

# TOWN OF PALM BEACH

Information for Town Council Meeting on:

May 9, 2018

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To: Mayor and Town Council

From: Paul Castro, Acting Director, Planning, Zoning & Building Department

Re: Proposed Zoning Text Amendment Application from Maura Ziska to Consider a Zoning Text Change which would include the C-B Zoning District to the List of Commercial Districts which are allowed to Request Supplement Off-Site Shared Parking by Special Exception

Date: April 27, 2018

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council provide the Applicant direction related to filing a proposed zoning text amendment to allow as a special exception the use of supplemental off-site parking in the C-B Zoning District.

## **GENERAL INFORMATION**

The Town requires that any proposed zoning text amendment from a private individual or property owner be considered by the Town Council prior to filing an application for study. The purpose is to determine if the Council has interest in possibly making the proposed Code change prior to the applicant and staff spending time and funds to pursue a proposed amendment. If the Council has no interest in studying a proposed amendment, the applicant still has the option to proceed with the proposed amendment application and filing fee (\$4,000 per amendment). However, the applicant has some indication whether such amendment will have any support or interest from the Town prior to filing and paying the application fee.

Maura Ziska has submitted a request asking the Town Council to consider studying a proposed zoning text amendment application (see Exhibit A). The proposed amendment is as follows.

The existing provisions in Chapter 134, Zoning, do not allow supplemental off-site shared parking in the C-B Zoning District. The C-B District is comprised of properties located in the one hundred block of Royal Palm Way (See the light pink in Exhibit B). The intent of the proposed amendment is to allow supplemental off-site parking in that zoning district by special exception approval from the Town Council. This would allow commercial property owners or tenants in the C-OPI, C-TS or C-B Zoning Districts to request off-site parking within 500 feet of the use that the off-site shared parking is intended to serve.

Staff requests that the Town Council provide applicant direction on the proposed amendment. If

you have any questions, please contact me at 227-6406.

Exhibits

cc: Planning and Zoning Commissioners  
Kirk Blouin, Town Manager  
Jay Boodheshwar, Deputy Town Manager  
John C. Randolph, Town Attorney  
zf

# EXHIBIT A

## KOCHMAN & ZISKA PLC

Ronald S. Kochman\*

Maura A. Ziska

\*Also admitted in New York

Esperanté

222 Lakeview Avenue, Suite 1500  
West Palm Beach, Florida 33401

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Facsimile: (561) 802-8995

### VIA HAND DELIVERY

April 6, 2018

Paul Castro, AICP  
Acting Director  
Planning, Zoning and Building Department  
Town of Palm Beach  
360 South County Road  
Palm Beach, Florida 33480

**Re: Zoning Text Amendment**

Dear Paul:

I would like to formally request the Town to consider a zoning text amendment to include the C-B Zoning District to the list of commercial districts that are allowed to have **supplemental off-site shared parking**. Currently, supplemental off-site shared parking is allowed in the C-TS, C-WA, C-PC and C-OPI zoning districts. However the C-B Zoning District is absent from this list. It would be beneficial to the Town to add the C-B Zoning District to the below section of the code as it would free up hundreds of parking spaces in the center of Town that could be used between businesses for shared parking. Below is the section of the Code that would be amended and the language that would be added is in bold and underlined.

**Sec. 134-2182. - Shared parking in C-B, C-TS, C-WA and C-OPI commercial zoning districts.**

*Supplemental off-site shared parking.* A conforming use may lease to another existing conforming use the former's required or supplemental parking spaces for use by patrons or employees of the latter, provided:

(1) The area to be used for off-site shared parking shall be in the **C-B**, C-TS, C-WA, C-PC or C-OPI zoning district, and, except for shared parking within a parking garage or underground/underbuilding parking area, any area used for off-site shared parking shall be accessible only to and used by parking attendants and shall have controlled access in the form of gates or other barriers acceptable to the town that can be accessed and used only by parking attendants.

(2) Off-site shared parking shall be located no more than 500 feet from the use the off-site shared parking is intended to serve.


