

Agenda Item # R - 1

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

A PUBLIC HEARING FOR SECOND READING AND ADOPTION OF APPLICATION NO. 22-4 (ZONING TEXT) AND ORDINANCE NO. 1026, AN APPLICATION BY REDD & ASSOCIATES, REGARDING A ZONING TEXT AMENDMENT TO CHAPTER 26 OF THE VILLAGE’S ZONING CODE TO INCLUDE “SENIOR HOUSING FACILITY” AS A SPECIAL EXCEPTION USE IN THE INDUSTRIAL GENERAL (IG) ZONING DISTRICT, BY FRANK BAYNHAM.

Issue:

The applicant is proposing an amendment to the Village’s Zoning Code at Section 26-93 (3) to allow a “Senior Housing Facility” as a Special Exception Use in the Industrial General (IG) Zoning District within the Village. The subject use is proposed to be added to the Village’s Zoning Code under Section 26-93(3)(I), as shown in Ordinance No. 1026.

Currently a “Senior Housing Facility” is located within an Industrial General (IG) Zoning District and is considered a legal nonconforming use. The Applicant would like to expand the existing “Senior Housing Facility”. However, the legal nonconformity cannot be expanded or enlarged under Village Code. Therefore, the Applicant has applied for a Text Amendment in order to make the existing use a codified special exception use in the Industrial General (IG) Zoning District in order to allow the expansion to proceed.

The Local Planning Agency considered the application on April 26, 2022, and recommended approval by a vote of 4-0.

Recommended Action:

Staff is recommending Approval of Application No. 22-4 (Zoning Text) and Ordinance No. 1026 on second reading.

Initiator:	Village Manager	Agenda Date	Village Council
P & Z Director	Approval	6-16-2022	Action

ORDINANCE NO. 1026

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 26. ZONING. AT ARTICLE V. ZONING DISTRICTS., SECTION 26-93. IG INDUSTRIAL GENERAL DISTRICT. TO ADD SENIOR HOUSING FACILITY TO THE LIST OF SPECIAL EXCEPTION USES IN THE IG INDUSTRIAL GENERAL ZONING DISTRICT; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUB-SECTION OF CHAPTER 26. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village of Royal Palm Beach, Florida, has received privately initiated application #22-4 (Text Amendment) requesting certain text amendments to the Village’s Zoning Code in order to allow senior housing facilities as special exception uses in the IG – Industrial General Zoning District; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to update its Zoning Code as more specifically detailed in privately initiated application #22-4 (Text Amendment); and

WHEREAS, the Village of Royal Palm Beach has held all required public hearings and has provided public notice in accordance with applicable State statutes and Village ordinances; and

WHEREAS, the Village Council of the Village of Royal Palm Beach has determined that the proposed revisions to Chapter 26. are in the best interests of the health, safety and welfare of Royal Palm Beach.

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

Section 1: Chapter 26. Zoning. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Article V. Zoning Districts. at Sec. 26-93. IG Industrial General District. in order to add “senior housing facility” as a special exception use; providing that Sec. 26-93 shall hereafter read as follows:

Sec. 26-93. - IG Industrial General District.

(1)—(2) [Shall remain the same as previously adopted.]

(3) Special exception uses.

- (a) Asphalt or concrete plant.
- (b) Automobile and/or water craft repair and/or service.
- (c) Brewery, subject to section 26-75.2.
- (d) Fleet vehicle storage and maintenance facility.
- (e) Funeral home with crematory.
- (f) Kennels with outside runs.
- (g) Landscape service and nursery.
- (h) Medical research.
- (i) Memory care facility, subject to section 26-60.
- (j) Microbrewery, subject to section 26-75.2.
- (k) Planned industrial development.
- (l) Senior Housing Facility (SFH), subject to section 26-60.
- (m)~~(t)~~-Small engine repair.
- (n)~~(m)~~-Solid waste transfer stations.
- (o)~~(n)~~-Telecommunication towers, antenna (may exceed district height limitations if approved by special exception).
- (p)~~(o)~~-Water craft brokerage.
- (q)~~(p)~~-Park and ride facility.
- (r)~~(q)~~-Public or private academic institution.

(4)—(5) [Shall remain the same as previously adopted.]

Section 2: Each and every other Section and Sub-section of Chapter 26. Zoning. shall remain in full force and effect as previously enacted.

Section 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This Ordinance shall take effect immediately upon passage.

FIRST READING this ____ day of May, 2022.

SECOND AND FINAL READING this ____ day of June, 2022.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK