



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
MARCH 11, 2025
6:30 PM

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr Alternate

ADMINISTRATION

PZB Director Iramis Cabrera
PZB Planner Christian Melendez

Deputy Village Clerk Jane R. Worth
Village Attorney Christy Goddeau

If a person decides to appeal any decision made by this Board with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL

Chairman Johnnie Tieche
Vice Chairman Richard Hughes
Ralph Lashells
Peter Braun
Kim Gehrman
Brenda Browning, Sr. Alternate
Ralph Wiles, Jr. Alternate

PZ&B Director, Iramis Cabrera
PZ&B Planner, Christian Melendez
Village Attorney Christy Goddeau
Deputy Village Clerk Jane R. Worth

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY *EX PARTE* COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

2. **Approval of February 11, 2025, Planning and Zoning Advisory Board Meeting Minutes:** Motion to approve February 11, 2025, minutes from the Planning and Zoning Advisory Board Meeting.
Staff: Andrea Medero, Records Clerk

ORDER OF BUSINESS

REGULAR AGENDA

3. **Transportation Alternative Grant for 2nd Avenue North - Congress Avenue to Lake Worth Road Complete Street Project:** Recommend approval to the Village Council of the Transportation Alternative Grant for 2nd Avenue North and Congress Avenue to Lake Worth Road Complete Street Project.
Staff: Felipe Lofaso, Public Works Director

PUBLIC HEARINGS

4. **Ordinance No. 2025-03 - Updates to the Land Development Regulations:** Recommend approval to the Village Council for Ordinance No. 2025-03 to adopt a Vision Plan in August 2023 and EAR-based amendments to its Comprehensive Plan in 2024 (changes to comply with Florida law and implement the new Vision).
Staff: Iramis Cabrera, PZB Director

OTHER BUSINESS

ADJOURNMENT

**NEXT MEETING
TUESDAY, APRIL 9, 2025, AT 6:30 P.M.**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561)584-8200 Ext. 8421

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



**MINUTES
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
FEBRUARY 11, 2025
6:30 PM**

Johnnie Tieche, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Ralph Wiles, Jr. Alternate

Peter Braun, Board Member
Kim Gehrman, Board Member
Brenda Browning, Sr. Alternate

ADMINISTRATION

PZ&B Director Iramis Cabrera
PZ&B Planner Christian Melendez

Records Clerk Andrea Medero
Village Attorney Christy Goddeau

Persons who need accommodation to attend or participate in this meeting should contact the office of the Village Clerk at (561) 584-8200 at least three (3) business days before the event to request such assistance.

CALL TO ORDER

Chairman Johnnie Tieche called the Planning & Zoning Board Meeting to order at 6:28 p.m.

ROLL CALL

Present: Chairman Johnnie Tieche, Board Member Ralph Lashells, Board Member Ralph Wiles, Board Member Peter Braun, Board Member Kim Gehrman, Planning, Zoning, and Building Director, Iramis Cabrera, Planning, Zoning, and Building Technician, Christian Melendez, Village Attorney Christy Goddeau, Village Clerk Kimberly Wynn and Records Clerk Andrea Medero.

Also present: Mayor Bev Smith, Mayor Pro Kim Schmitz, Council Member Gary Ready.

Absent: Vice Chairman Richard Hughes and Ms. Brenda Browning

1. **NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY *EX PARTE* COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY.**

Staff: Andrea Medero, Records Clerk

There were no ex-parte communications.

Records Clerk Andrea Medero swore everyone in.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

There were no changes on the agenda.

REGULAR AGENDA

PUBLIC HEARINGS

2. **Site Development Plan Amendment (SPR25-02) and Special Exception Use (PSSE25-01) - Court Club - 1591 Kirk Road:** Motion to recommend for approval an application submitted by Schmidt Nichols, acting as the agent for Andrew Penev and AMBR, representing 1591 Kirk Road Partners LLC (“Applicant”). The application seeks approval from the Village Council for a Site Plan Amendment (SPR25-02) and concurrently requests a Special Exception Use (PSSE25-01) to allow the construction of an 18,536 square foot recreational facility associated with Court Club at 1591 Kirk Road.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Schmidt Nichols, agent for Andrew Penev, AMBR, 1591 Kirk Road Partners LLC (“Applicant”), is requesting approval of a Site Plan Amendment (**SPR25-02**) and concurrently requesting a Special Exception Use (**PSSE25-01**) to allow the construction of 18,536 square feet recreational facility called Court Club, within the residential multi-family property located at 1591 Kirk Road.

The 5.07-acre subject site lies approximately 0.1 miles north of Kirk Road and Forest Hill Boulevard. The site currently supports an abandoned 12,161 square feet place of worship, proposed to be demolished. The proposed plan of development consists of an 18,536 square feet recreational use and facility consisting of a tennis/ racquet club with 14 courts for tennis, pickleball, and padel ball with a buildout year of 2026.

The proposed project will be constructed in two phases with the first phase consisting of 9,443 square feet and the second phase consisting of 9,093 square feet.

During Phase I - the clubhouse, the swimming pool with restrooms, the tennis courts, and two storage buildings will be constructed.

During Phase II - 2,597 square feet will be added to the northern portion of the

clubhouse and the 6,496 square feet covered padel board courts will be converted into indoor padel courts at the southwest corner of the site.

The proposed development will operate as a social/fitness club and hold club-related events. Site access is proposed via one main driveway connected to Kirk Road and one additional access is proposed for emergency access only at the south end of the parking lot. Additionally, a right exit only has been provided at the northern driveway connection.

Planning, Zoning and Building staff support the applicant's request and recommend conditional approval of the Site Plan and the Special Exception Use, for the construction of 18,536 square feet of recreational use and facility consisting of a tennis-racquet club with 14 courts including tennis, pickle ball, and padel ball that will operate as a social/fitness club subject to the conditions listed on the staff report.

Fiscal Impact: The proposed development will enhance the village's assessed property valuation.

Planning, Zoning, and Building Planner Christian Melendez presented the article. Mr. Melendez stated that the applicant was requesting approval for the construction of an 18,536-square-foot recreational facility associated with the Court Club Project at 1591 Kirk Road.

Mr. Josh Nichols, Urban Planner with Schmidt Nichols at 1551 North Flagler Drive, Suite 102, WPB represented the Court Club Project, he provided a PowerPoint presentation outlining the development. He emphasized the facility's family-friendly environment and highlighted the privacy it would ensure. Mr. Nichols also mentioned that the project would be divided into two phases, displaying images of what both would look like upon completion. When asked about the architectural elements for the project, he asked that the architect on the project, Keith Spina, explain.

Mr. Spina, from Keith Spina AIA Architect, at 1401 Forum Way, West Palm Beach, detailed components of the site plan and architectural features. The Board asked questions regarding lighting on the premises, the fencing around the club, sewer connections, traffic considerations, and impact fees. Mr. Spina and Mr. Nichols addressed these concerns and provided clarifications.

Chairman Tieche reminded everyone this was a public hearing and offered the public an opportunity to speak.

Joel Rane, residing at 1564 Forest Lakes Circle, expressed concerns about the lighting, noise from the tennis court and racquet courts near the development. He also had a concern about the and the club's closing hours.

Christina, residing in a residence in Longfellow Drive, raised issues regarding peak recreational hours, lighting, and the impact on school bus lanes.

Chairman Tieche called for a motion regarding the Site Development Plan Amendment (SPR25-02) and Special Exception Use (PSSE25-01). Mr. Braun made a motion to approve, which was seconded by Mr. Wiles. The motion carried unanimously, 5-0.

3. Site Development Plan Amendment (SPR25-01) with a Waiver - Palm Tran Public Transit Operation Center - 1200 South Congress Avenue: Motion to recommend approval to the Village Council for an application by Beth Smith from Miskel Backman LLP, applicant for MG Congress LLC. The request is for a Site Development Plan Amendment (SPR25-01) to convert the former Off Lease Only car dealership into a 42,052 square foot Palm Tran Paratransit Operation Center. This facility will include professional offices and support functions such as vehicle storage, fueling, detailing, minor repairs, and maintenance, with a Waiver for 24-hour operations to accommodate public transit needs at 1200 South Congress Avenue.

Staff: Iramis Cabrera, PZB Director

SUMMARY: Beth Smith from Miskel Backman LLP, agent for the applicant, MG Congress LLC, is requesting a site development plan amendment with one waiver (SPR25-01) to re-use the former Off Lease Only car dealership as a 42,052 square foot Palm Tran Paratransit Operation Center that includes professional offices, and ancillary uses including vehicle storage, vehicle fueling, detailing, minor repairs, and maintenance, to improve micro-transit services provided to the surrounding Palm Beach County community.

Although the Palm Tran Paratransit Operation Center is not for 24-hour use, the applicant is requesting a waiver to allow 24-hour operations, given the nature of public transit schedules, early morning and late-night fueling requirements, and vehicle inspections may be necessary.

Note: Village Code Section 34-865(1) limits the hours of operation for all uses that typically generate noise, including but not limited to auto repair, carpentry, masonry, etc., in the light industrial land development district shall be restricted to 7:00 a.m. - 6:00 p.m. when adjacent to a residential zoning district. However, Section 34-866 provides that the Village Council may waive this requirement, provided that the spirit and intent of the light industrial land development district is complied with.

A professional office is permitted use in the Light Industrial zoning district, and minor auto repair and vehicle storage services are allowable as ancillary uses. The applicant intends to maintain the same site design and layout as previously approved, and the property will remain under unified control. Additionally, existing tenants will remain in the retail-office spaces fronting South Congress Avenue.

The Planning, Zoning & Building staff do not object to the proposed Site Development Plan Amendment and recommend conditional approval of the proposed project.

Planning, Zoning, and Building Planner Christian Melendez presented the article. Mr. Melendez stated that the applicant requested approval for a Site Plan Amendment with a waiver to re-use the former Off Lease Only car dealership as a 42,052-square-foot Palm Tran Paratransit Operation Center.

Scott Backman, from Miskel Backman LLP, located at 14 SE 4th St, Ste 36, Boca Raton, represented the applicant, Bev Smith, and delivered a PowerPoint presentation to the Board. In his presentation, Mr. Backman focused on the property's intended use and operations and explained that they would modify the existing building to meet their current needs.

Mr. Backman emphasized that the requested waiver is essential for the transit dispatch center to operate 24 hours daily. This capability is crucial for providing necessary transit services within the Village and the County, allowing Palm Tran to offer micro-transit options to mobility-disadvantaged individuals when they need them most.

He also outlined the proposed hours of operation and estimated the number of vehicles that would be serviced at different times throughout the day. Additionally, Mr. Backman noted that the site plan is similar to the previous one, highlighting that the minimal changes make this property the best option for their needs.

The Board asked questions regarding operating hours, the type of fuel tank they would be using, how the vehicles would refuel, any plans for avoiding traffic congestion with possible road additions or expansions, and how many employees would be on site.

Chairman Tieche reminded everyone this was a public hearing and offered the public an opportunity to speak.

Christina, a resident of Longfellow Drive, expressed her concerns about the expected duration of renovations and additions to the facility. She also inquired about the dimensions of vehicle storage.

Chairman Tieche called for a motion regarding the Site Development Plan Amendment (SPR25-01) with a waiver. Mr. Lashells made a motion to approve, which Mr. Braun seconded. The motion was unanimously approved, with a vote of 5-0.

Fiscal Impact: The proposed request is not expected to provide a direct fiscal impact on the Village; however, if approved, it would require various Village services that will result in increased expenditures on the Village.

OTHER BUSINESS

None

ADJOURNMENT

Hearing no further business, Chairman Tieche adjourned the meeting at 8:05 P.M.

Andrea Medero, Records Clerk

ATTEST:

Johnnie Tieche, Chairman
Planning and Zoning Advisory Board Meeting Minutes

**NEXT MEETING
TUESDAY, MARCH 11, 2025, AT 6:30 P.M.**

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Email: asaingilus@vpsfl.org
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Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561)584-8200 Ext. 8422



Village of Palm Springs

Staff Report

AGENDA DATE: March 11, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #3: 2nd Avenue North - Congress Avenue to Lake Worth Road Complete Street Project

SUMMARY: The Village of Palm Springs is collaborating with the Transportation Planning Agency (TPA) to apply for a Transportation Alternatives (TA) grant, which offers funding of up to \$1,500,000. This grant focuses on projects that feature non-motorized elements, such as sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic-calming measures, lighting, and other roadway safety improvements. The Village plans to allocate these funds to the 2nd Avenue North corridor, identified as a prime candidate for essential safety enhancements.

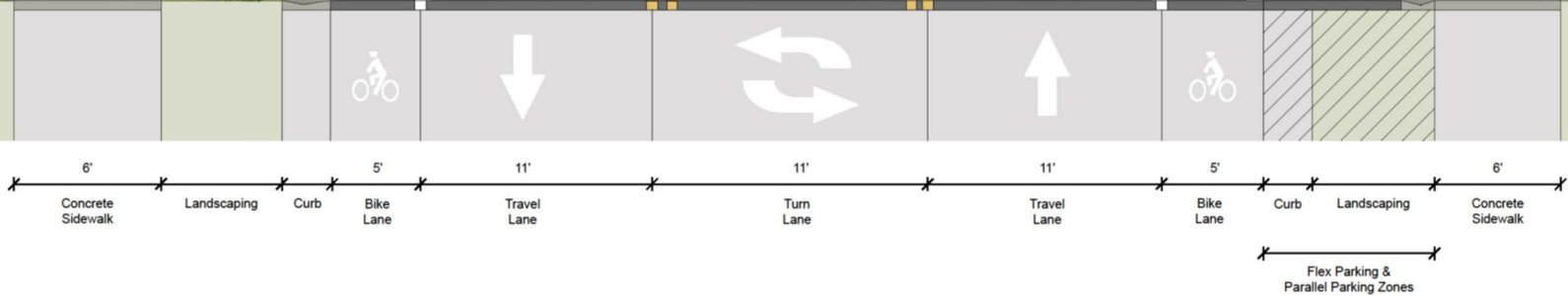
Attached is a draft typical section for reference. As we progress with the design, the Village will create a more comprehensive section tailored to the various areas along the corridor.

FISCAL IMPACT:

If the grant is approved, it will facilitate the development of a complete street project along 2nd Avenue North and therefore will encourage the redevelopment of the properties within the area.

ATTACHMENTS:

1. 2nd Ave North - Typical Section with Turn Lane





Village of Palm Springs

Staff Report

AGENDA DATE: March 11, 2025

DEPARTMENT: Planning, Zoning & Building

ITEM #4: Ordinance No. 2025-01 - Updates to the Land Development Regulations

SUMMARY: The Village adopted a Vision Plan in August 2023 and EAR-based amendments to its Comprehensive Plan in 2024 (changes to comply with Florida law and implement the new Vision). The Village is required to update the Land Development Regulations (LDR) within one year of the adopted Comprehensive Plan. To that end, staff developed a Technical Advisory Committee to guide the LDR updates, encourage public participation in the process, and vet the draft document before the Village Council review.

