

**TOWN OF OCEAN RIDGE
PLANNING & ZONING REGULAR MEETING
AGENDA**



**June 16, 2026 at 9:00 AM
Town Hall - Meeting Chambers**

COMMISSIONERS

Chair P. Shields Ferber
Vice Chair Kenneth Kaleel
Member Neal Sigety
Member Marc de Baptiste
Member Fady Khairallah
Alt. Member Lanette Bosch Gustafson
Alt. Member Jason Sutherland

ADMINISTRATION

Town Manager Michelle Heiser
Town Attorney Christy Goddeau
Town Clerk Kelly Avery
Building Official Mike Crisafulle
Town Planner Corey O'Gorman
Town Engineer Orlando Rubio
Town Zoning Official Manual Palacios

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

PUBLIC COMMENT – (3-minute individual limit for items not on the agenda)

APPROVAL OF MINUTES

1. Adopt Minutes of the May 19, 2026, Regular Meeting.

DISCUSSION / ACTION ITEMS

2. Selection of Chair & Vice Chair
3. Discussion Regarding Revisions to Artificial Turf Ordinance
4. Discussion Regarding Revisions to Reasonable Accommodation Procedures Ordinance

COMMISSIONER COMMENTS

This item is reserved for any Commissioner Comments that are not related to any item printed on the agenda.

ADJOURNMENT

**THE NEXT MEETING OF THE PLANNING & ZONING BOARD WILL BE HELD
ON TUESDAY, JULY 21, 2026, AT 9:00 AM AT TOWN HALL.**

The Town of Ocean Ridge is holding all meetings in-person, with an additional option of listening to the

audio live. Any person wishing to view the meeting online, go to:
<https://www.youtube.com/@oceanridge9274>

If a person decides to appeal any decision made by the Planning & Zoning Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that for such purpose, he/she 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. Persons who need an accomodation in order to attend or participate in this meeting should contact the Town Clerk at 561-732-2635 at least 5 days prior to the meeting in order to request such assistance. Please take notice that one or more Town Commissioners may be present at any board or commission meeting of the Town of Ocean Ridge.

Notice: The public may view the hard copy of the meeting materials at Town Hall before the meeting.

PLANNING & ZONING COMMISSION MEETING MINUTES
MAY 19, 2026

Meeting Minutes of the Planning and Zoning Commission of the Town of Ocean Ridge held on Tuesday, May 19, 2026, in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Vice Chair Kaleel.

ROLL CALL

Town Clerk Avery led the roll call, which was answered by the following:

Chair Shields Ferber	Absent
Vice Chair Kenneth Kaleel	Present
Member de Baptiste	Present
Member Fady Khairallah	Present
Member Neal Sigety	Present
Member Gustafson	Present

Chair Ferber was absent with notice.

PLEDGE OF ALLEGIANCE

Chair Ferber led the Pledge of Allegiance.

Town Clerk Avery swore in Member Sigety.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

There was none.

PUBLIC COMMENT

Vice Chair Kaleel opened the floor for public comment.

The following spoke: Terry Brown

Vice Chair Kaleel closed the floor for public comment. He called for a moment of silence in honor of the passing of Commissioner Hutchins.

APPROVAL OF MINUTES

1. **Adopt Minutes of April 21, 2026, Regular Meeting.**

Member de Baptiste moved to adopt the minutes of April 21, 2026; seconded by Member Khairallah. Motion carried 5-0.

DISCUSSION/ACTION ITEMS

2. **Quasi-Judicial Hearing: Development Plan Review – 7 Harbour Dr. N (Continuation)**

Town Planner Corey O'Gorman introduced the continued development plan review application and summarized the applicant's revisions addressing the Board's previous comments, noting staff's recommendation for approval with conditions or denial.

PLANNING & ZONING COMMISSION MEETING MINUTES
MAY 19, 2026

Vice Chair Kaleel asked if any of the board members had any ex parte communications. He and all other Commissioners stated that they had none. Town Clerk Avery swore in those wishing to speak on the item.

Architect Jose Enriquez and contractor representative Juan Manuel Munoz presented revisions addressing the Board's concerns regarding drainage, air-conditioning screening, streetscape compatibility, and the home's overall appearance.

Member de Baptiste inquired about the berm previously discussed for the western side of the property, and the applicant confirmed it remained in the plans. Member Sigety asked about window penetration compliance, and Town Planner O'Gorman confirmed the design remained unchanged and continued to comply with the Town's requirements.

Property owners John and Paula Agoglia told the Board the home was designed to comply with FEMA and Town setbacks and to remain compatible with the neighborhood.

Vice Chair Kaleel opened the floor for public comment. Hearing none, he closed the floor for public comment.

Member Khairallah moved to approve the quasi-judicial hearing for the proposed development plan for 7 Harbour Dr. N with no conditions: seconded by Member Sigety. Motion carried 5-0.

3. Quasi-Judicial Hearing: Development Plan Review (Renewal) – 5920 N Ocean Blvd (Continuation)

Town Planner O'Gorman reported that staff's review of the permit drawings identified material changes from the approved plans, including a building height exceeding Town Code requirements. Staff recommended tabling the item for further review with the applicant.

Vice Chair Kaleel asked if any of the board members had any ex parte communications. He and all other Commissioners stated that they had none. Town Clerk Avery swore in those wishing to speak on the item.

Homeowner Joseph Asir acknowledged the delay, expressed concern about the timing of identified discrepancies, and stated willingness to comply with code requirements while requesting that some issues be addressed during permitting.

Town Engineer Orlando Rubio reported coordination with the applicant's new civil engineer and stated that revised drainage plans, substituting an exfiltration trench for the east retention area appear acceptable preliminarily, pending further geotechnical and hydraulic conductivity review at the building permit stage.

Member de Baptiste, with concurrence from Member Sigety, noted concern regarding the varied window types (arched, square, and cathedral) and requested that the applicant consider greater design consistency upon resubmittal, while acknowledging that redesign was not within the Board's purview.

PLANNING & ZONING COMMISSION MEETING MINUTES
MAY 19, 2026

Vice Chair Kaleel opened the floor for public comment. Hearing none, he closed the floor for public comment.

Member de Baptiste moved to continue the item to the June 21st meeting: seconded by Member Sigety. Motion carried 5-0.

4. Quasi-Judicial Hearing: Site Plan Review – 6849 N Ocean Blvd

Town Planner Corey O'Gorman introduced the proposed and noted that staff found the project compliant with RMM zoning requirements and recommended approval, subject to Board review.

