

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

Town Manager's Office
PLANNING AND ZONING COMMISSION

**TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD**

AGENDA

MAY 6, 2025

9:30 AM

Welcome!

For information regarding this agenda and the procedures for public participation at Planning and Zoning Commission, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Gail Coniglio, Chair
Eric Christu, Vice Chair
Marilyn N. Beuttenmuller
William J. Gilbane
Jorge Sanchez
Michael Vincent John Spaziani
John J. Tatooles
Nicki McDonald, Alternate
Victoria Donaldson, Alternate
Matthew Ailey, Alternate

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. APPROVAL OF THE MINUTES

A. Minutes of the March 6, 2025, Planning & Zoning Commission Meeting

B. Minutes of the April 1, 2025, Planning & Zoning Commission Meeting

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. COMMENTS FROM THE PLANNING AND ZONING COMMISSIONERS

VII. COMMENTS FROM THE PLANNING, ZONING & BUILDING DIRECTOR AND STAFF

VIII. OLD BUSINESS

A. CODE REVIEW:

1.Code Review of potential Changes to the Commercial Zoning Districts' Permitted and Special Exception uses, including the Difference between Gross Leasable Area and Gross Square Footage

2. Mock-up of Potential New Zoning Code

IX. NEXT MEETING: JUNE 3, 2025, 9:30 AM

X. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Live meeting audio is available on the Town's website at www.townofpalmbeach.com. To listen to the live stream, please visit the Meeting Audio page and select the "In Progress" or "Click Here to Listen" button.

Note 2: In-person or virtual Public Comment is limited to three minutes and must be preceded by your name and address for the record. Alternative public comment is also welcome for Town Council Meetings via four methods:

- To make a public comment virtually (for Town Council Meetings Only), email request to publiccomment@townofpalmbeach.com, and identify desired agenda item(s) to be addressed.
- Written public comment submittals should be sent to publiccomment@townofpalmbeach.com,
- Direct written entry into the public meeting record through the eComment portal, or
- Mail or In-person submittal of written document to the Town Clerk's Office at Town Hall no later than the Friday prior to the meeting.

Note 3: As a public business meeting, the chair retains the right to limit discussion on any issue.

Note 4: If a person decides to appeal any decision made with respect to any matter considered at this meeting, he/she/they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be

based.

Note 5: Disabled persons needing accommodations to participate in this meeting are requested to call the Clerk's Office at (561) 838-5416 at least one day prior to the meeting.

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Planning and Zoning Commission Meetings are public business meetings and, as such, the Planning and Zoning Commission retains the right to limit discussion on any issue.

TOWN OF PALM BEACH

Planning and Zoning Commission on: May 6, 2025

Section of Agenda

APPROVAL OF THE MINUTES

Agenda Title

Minutes of the March 6, 2025, Planning & Zoning Commission Meeting

Presenter

ATTACHMENTS:

- ▣ **Minutes of the March 6, 2025, Planning & Zoning Commission Meeting**



TOWN OF PALM BEACH

Town Clerk's Office PLANNING AND ZONING COMMISSION

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING HELD ON THURSDAY, MARCH 6, 2025

I. CALL TO ORDER AND ROLL CALL

Gail Coniglio, Chair	PRESENT
Eric Christu, Vice Chair	PRESENT
Marilyn N. Beuttenmuller	EXCUSED
William J. Gilbane	PRESENT
Jorge Sanchez	ABSENT
Michael Vincent John Spaziani	EXCUSED
John J. Tatooles	PRESENT
Nicki McDonald, Alternate	PRESENT
Victoria Donaldson, Alternate	PRESENT
Matthew Ailey, Alternate	PRESENT

Clerk's Note: Three (3) regular members are absent, therefore all alternate members would be voting for today's meeting.

Deputy Town Clerk Gayle-Gordon stated the meeting was quasi-judicial and all speakers would be sworn in.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Gayle-Gordon gave the Invocation and Chair Coniglio led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Wayne Bergman, Director of Planning, Zoning and Building, requested that the Commission hear the Breakers Hotel's item before the New Business item. The

request was granted.

Motion was made by Mr. Tatoes and seconded by Ms. McDonald to approve the Agenda, as amended. On roll call the Motion passed unanimously, 7-0.

IV. APPROVAL OF THE MINUTES

A. Minutes of the February 4, 2025, Planning & Zoning Commission Meeting

Motion was made by Mr. Christu and seconded by Ms. McDonald to approve the February 4, 2025 Planning and Zoning Commission Meeting Minutes. On roll call the Motion passed unanimously, 7-0.

V. COMMENTS FROM THE PLANNING AND ZONING COMMISSIONERS

Chair Coniglio stated that she would establish some parameters when the Breakers item was presented.

VI. COMMENTS FROM THE PLANNING, ZONING AND BUILDING DIRECTOR AND STAFF

Mr. Bergman stated that staff may have comments during some of the presentations but none at this time.

VII. COMMUNICATIONS FROM CITIZENS-3 MINUTE LIMIT PLEASE

Chair Coniglio introduced Peter Henn, AICP, Senior Counsel at Jones Foster Law Firm. He stated he had been a land use Attorney for 35 years after starting with Greenberg and Traurig, which at the time was the largest law firm in Florida. He gave a brief description of his professional history and explained his understanding of what Palm Beach wants for its future.

Clerk's Note: All speakers were sworn in at this time.

Ann Petrie, 134 Australian Avenue, spoke about traffic congestion and parking issues. She stated that a school was being proposed for the area on South County Road behind the sandwich shop (between Chilean and Australian Avenues), and she was very much against it.

Lynn Foster, 315 South Lake Drive, spoke about the various building and landscaping projects. She implored the Commission to focus more on needs and less on wants when reviewing and evaluating projects.

VIII. NEWBUSINESS

A. Review of Permitted and Special Exception Uses in the Commercial Zoning District

Jennifer Hofmeister-Drew gave a presentation regarding the special exception uses in the Commercial Zoning Districts. She explained that staff had decided to look at permitted and special exception uses in all five commercial districts. She discussed staff's evaluation of the commercial zoning districts. She stated that all of the permitted and special exception uses were set forth in the presentation.

Ms. McDonald thought two things were limiting, one where the special exception uses spell out the uses, she thought it should just refer to private clubs. Ms. Hofmeister-Drew agreed. Ms. McDonald said taking academic out of the line item that states public or private academic schools. She felt that would allow more leeway for the town.

Mr. Tatoes thought the school use should be moved to a special exception in every district rather than allowing schools by right. He was not sure what the original intent was and Ms. Hofmeister-Drew responded.

Mr. Gilbane commented that one of the things about schools and the intent of the zoning code when it was put in for commercial town serving was to make sure there were schools in town to ensure community and make sure the needs of the community were served. He thought that a determination needed to be made with regard to whether there were enough schools to serve the townspeople. He said that as a built-out community, the PZC should think about whether there is enough to serve the built-out community. Ms. McDonald did not see any downside to schools just being allowed under a special exception.

There was discussion about the various uses, considering which should be permitted, which should require a special exception, and which should be prohibited. The restrictive factors discussed were parking lots, private clubs, schools, and religious institutions. There were some questions about the allowance of schools, and Ms. Hofmeister-Drew noted that schools were allowed as a special exception use in other zoning districts.

Mr. Gilbane noted that with a special exception, the burden remains on the town. Ms. Hofmeister-Drew said there are criteria that need to be addressed. Attorney O'Connor said there is an easier burden for the applicant than when requesting a variance. The applicant has to show that there are no detrimental impacts to the neighbors.

Chair Coniglio asked about residences above the first floor which is a fairly nonconsequential impact on the community. She said her biggest concern was that the PZC had very clearly defined what is town-serving for all of the special exception uses. She said with the burden being on the town, the town needs enough foundation with which to determine if the criteria for a special exception use are met. Chair Coniglio was also concerned about changes of use. Ms. Hofmeister-Drew noted that in Palm Beach, special exception uses do not run with the land, they run with the business. Chair Coniglio was concerned that the commercial districts had become a larger draw. Mr. Spaziani was concerned about being stuck in a situation where the use has outlived its successful life. The idea was raised that the focus should be on limiting the permitted uses in each area so that there isn't a conversion of a business that is intensification.

