

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 14, 2020

To: Mayor and Town Council

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

Re: Waiver of Fees for Special Exception Zoning Applications to Eliminate the Annual Town-Serving Requirement that were Previous Special Exception Conditions of Approval for Thirteen Businesses in the Town

Date: September 24, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a waiving of zoning application fees related to special exception applications for the thirteen businesses that may request the elimination of the condition of approval requiring submittal of annual town-serving documentation.

BACKGROUND

Over the years, past Town Councils have required an annual Town-serving documentation submittal for only a small, limited number of businesses and clubs. The requirement was a condition of approval for some special exception applications. At this time there are only thirteen (13) businesses and three (3) clubs (including the Carriage House which has not yet opened) in Town that are required to provide annual Town-serving documentation. That list is attached.

Approximately six years ago, the Town Council questioned this additional Town-serving requirement. The Council at that time asked staff if the Town could blanket approve elimination of that requirement as it only pertained to very limited number of businesses. It was determined that because it was a condition of approval of a zoning application, that the Council could only approve eliminating the condition by an applicant filing a special exception to modify the approval to eliminate the condition.

On September 9, 2020, the Town Council granted a one-year waiver of the annual Town-serving documentation for the thirteen businesses identified last month. The clubs were not included in the waiver. The Council also asked staff to bring an agenda item back with a proposal to waive the zoning application fees for special exception applications that are requesting to eliminate that condition of approval. The proposed waiver would only be for the businesses and not the clubs, and the waiver would be from the \$1,500 application fee. Staff recommends that the Town Council provide direction as it relates to waiving that specific application fee.

cc: Kirk Blouin, Town Manager
Jay Boodheshwar, Deputy Town Manager
Paul Castro, Zoning Manager
John Randolph, Town Attorney
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