Vice Chair Kaleel noted that several Board members are members of the Ocean Club and referenced the Town Attorney's opinion that membership alone, absent participation in governing functions, does not require disqualification. He invited the public to comment on any objections to participation; none were raised. He disclosed an invitation from Club President Craig Whiting to attend a pre-meeting presentation with project consultants, a follow-up call from the architect before the meeting, and general member support expressed through club interactions, stating these contacts did not affect his objectivity. Member Sigety disclosed attendance at Ocean Club meetings during the planning process and a prior meeting with Craig Whiting regarding broader club plans. Member de Baptiste disclosed a discussion with Craig Whiting, confirming the inclusion of temporary facilities in the application. Alt. Member Gustafson disclosed attendance at club meetings, reviewing the plans with no subsequent contacts. Member Khairallah disclosed no Ocean Club membership or related contacts.

Brian Donahue of Insight Studio, 3601 PGA Boulevard, Palm Beach Gardens, presented the land planning and landscape architecture components of the project. Architect Isaac Campos of Peacock and Lewis Architects, 1295 US Highway 1, North Palm Beach, described the architectural design.

Mr. Donahue then presented the preliminary engineering plan, which had been reviewed and approved by Town Engineer Rubio.

Town Engineer Rubio confirmed that adequate drainage, calculations, and geotechnical data had been submitted for this review stage, with final civil and utility approvals to occur at the building permit.

Town Attorney Goddeau stated for the record that temporary construction facilities fall outside the Planning and Zoning Commission's jurisdiction and would be handled administratively by staff following Town Commission approval, as the Town Code contains no specific provisions governing such facilities.

Vice Chair Kaleel opened the floor for public comment.

Resident Terry Brown of Harbor Drive South supported the ADA ramp, emphasized protection of the dune system and DEP approval for any temporary structures, and raised concerns about construction sequencing and financial assurances related to adjacent development.

Town Attorney Goddeau clarified in response that the town would not be requiring bonding; any such financial assurance would be a matter for the property owners.

PLANNING & ZONING COMMISSION MEETING MINUTES
MAY 19, 2026

Vice Chair Kaleel submitted a letter of support for the record on behalf of an interested party, noting it would stand as submitted without being read aloud.

Kim Ulle of Edwards Companies, owner of the adjacent northern condominium development parcel, spoke in support of the application.

Clark Parriott of 6880 North Ocean Boulevard expressed support for the application, noting its understated residential design, enhanced landscaping, and long-term benefits to the Ocean Ridge community.

Vice Chair Kaleel closed the floor for public comment.

Vice Chair Kaleel supported the project but raised safety concerns regarding A1A, including crash history in the S-curve, sight-line obstructions from landscaping, and conflicts between ingress traffic and vehicles backing out of parking spaces, and requested further mitigation review.

Member Sigety noted that aligning the Ocean Club and Muse access points across A1A is a meaningful safety improvement over the existing condition.

Member de Baptiste noted the reduced speed limit of 25 mph through the S-curve as an existing traffic calming measure along that stretch.

Member de Baptiste moved to approve the quasi-judicial hearing for the proposed development plan for 6849 N Ocean Blvd: seconded by Member Sigety. Motion carried 5-0.

COMMISSIONER COMMENTS

There was none.

ADJOURNMENT

Member de Baptiste moved to adjourn the meeting; seconded by Member Gustafson. Motion carried 5-0.

ADJOURNMENT

Meeting adjourned at 10:10 a.m.

Minutes prepared by Deputy Town Clerk Pinder and adopted by the Planning & Zoning Commission on June 16, 2026.

Shields Ferber, Chair

Attest:

Kelly Avery, Town Clerk

Agenda: Tuesday, June 16, 2026
Memo: Item #2.

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum
Kelly Avery, Town Clerk

Subject: Selection of Chair & Vice Chair

Chair and Planning and Zoning Members:

The Town Commission re-appointed Fady Khairallah, Neal Sigety and Shields Ferber as Regular Members for the Planning and Zoning Commission. After each annual appointment cycle, the board has to choose a Chair and Vice Chair as indicated in the Code.

Per the Rules of Order and Procedure, the Chair and the Vice Chair shall be selected by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

The Chair will serve as the presiding officer for the meetings. The Presiding Officer shall preserve order during the meetings. In the case of absence or disability of the Chair, the Vice-Chair shall assume the responsibilities of the Chair as Presiding Officer.

The Rules of Order and Procedure are attached for reference.

Suggested Motion:

Respectfully,
Kelly Avery, Town Clerk

TOWN OF OCEAN RIDGE
6450 NORTH OCEAN BOULEVARD
OCEAN RIDGE, FLORIDA 33435

www.oceanridgeflorida.com
(561) 732-2635 ♦ FAX (561) 737-8359

LYNNE LADNER
TOWN MANAGER

KELLY AVERY
TOWN CLERK



MAYOR
GEOFF PUGH

VICE MAYOR
STEVE COZ

COMMISSIONERS
CAROLYN CASSIDY
PHILIP BESLER
KENNETH KALEEL

TOWN COMMISSION & BOARDS RULES OF ORDER AND PROCEDURE
Adopted by Resolution No. 2021-24 on November 1, 2021

Rule 1. Public Meetings.

- 1.1 All Town Commission and Town Commission Appointed Board/Committee meetings shall be open to the public except as otherwise provided by law.

Rule 2. Regular Meetings.

- 2.1 The Town Commission shall meet the first Monday of each month at 6 p.m. in Town Hall. This date may be changed from time to time as needed by a majority vote of the Town Commission.
- 2.2 The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law. Town Commissioners and Department Heads may make requests in writing to the Town Manager to place an item on the upcoming Town Commission meeting agenda by the deadline date set by the Town Manager. If the Town Manager refuses to accept any Commissioner's timely addition to the agenda, the Commissioner can bring up the matter during Commission discussion. The order of the items on the Town Commission agenda will be determined by the Town Manager, subject to change by a majority vote of the Town Commission at the beginning of the meeting.

Rule 3. Special Meetings

- 3.1 Special Meetings may be held on the call of the Mayor or of a majority of the members of the Town Commission and, whenever practicable, upon no less than twenty-four hours' notice to each member and the public, unless there is an immediate threat to the public health, safety or welfare. The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law.
- 3.2 The Mayor, Town Manager, or a majority of the Commission Members may call an Emergency Town Commission meeting when a sudden,

urgent event or situation arises necessitating immediate action and judgment. The Town Clerk or designee shall post the agenda and notify each Town Commission Member, the Town Manager, and Town Attorney immediately. Such notification shall be given as soon as practicable before commencement of the meeting, which may be less than 24 hours' notice, and shall state the time, place, and subject of the meeting.