After discussion, the PZC requested that staff present the various uses in a table format, showing permitted and special exception uses for all of the commercial districts. It was also suggested that "town serving" criteria be defined, with potential percentage adjustments for various types of uses.

Some categories that were discussed for consideration included limiting the number of permitted uses in each district, consideration to remove certain uses such as storage facilities and drive-through businesses, reviewing the requirements for schools and religious institutions, addressing the issue of private clubs and membership programs, and considering the size and intensity of uses when determining town-serving criteria.

The consensus of the PZC was to revisit this topic for additional discussion at their next meeting with updated information to be provided by the town staff.

Clerk's Note: Mr. Ailey left the meeting at 12:57 PM.

Clerk's Note: This item was heard out of order before the New Business item.

IX. OLD BUSINESS

A. A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending Resolution No. 6-71, The Breakers Planned Unit Development (PUD-A), To Authorize the following:

1. Demolition of and existing two-story structure and construction of new three-story building with basement and overhead pedestrian walkway.

2. Construction of new parking structure with one level of subterranean parking, and surface parking, additional improvement to support buildings, the golf course, and landscape/hardscape.

RESOLUTION NO. 006-2025: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Resolution No. 6-71, The Breakers Planned Unit Development (PUD-A), As Previously Amended, To Authorize The Demolition Of The Existing Two-Story Family Entertainment Center And The Italian Restaurant And Their Replacement With A New, Three Story Structure With Basement Connected By An Overhead Enclosed Pedestrian Bridge To The Existing Two-Story Beach Club Building, With Related Site Improvements; And To Allow The Construction Of A New Parking Structure Consisting Of One Level Of Subterranean Parking And One At-Grade Surface-Level Parking Area To Replace An Existing Surface Parking Lot.

Mr. Gilbane stated he was recusing himself from participating in this discussion. He completed Form 8B and left the dais.

Ms. McDonald stated that in the backup, it seemed that there was a question about the legitimacy of the application and membership. Mr. Bergman responded that the application had been deemed complete, and there were several items regarding processing of the application for the Breakers. He referred to Ms. Hofmeister-Drew for further response. Ms. Hofmeister-Drew explained the review process.

Joanne O'Connor, Town Attorney, stated that it was not in the Commission's purview to determine whether a Special Exception was needed for a private club. The focus should be on the design standards, one of which was compliance with existing zoning regulations, and the Town Council would ultimately make the decision.

Chair Coniglio requested that the parameters within which the Commission needs to act be placed on the overhead document reader for the public and commission members' view.

Jamie Crowley, Attorney, Gunster Law Firm, gave an opening statement on behalf of the Breakers Hotel. He spoke about the history of the PUD and emphasized that the Breakers had maintained a membership program dating back to 1926 and that the proposed changes were within the existing PUD agreement. He stated there was no private club at The Breakers. He addressed concerns about traffic and parking, stating that the additional parking spaces were for current employees and not for additional intensity or development.

He explained how the beach club was initially approved, and at the time, the PUD was consistent with the town's comprehensive plan.

Paul Leone, CEO of The Breakers Hotel, gave an extensive presentation on the Breakers' history, its importance to Palm Beach, and the details of the current application. He addressed concerns about membership, traffic, and the impact on the community. Mr. Leone emphasized the Breakers' commitment to serving the town and maintaining its character. He responded to public misinformation and opposition to the Breakers project.

Clerk's Note: A short break was taken at 11:05 a.m. and reconvened at 11:15 a.m.

Public Comments

Lillian Fernandes, a resident of 318 Caribbean Road, spoke in support of the Breakers. She expressed concern about special exceptions being granted to any entities.

Peggy Trefewi, a resident of Main Street, spoke in support of the Breakers, but asked about a plan for the construction vehicles.

Page Lee Hufty, a resident of 340 Island Road, expressed concern about construction traffic on Main Street. She thought the construction equipment should remain at the site.

Jennifer Hofmeister-Drew, Planner III, gave the staff presentation regarding The Breakers PUD 2025. She provided the general standards for PUD regulations and noted that the majority of the application was compliant. She highlighted some of the outstanding issues related to circulation, parking, and the need for an updated master plan. She refreshed the PZC on where the town stood with the general standards and going forward, the potential impacts on traffic with the change of use. She said The Breakers was vested when it was first developed and allowed to have a conversion of use. With that conversion of use, there is a requirement that parking and traffic be analyzed based on the conversion from a dwelling unit to 1500 square feet of commercial space.

Mr. Crowley mentioned that regarding traffic and road widening, The Breakers had previously been engaged in discussion about widening the roads, but it was decided that would not be a good idea because of the hedge. He said the front entryway was widened as agreed upon with staff, keeping greenspace on the perimeter of the main entryway, which is a prominent feature of the hotel. He stated they would continue to work with staff to address whatever traffic mitigation measures are necessary.

Mr. Tatoes thought the use of the word club had caused some confusion. He

thought there needed to be more consideration given to the fact that the word “club” had been used, but Mr. Crowley was also representing that it was a membership “club.” He also thought that there was a bigger issue that the town council would have to review similar programs that other hotels would want to implement in town. He thought the PZC should recommend that the town council either explore or send back to the PZC to explore what these things are, as being promoted by hotels in town. He also thought there should be a review of whether there are regulations for these types of uses.

Mr. Christu said this application was unique in that it was a PUD application that staff had considered complete and 98% compliant. He asked for confirmation as to what the commission would need to respond to from a timing perspective. He said there was still information to be gained. Mr. Bergman deemed the application complete, although a small amount of information would have to be obtained before the town council's hearing. He noted that the PZC only had sixty days to deal with the application and make a recommendation to the town council. He said there were also three combination projects as part of this application and staff found out during the review that this would require a replat of the PUD, as well. He discussed the timeline for reviewing the application and stated that the PZC could grant approval or make a recommendation with conditions to the town council.

Chair Coniglio asked if that would be a part of the construction management agreement (CMA) that the town would enter into with The Breakers. Mr. Bergman stated that this could be in the CMA Mr. Bergman suggested that the conditions could also be made as part of a recommendation for approval today to the Town Council. Chair Coniglio asked if the replatting would trigger any additional traffic or circulation that should be identified. Mr. Bergman said the replat would be driven by the location of the parking garage and the location of the family entertainment center crossing from one PUD tract into another PUD tract, more of a technical issue. Mr. Bergman reiterated that the PZC only had sixty days within which to take action.

Ms. McDonald thought part of the pushback that was so hard on The Breakers was because of the sixty-day timing. She asked if it would help to take some extra time to answer the questions. She asked if there was a reason to move forward with this project at a certain pace. Mr. Crowley responded that they had been to the PZC twice, and it was really a question of whether the standards in the PUD had been met. He said that they needed to get to the town council, and they needed as much time as possible to design the underground parking facility.

John David Corey, 426 Australian Ave, stated that the private club issue seemed to be a topic for the town council to discuss. He said the staff memo

addressed concerns expressed by members of the community. He stated that the design review was in the hands of the Architectural Review Commission and the Landmarks Commission. He was concerned about the PZC rendering an opinion on the site plan without additional information.

Motion was made by Mr. Tatooles and seconded by Mr. Ailey to recommend sending Resolution No. 006-2025 to the Town Council with the following conditions: the Town Council consider whether the special exception is required with respect to the membership club, with respect to the traffic and circulation studies, that a new master plan be submitted, potentially the existing requirements be eliminated with regard to widening of county road, and the ingress and egress for construction, particularly on Main Street and potentially for the recreation facility, be reviewed to minimize impact on the neighbors. On roll call, the Motion passed unanimously, 6-0 with Mr. Gilbane recused.

X. ANY OTHER MATTERS

There were none.

XI. ADJOURNMENT

Motion was made by Mr. Tatooles and seconded by Ms. McDonald to adjourn the Planning and Zoning Commission meeting at 1:10 PM. On roll call, the Motion passed unanimously, 6-0, as Mr. Ailey had already left the meeting.

