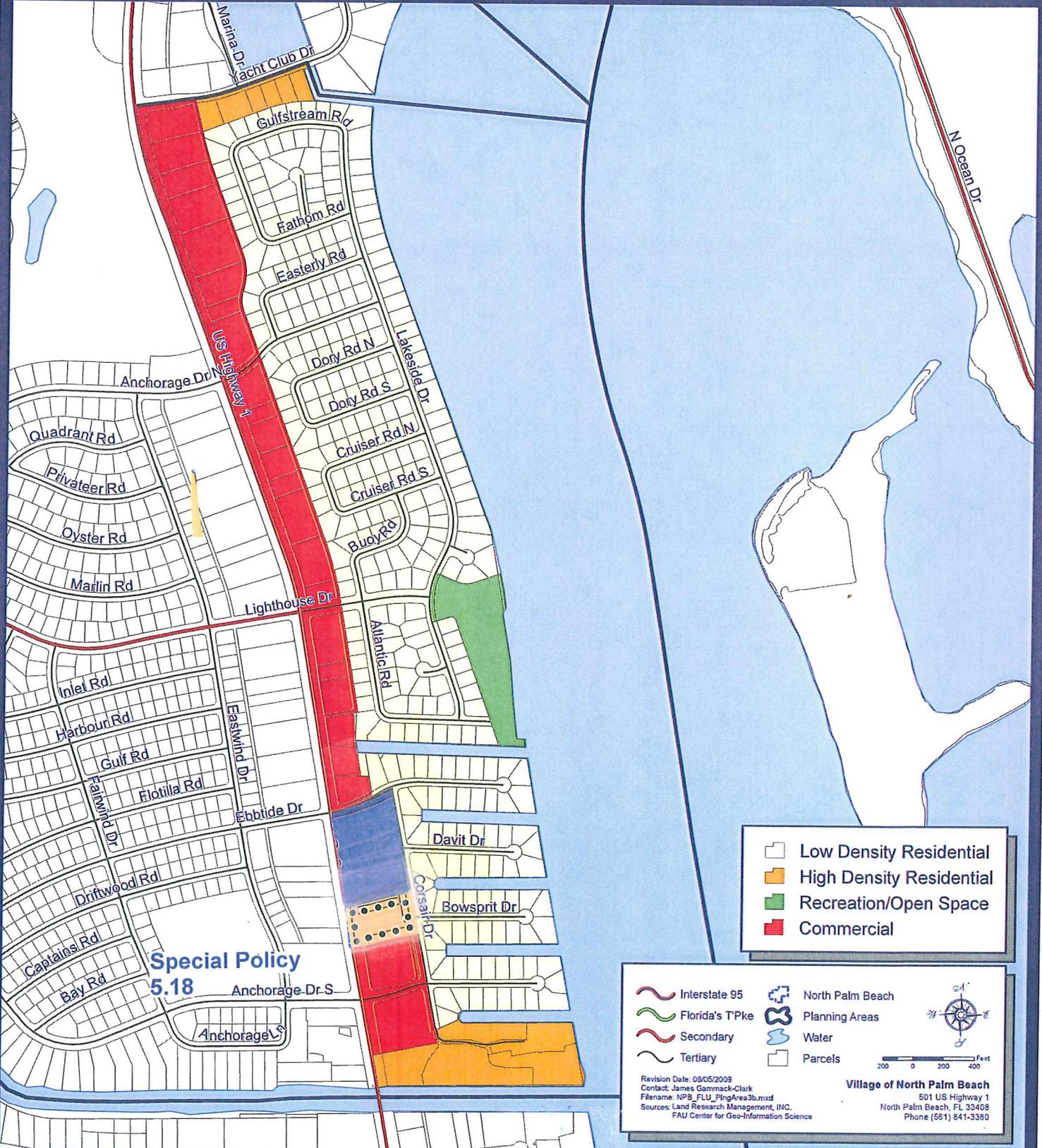
**Village of North Palm Beach**  
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 North Palm Beach, FL 33408  
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FLUA MAP 3B

# The Village of North Palm Beach

## Future Land Use Planning Area 3b



	Low Density Residential
	High Density Residential
	Recreation/Open Space
	Commercial

