



**Village of North Palm Beach
Planning Commission
AGENDA**

**Tuesday, May 2, 2023 at 6:30 pm
Village Council Chambers-501 US Highway 1**

1) Roll Call

- a. Cory Cross, Chair
- b. Donald Solodar, Vice Chair
- c. Thomas Hogarth, Member
- d. Jonathan Haigh, Member
- e. Kathryn DeWitt, Member
- f. Scott Hicks, Member
- g. Nathan Kennedy, Member
- h. Village Staff, Attorney and Council members

2) Public Comment for Non-agenda Items

3) Approval of Minutes

- a. [March 7, 2023 Minutes](#)

4) Declaration of Ex-parte Communications

5) Quasi-judicial Matters / Public Hearing

Village Attorney to swear in all persons speaking

a. Site Plan and Appearance Review

- i. [386 Golfview Rd. Building Paint Colors](#)

Application by the property owner to amend the existing building paint colors.

b. Recommendations to Village Council

- i. [Artificial Turf](#)

Village-initiated zoning text amendment to adopt new section (45-29), codifying the residential ad-hoc committee recommendations to regulate artificial turf.

- ii. [C-3 Regional Business District](#)

Village-initiated zoning text amendment to the C-3 Regional Business District. Review of comments from the Florida Department of Transportation.

c. Commission Matters

- i. Appointment of chair and vice chair

- 6) Commission Member Comments**
- 7) Staff Updates**
Florida Senate Bill 102
- 8) Adjournment**

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

If a person decides to appeal any decision made with respect to any matter considered at the subject meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which shall include the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Village Clerk's Office at 841-3355 at least 72 hours prior to the meeting date.

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

Meeting backup available for the current Planning Commission meeting at:
<http://fl-northpalmbeach.civicplus.com/DocumentCenter/Index/195>

Archived meeting backup can be found at:
<http://www.npbweblink.com/WebLink/Browse.aspx?startid=147916&dbid=0>



**VILLAGE OF NORTH PALM BEACH
PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY MARCH 7, 2023**

Present:

Cory Cross, Chairman
Jonathan Haigh, Member
Thomas Hogarth, Member
Kathryn DeWitt, Member
Nathan Kennedy, Member
Scott Hicks, Member

Len Rubin, Village Attorney
Alex Ahrenholz, Principal Planner
Chuck Huff, Village Manager

Absent:

Donald Solodar, Vice Chair

I. CALL TO ORDER

Chairman Cross called the meeting to order at 6:31 PM.

A. ROLL CALL

All members of the Planning Commission were present except Donald Solodar

II. PUBLIC COMMENT FOR NON-AGENDA ITEMS

Cynthia Seaberg (860 fathom Ct.)

Advocacy for pickleball courts at Veteran's Park.

III. APPROVAL OF MINUTES

December 6, 2022 and February 14, 2023 minutes.

Motion to approve by Jonathan Haigh, seconded by Thomas Hogarth. Motion passed 6-0

IV. DECLARATION OF EX PARTE COMMUNICATIONS

There were no Ex Parte Communications declared by the Board.

V. QUASI-JUDICIAL MATTERS / PUBLIC HEARING

Attorney Len Rubin swears in all persons speaking.

A. SITE PLAN AND APPEARANCE REVIEW

1. 429 Northlake Blvd. Building Paint Colors

Application by the property owner to amend to the existing building paint colors.

Staff presentation made by Alex Ahrenholz explaining the requirements and current site conditions and staff recommends approval of the application

The Planning Commissions members had only the comment to paint the gutters.

There were no comments from the public.

Motion: Motion made by Kathryn DeWitt to approve the application with a condition to paint the downspouts and gutters to match the building paint color. Seconded by Nathan Kennedy. Motion passed 6-0.

2. 2545 Northlake Blvd Building Paint Colors and signage

Applicant by the property owner for a face change to the existing building

Staff presentation made by Alex Ahrenholz explaining the requirements and current site conditions and staff recommends approval of the application with a change to the building colors.

The Planning Commission members had concerns with the amount of words specifying the nature of business, they did not generally like the paint color on the roof and using the orange for accent only.

Public Comment:

Deborah Cross (2560 Pepperwood Circle South)- spoke in opposition. Mirroring some of the commissioners comments.

Motion made by Thomas Hogarth to deny the application, seconded by Nathan Kennedy. Motion passed 6-0.

B. RECOMMENDATIONS TO VILLAGE COUNCIL

1. Accessory Structures

Village-initiated zoning text amendment to the R-1 single family zoning district.

Staff presentation made by Alex Ahrenholz to discuss the regulations and updates to the code per the recommendations of the residential ad-hoc committee. Additional discussion and presentation made by Bill Whiteford, chair of the ad-hoc committee.

Public Comments:

Mr. Luzuriagga- 948 Dogwood Rd- Spoke in support of the changes but warned about buildings becoming vacation rentals.

The Planning Commissions members had questions on different looks and types of buildings that would be included. Recommended to limit kitchens and habitability, add colors to the architectural consistency, look at the height of the buildings, should not exceed the size of the principal structure.

Motion: Motion made by Thomas Hogarth to recommend approval as specified above, seconded by Scott Hicks to Village Council. Motion passed 6-0.

2. Artificial Turf

Village-initiated zoning text amendment to create a new section to regulate artificial turf.

Presentation made by Alex Ahrenholz, with help from Bill Whiteford, discussing the proposed regulations.

The Commission discussed the type of substrate and fill that is used for the turf, concerns over the amount of artificial turf permitted by the site limitation, effectiveness of the measurement of the permeability, how long everything lasts, nonconforming installations, change wording to the provided landscape area for calculations. Need a graphic visual to see what the 25% of 30% looks like.

No motion made, as it was tabled and the item will need to be advertised again.

VI. COMMISSION MEMBER COMMENTS

The Commission asked what the latest update to the 200 yacht club drive project.

VII. STAFF UPDATES

- Alex Ahrenholz stated he is no longer going to be with the Village. Introduction was made to Corey O’Gorman.
- Updates to the C3 district were given.
- Chuck Huff thanked Bill Whiteford for also helping out, thanked the planning commission members who came the appreciation dinner.

The meeting adjourned at 8:42 PM.

