



AGENDA
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
OCTOBER 14, 2025
6:30 PM

Ralph Lashells, Chairman
Richard Hughes, Vice-Chairman
Ralph Wiles, Board Member
Vacant, 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 Ralph Lashells
Vice Chairman Richard Hughes
Ralph Wiles
Peter Braun
Kim Gehrman
Brenda Browning, Sr., Alternate
Vacant, 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 September 9, 2025, Planning and Zoning Advisory Board Meeting Minutes:** Motion to approve September 9, 2025, minutes from the Planning and Zoning Advisory Board Meeting.
Staff: Jane Worth, Deputy Village Clerk

ORDER OF BUSINESS

REGULAR AGENDA

- 3. **Approval of the FY 2026 Planning and Zoning Advisory Board Meeting Schedule:** Motion for the approval of the FY 2026 Planning and Zoning Advisory Board Meeting Schedule.
Staff: Jane Worth, Deputy Village Clerk

PUBLIC HEARINGS

- 4. **Ordinance No. 2025-10 - Rezoning - 275 Alameda Drive:** Motion for the approval of Ordinance No. 2025-10 zoning designation for the land owned by the Village of Palm Springs, located at 275 Alameda Drive and being more fully described in Exhibit "A" attached hereto; said land to be designated within a Land Development from Residential Multi-Family (RM) to Government (G) Zoning District.
Staff: Juan Ruiz, Director of Parks and Recreation

Motion	Second	Vote
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OTHER BUSINESS

- 5. **2025 Planning and Zoning Board Update - Sunshine, Public Records, Ethics & Quasi-Judicial Matters:** Overview and Review of the Florida Sunshine Laws, Public Records, Ethics and Quasi-Judicial Matters Explained by Village Attorney Christy Goddeau
Staff: Christy Goddeau, Village Attorney

ADJOURNMENT

**NEXT MEETING
WEDNESDAY, NOVEMBER 12, 2025 – VILLAGE COUNCIL CHAMBERS
6:30 PM**

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



Village of Palm Springs

Staff Report

AGENDA DATE: October 14, 2025

DEPARTMENT: Administration

ITEM #2: September 9, 2025, Planning and Zoning Advisory Board Meeting Minutes

FISCAL IMPACT:

None

ATTACHMENTS:

1. September 9, 2025 Planning and Zoning Advisory Board Meeting Minutes



**MINUTES
PLANNING AND ZONING BOARD
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
SEPTEMBER 9, 2025
6:30 PM**

Vacant, Chairman
Richard Hughes, Vice-Chairman
Ralph Lashells, Board Member
Vacant, 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

Deputy Village Clerk Jane R. Worth
Village Attorney Christy Goddeau

Persons who need an 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

Vice Chairman Richard Hughes called the Planning & Zoning Advisory Board Meeting to order at 6:32 p.m.

ROLL CALL

Present: Vice Chairman Richard Hughes, Ralph Lashells, Peter Braun, Kim Gehrman, Brenda Browning, and Ralph Wiles

Also present: Planning, Zoning, and Building Director Iramis Cabrera, Planning and Zoning Planner Christian Melendez, Village Attorney Christy Goddeau, and Deputy Village Clerk Jane 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.**

Deputy Clerk Worth asked the Board if there were any ex parte communications. There were none.

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

2. **Approval of August 12, 2025, Planning and Zoning Advisory Board Meeting Minutes:** Motion to approve the August 12, 2025, minutes from the Planning and Zoning Advisory Board Meeting.

Staff: Jane Worth, Deputy Village Clerk

Vice Chairman Hughes requested a motion for approval of the August 12, 2025, minutes. A motion to approve the minutes was made by Mr. Braun and seconded by Ms. Gehrman. Motion carried 5-0.

REGULAR AGENDA

3. **Appointment of New Chairperson and Vice Chairperson:** Motion to appoint a New Chairperson and Vice Chairperson with the appointment of Mr. Johnnie Tieche to the Village Council as of August 21, 2025.

Staff: Jane Worth, Deputy Village Clerk

SUMMARY: As of August 22, 2025, Chairperson Johnnie Tieche has resigned. Mr. Tieche has been chairperson of the Planning and Zoning Advisory Board for years. On August 21, 2025, the Village Council appointed Mr. Tieche to the vacancy on the Village Council, representing District 4.

The Board voted for a new Chairman. Mr. Ralph Wiles nominated Mr. Ralph Lashells for Chairman of the Planning and Zoning Advisory Board. Mr. Ralph Lashells nominated Mr. Richard Hughes for Chairman of the Planning and Zoning Advisory Board. Hearing no more nominations, Vice Chairman Hughes asked for a motion to elect Mr. Ralph Lashells as the Chairman of the Planning and Zoning Board. Mr. Ralph Wiles nominated Mr. Lashells, and Ms. Kimberly Gehrman seconded. Motion carried 5-0

PUBLIC HEARINGS

4. **Commercial Planned Development Master Site Plan Amendment (SPR25-09) – Village Collection of Palm Springs - Northwest corner of 10th Avenue North & Florida Mango Road:** Motion to recommend approval of an application to the Village Council, from Inside Studio, on behalf of DC Hospitality Palm Springs LLC ("Applicant"), is requesting to modify the Commercial Planned Development Master Site Plan to eliminate one of the hotels previously approved within Tract 1, and construct in its place a Light Industrial building with a maximum of 31,352 square feet of floor area.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Inside Studio, on behalf of DC Hospitality Palm Springs LLC ("Applicant"), is requesting a modification to the Commercial Planned Development Master Site Plan to eliminate one of the hotels previously approved within Tract 1,

and construct in its place a Light Industrial building with a maximum of 31,352 square feet of floor area.

The 7.74-acre site is located approximately 0.05 north of the intersection of 10th Avenue North and Florida Mango Road on the west side of Florida Mango Road. The property currently retains a Future Land Use designation of Commercial and the Commercial General (CG) zoning classification. The subject site's primary access is from Florida Mango Road, with secondary access from 10th Avenue North.

In January 2024, the Village Council approved, under Resolution 2023-52, a master site commercial planned development plan to allow the redevelopment of the site to accommodate three (3) separate development plans and currently, the site is actively under construction as both restaurants in Tracts 2 & 3 and the western hotel site within this Tract 1 have been issued building permits.

