



Our File Number: 53286-00001
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January 23, 2023

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Re: C-TS Zoning Code Text Amendment – Zoning Case Number: ZON-23-0040

We are pleased to submit the attached proposal for a zoning code text amendment to the C-TS (Commercial – Town Serving) Zoning District regulations. The intent of the proposed text amendment is twofold: enable the design of more interesting and aesthetically pleasing buildings in the town serving commercial zoning district, and to promote increased walkability in these commercial areas by providing covered walkways to protect the pedestrian from the elements.

The amended zoning text would allow for building arcades or colonnades to be extended beyond the private property boundaries, over sidewalks within the public right-of-way, to move effectively provide shade and cover for pedestrians. The Town has previously approved a similar code provision in the C-WA zoning district through the adoption of the Worth Avenue Design Guidelines, which allow for arcades or colonnade extensions in order to increase the aesthetic appearance of the streetscape along Worth Avenue.

The proposed text amendment would allow construction of such arcades and colonnades in other commercial areas within the Town where the Town Council, ARCOM and Landmarks Preservation Commission deem it appropriate. Notably, there are other locations in the Town outside of Worth Avenue where this design concept was previously undertaken, but current codes would not permit such construction. The properties at 105 North County Road and 184 Sunset Avenue (a Town landmark), two adjacent properties located just north of Royal Poinciana Way within the C-TS zoning district, have building arcades that extend into the right-of-way and provide shade and cover for pedestrians using the sidewalk; these arcades have existed for decades to the delight of all that have visited the businesses occupying these historic/landmarked buildings.

The Town of Palm Beach is also not alone in allowing buildings to extend beyond their private property boundaries. The 113-year-old quaint and historic City of Zephyrhills, Florida is another community that has adopted specific code that allows for buildings to extend beyond their property lines in order to provide arcades over the pedestrian

walkways, and also permits enclosed habitable space above these arcades with special easement permission (City of Zephyrhills, Florida Code Sec. 2.05.04.11).

The C-TS zoning code text amendment allows for building arcades and colonnades to extend into the right-of-way, but no closer than three (3) feet to the face of the curb, with the approval of an easement or license approval from the Town. The text amendment requires that an arcade or colonnade within a right-of-way be designed in such a manner as to not interfere with vehicular traffic or parking, including the entering and exiting of vehicles. The text amendment permits enclosed habitable or usable space above an arcade or colonnade. Finally, any proposed arcade or colonnade within a right-of-way must be approved by the Architectural Commission or the Landmarks Preservation Commission (whichever has jurisdiction), which is also currently required in the C-WA zoning district for arcades and colonnades to extend off of private property.

We strongly believe that this proposed zoning code text amendment will promote more beautiful commercial buildings being brought before the Town for approval, and will have the added benefit of providing residents and visitors with much needed shade and protection from the elements, which can only help to facilitate more pedestrian activity in these areas.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JMC', is positioned above the printed name.

James M. Crowley