XII. NEXT MEETING: April 1, 2025, at 9:30 AM

Respectfully submitted

Gail Coniglio, Chair

Date

TOWN OF PALM BEACH

Planning and Zoning Commission on: May 6, 2025

Section of Agenda

APPROVAL OF THE MINUTES

Agenda Title

Minutes of the April 1, 2025, Planning & Zoning Commission Meeting

Presenter

ATTACHMENTS:

- ▣ **Minutes of the April 1, 2025, Planning & Zoning Commission Meeting**



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING HELD ON TUESDAY, APRIL 1, 2025

I. CALL TO ORDER AND ROLL CALL

Gail Coniglio, Chair	PRESENT
Eric Christu, Vice Chair	PRESENT
Marilyn N. Beuttenmuller	PRESENT
William J. Gilbane	PRESENT
Jorge Sanchez	ABSENT
Michael Vincent John Spaziani	PRESENT
John J. Tatooles	ABSENT
Nicki McDonald, Alternate	PRESENT
Victoria Donaldson, Alternate	PRESENT
Matthew Ailey, Alternate	PRESENT

Clerk's Note: Two (2) regular members are absent, therefore Alternate Members McDonald and Donaldson will be voting for today's meeting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Gayle-Gordon gave the Invocation and Chair Coniglio led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Mr. Gilbane and seconded by Mr. Spaziani to approve the Agenda. On roll call, the Motion passed unanimously, 7-0.

IV. APPROVAL OF THE MINUTES

A. Minutes of the March 6, 2025, Planning & Zoning Commission Meeting.

Chair Coniglio reported some suggestions regarding the Minutes and asked Deputy Town Clerk Gayle-Gordon to explain the issues with the Minutes. Ms. Gayle-Gordon responded that a Commissioner had expressed some concerns that there was not enough detail regarding the Breakers Hotel item, so it was returned to the vendor who handles the Minutes for revision. Chair Coniglio then suggested that the Minutes be deferred.

Motion was made by Mr. Christu and seconded by Mr. Spaziani to defer the March 6, 2025 Planning and Zoning Commission meeting minutes to the May 6, 2025 meeting. On roll call, the Motion passed unanimously, 7-0.

V. COMMENTS FROM THE PLANNING AND ZONING COMMISSIONERS

Chair Coniglio welcomed Mr. Tatooles, who was participating on Zoom, and wished him a Happy Birthday.

VI. COMMENTS FROM THE PLANNING, ZONING, AND BUILDING DIRECTOR AND STAFF

There were none.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

There were none.

VIII. NEW BUSINESS – NONE

IX. OLD BUSINESS

A. Update Regarding Zoning In Progress Related to Resolution No. 069-2024 - Restaurants, Bars and Clubs

Clerk's Note: Chair Coniglio recused herself from this discussion, completed Form 8B, and left the dais. Alternate Member Ailey will vote in her absence.

Jennifer Hofmeister-Drew, Planner III, introduced Eric Czerniejewski, The Corradino Group, who provided an update regarding Zoning in Progress. ‘

Mr. Czerniejewski stated that seventy-two (72) tube counts had been collected at the three (3) bridge crossings, along with four (4) additional locations, with State Road A1A closed at the roundabout, to evaluate traffic flow. He referred to the update in February and stated that this included a significant increase in traffic along the Flagler Bridge and the Royal Park Bridge. He said those counts were considered when the townwide study was done to look at peak hours. He stated that those seven (7) tube counts helped space out the three (3) bridge crossings along with the four (4) additional areas.

Mr. Gilbane asked if January 9 through January 11th were during school vacation time, and Mr. Czerniejewski said no.

Mr. Czerniejewski mentioned that evening peak hours include 6:00 p.m. and later. He also said the tube counts were collected on Thursday. He said the intersection counts were processed once the Corradino Group had all data from the video cameras for Thursdays and Saturdays. He noted there was a weekday and a weekend. For clarification, Mr. Czerniejewski explained the difference between a tube count and an intersection count. As part of the data collection, he noted that twenty-five (25) counts were seasonally adjusted and increased toward 25 volumes. The evaluation was conducted using Synchro software, which evaluates the level of service and delay at intersections. He noted that when he assessed the roundabout operations, he took the March 2024 counts because of modifications in that area. He discussed the data, which did not include committed trips from the playhouse, trips to West Palm Beach, or other town committed trips, noting it was essential to evaluate minus all the committed trips to establish a rational nexus for anything that might be done as far as making a change or a restriction. His goal was to get actual operations minus anything additional. He added that additional traffic makes things worse, so he provided most intersections, starting with district 1 and working through some of the intersections in that area. He noted that one deficiency was identified in the midday and evening peaks at Bradley Place, Cocoanut Row, and Royal Poinciana Way, where the intersections operated at an F level of service. He noted that most other intersections operated at levels of service B, C, and D.

Ms. McDonald asked why the service levels were being averaged, and Mr. Czerniejewski explained. He summarized that there was an issue at Royal Poinciana Way and Bradley Place, with the level of service up at midday and evening peak hours. He said the road segment between Sunrise and Royal Poinciana on Bradley Place was overcapacity when the Paramount project was evaluated. He thought it had become worse now that the intersection was operating at an F level of service.

Mr. Czerniejewski explained the districts and said he would walk the Planning and Zoning Commission through the original destination information. He discussed the sixty (60) food and beverage locations in the districts and stated that time was taken to look at the number of seats and the total trips generated per ITE. He stated that streetlight data was used to analyze trips that originated and where they ended. He also discussed the information about the number of trips off-island coming into the town for food and beverage locations, as well as total weekday and weekend trips.

Ms. McDonald wondered how, with the clubs, it was possible to know the purpose of the trips. Mr. Czerniejewski explained that part of the study is to weave the trips together, using all the data. He said that the intersection and road segment operations are used. He stated that the O&D data would provide more specific information concerning the percentage of trips for food and beverages.

Mr. Czerniejewski shared the Origin-Destination Analysis – weekday external to internal trips. He then discussed each district's traffic loading summary collected from December 2024 Streetlight Data.

Mr. Czerniejewski provided preliminary recommendations for the ZIP Food and Beverage Locations. His recommendations included evaluating the January 2025 and February 2025 Streetlight Data so that there would be two additional data points related to traffic loading, along with the December 2024 Streetlight Data, and potentially limiting any new food and beverage locations in District One due to the level of service based on the 2025 traffic operational conditions.

Mr. Spaziani asked how the service levels had improved from last year to this year. Mr. Czerniejewski said several intersections are stop-controlled, and some are one-way. He said the goal was to get to a B-level of service. He also explained that it was essential to establish a baseline before making policy changes.

Mr. Gilbane stated that everyone knows there are problems. He thought averages were a problem in the town and wondered when a proper update would be provided for the additional months, given that the data is lagging. He also asked how to overlay the committed trips in District 1 meaningfully without polluting the baseline. Mr. Czerniejewski responded.

Ms. Donaldson felt that facts were needed for each month, instead of averages. She wanted to know the exact numbers from January through December. Mr. Czerniejewski answered that it was important not to take just a single month, particularly a month with holidays, but to make sure that the commission is seeing a repetitive two (2) or three (3) months to see a more accurate reflection of the percentages of trips.

Ms. McDonald thought that seeing the month-to-month data might help the commission see the effect of the changes made along the way.

Mr. Czerniejewski stated that he was coordinating with Public Works, and Kimley-Horn was also doing an annual traffic count update. He said that the report should be available sometime during April. He said additional track tube count data was taken on some of the road segments, and that information would be evaluated and cross-checked to determine any additional issues.

Mr. Ailey asked if where the biggest issue had been identified, if the difference between morning peak hours and evening peak hours could be evaluated, he noted it was similar except for eastbound. He said the issues are midmorning or midday and afternoon. From a traffic perspective, he wondered if anything could be done at that intersection. Mr. Czerniejewski said he had not contemplated that, but he would look into it. He said no matter what, there would still be a capacity issue. However,

he could still contemplate whether any intersection improvements could be made to help solve a portion of the concern.

Mr. Tatoes asked about the difference between when the President is in town and when the road is closed. Mr. Czerniejewski responded that the traffic analysis did include when the road was closed east of Southern Boulevard.

Mr. Christu asked how long until the data would be available to the Planning and Zoning Commission. Mr. Czerniejewski said it would be approximately one month after data collection for it to be available. Mr. Christu wondered if the clubs were very different. He noted that Sailfish is up there, and then the other two clubs certainly are distinct geographically from the other food and beverage destinations. He asked if it would allow that level of differentiation between the trips. Mr. Czerniejewski noted that the consultants did establish that it was approximately thirty-eight (38) out of sixty (60) food and beverage locations. He explained how that data was combined.