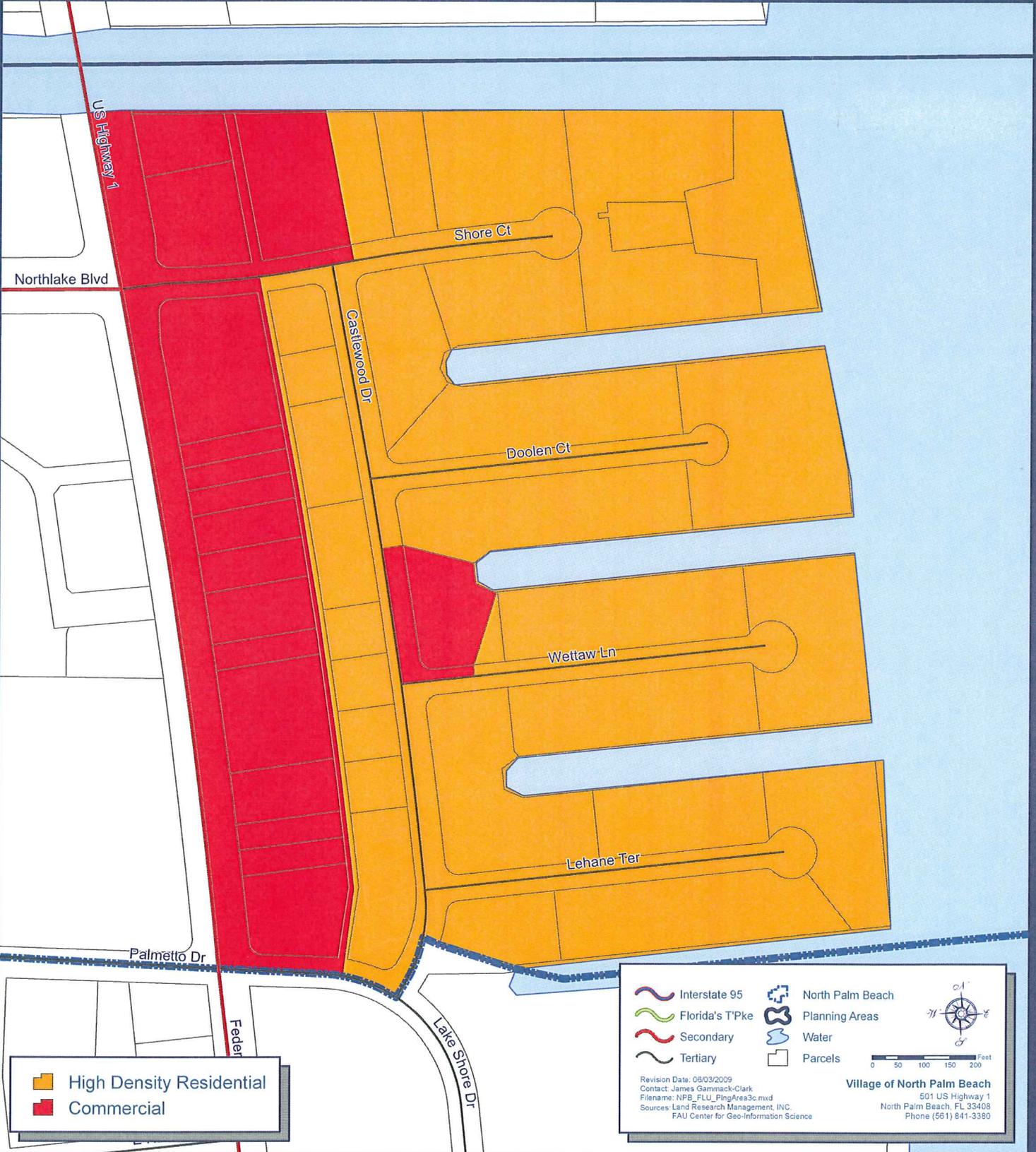
	Interstate 95		North Palm Beach
	Florida's T/Pke		Planning Areas
	Secondary		Water
	Tertiary		Parcels

Revision Date: 05/05/2009  
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 Filename: NPB\_FLU\_PingArea3b.mxd  
 Sources: Land Research Management, INC.  
 FAU Center for Geo-Information Science

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# The Village of North Palm Beach

## Future Land Use Planning Area 3c



 High Density Residential  
 Commercial

 Interstate 95	 North Palm Beach	
 Florida's TPke	 Planning Areas	
 Secondary	 Water	
 Tertiary	 Parcels	

