

# TOWN OF PALM BEACH

Information for Town Council Meeting on: May 14, 2024

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager



From: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building

Re: Annual Report – Planning and Zoning Commission

Date: April 8, 2024

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council hear and accept the Planning and Zoning Commission's Annual Report for 2023-2024.

## **GENERAL INFORMATION**

Attached please find Exhibit A, which provides a summary of the activities of the Planning and Zoning Commission (PZC) from April 2023 through March 2024. The PZC reviewed six Zoning Code amendments prepared by Planning, Building and Zoning (PZB) staff and twelve privately initiated text amendments. Of the Town initiated amendments, only one, Ordinance No. 011-2023, which establishes the point of measurement when determining building height (minimum flood elevation) was recommended for approval to the Town Council at the PZC meeting of May 3, 2024. On July 12, 2023, Ordinance No. 011-2023 was adopted by the Town Council.

With regard to the privately initiated amendments, two Ordinances associated with the text amendments to the Future Land Use Element and Zoning Code to amend the Private Group Use Future Land Use category and to create a new Cultural Institution District, respectively, were recommended for approval. At the March 5, 2024 Town Council public hearing, the accompanying Ordinance No. 005-2024 and Ordinance No. 006-2024 were passed on first reading with final adoption on May 15, 2024.

On October 17, 2023, the PZC, with the guidance of PZB staff, began the Evaluation and Appraisal Review of the Town of Palm Beach 2017 Comprehensive Plan. All twelve Elements and an updated Map Series were vetted over the course of six months by the PZC. The Transportation Element will return to the PZC at the May 7, 2024 meeting to review a potential amended level of service growth rate for long range transportation planning purposes. Additionally, it was recommended by PZC to remove the ability to amend the Future Land Use Map to allow for any additional Approved PUD Future Land Use designations.

Lastly, the PZC continued zoning review led by the Town's consultant, Sean Suder, Principal of ZoneCo. On June 7, 2023, ZoneCo presented on the north end zones and standards that included new definitions and the findings and analysis of the Charrette held in March 2023. A special meeting was held on June 15, 2023 which further examined the R-B Zoning District standards. In the coming months, the commercial districts, Midtown and the south end regulations will follow.

A brief summary of the meeting agendas is provided in the attached Exhibit A, which Gail Coniglio, the Chair of the PZC, will present at the May 15, 2024 Town Council meeting.

cc: Krik Blouin, Town Manager  
Planning and Zoning Commission  
James Murphy, Assistant Director of Planning, Zoning and Building  
Jennifer Hofmeister-Drew, AICP, Planner III

WRB:JGM:JHD

**EXHIBIT A**  
**PLANNING AND ZONING COMMISSION ACTIVITIES**

**April 27, 2023**

*Regular Meeting*

Discussed the following study items:

Presentation on Proposed Amendments to Chapter 134, Zoning Related to the following:

1. Proposed Amendments to Chapter 134, Zoning, Article I. In General. Section 134-2. – Definitions and Rules of Construction, pertaining to the building height point of measurement.
2. Proposed Amendments to Chapter 134, Zoning, Article IV. Nonconformities. Division 4.- Land, pertaining to development and redevelopment of nonconforming lots.
3. Proposed Amendments to Chapter 134, Zoning, Article VI. District Regulations. Division 8-12. Commercial Zoning Districts Related to the following:
  - Business Tax Receipts (BTRs)
  - Non-Conforming Commercial Uses
  - Air Conditioning and Generator Equipment Review
4. Initial presentation on the Evaluation and Appraisal Review of the Town’s Comprehensive Plan.
5. Proposed Privately Initiated Text Amendment to Division 8.-C-TS Town-Serving Commercial District, Section 134-1114, to allow Arcades and Colonnades within Public Rights-of-Way.
6. Proposed Privately Initiated amendment to Resolution No. 3-00, the Breakers Planned Unit Development (PUD-A) related to the tennis courts.

**MAY 3, 2023**

*Regular Meeting*

Discussed the following study items:

1. Proposed Amendment to Chapter 134, Zoning, Article VI. District Regulations. Division 8-12 pertaining to mechanical equipment in Commercial Zoning Districts.
2. Proposed Amendment to Chapter 134, Zoning, Article I. In General. Section 134-2, pertaining to minimum flood Elevations freeboard.
3. Proposed Zoning in Progress (ZIP) Resolution No. 040-2023 relating to restaurants, bars, lounges, nightclubs, and private clubs.

4. Proposed recommendation to amend Resolution No. 3-00 related to site modifications at the tennis center for the Breakers Planned Unit Development (PUD-A), related to Site modifications at the Tennis Center.

