

ORDINANCE NO. 001-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING THE ADOPTED 2017 TOWN OF PALM BEACH'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FOR PARCELS OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM "COMMERCIAL" AND "SINGLE FAMILY" TO "APPROVED PUD"; PROVIDING FOR INCLUSION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act"); and

WHEREAS, on August 9, 2017, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan based on the Town's Evaluation and Appraisal of the Comprehensive Plan with the adoption of Ordinance No. 9-2017; and

WHEREAS, pursuant to Town Code Section 86-51, in accordance with Section 163.3174, Florida Statutes, the Town Council of the Town of Palm Beach is hereby designated and established as the Local Planning Agency for the incorporated territory of the Town of Palm Beach; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, a small-scale development amendment may be adopted pursuant to this section if the proposed amendment involves a use of 50 acres or fewer and if the proposed text changes to the Goals, Objectives and Policies relate directly to and are adopted simultaneously with the small-scale future land use map amendment; and

WHEREAS, on January 29, 2024, the Town of Palm Beach received a privately initiated development review application to amend the Town of Palm Beach Comprehensive Plan Future Land Use Map and Future Land Use Element Goals, Objectives and Policies that relate directly to the small-scale future land use map amendment; and

WHEREAS, on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission reviewed the proposed text amendments (“Amendments”) to the Future Land Use Element of the Comprehensive Plan and recommended to the Town Council that the Amendments be approved; and

WHEREAS, on March 13, 2024, pursuant to Section 163.3174(4)(a), Florida Statutes, the Town Council acting as the Local Planning Agency conducted a public hearing wherein it considered the recommendations of the Planning, Zoning and Building Department and the Planning and Zoning Commission regarding the Amendments to the Future Land Use Element of the Town of Palm Beach Comprehensive Plan; and

WHEREAS, the Town Council has determined that the proposed Amendments to the Comprehensive Plan Future Land Use Element promote the public health, safety and welfare and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(11), the Town Council has affirmatively voted to transmit the Amendments to the Florida Department of Commerce and appropriate reviewing agencies for their respective review(s).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein.

Section 2. Amendment of the Comprehensive Plan.

The Town of Palm Beach Future Land Use Map of the Comprehensive Plan, set from in Ordinance No. 9-2017 of the Town of Palm Beach, is hereby amended from Single Family Residential and Commercial to Approved PUD as described on Exhibit “A” and displayed on Exhibit “B” attached hereto and incorporated herein by reference.

Section 3. Transmittal.

The Town Clerk is hereby directed to transmit the required copies of the Amendments to the Town’s Comprehensive Plan to the Florida Department of Commerce and all other parties as required by Section 163.3184(3)(c)2, Florida Statutes.

Section 4. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification.

This Ordinance shall be codified and made a part of the official Comprehensive Plan of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect 31 days subsequent to its enactment on second and final reading, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this (date) day of (Month), (year), and for second and final reading this (date) day of (Month), (year).

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member

Exhibit A

LEGAL DESCRIPTION:

COMMENCING at the Southwest corner of Lot 22, Block B, Royal Park Addition to Palm Beach, Palm Beach County, Florida, as recorded in Plat Book 4, Page 1, Palm Beach County Public Records; thence run Easterly along the South line of said Lot 22 and the South lines of Lots 23, 24, 25, 59 and 26 of said Block B, a distance of 600 feet to the southwest corner of Lot 27 of said Block B; thence continue Easterly along the South line of said Lot 27 a distance of 116.93 feet to the southwest corner of property as described in Warranty Deed from First National Bank to Bryan L. Ramsing and Wiley R. Reynolds, Jr., dated march 27, 1953 and recorded in Deed Book 1013, Page 359, Palm Beach County Public Records; thence Northerly and parallel to the West line of said Lot 27 a distance of 103.09 feet; thence Easterly and parallel to the North line of said Lot 27 a distance of 202.89 feet (per prior deed; 202.67 actual measurement) to the West boundary line of Ocean Boulevard; thence Southerly along said West boundary line of Ocean Boulevard a distance of 3.02 feet; thence Easterly and parallel to the North line of said Lot 27 a distance of 10.02 feet to the Easternmost line of said Lot 27, Block B as shown on said Plat of Royal Park Addition; thence Northerly along said Easternmost line of Lot 27, said Easternmost line also being the East line of the North 50 feet of said Lot 27, as described as Parcel IV on Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach dated June 2, 1951 and recorded in Deed Book 949, Page 340, Palm Beach County Records, for a distance of 50 feet more or less to the Northeast corner of said Lot 27; thence Westerly along the North line of said Lot 27 for a distance of 10.02 feet; thence Southerly and parallel with the said Easternmost line of Lot 27 for a distance of 3.01 feet to the Southeast corner of Parcel I, as described in Warranty Deed from First National Bank in Palm Beach to Claire A. Stiles, dated February 22, 1952 and recorded in Deed Book 972, Page 392, the description of said Parcel I was later corrected and recorded in Official Record Book 29, Page 407, Palm Beach County Public Records; thence Westerly, parallel with and 3.0 feet South of, measured at right angles to the North line of said Lot 27, and along the South line of said Parcel I, a distance of 166.24 feet (per prior deed; 165.83 by actual measurement) to the point of intersection with the arc of a nontangent curve, concave to the Northeast, having a radius of 20.03 feet and a central angle of $40^{\circ} 54' 21''$, and its chord bears Northwesterly when measured counter clockwise $120^{\circ} 28' 59''$ from the preceding course; thence Northwesterly along the arc of said curve for a distance of 14.30 feet to a point of reversed curvature; thence along the arc of a curve concaved to the Southwest, having a radius of 40.84 feet and a central angle of $74^{\circ} 57' 31''$ for a distance of 53.43 feet to the point of tangency; thence continue Westerly (per prior description; actual bearing North $85^{\circ} 00' 50''$ West), tangent to the last described curve a distance of 35.1 feet; thence Northerly, measuring an angle of $95^{\circ} 00' 40''$ from the preceding course to the North a distance of 24.30 feet to a point in the North line of Parcel III as described in said Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach, dated June 2, 1951, and recorded in Deed Book 949, Page 340, Palm Beach County Records; thence Westerly along the North line of said Parcel III and at right angles to the preceding course for a distance of 90.42 feet to a point in the East boundary line of "The East Plaza" as recorded in Plat Book 16, Page 78, Palm Beach County Public Records, a part of said East boundary line also being the East line of Parcel I as described in said Warranty Deed from John Nuveen, Jr. and Grace Bennet Nuveen to First National Bank in Palm Beach, dated June 2, 1951 and recorded in Deed Book 949, Page 340, Palm Beach County Public Records; thence Northerly along said East boundary line for a distance of 117.86 feet; thence measuring an angle

Exhibit A

of $172^{\circ} 10' 20''$ clockwise from the preceding course to the North and run for a distance of 100.94 feet to a point in the South line of Seaview Avenue as shown on said Plat of "The East Plaza"; thence turn an angle of $97^{\circ} 49' 40''$ measured clockwise from the preceding course to the West and run along the South line of said Seaview Avenue for a distance of 20 feet to the Northwest corner of the Private Road shown as part of Lot 8 on the said Plat of "The East Plaza"; thence turn an angle of $82^{\circ} 10' 20''$ measured clockwise from the preceding course to the South and run along the West line of said Private Road for a distance of 100.00 feet; thence turn an angle of $82^{\circ} 10' 20''$ measured counter clockwise from the preceding course to the West and run along the South line of the marked "NOT INCLUDED" and the South lines of Lots 7, 6, 5 and 4 of said plat of "The East Plaza" a distance of 393.62 feet to the Southeast corner of Lot 3 of the said plat of "The East Plaza"; thence continue Westerly along the South line of said Lot 3 a distance of 58.94 feet to the Northwest corner of that part of Lot 11 of the said plat of "The East Plaza" lying North of the area shown as "Private Road"; thence run Southerly along the West line of said Lot 11 for a distance of 14.36 feet to point in the North line of said "Private Road"; said point also lying in the Easterly boundary of Parcel I as described in Deed from Bessemer Properties, Incorporated to the First National Bank in Palm Beach dated May 13, 1947 and recorded in Deed Book 818, Page 324, Palm Beach County Public Records; thence Westerly along the North line of said "Private Road" for a distance of 10.74 feet to its intersection with the circumference of a circle, concave to the Southwest at this point and having a radius of 30 feet, said circle being part of said herein referred to "Private Road"; thence Northwesterly along the arc of said circle, a distance of 31.52 feet to the Southeast corner of a strip of land as described in Quit Claim Deed from Elizabeth S. Fetterolf and Morton H. Fetterolf to First National Bank in Palm Beach, dated May 21, 1951 and recorded in Deed Book 945, Page 460, Palm Beach County Public Records; thence Northerly along the East line of said strip and parallel to and 1.5 feet Easterly of as measured at right angles to Westerly line of Lot 2 of said Plat of "The East Plaza" for a distance of 99.98 feet to the South line of said Seaview Avenue; thence Westerly along the South line of said Seaview Avenue a distance of 104.76 feet (more or less) to the Northwest corner of Lot 1 of said Plat of "The East Plaza"; thence Southerly along the West lines of Lots 1 and 2 of said Plat of "The East Plaza" and the West lines of Lots 1, 2 and 3 of the revised Plat of Columbus Colonade as recorded in Plat Book 10, Page 7, Palm Beach County Public Records, a distance of 291.65 feet to the Southwest corner of Lot 3 of said Columbus Colonade and the Northwest corner of Lot 22, Block B of said Plat of Royal Park Addition; thence run Southerly along the West line of said Lot 22, a distance of 150.00 feet to the POINT OF BEGINNING. Containing in all, 250,976 square feet or 5.76 acres, more or less.