Mr. Gilbane noted that another element related to the ZIP is the commercial town-serving district, which is supposed to serve town residents primarily. He noted that school schedules impact traffic. He would be interested to see how external trips versus internal trips determine what happens in the town-serving district.

Ms. Hofmeister-Drew explained the direction staff sought from the Planning and Zoning Commission. She said the staff recommended an extension of the ZIP through June.

Ms. Donaldson expressed concern about the large projects that are already planned, and what situation that leaves the town regarding making changes. Mr. Czerniejewski stated that those projects are already factored into the intersection analysis, and if there is further degradation, it will be established. He reiterated that he wanted to have a baseline without committed trips and then add in the committed trips to determine where the problems exist.

Motion was made by Mr. Spaziani and seconded by Ms. McDonald to extend the Zoning in Progress to the June 3, 2025, Planning and Zoning Commission Meeting as additional information will be forthcoming from The Corradino Group. On roll call, the Motion passed unanimously, 7-0.

Mr. Spaziani inquired about the traffic study being conducted with Kimley-Horn. Mr. Czerniejewski stated it is an annual update that is always done separately from what the Corradino Group is doing. Ms. Hofmeister-Drew further explained the yearly updates.

Clerk's Note: Chair Coniglio returned to the dais for the remainder of the meeting.

B. Review of Changes to the Permitted and Special Exception Uses in the Town-Serving Commercial District

Wayne Bergman, Director of Planning, Zoning, and Building, directed the Commission to the detailed table displayed, which listed every current permitted use and special exception use in the five (5) commercial districts. He stated that there were a large number of uses, but the list was very detailed and accurate.

Ms. Hofmeister-Drew stated that staff had been working with Peter Henn and Joanne O'Connor, Attorneys, about how to look at the commercial districts. She noted that some adjustments had been made from the information provided at a previous meeting, but she noted that the document is fluid, and she would have the adjustments to share as part of her presentation. She stated that there was an immediate need to get the commercial districts analyzed, which would be helpful with the zoning in progress being active. Ms. Hofmeister-Drew began with the town-serving commercial and referenced three distinct areas of town-serving commercial. She noted that the focus on the town serving corresponds to the three (3) entryway bridges from the west. She discussed the north area and the central area but stated that three (3) different regions were being proposed for town serving, the north, central, and south, and they correlate with the Corradino Group's analysis of the town as a whole.

Ms. Hofmeister-Drew discussed changes being proposed to the definitions. She stated that staff was implementing the policy changes that made the comprehensive plan through the zoning code. Those changes were specific to town serving, town resident, and town person. She explained the changes in detail and discussed suggestions being made by staff. She stated that the nonprofit cultural was being eliminated because the town has a new cultural institution zoning district. The professional and studio type schools will be noticed in the special exception uses, uses where there are only public and private schools, eliminating the academia, which could increase the definition of schools. She said essential services were already defined as town serving. Public parks would remain, and residences above the first floor would be assumed to serve the town. She explained the strikethrough and underlined version and stated that the definitions had been clarified, indicating what the new code would look like with six (6) uses as permitted by right in the town serving north and central areas.

Chair Coniglio asked about the past decision to modify the gross leasable square footage. She wondered if it would be worth returning to how things were in 2000. Ms. Hofmeister-Drew then discussed special exception uses, because with the permitted uses that have a maximum of 3000 square feet, there has been discussion throughout the comprehensive plan process about reducing the square footage. Chair Coniglio thought that the town could reduce leasable

square footage again to encourage small businesses and smaller operations, which would create less intensification. She shared some ideas that she thought would help protect the charm and quality of life in Palm Beach. Ms. Hofmeister-Drew said the square footage could be reviewed in areas close to residential areas to see how any potential impacts may be reduced.

Mr. Bergman explained that permitted uses by right can be approved with very little to no involvement. However, special exception uses would have to be approved by the town council. He said currently, there are fourteen (14) criteria that must be met in order for the town council to grant approval of a special exception use. Chair Coniglio thought the fourteen (14) set the bar low. Mr. Bergman agreed and said the compliance with the comprehensive plan would be another of the fourteen (14) required criteria.

Mr. Gilbane noted that when the code was originally written, the town was not built out. Now he questioned whether certain uses that are special exceptions, in a built out town, should be allowed in the town serving districts. He also noted that the schools generate a lot of traffic on the island. He did not think that additional schools were needed to educate people from the region, as less than 30% of the students that attend school on the island live on the island. He felt the code needed to be modernized to remove those uses in the town serving district because he felt it undermined the purpose of the district. Chair Coniglio agreed.

Ms. Hofmeister-Drew explained the proposed changes to the C-TS North and Central districts. She said staff would like to wait and take a look at the south end districts last. There was some discussion about office uses and services. Ms. Hofmeister-Drew said the medical and veterinarians would be moved to town serving, or doctors would be removed from the town serving office establishments. She acknowledged it was confusing, as written. Mr. Henn, Attorney, advised that not all of the footage in a lease space impacts the public. He cited restrooms, foyers, stairwells and common areas between walls as examples. He noted that there are requirements to have restrooms, and he did not think that space should be subtracted from the square footage. It was noted that the air-conditioned and outdoor spaces should be separated.

Chair Coniglio stated that further discussion about the square footage would be placed on a future agenda, and she noted that Mr. Henn would be providing additional information for the commission to consider.

Motion was made by Mr. Gilbane and seconded by Ms. McDonald to remove public and private schools from the Special Exception uses in the town-serving commercial district and send to Town Council for approval.

Public Comments:

Katherine Catlin, 265 Fairview Road, stated that the town has just moved from the comprehensive plan task. She questioned if the PZC was going to look at amending the comprehensive plan as it has just been approved, or whether the established mechanism that calls for the code to set the percentage of town persons that are in the definition should be used. She did not think that the square footage and leasable square footage needed to be reinvented. She also stated, as it relates to special exceptions, she would like to see them eliminated altogether. She suggested grandfathering existing uses. Ms. Hofmeister-Drew responded to Ms. Catlin's comments.

Anita Seltzer, 44 Cocoanut Row, addressed the special exception issue. She reminded the PZC of the principal of equivalency, so that issues with regard to square footage were supposed to be mitigated by the accommodation of parking for the respective square footages. She thought the issues with the ZIP and traffic did dovetail with what was happening in the C-TS District. She agreed with Ms. Catlin's comments.

On roll call, the Motion passed 6-1, with Mr. Christu dissenting.

Ms. Hofmeister-Drew continued her presentation.

Public Comment:

Anita Seltzer, 44 Cocoanut Row spoke regarding the definition of "resident" as referred to on the Town's website.

X. ANY OTHER MATTERS

There were none.

XI. NEXT MEETING: Tuesday, May 6, 2025, at 9:30 a.m.

XII. ADJOURNMENT

Motion was made by Mr. Gilbane and seconded by Mr. Spaziani to adjourn the April 1, 2025 Planning and Zoning Commission Meeting at 11:34 AM. On roll call the Motion passed unanimously, 7-0.

Respectfully submitted

Gail Coniglio, Chair

Date

TOWN OF PALM BEACH

Planning and Zoning Commission on: May 6, 2025

Section of Agenda
OLD BUSINESS

Agenda Title
CODE REVIEW:

- 1.Code Review of potential Changes to the Commercial Zoning Districts' Permitted and Special Exception uses, including the Difference between Gross Leasable Area and Gross Square Footage
2. Mock-up of Potential New Zoning Code

Presenter

ATTACHMENTS:

- **1. Memorandum Dated May 6, 2024, From Jennifer Hofmeister-Drew, AICP, LCAM, Planner III**
- **2. Zone Code Articles 1-6**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT PZ&B Staff Memorandum: Planning and Zoning Commission Meeting

TO: Chair and Members of the Commission

THRU: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building
James Murphy, Assistant Director of Planning, Zoning & Building

FROM: Jennifer Hofmeister-Drew, AICP, LCAM, Planner III

SUBJECT: Code Review of Potential Changes to the Commercial Zoning Districts' Permitted and Special Exception Uses, including the Difference between Gross Leasable Area and Gross Square Footage

MEETING: May 6, 2025

RECOMMENDATION

The Planning, Zoning, and Building (PZB) Department is requesting the Planning and Zoning Commission (PZC) review the potential changes to the permitted and special exception uses in the remaining commercial districts and the research to support converting from gross leasable area (GLA) to gross square footage (GSF) as the intensity standard for nonresidential structures.

