

ORDINANCE NO. 011-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 54, HISTORICAL PRESERVATION, AT ARTICLE III, CERTIFICATE OF APPROPRIATENESS, DIVISION 2, PROCEDURES AND EFFECT, SECTION 54-94, DURATION OF APPROVAL, TIME EXTENSION, DENIAL OF APPLICATION, DETERMINATION, CLARIFICATION, AND DEFERRAL, SUBSECTIONS (1) AND (2), BY PROVIDING FOR A THIRTY-DAY ADMINISTRATIVE EXTENSION OF THE DURATION OF APPROVAL AND LIMITING THE NUMBER OF TIME EXTENSIONS TO ONE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. Chapter 54, Historical Preservation, of the Town Code of Ordinances, is hereby amended at Article III, Certificate of Appropriateness, Division 2, Procedures and Effect, Section 54-94, Subsections (1) and (2), by providing for a thirty-day administrative extension of the duration of approval and limiting the number of requested time extensions to one, as follows:

“Sec. 54-94. - Duration of approval; time extension; denial of application; determination; clarification; deferral.

- (1) The applicant's approval will expire 12 months from the date of the meeting at which the decision was rendered, unless a building permit has been obtained. If the building permit expires or is voided, or if a building permit has not been issued within 12 months from the date of approval, the commission approval becomes void. In the event such approval becomes void, an application for approval shall be required in the same form and manner as if submitted as a new project. The director of planning, zoning and building may, based upon demonstrated good cause, grant a thirty-day (30) administrative extension of the duration of approval.*
- (2) A maximum of one (1) time extension, for up to one year in duration from the original expiration date, from any of the requirements in subsection (1), may be granted or denied by the landmarks preservation commission for just cause. Said single time extension request shall be submitted in writing to the planning, zoning and building department at least two weeks prior to an landmarks preservation commission meeting, which must occur prior to the expiration date, or said approval shall expire.*

.....”

Section 2. 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 3. 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 4. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its passage and approval, 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 10th day of April 2024, and for second and final reading on this 14th day of May 2024.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Bridget Moran, Town Council Member