



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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TO: Town of Palm Beach Members of the Planning and Zoning Commission

THRU: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building
James Murphy, Assistant Director of Planning, Zoning & Building

FROM: Jennifer Hofmeister-Drew, AICP, LCAM, Planner III

RE: **Code Amendment to Chapter 134, Zoning, Article VI, District Regulations**

DATE: November 28, 2022

Enclosed please find revised code language to the district regulations for four (4) of the five (5) commercial zoning districts. More specifically, the Code Sections in Chapter 134, Zoning, Article VI, District Regulations that are proposed for amendment are to the following divisions:

- Division 8, **Town-Serving Commercial District (C-TS)**, Section 134-1107, Permitted Uses, Section 134-1109 and Special Exception Uses,
- Division 9, **Worth Avenue District (C-WA)**, Section 134-1157, Permitted Uses and Section 134-1159, Special Exception Uses;
- Division 11, **Planned Center District (C-PC)**, Section 134-1259, Special Exception Uses;
- Division 12, **Commercial District (C-B)**, Section 134-1259, Special Exception Uses.

The amendments involve eliminating the Business Tax Receipt (BTR) verbiage that has been embedded in the Zoning Code and addressing like for like changes in permitted uses.

In recent months, it was brought to the attention of Planning, Zoning & Building (PZB) staff that to obtain a Business Tax Receipt (BTR) for a new business where that use has already been approved as a Special Exception in that zoning district, requires the new tenant to repeat the public hearing process for Special Exception Approval by the Town Council. This requirement is repetitive and cumbersome. As such, staff is proposing to streamline the procedure by removing the BTR language from the affected commercial districts within the Zoning Code. The Local Business Tax process is provided for in Chapter 114, Article II, Local Business Tax.

Lastly, two specific Code Sections, C-TS and C-WA that speak to non-conforming permitted uses above the maximum square footage have been simplified.