The proposed amendment only affects the development plan for tract 1, and the proposed changes are as follows:

Permitted	Previously Approved	Proposed
Open space - 20% (40,315 sf)	56,607 sf (28%)	49,034 sf (27.3%)
Building Footprint Square feet	106,631 sf	80,012 sf
FAR - 0.5 %	0.5%	0.4 %

The proposed Commercial Planned Development (CPD) Master Site Plan provides for the following elements:

1. Perimeter landscape and compatibility features, including a privacy wall between the subject commercial parcel and abutting residential properties to the west, north, and east, and entry landscaping features at the entrance drives.
2. Shared access to the CPD from Florida Mango Road and 10th Avenue North, with internal access to future development parcels.
3. Shared infrastructure improvements.
4. Architectural Guidelines for the CPD provide a consistent theme throughout the unified project through colors, materials, and architectural elements.
5. Open space (minimum 20%) is based on the entire CPD.
6. The Master Sign Program for the CPD, which includes six (6) monument signs

Staff support the applicant's intent to move forward with the proposed redevelopment project, allowing the revitalization of the existing site.

Planning, Zoning, and Building Planner Christian Melendez presented the application. Planner Melendez informed the Board that this was a request to modify the Commercial Planned Development Master Site Plan to eliminate one of the hotels previously approved. A light Industrial building with a maximum of 31,352 sq ft of floor area will be constructed. Staff supports the applicant's proposed redevelopment

project.

M. Brian Terry of Insite Studio asked the Board if he would be able to do both presentations at once. Chairman Lashells stated that it would be accepted. Mr. Terry said the Eastern Hotel would be eliminated, and a light industrial building would replace it. With that, there would be a reduction in height, intensity, and traffic, and it would be a better fit than originally proposed. A parking variance would not be needed with the elimination of the hotel. Mr Terry continued with a PowerPoint presentation for the audience and the Board.

The Board had a multitude of questions regarding the amendment, the layout, and the types of businesses that would be drawn to that site. There was also a discussion on how the original site plan with the two (2) hotels looked more appealing than the new proposed building.

Chairman Lashells asked if anyone from the public or the Board had any comments or questions. Hearing none, Chairman Lashells asked for a motion to recommend approval to the Village Council for SPR25-09 - Commercial Planned Development Master Site Plan Amendment. A motion for approval was made by Ms. Gehrman and seconded by Mr. Braun. Motion carried 4-1 - Chairman Lashells opposed.

FISCAL IMPACT:

The proposed master site plan for the commercial planned development does not have a significant fiscal impact on the village; however, it is expected to enhance the village's assessed property evaluation.

5. **Site Development Plan Amendment (SPR25-10) - 2645 10th Avenue North – Tract 1 of the Village Collection of Palm Springs Master Site Plan - Hotel & Light Industrial:** Motion to recommend approval to Village Council of an application submitted by Inside Studio, on behalf of DC Hospitality Palm Springs LLC ("Applicant"). Requesting approval for a Site Development Plan Amendment (SPR25-09) to eliminate one of the hotels previously approved within Tract 1, and allow the construction of a Light Industrial Building with a maximum of 31,352 square feet of floor area.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Inside Studio, on behalf of DC Hospitality Palm Springs LLC ("Applicant"), is requesting a Site Plan modification to replace one of the previously approved hotel buildings with a Light Industrial structure within Tract 1 of the Village Collection of Palm Springs Planned Commercial Development.

The 4.63-acre site is on the northwest corner of the 10th Avenue North and Florida Mango Road intersection. It retains a Future Land Use designation of Commercial and the Commercial General (CG) zoning district classification. The applicant is proposing a Site Development Plan Amendment (within a Commercial Planned Development) to allow the construction of a 31,352-square-foot one-story light industrial building with a total of 6 tenant bays. The primary access to the site is from Florida Mango Road, with secondary access from 10th Avenue.

Note: Currently, the site is actively under construction as both of the restaurants in Tracts 2 & 3 and the western hotel site within Tract 1 have been issued building permits.

This amendment includes the replacement of the previously approved four-story eastern hotel (Everhome Suites) with 114 rooms and approximately 58,000 SF, with a light industrial incubator facility, which comprises approximately 8,465 SF of office use and 22,887 SF of warehouse/workspace. The building will be located between the Planned Commercial Development's east property boundary and the hotel. The building's front façade will face west to mirror the primary entrance to the hotel, creating a shared parking lot between the two buildings. The structure will have both storefront office access on the front facade with bay door access as well, and additional bay door access on the rear east facade. The building is buffered from the adjacent residential uses to the north and east and by the provided landscape buffers.

Future tenants are going to be subject to the regulations within the Tenth Avenue Overlay, and such conditions are required to be included within their lease agreements. Some of the conditions are going to be as follows:

- Any manufacturing or assembly businesses shall be conducted inside the principal structure(s).
- All activities shall be conducted within a climate-controlled environment, to the greatest extent practicable, to prevent external noise, vibrations, dust, odor, and other conditions.
- No outdoor storage shall be permitted.
- Hours of operation shall comply with the Village's Land Development Regulation Section 34-891.

The Planning, Zoning, and Building Staff supports the applicant's request to move forward with the proposed redevelopment project, allowing the revitalization of the existing site.

Mr. Brian Terry of Insite Studio presented this item with item #4.

Chairman Lashells asked if anyone from the public or the Board had any comments or questions. Hearing no further comments, Chairman Lashells called for a motion to recommend approval of the Site Development Plan Amendment (SPR25-10) to the Village Council. A motion for approval was made by Mr. Hughes and seconded by Mr. Wiles. Motion carried 4-1 - Chairman Lashells opposed.

FISCAL IMPACT:

The proposed development will enhance the Village's assessed property valuation.

6. **Major Site Development Plan (SPR25-11) - Palm Springs Warehouse - 2862, 2888, and 2912 2nd Avenue North: Motion to recommend approval to Village Council for an application submitted by Schmidt Nichols, agent for the owners,**

DTNK 1, LLC, DTNK 2, LLC, and Noahkarly 1, LLC, (“Applicant”). The applicant is requesting a Major Site Development Plan (SPR25-11) with four (4) waivers to allow the development of the site with the construction of a total of 28,898 square feet warehouse facility with ancillary office space located at 2862, 2888, and 2819 2nd Avenue North.

