



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE December 5, 2023

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING SECTION 30-7 “OFFICIAL ZONING MAP” OF THE TOWN CODE OF ORDINANCES TO UPDATE INFORMATION PERTAINING TO THE DATE OF THE MOST RECENT AMENDMENT TO TOWN’S OFFICIAL ZONING MAP AS SET FORTH IN ORDINANCE NO. 2022-002; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

SUMMARY:

In January 2021, the Palm Beach County Property Appraiser advised Town staff that the following three (3) parcels located within the Boca Cove development did not have a zoning district designation:

Parcel Control No. (PCN)	PARCEL ADDRESS	PROPERTY OWNER
24434704010001131	1123 Boca Cove Lane	Bonnie H and Michael K Mazor
24434704000060250	NA	Boca Cove HOA
24434704010001128	NA	Boca Cove HOA

According to the Town’s Zoning Map, all of the parcels located within the Boca Cove development (with the exception of the three (3) parcels noted above) are zoned Residential Multiple Family Low Density (RML). Upon review of Town Ordinance No. 594, which adopted the Zoning Map in 1990, these three (3) parcels were located within the RML Zoning District; however, in error, the Zoning Map (which was in a different mapping format than the Zoning Map adopted under Ordinance No. 594) did not provide any zoning district designation for these parcels. To correct this scrivener’s error, on January 18, 2022, the Town Commission approved the rezoning of these three parcels from no zoning district designation to the RML zoning district (Ordinance No. 2022-002). *Note that one of the three (3) parcels (Parcel control number 24-43-47-04-01-000-1128) did not have a corresponding Future Land Use Designation and therefore to correct this additional scrivener’s error, on September 6, 2022 the Town Commission adopted Ordinance No. 2022-007. Such Ordinance amended the Future Land Use designation of this one (1) parcel from no future land use designation to Multi*

Family Low Density which is the corresponding future land use designation for all of the other parcels in the Boca Cove development.

Staff have worked with the Town's GIS consultant to revise the Official Zoning Map in accordance with the above-referenced adopted rezoning including the replacement of the Town logo with the latest version (Attachment No. 1). Given Section 30-7 of the Town Code provides for the date and corresponding Ordinance Number of the most recent amendment to the Official Zoning Map, an amendment to this section of the Town Code is required in order to update this information as set forth in Ordinance No. 2022-002. The following amendment to the Town Code of Ordinances is proposed (additions are denoted by an underline, and deletions are denoted by a ~~strikethrough~~):

Sec. 30-7. Official zoning map.

(a) Official zoning map. The official zoning map shall be adopted, and amended as necessary, by the town commission. The map shall be signed by the mayor, whose signature shall be attested by the town clerk. The map shall bear the official seal of the Town of Highland Beach. The official zoning map of the Town of Highland Beach, last adopted or amended by Ordinance No. 2022-002 ~~594~~ on ~~dated~~ January 18, 2022 ~~August 22, 1990~~, is hereby adopted by reference and without change, and is made a part of this chapter.

Effective October 1, 2023, Section 166.041(4), Florida Statutes requires that before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a Business Impact Estimate (BIE). Such BIE is not required for ordinances enacted to implement Part II of Chapter 163, F.S. which includes amendments to the Zoning Code (Chapter 30). Moreover, given the proposed Town Code amendment merely updates information pertaining to the date of the most recent amendment to the Official Zoning Map as set forth in Ordinance 2022-002, there is no direct economic impact on private, for-profit businesses in the Town.

Planning Board recommendation

At the November 9, 2023 Planning Board meeting, the Board made a motion to recommend approval of the Ordinance (motion carried 6-0).

FISCAL IMPACT:

None.

ATTACHMENTS:

New Town Official Zoning Map (Attachment No. 1).

Proposed Ordinance.

Previous Official Zoning Map.

Town Ordinance 2022-002.

RECOMMENDATION:

At the discretion of the Town Commission.