A Joint Workshop was held on February 13, 2025, with the Village Council, Planning and Zoning Board & CRA to provide an overview of the recommended changes to the Code and to seek input from the Joint Committee and the public.

The purpose of today's public hearing is to present the final draft of the updated Land Development Regulations and seek a recommendation from the Village Council to approve Ordinance No. 2025-03.

As a result of the Joint Workshop, the following updates were made:

- Revise the language for the corridor overlay to clarify that any site area dedicated to the right of way will still be included in the total site calculations for intensity and/or density.
- Rename the Roadway overlay as the "Lake Worth Road Connector Overlay."
- Remove Sec. 34-1300 Administrative Policies for Affordable Housing related to the Live Local Act. The State pre-empts the Village on this matter, and the legislation does not require the Village to codify the process. However, the Village must include a summary of the process for Live Local Act projects on the Village Website. The consultant is working with Village staff to add this to the web page for Affordable Housing.
- Refine the standards for setbacks from stormwater ponds.

The Village Council will consider the proposed ordinance at its First Reading during their April 10, 2025, meeting.

FISCAL IMPACT:

Adoption of the revised land development regulations will facilitate the redevelopment of many undeveloped properties and therefore will increase the village's property valuation.

ATTACHMENTS:

1. Proposed - Ordinance No 2025-03 - LDR



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Village's website by the time notice of the proposed ordinance is advertised and published.

Proposed ordinance's title:

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING ITS CODE OF ORDINANCES FOR CONSISTENCY WITH THE 2024 EAR-BASED AMENDMENTS TO ITS COMPREHENSIVE PLAN AS REQUIRED BY SECTION 163.3202, FLORIDA STATUTES, BY AMENDING CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI "LAND USE" AT VARIOUS SECTIONS; BY AMENDING CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI "LAND USE", DIVISION 6 "DISTRICT REGULATIONS" TO ADD A NEW SUBDIVISION IX "CR COMMERCIAL RENEWAL"; BY AMENDING CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI "LAND USE", DIVISION 9 "DEVELOPMENT STANDARDS" TO ADD NEW SECTIONS 34-1367 – 34-1371; AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF PALM SPRINGS TO PROVIDE FOR A NEW ZONING DESIGNATION OF "COMMERCIAL RENEWAL" FOR VARIOUS PARCELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance amends and adds sections to Chapter 34, making it consistent with the 2024 EAR-BASED, as section 136.3202, Florida Statutes requires. It also amends the village's zoning map to establish a new commercial renewal zone. Adopting this ordinance will facilitate the redevelopment of many undeveloped properties and increase the valuation of village properties. The proposed ordinance serves the public by:

- Ensuring safety from natural disasters and hazards.
- Providing privacy, light, and air for residents.
- Preventing land overcrowding and protecting neighboring property owners.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

None

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

None

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

There are no new charges or fees that will be imposed on businesses by the subject of ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The proposed comprehensive plan amendments do not have a direct fiscal impact to businesses.

4. Additional information the governing body deems useful (if any):

The Village Council will consider the proposed ordinance at its First Reading during their April 10, 2025, meeting.

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING ITS CODE OF ORDINANCES FOR CONSISTENCY WITH THE 2024 EAR-BASED AMENDMENTS TO ITS COMPREHENSIVE PLAN AS REQUIRED BY SECTION 163.3202, FLORIDA STATUTES, BY AMENDING CHAPTER 34 “LAND DEVELOPMENT”, ARTICLE VI “LAND USE” AT VARIOUS SECTIONS; BY AMENDING CHAPTER 34 “LAND DEVELOPMENT”, ARTICLE VI “LAND USE”, DIVISION 6 “DISTRICT REGULATIONS” TO ADD A NEW SUBDIVISION IX “CR COMMERCIAL RENEWAL”; BY AMENDING CHAPTER 34 “LAND DEVELOPMENT”, ARTICLE VI “LAND USE”, DIVISION 9 “DEVELOPMENT STANDARDS” TO ADD NEW SECTIONS 34-1367 – 34-1371; AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF PALM SPRINGS TO PROVIDE FOR A NEW ZONING DESIGNATION OF “COMMERCIAL RENEWAL” FOR VARIOUS PARCELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161-163.3215, Florida Statutes (F.S.), empowers and requires the Village Council of the Village of Palm Springs to prepare, implement and enforce the Comprehensive Plan and Land Development Regulations for the regulation of development within the Village; and

WHEREAS, the Village adopted amendments to its Comprehensive Plan on November 14, 2024; and

WHEREAS, Section 163.3201, F.S., requires appropriate local regulations on the development of lands and waters within the area to comply with the comprehensive plan; and

WHEREAS, Section 163.3202(1), F.S., requires each municipality to adopt or amend land development regulations within 1 year of its comprehensive plan revisions to ensure consistency with and implementation of the adopted comprehensive plan; and

WHEREAS, Village and community leaders reviewed and commented on the draft amendments in a series of Technical Advisory Committee meetings; and

WHEREAS, the Village held a Joint Workshop (Village Council, Planning & Zoning Board and CRA) to provide an overview of the Text Amendments on February 13, 2025; and

WHEREAS, the Planning & Zoning Board has reviewed the proposed Text Amendments, held an advertised public hearing on March 11, 2025, and provided for participation by the public in the process; and

WHEREAS, the Local Planning Agency held an advertised public hearing on April ____2025, provided for public comment and public participation in accordance with the requirements of state law and the procedures adopted for public participation in the planning process; and

WHEREAS, the Village Council held an advertised public hearing on April ____2025, provided for public comment and public participation in accordance with the requirements of state law and the procedures adopted for public participation in the planning process;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA THAT:

Section 1. The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the Village of Palm Springs.

Section 2. Chapter 34 “Land Development”, Article VI “Land Use”, Division 1 “Generally” at Section 34-574 “Purpose and Effect” is hereby amended to read as follows (words stricken are deletions; words underlined are additions):

Sec. 34-574. - Purpose and effect.

(a) The purpose of this article is to implement the village comprehensive development plan, with amendments, in conformance with applicable state planning legislation and requirements, and promote the health, safety and general welfare of present and future populations of the village by:

- (1) Giving effect to goals, objectives and plan recommendations (policies) established in the village comprehensive development plan;
- (2) Dividing the village into zoning districts according to the use of land and buildings, and the intensity of uses, including bulk and height;
- (3) Regulating and restricting the location and use of buildings, structures and land for residential, commercial, governmental, institutional, recreation, open space and other uses;
- (4) Establishing regulations which protect the residents of the village by providing standards to control the amount of impervious surface area and open space within developments;
- (5) Protecting natural features and resources from adverse environmental impacts;
- (6) Controlling and regulating growth and development in the village by concentrating development in areas where adequate community facilities and services can be provided;
- (7) Securing safety from fires, floods, natural disasters and other dangers;
- (8) Providing adequate privacy, light and air;
- (9) Making adequate provision for utilities, parks and other public requirements;
- (10) Preventing overcrowding of land, and protecting property owners from adverse impacts on adjoining developments; and
- (11) Protecting the tax base by facilitating cost-effective development and the most appropriate use of land in the village- ;
- (12) Encouraging a mix of uses that promote the Village's desire to make goods and services accessible to residents;

- (13) Promoting a diversified economy;
- (14) Encouraging the revitalization of the CRAs; and
- (15) Encouraging the establishment of strong commercial corridors.

