

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 10, 2024

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Staff-Initiated Draft Zoning Text Amendments – Docks and Marine Structures

Date: March 26, 2024

STAFF REQUEST & RECOMMENDATION

Staff requests that the Town Council review the proposed changes to the Zoning Code sections related to docks and marine structures. Staff was directed to review and propose changes to the code to primarily remove the need for the multiple variances required for new docks and dock expansions. Staff further recommends that the Town Council adopt the changes as proposed. The Town Council approved the proposed changes at first reading at the March 13, 2024 development review hearing.

GENERAL INFORMATION

Docks – About two or three years ago a project was before Arcom that included a cantilevered rear yard extension out over the Intracoastal. It was basically a marginal dock but provided the ability for the owner to “expand” the area of their rear yard. Staff was directed to review the ability to add these marginal docks and the matter was sent to the Planning & Zoning Commission. An ordinance was produced, reviewed, and adopted to prevent this type of yard expansion. Unfortunately, the unintended consequence of the ordinance was that most new docks, or most dock expansions, now require at least one variance of Chapter 62, Marine Structures.

Staff proposes the following changes to section 62-74 and 62-75.

The strike through and underline of the code section is attached to this staff memo. The intent of the revision is to clarify the existing intent of the regulations and address unintended consequences of the most recent revisions of the ordinance. The modifications to the language include:

1. Describing a “marginal dock” structure and provide for the maximum projection and width.
2. Eliminating the reference to the town’s “official bulkhead line” (an un-surveyable regulatory demarcation) and replace with reference to the Mean High Water Line (industry standard, and surveyable).
3. Prescribing the maximum width of the gangway portion of a dock as it projects from land.

4. Prescribing the maximum width of the terminal portion of a dock as it runs perpendicular to the gangway, including allowance for additional width between piers to allow for safe pedestrian loading and unloading of vessels.
5. Explicitly excluding boat lifts and platform boat lifts from being included when calculating gangway and terminal width (to address the numerous unintended variance requests recently heard by the town council required to store marine vessels).
6. Providing allowance for minimum lighting of docks to allow pedestrian navigation (reference to lighting was previously unaddressed).
7. And providing for regulations for docks and marine structures on Everglades Island and Ibis Isle, where current dock regulations cause the need for excessive variance requests.

REQUESTED ACTION

Adoptions of the revised language to Chapter 62 as proposed.

Attachments: Ordinance 009-2024