Revision Date: 08/03/2009  
 Contact: James Gammack-Clark  
 Filename: NPB\_FLU\_PingArea3c.mxd  
 Sources: Land Research Management, INC.  
 FAU Center for Geo-Information Science

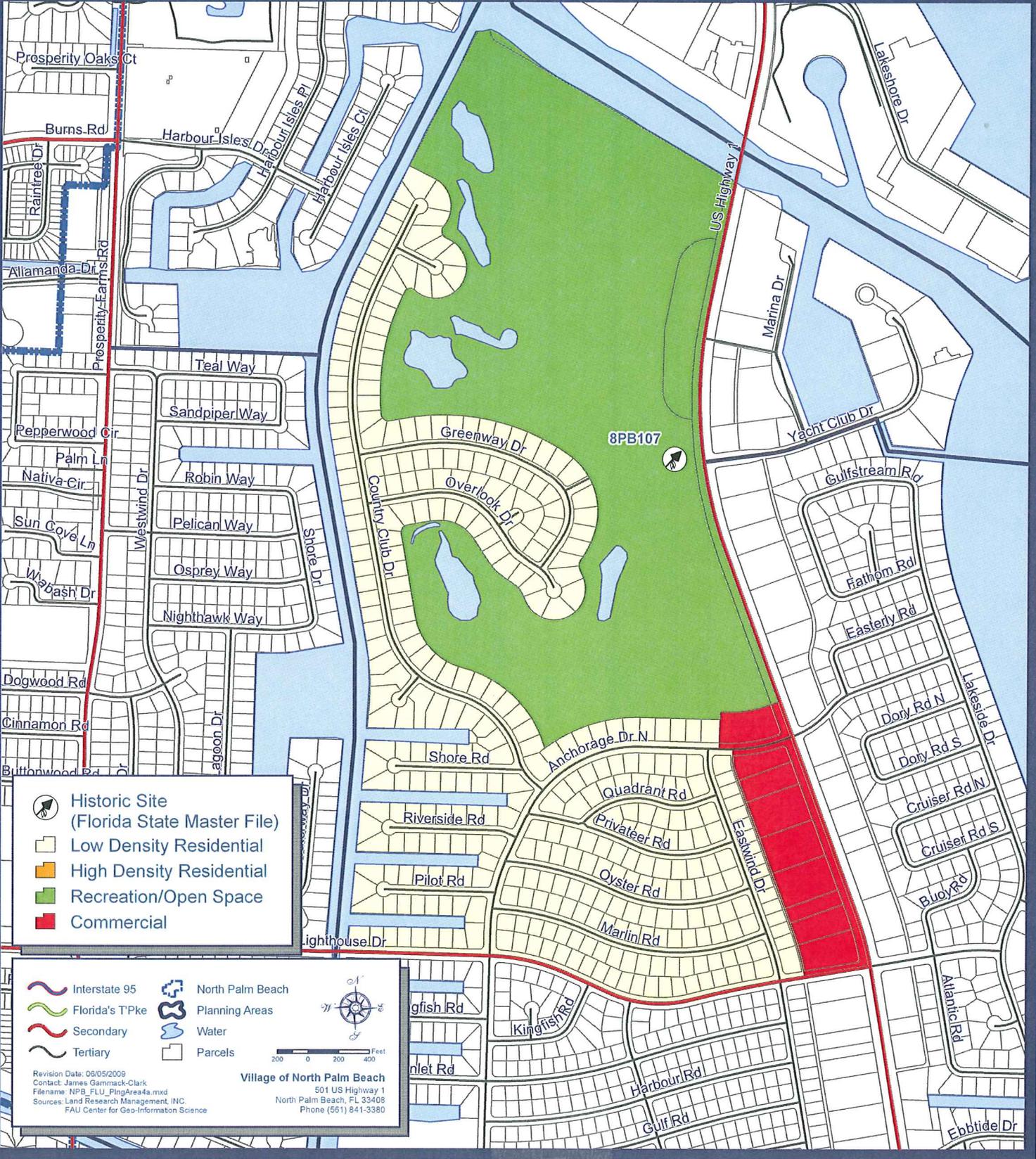
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FLUA MAP 4A