GENERAL INFORMATION

At the April 1, 2025 PZC meeting, staff presented modifications to the permitted and special exception uses and subdividing the C-TS zoning district by region, those being: north, central (midtown) and south. After deliberation, the PZC agreed with the recommendation and requested additional changes to the list of permitted and special exception uses. The subject memorandum provides the proposed changes to the remaining commercial districts in a strike-through and underline format. Additionally, the PZC suggested converting from GLA to GSF.

Following the meeting, staff researched various building sizes within the C-TS (Central), C-OPI, C-B, C-WA, and C-PC zoning districts to gain an understanding of the difference between GLA and GSF for commercial buildings. Examples of properties within each of the commercial districts are provided below to illustrate the disparity between GLA that is required to be provided when applying to the Town for a Business Tax Receipt and the total square footage found in the Palm Beach County Property Appraiser's records. When based upon GLA, the building size can vary with different tenants and uses.

The Town's definition of GLA is the sum of the gross horizontal area of all floors on one building, which are leased, rented or owned areas within a building, measured from the interior faces of exterior walls and from the interior faces of common interior walls, exclusive of common areas. For the purposes of this definition, the GLA of a given use shall include all floor areas being used, advertised or operated under a single commercial use name which are adjacent to one another; or all floor areas being used, advertised or operated under a single commercial use name which are within 1,500 feet of one another; or all floor areas

being used or operated under different commercial use names, but for which interior access between/among them is provided. The Town Code does not define GSF, nevertheless, the common terminology is the total area of a building, measured from the outer surface of the exterior walls. It includes all spaces within the building, regardless of whether they are usable or not, such as hallways, stairwells, and even exterior walls themselves. It is the most common measurement used in commercial real estate to define the overall size of a structure. Utilizing the GSF is the professionally accepted standard. It is more meaningful and predictable in determining the intensity of non-residential uses, which was a comment made by the state planning agency (FloridaCommerce) when reviewing the Town's 2024 Comprehensive Plan. The state commented that the Town needs to establish maximum intensity standards for non-residential uses in addition to maximum residential density, which has been established. Moving forward, staff will be examining and bringing to the PZC for discussion, utilizing GSF as the basis for establishing a maximum intensity standard with the Floor Area Ratio equation.

Proposed changes to C-TS reviewed by PZC C-TS (North and Central)

Sec. 134-1107. Permitted uses.

(a) ~~Enumeration; maximum gross leasable area.~~ The permitted uses in the C-TS town-serving commercial district, with a maximum of 3,000 gross square feet ~~gross leasable area (GLA)~~, are as follows:

(1) ~~Town-serving Retail establishments and service establishments, such as hardware stores, food stores, clothing stores, drugstores, barbershops, beauty salons and jewelry stores.~~

(2) Town-serving personal service establishments.

~~(2) (3) Town-serving office establishments. executive office suites, professional services, business services, excluding veterinarian offices, and securities and financial brokerage and trust companies above the first floor.~~

~~(3) Offices, professional services, business services and securities and financial brokerage and trust companies in the 200 block of Peruvian Avenue and Bradley Place.~~

~~(4) Nonprofit cultural centers.~~

~~(5) Professional and studio type schools.~~

~~(6) Storage facility related to a permitted or special exception use in the district provided said use meets all additional conditions in section 134-1760 of this chapter.~~

~~(7) (4) Essential services.~~

~~(8) (5) Public parks.~~

~~(9) (6) Residence(s) above the first floor.~~

~~(10) Supplemental off-site shared parking as provided for in sections 134-2177 and 134-2182. This use will sunset on March 13, 2024, unless extended or modified by town council.~~

Sec. 134-1109. Special exception uses.

~~(a) The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-TS town-serving commercial district are as follows:~~

~~(1) Public or private parking lots or storage garages.~~

~~(2) Auto rental lots.~~

~~(3) (2) Private social, swimming, golf, tennis and yacht clubs.~~

~~(4) (3) Service stations.~~

~~(5) (4) Public structures/uses.~~

~~(6) Essential services related to town-owned municipal buildings and structures.~~

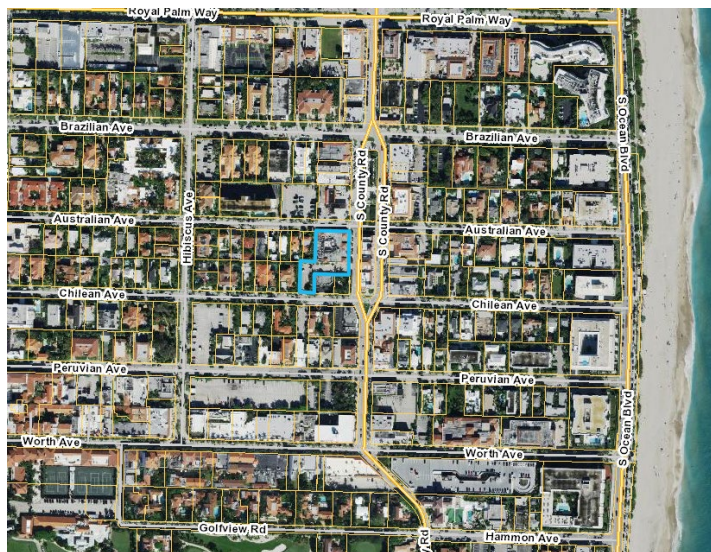
~~(7) (5) Supplemental parking per sections 134-2177 and 134-2182 as defined in section 134-2.~~

~~(8) Public or private academic schools.~~

~~(9) Drive-in business service facilities.~~

~~(10) Churches, synagogues or other houses of worship.~~

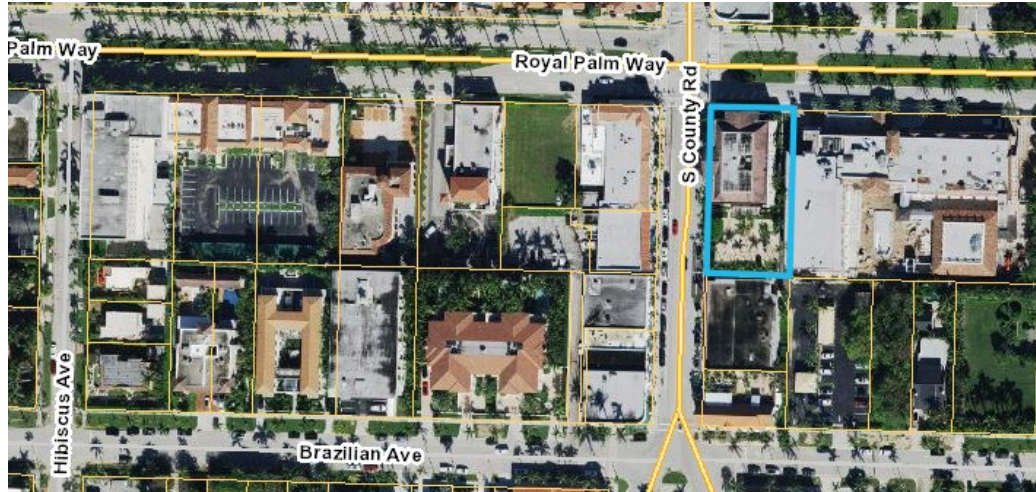
- (11) ~~(6)~~ Permitted uses, ~~or uses not specifically enumerated under permitted uses in section 134-1107 but having traffic, patronage and intensity of use characteristics similar to those uses cited therein, which are greater than 3,000 gross square feet gross leasable area.~~
- (12) ~~Banks and financial institutions, excluding securities or financial brokerage and trust companies.~~
- (13) ~~(7)~~ Roof-deck automobile parking.
- (14) ~~(8)~~ Outdoor Cafe seating is ~~permitted only~~ for restaurants, private clubs, and town-serving retail specialty food stores, (define in section 134-2) including the sale of prepared food for takeout only, and ~~private, social, swimming, golf, tennis and yacht clubs~~, provided that all requirements and conditions in sections 134-2104 through 134-2108 are met.
- (15) ~~Veterinary offices above the first floor.~~
- (16) ~~Museums occupying building of unique value as designated historical landmarks, as determined by the landmarks preservation commission and the town council.~~
- (17) ~~Nightclubs.~~
- (18) ~~Except as provided for in subsection 134-1107(3), offices (excluding executive office suites), professional services, business services and securities or financial brokerage and trust companies on the first floor provided that there are at least 50 percent existing office uses on all floors of the building in which the office use is proposed and more than 50 percent existing office uses on the first floor within 300 feet of the proposed office use within the same zoning district.~~
- (19) ~~Private parks.~~
- (20) ~~Outdoor promotional events. See section 134-2115 for additional conditions and criteria.~~
- (21) ~~(9)~~ Restaurants, excluding formula restaurants, as defined in section 134-2 and bars/lounges.
- (b) ~~An owner or tenant of a property, located within the C-TS district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.~~ This section will be moved to the Article 3 Special Exception/Conditional Use section.



