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Wayne-

Thank you for contacting me regarding the issues with the Town's zoning code. I am honored to have you request my opinion on such a significant matter.

Looking at this from 20,000 feet so to speak, it strikes me that this is a very complex project. As you know, zoning issues usually do not 'stand alone' but are interconnected. The Town's code has been amended and adjusted many times through the years to keep up with changing circumstances, development trends and citizen needs, but has not, I think, been holistically analyzed in the recent past. Does the Town want to start over, perhaps with something like a form-based code (Miami 21 comes to mind) or address the problems you noted more incrementally and individually? My initial impression is that the code should be reviewed from top to bottom, rather than simply addressing a list of individual issues.

With these observations in mind I probably cannot be very helpfully responsive to your email. Each of the individual tasks you have identified is important but I really think that the Town would be better served by making a fundamental decision first: Do we want to fix the current code or step back and re-evaluate everything (perhaps with some interim fixes for the more urgent issues)?

Looking briefly at the cost you have estimated for each individual task, I would say in general they are low, primarily because I think this entire effort, whichever direction it takes, is going to be very time-intensive, especially when the factor of meetings, workshops, etc. with the public, public officials, Town staff and other interested parties is accounted for. Obviously many people-in fact, the whole Town- will be intensely interested in such a project.

I can't be more specific as to costs because many of the tasks are potentially so open-ended. In addition some input from other professionals will be needed (engineers and architects for example).

Please feel free to call me if you want to discuss this in more detail. And thanks again for contacting me.

Jim

From: Wayne Bergman [<mailto:wbergman@TownOfPalmBeach.com>]

Sent: Thursday, February 20, 2020 8:06 AM

To: Norquest, James

Cc: Paul Castro; Kelly Churney; Crowley, James

Subject: Code Reform Costs

Jim – as a professional planner, can you provide cost estimates to each of the eleven code reform topics below? If we were to hire you or your firm to study and propose code changes for the Town, what would each topic below cost? My arbitrary and capricious estimates are in red. This was requested by the Town Council. Thank you.

Wayne Bergman

From: Paul Castro
Sent: Tuesday, March 03, 2020 9:35 AM
To: Wayne Bergman
Subject: FW: Cost Estimates_Team Plan

fyi

From: Paul Castro
Sent: Monday, March 02, 2020 5:12 PM
To: 'William Whiteford' <wcw@teamplaninc.com>
Subject: RE: Cost Estimates_Team Plan

Bill,

Hope you had a great trip. What do you mean by small scale, large scale and other? We were looking to price each item. Best estimate.

Thanks,

Paul Castro, AICP
Zoning Manager

360 South County Road
Palm Beach, FL 33480
(561)227-6406
pcastro@townofpalmbeach.com

From: William Whiteford <wcw@teamplaninc.com>
Sent: Monday, March 02, 2020 4:32 PM
To: Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Cost Estimates_Team Plan

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Hi Paul – I know you need this quickly and I hope we are not too late. Please let Wayne know that we also have a municipal contract for similar services that the town can piggy-back. Personally, I am also very knowledgeable of construction on the dune, DEP, ACOE, mangrove trimming, dock construction, and all other topics related to zoning (e.g. arch review, variance procedures, setbacks, height regulations, etc.) and crafting/revising/updating land development regulations. I also have an ongoing working relationship with the engineers at Kimley-Horn elsewhere and excellent references. Thanks Bill

Small scale, lump sum: \$90K

Larger scale, lump sum: \$64.8K

Other, lump sum: \$45.5K


Bill Whiteford, PhD, AICP, LEED® BD+C & ND
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North Palm Beach, FL 33408
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INNOVATION SINCE 1973

From: Paul Castro <PCastro@TownofPalmBeach.com>

Sent: Saturday, February 22, 2020 12:46 PM

To: William Whiteford <wcw@teamplaninc.com>

Subject: Fwd: Cost Estimates

From: Wayne Bergman <wbergman@TownOfPalmBeach.com>

Sent: Friday, February 21, 2020 3:45:57 PM

To: Paul Castro <PCastro@TownofPalmBeach.com>; Schanen, Kevin <Kevin.Schanen@kimley-horn.com>

Subject: Cost Estimates

Paul – can you send this to a couple of planners you know? We are trying to gauge the costs of evaluating these 11 items. Thank you.