(b) In interpreting and applying the provisions of this article, such provisions are not intended to interfere with, abrogate or annul any easement, covenant or other agreement between parties. Where this article imposes greater restrictions and regulations upon the land, buildings, premises or water, the provisions of this article shall control.

Section 3. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision I “In General” at Section 34-721 “Establishment of Land Development Districts” is hereby amended to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 34-721. - Establishment of land development districts.

In order to classify, regulate and restrict the use of land, water, buildings and structures, the height and bulk of buildings and structures, the area of yards and other open spaces about buildings and the intensity of land use; to promote the orderly growth and development of the village; and to implement the village comprehensive development plan, the village is divided into the following ~~five~~ eight land development districts:

- (1) RS residential single-family district.
- (2) RM residential multiple-family district.
- (3) CN commercial neighborhood district.
- (4) CG commercial general district.
- (5) G government district.
- (6) LI light industrial district.
- (7) MU mixed use district.
- (8) CR commercial renewal district.

Section 4. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision III “RM Residential Multiple-Family” at Section 34-761

“Purpose” and Section 34-767 “Property Development Regulations for Planned Developments” is hereby amended to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 34-761. - Purpose.

It is the purpose of the RM residential multiple-family land development district to provide an emphasis on multiple-family residences, while preserving and protecting the residential character of the village. A clustering of units and a variety of housing design and styles is encouraged in the RM district, while maintaining an appropriate density that will complement the surrounding development in the village. In considering the compatibility of neighboring residential uses, wherever possible, medium-density residential projects should serve as buffers between higher and lower intensity residential uses to achieve an orderly land use transition. The gross density shall not exceed 5.8 dwelling units per acre for single-family detached dwelling developments. Gross density shall not exceed 19.0 dwelling units per acre for attached multiple-family developments, such as apartments and condominiums, and planned developments.

Sec. 34-767. - Property development regulations for planned developments.

Property development regulations for planned developments in the RM residential multiple-family land development district shall be as set forth in ~~subdivision IX~~ division VII of this ~~division~~ article.

Section 5. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision IV “CN Commercial Neighborhood” at Section 34-792 “Permitted uses” is hereby amended to read as follows (words underlined are additions):

Sec. 34-792. - Permitted uses.

Permitted uses within the CN commercial neighborhood land development district shall be limited to the following:

- (1) Professional offices.
- (2) Business offices.

- (3) Medical and dental offices.
- (4) Retail sales and services such as pharmacies, florists, camera and photo supplies and studios, delicatessens for takeout only, clothing stores, sale of videos and video accessories (excluding adult entertainment), card and gift stores, coin laundries and dry cleaning, shoe stores (including repair), music stores, sporting goods, pet shops and similar shops.
- (5) Galleries and fine art studios, excluding adult entertainment establishments.
- (6) Multifamily and mixed-use residential meeting the requirements of, and in compliance with, section 166.04151, F.S., as may be amended over time, for affordable housing.

Section 6. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision VI “G Government” at Section 34-851 “Purpose” is hereby amended to read as follows (words underlined are additions):

Sec. 34-851. - Purpose.

It is the purpose of the G government land development district to provide a district which essentially maps and identifies real property that is presently owned and used by a governmental entity, including local, state or federal government units. It is not the intent of the G district to be applied to land that is used by governmental entities on an easement or leased basis, if title to the land is in private ownership. It is not the intent of this subdivision to classify all land owned by government into the G district, but only those lands particularly and peculiarly related to the public welfare. Wherever feasible, the planning and siting of recreational uses within G districts should consider their beneficial function as buffers between neighboring higher and lower intensity residential uses.

Section 7. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision VII “LI Light Industrial” at Section 34-859 “Permitted Uses” is hereby amended to read as follows (words underlined are additions):

Sec. 34-859. - Permitted uses.

Permitted uses within the LI light industrial land development district shall be limited to the following:

- (1) Light industrial uses which do not process/store flammable materials.
- (2) Professional offices.
- (3) Business offices.
- (4) Public uses and facilities.
- (5) Public utilities.
- (6) Self-storage units.
- (7) Warehouse.
- (8) Showroom/warehouse.
- (9) Industrial planned developments.
- (10) Mixed-use residential meeting the requirements of, and in compliance with, section 166.04151, F.S., as may be amended over time, for affordable housing.

Section 8. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision VIII “MU Mixed Use” at Sections 34-870 through 34-872 and Section 34-874 is hereby amended to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 34-870. - Purpose.

It is the purpose of the MU Mixed Use land development district to provide lands within the village for the development of mixed use developments. Similar to single-use planned developments, the intent of this section is to provide for planned developments with a mix of uses and to allow greater flexibility in design and development standards relative to specific dimensional regulations, to encourage ingenuity and creativity in site design while preserving open space to serve recreational, scenic and other public service purposes, and to ensure compatibility of new development with the surrounding area and within the proposed development. MU Mixed Use districts shall be promoted, where appropriate, in the Lake Worth Road and Congress Avenue Community

Redevelopment Areas subdistricts. In addition to the following requirements, mixed use projects shall adhere to section 34-1062, objectives of a planned development.

Sec. 34-871. - Permitted uses.

Permitted uses within the MU Mixed Use land development district may include any use(s) permissible in the RS, RM, CN, CG, or IL land development districts, subject to a finding of compatibility with the other uses within the MU district and adjacent uses in the surrounding area. Multifamily and mixed-use residential meeting the requirements of, and in compliance with, section 166.04151, F.S., as may be amended over time, for affordable housing are also permitted uses. A complementary mix of uses should generate synergy and convenience that enhances the physical space and creates a vibrant environment.

- (1) The proposed mix of uses shall be compatible with the character and use (existing and future) of the surrounding properties in function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback.
- (2) It shall be demonstrated that the proposed mix of uses does not have a detrimental impact on surrounding properties based on:
 - a. The degree of noise, odor, visual, or other potential nuisance factors generated by the uses use; and
 - b. The effect on the amount and flow of unmitigated traffic within the vicinity of the proposed mixed use project.

Sec. 34-872. Property Development Regulations.

The following property development regulations shall be in effect for the MU Mixed Use land development district:

- (1) Minimum acreage: One acre.
- (2) Setbacks: Setbacks from perimeter property boundaries shall be determined based upon the proposed use(s) within the Mixed Use development and the existing (or future) adjacent use. Similar uses (i.e.

residential to residential) shall require a 15-foot setback. Different uses (i.e. residential to commercial) shall require a 30-foot setback.

(3) Maximum building height: Building height should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents/business owners and patrons in adjacent buildings. Maximum building height is 75 feet. Any proposed building exceeding 35 feet in height shall be at the discretion of the Village Council considering the following:

- a. The proposed uses of the structure;
- b. The bulk, mass, and context of adjacent structures or proposed structures;
- c. The compatibility with adjacent existing or proposed uses;
- d. The relationship to the adjoining uses and the surrounding development; and
- e. The provision of open space in the proposed project.

(4) Maximum building floor area ratio: ~~Per applicable land use designation(s)~~ Calculated by assigning each non-residential use and its maximum permissible floor area ratio a percentage of the total site area, with the overall total maximum floor area ratio not to exceed 1.0.

(5) Site-Specific Standards: Development of the subject property shall be governed by the provisions of the ordinance rezoning the property to MU, approving the proposed site plan and any waivers or conditions of approval therein.

