

ORDINANCE NO. 1-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ZONING, AS FOLLOWS: AT ARTICLE V, PLANNED UNIT DEVELOPMENT PROCEDURE, SECTION 134-622, PERMITTED LAND USES IN THE PUD-A ZONING DISTRICT, TO ALLOW HOTELS AS A PERMITTED USE AND ADMINISTRATIVE SITE PLAN REVIEW FOR PERMITTED AND ACCESSORY USES THAT DO NOT EXCEED 2,500 SQUARE FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, after public hearings pursuant to notice required by law, the Planning and Zoning Commission considered all testimony and recommended modification to the Code of Ordinances; and

WHEREAS, after public hearing pursuant to notice required by law, the Town Council considered the Planning and Zoning Commission's recommendations and all evidence and testimony and as the Local Planning Agency recommended that the Town Council adopt the subject Ordinance; and

WHEREAS, after public hearing pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach requires that the aforesaid Chapter 134, ZONING, of the Code of Ordinances, be amended as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Article V. PLANNED UNIT DEVELOPMENT PROCEDURE, Section 134-622, Permitted land uses in PUD-A district, is hereby amended as follows:

Sec. 134-622. Permitted land uses in PUD-A district

The following uses shall be permitted in planned unit developments in the PUD-A district:

(1) Any use permitted in the R-D(1) moderate density residential district and R-D(2) high density residential district; provided, however, that the maximum density for the planned unit development shall be governed by section 134-620.

(2) Any use permitted in the C-TS, C-WA, C-OPI or C-PC commercial district; provided, however, that commercial development within the planned unit development shall, in no case, occupy more than 20 percent of the gross area of the planned unit development. For the purpose of calculating gross density, as set forth in section 134-620, the land use measurements indicated in the table in section 134-656 shall be equivalent to a dwelling unit as defined.

(3) Hotels.

(4) Golf courses and other uses that are customarily accessory to a principal hotel use.

(5) Site plan review modifications for permitted and accessory uses that do not exceed 2,500 square feet may be approved administratively without Town Council review if the Director of Planning, Zoning and Building determines that such modifications will not create adverse impacts on surrounding properties or Town facilities.

Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect thirty-one days after its adoption, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 15th day of January, 2020, second reading and final adoption on this ____ day of _____, 2020.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Patricia Gayle-Gordon, Acting Town Clerk

Bobbie Lindsay, Town Council Member