Kevin – if you have any consultant planners, please ask them to respond. Thank you.

Can you provide cost estimates to each of the eleven code reform topics below? If we were to hire you or your firm to study these items and propose code changes for the Town, what would each topic below cost? Our preliminary estimates are in red. This was requested by the Town Council. Thank you.

Small scale:

- *The review of required yard setbacks (front, rear, and especially side) in each zoning district. Over the past two years there have been 93 variances for yard setback relief. Clearly the code is too stringent on these matters. **\$8K***
- *Review lot coverage requirements for each zoning district. Over the past two years there have been 28 variances for lot coverage relief. Perhaps the code is too stringent on this matter. **\$8K***
- *Review regulations for pools – setbacks, screening. 14 variances over the last two years. **\$8K***



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March 3, 2020

Mr. Wayne Bergman, MCP, LEED-AP, Assistant Director
Town of Palm Beach Planning, Zoning and Building Department
360 South County Road
Palm Beach, FL 33480

Dear Wayne:

Below are cost estimates for each of the code reform topics recently sought by the town. We are pleased to offer our professional planning, zoning, and design services and hope to have the opportunity to work with you and the town.

PROPOSAL ESTIMATE FOR SERVICES

Small Scale		
1.	<i>The review of required yard setbacks (front, rear, and especially side) in each zoning district. Over the past two years there have been 93 variances for yard setback relief. Clearly the code is too stringent on these matters.</i>	\$9.6K
2.	<i>Review lot coverage requirements for each zoning district. Over the past two years there have been 28 variances for lot coverage relief. Perhaps the code is too stringent on this matter.</i>	\$9.6K
3.	<i>Review regulations for pools – setbacks, screening. 14 variances over the last two years.</i>	\$9.6K
4.	<i>Review requirements for retail uses in commercial districts, with an eye for other permitted and special exception uses on the first floor. 13 variances over the last two years.</i>	\$19.2K
5.	<i>Review the ten separate definitions of “building height” for possible consolidation.</i>	\$3.6K
6.	<i>Consider the use of FAR (floor area ratio) instead of CCR, angle of vision and building height plane to control the size of new buildings. There were 37 zoning variances for these items over the last two years, many of which lead to increases in the size of buildings. One of the most often heard complaints in Town is the size of new buildings. FAR could be the answer and could easily be linked with an algorithm to lot size. FAR’s can vary in the different zoning districts, to have appropriate building sizes match the corresponding lot sizes.</i>	\$19.2K
7.	<i>Consider a maximum lot size for each residential zoning district.</i>	\$19.2K
Small scale, lump sum: \$90K		



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Larger Scale		
8.	<i>Consider the creation of a Board of Zoning Adjustment to hear all variance, and special exception, requests. This is how zoning relief is granted in most other communities and would free the Town Council from this monthly task. The Town Council could hear appeals of zoning variances (from applicants and affected neighbors) and approve site plans.</i>	\$7.2K
9.	<i>Review the entire Town for adjustments to the current zoning districts, and possibly create new zoning districts. Average lot size is one way to set the various zoning districts. Land use is another. Remove the Four Arts and the Flagler Museum from residential zoning districts and amend the Comp Plan land use maps regarding these two important properties.</i>	\$28.8K
10.	<i>Review parking regulations, especially relative to retail and restaurant uses. Public Works, Police and Fire Rescue will be needed for this discussion. Also review the residential garage regulations.</i>	\$28.8K
Larger scale, lump sum: \$64.8K		
Other		
11.	<i>FEMA floor and equipment elevations, drainage requirements, and adding fill and retaining walls to lots in order to build. This should be a major discussion and will have long-term effects on the entire built environment. Public Works, consulting engineers, and others will be needed for this discussion.</i>	\$45.5K
Other, lump sum: \$45.5K		

If you are in agreement with the estimates above, please sign this copy and return it to us via e-mail at wcv@teamplaninc.com. Thank you for the opportunity to submit this proposal and we look forward to working with you.

Very truly yours,

Bill Whiteford

Bill Whiteford, PhD, AICP, LEED BD+C, LEED ND
Principal, Team Plan Inc.

APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2020.

By Client or Authorized Agent:

Signature of Owner or Authorized Agent

Print Name of Owner or Authorized Agent