

TOWN OF PALM BEACH

Information for Town Council Meeting on: July 10, 2019

To: Mayor and Town Council

From: Josh Martin, Director, Planning, Zoning & Building Department

Re: Annual Report - Planning and Zoning Commission

Date: June 25, 2019

STAFF RECOMMENDATION

Staff recommends that the Town Council hear and accept the Planning and Zoning Commission Annual Report for 2018-2019.

GENERAL INFORMATION

Attached Exhibit A is a summary of the activities of the Planning and Zoning Commission for the past year. Martin Klein, the Chair of the Planning and Zoning Commission, is prepared to address the Town Council with comments regarding the Planning and Zoning Commission's activities and to answer any questions.

cc: Kirk Blouin, Town Manager
Jay Boodheshwar, Deputy Town Manager
Planning and Zoning Commission
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EXHIBIT A PLANNING AND ZONING COMMISSION ACTIVITIES

The Planning and Zoning Commission has 10 members (7 regular members & 3 alternates):

The Commission met seven out of the last twelve months from May 2018 to May 2019.

Staff conducted Member Orientation Meetings with new members to review procedures and inform them of ordinances, policies and procedural matters that they will encounter in future meetings.

An average of 88% attendance for all meetings during the year; there were a total of 9 absences by commissioners (3 excused, 6 unexcused).

The Commission has taken a proactive approach in an initiative for process improvement within the Planning, Zoning and Building Department. This process is ongoing and the Commission is holding public meetings and public outreach workshops in June, July and September on process improvement for permitting and development order activities. The Commission also has made a recommendation to the Town Council to begin a comprehensive review to reform the zoning regulations in Chapter 134 of the Code of Ordinances.

During the last year, Commission considered and made recommendations to the Town Council on 17 zoning issues requiring text amendments to Chapter 134, Zoning and Chapter 106, Streets, Sidewalks and Other Public Places. In addition, the Commission considered and made a recommendation on Future Land Use and Text Amendments to the Town's Comprehensive Plan. All of those issues and their outcomes are as follows:

- Considered and recommended approval of a housekeeping item to correct a scrivener's error to the definition of building height in the R-B zoning district. This error occurred in 2017 when a wide range of changes were made relative to referencing the flood plain regulations.
Adopted Commission recommendation by Ordinance #11-2018.
- Considered and recommended approval of an increase in the legal notice requirement for zoning applications that are an intensification of use. Recommended changes identifying what qualified as an intensification of use and additional property owner notice for those zoning applications categorized as an intensification of use to be changed from a 300 foot to a 750-foot radius requirement.
Adopted Commission recommendation by Ordinance #11-2018.
- Considered and recommended approval of an increase in the timeframe to commence the work approved in a zoning application from one year to three years. In addition, recommended a change that defined commencement of work as the issuance of a building permit and not Commission approval or submission of a permit application.
Adopted Commission recommendation by Ordinance #11-2018.
- Considered and recommended approval of a Town initiated comprehensive plan map amendment and text amendments changing the future land use designation of .3 acres of private property known as Kaplan Park from Recreation to Multi-Family Moderate Density.
Adopted Commission recommendation by Ordinance #15-2018.

- Considered and recommended modifications to the Code to allow municipal buildings and structures, as newly defined essential services, west of Lake Trail, and making essential services a special exception use in all zoning districts. In addition, considered and recommended revisions to allow town-owned buildings and structures over Lake Worth and to exempt town-owned buildings at least 50 years old from the nonconforming zoning provisions.

Adopted Commission recommendation by Ordinance #2-2019.
- Considered and recommend approval of changes that specify that boxes that house essential service, including their pads, from counting against the maximum lot coverage or minimum landscape open space of a lot.

Adopted Commission's recommendation by Ordinance #10-2019.
- Considered and recommended approval of a code addition prohibiting the docking, parking and storage stations for shared scooters and dockless shared scooters on private property, streets and sidewalks in the Town. The Commission did not make a recommendation on the docking, parking and storage stations for shared bicycles and dockless shared bicycles as they wanted to further review proposed regulations.