Minutes typed by Alex Ahrenholz



Village of North Palm Beach

Department of Community Development

420 U.S. HIGHWAY ONE, SUITE 21 • NORTH PALM BEACH, FLORIDA 33408

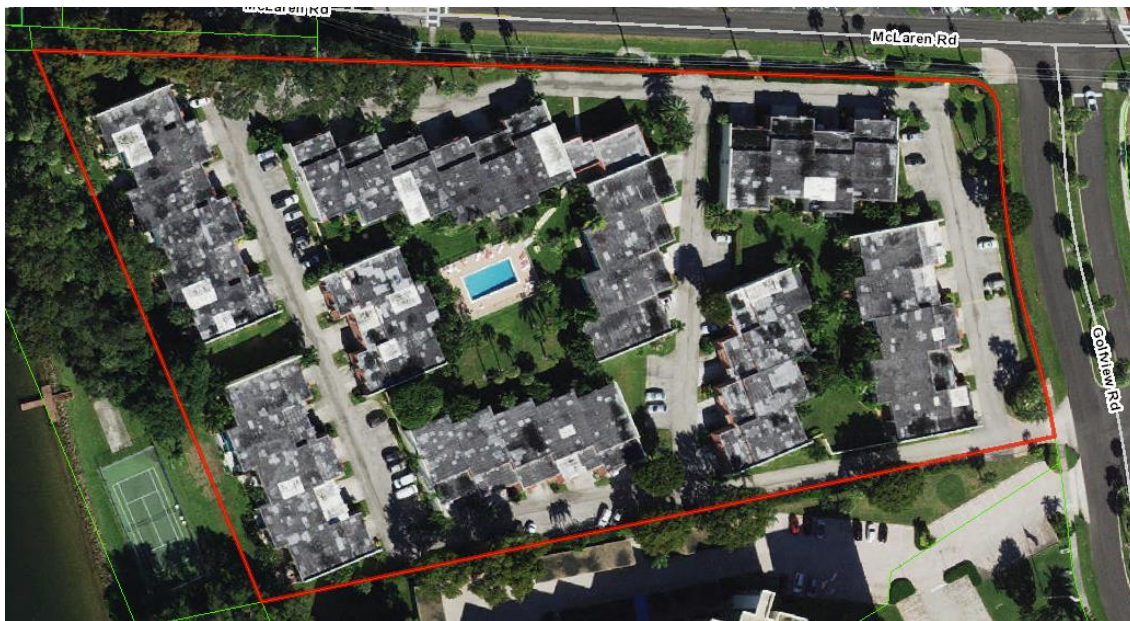
561-882-1156 • FAX 561.841.8242 • WWW.VILLAGE-NPB.ORG

DATE: May 02, 2023
TO: Planning Commission
FROM: Corey OGorman, AICP, Contract Planner
RE: 386 Golfview Road- Paint and Roof Colors

P&Z# 2023-0657

I. APPLICATION

Location:	386 Golfview Rd., at the Southwest corner of McLaren Rd. and Golfview Rd.
PCN:	68-43-42-16-00-004-0011
Request:	Application by Smart Coat Painting for new building paint colors.



II. SUMMARY OF REQUEST

The subject property is a condominium building known as Royal Harbour of North Palm Beach Condominiums. Exterior walls and trim of all buildings including the clubhouse are proposed to be painted Benjamin Moore White Cloud (OC-25) and doors will be painted Benjamin Moore Buckland Blue (HC-151). Existing mansard roofs consist of metal roof siding in Dove Gray.

Pictures reflecting the existing color scheme of the buildings and pictures reflecting the proposed and the mansard roof color have been included as attachments to this staff report for reference. The new white building

color is similar to the existing exterior beige wall color and reddish-brown roof color but offers a more updated contrast from the previous color scheme. New colors are generally consistent with the architectural guidelines that specify harmonious colors.

The current Future Land Use (FLU) and current Zoning designations for the property are summarized in the table below.

Future Land Use (FLU) Designation	Zoning Designation
High Density Residential	R-3 Apartment Dwelling District.

The following table summarizes the uses, FLU designations, and zoning districts of the surrounding properties:

	Existing Use	FLU	Zoning
North	Educational	Educational	C-S Shopping Commercial District.
East	Commercial	Commercial	C-S Shopping Commercial District.
South	Public	Recreation/Open Space	Public District.
West	Multi-Family	Medium Density Residential	R-3 Apartment Dwelling District

III. APPEARANCE CODE – PLANNING COMMISSION ROLE & RESPONSIBILITIES

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

The planning commission shall have the following powers and duties:

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

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

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

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

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

CODE OF ORDINANCES APPENDIX A, SECTION IV CRITERIA FOR APPEARANCE

The purpose of these criteria is to establish a checklist of those items which affect the physical aspect of the Village environment. Pertinent to appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects which are observed by the public.

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

D BUILDING DESIGN

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

10. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from public ways, including waterways, service alleys, and adjoining properties, using materials as stated in criteria for equipment screening.
11. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
12. Inappropriate, incompatible, bizarre, and exotic designs shall be avoided.
13. The provisions of the North Palm Beach Village Code in regard to bulk regulations and standards, and those portions of the Village Code which directly affect appearance, shall be part of the criteria of this subsection.

G MAINTENANCE—PLANNING AND DESIGN FACTORS

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

H FACTORS FOR EVALUATION

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

LOGIC OF DESIGN

EXTERIOR SPACE UTILIZATION

ARCHITECTURAL CHARACTER

ATTRACTIVENESS

MATERIAL SELECTION

HARMONY AND COMPATIBILITY

CIRCULATION—VEHICULAR AND PEDESTRIAN

MAINTENANCE ASPECTS

IV. CONCLUSION & FINDING OF FACT

In Staff's analysis, the proposed application is consistent with the appearance plan and other code requirements. Should the Planning Commission determine that the Applicant has met the prerequisites for the granting of site plan and appearance approval, staff recommends approval with no conditions.

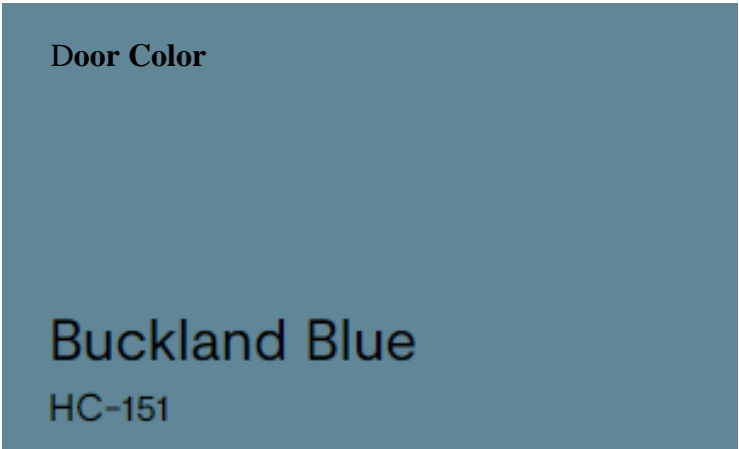
Previous Color Scheme Conditions



Dove Gray Roof Color



Proposed Color Scheme





Village of North Palm Beach

Department of Community Development

420 U.S. HIGHWAY ONE, SUITE 21 • NORTH PALM BEACH, FLORIDA 33408

561-882-1156 • FAX 561.841.8242 • WWW.VILLAGE-NPB.ORG

DATE: May 2, 2023
TO: Planning Commission
FROM: Corey O’Gorman, AICP
RE: Village Initiated Zoning Text Amendment-Artificial Turf

I. SUMMARY OF REQUEST

At the Planning Commission meeting of March 7, 2023 action on the proposed ordinance for Artificial Turf was postponed pending review of graphics to illustrate the requirement that “artificial turf is limited to rear and side yards and shall not exceed twenty-five (25) percent of the total landscaped area”, and information regarding the composition and character of the substrate. Staff will provide graphics at the meeting for the Planning Commission to consider. Regarding the substrate material, please consider the following:

Substrate

For composition and character of the substrate, information was obtained from another community in Palm Beach County, the Village Parks and Recreation Department, as well as on-line research. Based on the sources substrate material is needed to help keep the artificial turf from moving, it provides even distribution of weight that will minimize the expansion and contraction of the turf when the temperature changes. Generally accepted materials include silica sands, TPE-coated silica sand, and TPE and EPDM granules. Using the Synthetic Turf Council, as an unbiased source of information, following is a list and description of different types of substrate materials used and found on the website below:

<https://www.syntheticurfCouncil.org/page/FAQs#health>

Crumb Rubber: Crumb Rubber is derived from scrap car and truck tires that are ground up and recycled. Two types of crumb rubber infill exist: Ambient and Cryogenic. Together these make up the most widely used infill in the synthetic sports field and landscape market. Crumb rubber infill is substantially metal free, and, according to the STC Guidelines for Crumb Rubber Infill, should not contain liberated fiber in an amount that exceeds .01% of the total weight of crumb rubber, or .6 lbs. per ton. Read more in our new Crumb Rubber FAQ section.

Coated Rubber Infill: Both ambient and cryogenic rubber can be coated with colorants, sealers, or anti-microbial substances if desired. Coated rubber provides additional aesthetic appeal, reduction of dust by products during the manufacturing process and complete encapsulation of the rubber particle.

EPDM Infill: EPDM (Ethylene Propylene Diene Monomer) is a polymer elastomer with high resistance to abrasion and wear and will not change its solid form under high temperatures. Typical EPDM colors are green

and tan. EPDM has proven its durability as an infill product in all types of climates. Its excellent elasticity properties and resistance to atmospheric and chemical agents provide a stable, high performance infill product.

Organic Infill: There are several organic infills available in the North American market, all utilizing different organic components, such as natural cork and/or ground fibers from the outside shell of the coconut. These products can be utilized in professional sports applications as well as for landscaping. At the end of its life cycle it can be recycled directly into the environment.

Sand (Silica) Infill: Pure silica sand is one of the original infilling materials utilized in synthetic turf. This product is a natural infill that is non-toxic, chemically stable and fracture resistant. Silica sand infills are typically tan, off-tan or white in color and - depending upon plant location – may be round or sub-round in particle shape. As a natural product there is no possibility of heavy metals, and the dust/turbidity rating is less than 100. It can be used in conjunction with many other infills on the market to provide a safe and more realistic playing surface. The round shape plays an integral part in the synthetic turf system. It is important that silica sand have a high purity (greater than 90%) to resist crushing and absorption of bacteria and other field contaminants. Silica sand can either be coated with different materials as a standalone product or can be used to firm up in combination with traditional crumb rubber infill systems.

Coated Silica Sand Infill: This class of infill consists of coated, high-purity silica sand with either a soft or rigid coating specifically engineered for synthetic turf. These coatings are either elastomeric or acrylic in nature (non-toxic) and form a bond with the sand grain sealing it from bacteria to provide superior performance and durability over the life of a field. Coated sand is available in various sizes to meet the application's needs. Depending on the amount and type of infill, coated sands can either be used with or without a pad and are available in various colors. All of the coatings are non-toxic and are bonded to the quartz grain for superior performance and durability over the life of your field. These materials are typically used as a homogenous infill which provides both ballast and shock absorbing qualities to a synthetic turf application.

TPE Infill: Thermo plastic elastomer (TPE) infill is non-toxic, heavy metal free, available in a variety of colors that resist fading, very long lasting, and 100% recyclable and reusable as infill when the field is replaced. TPE infill, when utilizing virgin-based resins, will offer consistent performance and excellent g-max over a wide temperature range.

Attached for reference is the Village Staff Report from the March 7, 2023 meeting regarding the subject and the Artificial Turf Ordinance.



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561-882-1156 • FAX 561.841.8242 • WWW.VILLAGE-NPB.ORG

DATE: March 7, 2023
TO: Planning Commission
FROM: Alex Ahrenholz, AICP, Principal Planner
RE: Village Initiated Zoning Text Amendment- Accessory Structures and Artificial Turf

I. SUMMARY OF REQUEST

The Village Council created the residential Ad-Hoc committee in August of 2021 with the intent to make recommendations for updates to the R-1 Single Family Zoning District. After adoption of the zoning in progress and subsequent meetings, the final ordinance was adopted in October of 2022 to address building height, minimum landscape area and second story maximum percentage. The Ad-hoc Committee was then directed by Village Council to look into additional regulations that have arisen from residents. Among the items raised, sheds, artificial turf and parking standards have been recommended by the committee for consideration by the Planning Commission and Village Council.

The sheds have been named “accessory storage structures” and placed within a new section “I” of the R-1 single family zoning district, so it will only be applicable to those homes zoned R-1. After multiple meetings, it was agreed that a two-tiered process would be the most successful and easier to enforce. Since there are many unpermitted sheds currently being used in residents’ back yards, they would be able to remain as long as they are screened and under sixty-four (64) square feet. No utilities or vehicle storage can occur there, but it is large enough for most lawn equipment and household items that is typically purchased from a home improvement store.

All structures over sixty-four (64) square feet shall receive a building permit, be architecturally consistent with the principal structure and can have some utilities which would treat the structure similar to the existing regulations for accessory garages. This would allow the currently constructed accessory garages to retain the regulations they were approved under. Though utilities are allowed, this does not include a kitchen which would turn the structure into an additional dwelling unit. All structures are proposed to be limited to 35% of the size of the principal structure and 16 feet in height.

The proposed parking regulations arose from the proliferation of parking on the swales as well as the pavement of entire front yards. The two (2) foot setback will only apply to a required parking space within the driveway of a single family home, so other impervious surfaces in the back or side yards are not affected. The two (2) minimum parking spaces can be provided in the garage or carport, as well as the driveway, so the vast majority of homes will be able to meet this regulation without becoming non-compliant.

Artificial turf has become increasingly popular in new home construction. The proposed regulations come from best industry practices that have been adopted by multiple local municipalities and requirement of a building

permit will ensure it is installed to be pervious, as designed. The turf will only be permitted in the side or rear of the home, or between pavers of a driveway. In all instances, turf shall be screened from the right-of-way, not to exceed a maximum square footage totaling 25% of the total provided site landscape area. Finally, all existing artificial turf that was installed prior to this ordinance shall be allowed to be in conflict with this provision until it is replaced by more than 50% or 10 years from ordinance adoption.

After the final meeting of the residential ad-hoc committee, staff made one minor update to the language for the artificial turf regulations. Putting green standards were added to section b.1, as the design varies from a typical turf installation. The putting greens have a lower pile height and impervious material which eliminates them from being permitted as landscape area.

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(1) Artificial turf (also referred to as synthetic grass) shall only be permitted on lots improved with a single-family or two-family dwelling.