C-TS

350 S. County Road – Three 50 Realty Corp. (Bucca Bldg., mixed use)-

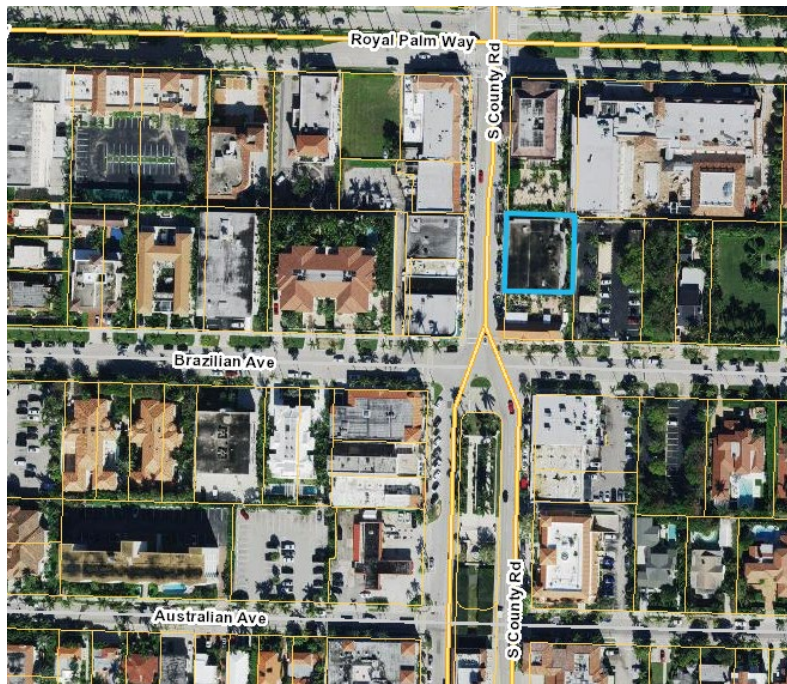
According to the Town's record, the BTRs account for **20,447 GLA**. The Property Appraiser's **GSF** is **26,389 SF**, consisting of one 4,186 SF restaurant, 10,233 SF of multiple tenant retail, 6,028 SF of offices and 5,942 SF of residential. The size of the property is 0.1728 acres in the R-C residential district and 0.5504 acres in the C-TS district.



C-TS

180 Royal Palm Way – FG Palm Beach Fund LLC, Eye Man Limited Partnership & Tau Mid Partnership LP – financial

According to the Town’s record, the BTRs account for **14,327 GLA**. The Property Appraiser's total GSF is **19,500 SF**, consisting of two 6,500 SF offices, one 4,470 SF office, and a 2,030 SF lobby. The size of the property is 0.46 acres.



C-TS

301 S. County Road – FG Palm Beach Fund LLC, Eye Man Limited Partnership & Tau Mid Partnership LP – stores

According to the Town’s records, the BTRs account for **7,695 GLA**. The Property Appraiser's GSF is **8,464 SF**, consisting of four retail tenants: 2,477 SF, 1,976 SF, 1,324 SF, and 1,918 SF. The size of the property is 0.26 acres.

**Proposed changes to C-OPI
(COMMERCIAL OFFICE, PROFESSIONAL AND INSTITUTIONAL ZONING)**

Sec. 134-1207. Permitted uses.

The permitted uses in the C-OPI office, professional and institutional district are as follows:

- (1) Town-serving retail establishments.
- (2) Town-serving personal service establishments.
- (3) ~~Town-serving o~~Offices establishments and professional and business services and executive offices, excluding veterinarian offices.
- (2) ~~Brokerage and trust companies.~~
- (3) ~~Yacht Brokerage with no display of merchandise on premises.~~
- (4) ~~Storage facility related to a permitted or special exception use in the district provided said use meets all additional conditions in section 134-1760 of this chapter.~~
- (6)(4) Essential services.
- (5) Residence(s) above the first floor.
- (7) ~~Supplemental off-site shared parking as provided for in sections 134-2177 and 134-2182. This use will sunset on March 13, 2024, unless extended or modified by town council.~~

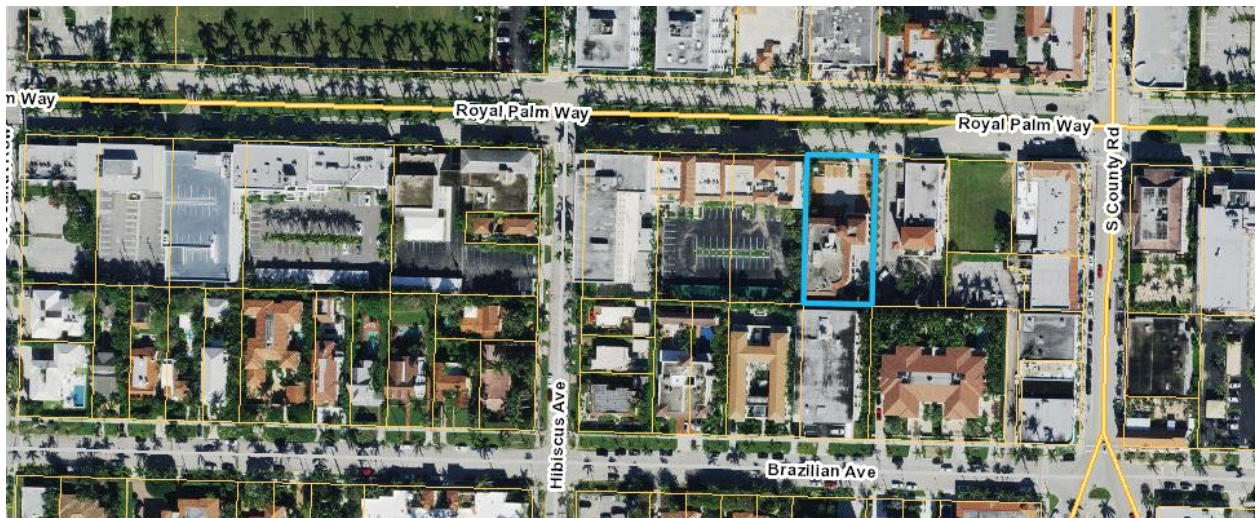
Sec. 134-1209. Special exception uses.