Adopted the Commission's recommendation by Ordinance # 10-2019 and Ordinance #11-2019.
- Considered and recommended approval of a housekeeping item clarifying that unenclosed accessory structures are required to be setback 10 feet from a side and/or rear property line.

In the process of considering adoption of the Commission's recommendation by the Town Council at the June 12, 2019 meeting in proposed Ordinance #17-2019.
- Considered and recommended approval of proposed amendments adding qualifying language to allow general commercial uses over the town-serving threshold by special exception in the C-TS, C-WA and C-B commercial zoning districts.

In the process of considering adoption of the Commission's recommendation by the Town Council at the June 12, 2019 meeting in proposed Ordinance #17-2019.
- Considered and recommended approval of adding a cross reference in corner lot regulation (Section 134-891(4)) which requires street side and rear setback to be the same as the front setback. The added cross reference allows one-story garages to be closer (18 feet) to street side yard property line.

In the process of consideration of the Commission's recommendation by the Town Council at the June 12, 2019 meeting in proposed Ordinance #17-2019.
- Considered and recommended approval of adding permitted and special exception uses in the Beach Area Zoning District. The recommendation included allowing structures and activities customarily allowed on a beach as permitted uses, and one beach house structure, public structures, essential services and concierge beach concessions related to an abutting hotel use as a special exception.

In the process of consideration of the Commission's recommendation by the Town Council at the June 12, 2019 meeting in proposed Ordinance #17-2019.
- Considered and recommended changing the individual business identification sign regulations to allow such signs based on building frontage and business frontage and not based on ground floor tenant frontage. Changes also included modifying other sections of the sign code to clean up language.

In the process of consideration of the Commission's recommendation by the Town Council at the June 12, 2019 meeting in proposed Ordinance #17-2019.

- Considered and recommended modifications to the C-TS and C-OPI commercial zoning districts allowing residential uses above the first floor as a permitted use rather than a special exception use. Also recommended in the C-WA commercial district that residential use on the second floor be a permitted use, which is consistent with the residential density allowed in that district.

In the process of consideration of the Commission's recommendation by the Town Council at the June 12, 2019 meeting in proposed Ordinance #17-2019.

- Considered and made a recommendation to include illustrations in Section 134-2 related to the definition "angle of vision" to better explain the definition of an extraordinary term.

An ordinance is being drafted for consideration by the LPA and Town Council at their June 12, 2019 meeting.

- Considered and made a recommendation to modify Section 134-227 related to Town Council authorization of special exception uses to allow modifications to special exception uses that do not expand or increase floor area, or intensify a special exception use.

This item was deferred by the Commission for further study as part of Zoning Code reform.

- Considered and made a recommendation to modify the dimensional waiver process by shortening the approval process by eliminating the second notice, which is required when a waiver is approved. Also recommended the change that prohibits the approval of an administrative dimensional waiver if there is an objection from an affected neighbor.

This item was deferred by the Commission for further study as part of Zoning Code reform.

- Considered modifications to required setbacks for buildings in the C-TS, C-WA, C-B and C-OPI commercial zoning districts which eliminate the step back setbacks for buildings once the building height is above 15 feet (one-foot setback for every two feet of building height above 15 feet).

This item was deferred by the Commission for further study as part of Zoning Code reform.

- Considered proposed modifications to the R-C, R-D(1) and R-D(2) multi-family residential zoning districts' front setback requirements, which require the front, street side and street rear yard setbacks on corner lots to have a setback of the height of the building times the number of street frontages.

This item was deferred by the Commission for further study as part of Zoning Code reform.

Commissioners remain enthusiastic and engaged in their volunteer service to the Town, and look forward to the continued work on process improvement and Zoning Code reform in the Town.