

# TOWN OF PALM BEACH

Information for Town Council Meeting on:

May 15, 2024

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

*WB*

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

Re: Comprehensive Plan Text Amendment Related to Private Group Use and a Zoning Text Amendment for a Corresponding New Cultural Institution Zoning District (CI)

Date: April 15, 2024

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## **STAFF RECOMMENDATION**

Pursuant to §163.3184(3)(c) and Code Section 134-261, staff recommends that the Town Council adopt the privately initiated text amendments of Harvey E. Oyer, III, on behalf of the Society of the Four Arts, Inc. The text amendments are to the Town of Palm Beach Comprehensive Plan and Code of Ordinances related to the Private Group Use Future Land Use Element and the new Cultural Institution Zoning District, respectively.

## **GENERAL INFORMATION**

Attached please find the privately initiated text amendments to the Private Group Use Future Land Use category and Zoning Code to create a new CI Zoning District designed to implement the Private Group Use Future Land Use category. At a public meeting held on March 5, 2024, the Town of Palm Beach Planning and Zoning Commission considered all evidence and testimony and recommended to the Town Council to transmit the proposed comprehensive plan amendment to the Department of Commerce, Florida's state planning agency. The Palm Beach Town Council, acting as the Local Planning Agency, held a public hearing on March 13, 2024, and voted unanimously to recommend adoption of the Comprehensive Plan Ordinance No. 005-2024. The Town Council, later the same day, voted unanimously to approve the ordinance and to transmit the text amendment. On April 12, 2024, the Town received a response letter from the Department of Commerce under the expedited state review process indicating the state did not have any comments on the proposed Future Land Use Element text amendment. Additional response letters were also received from regional agencies that concluded there are no regional impacts due to the text amendment to the Comprehensive Plan.

Currently, the Four Arts property is zoned R-B Low Density Residential which is designed to regulate single family massing, which is very different than a cultural arts campus. The purpose of the proposed zoning district is to provide consistency with the Comprehensive Plan by establishing a corresponding zoning district for the Private Group Use Future Land Use category, where currently one does not exist. The discrepancy between the Comprehensive Plan and the Zoning

Code was identified during the currently underway Evaluation and Appraisal Review (EAR) of the adopted 2017 Comprehensive Plan. Staff found that there are three Future Land Use categories that do not have corresponding compatible zoning districts. Staff is recommending that new zoning district(s) be created to implement those Future Land Use categories. Specific to the Private Group Use designation, the language proposed by the subject applicant to POLICY 2.3, of the Future Land Use Element mirrors that which staff has proposed for the 2024 EAR-Based Comprehensive Plan. Following adoption of the subject Ordinances, the applicant will be submitting a Zoning Map Amendment application for the Four Arts property.

Attachment: Adoption Ordinances  
State Department of Commerce Transmittal Letter  
State Department of Commerce Response Letter  
Treasure Coast Regional Planning Council Response Letter  
Florida Department of Transportation Response Letter  
Florida Department of Environmental Protection Email

cc: James Murphy, Assistant Planning Director  
Jennifer Hofmeister-Drew, Planner III, AICP