

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2021

To: Mayor and Town Council

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

Re: Annual Report - Planning and Zoning Commission

Date: April 26, 2021

STAFF RECOMMENDATION

Staff recommends that the Town Council hear and accept the Planning and Zoning Commission Annual Report for 2020-2021.

GENERAL INFORMATION

Attached Exhibit A is a summary of the activities of the Planning and Zoning Commission for the past year. As you are aware, over this timeframe the Town has been, and still is, going through the Covid-19 Pandemic. Given the limitations, the activity of the Commission has been robust. During the period of April 2020 and April 2021 the Planning and Zoning Commission had 10 meetings, all of which were virtual. The wide range of zoning issues that were addressed at those meetings are outlined in attached Exhibit A. Michael Ainslie, 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
James Murphy, Asst. Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
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EXHIBIT A PLANNING AND ZONING COMMISSION ACTIVITIES

- Considered and made a recommendation to the Town Council to pursue Code reform related to rewriting new zoning regulations in Chapter 134, Zoning.
Town Council is in the process of further consideration of that recommendation.
- Considered and recommended approval of zoning text amendments that reorganize the regulations for mechanical equipment (air conditioning units, cooling towers, fountain and pool equipment, and generators). The changes allow for the use of a neighbor's wall to meet screening requirement under certain conditions and require pool and fountain equipment in a required setback to be within 25 feet of the pool or fountain.
Adopted Commission recommendation by Ordinance #16-2020.
- Considered and recommended changes to limit the amount of fill allowed on a property related to raising buildings to meet Federal Emergency Management Agency (FEMA) flood plain elevation requirements.
Deferred the Commission's recommendation and directed staff to do more outreach to the design professionals related to the recommended changes. Outreach is ongoing at this time.
- Analyzed the commercial tenant vacancy rates and existing uses within all of the Town's commercial zoning districts. Recommended that the Town Council conduct a retail study to look at the commercial districts, vacancy rates and possible changes needed to encourage viable town-serving commercial uses in a changing retail market. As part of that proposal, the Commission recommended that the Town retain a retail strategy consultant to analyze and make recommendation to the Town.
Town Council accepted the Commission recommendation and initiated that study. An RFP was conducted and a consultant selected (Yard Consulting). The study is scheduled to begin in the Fall.
- Considered and recommended approval of administrative off-site supplemental shared parking in underground garages in commercial zoning districts.
Adopted Commission recommendation by Ordinance #1-2021.
- Considered and recommended modifications to modify the use provisions in the R-D(2), C-TS, C-WA, C-OPI, C-PC and C-B zoning district to change restaurants, bars/lounges and dining rooms from a permitted use to a special exception use. In addition, recommended that the use "Drinking places" be eliminated as a use as there is no definition and it is unclear what said use is intended to be.
This item is scheduled to be considered by the LPA and Town Council at their May 12, 2021 meeting in proposed Ordinance No. 21-2021.
- Considered proposed modifications to the outdoor seating requirements in the R-D(2), C-TS, C-WA, C-OPI, C-PC and C-B zoning districts and recommended that the Town Council consider allowing said seating as a conditional special exception use. The Town Council provided further direction to staff and staff is drafting proposed regulations related to outdoor dining seating on public and private property within those zoning districts.
This item is scheduled to be reconsidered by the Planning and Zoning Commission at its May 18, 2021 meeting.

- Considered proposed changes to the regulations for docks and land piers related to the further regulating the size and number of docks and landing piers that are allowed on a property.

Deferred that item to the May 18, 2021 meeting and asked staff to provide more information related to the responsibilities of the Army Corps of Engineers and the Florida Department of Environmental Protection as it related to the use sod on those types of structures.