



Village of Palm Springs

Executive Brief

AGENDA DATE: August 27, 2015

DEPARTMENT: Land Development

ITEM#12: Ordinance 2015-30 – Village Code Amendment - Expiration of Special Exception Uses & Representations/Conditions of Approval During Approval Process

SUMMARY: Within the numerous annexations that have occurred over the past five years, some of the properties are vested with special exception (conditional use) uses previously approved by Palm Beach County. In many cases, the approval is no longer in use, but the County approval remains valid on the property until a subsequent use is specifically approved by the Village.

The Village has been allowing businesses permitted within the CG zoning district to utilize the property without the need for site plan approval or formal abandonment of the previously approved use. As a result, the special exception approval seems to survive, although it is not utilized.

In order to be business-friendly and not require property owners to formally abandon previous approvals before utilizing a property with a permitted use, staff is recommending a proposed code amendment that deems the special exception (conditional use) approval expired if unused for more than a 12-month period.

Additionally, the proposed Ordinance would provided that representations made at the public hearing by the Applicant, including graphic materials or oral commitments, that relate to additions or deletions from the site plan application or additional conditions of approval, shall be made part of the record and considered an amendment to the application that is before the Village Council for action, and subject to enforcement under the provisions of this Code.

The Land Development Board considered the proposed code amendments at their August 11th meeting and recommended approval.

If approved on 1st reading, this ordinance will be considered for 2nd and final reading by the Village Council on September 10th.

FISCAL IMPACT:

There is no direct fiscal impact of the proposed amendment.

ATTACHMENTS:

1. Proposed Ordinance No. 2015-30