~~The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-OPI office, professional and institutional district are as follows:~~

- (1) Public or private parking lot or storage garages.
- (2) ~~Auto rental lot.~~
- (3) ~~Public structures/uses.~~
- (4) ~~Essential services related to town-owned municipal buildings and structures.~~
- (5) Supplemental parking per sections 134-2177 and 134-2182 as defined in section 134-2.
- (6) Restaurants, excluding formula restaurants as defined in section 134-2.
- (7) ~~Lounges/bars when associated with full service restaurants.~~
- (8) ~~Banks and financial institutions, excluding brokerage and trust companies.~~
- (9) ~~Institutions.~~
- (10) Roof-deck automobile parking.
- (11) Outdoor cafe seating for only restaurants, private clubs, and town-serving retail specialty food stores and dining rooms, provided that all requirements and conditions in sections 134-2104 through 134-2108 are met.
- (12) ~~Dining rooms when not more than 15 percent of the gross floor area of the structure; no exterior or external advertising to be permitted.~~

~~Sec. 134-1212. Commercial uses; site plan approval for new buildings, new building additions or changes in permitted uses over certain floor area.~~

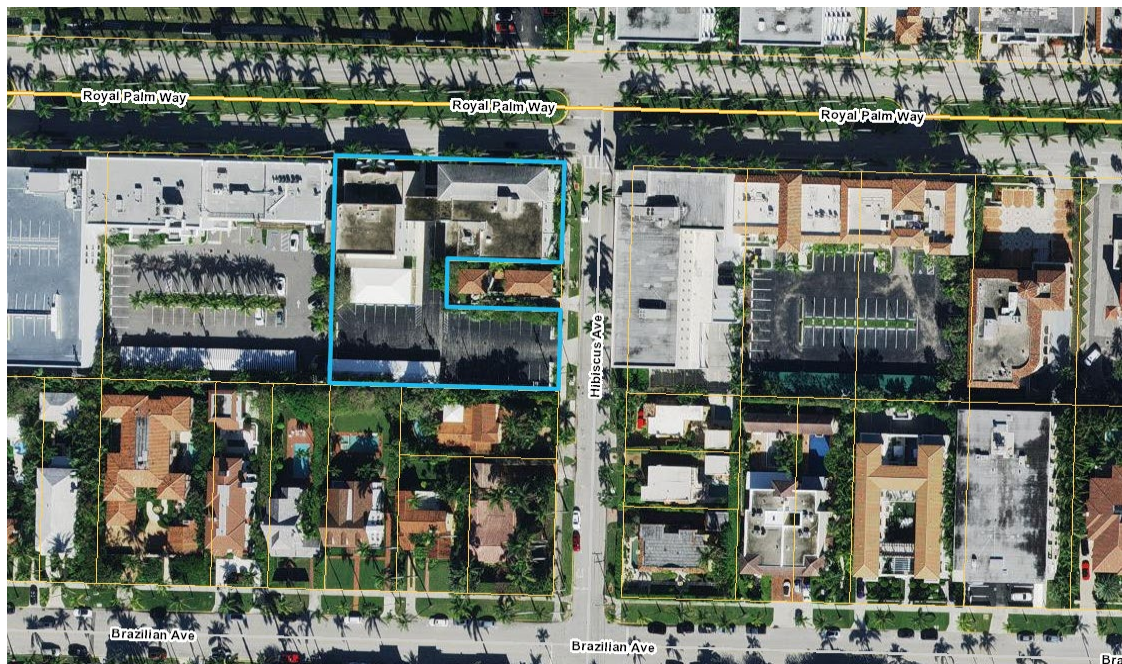
~~All applications for new buildings or for new building additions or for changes in a permitted use in section 134-1207 which involve more than 2,000 square feet of building floor area of buildings in the C-OPI office, professional and institutional district shall require a site plan approval in accordance with article III of this chapter. No certificate of occupancy shall be issued for any building, unless all facilities included in the site plan have been provided in accordance therewith. The maximum dimension of any structure or group of attached structures shall not exceed 150 feet.~~ **Moving this Section to Article III Site Plan Approval.**



C-OPI

222 Royal Palm Way – 222 RPW LLC Office - non-medical

According to the Town's records, the BTRs account for **10,000 GLA**. The Property Appraiser's total GSF is **11,694 SF**, consisting of two offices, one 5,099 SF and the other 6,147 SF, and a 448 SF lobby. The size of the property is 0.43 acres.



C-OPI

300 Royal Palm Way - Rehabilitation Center for Children and Adults, Inc.

According to the Town's records, the BTRs account for **17,004 GLA**. The Property Appraiser's total GSF is **24,295 SF**, consisting of five offices: 6,828 SF, 7,217 SF, 4,858 SF, 3,037 SF, and 2,355 SF. The size of the property consists of 0.82 acres.

Proposed changes to C-B COMMERCIAL DISTRICT

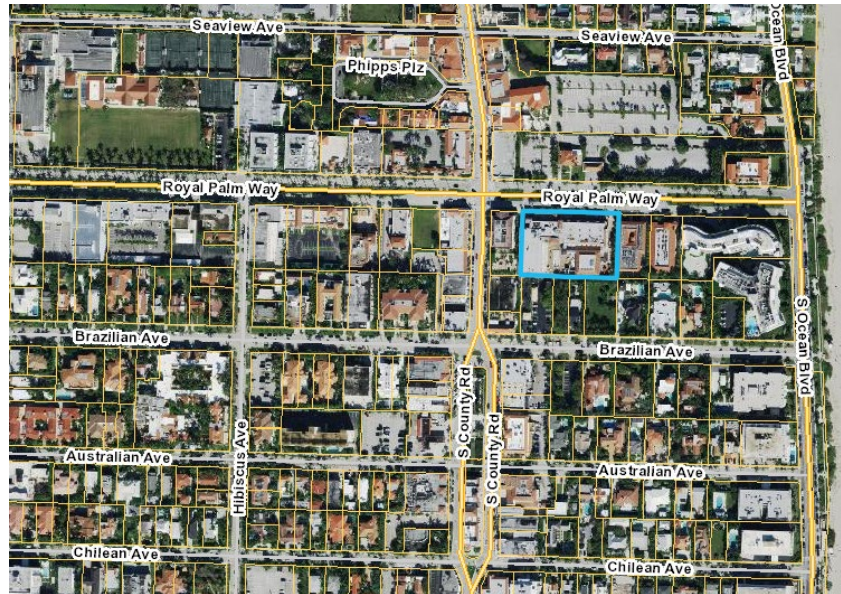
Sec. 134-1302. Permitted uses.

- ~~(a) Enumeration; maximum gross leasable area. The permitted uses in the C-B commercial district require a site plan and review as required in article III of this chapter.~~
- ~~(b) The permitted uses in the C-B commercial district are as follows:~~
 - ~~(1) Town-serving retail establishments.~~
 - ~~(2) Town-serving personal service establishments.~~
 - ~~(3) Town-serving office establishments. Business and professional offices/services and executive office suites, excluding veterinarians.~~
 - ~~(2) Banks and financial institutions.~~
 - ~~(3) Churches, synagogues or other houses of worship.~~
 - ~~(4) Storage facility related to a permitted or special exception use in the district provided said use meets all additional conditions in section 134-1760 of this chapter.~~
 - ~~(4) Public parks.~~
 - ~~(5) Essential services.~~

Sec. 134-1304. Special exception uses.

- ~~(a) The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-B commercial district are as follows:~~
 - ~~(1) Public or private parking lots or storage garages.~~
 - ~~(2) Auto rental lot.~~
 - ~~(3) (2) Supplemental parking per sections 134-2177 and 134- 2182-as defined in section 134-2.~~
 - ~~(4) Public or private academie schools.~~
 - ~~(5) Hotels at a maximum of 26 units per acre.~~
 - ~~(6) Timesharing uses at a maximum of nine units per acre.~~
 - ~~(7) (3) Roof-deck automobile parking.~~
 - ~~(8) (4) Permitted uses, or uses not specifically enumerated under permitted uses in section 134-1302 but having traffic, patronage and intensity of use characteristics similar to those uses cited therein, which are greater than 3,000 square feet gross leasable area.~~
 - ~~(9) Nonprofit cultural centers.~~
 - ~~(10) (5) Outdoor cafe seating for restaurants, private clubs, and town-serving retail specialty food stores, only existing hotels, condo hotels, dining rooms provided that all requirements and conditions in sections 134-2104 through 134-2108 are met.~~
 - ~~(11) Condo hotels at a maximum of 17 units per acre, in accordance with section 134-2110.~~
 - ~~(12) Essential services related to town-owned municipal buildings and structures.~~
 - ~~(13) (6) Dining rooms associated with an existing hotel, when not more than 15 percent of the gross floor area of a building; no exterior or external advertising to be permitted.~~

- (b) ~~An owner or tenant of a property, located within the C-B district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.~~ This section will be moved to the Article 3 Special Exception/Conditional Use section.



C-B

160 Royal Palm Way LR Palm House LLC 54,038 SF

According to the Town's records, the approved plan states **83,777 GLA**. The Property Appraiser's GSF is **54,038 SF**, consisting of 2,618 SF banquet room, 2,801 SF of hotel lobby, and 46,656 SF resort hotel. The size of the property is 0.46 acres.