(6) Regulation of Component Uses:

- a. Residential uses shall not exceed fifty percent (50%) of the total site area. When calculating the residential composition for a mixed-use project, common areas such as lobbies, stairwells, service areas and amenity areas exclusively serving the residential uses shall be considered part of the residential use.
- b. Mixed use developments with a commercial use component must meet the regulations as set forth in subdivision IV and/or

subdivision V of this division, according to the type(s) of commercial use proposed.

c. Mixed use developments with an industrial use component must meet the regulations as set forth in subdivision VII of this division, must demonstrate on the site plan that all industrial use components are fully enclosed, and must provide a noise study and demonstrate that it meets the requirements of section 34-1382.

Sec. 34-874. Performance standards.

(1) Minimum design requirements. Design standards can transform the image of the village. Specific design-base criteria applied throughout the community can help achieve stated objectives.

Every site-specific condition cannot be anticipated. The stated design requirements are minimum development standards established to promote consistency and quality, and need to be interpreted in light of particular site-specific circumstances or conditions.

Standards:

- (a) Sidewalks on both sides of a street or primary driveway, interconnected with other pedestrian-ways and/or providing access to each building.
- (b) Consolidation of smaller parcels into a larger, unified development project.
- (c) Consolidation of driveways to eliminate curb cuts, with reciprocal easements for access; provision of access from secondary streets and alleys.
- (d) Shared parking arrangements to reduce impervious surfaces and promote efficient use of facilities.
- (e) Provision of sufficient parking to avoid on-street parking, unless designed with on-street spaces.
- (f) Pedestrian-scale street lighting along sidewalks and pedestrian-ways.

- (g) Aggregation of open space to create common areas of sufficient size for passive/leisure activities.
 - (h) Continuity of sidewalks and pathways where disconnects occur; and provision of sidewalks to usable open spaces, recreation amenities or public facilities.
 - (i) Residential setbacks that allows for a green, semi-private planting area between the sidewalk and house(s).
 - (j) Promote streetscape where feasible, with maintenance agreements assigning responsibility to adjacent properties.
 - (k) Create bus waiting areas for safety, for school busses or mass transit, as may be applicable.
 - (l) Building stepbacks or setbacks to respect existing scale and massing of adjacent neighborhoods and promote compatibility.
 - (m) Provisions of original, self-confident building design, and prohibition of metal buildings.
 - (n) ~~Buffers between differing uses to include a masonry wall and landscaping to promote compatibility.~~ Interconnectivity between different uses within the development and between adjacent properties.
 - (o) Adequate vehicular circulation, traffic maintenance and/or operational measures that does not negatively impact existing roadway conditions, including avoidance of dead-end streets and t-style turnarounds.
- (2) Development standards.
- (a) Mixed use developments shall meet all applicable regulations and requirements set forth in this article, and others set forth in the code including, but not limited to, division 9 development standards, section 62-42 location and screening of commercial containers, and article III landscaping.
 - (b) In the layout and design of the proposed mixed use development, the applicant shall consider, and the village shall review for, the provision of adequate light and air, traffic circulation, drainage patterns, pedestrian

safety, emergency vehicle access and all other provisions normally provided for by the area and dimension regulations.

(c) Mixed use developments containing any commercial component(s) must meet the requirements of subdivision IV CN commercial neighborhood and/or subdivision V CG commercial general, except for those Property Development Regulations listed in section 34-796 or section 34-826 that conflict with the Mixed-Use District Property Development Regulations listed in section 34-872.

(d) Mixed use developments containing any industrial component(s) must:

- i. Meet the requirements of subdivision VII LI light industrial, except for those Property Development Regulations listed in section 34-863 that conflict with the Mixed-Use District Property Development Regulations listed in section 34-872; and
- ii. Demonstrate on the site plan that all industrial uses are fully enclosed; and
- iii. Provide as part of the development application a noise study meeting the requirements of section 34-1382 Noise and Vibration.

Section 9. Chapter 34 “Land Development”, Article VI “Land Use”, Division 6 “District Regulations”, Subdivision IX “CR Commercial Renewal” with Sections 34-878.1 through 34-878.9 is hereby enacted to read as follows:

Subdivision IX. – CR Commercial Renewal

Sec. 34-878 Purpose.

The purpose of the CR Commercial Renewal land development district is to incentivize redevelopment of underutilized lands assigned the Village Commercial Renewal Future Land Use along primary commercial corridors within the Village. Similar to MU mixed use developments, the intent of this section is to provide for planned developments with a single use or mix of uses and to allow greater flexibility in design and development standards relative to specific dimensional regulations; to encourage ingenuity and creativity in site design

while preserving open space to serve recreational, scenic and other public service purposes; and to ensure compatibility of new and re-development with the surrounding area and within the proposed development. In addition to the following requirements, commercial renewal projects shall adhere to section 34-1062, objectives of a planned development.

Sec. 34-878.1. Permitted uses.

Permitted uses within the CR Commercial Renewal land development district may include any use(s) permissible in the RS, RM, CN, CG, or IL land development districts, subject to a finding of compatibility with the other uses within the CR district and adjacent uses in the surrounding area. Multifamily and mixed-use residential meeting the requirements of, and in compliance with, section 166.04151, F.S., as may be amended over time, for affordable housing are also permitted uses. Residential uses shall only be permitted as part of a mixed-use project. In the case of mixed-use projects, a complementary mix of uses should generate synergy and convenience that enhances the physical space and creates a vibrant environment. Mixed-use projects shall comply with the following requirements:

- (1) The proposed mix of uses shall be compatible with the character and use (existing and future) of the surrounding properties in function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback.
- (2) It shall be demonstrated that the proposed mix of uses does not have a detrimental impact on surrounding properties based on:
 - a. The degree of noise, odor, visual, or other potential nuisance factors generated by the uses use; and
 - b. The effect on the amount and flow of unmitigated traffic within the vicinity of the proposed mixed-use project.

Sec. 34-878.2. Property Development Regulations.

The following property development regulations shall be in effect for the MU Mixed Use land development district:

- (1) Minimum acreage: Three (3) acres.

(2) Setbacks: Setbacks from perimeter property boundaries shall be determined based upon the proposed use(s) within the Commercial Renewal development and the existing (or future) adjacent use. Similar uses (i.e. residential to residential) shall require a fifteen (15) foot setback. Different uses (i.e. residential to commercial) shall require a thirty (30) foot setback.

(3) Maximum building height: Building height should respect adjacent properties by being located to minimize disruption of the privacy and outdoor activities of residents/business owners and patrons in adjacent buildings. Buildings may be up to four (4) stories or forty-eight (48) feet by right, except that a parking structure component may not be counted against the building height subject to approval by the Village Council. Any proposed building exceeding four (4) stories or forty-eight (48) feet in height, exclusive of parking structure component, shall be at the discretion of the Village Council considering the provision of amenities as outlined in section 34-878.6 "Building height".

(4) Maximum building floor area ratio: 1.5 FAR inclusive of all uses, except that a parking structure component may not be counted toward overall FAR subject to approval by the Village Council.

(5) Site-Specific Standards: Development of the subject property shall be governed by the provisions of the ordinance rezoning the property to CR, approving the proposed site plan and any waivers or conditions of approval therein.

(6) Regulation of Component Uses:

a. Residential uses shall not exceed fifty percent (50%) of the total site area. When calculating the residential composition for a mixed-use project, common areas such as lobbies, stairwells, service areas and amenity areas exclusively serving the residential uses shall be considered part of the residential use.

b. Developments with a commercial use component must meet the regulations as set forth in subdivision IV and/or subdivision V of this division, according to the type(s) of commercial use proposed.

c. Developments with an industrial use component must meet the regulations as set forth in subdivision VII of this division, must demonstrate on the site plan that all industrial use components are fully enclosed, and must provide a noise study and demonstrate that it meets the requirements of section 34-1382.