Staff: Christian Melendez Berrios, PZ&B Technician

SUMMARY: Schmidt Nichols, agent for the owners, DTNK 1, LLC, DTNK 2, LLC, and Noahkarly 1, LLC, is requesting a Site Development Plan (**SPR25-11**) with four (4) waivers to allow the development of the site with the construction of a total of 28,898 square feet warehouse facility with ancillary office space.

The 2.01-acre unified site is generally located on the south side of 2nd Avenue North and east and west of Bellevue Avenue. The project combines three individual properties, which are proposed to be unified as a single parcel.

Note: One of the properties is currently undeveloped, while the others are partially developed, with existing light industrial users.

The project proposed to develop the site with the construction of 22,858 square feet of warehouse space and 6,040 square feet of ancillary office space for a total of 28,898 square feet of floor area. Access to the site will be via a full-access driveway connection on both sides of Belle Vue Avenue (east and west sides). The properties will be platted to unify the three subject parcels into one single lot, incorporating concurrently the 10' wide alley located at 2918 2nd Avenue N, proposed to be abandoned, and the previously abandoned 5' alley between the easternmost parcels.

As part of the proposed Major Site Development Plan, they are requesting four (4) waivers:

Waiver #1: Relief from Sec. 34-878.4 (1) - to allow a minimum lot size of 2.01 acres rather than 3 acres required for the Commercial Renewal zoning district.

Waiver #2: Relief from Sec. 34-878.4 (2) - to allow a 25' rear setback rather than the 30' required.

Waiver #3: Relief from Sec. 34-164 - to not provide foundation planting along the north sides of Buildings A & B and the west side of Building C rather than:

- 30' long x 5' wide foundation planting along the north facade of building A.

- 30' long x 5' wide foundation planting along the north facade of building

B.

- 56' long x 5' wide foundation planting along the west facade of building C.

Waiver #4: Relief from Sec. 34-1329 (5) (o) - to allow a reduction of parking spaces from the 43 spaces required to 41 spaces, a reduction of 2 parking spaces.

The Planning, Zoning, and Building Staff does not object to the applicant's request and recommends conditional approval to facilitate the redevelopment project proposed for the properties.

Planner Melendez introduced the request for a Major Site Development Plan, SPR25-11, including a request for four (4) waivers. The proposed development will be a 28,898 sq. ft. warehouse facility with ancillary office space. A light industrial building with a maximum of 31,352 sq. ft. of floor space will be constructed. Staff supports the applicant's proposed redevelopment project and recommends approval.

Mr. Jordan Sperling, with Schmidt & Nichols, stated that there will be three (3) parcels combined for the construction of the three (3) separate buildings. Mr. Sperling presented a PowerPoint for the Board and audience. He also mentioned there will be a property manager who will be monitoring operations on a day-to-day basis. There will be a chain link on the outside. A discussion ensued regarding the new development, including landscaping and fencing.

Mr. Josh Nichols with Schmidt Nichols explained the French drain system proposed for the site.

Mr. Peter McKranel, 3973 Bellevue Avenue — Mr. McKranel mentioned the speaker system is not loud enough to hear what was said in the seating in the back. Mr. McKranel wanted to know more about what the storm drainage system would have to offer with drainage. Chairperson Lashells explained to Mr. McKranel about the drainage being proposed.

Ms. Joicie Morell - 3921 Belle Vue Avenue - Ms. Morell, a resident adjacent to the property, inquired about the installation of a concrete wall separating her property from the proposed development. Mr. Sperling confirmed that a six-foot concrete block wall is proposed. Questions were raised regarding whether the buildings would be one or two stories and if the site would operate as a working shop or a storage facility. Chairman Lashells stated that the development would accommodate approximately 22 businesses.

Chairman Lashells asked if anyone from the public or the Board had any comments. Hearing none, Chairman Lashells asked for a motion to recommend approval to the Village Council was made by Mr. Braun and seconded by Mr. Hughes. Motion carried 5-0.

FISCAL IMPACT:

The proposed project will enhance the village's assessed property valuation. Additionally, the new project may have a positive effect on neighboring properties.

OTHER BUSINESS

Deputy Clerk Worth informed the Board that village board email addresses would be set up for them. The Board members would also have to do the training of Know Before.

Deputy Clerk Worth asked Attorney Goddeau for a refresher course for the Board regarding Sunshine Law, Ethics, and Public Records Request. Attorney Goddeau said she would be able to do that.

ADJOURNMENT

Chairman Lashells adjourned the meeting at 7:34 PM.

NEXT MEETING TUESDAY, OCTOBER 14, 2025 AT 6:30 PM IN THE VILLAGE COUNCIL CHAMBERS

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

The undersigned is the Deputy Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Planning and Zoning Advisory Board Meeting held on **September 9, 2025**. Which minutes were formally approved and adopted by the Planning and Zoning Advisory Board on **October 14, 2025**.

Jane R. Worth, Deputy Village Clerk

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:

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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



Village of Palm Springs

Staff Report

AGENDA DATE: October 14, 2025

DEPARTMENT: Administration

ITEM #3: Approval of the FY 2026 Planning and Zoning Advisory Board Meeting Schedule

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

1. Placeholder - FY 2026 Planning and Zoning Advisory Board Meeting Schedule

Placeholder – FY 2026 Planning and Zoning Advisory Meeting
Calendar to be provided before meeting



Village of Palm Springs

Executive Brief

AGENDA DATE: October 14, 2025

DEPARTMENT: Parks & Recreation

ITEM #4: Ordinance No. 2025-10 - Rezoning - 275 Alameda Drive

SUMMARY: On December 24, 2023, the Village of Palm Springs executed a contract for the purchase of the property located at 275 Alameda Drive. The Village closed on the property in February 2024 and will be starting the design process to incorporate the 2.77-acre site into the adjacent Athletic Complex. The new open space will provide increased space for new recreational elements.

The recreational amenities will include a children's playground, a picnic pavilion, and an interactive water feature. In addition, the Village's community-wide trail system, known as the Park-to-Park Connector, will be able to fill a gap along the northern section of the property.