# The Village of North Palm Beach

## Future Land Use Planning Area 4a

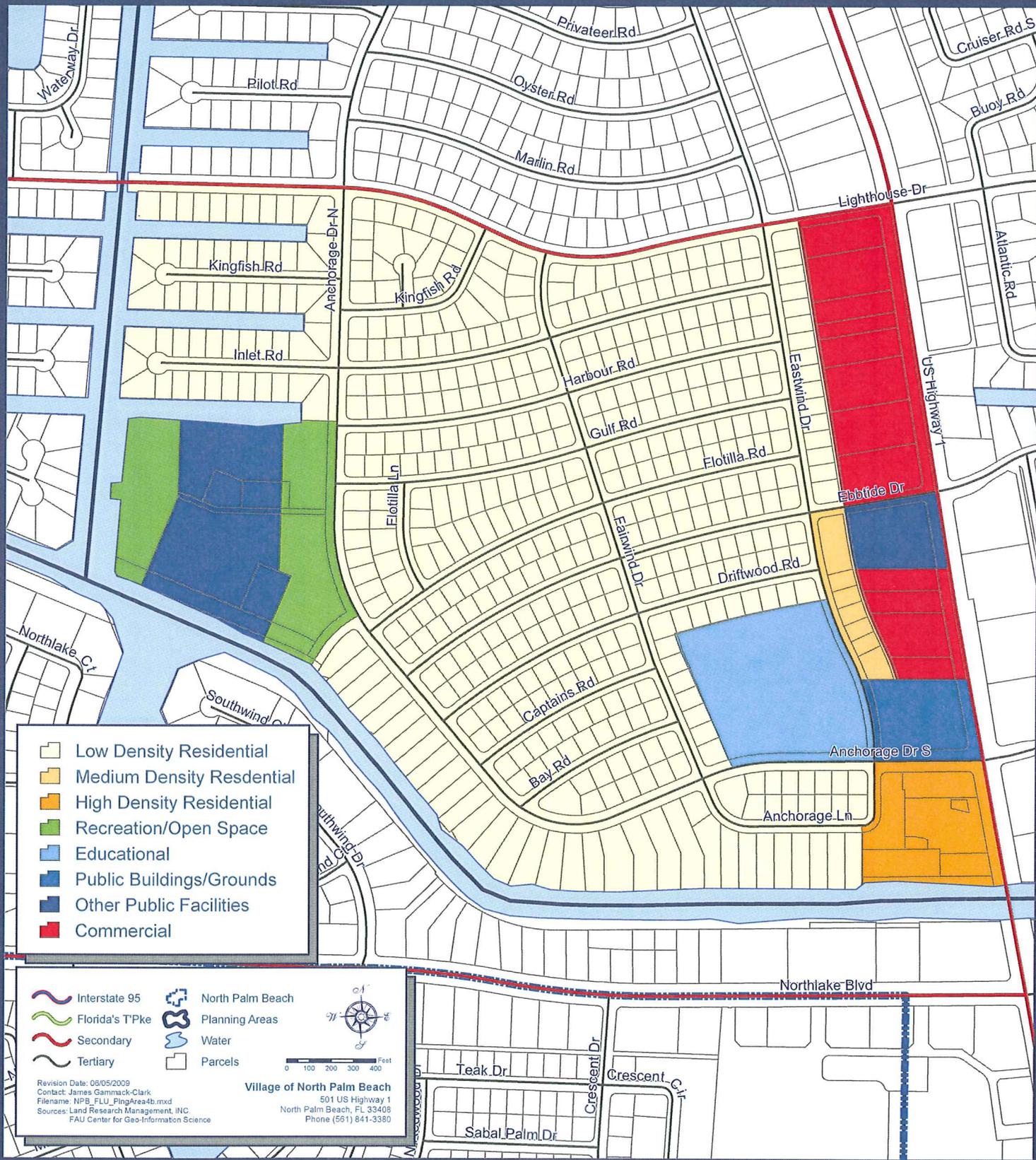




FLUA MAP 4B

# The Village of North Palm Beach

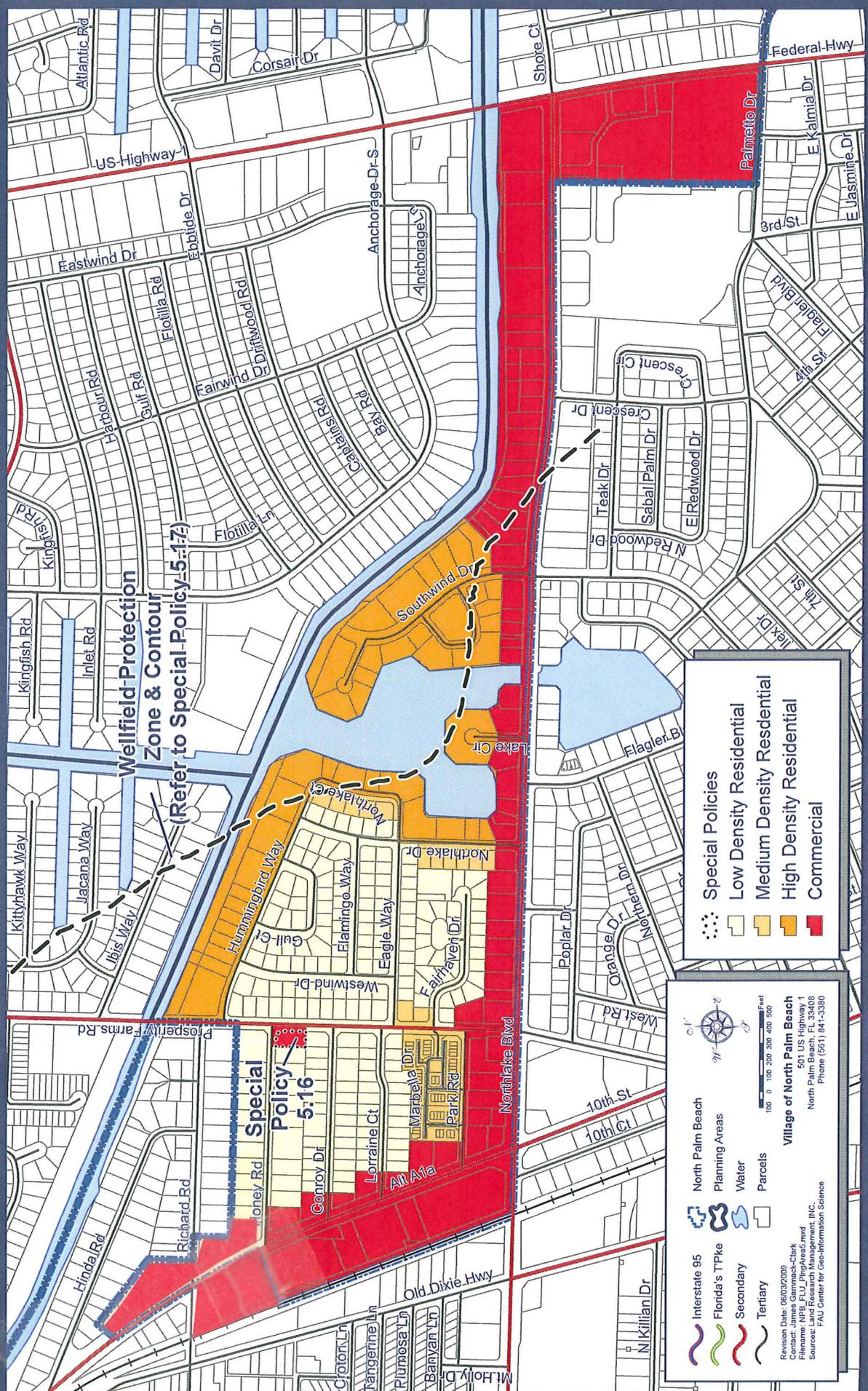
## Future Land Use Planning Area 4b



FLUA MAP 5

# The Village of North Palm Beach

## Future Land Use Planning Area 5



North Palm Beach  