- 1
2 (2) Artificial turf is limited to rear and side yards and shall not exceed
3 twenty-five (25) percent of the total landscaped area.
4
5 (3) Artificial turf shall not be permitted in the front yard or in any area
6 visible from a public right-of-way (even if in the rear or side yard),
7 unless it is placed in between paver blocks or similar materials in a
8 manner where the area for the artificial turf does not exceed four (4)
9 inches in width and it does not exceed fifty (50) percent of the total area
10 using the paver blocks or similar materials. Screening, as approved by
11 the community development department, may be used in order to
12 comply with visibility requirement.
13
14 (4) No artificial turf shall be placed in any public right-of-way.
15
16 (b) Minimum material standards. All artificial turf shall comply with the
17 following minimum standards:
18
19 (1) Artificial turf shall consist of green lifelike individual blades of grass
20 that emulate natural turf in look and color, as approved by the Village
21 building official, and shall have a minimum pile height of one and one-
22 half (1-1/2) inches, unless otherwise approved by the Village building
23 official, and shall have a minimum tufted weight of fifty-six (56)
24 ounces per square yard. Putting greens shall be permitted with a
25 minimum pile height of one-quarter (1/4) inch; however, putting greens
26 shall be located in the rear yard only, shall not count toward the
27 minimum landscaped area as set forth in subsection (e) below and shall
28 require submission of a drainage plan along with the building permit
29 application.
30
31 (2) Artificial turf installations shall have a minimum permeability of thirty
32 (30) inches per hour per square yard.
33
34 (3) All artificial turf shall have a minimum fifteen (15) year manufacturer's
35 warranty that protects against color fading and a decrease in pile height.
36
37 (4) Artificial turf shall be lead-free.
38
39 (5) All materials must include test documentation which declares that the
40 artificial turf yarn and backing materials are disposable under normal
41 conditions, at any U.S. landfill station (Total Content Leach Protocol
42 (TCLP) test).
43
44 (6) The use of indoor or outdoor plastic or nylon carpeting as a replacement
45 for artificial turf or natural turf shall be prohibited.
46
47 (c) Installation, maintenance and repair.
48

- (1) All artificial turf shall, at a minimum, be installed according to the manufacturer's specifications.
- (2) All artificial turf installations shall be anchored to ensure that the turf withstands the effects of wind.
- (3) All seams shall be nailed and glued, not sewn, and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look.
- (4) If artificial turf is planned to be installed immediately adjacent to a seawall, the artificial turf shall be pinned or staked behind the seawall. No artificial turf or installation mechanism shall be attached directly to or placed on a seawall or seawall cap.
- (5) Proper drainage shall be provided for all artificial turf installations to prevent excess runoff or the pooling of water.
- (6) Artificial turf shall be visually level, with the grain pointing in a single direction.
- (7) An appropriate barrier device (e.g., concrete mow strip, bender board, brick pavers, river rock, landscaping) is required to separate artificial turf from soil and live vegetation.
- (8) Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.
- (9) All artificial turf shall be maintained in a green, fadeless condition free of dirt, mud, stains, weeds, debris, tears, holes, and impressions. Maintenance shall include, but not be limited to cleaning, brushing and debris removal; repairing of depressions and ruts to maintain a visually-level surface; elimination of any odors, flat or matted areas, weeds, and evasive roots; and all edges of the artificial turf shall not be loose and must be maintained with appropriate edging or stakes.
- (10) All artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas. Replacement and/or repairs shall be performed with like for like materials from the same manufacturer, if possible, and done so in a manner that results in a repair that blends in with the existing artificial turf.
- (11) An owner or applicant shall obtain a building permit from the community development department prior to the installation of any artificial turf.

(12) The village or other public entity or utility company may remove artificial turf located within an easement at any time for any reason, including, but not limited to, providing underground access for utility work. The property owner shall bear and pay any and all costs to replace or reinstall the artificial turf.

(d) Existing artificial turf. For those properties where artificial turf is currently installed and the artificial turf does not meet the requirements of this section, full compliance shall be required when the existing artificial turf is repaired or replaced in an amount exceeding fifty (50) percent. However, all existing artificial turf shall comply with the requirements of this section within ten (10) years of the effective date of this section.

(e) Pervious area. Artificial turf installed in compliance with the requirements of this section shall be considered as one hundred percent (100%) pervious area and shall count toward the required minimum landscaped area.

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

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

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall become effective immediately upon adoption.

PLACED ON FIRST READING THIS ____ DAY OF _____, 2023.

PLACED ON SECOND, FINAL READING AND PASSED THIS ____ DAY OF _____, 2023.

(Village Seal)

MAYOR

ATTEST:

VILLAGE CLERK

APPROVED AS TO FORM AND

1 LEGAL SUFFICIENCY:

2

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4

VILLAGE ATTORNEY



Village of North Palm Beach

Department of Community Development

420 U.S. HIGHWAY ONE, SUITE 21 • NORTH PALM BEACH, FLORIDA 33408

561-882-1156 • FAX 561.841.8242 • WWW.VILLAGE-NPB.ORG

DATE: May 2, 2023
TO: Planning Commission
FROM: Alex Ahrenholz, AICP, Principal Planner
RE: C-3 Regional Business District (Comprehensive Plan Text Amendment)

I. SUMMARY OF REQUEST

On February 14, 2023, the Planning Commission reviewed the proposed amendment to the Future Land Use Element of the Village Comprehensive plan to implement the proposed zoning regulations for the C-3 Regional Business District. The Commission recommended approval to the Village Council, and the Council subsequently approved the proposed Amendment on first reading at its March 23, 2023 meeting. Because the proposed Amendment revised the text of the Future Land Element, the Village was required by law to send the documents to various state agencies for review. The Florida Department of Economic Opportunity (FDEO), Treasure Coast Regional Planning Council (TCRPC), and the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) reviewed the Amendment and had no comments. The Florida Department of Transportation (FDOT) was the only agency with comments (see attached document).

While FDOT represented that its comments “will not form the basis of a challenge,” the agency provided comments it believed would strengthen the Amendment. FDOT’s technical review concluded that best practices for traffic concurrency would be the utilization of density or traffic trip rate maximums. The Village’s proposed language is attached for reference. The current elimination of the density cap for being “regulated solely through the application of a maximum floor area ratio (FAR)” is viewed as potentially problematic. After further discussions, FDOT staff represented that there is no challenge because staff believes it might be acceptable when traffic calculations are reviewed for a specific project.

The Village did not include a maximum number of trips or a density cap to provide the most flexibility in development. The zoning district does have a maximum FAR and as a requirement of the master plan, traffic will need to be analyzed. Since the affected property of the C-3 Regional Business District encompasses approximately 17 acres of land, Village staff believes all utility concurrency can be thoroughly analyzed during review of a development application. The comment from FDOT applies in general to zoning districts, and Village staff would not use this method if it were a larger, more dynamic district that did not have a minimum acreage requirement for use of the PUD process (and the 2.75 FAR) and could not be encompassed in one project.

Village staff recommends no changes to the current comprehensive plan language. The traffic analysis completed with the master plan application should suffice to determine impacts to the roads adjacent to the site. Planning Commission and Village Council will have the opportunity to review the specific project impacts rather than setting a hypothetical maximum.