Sec. 34-878.3. Off-street parking and loading.

Off-street parking and loading requirements for the CR Commercial Renewal land development district shall be as set forth in division 8 of this article, unless granted a waiver per section 34-878.7.

Sec. 34-878.4. Performance standards.

(1) Minimum design requirements. Design standards can transform the image of the village. Specific design-based criteria applied throughout the community can help achieve stated objectives.

Every site-specific condition cannot be anticipated. The stated design requirements are minimum development standards established to promote consistency and quality, and need to be interpreted in light of particular site-specific circumstances or conditions.

Standards:

(a) Sidewalks on both sides of a street or primary driveway, interconnected with other pedestrian-ways and/or providing access to each building.

(b) Consolidation of smaller parcels into a larger, unified development project.

(c) Consolidation of driveways to eliminate curb cuts, with reciprocal easements for access; provision of access from secondary streets and alleys.

(d) Shared parking arrangements to reduce impervious surfaces and promote efficient use of facilities.

- (e) Provision of sufficient parking to avoid on-street parking, unless designed with on-street spaces.
- (f) Pedestrian-scale street lighting along sidewalks and pedestrian-ways.
- (g) Aggregation of open space to create common areas of sufficient size for passive/leisure activities.
- (h) Continuity of sidewalks and pathways where disconnects occur; and provision of sidewalks to usable open spaces, recreation amenities or public facilities.
- (i) Residential setbacks that allows for a green, semi-private planting area between the sidewalk and house(s).
- (j) Promote streetscape where feasible, with maintenance agreements assigning responsibility to adjacent properties.
- (k) Create bus waiting areas for safety, for school buses or mass transit, as may be applicable.
- (l) Building stepbacks or setbacks to respect existing scale and massing of adjacent neighborhoods and promote compatibility.
- (m) Provisions of original, self-confident building design, and prohibition of metal buildings.
- (n) Interconnectivity between different uses within the development and between adjacent properties.
- (o) Adequate vehicular circulation, traffic maintenance and/or operational measures that does not negatively impact existing roadway conditions, including avoidance of dead-end streets and t-style turnarounds.
- (2) Development standards.
 - (a) CR developments shall meet all applicable regulations and requirements set forth in this article, and others set forth in the code including, but not limited to, division 9 development standards, section 62-42 location and screening of commercial containers, and article III landscaping.

(b) In the layout and design of the proposed CR development, the applicant shall consider, and the Village shall review for, the provision of adequate light and air, traffic circulation, drainage patterns, pedestrian safety, emergency vehicle access and all other provisions normally provided for by the area and dimension regulations.

(c) Developments containing any commercial component(s) must meet the requirements of subdivision IV CN commercial neighborhood and/or subdivision V CG commercial general, except for those Property Development Regulations listed in section 34-796 or section 34-826 that conflict with the Commercial Renewal District Property Development Regulations listed in section 34-878.3.

(d) Developments containing any industrial component(s) must:

i. Meet the requirements of subdivision VII LI light industrial, except for those Property Development Regulations listed in section 34-863 that conflict with the Commercial Renewal District Property Development Regulations listed in section 34-878.3; and

ii. Demonstrate on the site plan that all industrial uses are fully enclosed; and

iii. Provide as part of the development application a noise study meeting the requirements of section 34-1382 Noise and Vibration.

Sec. 34-878.5. Building height.

As specified in section 34-878.3, CR developments may be built to four (4) stories or forty-eight (48) feet by right. Additional building height beyond four (4) stories or forty-eight (48) feet may be approved at the discretion of the Village Council for projects that incorporate at least three (3) of the following amenity types meeting the requirements specified below. Projects proposing additional building height shall further demonstrate that the additional height will not adversely impact adjacent properties and that appropriate setbacks are provided as building height increases.

(1) Job creation. The applicant shall demonstrate the number of planned permanent full-time positions with pay above the median area

wage to be offered by a business operated within the proposed development.

(2) Public gathering space. The development shall include a permanent publicly-accessible gathering space such as an open plaza area, including landscaping, seating, and shade trees or shade structures. Such public gathering space shall be incorporated into the site plan for the development.

(3) Public art. The development shall include a professionally-designed work of art that is accessible to the public and incorporated into the site plan or landscape plan for the development. The value of the work of art shall be at least one percent (1%) of the vertical construction cost of the development.

(4) Additional landscaping. The development landscape plan shall include additional landscaping features beyond the requirements of Article III of this chapter, such as increased native plantings, additional shade trees, and shade tree specimens with larger height, canopy spread, and caliper measurement.

(5) Advanced stormwater management. The development shall provide additional advanced stormwater management techniques, which may include nature-based or green stormwater infrastructure, to provide additional on-site stormwater treatment and/or storage.

(6) Advanced architectural features. The development shall include additional architectural design elements such as cornices, flower boxes, bay windows, decorative molding, or balconies,

(7) Other amenities proposed by the developer with Village Council approval.

Sec. 34-878.6. Waivers.

(1) The use of innovative and creative techniques and concepts may require one or more waivers from the strict interpretation of the Village Land Development Code and applicable code provisions related to lot size, frontages, setbacks, lot coverage, parking, design standards, and other requirements, may

be granted according to the provision of additional amenities and shall be demonstrated to be in harmony with the purpose, and objectives of the comprehensive plan land use designation and the performance standards of this subdivision. Waivers may not be requested from density and intensity limitations.

(2) Waivers may be granted by the Village Council, following an advisory recommendation by the land development board. All requests for waivers shall be identified on the site plan and shall accompany an application for site plan approval of a CR development.

(3) Requests for waivers shall be submitted in writing and shall address each of the following criteria as applicable to the proposed development:

a. The request is in harmony with and is consistent with the purpose and intent of the Village's Comprehensive Plan and Land Development Code and such waiver will not be injurious to the area involved or otherwise detrimental to the public health, safety and welfare.

b. The request is in harmony with the functional and context classification of the fronting roadway.

c. The request results from innovative and/or architectural design in which other minimum standards are exceeded.

d. The request demonstrates that granting of the waiver will result in preservation of valuable natural resources, including drainage and recharge areas, natural areas, etc.

e. The request demonstrates public benefits to be derived, including but not limited to such benefits as dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of open areas and use of desirable architectural, building, and site design techniques.

f. The request provides sufficient screening and buffering to screen adjacent uses from adverse impacts caused by the granting of a waiver.

g. The result is compatible with existing and potential land uses and structures adjacent to the development site.

h. Waiver requests from minimum common amenity area requirements shall further demonstrate that adequate recreation area is available on the immediate vicinity of the proposed development.

i. Economic hardship may not be used to justify waivers.

Sec. 34-878.7. Supplemental regulations.

In addition to the following requirements, other supplemental regulations for the CR Commercial Renewal land development district shall be as set forth in division 7 of this article.

(1) Unified control.

a. All land included within a CR land development district shall be owned or under the control of the applicant (whether the applicant is an individual, partnership or cooperation, or a group of individuals, partnerships or corporations), or if planned for parcelization with multiple owners shall remain unified via the approved master development plan and development order. The application shall document unified control of the entire area within the proposed development, with provisions for cross-access, shared parking, and shared infrastructure, as may be appropriate for the subject project.

b. The CR development shall be developed in accordance with the master site plan approved by the Village, and sufficient guarantees shall be provided for adequate operation and maintenance of common facilities. The application shall provide agreements, covenants, contracts, deed restrictions or sureties acceptable to the Village.

