



TOWN OF PALM BEACH

Minutes of the Local Planning Agency Meeting Held on May 12, 2021

I. CALL TO ORDER AND ROLL CALL

The Local Planning Agency Meeting was called to order May 12, 2021 at 9:30 a.m. On roll call, all elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Administrative Specialist Churney gave the invocation. Council President Zeidman led the Pledge of Allegiance.

III. ORDINANCES

A. First Reading

1. Proposed ordinance to amend Chapter 134 to provide uniform public notice requirements for Town Council zoning relief applications.

ORDINANCE 08-2021 An Ordinance of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, Article II, Administration, Division 4, Special Exceptions, Variances, And Dimensional Waivers, Sections 134-172 Through 134-174, And At Article III, Site Plan At Section 134-328; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Planning, Zoning and Building Director, Wayne Bergman, discussed the changes proposed with Ordinance 08-2021, which included changes to Chapter 134. These changes pertained to the notice for all zoning applications. He indicated the Town Council would hear these changes during the first reading of the Ordinance later in the meeting.

Council Member Araskog inquired if the grammatical and continuity changes she recommended had been made. Director Bergman confirmed the changes had been made.

Motion made by Council Member Crampton and seconded by Council Member Cooney to recommend approval of Ordinance 08-2021 to the Town Council. Motion carried unanimously, 5-0.

2. Proposed ordinance to amend Chapter 134, Zoning, to modify the use categories of restaurants, bars, and nightclubs and minor modifications to other food and beverage uses in the C-TS, C-WA, C-OPI, C-PC, and C-B districts.

ORDINANCE 12-2021 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 Vi, District Regulations, Sections 134-1107, Permitted Uses, By Eliminating “Restaurants, Excluding Formula Restaurants As Defined In Section 134-2 And Bar/Lounges” As A Permitted Use In The C-TS Zoning District; At Section 134-1109, Special Exception Uses By Adding “Restaurants, Excluding Formula Restaurants As Defined In Section 134-2 And Bars/Lounges” As Special Exception Uses In The C-TS Zoning District; At Section 134-1157, Permitted Uses, By Eliminating “Retail Specialty Foods, Including Incidental Sale Of Prepared Food For Takeout” As A Permitted Use In The C- WA Zoning; At Section 134-1159, Special Exception Uses, By Adding “Retail Specialty Foods, Including Incidental Sale Of Prepared Food For Takeout” As A Special Exception Use In The C-WA Zoning District; At Section 134-1207, Permitted Uses, By Eliminating “Dining Rooms And Drinking Places When Not More Than 15 Percent Of The Gross Floor Area Of The Structure; No Exterior Or External Advertising To Be Permitted” As A Permitted Use In The C-OPI Zoning District; At Section 134-1209, By Adding “Dining Rooms When Not More Than More Than 15 Percent Of The Gross Floor Area Of A Building; No Exterior Or External Advertising Permitted” As A Special Exception Use In The C-OPI Zoning District; At Section 134-1257, Permitted Uses, By Eliminating The Lettering Identifying Permitted Uses And Replacing With Numbering And Eliminating “Dining Rooms And Drinking Places When Not More Than 15 Percent Of The Gross Floor Area Of The Structure; No Exterior Or External Advertising To Be Permitted” And “Retail Specialty Foods, Including Incidental Sale Of Prepared Foods For Takeout” As Permitted Uses In The C-PC Zoning District; At Section 134-1259, Special Exception Uses, By Adding “Dining Rooms When Not

More Than 15 Percent Of The Gross Floor Area Of A Building; No Exterior Or External Advertising To Be Permitted” As Special Exception Use In The C-PC Zoning District; At Section 134-1302, Permitted Uses, By Eliminating “Dining Rooms And Drinking Places When Not More Than 15 Percent Of The Gross Floor Area Of The Structure; No Exterior Or External Advertising To Be Permitted” As A Permitted Use In The C-B Zoning District; At Section 134-1304, Special Exception Uses, By Adding “Dining Rooms When Not More Than 15 Percent Of The Gross Floor Area Of A Building; No Exterior Or External Advertising To Be Permitted” As A Special Exception Use In The C-B Zoning District; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing For An Effective Date.

Zoning Manager Castro indicated he received direction from the Town Council to review an issue related to bars, lounges, and restaurants in the commercial town serving district. He indicated that the issue had been discussed among the Planning and Zoning Commission. He stated staff and the Commission felt that similar issues in other districts should also be reviewed. He noted Ordinance 12-2021 summarized the Planning and Zoning Commission’s recommendation that all bars, lounges, dining rooms related to hotels in the district, as well as specialty food shops become special exception uses. He mentioned grammatical changes had been made at the request of one of the Town Council members.

Council Member Pro Tem Lindsay remarked the Town Council was surprised that a wine bar had opened, which did not seek approval from the Town Council. The Council was also surprised to learn that an old code allowed the opening by right. She added that she was supportive of the change.

Council Member Cooney added that he was also supportive of the change. He questioned the definition of specialty food shops. Director Castro provided an example of a business that would fall under this category. He added that staff believed this was a use that should be reviewed by the Town Council.

President Zeidman clarified that the Council preferred that all the uses listed be reviewed as a special exception. She believed this review by the Town Council would protect the Town that everyone loved.

Council Member Araskog thanked staff for bringing the information to the Town Council in a short time. She added that Zoning Manager Castro did an excellent job.

Motion made by Council Member Cooney and seconded by Council Member Araskog to recommend approval of Ordinance 12-2021 to the Town Council. Motion carried unanimously, 5-0.

IV. ADJOURNMENT

The meeting was adjourned at 9:41 a.m. without benefit of motion or roll call.

APPROVED:

Margaret Zeidman, Town Council President

ATTEST:

Kelly Churney, Administrative Specialist