Ahrenholz Alex

From: Stroh, Justin <Justin.Stroh@dot.state.fl.us>
Sent: Wednesday, April 12, 2023 9:37 AM
To: DCPexternalagencycomments; Ahrenholz Alex
Cc: Krane, John; Fasiska, Christine; Hymowitz, Larry
Subject: Village of North Palm Beach 23-01ESR - FDOT District Four Review

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Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed the proposed Village of North Palm Beach 23-01ESR comprehensive plan amendment relating to the Future Land Use Element proposed language change.

FDOT is providing the following technical assistance comment and recommendations consistent with Section 163.3168(3), Florida Statutes. These technical assistance comments will not form the basis of a challenge. These comments are intended to strengthen the Village's comprehensive plan to foster a vibrant, healthy community and are designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

Technical Assistance Comment #1

The proposed changes to **Policy 1.B.1: (3) Residential Density**, which states, "Dwelling units in Commercial designations shall not exceed a density of 24 units per acre ~~or as further limited by~~ except where density and intensity are regulated solely through the application of a maximum floor area ratio (FAR) as set forth in the applicable zoning district regulations". The use of FAR to regulate residential density instead of a residential density maximum may lead to inconsistent land development in a new residential and mixed-use development. The policy is intended to promote land use efficiency by using **mixed-use** to infill and redevelop aging commercial corridors within the Village. However, the use of FAR as a density regulation may not clearly define the number of allowable units on a given parcel of land, which could lead to increased trips and impact future long range transportation planning. The proposed methodology for providing development flexibility also inhibits service providers from determining the level of infrastructure and services that may be needed to service development at the level of service standards adopted by the Village.

Recommendations for Comment #1

The Village should consider assigning a maximum units per acre for residential density in order to achieve a mixed-use development pattern that matches the goals and objectives of the Village's Comprehensive Plan. Alternatively, the Village could set a maximum trip generation in lieu of using FAR as an intensity standard to regulate residential density of new residential and mixed-use development under the Commercial Future Land Use designation. Adopting a maximum trip generation threshold allows for flexibility to swap land uses within

an overall control total, providing the desired land use flexibility but also making it more predictable to service providers to plan for and deliver needed facilities and services.

The Department requests an electronic copy of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Please don't hesitate to contact me if you have any questions or need assistance with the recommendation. We appreciate hearing from the Village of North Palm Beach prior to adoption.

Thank you,

Justin Stroh

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3.0 FUTURE LAND USE

3.1 INTRODUCTION

The Future Land Use element is required to be included within the Comprehensive Plan per requirements of state planning law and rule criteria. Specifically, Chapter 163.3177(6) (a), Florida Statutes, establishes the Future Land Use element requirement and Chapter 9J-5.006 Florida Administrative Code, establishes minimum criteria to guide its preparation.

A summary of the data, analysis and support documentation necessary to form the basis for Future Land Use goal, objectives and policies is presented in Chapter 3 of the Village of North Palm Beach, Florida Comprehensive Plan Support Documentation report dated 1999, Village of North Palm Beach Evaluation and Appraisal Report dated 2007, the U.S. Highway 1 Corridor Study, dated 2008, and the EAR-Based Amendment Support Documentation dated 2009.

3.2 VILLAGE GOAL STATEMENT

Ensure that the current character of North Palm Beach is maintained, while allowing remaining vacant parcels to be developed and redeveloped in a manner consistent with present residential neighborhoods and commercial areas.

Further, ensure that the Village remains primarily a residential community offering: (1) a full range of municipal services; (2) diversity of housing alternatives consistent with existing residential neighborhoods; (3) commercial development opportunities compatible with established location and intensity factors; and (4) a variety of recreational activities and community facilities oriented to serving the needs and desires of the Village.

Various land use activities, consistent with these Village character guidelines, will be located to maximize the potential for economic benefit and the enjoyment of natural and man-made resources by residents and property owners, while minimizing potential threats to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

It is also the intention of the Village to provide mechanisms and processes to promote the redevelopment of obsolete, underutilized, and underproductive areas of the Village. The Village shall provide flexibility in the land development regulations to promote such redevelopment, including but not limited to encouraging mixed-use development, connectivity, pedestrian-oriented development, reduction of dependence on vehicles, creation of open/public/civic gathering spaces, and otherwise promoting the economic, development, housing, and other public policy goals of the Village.

3.3 OBJECTIVES AND POLICIES

OBJECTIVE 1.A.: Future growth and development shall be managed through the preparation and adoption of land development regulations which: (1) coordinate future development with the appropriate natural features (i.e. topography, soil conditions, flood

prone areas and natural habitats) and the availability of facilities and services; (2) prevent uses inconsistent with the Village Goal Statement and Future Land Use Map Series; (3) require the maintenance of the Village building stock; and (4) discourage the proliferation of urban sprawl; and promote energy-efficient land use patterns accounting for existing and future power generation and transmission systems.

Policy 1.A.1: Maintain land development regulations that shall contain specific and detailed provisions required to implement the adopted Comprehensive Plan, and which as a minimum:

- a. Regulate the subdivision of land;
- b. Regulate the use and intensity of land development consistent with this element in a manner to ensure the compatibility of adjacent land uses consistent with the Future Land Use Map Series and provide for recreation and open space consistent with levels-of-service established in the Recreation and Open Space Element by requiring all new developments to donate or provide 5% of the residential site for recreational purposes;
- c. Protect environmentally sensitive lands designated on Figures 3A and 3B of the Future Land Use Map Series;
- d. Regulate areas subject to seasonal and periodic flooding by requiring a minimum first floor elevation of 8.5 feet NGVD and a drainage system which meets adopted Level-of-Service Standards;
- e. Regulate signage;
- f. Ensure safe and convenient on-site traffic flow and vehicle parking needs;
- g. Ensure that public facility, utility and service authorization has been procured prior to issuing any development order;
- h. Provide that development orders and permits, consistent with Policies 5.1 and 5.2 of the Capital Improvements Element, shall not be issued which result in a reduction of the levels of service for the affected public facilities below the Level-of-Service (LOS) Standards adopted in the Capital Improvements element (Ref: Table 11-1);
- i. Provide for the proper maintenance of building stock and property by continually updating and enforcing adopted building, housing and related codes;
- j. Designate an urban service area (Ref: Objective 6; Capital Improvements element); and
- k. Regulate the development of sites containing historic sites, as per the Future Land Use Map Series, to assure their protection, preservation and/or sensitive reuse.

Policy 1.A.2: An official zoning map shall be adopted and maintained which assures that the location and extent of non-residential land uses is consistent with the Future Land

Use Map Series. Planning Areas may include non-residential uses such as schools, public facilities, other public facilities, and recreational uses, etc., as indicated on the Future Land Use Map Series and/or as allowed as special exception uses in the Village Zoning Code.

Policy 1.A.3: Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential land use densities as indicated below.

- a. Conservation/Open Space - Maximum of one unit per upland acre;
- b. Low density residential - fewer than 5.80 residential units per gross acre;
- c. Medium density residential - 5.81 to 11.0 residential units per gross acre; and
- d. High density residential - 11.1 to 24.0 residential units per gross acre.