(2) Maintenance of common areas and facilities. A program for maintenance of all common areas, including open space, parking areas, utility sites, etc., shall be submitted to the Village prior to issuance of a certificate of occupancy. The submission shall include formation of associations, agreements, contracts, deed restrictions, sureties or other

legal instruments to guarantee the installation and continued maintenance of such common areas and facilities.

Sec. 34-878.8. Prohibited uses.

The following uses shall be specifically prohibited in the CR Commercial Renewal land development district:

- (1) Any use not specifically, provisionally or by reasonable implication permitted, or not permitted by special exception in the CN and CG land development districts.
- (2) Time share uses.
- (3) Theaters, outdoor.
- (4) Flea markets and swap shops.
- (5) Bottle clubs.
- (6) Adult entertainment.
- (7) Heavy industrial uses.
- (8) Dumps/recycling centers.
- (9) Junk/salvage yards.
- (10) Pawn shops.
- (11) Car washes.
- (12) Automotive repairs, minor and major.
- (13) Social service facilities.
- (14) Medical marijuana dispensaries.
- (15) Non-chartered financial institutions.

Section 10. Chapter 34 “Land Development”, Article VI “Land Use”, Division 9 “Development Standards” at Section 34-1351 “In General”, subsection (c) is hereby amended to read as follows (words underlined are additions):

Sec. 34-1351. – In general.

(c) All developments shall be reviewed to ensure that the level of service standards contained in the adopted comprehensive plan are met and will continue to be met after the impact of the development under review is realized, prior to issuance of certificate of occupancy. In addition, availability of potable

water to serve the proposed development shall be verified prior to permit issuance. Where necessary, the village council may require the modification of the development project to ensure that level of service standards are maintained.

Section 11. Chapter 34 “Land Development”, Article VI “Land Use”, Division 9 “Development Standards” at Section 34-1352 “Residential Developments”, subsections (b) and (e) is hereby amended to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 34-1352. - Residential developments.

(b) In the review of plans for a residential development, consideration shall be given to arranging the features of the development to enhance overall neighborhood quality. Medium-density residential uses or recreation and open space areas should serve as buffers between higher and lower intensity residential uses.

(e) All residential subdivisions and multifamily or mixed-use residential developments shall contain active recreational areas and facilities at or exceeding the quantities required in the recreation and open space element of the adopted comprehensive plan, or shall make payments in lieu of providing such facilities. ~~Until such time as a schedule of payments is established, payments made under a recreation impact fee program shall be considered as satisfying such requirement.~~

Section 12. Chapter 34 “Land Development”, Article VI “Land Use”, Division 9 “Development Standards” at Section 34-1354 “Surface Water Management” subsections (a), (b) and (c) is hereby amended to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 34-1354. - Surface water management.

(a) Drainage (surface water management) systems shall be designed so that post-development conditions shall approximate predevelopment conditions ~~to the maximum extent possible.~~ Where predevelopment conditions in the surrounding area are characterized by flooding of existing uses, drainage design involving the

new development ~~should~~ shall reduce existing problems to the maximum extent feasible. Where necessary, the village council may require the modification of the development project to ensure that such requirement is met.

(b) Drainage systems ~~should~~ shall be designed so as to maintain or improve water quality ~~to the maximum extent feasible~~, and to meet applicable standards of the state and/or water management district. In addition to water quality where surface water runoff leaves the site, water quality shall be maintained in lakes and canals where surface water ultimately drains. Where necessary, the village council may require the modification of the development project to ensure that such standard is met.

(c) Drainage shall be designed to maintain the predevelopment viability of natural areas and groundwater recharge. To the maximum extent feasible, surface water runoff ~~should~~ shall be directed to groundwater recharge and/or natural drainage areas rather than being directed to manmade canals.

Section 13. Chapter 34 “Land Development”, Article VI “Land Use”, Division 9 “Development Standards” at Section 34-1356 “Natural Features” is hereby amended by adding subsections (e) and (f) to read as follows:

Sec. 34-1356. Natural features.

(e) All verified, delineated wetlands not permitted for mitigation by SFWMD shall be protected via an upland buffer that is a minimum average twenty-five (25) feet from the delineated wetland edge and at no point less than fifteen (15) feet from the delineated wetland edge. Native vegetation contained within the upland buffer shall be protected from development activities, and areas within the upland buffer not comprised of native vegetation shall be planted with appropriate native vegetation. No primary or accessory structures may be constructed within the upland buffer.

(f) All manmade and natural waterbodies shall be protected via a waterbody protection buffer extending at least twenty (20) feet landward from the mean high water line (MHWL) or ordinary high water mark (OHWM) of the natural waterbody, or from the edge of the manmade water body. On bulkheaded lots,

the waterward boundary of the waterbody protection buffer shall be the established or existing bulkhead line. Additionally, a "low-maintenance vegetated zone" consisting of un-mowed vegetation extending ten (10) feet from the MHWL, OHWM, bulkhead line or pond edge, as applicable, is encouraged to filter pollutants. No development shall be permitted within the waterbody protection buffer, except for the following types as permitted by the Florida Department of Environmental Protection, the South Florida Water Management District, and/or the Lake Worth Drainage District as applicable:

- i. Interpretive walks, docks, or decking, including decking for non-residential uses subject to approval by the Village Council;
- ii. Stormwater detention areas or other improvements for water quality;
- iii. Native and/or other ecologically appropriate landscaping;
- iv. Riprap; or
- v. Unpaved, stabilized parking areas.

Section 14. Chapter 34 "Land Development", Article VI "Land Use", Division 9 "Development Standards" at Section 34-1359 "Traffic Circulation" is hereby amended by amending subsections (c), (d) and (j) and adding subsection (l) to read as follows (words stricken are deletions; words underlined are additions):

Sec. 34-1359. - Traffic circulation.

(c) Ingress and egress from any development shall be regulated so as to prevent unnecessary conflicts with traffic on adjacent streets. ~~The~~ Access management, including the number and spacing of entrances and median openings for divided streets, shall be as specified by the agency having maintenance responsibility for the street. The Village shall consult F.A.C. 14-97.003 (Access Control Classification System and Access Management Standards) during site plan review for properties fronting State Highway System roadways: SR 882/Forest Hill Boulevard, SR 802/Lake Worth Road, SR 809/S Military Trail, and SR 807/S Congress Avenue. Where there are no other standards, the following provisions shall apply:

Width of Row (in feet)	Spacing for Entrances (in feet)	Median Openings (in feet)
Under 50	50	100
50-80	100	200
80 or more	125	250

(d) ~~Where~~ On the Village's jurisdictional roadways, where the width of the parcel is less than the spacing required, or where the location of the parcel with respect to adjacent parcels with entrance locations prevents the normal allocation of an entrance to the parcel, one entrance may be permitted, provided, it is arranged to be jointly shared with an adjoining parcel either immediately or at such future time as the adjoining parcel is developed or redeveloped. Where any parcel is developed or redeveloped and adjoins a parcel which is restricted as to access, the on-site traffic circulation shall be designed so as to provide access to the adjoining parcel either through an on-site connection or the joint use of an entrance. Exceptions for connections to roadways under other government jurisdiction shall be coordinated with the applicable government agency.

(j) Where bus stops and shelters are provided, they shall be located so as to be convenient to the buildings on-site and to the pedestrian walkway system for any site adjacent to an existing bus route. Bus stops and shelters shall be subject to the approval of the traffic engineer under chapter 74, and shall conform to the standards of the county transit agency (~~CoTran~~) (Palm Tran). This subsection shall apply to bus shelters not located on public rights-of-way, and shall not apply to any shelter established by ~~CoTran~~ Palm Tran.