Currently, the subject property has a Future Land Use designation of Institutional, and staff is requesting a housekeeping amendment to change the zoning designation from Residential Multi-Family (RM) to Governmental (G) to be consistent with the property's Future Land Use Map and to be able to redevelop the property with the project previously mentioned.

The proposed ordinance was approved by the Village Council on its first reading during the meeting of September 25, 2025, and on its second reading on October 9, 2025.

FISCAL IMPACT:

Amending the zoning for the property does not have a fiscal impact on the property.

ATTACHMENTS:

1. BIS - Ordinance No. 2025-10 - Rezoning 275 Alameda Drive
2. Ordinance No. 2025-10 Rezoning 275 Alameda Drive
3. Project Description
4. Warranty Deed
5. Property Survey
6. Proposed Zoning Map

Business Impact Estimate

Proposed ordinance's title:

**ORDINANCE NO. 2025-10
(ZONING AMENDMENT)**

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE ZONING DESIGNATION FOR THE LAND OWNED BY THE VILLAGE OF PALM SPRINGS, LOCATED AT 275 ALEMEDA DRIVE AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; SAID LANDS TO BE DESIGNATED WITHIN A LAND DEVELOPMENT FROM RESIDENTIAL MULTI-FAMILY (RM) TO GOVERNMENTAL (G) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND 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 new open space will provide increased space for new recreational elements. The recreational amenities will include a children's playground, a picnic pavilion, and an interactive water feature. In addition, the Village's community-wide trail system, known as the Park-to-Park Connector, will be able to fill a gap along the northern section of the property.

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:

None.

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

None.

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

None.

ORDINANCE NO. 2025-10

(ZONING AMENDMENT)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE ZONING DESIGNATION FOR THE LAND OWNED BY THE VILLAGE OF PALM SPRINGS, LOCATED AT 275 ALEMEDA DRIVE AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; SAID LANDS TO BE DESIGNATED WITHIN A LAND DEVELOPMENT FROM RESIDENTIAL MULTI-FAMILY (RM) TO GOVERNMENTAL (G) ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Applicant(s), Village of Palm Springs., constituting all of the fee simple title holders to those lands located at 275 Alemeda Drive, and more particularly described in Exhibit "A", attached hereto and made a part hereof, have voluntarily requested a zoning amendment; and

WHEREAS, the Village has determined the need to designate the Land Development district for said lands; and

WHEREAS, the Village Council has considered the owner's request, and the recommendation of the Village staff.

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

Section 1. Findings. The Village Council finds the above statements are true and correct, and serve as a basis for consideration of this ordinance.

Section 2. Zoning District. the Land Development (Zoning) District designation on the official Village of Palm Springs Zoning Map shall be established as

residential multi-family (RM) subject to the approval and appeal period.

Section 4. Directions to the Village Clerk. The Village Clerk is hereby authorized and directed to forthwith cause the designation of the zoning of the property described in attached Exhibit "A", as set forth in Section 2 of this Ordinance, on the official Village of Palm Springs Zoning Map. The Village Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, pursuant to Section 2.01, Village Charter, the Florida Department of State, and the Florida Department of Community Affairs.

Section 5. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

Ordinance No. 2025-10 – Rezoning 275 Alameda Drive

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KIM SCHMITZ, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GARY READY, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOHNNIE TIECHE, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the ____ day of _____, 2025.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading _____

Second Reading _____

ATTEST:

BY: _____
KIMBERLY WYNN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
CHRISTY GODDEAU, VILLAGE ATTORNEY

SECTION 4 - DESCRIPTION OF PROJECT (attach additional pages if necessary)
Including compliance with zoning standards and supplemental regulations

Prepared by and return to:

Phillip Thron, Esq.
Thron Law PLLC
1840 Forest Hill Blvd, Suite 205
West Palm Beach, FL 33406
(561) 307-4683
File Number: 555.23024

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 31st day of January, 2024 between Faith Presbyterian Church of the Village of Palm Springs, Inc., a Florida not for profit corporation, f/k/a Faith United Presbyterian Church in the Village of Palm Springs, Inc., a Florida not for profit corporation, whose post office address is 405 SE 15th Ave., Fort Lauderdale, FL 33301, grantor, and Village of Palm Springs, a Florida Municipal Corporation whose post office address is 226 Cypress Lane, Village of Palm Springs, FL 33461, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Palm Beach County, Florida to-wit:

The East 350 feet of the West 490 feet of Tract B, Block 60, Village of Palm Springs Public Plaza, according to the Plat thereof, recorded in Plat Book 26, at Page 63, Public Records of Palm Beach County, Florida.

Parcel Number: 70-43-44-18-37-060-0090


Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to .

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

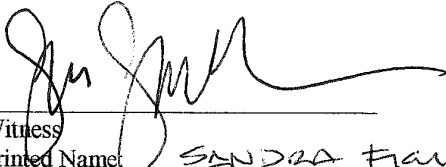


Witness
Printed Name: Gregory M. Carr
P.O. Address: 405 SE 15th Ave
Fort Lauderdale FL 33301

Faith Presbyterian Church of the Village of Palm Springs, Inc., a Florida not for profit corporation, f/k/a Faith United Presbyterian Church in the Village of Palm Springs, Inc., a Florida not for profit corporation

By: 

Reverend Dr. Daris Bultena, Presbyter



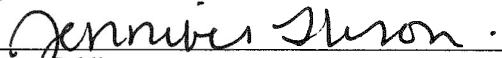
Witness
Printed Name: SANDRA FLAVEREDO
P.O. Address: 405 SE 15th AVENUE
FOLT LAUDERDALE FL 33301

State of Florida
County of ~~Palm Beach~~ Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 31st day of January, 2024 by Reverend Dr. Daris Bultena, Presbyter of Faith Presbyterian Church of the Village of Palm Springs, Inc., a Florida not for profit corporation, f/k/a Faith United Presbyterian Church in the Village of Palm Springs, Inc., a Florida not for profit corporation who is personally known or has produced a driver's license as identification.