 Village of North Palm Beach  
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 North Palm Beach, FL 33408  
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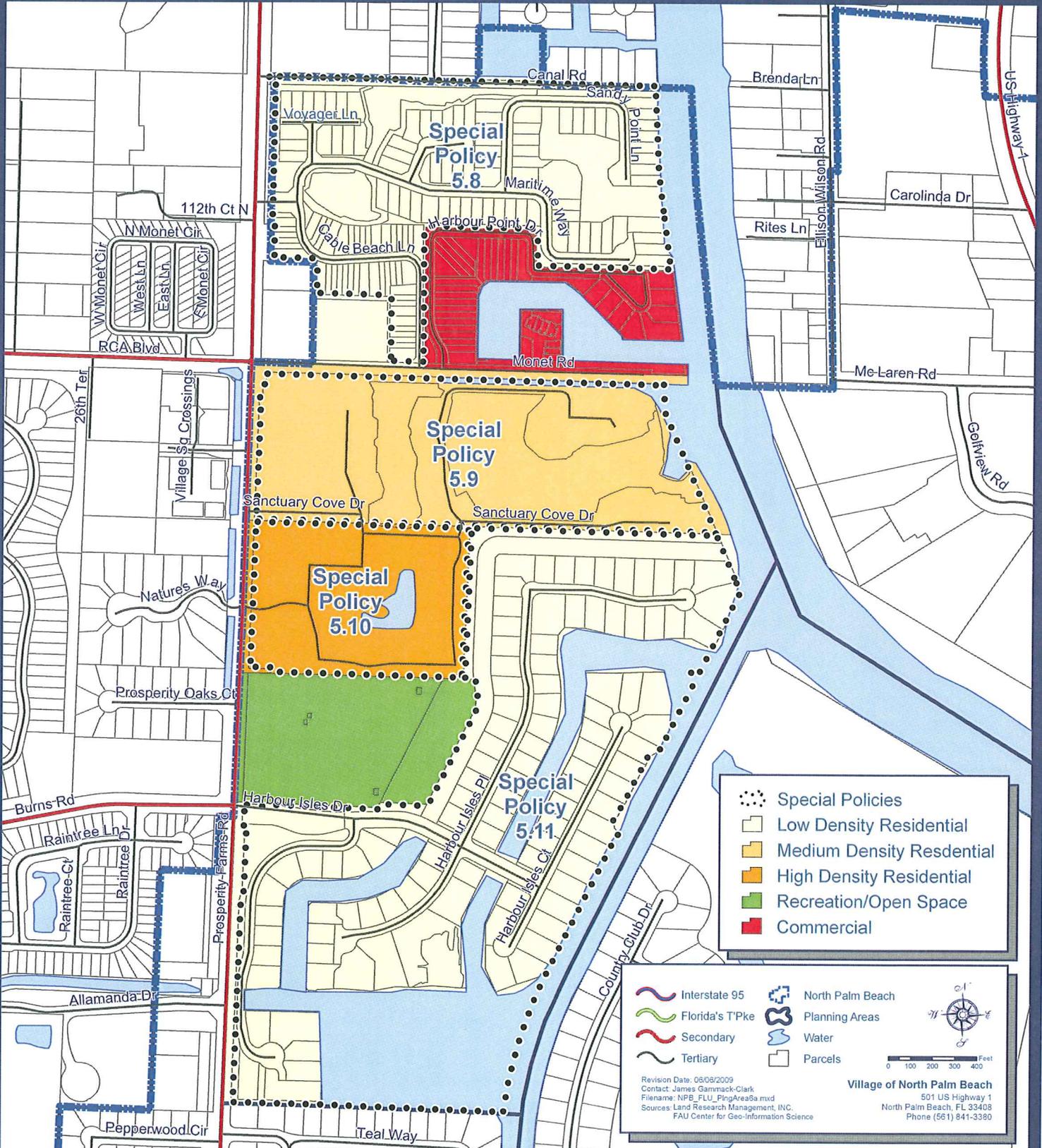
Revision Date: 06/09/2020  
 Contact: Janice Garwood-Clark  
 Filename: NPB\_FLU\_PlanArea5.mxd  
 Source: Land Research Management, INC.  
 FAU Center for Geo-Information Science



FLUA MAP 6A

# The Village of North Palm Beach

## Future Land Use Planning Area 6a



**Special Policies**

- Special Policies (dotted line)
- Low Density Residential (white)
- Medium Density Residential (light yellow)
- High Density Residential (orange)
- Recreation/Open Space (green)
- Commercial (red)