In any event, specific entitled residential densities within the ranges listed above shall be subject to the application of the site development criteria (e.g. setbacks, height limitations and site dedications, etc.) promulgated in the Village Land Development Regulations.

Policy 1.A.4: Land Development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for non-residential land use intensities as indicated below:

- a. **Location** shall be in accordance with the Future Land Use Map. Commercial uses shall not be permitted within areas designated for residential development on the Future Land Use Map Series;
- b. **Maximum lot coverage** ratio shall be governed by applicable land development regulations;
- c. **Maximum building height** shall be governed by applicable land development regulations and shall be consistent with the Village of North Palm Beach Citizens' Master Plan Report, adopted by Resolution 2016-73 on October 27, 2016, and compatible with neighboring land uses; and
- d. **Adequate off-street parking** and loading facilities.
- e. **Maximum Floor-Area-Ratios** for non-residential land uses shall be established as follows:
 - 1. **Commercial, religious, and institutional land uses:** A maximum of 0.70 for mixed-use development and 0.35 for all other non-residential land uses along U.S. Highway No. 1, north of the Parker Bridge; a maximum of 1.10 along U.S. Highway No. 1, from the Parker Bridge, south to Northlake Boulevard; a maximum of 0.70 along U.S. Highway No. 1, south of Northlake Boulevard; and a maximum of 0.70 along Northlake Boulevard and S.R. Alternate A-1-A. The following areas shall be exempt from this requirement to implement the 2016 Citizens' Master Plan:
 - The Twin City Mall site, and subject to the latest land development regulations of the C-3 zoning district, which have been jointly developed by the Village and the Town of Lake Park.

- The C-MU zoning district along U.S. Highway No. 1, updated in accordance with the Citizens' Master Plan.
 - Other key redevelopment sites that are explicitly identified in the Village's land development regulations to carry out the Citizens' Master Plan.
2. ***Educational Uses:*** A maximum of 0.15;
 3. ***Recreation and Open Space Uses:*** A maximum of 0.05
 4. ***Light Industrial/Business Uses:*** A maximum of 0.45.

Policy 1.A.5: Land development regulations shall contain performance standards which address:

- a. Buffering and open space requirements;
- b. Landscaping requirements; and
- c. A requirement for the environmental assessment of development proposals, including eliminating exotic plant species.

Policy 1.A.6: Land development regulations shall contain planned unit development provisions which allow design flexibility within projects under unity of title as a means of preserving natural resources delineated on Figures 3A and 3B, and protecting Conservation Use lands designated on the Future Land Use Map.

Policy 1.A.7: Future development shall be permitted only when central water and wastewater systems are available or will be provided concurrent with the impacts of development.

Policy 1.A.8: Residential subdivisions shall be designated to include an efficient system of internal circulation, including the provision of collector streets to feed traffic to arterial roads and highways.

Policy 1.A.9: In 2020, the Village revised its land development regulations and this Comprehensive Plan to implement the provisions and guiding principles of the Village of North Palm Beach Citizens' Master Plan Report, adopted by Resolution 2016-73 on October 27, 2016.

OBJECTIVE 1.B: The Village desires to enhance certain aging commercial corridors that have a Commercial Future Land Use designation, into walkable and bikeable centers of vibrant activity. Current business uses along these corridors will be supplemented with new residential and mixed-use development as described in Policy 1.B.4.

Policy 1.B.1: The following use and intensity standards shall be used to promote land use efficiency in mixed-use infill and redevelopment activities, and determine maximum development potential on a given parcel of land:

1. **Maximum development potential:** Maximum commercial development potential is subject to the floor-area limitations established in Policy 1.A.4, subject to the application of the Village's land development regulations.
2. **Permitted uses:** Permitted uses shall be specified in each zoning district that allows mixed-use development (see Policy 1.B.4).
3. **Residential density:** Dwelling units in Commercial designations shall not exceed a density of 24 units per acre or as further limited by except where density and intensity are regulated solely through the application of a maximum floor area ratio (FAR) as set forth in the applicable zoning district regulations. Developments that qualify for the workforce housing density bonus described in Policy 1.B.2 may construct up to 12 additional units per acre).
4. **Height limitations:** The maximum height shall be limited to that allowed by the underlying commercial or mixed-use zoning district.

Policy 1.B.2: Workforce housing density bonus: Except where density and intensity are regulated solely through the application of a maximum floor area ratio (FAR), ~~the~~ maximum residential density of a mixed-use development shall be increased from 24 to 36 units per acre provided that either: (a) bonus units are constructed on-site; or (b) funding is provided to assist in an workforce housing program in another jurisdiction or an appropriate alternative, as determined by the Village of North Palm Beach. If alternative (a) is selected, 50% of the bonus units shall qualify for any of the four (4) eligible income group categories based on Average Median Income (AMI) set forth in the County's Workforce Housing Program income guidelines. No more than 50% of the workforce housing units shall be in the 120-140% category. If alternative (b) is selected, an amount equal to 5% of the cost of the vertical construction of the bonus units shall be contributed to the Palm Beach County Affordable Housing Trust Fund, or other appropriate alternative, as determined by the Village of North Palm Beach.

Policy 1.B.3: Assisted Living Facilities, as defined in Section 429.02(5) of the Florida Statutes and licensed by the Florida Agency for Health Care Administration may be permitted as mixed-use developments through the commercial planned unit development approval process, or the special exception process if authorized by the Village's land development regulations, subject to the following use and intensity standards:

1. **A mixed-use Assisted Living Facility** shall provide assistance with activities of daily living, as defined in Section 429.02(1) of the Florida Statutes and special care for persons with memory disorders, as regulated by Section 429.178 of the Florida Statutes.
2. **Required uses:** Each mixed-use Assisted Living Facility shall contain a residential component, together with a non-residential component consisting of administrative offices, central kitchen and communal dining facilities, and separate or shared spaces for the provision of medical, recreation, social, religious, and personal services.
3. **Mix of required uses:** The residential component shall comprise a minimum of 50% and the non-residential component shall comprise a maximum of 20% of the gross floor area of a mixed-use Assisted Living Facility.
4. **Maximum floor area:** Maximum mixed-use Assisted Living Facility development potential is subject to the floor-area limitations established in Policy 1.A.4, subject to the application of the Village's land development regulations.

5. **Maximum resident occupancy:** The residential density of a mixed-use Assisted Living Facility may be increased by the Village Council to an equivalent of 24 units per acre. The maximum resident occupancy shall then be determined by multiplying the equivalent residential density by 1.97 residents per unit. Maximum resident occupancy shall be determined on a project-by-project basis based upon an assessment of site characteristics and the application of Village land development regulations.

6. **Height limitations:** The maximum height of a mixed-use Assisted Living Facility shall be determined by the application of Policy 1.B.1.6.

7. **Waivers** for reductions in minimum dwelling unit size and parking requirements may be requested during the commercial planned unit development or other authorized approval process.