Rule 4. Adjourned Meeting

- 4.1 A Town Commission session may be adjourned or continued from day to day or for more than one day, but the adjournment shall not be extended beyond the next regular meeting.

Rule 5. Duties and Responsibilities of the Presiding Officer

- 5.1 The Mayor shall preside at Town Commission meetings and shall be recognized as head of the Town government for ceremonial purposes and by the Governor for martial law purposes. The Presiding Officer shall preserve order during Town Commission meetings. The Presiding Officer shall have discretion to make rulings for the progress of the meeting, subject to these rules. In the case of absence or disability of the Mayor, the Vice-Mayor shall assume the responsibilities of the Mayor as Presiding Officer, and if both are absent or disabled the Commissioner with the longest term of continuous service shall preside.

The Chair of a Board/Committee shall be designated as the Presiding Officer for the Board/Committee he/she serves, with the Vice-Chair presiding in the absence of the Chair, and if both are absent or disabled the committee member with the longest term of continuous service present at the meeting shall preside.

- 5.2 The Presiding Officer may call to order any member of the Commission, staff, or any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting.

Rule 6. Corporate Seal

- 6.1 The duly appointed Town Clerk shall keep in custody the Town's corporate seal and ensure its proper and lawful use on behalf of the Town. No person shall use the Town Seal for a purpose other than official Town business.

Rule 7. Presentations & Public Comment

- 7.1 Town Commission and Board/Committee meetings are business meetings of the Commission/Board/Committee and the right to limit discussion rests with the Commission/Board/Committee.
- 7.2 Except as otherwise set forth in these Rules, persons who make an approved, pre-scheduled presentation to the Town Commission must limit the duration of their presentation to 15 minutes. Exceptions may be granted by the Presiding Officer.

- 7.3 Public Comments made by a member of the public will be limited to one time per subject matter for a total of three minutes. Exceptions may be granted by the Presiding Officer or a majority of Commissioners agreeing to grant extended time not to exceed one minute. Individuals addressing the Commission on the same topic as an individual who has already spoken should attempt to provide new information. When possible, individual grievances should first be taken up with Town Staff before comments are made at a Town Commission meeting.
- 7.4 The Commission may withhold comment or direct the Town Manager to take action on requests or comments made by the public.
- 7.5 Each person addressing the Commission shall step up to the podium and state his/her name and address in an audible tone of voice for the record. All public comments must be addressed to the Commission as a body and not to individuals. Personal verbal attacks upon Commissioners, staff, and/or members of the public will not be tolerated. Any person making impertinent obscene, personally insulting, defamatory, or slanderous remarks or who becomes disruptive while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

Rule 8. Decorum and Order

- 8.1 The presiding officer shall preserve decorum and order during meetings. Any Commissioner may call point of order during the meeting and state the question of order along with the rule citation. The Presiding Officer decides all questions of order subject to the Commission's appeal by majority vote of all Commissioners present.
- 8.2 During all meetings of the Commission, Commissioners must preserve order and decorum and a Commissioner shall neither by conversation or otherwise, delay or interrupt the proceeding or the peace of the Commission nor disturb any Commissioner while speaking, or refuse to obey the rules of the Commission or its Presiding Officer, except as otherwise provided herein. Members of the Commission shall accord the utmost courtesy to each other, the Town employees, consultants, professionals presenting applications or other matters, and the public appearing before the Commission. Members of the Commission shall refrain at all times from rude and derogatory remarks and abusive comments or statements.
- 8.3 No member of the public shall, during a Commission meeting, make or cause to be made any intentional disruptive noise, or take any intentional disruptive action of any kind in the Commission Chambers.
- 8.4 The presiding officer shall have the authority to direct the removal of any member of the public who violates the rules of decorum as set forth herein.

- 8.5 Town Commissioners, Town Staff members and those individuals who address the Commission or its appointed boards or committees shall not use language which includes profanity or cursing, or which is presented in a belligerent or threatening manner toward the Commission, members of its staff or its consultants, the public or other individuals participating in a public meeting. All comments shall be directed to the Presiding Officer of the meeting and not to individual members of the Commission, town staff or consultants, or to members of the public in the audience. During public comment, on a regular agenda item, if a member of the public wishes to ask a question directly to town staff or a guest presenter, the member of the public will present the question to the Presiding Officer who may choose how or if to ask the question. However, Town staff or guest presenter has no obligation to respond to the question.

Those addressing the Commission or its appointed boards or committees shall avoid personal verbal attacks toward members of the Commission, members of its appointed boards or committees, town staff or consultants, or members of the public in order to preserve decorum during the conduct of public meetings. The Presiding Officer may remove individual(s) from the Commission Chambers if such conduct persists after the Presiding Officer has provided the offending individual with a warning that the individual is in violation of this policy.

- 8.6 It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
1. The Presiding Officer will identify out loud the out-of-compliance behavior and request for the behavior to stop;
 2. The Presiding Officer will ask the speaker to have a seat if he/she continues to disrupt the meeting;
 3. If the speaker refuses to have a seat and/or stop the out-of-compliance behavior, the Presiding Officer will recess the meeting; and,
 4. Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

Rule 9. Rules of Debate

- 9.1 Sequence of Debate: With the exception of quasi-judicial matters, items before the Commission shall be commenced by presentation of the item by a staff member, followed by public comment on the item. Once the Presiding Officer closes public comment, he or she opens the floor for debate by Commissioners, and shall not re-open public comment on the item unless there is a majority vote by all Commissioners present to do so. Once all Commissioners have had the opportunity to speak on the item,

the Presiding Officer may call for a motion and a second on the item and then open debate on the motion by the Commission. Once debate by Commissioners has concluded on the motion, the Presiding Officer shall call for a vote on the motion. A roll call vote may be requested by any Commissioner on any item.

- 9.2 Presiding Officer May Move, or Second, & Debate: The Presiding Officer may make a motion or second on any item subject only to such limitations of debate as are imposed by these rules on all Commissioners and shall not be deprived of any of the rights and privileges of the Commissioner by reason of the Commissioner acting as the Presiding Officer. However, the Presiding Officer may only make a motion once he/she has called for a motion and no other Commission Member has offered a motion on the floor.
- 9.3 Responsibility of Presiding Officer: The Presiding Officer has the responsibility of controlling and expediting debate. A Commissioner who has been recognized to speak on a question has a right to the undivided attention of the Commission. The Presiding Officer's responsibility is to keep the subject clearly before the Commissioners, to rule out irrelevant discussion, and to restate the question whenever necessary.
- 9.4 All Members Shall Vote: No member of the Commission who is present at any meeting of the Commission at which an official decision, ruling or other official action is to be taken or adopted may abstain from voting in regard to such decision, ruling or act and a vote shall be recorded or counted for each such member present, except when, with respect to any such Commissioner, there is a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such Commissioner shall comply with the disclosure requirements of Section 112.313, Florida Statutes.
- 9.5 Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking except to call the Commissioner to order or as herein otherwise provided. If a Commissioner while speaking is called to order, said Commissioner shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.
- 9.6 Withdrawal of Motions: Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.
- 9.7 Amending of Motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then vote upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in sub-paragraph 9.76 above.