### **June 7, 2023**

#### *Regular Meeting*

Discussed the following study items:

1. Proposed Amendments to Article VI. District Regulations. Division 8-12. Pertaining to Commercial Zoning Districts related to Mechanical Equipment
2. Sean Suder, ZoneCo. presentation on the North End Zones and Standards pertaining to the following:
  - Definitions of the North End Zones
  - Charrette Findings in the North End
  - Definition of new Low Density Zoning Districts

### **June 15, 2023**

#### *Special Meeting*

Discussion on the following study items:

1. Sean Suder, ZoneCo., North End Zones & Standards (Continued).
  - Recap of Previous PZC Meeting
  - Recap of Town Council Meeting and Direction
  - Continue Studying new R-B Standards
    - Reduce front yard setback for up to 40% of the front building plane and existing front yard setback for the remainder of the front building plane.
    - How minimum lot coverage and exceptions permitted inclusions in the setbacks and minimum landscaped open space can control for insensitive bulk and mass.
  - Article VI District Regulations Division 8-12 Pertaining to Commercial Zoning Districts related to mechanical equipment.

### **October 17, 2023**

#### *Regular Meeting*

Discussed the following study items:

1. Draft 2024 Town of Plam Beach Comprehensive Plan.

2. Proposed privately initiated Text Amendment to Chapter 134, Zoning, Article VI District Regulations, Division 8. C-TS Town-Serving Commercial District, Section 134-1114, to allow arcades and colonnades within Public Rights-of-Way.
3. Proposed privately initiated Text Amendment to Chapter 134, to allow valet only parking structures ancillary to a non-conforming hotel in the R-C Medium Density Residential Zoning District.

### **November 8, 2023**

#### *Regular Meeting*

Discussed the following study items:

1. ZoneCo Update from Sean Suder – Residential Districts Study Draft Report.
2. Draft 2024 Town of Palm Beach Comprehensive Plan Update – Began the strike through and underline version of the Comprehensive Plan. First review of the Future Land Use Element
  - Future Land Use Element Data and Analysis and Goals, Objectives, and Policies
  - Comments Received by Residents
3. Proposed privately initiated Text Amendment to Chapter 134, Zoning, Article VI, District Regulations, Division 8.-C-TS Town-Serving Commercial District, to allow arcades and colonnades within public rights-of-way.
4. Proposed privately initiated Text Amendment to Chapter 134, Article I., Section 134-2 Definitions and Rules of Construction, to Create A Definition For Valet Only Garage; to Division 5.-R-C Medium Density Residential District, Section 134-945, the Special Exception Uses; Section 134-955, Off-Street Parking and Loading; Section 134-948 Pertaining to Lot, Yard and Area Requirements, to allow valet only parking structures ancillary to an existing hotel in the R-C Medium Density Residential District.

### **December 6, 2023**

#### *Regular Meeting*

Discussed the following study items:

1. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - First review in Strike Through and Underline Version of Introduction and the Data and Analysis and Goals, Objectives and Policies of the following Elements:
    - Future Land Use – Second review
    - Housing
    - Historic Preservation
    - Public Safety
    - Recreation and Open Space
    - Property Rights

## 2. Planned Unit Development Discussion

### **January 3, 2024**

#### *Regular Meeting*

Discussed the following study items:

1. ZoneCo Update from Sean Suder
2. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - Second Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements presented at the December 6, 2023 PZC meeting:
    - Future Land Use – Third Review
    - Housing
    - Historic Preservation
    - Public Safety
    - Recreation and Open Space
    - Property Rights
3. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - First Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements:
    - Coastal Management
    - Conservation
    - Capital Improvements
    - Intergovernmental

### **February 6, 2024**

#### *Regular Meeting*

Discussed the following study items:

1. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - Third Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements presented at the January 3, 2024 PZC meeting:
    - Future Land – 4<sup>th</sup> Review
    - Housing
    - Historic Preservation
    - Public Safety
    - Recreation and Open Space
    - Property Rights

2. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - Second Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements presented at the January 3, 2024 PZC meeting:
    - Coastal Management
    - Conservation
    - Capital Improvement
    - Intergovernmental Coordination
3. Draft 2024 Town of Palm Beach Comprehensive Plan Update – 1<sup>st</sup> Revision
  - First Review in a Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements:
    - Transportation Element
    - Infrastructure Element
    - Map Series

### **March 5, 2024**

#### *Regular Meeting*

Discussed the following study items:

1. Sean Suder, Zone Co. Zoning Review Update
2. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - Fourth Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements presented at the December 6, 2023 PZC meeting:
    - Future Land Use – 5<sup>th</sup> Revision
    - Housing
    - Historic Preservation
    - Public Safety
    - Recreation and Open Space
    - Property Rights
3. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - Third Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements:
    - Coastal Management
    - Conservation
    - Capital Improvements
    - Intergovernmental

4. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - Second Review in Strike Through and Underline Version of the Data and Analysis and Goals, Objectives and Policies of the following Elements:

➤ Infrastructure Element

5. Proposed Privately Initiated Future Land Use and Zoning Maps and Text Amendments to the Comprehensive Plan and Zoning Code for parcels of land more, commonly referred to as the Wells Fargo Site).

6. Proposed privately Initiated Text Amendments to the Comprehensive Plan and Zoning Code to amend the Future Land Use Element related to Private Group Use and creation of a new Cultural Institution District.

**April 2, 2024**

*Regular Meeting*

Discussed the following study items:

1. Sean Suder, Zone Co. Zoning Review
  - Recap of the Residential Districts Study
  - Mid-Town Commercial Districts Study
  - South End Zoning Study