Policy 1.B.4: Residential and mixed-use developments may be approved in areas with a Commercial Future Land Use designation in order to achieve a mixed-use development pattern. The Village may use any of the following mechanisms to achieve the desired pattern:

- The mixed-use provisions in the C-MU zoning district along US. Highway No. 1 between Yacht Club Drive and the Earman River, which are intended to evolve that district into a mixed-use development pattern that remains predominately commercial along US Highway No. 1.
- The mixed-use provisions in the C-T zoning district in the southwest portion of the Village.
- The commercial planned unit development process in other zoning districts.

OBJECTIVE 2: Development and redevelopment activities shall be undertaken in a manner to ensure the protection of natural and historic resources and the Village character as prescribed in the Future Land Use Element Goal Statement and the Village Character Statement (Ref: Chapter 2.0).

Policy 2.1: The developer/owner of any site shall be responsible for the on-site management of stormwater runoff in a manner so that post-development runoff rates, volumes and pollutant loads to not exceed pre-development conditions and preserve existing natural drainage features, as per Chapters 40E-4, 40E-40 and/or 40E-41, Florida Administrative Code.

Policy 2.2: The Village land development regulations shall regulate business activities which have the potential to contaminate land and water resources by requiring said businesses to notify the Palm Beach County Department of Environmental Resources Management regarding the storage, use and/or disposal of potentially hazardous or toxic substances. This requirement shall be implemented by the Village through the Palm Beach County Wellfield Protection Ordinance (Ref: Section 9.3, Palm Beach County Unified Land Development Code).

Policy 2.3: The Village shall encourage, through its participation on the Seacoast Utility Authority Governing Board, protection of potable water wellfields by regulatory authorities having land use jurisdiction in aquifer recharge areas serving Seacoast Utility Authority systems.

Policy 2.4: The clearing of any wetlands vegetation or land assigned a Conservation Land Use Category on the Future Land Use Map Series shall not be approved by the Village until such time that appropriate permits have been procured, by the developer, from the Palm Beach County Environmental Resources Management or Health Departments and the Florida Department of Environmental Protection.

Policy 2.5: At the time of each required Evaluation and Appraisal Report and Comprehensive Plan update, the Village shall consider the need for the identification, designation and protection of additional historically significant properties under the provisions of the Standard Housing Code.

Policy 2.6: Within 18 months after the South Florida Water Management District updates the Lower East Coast Regional Water Supply Plan, the Village shall update the Water Supply Facilities Work Plan to determine whether or not adequate water supply is available to meet projected needs of the ensuing 10-year period.

OBJECTIVE 3: All development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet Level of Service (LOS) standards are available concurrent with the impacts of the development. Further, require that all on-site lands for rights-of-way, easement, etc., be conveyed to the proper authority prior to the issuance of building permits.

Policy 3.1: The development of residential and commercial land shall be timed and staged in conjunction with the provision of supporting community facilities, such as streets, utilities, police and fire protection service, emergency medical service, and public schools.

Policy 3.2: Public facilities and utilities shall be located to: (1) Maximize service efficiency; (2) minimize public costs; and (3) minimize impacts upon the natural environment.

Policy 3.3: Remaining properties currently not utilizing central water and wastewater systems shall be governed by the provisions of: (1) Chapter 381.272, Florida Statutes; (2) Chapter 10D-6, Florida Administrative Code; and (3) Palm Beach County Environmental Control Rule - 1. These codes regulate the use and installation of individual sewage disposal systems.

Policy 3.4: The Village shall update its population projections at the time of the approval of a Comprehensive Plan amendment or development order permitting an increase in residential units.

OBJECTIVE 4: The Village shall coordinate with appropriate governments and agencies to minimize and mitigate potential mutual adverse impacts of future development and redevelopment activities.

Policy 4.1: Requests for development orders, permits or project proposals shall be coordinated by the Village, as appropriate, with adjacent municipalities by participating in

IPARC, Metropolitan Planning Organization, Palm Beach County, School District of Palm Beach County, Treasure Coast Regional Planning Council, Special Districts, South Florida Water Management District and state and federal agencies.

Policy 4.2: All future high density residential development, with the following exceptions, shall be directed to areas west of U.S. Highway No. 1 as a means of coordinating coastal area population densities with the County Hurricane Evacuation Plan:

1. Properties located east of U.S. Highway No. 1 that are currently assigned a High Density Residential future land use designation;
2. Properties that have frontage on and access to the east side of U.S. Highway No. 1, provided a determination is made by the Village, based upon a professionally competent study, that the hurricane evacuation provisions of F.S. 163.3178(9)(a) are complied with.

Policy 4.3: Although there are currently no resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes, in effect within North Palm Beach, the Village shall participate in the preparation and implementation of said plans should they become necessary.

Policy 4.4: In the event of a proposed future annexation of sufficient size to site a school, or co-locate a school with public facilities (e.g. parks, libraries, and community centers), the Village shall coordinate with the Palm Beach County School Board to determine the need for an additional school site in the area. If it is determined that there is a need, and that a school site can be accommodated, the proposed annexation shall provide for the school site.

Policy 4.5: The Village shall promote mixed-use development along its major transportation corridors, and cooperate with Palm Beach County to develop new and improved forms of transit as a means of reducing greenhouse gas emissions resulting from traffic congestion.

Policy 4.6: During the review of any development or redevelopment proposal, the Village shall determine the feasibility of cross-access with neighboring parcels as a means to promote more efficient travel.

Policy 4.7: The Village shall educate the public regarding the placement and maintenance of canopy trees and other landscape materials to strategically provide shade and reduce energy consumption.

OBJECTIVE 5: Special land use policies shall be developed by North Palm Beach when necessary to address site-specific issues related to implementing the Village Goal Statement. Refer to the Future Land Use Map Atlas for parcel locations which are the subject of specific special policies.

Special Policy 5.1: Historic properties with an assigned Florida Master Site File reference number shall be identified on Planning Area maps located in the Future Land Use Map Atlas.

Special Policy 5.2: Utilize the mixed-use provisions of the Village's Commercial Planned Unit Development (CPUD) Ordinance as a means of developing the property delineated as "Special Policy 5.2 on Map 2 of the Future Land Use Map Atlas in a transition mode from Commercial (i.e. compatible to the C-B Zoning District) to Residential (i.e. compatible to the R2 Zoning District) running from U.S. Highway No. 1 east to Lake Worth. Maximum gross density shall not exceed 10-11 DU/AC. Non- residential development pods shall comply with the Floor-Area-Ratio standards listed in Policy 1.4 of the Future Land Use element. Development of the property shall be subject to the Village Council approval of site plan and PUD applications. The following uses shall be excluded from this development: (1) Golf club and its accessory uses such as restaurant, bar, driving range and equipment store; (2) bowling alley; (3) filling stations; (4) dry cleaning plants; (5) mobile home park; and (6) adult entertainment establishment.

Special Policy 5.3: As a means of preserving native vegetative species in Planning Area 6A, encourage the use of the Planned Unit Development by allowing the clustering of residential units in defined buildable areas (i.e. all areas in Planning Area 6A are as "buildable", with the exception of those delineated on Figure 3-3.

Special Policy 5.4: Require all new developments in Planning Areas 1 and 6A to perform an environmental assessment to define potential impacts upon the viability of vegetative species and/or habitats delineated on Figure 3. The impact assessment shall include necessary techniques and/or controls to maintain species and/or habitats in their current condition or mitigate potential impacts.