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- (3) The applicant shall provide evidence which shall prove to the satisfaction of the town council that the off-site shared parking use shall not increase noise, light or traffic impacts upon neighboring residential districts.
- (4) A traffic planner or traffic engineer establishes to the satisfaction of the town council, at the applicant's expense, that all other establishments using the existing parking spaces will primarily utilize these spaces at different times of the day, week, month or year from that of the applicant's use, and that the sharing of such parking spaces will not result in conflicting or overlapping usage of the parking facilities.
- (5) If the director of planning, zoning and building department should determine that professional advice and/or consultant is required to review the applicant's parking findings, the expense of such professional advice shall be borne by the applicant pursuant to sections 134-171 and 134-172.
- (6) Off-site shared parking shall only be supplemental, and such parking shall not be used to meet required parking for new construction or expansion or addition to existing floor area.
- (7) The town may impose such additional conditions that it deems necessary to minimize noise, light and traffic impacts upon neighboring residential districts.
- (8) The approval shall initially be limited to a period of six months, whereupon a subsequent review shall be made at a public hearing of the town council at which the interim approval may be renewed, modified or revoked.

For reference, I have attached the zoning map to indicate the area that encompasses the C-B Zoning District. Please place this matter on the May 9, 2018 Town Council agenda. I have also enclosed the required fee of \$100. Please call me if you have any questions with the foregoing. Thank you.

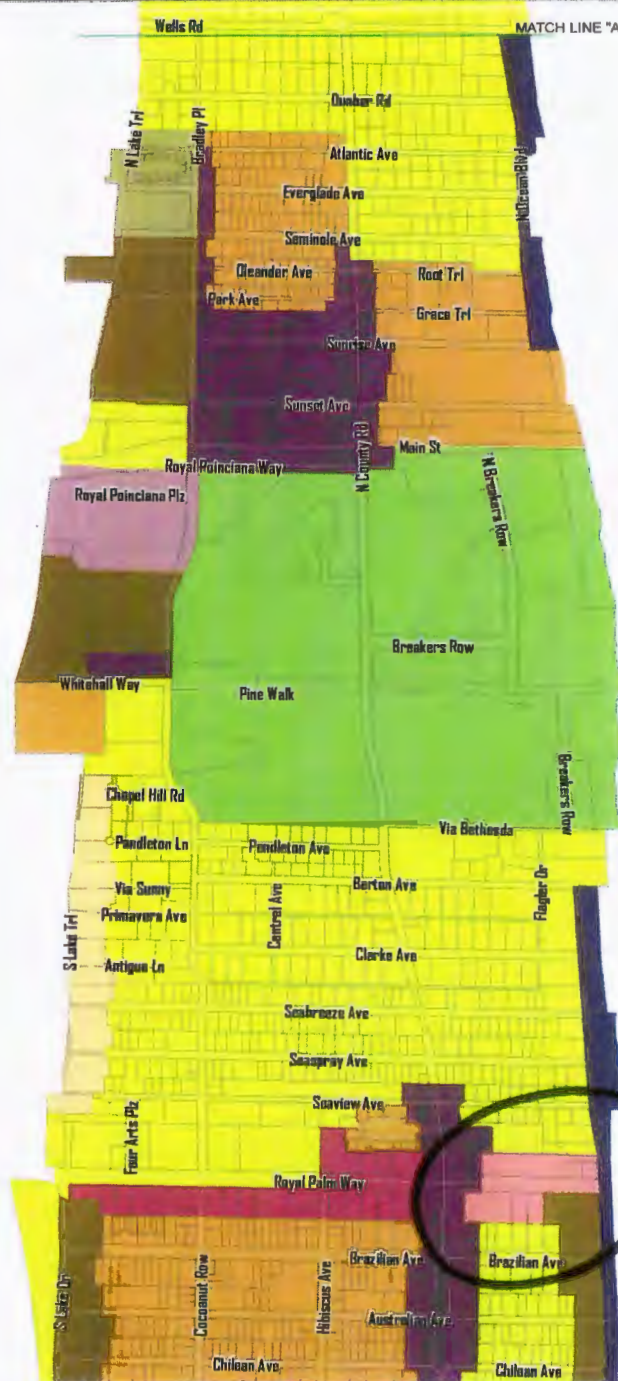
Sincerely,

  
Maura A. Ziska

/maz  
Enclosures

# Town of Palm Beach Zoning Map

EXHIBIT B



## Legend

Parcel

R-AA (Large Estate Residential)

R-A (Estate Residential)

R-B (Low Density Residential)

R-C (Medium Density Residential)

R-D(1) (Moderate Density Residential)

R-D(2) (Heavy Density Residential)

C-OPI (Commercial Off, Prof, Inst)

C-PC (Commercial Planned Ctr)

C-TS (Commercial Town Serving)

C-WA (Commercial Worth Ave)

C-B (Commercial Offices) \*

C (Conservation District)

PUD-A (Planned Unit Dev)

PUD-B (Planned Unit Dev)

PUD-C (Planned Unit Dev)

BA (Beach Area)

\* See Palm Beach Code of Ordinances Regarding Submerged Lands