- 9.8 Motion to Reconsider: A motion to reconsider any action taken by the Commission may be made only during the meeting that such action was taken. Such motion must be made by one of the Commissioners on the prevailing side, but may be seconded by any Commissioner. The motion to reconsider may be made at any time and have precedence over all other motions. Nothing herein contained shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.

Rule 10. Appointments to the Commission and Boards & Committees

- 10.1 Vacancies on the Town Commission or any Board or Committee of the Town of Ocean Ridge shall be announced on the Town Commission agenda, and on the Town website. All interested persons shall submit a letter of interest and resume to the Town Clerk by the deadline stated in the announcement. The Town Clerk shall determine whether or not the interested person is a qualified elector of the Town and submit that information to the Town Commission. No nominations from the floor are allowed unless otherwise set forth herein.
- 10.2 To fill a vacancy on the Town Commission, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing the qualified candidates that submitted a letter of interest and resume by the stated deadline. If no letters of interest or resumes are received by the stated deadline, or only one letter of interest and resume is received by the stated deadline, the Commission may choose to fill the vacancy by a motion and second, nominating any qualified elector to fill the vacancy. The Town Commission may, by majority vote of the Commission, change the voting process at any time.
- 10.3 To fill a vacancy on any Board or Committee of the Town other than the Town Commission, the Town Commission shall vote by ballot as set forth in 10.2 above.
- 10.4 To fill the positions of Mayor and Vice-Mayor, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Town Commissioner's name. The Town Commission may, by majority vote of the Commission, change the voting process at any time.

To fill the positions of Chair & Vice-Chair on the Planning & Zoning Commission, Board of Adjustment, or any other committee created by the Town Commission, the Members of each Board shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

Rule 11. Suspension and Amendment of these Rules

- 11.1 Suspension of Rules: Any provision of these rules not governed by the Town Charter or Town Code may be temporarily suspended by a vote of a majority of the Town Commission Members.

11.2 Amendment of Rules: These rules may be amended, or new rules adopted, by a majority vote of the full membership of the Town Commission, provided that the proposed amendments or new rules shall have been introduced into the record.

Agenda: Tuesday, June 16, 2026
Memo: Item #3.

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum
Christy Goddeau, Town Attorney

Subject: Discussion Regarding Revisions to Artificial Turf Ordinance

As you may be aware, section 125.572, Florida Statutes, which the Legislature passed in 2025, requires the Florida Department of Environmental Protection (FDEP) to adopt minimum standards for the installation of artificial or synthetic turf **on single-family residential properties of 1 acre or less in size**. On May 19, 2026, FDEP adopted Rule 62-308.100, Florida Administrative Code, which established such minimum standards. A copy of Rule 62-308.100, F.A.C., is attached.

There are two (2) areas in Rule 62-308.100 in which local governments are authorized to establish requirements: (1) to establish a quantifiable standard of permeability with a maximum of 10 inches per hour for all layers of the artificial turf installed; and (2) to require that existing irrigation heads be removed and pipe capped prior to installation of artificial turf. Both of these areas are added to the proposed Ordinance with the quantifiable standard being a maximum of 10 inches per hour per square yard for all layers (consistent with but less than the Town's current standard of 30 inches per hour per square yard).

For all other properties in the Town, the Town's pre-existing standards for artificial turf are left the same.

Since the Town's existing artificial standards are set forth in the Town's Land Development Code at section 66-142, the proposed revisions are being brought before the Planning and Zoning Commission for its review and recommendation to the Town Commission.

Should you have any questions regarding the above, please do not hesitate to contact me.

Staff recommends...

Suggested Motion: I move to...

Respectfully,
Christy Goddeau, Town Attorney

62-308.100 Synthetic Turf.

(1) Scope.

(a) "Synthetic turf" is defined by s. 125.572(1), F.S.

(b) Pursuant to s. 125.572, F.S., this rule establishes minimum standards for the installation of synthetic turf on single-family residential properties of 1 acre or less in size. Pursuant to s. 125.572(3), F.S., local governments may not regulate synthetic turf in a manner inconsistent with these minimum standards. This rule does not establish nor require any new department-issued permit or authorization for the installation of synthetic turf,

(c) These standards do not modify the property rights of any entity, including any fee simple interests or any less-than-fee interests, such as easements or rights of way.

(2) Material type.

(a) Synthetic turf, including backing material and infill, must not contain heavy metals or intentionally added per- and polyfluoroalkyl substances.

(b) Synthetic turf, including backing materials and infill, must be disposable under normal conditions at any Chapter 62-701, F.A.C., Florida permitted landfill.

(c) Infill material, if used, shall only be clean silica sand, rock, shell, or other natural material, except that coated silica sand may be used provided that any coating used is non-toxic and meets the requirements described in paragraphs (2)(a) and (2)(b). Rubber or any other synthetic infill material is allowed only within the footprint of playground equipment and must also meet the requirements described in paragraphs (2)(a) and (2)(b). Installation shall be designed to prevent washing away of any infill material off the residential property.

(d) Subgrade shall be composed of natural materials, such as crushed rock, or crushed concrete that meets the permeability requirements of this rule. Subgrade materials shall be washed prior to installation to prevent fines from binding.

(3) Color. Green synthetic turf shall be allowed.

(4) Permeability.

(a) Synthetic turf must be permeable and affixed to permeable backing with a pervious subgrade. A local government may establish a quantifiable standard of a maximum of 10 inches per hour for all layers.

(b) Synthetic turf must be installed over a subgrade prepared for positive drainage and evenly graded porous material.

(c) Soil beneath installed subgrade shall not be compacted to the extent that it adversely impacts percolation through the soil.

(5) Stormwater management.

(a) Installation of synthetic turf must be designed and installed to prevent pooling or an increase in the stormwater runoff volume, direction, or rates to adjacent properties and, where possible, runoff shall be directed to on-site pervious areas.

(b) Installation of synthetic turf must not alter the permitted stormwater management system as designed and shall not be installed within a swale, ditch, stormwater pond, or a stormwater pond's littoral zone.