[Seal]



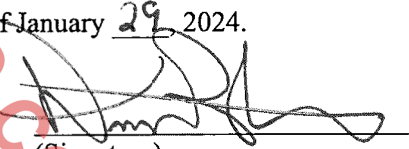

Notary Public
Print Name: Jennifer Thron
My Commission Expires: 08.05.2024

CORPORATE RESOLUTION TO SELL

The undersigned, being the Secretary of the Leadership Council of the Presbytery of Tropical Florida, a Florida corporation, does hereby certify that at a meeting of the Leadership Council ("Council") of said corporation duly called held on December 13, 2023, at which a quorum was present, the Council adopted the following resolution, which has not been modified or rescinded:

RESOLVED, that the corporation sell to the Village of Palm Springs, the real property of the corporation located at 275 Alameda Drive, Palm Springs, FL 33461, PCN 70-43-44-18-37-060-0090, with a legal description of **The East 350 feet of the West 490 feet of Tract B, Block 60, Village of Palm Springs Public Plaza, according to the Plat thereof, recorded in Plat Book 26, at Page 63, Public Records of Palm Beach County, Florida**, in accordance with the terms of the Contract of Sale dated December 22, 2024 and that the closing documents in connection therewith be in such form as Dr. Daris Bultena, Presbyter of the corporation may deem advisable; and that the Presbyter of the corporation be authorized to execute and deliver such documents.


Signed by the Secretary of the Corporation on this date of January 29, 2024.



(Signature)

DARIS BULTENA
(Printed Name)

State of Florida

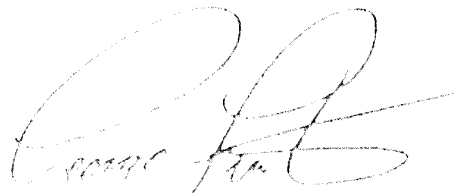


Department of State

I certify that the attached is a true and correct copy of the Articles of Amendment, filed on March 28, 1986, to the Articles of Incorporation for FAITH UNITED PRESBYTERIAN CHURCH IN THE VILLAGE OF PALM SPRINGS, INC., changing its name to FAITH PRESBYTERIAN CHURCH OF THE VILLAGE OF PALM SPRINGS, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is 702448.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
28th day of March, 1986.



A handwritten signature in cursive script, likely belonging to George Firestone.

George Firestone
Secretary of State

BOUNDARY SURVEY

275 ALEMEDA DRIVE, PALM SPRINGS, FL. 33461



BLOCK 59
VILLAGE OF
PALM SPRINGS PLAT No. 5
(P.B. 25, PG. 87)
LIMITS OF PLAT

LEGAL DESCRIPTION:

THE EAST 350 FEET OF THE WEST 490 FEET OF TRACT B, BLOCK 60, VILLAGE OF PALM SPRINGS PUBLIC PLAZA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 26, AT PAGE 63, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFIED TO:

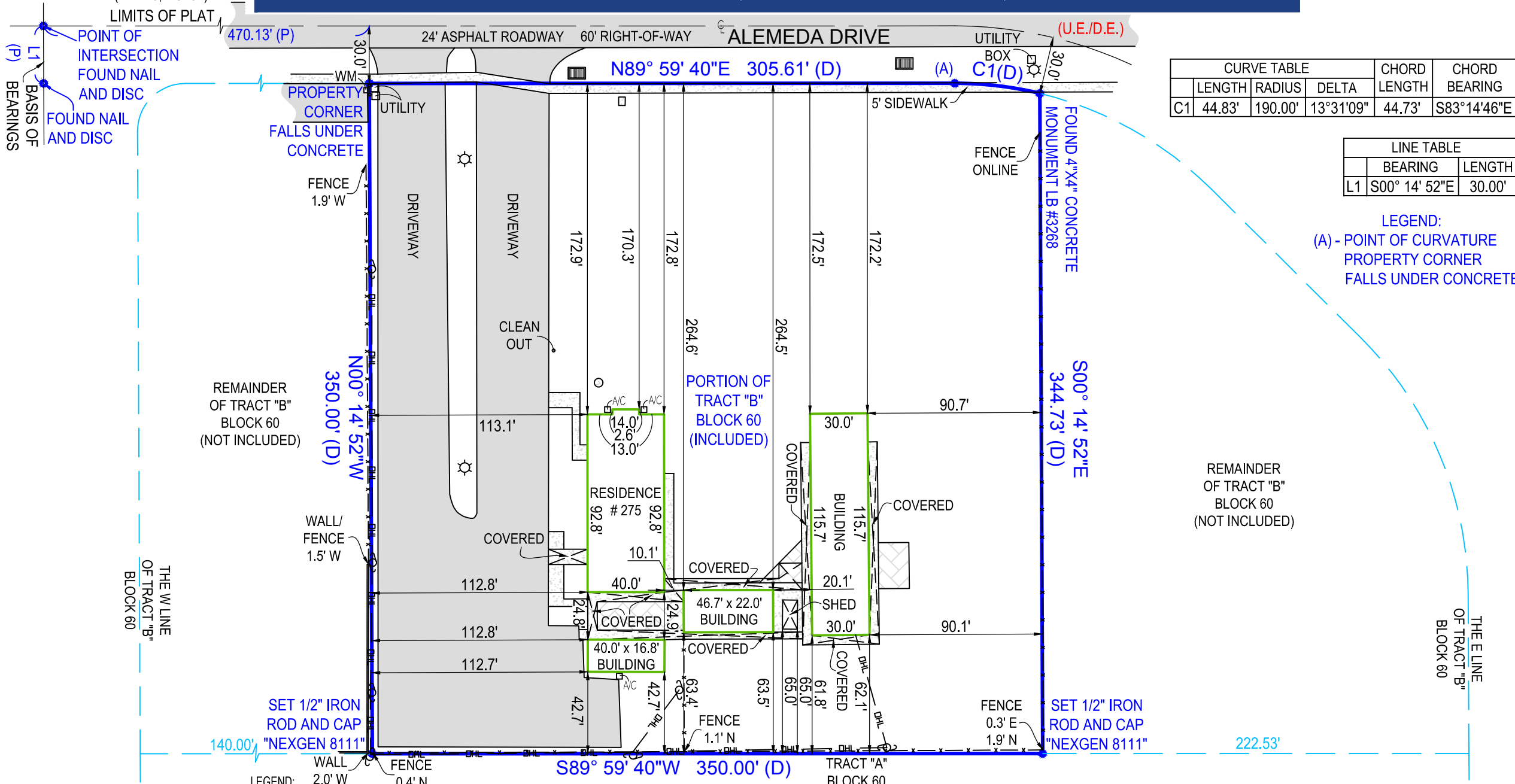
VILLAGE OF PALM SPRINGS THRON LAW PLLC.