(l) In order to reduce the need for sequential trips on primary roadways serving the Village, the Village finds that vehicular and pedestrian cross-access between adjacent properties should be required where appropriate and feasible. All adjacent RM, CN, CG, LI, G, MU, or CR district properties fronting arterial or major collector roadways shall provide a cross-access drive and pedestrian access way to allow circulation between sites. This requirement shall also apply

to a building site that abuts an existing developed property unless the Village Council finds that this would be impractical. Property owners shall:

1. Record an easement in the public records of Palm Beach County allowing cross access to and from the adjacent properties;
2. Agree that any pre-existing driveways provided for access in the interim shall be closed and eliminated after construction of a joint-use driveway, if utilized; and
3. Record a joint maintenance agreement in the public records of Palm Beach County defining maintenance responsibilities of property owners that share the cross-access system and any joint-use driveway.

Where abutting properties are in different ownership and not part of an overall development plan, cooperation between the various owners in development of a unified access and circulation system is encouraged. Only the building site(s) under consideration for development approval shall be subject to the requirements of this criterion. Abutting properties shall not be required to provide cross-access and circulation until they are developed or redeveloped.

Section 15. Chapter 34 “Land Development”, Article VI “Land Use”, Division 9 “Development Standards” at Section 34-1366 “Building Design Guidelines” is hereby amended by amending subsections (1), (2), (4) and (12) to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 34-1366. Building design guidelines.

These guidelines are intended to help ensure compatibility and secure a high quality of environment, regarding livability, visual interest, identity and sense of place in Palm Springs' commercial and multifamily districts by providing guidance for the design of new buildings. These guidelines are intended to focus on the characteristics of architectural compatibility and leave individual property owners and developers the maximum flexibility to build to meet their own needs and objectives.

- (1) General design.

a. General design. Buildings shall be designed to be compatible with the surrounding environment, both manmade and natural, with particular attention to adjacent residential uses, if any.

A building shall provide a positive impact on the surrounding environment.

(2) Building forms and colors. Buildings and structures which use symbolic forms and colors, with the exception of those features protected by F.S. § ~~553.79(20)(a)~~ 553.79(24)(a), and which have a negative impact on the visual environment of the area, as determined by the land development director, land development board, or village council, shall not be permitted.

(4) Building scale and height. In general, building should relate in scale and proportion primarily to other adjacent buildings and secondarily to other buildings in the area. Buildings of different sizes can be made architecturally compatible through skillful design that might include transitional massing element, cornice lines and other treatments to coordinate the line of the lower building to the taller one.

(12) Applicability. These building design guidelines shall apply to all infill projects, to all new construction projects for nonresidential uses in excess of 3,000 square feet of the gross floor area of the structure and to all multi-family residential projects comprised of more than six dwelling units. Renovation construction projects are encouraged to comply with these standards.

Section 16. Chapter 34 “Land Development”, Article VI “Land Use”, Division 9 “Development Standards” is hereby amended by adding Sections 34-1367 through 34-1371 to read as follows:

Sec. 34-1367. Green building incentives.

The Village of Palm Springs acknowledges the critical role of conserving natural resources in maintaining the overall health of the local environment. To support this commitment, the Village offers incentives for Green Development

that minimize environmental impacts, enhance energy and water efficiency, and promote the health and well-being of residents.

(1) Eligibility: To qualify for green building incentives, projects must meet one or more of the following criteria:

a. Achieve a minimum certification level equivalent to LEED Silver, as administered by the U.S. Green Building Council (USGBC); to Green Globes, as administered by the Green Building Initiative (GBI); or similar;

b. Demonstrate compliance with ENERGY STAR performance standards;

c. Demonstrate water efficiency and waste reduction measures that align with guidelines from the WaterSense Program (administered by the EPA) or equivalent local standards; and/or

d. Utilize innovative natural processes to manage stormwater.

(2) Incentives: As part of the site plan review process, eligible developers may request one or more of the following incentives, which will be reviewed and considered by the Village Council:

a. Expedited permitting;

b. Reduction of minimum setbacks;

c. Increase of maximum building height; and/or

d. Reduced open space requirements.

Sec. 34-1368. Lake Worth Road Connector Roadway Design Overlay Zone.

This section establishes a Roadway Design Overlay Zone to be known as the Lake Worth Road Connector ("LWRC") Roadway Design Overlay Zone, which is applied to properties adjacent to Lake Worth Road from Military Trail to the Keller Canal. This Overlay is within the Lake Worth Road CRA District.

Sec. 34-1369. Purpose and intent.

The intent of the LWRC is to impose special requirements to this roadway segment to promote the use of alternative modes of transportation, reduce roadway congestion and to facilitate an improved mobility for Lake Worth Road.

Sec. 34-1370. Applicability.

The provisions of this overlay apply to the all new development or redevelopment of properties within the LWRC.

Sec. 34-1371. Roadway Design Standards.

Roadways in the LWRC shall generally conform to the requirements of Sec. 34-511. – Streets, but may also subject to additional requirements as needed for:

(1) Public transit:

a. Dedication of additional Right of Way for the development of boarding and alighting areas (see FDOT Design Manual 225.2 Boarding and Alighting Areas for Public Transit Facilities).

b. Dedication of additional Right of Way for infrastructure that supports Public Transit. (i.e. street furniture; shade structures; signage).

(2) Bicycle lanes:

a. Dedication of additional Right of Way for new or improved bicycle lanes.

(3) Sidewalks:

a. Dedication of additional Right of Way for new or improved sidewalks.

(4) Multi-modal paths:

a. Dedication of additional Right of Way for new or improved multi-modal paths.

(5) Landscaping and aesthetic improvements:

a. Dedication of additional Right of Way for the planting of Shade Trees and other landscaping.

Properties developed or redeveloped within the LWRC providing dedication of additional Right of Way as outlined above shall consider the area of the additional dedicated Right of Way as part of the overall site area subject to density and intensity calculations. All other property development regulations such as setbacks, lot coverage and impervious surface coverage shall be based upon the project site area less than the additional dedicated Right of Way.

Section 17. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 18. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 19. Codification. The sections of the ordinance may be made a part of the Village Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

Section 20. Effective Date. This ordinance shall take effect immediately upon adoption.

_____ offered the Ordinance for its first reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
BEV SMITH, MAYOR	_____	_____
PATTI WALLER, VICE MAYOR	_____	_____
KIM SCHMITZ, MAYOR PRO TEM	_____	_____
JONI BRINKMAN, COUNCIL MEMBER	_____	_____
GARY M. READY, COUNCIL MEMBER	_____	_____

Passed first reading at the Regular Meeting of the Village Council held on the _____ day of _____, 2025.

_____ offered the Ordinance for its second reading and moved its adoption. The motion was seconded by _____, and upon being put to a vote, the vote was:

	<u>AYE</u>	<u>NAY</u>
BEV SMITH, MAYOR	_____	_____
PATTI WALLER, VICE MAYOR	_____	_____
KIM SCHMITZ, MAYOR PRO TEM	_____	_____
JONI BRINKMAN, COUNCIL MEMBER	_____	_____
GARY M. READY, COUNCIL MEMBER	_____	_____

Passed second reading at the Regular Meeting of the Village Council held on the _____ day of _____, 2025. The Mayor thereupon declared this Ordinance approved and adopted by the Village Council on this _____ day of _____, 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

Bev Smith, Mayor

ATTEST:

Kimberly Wynn, CMC, FCRM, MPA
Village Clerk
(VILLAGE SEAL)

Approved as to form and legal sufficiency:

Glen J. Torcivia, Village Attorney
Florida Bar No. 343374