(6) Potable water conservation.

(a) In-ground irrigation systems cannot be used to irrigate synthetic turf areas.

(b) If any in-ground system is already installed, a local government may require that irrigation heads be removed and pipe capped.

(7) Water quality.

(a) Synthetic turf shall not cause or contribute to violations of state water quality standards.

(b) Buffer zones around natural or man-made waterbodies may be established to protect against erosion and reduce pollution provided that such buffer for synthetic turf is no greater or restrictive than what is applicable to natural turf. Where no buffer zone has been established, synthetic turf shall be installed no closer than 10 feet from a natural or man-made waterbody as measured from the applicable ordinary or mean high water line except where there is a physical barrier between the synthetic turf and the waterbody (such as, but not limited to, a seawall or bulkhead).

(8) Proximity to trees and other vegetation.

(a) Installation of synthetic turf cannot compromise the health of nearby trees, including damage to tree roots, other than those identified as a noxious weed as defined in Chapter 581, F.S.

(b) Synthetic turf shall not be installed inside tree drip lines, whether on the property or adjacent properties, unless the tree is a noxious weed as defined by Chapter 581, F.S., or unless a certified arborist, using site specific information and best professional judgment, certifies that installation within that drip line would not be harmful to the tree.

- (9) Other factors impacting environmental conditions of adjacent properties.
- (a) Synthetic turf shall be installed according to manufacturer's specifications.
 - (b) Synthetic turf shall be anchored at all edges and seams that, at a minimum, will withstand the effects of wind or flooding.
 - (c) If installed, synthetic turf must provide for access to the septic tank for routine pumpout.
 - (d) If installed, synthetic turf shall be installed landward of any dune system and shall not be used to replace any existing dune vegetation.

Rulemaking Authority 125.572 FS. Law Implemented 125.572 FS. History—New 5-19-26.

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING CHAPTER 66, “ENVIRONMENTAL REGULATIONS”, ARTICLE IV, “LANDSCAPING”, DIVISION 2, “WATER EFFICIENT LANDSCAPE”, SECTION 66-142, “ARTIFICIAL TURF/SYNTHETIC GRASS”, TO CONFORM TO THE REQUIREMENTS OF SECTION 125.572, FLORIDA STATUTES, AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION’S MINIMUM STANDARDS FOR SINGLE FAMILY RESIDENTIAL PROPERTIES OF ONE (1) ACRE OR LESS IN SIZE; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Town Commission, as the governing body of the Town of Ocean Ridge, Florida pursuant to authority in Chapter 163 and Chapter 166, Florida Statutes, and the Local Government Comprehensive Planning and Land Development Regulation Act, has adopted a Land Development Code which sets forth the Town’s Land Development Regulations in Chapter 63 through Chapter 70 of the Town’s Code of Ordinances; and

WHEREAS, the Town currently has regulations in section 66-142 of the Town’s Land Development Code regarding artificial turf; and

WHEREAS, in 2025, the Florida Legislature adopted section 125.572, Florida Statutes, to preempt regulation of artificial turf for single family residential properties of one (1) acre or less in size and directed the Florida Department of Environmental Protection (FDEP) to adopt minimum requirements for the installation of artificial turf for such single family residential properties of one (1) acre or less in size; and

WHEREAS, on May 19, 2026, FDEP adopted the minimum standards by final administrative rule as set forth in Rule 62-308.100 of the Florida Administrative Code; and

WHEREAS, the Planning and Zoning Commission, sitting as the Local Planning Agency, has considered this Ordinance to revise section 66-142 at its June 16, 2026 meeting, and submitted its recommendation for approval to the Town Commission; and

WHEREAS, the Town Commission has taken the recommendation of the Local Planning Agency and the comments from the public into consideration; and,

WHEREAS, the Town Commission finds that the revisions to section 66-142 as proposed in this Ordinance are consistent with the Town’s Comprehensive Plan, are in the best interests of the Town, do not create any provisions that are more burdensome or restrictive, and serve a valid public purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMISSION OF THE TOWN OF OCEAN RIDGE THAT:

Section 1. Recitals: The recitals set forth above are hereby adopted as true and correct findings of the Town of Ocean Ridge and its Commission and are specifically made a part of this Ordinance as operative provisions.

Section 2. Amendment: Chapter 66, “Environmental Regulations”, Article IV, “Landscaping”, Division 2, “Water Efficient Landscape”, Section 66-142, “Artificial Turf/Synthetic Grass”, is hereby amended as follows (underline denotes new language and ~~strike-through~~ denotes deleted language):

Sec. 66-142. Artificial turf/synthetic grass.

- (a) Definition. “Artificial turf” and “synthetic grass” as used in this section and elsewhere in the code shall mean “synthetic turf” as defined by section 125.572(1), Florida Statutes.
- (b) Minimum standards for single-family residential properties of 1 acre or less in size. For all single-family residential properties of 1 acre or less in size, the minimum standards mandated by section 125.572, Florida Statutes, and set forth in Rule 62-308.100 of the Florida Administrative Code (as may be amended from time to time) shall be the minimum standards for the installation of artificial turf in the town. As authorized by Rule 62-308.100, F.A.C. the following conditions shall apply:
 - (1) All layers shall have a minimum permeability of 10 inches per hour per square yard.
 - (2) If an in-ground irrigation system exists at the time of installation, all irrigation heads shall be removed and pipe capped.
- (c) Minimum standards for all other properties. For all other properties not covered under subsection (b) above, the minimum standards set forth in subsection (b) shall apply along with the following standards:
 - (1) Artificial turf shall consist of green lifelike individual blades of grass that emulate natural turf in look and color, as approved by the town building official, and shall have a minimum pile height of one and one-half inches, unless otherwise approved by the town building official, and shall have a minimum tufted weight of 56 ounces per square yard.
 - (2) Artificial turf installations shall have a minimum permeability of 30 inches per hour per square yard.
 - (3) All artificial turf shall have a minimum eight-year manufacturer's warranty that protects against color fading and a decrease in pile height.
 - (4) Artificial turf shall be lead free.
 - (5) All materials must include test documentation which declares that the artificial turf yarn and backing materials are disposable under normal conditions, at any U.S. landfill station (Total Content Leach Protocol (TCLP) test).

- (6) The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.