FLOOD ZONE:

MAP NO. 12099C0588F
ZONE: X
EFF: 10/05/2017

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)



CURVE TABLE				CHORD LENGTH	CHORD BEARING
LENGTH	RADIUS	DELTA			
C1	44.83'	190.00'	13°31'09"	44.73'	S83°14'46"E

LINE TABLE		
	BEARING	LENGTH
L1	S00° 14' 52"E	30.00'

LEGEND:
(A) - POINT OF CURVATURE PROPERTY CORNER FALLS UNDER CONCRETE

LEGEND: (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING)

- | | | | | | | | | | |
|---------------------|------------------------------|----------------------------------|------------------------------|-------------------|------------------------------------|---------------|-------------------|-------------------|-----------------------------|
| A/C-AIR CONDITIONER | P.O.B.-POINT OF BEGINNING | D.E.-DRAINAGE EASEMENT | R-RADIUS(R) | (P)-PLAT | ELEV-ELEVATION | ☼ -LIGHT POLE | # -NUMBER | ⊕ -WELL | - - - FENCE |
| WM-WATER METER | P.O.C.-POINT OF COMMENCEMENT | P.U.E.- PUBLIC UTILITY EASEMENT | O.R.B.-OFFICIAL RECORDS BOOK | EOW-EDGE OF WATER | FF-FINISHED FLOOR | | - - - ASPHALT | ⊖ -WATER VALVE | + + + PLUS OR MINUS |
| AL- ARC LENGTH | P.B.-PLAT BOOK | L.A.E.-LIMITED ACCESS EASEMENT | SQ.FT.-SQUARE FEET | TOB-TOP OF BANK | LS-LICENSED SURVEYOR | | - - - CONCRETE | - - - CENTER LINE | ⊙ -POLE |
| (C)-CALCULATED | PG-PAGE | L.M.E.-LAKE MAINTENANCE EASEMENT | AC.-ACRES | OHL-OVERHEAD LINE | LB-LICENSED BUSINESS | | - - - PAVER/BRICK | - - - CATCH BASIN | ⊕ -MANHOLE |
| (M)-MEASURED | U.E.-UTILITY EASEMENT | O.H.E.-OVERHEAD EASEMENT | DB-DEED BOOK(D)-DEED | C/O-CLEAN OUT | PSM-PROFESSIONAL SURVEYOR & MAPPER | | - - - WOOD | ⊕ -FIRE HYDRANT | X.XX -TOPOGRAPHIC ELEVATION |

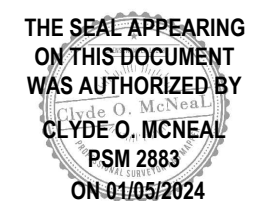
- SURVEY NOTES:
- DRIVEWAYS AND COMMUNITY SIDEWALK CROSSES THE BOUNDARY LINE ON NORTHERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES CROSS THE BOUNDARY LINES ON EASTERLY AND WESTERLY SIDES OF LOT AS SHOWN.

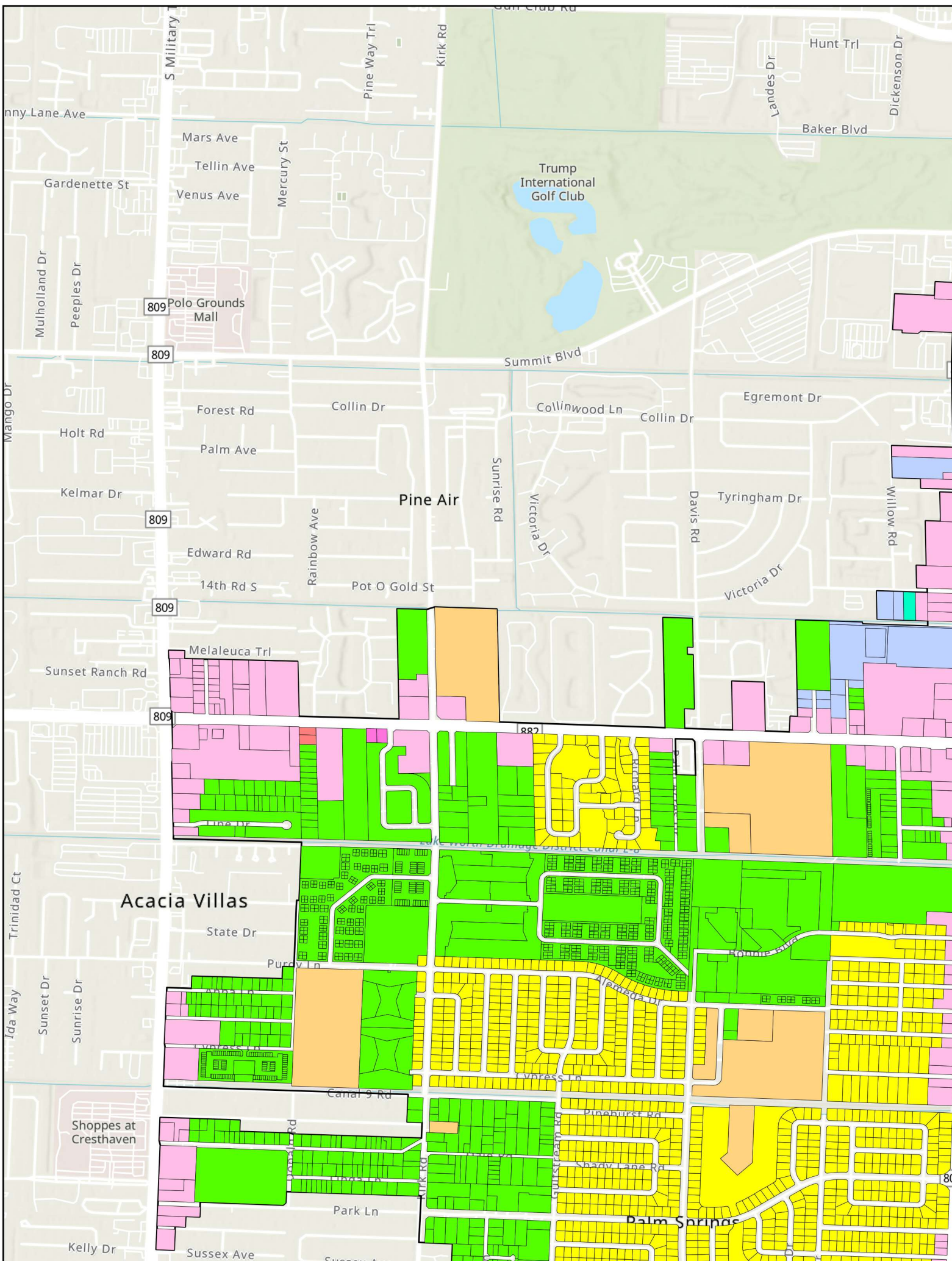
FIELD DATE: 01/05/2024
DRAWN BY: O.K.
ORDER NO: 1000231001
REVISIONS:

1547 PROSPERITY FARMS ROAD,
WEST PALM BEACH, FL 33403
NexgenSurveying.com LB#8111
PHONE: 561.508.6272
FAX: 561.508.6309



I HEREBY CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PER CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.







Village of Palm Springs

Staff Report

AGENDA DATE: October 14, 2025

DEPARTMENT: Administration

ITEM #5: 2025 Planning and Zoning Board Update

SUMMARY: Every year, the Village Attorney gives the Board members a refresher course on the subjects of the Florida Sunshine Laws, Public Records, Ethics, and Quasi-Judicial matters of actions of all those on the Board.

FISCAL IMPACT:

No Impact

ATTACHMENTS:

1. Planning and Zoning Board 2025 Update - Florida Laws

**FLORIDA SUNSHINE, PUBLIC RECORDS,
ETHICS, AND QUASI-JUDICIAL MATTERS
(Planning and Zoning Board)**



2025 P&Z Board Update

**CHRISTY L. GODDEAU
BOARD CERTIFIED CITY COUNTY
AND LOCAL GOVERNMENT ATTORNEY
TORCIVIA, DONLON, GODDEAU &
RUBIN, P.A.
701 NORTHPOINT PARKWAY
SUITE 209
WEST PALM BEACH, FL 33407
(561) 686-8700
CHRISTY@TORCIVIALAW.COM**

FLORIDA SUNSHINE, RECORDS, ETHICS AND QUASI-JUDICIAL MATTERS



2025 Update - Goals & Objectives

- I. P&Z BOARD DUTIES
- II. FLORIDA'S SUNSHINE LAW
- III. FLORIDA'S PUBLIC RECORDS LAW
- IV. ETHICS LAWS
- V. QUASI-JUDICIAL MATTERS
- VI. QUESTIONS & COMMENTS

FLORIDA SUNSHINE, RECORDS, ETHICS AND QUASI-JUDICIAL MATTERS



DISCLAIMERS

- A little information is a dangerous thing.
 - Appearance of impropriety should be your guide.
 - If you are not sure about an issue, **call** Village staff or the Village Attorney.
- Each issue is unique.
 - Suggestions or opinions offered during this presentation may differ from your particular situation (always **call** Village staff or the Village Attorney with any questions)!

P&Z BOARD DUTIES



- Under the Village Code of Ordinances, the Planning and Zoning (P&Z) Board is the **first step to any development or redevelopment in the Village.**
- P&Z Board decisions/recommendations are governed by the following:
 - Village Comprehensive Plan
 - Village Land Development Regulations (LDRs)
 - Village Code of Ordinances
 - Applicable state, federal and local laws.

P&Z BOARD DUTIES



Section 34-602 of the Village Code sets forth the P&Z Board's duties which include but are not limited to:

- Review and make recommendation on applications for major site plans and major site plan amendments;
- Review and make recommendation on changes to the Village's Comprehensive Plan and Land Development Regulations (LDRs);
- Review and make recommendation on applications for special exceptions and land use and zoning changes; and,
- Review and approve/disapprove variances, minor site plan amendments, and appeals from Planning, Zoning and Building (PZB) director decisions.

P&Z BOARD DUTIES



In all advisory decisions (recommendations to Village Council), P&Z Board is to consider each item and whether it will:

1. generate excessive **noise or traffic**;
2. tend to create a fire, disease or other equally or greater **dangerous hazard**;
3. provoke **excessive crowding** or over concentration of people;
4. be **in harmony** and compatible with the present and future developments of the area concerned;
5. provide for the **appropriate use** of land and water;
6. provide light and air in amounts adequate to **promote the health** of the community;
7. promote such a distribution of population and such a classification of land uses, development and utilization as will tend to **facilitate** and provide adequate provisions for **public requirements and improvements**;
8. would **not be disruptive** to the character of the neighborhoods or adverse to **playgrounds, parks, schools and recreation areas**; and,
9. would not be adverse to the **promotion of the public health, safety, comfort**, convenience, order, appearance, prosperity or general welfare.

P&Z BOARD DUTIES



In your role as P&Z Board members, you should be **aware of and may/will encounter issues** with:

1. Florida's Sunshine Law;
2. Florida's Public Records Law;
3. Florida's and Palm Beach County's Ethics Laws; and,
4. Quasi-Judicial Matters.

FLORIDA SUNSHINE LAW



Florida Attorney General Office's Summary of Law :

In the absence of a statutory exemption, the Sunshine Law applies to any gathering of **two or more P&Z Board members** who discuss a matter which will **foreseeably come before the P&Z Board for action.**

FLORIDA SUNSHINE LAW



Florida's Sunshine Law

- Requirements to have a legal P&Z Board meeting under Sunshine Law:
 - Reasonable public notice
 - Open to the public
 - Minutes taken and open for inspection
 - Public Participation (added in 2013 by section 286.0114, Florida Statutes)*

FLORIDA SUNSHINE LAW



Florida's Sunshine Law VIOLATIONS

- Action is VOID
- Criminal penalties
- Removal from office
- Non-criminal infractions
- Civil actions
- Attorney's fees

FLORIDA SUNSHINE LAW



Florida's Sunshine Law VIOLATIONS

- Cure the violation:
 - Complete re-do meeting
 - Satisfy all public meeting requirements
 - Promptly cure

