

# TOWN OF PALM BEACH

Information for Town Council Meeting on: July 13, 2022

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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



Re: Ordinance 013-2022, Amending Chapter 18 of the Town Code of Ordinances, Changes Relating to the Arcom Review of Demolitions

Date: June 28, 2022

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council approve Ordinance 013-2022 on First Reading, amending Chapter 18. The changes contained in this ordinance are driven by HB 423 becoming State law. The new law removes Arcom from its role in reviewing demolition applications. See attached Chapter 2022-136 (HB 423), Section 3 on page 5.

## **GENERAL INFORMATION**

Ordinance 013-2022 accomplishes three major changes to Chapter 18:

First, the intent of the new State law is to have demolitions approved administratively, without the oversight of a design review commission. The draft ordinance removes the demolition review by Arcom at Sections 18-175, 18-206, and 18-240. All demolition applications for non-Landmarked buildings will be handled by staff through a permit process, with all of the existing standards, conditions and regulations retained in the code.

Second, all of these existing demolition standards, conditions and regulations are placed in a singular location within Chapter 18 for ease of review. Sections 18-206 (Criteria for a Demolition Permit) and 18-240 (Demolition Permit Regulations) are moved into Article II, Administration of Planning, Zoning and Building, and placed along side Section 18-112 (Prohibition on Demolition). Section 18-206 is re-numbered as Section 18-113, and Section 18-240 is re-numbered as Section 18-114.

Third, the code today requires notice to neighbors within 200 feet the subject property. This has been accomplished by the mailed notice as part of the Arcom application. The unfortunate reality is that neighboring owners receive the mailed notice of a pending demolition up to a year before the demolition actually occurs. The code today does not link a timeframe with the required notice. Since the Arcom notice is no longer required for demolitions, staff proposes that demolition applicants mail a notice to the owners of all properties within 300 feet of the subject

property. This radius is proposed to be enlarged to match the current Arcom notice radius. Also, staff proposes that the notice be sent 14 to 30 days prior to the actual demolition. This way, neighbors will know exactly when the demolitions will occur.

#### **TOWN ATTORNEY / CONSULTANT REVIEW**

The Town Attorney has reviewed the proposed Ordinance for legal form and sufficiency. The ordinance is ready to move forward on First Reading.

#### **Attachments**

Proposed Ordinance 013-2022 (Chapter 18)  
Chapter 2022-136 (State Law)