**Map Legend**

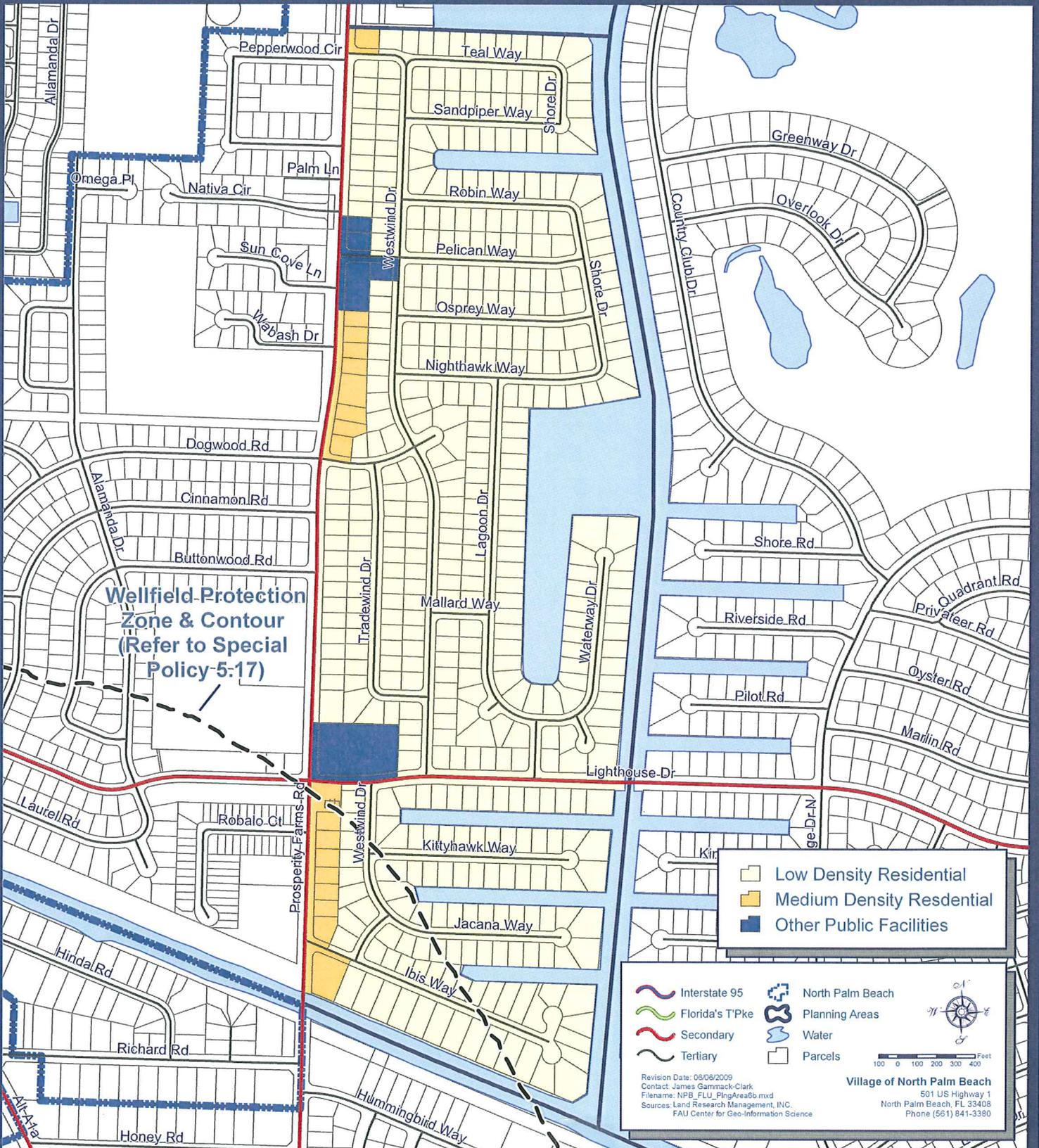
- Interstate 95 (thick red line)
- Florida's TPK (thick green line)
- Secondary (red line)
- Tertiary (black line)
- North Palm Beach (blue outline)
- Planning Areas (dotted line)
- Water (blue)
- Parcels (thin black line)

Revision Date: 06/08/2009  
 Contact: James Gammack-Clark  
 Filename: NPB\_FLU\_PingArea6a.mxd  
 Sources: Land Research Management, INC.  
 FAU Center for Geo-Information Science

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 North Palm Beach, FL 33408  
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# The Village of North Palm Beach