PUBLIC RECORDS LAW



Florida's Public Records Act

Chapter 119, Florida Statutes

- ❑ Definitions (§ 119.011)
- ❑ Custodial requirements and retention of public records (§ 119.021)
- ❑ Inspection and copying of records; fees; exemptions (§ 119.07)
- ❑ Contracts; public records; request for contractor records (§ 119.0701)
- ❑ General exemptions from inspection or copying (§ 119.071)
- ❑ Local government exemptions (§ 119.0713)
- ❑ Violation of chapter & penalties (§ 119.10)
- ❑ Attorney fees (§ 119.12)

PUBLIC RECORDS LAW



What is a Public Record

Defined in Chapter 119 as:

- **All** documents, papers, letters, maps, books, tapes, photos, films, sound recordings, data processing software or **other material**
- **Regardless** of physical **form**, characteristics or means of transmission (or **location**)
- Made or received in connection with the transaction of **official business**
- By any agency (**or its officials/employees/agents/advisory board members**)
- **Intended** to perpetuate, communicate or formalize knowledge.

PUBLIC RECORDS LAW



What is a Public Record

Examples:

- Emails from Village staff to P&Z Board members of upcoming meetings and the responses
- Agenda for meetings including all back-up documents
- Communications sent to P&Z Board members by applicants for an upcoming meeting issue
- P&Z Board member's social media posts, texts, and emails about a specific Village issue and the responses from others
- P&Z Board member's home address, home or personal cell phone, and other personal information provided to the Village*

PUBLIC RECORDS LAW



What is NOT a Public Record

- Personal records:
 - Invitation to non-Village related social event or birthday card from other board members
 - Text messages on personal cell phone from other board members about non-Village P&Z matters
 - Social media post by board member about general Village issues not related to P&Z Board duties or issues*
 - **Emails about personal matters on Village's system***
- *Check personnel policy on e-mail / text usage**

PUBLIC RECORDS LAW



- **Bottom-Line:** As a P&Z Board member, most records you review and create in your official position will be public records.
 - Location and privacy do not matter
 - Emails, texts, and other records sent to board members from applicants appearing before you are public records
 - CAUTION: Your e-mail, social media posts, and texts may end up on the front page of the newspaper
- **If it is a public record, it must be released to requester unless exempted by law.**

ETHICS LAWS



- **The P&Z Board is governed by two primary ethics laws:**
 - Code of Ethics for Public Officers and Employees, Chapter 112, Part III, Florida Statutes (**State Code**)
 - Palm Beach County Code of Ethics, Palm Beach County Ordinance 2011 (as amended) (**County Code**)
 - County Code is generally stricter
 - Always check both Codes

ETHICS LAWS



- Primary Ethical Considerations:
 - Solicitation or acceptance of gifts
 - Doing business with the Village
 - Misuse of P&Z Board position
 - Disclosure or use of inside information
 - Conflicting contracts/employment
 - **Voting conflicts**

ETHICS LAWS



- **Voting conflicts:**
 - Prohibited from **voting on or participating in** any matter to (or which will) provide or result in a special financial benefit
 - For yourself, spouse, household member, close family relative, employer(s), client/customer, debtor, creditor, and charities involved with
 - Case by case basis looking at size of class that will benefit from decision
 - Benefit cannot be remote or speculative

ETHICS LAWS



- **Voting conflicts (continued):**

Section 286.012, Florida Statutes:

Voting requirement at meetings of governmental bodies.—A member of a ... municipal governmental board, ... who is present at a meeting of any such body ... may not abstain from voting ... and a vote shall be recorded or counted for each such member present, **unless, with respect to any such member, there is, or appears to be, a possible conflict of interest ...**

If the official decision, ruling, or act occurs in the context of a **quasi-judicial proceeding**, a member may abstain from voting on such matter if the abstention is to **assure a fair proceeding free from potential bias or prejudice.**

ETHICS LAWS



- **Voting conflicts (continued):**
 - If a voting conflict exists (or appears to exist) or to assure fair quasi-judicial proceeding, you must:
 - Publicly disclose the nature of the conflict
 - Abstain from **participating and voting**
 - Complete and file a State of Florida Commission on Ethics Conflict Form 8B with the Village Clerk and submit a copy of the completed form to the County Commission on Ethics
 - Avoid all other participation in the matter

QUASI-JUDICIAL



Quasi-Judicial Matters

- Is it Quasi-Judicial?
- Ex Parte Communications

QUASI-JUDICIAL



Is it Quasi-Judicial?

- Under the Village's code (and applicable law), a quasi-judicial action is one in which the P&Z Board applies legislative established criteria to a particular situation to determine compliance or non-compliance (i.e., policy application, NOT policy setting).
- Examples of Quasi-Judicial matters:
 - P&Z Board makes final decision (may be appealable):
 - Minor site plan amendments
 - Variances
 - Appeals from PZB director decision (by code)
 - P&Z Board makes recommendation to Village Council:
 - Site plans and special exceptions
 - Small rezoning without land use change

QUASI-JUDICIAL



Is it Quasi-Judicial (continued)?

- The following are not quasi-judicial:
 - Comprehensive Plan Amendments
 - Large scale re-zonings
 - Text amendments to LDR regulations
 - Other administrative or executive actions (approving minutes; setting meeting dates and times; setting board rules of procedure; selecting board chair and vice-chair; etc.)

QUASI-JUDICIAL



Ex Parte Communications

- Ex parte communications are communications made outside a quasi-judicial hearing to one or more board members.
- **Ex parte communications, while not prohibited, are improper and greatly discouraged.**
- Ex Parte communications generally include:
 - Site visits
 - Conversations with the applicant or its representatives
 - Review of correspondence from applicant and/or Village staff
 - Conversations with Village staff

QUASI-JUDICIAL



Ex Parte Communications (continued)

- Disclosure of ex parte communications at outset of hearing
 - Ensures all participants know each board member's knowledge of matter
 - Helps to protect the record on appeal from due process challenges of prejudice or bias due to ex parte communications
- If a disclosure of ex parte communications suggests the board member may not be impartial, further disclosures may be necessary to ensure impartiality or consideration of recusal.

FLORIDA SUNSHINE, PUBLIC RECORDS, ETHICS AND QUASI-JUDICIAL MATTERS



QUESTIONS & COMMENTS

THANK YOU!