(d) *Installation, maintenance and repair.*

- (1) All artificial turf shall at a minimum, be installed according to the manufacturer's specifications.
- (2) All artificial turf installations shall be anchored to ensure that the turf will withstand the effects of wind.
- (3) All seams shall be nailed and glued, not sewn, and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look unless otherwise required by the manufacturer.
- (4) If artificial turf is planned to be installed immediately adjacent to a seawall, the artificial turf shall be pinned or staked behind the seawall. No artificial turf or installation mechanism shall be attached directly to or placed on a seawall or seawall cap.
- (5) Proper drainage shall be provided for all artificial turf installations to prevent excess runoff or pooling of water.
- (6) Artificial turf shall be visually level, with the grain pointing in a single direction.
- (7) An appropriate barrier device (e.g., concrete mow strip, bender board, brick pavers, river rock, landscaping) is required to separate artificial turf from soil and live vegetation.
- (8) Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised unless a certified arborist certified in writing that the health of the tree is not and will not be compromised.
- (9) All artificial turf shall be maintained in a green fadeless condition and shall be maintained free of dirt, mud, stains, weeds, debris, tears, holes, and impressions. Maintenance shall include, but not be limited to cleaning, brushing, debris removal; repairing of depressions and ruts to maintain a visually-level surface; elimination of any odors, flat or matted areas, weeds, and evasive roots; and all edges of the artificial turf shall not be loose and must be maintained with per manufacturer's standards at all times~~appropriate edging or stakes.~~
- (10) All artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas. Replacement and/or repairs shall be done with like for like materials from the same manufacturer, if possible, and done so in a manner that results in a repair that blends in with the existing artificial turf.
- (11) An owner or applicant shall obtain a duly-authorized building permit from the town's building department prior to the installation of any artificial turf.
- (12) The town or other public entity or utility company may remove artificial turf at any time and for any reason, including but not limited to, in order to provide underground access for utility work. The property owner shall bear and pay any and all costs to replace or reinstall the artificial turf.

- (e) *Locations allowed.* Artificial turf/synthetic grass shall be allowed in rear and side yards, but not to exceed 25 percent of the total lot area (this area is defined as the total parcel area defined as a side or rear yard minus the area of the primary structure) of the rear and side yards. Artificial turf/synthetic grass shall not be allowed in any front yard areas or in any area visible from the public right-of-way (regardless of whether it is in the rear or side yard), unless it is placed in between paver blocks or similar items in a manner where the area for the artificial turf does not exceed four inches in width, provided that the synthetic turf area does not exceed 50 percent of the total area using the paver blocks. Screening, as approved by the building official, may be used in order to comply with the visibility requirement, further any turf/synthetic grass placed in between paver blocks shall not count toward the 25 percent maximum amount allowed. The foregoing shall not apply to single-family residential properties of 1 acre or less. No artificial turf shall be installed in the public right-of-way.
- (f) *Existing artificial turf.* For those properties where artificial turf is currently installed that is not in compliance with this section, when the existing artificial turf is replaced or repaired, in an amount exceeding 50 percent, then compliance with this section shall be required. Further, all existing artificial turf, not in compliance with this section, must be replaced within ten years of the adoption of this ordinance [from which this section derives].
- (g) *Pervious area.* Artificial turf shall be considered as 100-percent pervious area.

SECTION 3. Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4. Repeal of Conflicting Ordinances: All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5. 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 6. Effective Date: This Ordinance shall become effective immediately upon adoption.

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

	AYE	NAY
GEOFF PUGH, Mayor	_____	_____
STEVE COZ, Vice Mayor	_____	_____
CAROLYN CASSIDY, Commissioner	_____	_____
DAVID HUTCHINS, Commissioner	_____	_____
AINAR AIJALA JR., Commissioner	_____	_____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on this _____ day of _____, 2026.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFF PUGH, MAYOR

ATTEST:

BY: _____
KELLY AVERY, TOWN CLERK

Agenda: Tuesday, June 16, 2026
Memo: Item #4.

Town of Ocean Ridge, Florida

Planning & Zoning Commission Agenda Memorandum

Christy Goddeau, Town Attorney

**Subject: Discussion Regarding Revisions to Reasonable Accommodation
Procedures Ordinance**

At a prior Town Commission meeting and as discussed at its May 4, 2026 workshop, the Town Commission directed staff to move forward with revisions to the Town's existing reasonable accommodation procedures to comply with section 397.487(15)(a), Florida Statutes (2025), which requires all municipalities to adopt an ordinance establishing the procedures for the review and approval of reasonable accommodation requests for certified recovery residences by January 1, 2026.

Section 67-206 of the Town's Land Development Code contains the Town's current reasonable accommodation procedures (adopted in 2016). In addition to the requirements of section 397.487, Florida Statutes, the Town's reasonable accommodation procedures must be consistent with the federal Fair Housing Amendments Act (FHA) and the Americans with Disabilities Act (ADA) requirements to ensure equal housing for persons with disabilities.

The proposed Ordinance amends section 67-206 of the Town's Land Development Code to specifically address the requirements of section 397.487(15), Florida Statutes, regarding certified recovery residences and update the Town's procedures.

Generally, the process for reviewing and approving a reasonable accommodation request involves a written application to the Town; review of the application by the Town; and, a hearing before the Town's special magistrate for approval, approval with conditions, or denial of the request.

The Planning and Zoning Commission sitting as the Town's Local Land Planning Agency must make a recommendation to the Town Commission on the proposed Ordinance.

Should you have any questions regarding the above, please do not hesitate to contact me.

Suggested Motion: I move to...recommend approval of Ordinance No. 2026-XX to the Town Commission.

Respectfully,
Christy Goddeau, Town Attorney

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING CHAPTER 67, “BUILDING AND BUILDING REGULATIONS”, ARTICLE VII, “BUILDING STANDARDS”, DIVISION 3, “OCCUPANCY LIMITATIONS”, SECTION 67-206, “REASONABLE ACCOMMODATION PROCEDURES” TO INCLUDE CERTIFIED RECOVERY RESIDENCES TO COMPLY WITH SECTION 397.487, FLORIDA STATUTES (2025) AND TO UPDATE THE PROCEDURES, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Town Commission, as the governing body of the Town of Ocean Ridge, Florida pursuant to authority in Chapter 163 and Chapter 166, Florida Statutes, and the Local Government Comprehensive Planning and Land Development Regulation Act, has adopted a Land Development Code which sets forth the Town’s Land Development Regulations in Chapter 63 through Chapter 70 of the Town’s Code of Ordinances; and

WHEREAS, pursuant to Section 397.487(15)(a), Florida Statutes (2025), all counties and municipalities are required to adopt an ordinance establishing the procedures for the review and approval of reasonable accommodation requests including requests by certified recovery residences by January 1, 2026; and

WHEREAS, the procedures for the review and approval of reasonable accommodation requests must also be consistent with the requirements of the federal Fair Housing Amendments Act (FHA) and the Americans with Disabilities Act (ADA) to ensure equal housing for persons with disabilities; and

WHEREAS, the Town currently has reasonable accommodation procedures set forth in section 67-206 of its Land Development Code, which establish an application review process and hearing before the Town’s special magistrate; and

WHEREAS, the purpose of this Ordinance is to update the Town’s current reasonable accommodation procedures to include certified recovery residences as required by Section 397.487(15)(a), Florida Statutes; and

WHEREAS, the Planning and Zoning Commission sitting as the Local Planning Agency, held a duly advertised public hearing on June 16, 2026, to consider this Ordinance and recommended to the Town Commission approval of the same; and

WHEREAS, the Town Commission has considered the recommendation of the Local Planning Agency and the comments from the public regarding this Ordinance; and,

WHEREAS, the Town Commission finds that this Ordinance is necessary to strengthen consistency in how the Town handles reasonable accommodation requests to ensure equal housing

for persons with disabilities, and for the preservation of public health, safety and welfare of the Town's residents; and

WHEREAS, the Town finds that protecting and maintaining the residential character, privacy, security, and quality of life of its neighborhoods including protecting the Town's established density and non-transient occupancy requirements serves a legitimate public purpose and maintains the fundamental nature of the land use and zoning regulations of the Town; and,

WHEREAS, the Town Commission finds that the revisions to section 67-206 as proposed in this Ordinance are consistent with the Town's Comprehensive Plan, are in the best interests of the Town, serve a valid public purpose, and serve to further the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE THAT:

Section 1. Recitals: The recitals set forth above are hereby adopted as true and correct findings of the Town of Ocean Ridge and its Commission and specifically made a part of this Ordinance by reference and considered operative provisions of this Ordinance.

Section 2. Amendment: Chapter 67, "Building and Building Regulations", Article VII, "Building Standards", Division 3, "Occupancy Limitations", Section 67-206, "Reasonable Accommodation Procedures", is hereby amended as follows (underline denotes new language and ~~strike-through~~ denotes deleted language):

Sec. 67-206. - Reasonable accommodation procedures.

(a) This section implements the policy of ~~theis~~ town for processing requests for reasonable accommodation from ~~theis~~ town's ~~ordinances~~ land development code, laws, rules, policies, practices, and procedures for persons with disabilities as provided by the federal Fair Housing Amendments Act (42 U.S.C. 3601 et. seq.) ("FHA") and Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et. seq.) ("ADA"), as amended from time to time. For purposes of this section, a "disabled individual" or a "disabled person" means an individual that qualifies as disabled and/or handicapped under the FHA and/or ADA. A "qualifying entity" includes a licensed service provider of the State of Florida as defined by section 397.311(26), Florida Statutes, as amended from time to time. Any person who is disabled (~~or a qualifying entity~~) may apply for a reasonable accommodation with respect to ~~theis~~ town's land development code, laws, rules, land use policies, or other relevant practices and/or procedures as provided by the FHA and the ADA by submitting an application for a reasonable accommodation pursuant to the procedures set forth in this section. Applications for a reasonable accommodation must provide proof that a person requires a reasonable accommodation because he/she is disabled and/or handicapped under the FHA and/or ADA. All qualifying entities must provide proof of the licensable service component the qualifying entity holds pursuant to Chapter 397, Florida Statutes, as amended from time to time.

(b) A request or application by a disabled person or individual ("applicant") for a reasonable accommodation under this section ~~may be either oral or~~ shall be made in writing by completing a

~~form and written~~ in accordance with procedures set forth ~~herein~~ and as may be further required by ~~the~~ town clerk. If in writing it shall be made by completing a form which is available in this town clerk's office. ~~The applicant's written request for a reasonable accommodation shall, at a minimum, include: form shall contain questions and requests for information, which are necessary for this town to process the reasonable accommodation request.~~

- (1) The name, address, telephone number, and e-mail of the property owner(s), the applicant, and, if applicable, the authorized representative, attorney or agent;
- (2) The applicable property information of the subject property including property address, parcel identification number and disclosure of all ownership interests; and
- (3) A description of the reasonable accommodation requested and identification of the specific regulation(s), standard(s), or procedure(s) from which relief is sought.
- (4) A description of why the requested accommodation is necessary.
- (5) Site Plan showing existing and proposed structures and parking.
- (6) Floor Plan showing room measurements and proposed number of residents.
- (7) Proof of current all licensure and certification, including certification level, under section 397.487, Florida Statutes.
- (8) Proof of certification, including certification level by the Florida Association of Recovery Residences or other credentialing entity for recovery residences approved by the Department of Children and Families.
- (9) Name and certification number of the certified recovery residence administrator.
- (10) Contact information for the operator.
- (11) The written request must be signed by or consented to by all owners of the property and the applicant or authorized representative, and must include the following statements:
 - (i) I CERTIFY UNDER PENALTIES OF PERJURY THAT ANY AND ALL PERSONS OCCUPYING THE PROPERTY ARE OWNERS, TENANTS, OR OTHER LEGAL OCCUPANTS WHOSE OCCUPANCY IS FOR 30 DAYS OR MORE.
 - (ii) I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS REQUEST IS TRUE AND CORRECT. I UNDERSTAND THAT IF I KNOWINGLY PROVIDE FALSE INFORMATION WITH THIS APPLICATION, MY APPLICATION AND ANY GRANT OF THE SAME SHALL BECOME NULL AND VOID AND REVOKED.
- (12) The applicant may include any additional information for the town's consideration; however, the town shall not require disclosure of medical records or personal information beyond what is reasonably necessary to establish eligibility under applicable law.

(c) If the information required to be provided by the applicant to ~~the~~ town, includes medical information and/or records, including records relating to the medical condition, diagnosis or medical history of the applicant, the applicant at the time of the submission of the medical information, may request that ~~the~~ town treat the medical information as confidential information of the applicant. In such case, ~~the~~ town shall endeavor to keep the applicant's medical information confidential to the extent permitted by law. The town shall thereafter use its best efforts to provide written notice to the applicant and/or the applicant's authorized agent, attorney or representative, of any request received by the town for disclosure of the medical information or documentation which the applicant has previously requested be treated as confidential by this town. The town will cooperate with the applicant to the extent allowed by law, in actions initiated by persons or entities that challenge or oppose this town's nondisclosure of medical information or records of the applicant. However, ~~the~~ town shall have no obligation to defend against any other action seeking to compel the production of public records or to incur any legal or other expenses in connection therewith, and may produce the records to the extent this town determines the records are not exempt from the Public Records Act, or to comply with any judicial or administrative order without prior notice to the applicant.

(d) When a reasonable accommodation request has been submitted to ~~the~~ town clerk's office, the application shall be date-stamped and within 30 days of receipt of the application, the town shall determine whether the application is complete. If incomplete, the town must notify the applicant in writing, identifying the specific additional information required. The applicant shall be provided with no less than 30 days to submit the requested information. The review period is tolled until the town receives the additional information. If the requested information is not submitted within 30 days, the application will be deemed withdrawn with written notice advising the applicant that the request for reasonable accommodation is deemed abandoned. When the town determines that the application is complete, the town will be scheduled the application for a quasi-judicial hearing before the special magistrate. The special magistrate shall be the same as the magistrate appointed by ~~the~~ town commission, which shall be the same special magistrate appointed to hear ~~code enforcement~~ community standards cases, unless ~~this~~ town commission specifically appoints a special magistrate to hear the reasonable accommodation requests. The special magistrate shall may:

- (1) Grant the reasonable accommodation request in full;
- (2) Grant a portion of the reasonable accommodation request and deny a portion of the reasonable accommodation request, and may impose conditions upon the portion of the reasonable accommodation request that was granted; or
- (3) Deny the reasonable accommodation request. Any denial of a reasonable accommodation request shall be in writing, and shall state the specific objective, evidence-based reasons for the denial and identify any deficiencies or actions necessary for reconsideration.

(e) All decisions of the special magistrate on a request for reasonable accommodation shall be in writing and shall give the applicant notice of the applicant's right to appeal. The written decision of the special magistrate shall be sent to the applicant (~~i.e., the disabled individual or his/her authorized agent, attorney, or representative~~) by regular mail at the address specified for notice by the applicant ~~on the application form~~. If the request is denied in whole or in part, the reasons for

the denial must be provided in the written decision. **If the final written decision is not issued within 60 days after receipt of the completed application**, the request is deemed approved unless the applicant and town agree in writing to a reasonable extension of time.

(fe) In determining whether a reasonable accommodation request should be granted or denied, the applicant, or, if applicable, the qualifying entity, must establish that the applicant is protected under the provisions of the FHA and/or ADA by demonstrating that the applicant is handicapped or disabled, as defined in the FHA and/or ADA. Although the definition of disability is subject to judicial interpretation, for purposes of this section, the disabled individual who is the subject of the request for a reasonable accommodation must show:

- (1) A physical or mental impairment which substantially limits one or more major life activities;
- (2) A record of having such impairment; and
- (3) That the disabled individual is regarded as having such impairment.

After satisfying the foregoing three criteria, the applicant must demonstrate that the proposed accommodations being sought are reasonable and necessary to afford him/her or the qualifying entity an equal opportunity to use and enjoy housing. A request to allow occupancy of the property for a period of less than 30 days shall be considered a fundamental alteration in the nature of the land use and zoning regulations of the Town.

(gf) If the applicant or the town disagree with the written decision of the special magistrate, the applicant and/or the town may appeal the decision by petition for writ of certiorari to the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, division of appeals ~~If denied an applicant may seek review, by writ of certiorari to the Fifteenth Judicial Circuit, of the special magistrate's written decision on a reasonable accommodation request within 30 days after the date on which the written decision is rendered.~~

(hg) No fee shall be imposed by the town clerk's office in connection with a request for reasonable accommodation under this section, or for an appeal of a decision of the special magistrate. The town shall have no liability for or legal obligation to pay an applicant's attorney's fees or costs, including the attorney's fees and costs incurred in any appeal at any appellate level.

(ih) During the time when an application for reasonable accommodation is pending, ~~the~~is town shall not enforce the land development code, ordinance, rules, policies, and procedures which are the subject of the request for a reasonable accommodation against the applicant.

(ji) The following general provisions shall be applicable:

- (1) The town shall display a notice in the town's public notice bulletin board (and shall maintain copies available for review in ~~the~~is town clerk's office), advising the public that disabled individuals ~~(and qualifying entities, if applicable)~~ may request a reasonable accommodation as provided in this section.
- (2) A disabled individual, or ~~if applicable~~ a qualifying entity who has applied for a reasonable accommodation, may be represented at all stages of the reasonable

accommodation process by a person designated by the disabled individual as their authorized agent, attorney, or representative. If any authorized agent, attorney, or other representative is representing the individual or a qualifying entity, a written authorization designating the authorized agent, attorney, or representative shall be submitted together with the application.

- (3) The town shall provide assistance and accommodation as is required pursuant to the FHA and ADA in connection with a disabled person's or qualifying entity's request for reasonable accommodation, including without limitation, assistance with preparing the written request interpreting the reasonable accommodation application form and responding to the questions from the town contained therein, assistance with completing the form, assistance with filing an appeal, and assistance in appearing at hearings to ensure the process is accessible.

(j) Approvals of requests for reasonable accommodation shall expire within 180 days if not implemented.

(k) An approved reasonable accommodation is specific to the disabled individual or qualifying entity, does not run with the land, and does not alter an individual's or qualifying entity's obligation to comply with other applicable federal, state, county, or town requirements, rules, regulations, or laws.

(l) If the request for a reasonable accommodation is granted with conditions and the disabled individual or qualifying entity violates a condition(s) of approval, or the qualifying entity's fails to maintain its required license, the town may pursue such violation or failure as a code violation before the town's special magistrate. If the violation or failure is confirmed by the special magistrate, in addition to any other legal remedies available to the town, the town shall revoke the granted request for a reasonable accommodation and such revocation shall be in writing to the applicant and/or property owner. Upon revocation, a disabled individual or qualifying entity may reapply for a reasonable accommodation. A qualifying entity shall have 180 days to reinstate its required license.

(m) Severability. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section is declared unconstitutional by the final and valid judgment or decree of any court of competent jurisdiction, the declaration of unconstitutionality or invalidity shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section.

SECTION 3. Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4. Repeal of Conflicting Ordinances: All ordinances, resolutions, or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5. Effective Date: This Ordinance shall become effective immediately upon adoption.

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

	AYE	NAY
GEOFF PUGH, Mayor	_____	_____
STEVE COZ, Vice Mayor	_____	_____
CAROLYN CASSIDY, Commissioner	_____	_____
DAVID HUTCHINS, Commissioner	_____	_____
AINAR AIJALA JR., Commissioner	_____	_____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on this _____ day of _____, 2026.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
GEOFF PUGH, MAYOR

ATTEST:

BY: _____
KELLY AVERY, TOWN CLERK