## Future Land Use Planning Area 6b

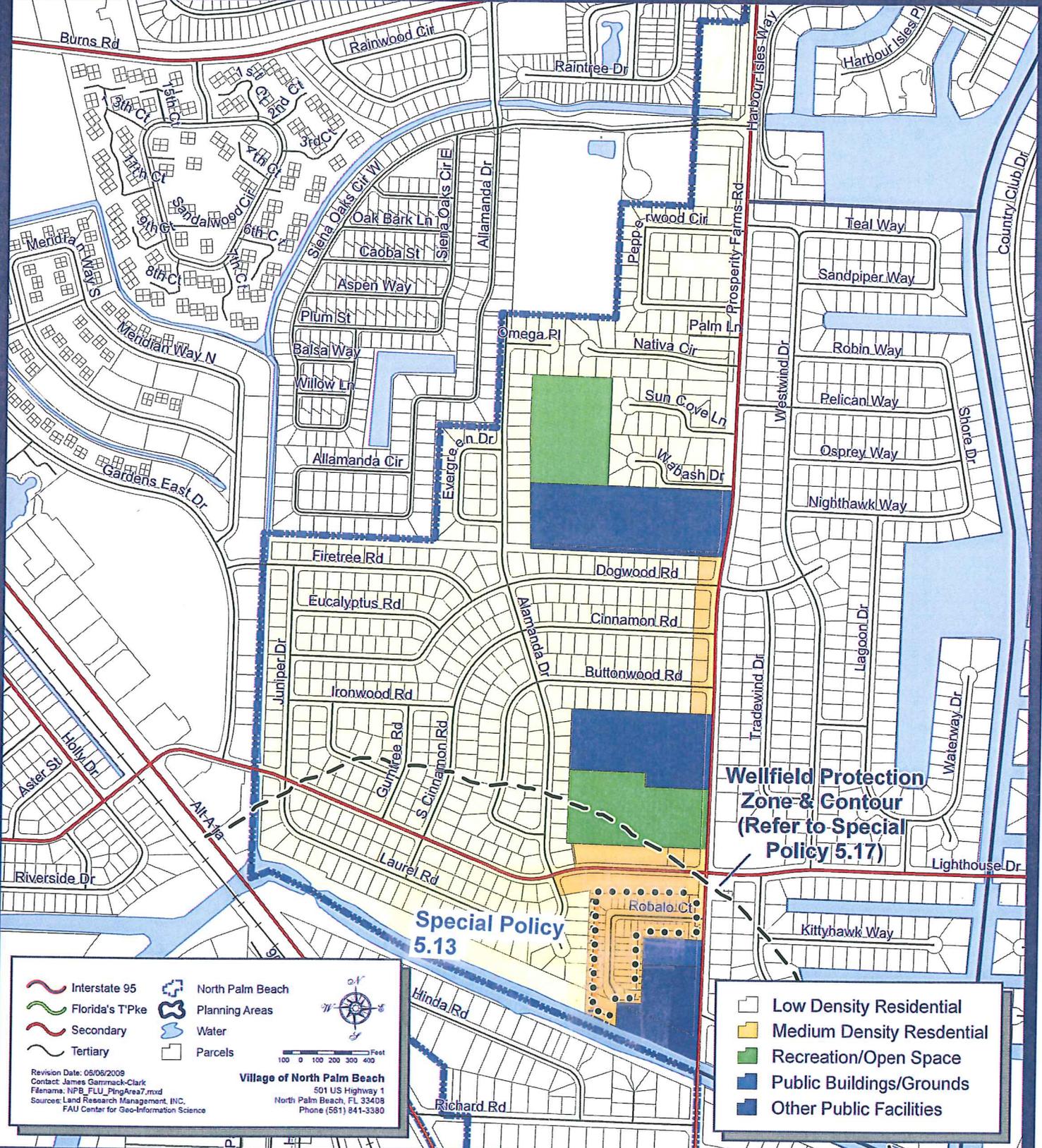




FLUA MAP 7

# The Village of North Palm Beach

## Future Land Use Planning Area 7



	Interstate 95		North Palm Beach Planning Areas
	Florida's T'Pke		Water
	Secondary		Parcels
	Tertiary		

Revision Date: 05/05/2009  
 Contact: James Garmack-Clark  
 Filename: NPB\_FLUA\_PingArea7.mxd  
 Sources: Land Research Management, INC.  
 FAU Center for Geo-Information Science

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	Low Density Residential
	Medium Density Residential
	Recreation/Open Space
	Public Buildings/Grounds
	Other Public Facilities