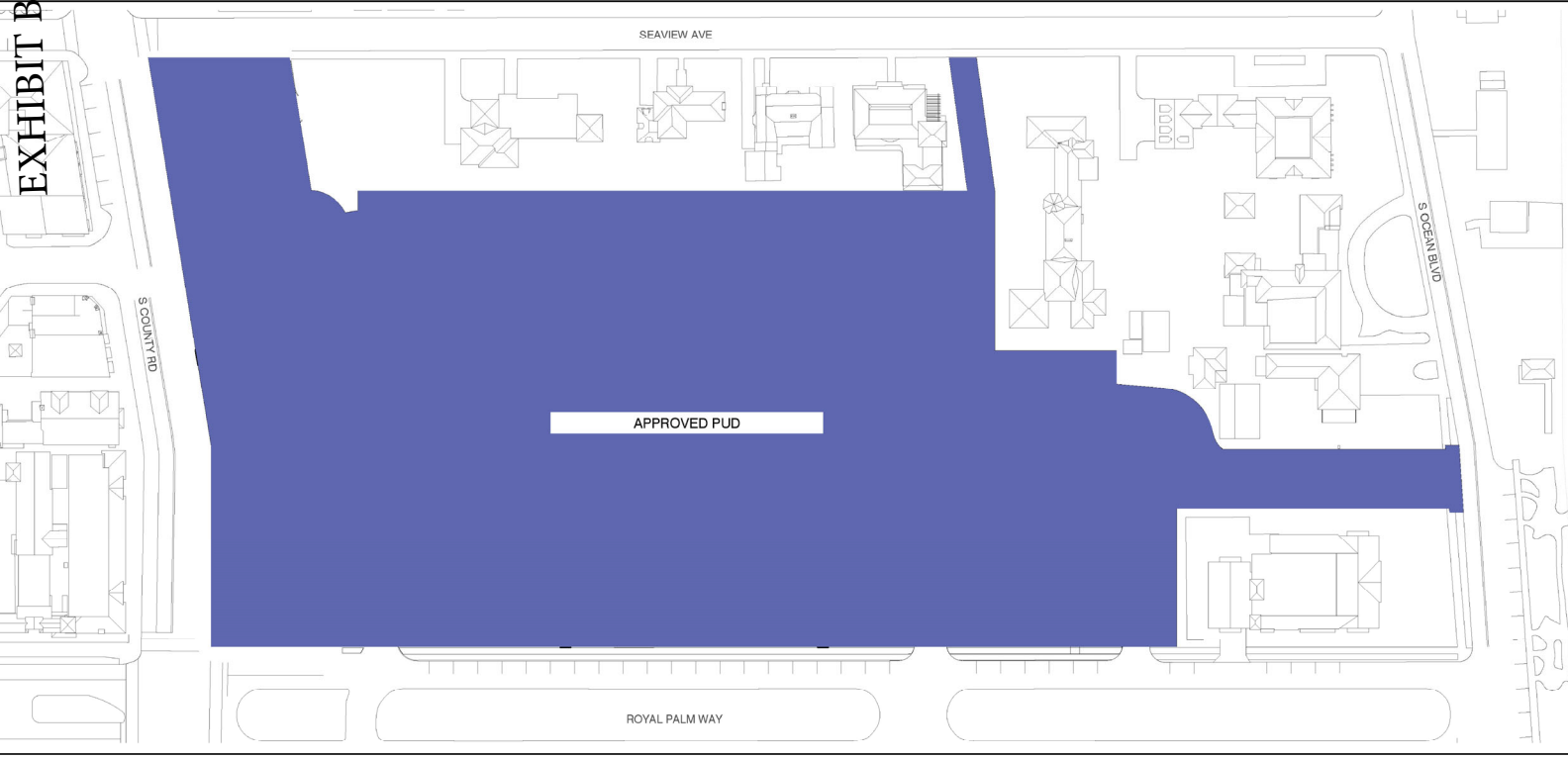


- NOTES**
- 1. SINGLE FAMILY:
 AREA: 74,981 SQFT
 1.72 AC
 1.87 PALM BEACH AC
 - 2. COMMERCIAL:
 AREA: 176,488 SQFT
 4.05 AC
 4.41 PALM BEACH AC

EXISTING FUTURE LAND USE DESIGNATION

1" = 50'-0"

EXHIBIT B



- NOTES**
- 1. PROPOSED APPROVED PUD:
 AREA: 251,469 SQFT
 5.77 AC
 6.29 PALM BEACH AC



PROPOSED FUTURE LAND USE DESIGNATION

1" = 50'-0"