Special Policy 5.5: (Reserved).

Special Policy 5.6: As a means of enhancing the commercial character of the area along Northlake Boulevard through renovation and/or redevelopment, maintain a waiver process which may allows proposed projects to depart from the strict interpretations of the Zoning Code if, after review by the Village, it is found that said projects are in compliance with the North Palm Beach Comprehensive Plan and meet standards in the Zoning Code.

Special Policy 5.7: The Village shall review proposed Future Land Use Map Series amendments to determine whether or not they discourage the proliferation of Urban Sprawl based upon the application of standards contained in Chapter 9J-5, F.A.C. (No Future Land Use Map Atlas reference.)

Special Policy 5.8: Residential development on the property delineated as "Special Policy 5.8" on Map 6A of the Future Land Use Map Atlas shall be limited to a maximum of 98 residential units.

Special Policy 5.9: Residential development on the property delineated as "Special Policy 5.9" on Map 6A of the Future Land Use Map Atlas shall be limited to a maximum of 232 residential units.

Special Policy 5.10: Residential development on the property delineated as "Special Policy 5.10" on Map 6A of the Future Land Use Map Atlas shall be limited to a maximum of 184 residential units.

Special Policy 5.11: Residential development on the property delineated as "Special Policy 5.11" on Map 6A of the Future Land Use Map Atlas shall be limited to a maximum of 108 residential units.

Special Policy 5.12: Residential development on the property delineated as "Special Policy 5.12" Map 2 of the Future Land Use Map Atlas shall be limited to the existing 197 residential units.

Special Policy 5.13: Residential development on the property delineated as "Special Policy 5.13" on Map 7 of the Future Land Use Map Atlas shall be limited to the existing 48 residential units.

Special Policy 5.14: Residential development on Planning Area 1 shall be clustered in the least environmentally sensitive portion of the parcel which is the subject of an application for a development order. (No Future Land Use Map Atlas reference.)

Special Policy 5.15: Year-round, permanent resident residential development within the area defined by the current extent of John D. MacArthur Beach State Park shall be limited to that provided for Park personnel. (No Future Land Use Map Atlas reference.)

Special Policy 5.16: The 0.43 acre lot located at the southwest corner of Prosperity Farms Road and Honey Road (Map 5 of the Future Land Use Map Atlas) shall be assigned a Commercial Future Land Use Map designation in order to support its current use. The current use may be maintained consistent with the provisions of Sections 45-63 (non-conforming uses) and 45-64 (non-conforming structures) of the Village Code; however, any future change in use shall be consistent with those uses permitted in the C-T transitional Commercial District.

Special Policy 5.17: Non-residential land uses within Protection Zone 4 of the Richard Road wellfield (Ref: Map 5, 6B, and 7 of the Future Land Use Map Atlas) which store, handle, use or produce any regulated substance are prohibited, unless they qualify as a general exemption or receive an operating permit from Palm Beach County ERM, pursuant to Section 9.3 of the Palm Beach County Land Development Code.

Special Policy 5.18: Residential development on the property delineated as "Special Policy 5.18" on Map 3B of the Future Land Use Map Atlas shall be limited to a maximum of 16 residential units.

Special Policy 5.19: Public School development on the property delineated as Special Policy 5.19 on Map 4b of the Future Land Use Map Atlas shall be limited to a maximum 0.35 Floor-Area-Ratio.

OBJECTIVE 6: The Village shall encourage infill development and redevelopment along the Northlake Boulevard and U.S. Highway No.1 corridors.

Policy 6.1: Development and redevelopment activities in the Northlake Boulevard Overlay Zone, as illustrated on Figure 3-8, shall conform with the special land development regulations adopted by the Village of North Palm Beach for the Northlake Boulevard corridor as well as the requirements of the Village's Comprehensive Plan and underlying zoning districts.

Policy 6.2: Mixed-use development and redevelopment is encouraged along the U.S. Highway No.1 corridor by the Village through the provisions of the C-MU and C-T and may also be permitted through the commercial planned unit development approval process, consistent with the density and intensity criteria stated in Objective 1.B.

Policy 6.3: Development and redevelopment activities shall be transit-ready by maintaining access to Palm Tran, pedestrian accessibility by sidewalks and bikeways, and connectivity with neighboring residential and commercial areas.

3.4. FUTURE LAND USE CLASSIFICATION SYSTEM

The land use Classification System presented on Table 3-1 is adopted as the "Future Land Use Classification System" of the Village of North Palm Beach. Subject to the land use compatibility and application review provisions of Section 163.3208, Florida Statutes, and electric distribution substations are permitted in all land use categories listed in Table 3-1 except Conservation/Open Space.

3.5 FUTURE LAND USE MAP SERIES

3.5.1 Future Land Use Maps

Village of North Palm Beach Planning Areas are delineated on Figure 3-1, while 2020 Future Land Use Plan is displayed on Figure 3-2. Recreation/Open Space areas are identified on Figure 3-2; however, due to their character and Village-wide appeal, the delineation of specific service areas is not appropriate. Each facility is deemed to serve the Village as a whole.

3.5.2 Future Land Use Map Atlas

For the purposes of identifying properties subject to the conditions of a special policy described in Objective 5 and tracking Future Land Use Map amendment and annexation activities, the Village of North Palm Beach Future Land Use Map Atlas, on file with the Village Clerk, is hereby incorporated by reference.

Designated historic districts or significant properties meriting protection within the Village, along with appropriate Florida Master File references are located, as appropriate, on Maps 1-7 of the Future Land Use Map Atlas.

3.5.3 Natural Resource Maps

The following natural resources data are exhibited on Figures 3-3 through 3-7:

1. Natural Habitat, Wetlands, Coastal Vegetation and Beaches (Ref: Figure 3-3 and Tables 3-2 and 3-3);
2. Surface Water Features (Ref: Figure 3-4);
3. Generalized Soils Map (Ref: Figure 3-5 and Table 3-4);
4. Flood Zones (Ref: Figure 3-6 and Table 3-5); and
5. The Coastal High Hazard Area (Ref: Figure 3-7), defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

There are no existing or planned potable water wells in the Village of North Palm Beach, nor are there any minerals of determined value. A portion of the Village, within Planning Area 5, is located within Protection Zone 4 of the Richard Road wellfield. The extent of Protection Zone 4 within Planning Area 5 is indicated on Maps 5, 6B and 7 of the Future Land Use Map Atlas.

3.5.4 Northlake Boulevard Overlay Zone Map

The Northlake Boulevard Overlay Zone is illustrated on Maps 3C and 5 in the Future Land Use Map Atlas. Development and redevelopment activities are subject to the special land development regulations adopted by the Village of North Palm Beach for the Northlake Boulevard corridor.

TABLE 3 - 1

**TABLE 3-1
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. Within the Commercial classification, residential and other uses may also be permitted in accordance with the mixed-use policies of the Comprehensive Plan and the Village's land development regulations.

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 publicly 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. 2009; Rev. NPBCP Amendments 92-2 and 09-1.