Proposed changes to C-WA COMMERCIAL DISTRICT

Sec. 134-1157. Permitted uses.

- (a) ~~Enumeration; maximum gross leasable area.~~ The permitted uses in the C-WA Worth Avenue commercial district, with a maximum of 4,000 square feet of gross leasable area (GLA), are as follows:

- ~~(1) Antiques.~~
- ~~(2) Apparel and accessories.~~
- ~~(3) Art galleries.~~
- ~~(4) Art services.~~
- ~~(5) Bed and bath boutiques.~~
- ~~(6) Cards/gifts.~~
- ~~(7) Crafts.~~
- ~~(8) Drugstore/pharmacy.~~
- ~~(9) Fabrics.~~
- ~~(10) Flowers/florist.~~
- ~~(11) Furniture.~~
- ~~(12) Hair styling/beauty salon.~~
- ~~(13) Interior decorating sales/services.~~
- ~~(14) Jewelry.~~

- ~~(15) Kitchenwares.~~
- ~~(16) Luggage/leather goods.~~
- ~~(17) News/books.~~
- ~~(18) Optical goods.~~
- ~~(19) Perfumery.~~
- ~~(20) Photographic services/studios.~~
- ~~(21) Shoes.~~
- ~~(22) Stationery.~~
- ~~(23) Essential services.~~
- ~~(24) Tobacconist.~~
- ~~(25) Toys.~~
- ~~(26) TV and electronic items.~~
- (1) Town-serving retail establishments.
- (2) Town-serving personal service establishments.
- ~~(27) (3) Town-serving oOffices and professional and business services, including banks and financial institutions, and executive offices establishments above the first floor; excluding veterinarian offices.~~
- ~~(28) Storage facility related to a permitted or special exception use in the district provided said use meets all additional conditions in section 134-1760 of this chapter.~~
- ~~(29) (4) Residence(s) above the first floor.~~
- ~~(30) Combinations of the uses in subsections (a)(1) through (28) of this section.~~
- ~~(31) Supplemental off site shared parking as provided for in sections 134-2177 and 134-2182 This use will sunset on March 13, 2024, unless extended or modified by town council.~~
- (5) Essential services.

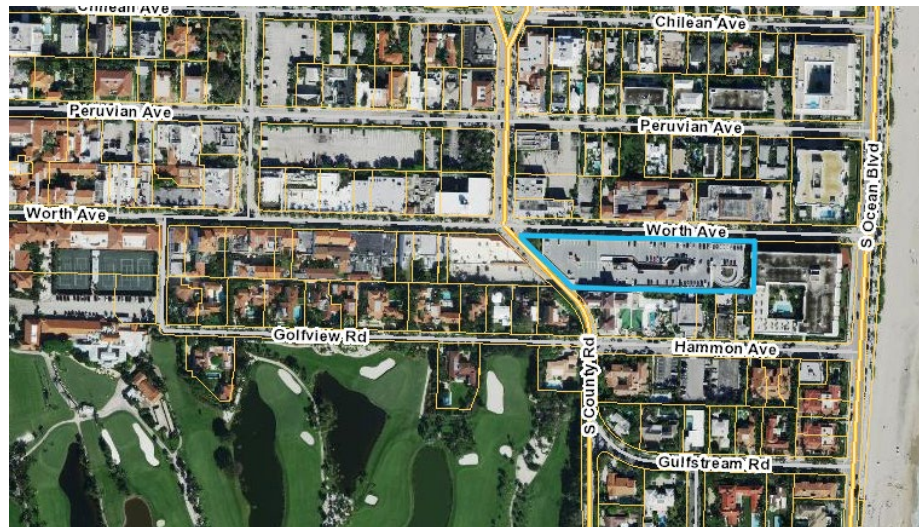
Sec. 134-1159. - Special exception uses.

- ~~(a) The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-WA Worth Avenue district are as follows:~~
 - ~~(1) Pay parking.~~
 - ~~(2) (1) Public or private parking or storage garages.~~
 - ~~(3) (2) Private social, swimming, tennis or yacht clubs.~~
 - ~~(4) (3) Public structures/uses.~~
 - ~~(5) Essential services related to town owned municipal buildings and structures.~~
 - ~~(6) (4) Supplemental parking per sections 134-2177 and 134- 2182 as defined in section 134-2.~~
 - ~~(7) (5) Restaurants, nightclubs, lounges/bars, excluding formula restaurants as defined in section 134-2.~~
 - ~~(8) Museums and nonprofit cultural centers.~~
 - ~~(9) (6) Permitted uses cited under permitted uses in section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area.~~
 - ~~(10) Uses not specifically enumerated under permitted uses in section 134-1157 but having traffic, patronage and intensity of use characteristics similar to those uses cited therein.~~
 - ~~(11) Outdoor promotional events. See section 134-2115 for additional conditions and criteria.~~
 - ~~(12) (7) Roof deck automobile parking.~~
 - ~~(13) (8) Outdoor cafe seating is permitted only for restaurants, private clubs, and town-serving retail specialty food stores, including the sale of prepared food for takeout only, and private, social, swimming, golf, tennis and yacht clubs, provided that all requirements and conditions in sections 134-2104 through 134-2108 are met, including incidental sale of prepared foods for takeout.~~
- ~~(b) An owner or tenant of a property, located within the C-WA district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town~~

council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt.

~~Sec. 134-1162. Commercial uses; site plan approval for new buildings, new building additions or changes in permitted uses over certain floor area.~~

~~All applications for new buildings or for new building additions or for changes in a permitted use in section 134-1157 which involve more than 2,000 square feet of building floor area of buildings in the C-WA Worth Avenue district shall require a site plan approval in accordance with article III of this chapter. No certificate of occupancy shall be issued for any building, unless all facilities included in the site plan have been provided in accordance therewith. The maximum dimension of any structure or group of attached structures shall not exceed 150 feet.~~ **Moving this Section to Article III Site Plan Approval.**



C-WA

150 Worth Avenue - Wilson 150 Worth LLC

According to Town records there are more than 148 BTRs, four examples include: Saks Fifth Avenue: 49,917 GLA, Starbucks: 1,681 GLA, Christorfe: 600 GLA, and Woody Michleb Saon: 2,172 GLA. The Property Appraiser's **GSF is 128,779 SF**, consisting of 5,420 SF, 1,440 SF, 27,873 SF and 17,994 SF of community retail, 8,014 SF and 6,850 SF of department store. The size of the property is 2.04 acres.

Proposed changes to C-PC PLANNED CENTER DISTRICT

Sec. 134-1257. Permitted uses.

~~(a)~~—The permitted uses in the C-PC planned center district commercial district, with a maximum of 3,000 ~~no limitations on gross leasable area (GLA) square feet~~, are as follows:

- ~~(1) Appliance services.~~
- ~~(2) Bookstore/newsstand.~~
- ~~(3) Business and professional offices/services and executive office suites, excluding veterinarian offices.~~
- ~~(4) Churches, synagogues and other houses of worship.~~
- ~~(5) Dance instruction/studio.~~
- ~~(6) Drugstore/pharmacy.~~
- ~~(7) Florist.~~
- ~~(8) Formal wear rental.~~

- ~~(9) Furniture.~~
- ~~(10) Hardware/home improvements.~~
- ~~(11) Hobby shop.~~
- ~~(12) Laundry/dry cleaning.~~
- ~~(13) Locksmith.~~
- ~~(14) Medical services.~~
- ~~(15) Optician/optometrist.~~
- ~~(16) Picture framing.~~
- ~~(17) Photocopying.~~
- ~~(18) Photographic studio.~~
- ~~(19) Print shop.~~
- ~~(20) Secretarial services.~~
- ~~(21) Shoe repair.~~
- ~~(22) Tobacconist.~~
- ~~(23) Tailor/dressmaker.~~
- ~~(24) Temporary help.~~
- ~~(25) Travel agent.~~
- ~~(26) Yard goods. (1)~~
- (1) Town-serving retail establishments.
- (2) Town-serving personal service establishments.
- (3) Town-serving office establishments.
- ~~(27)~~ (4) Essential services.
- (5) Public parks.
- ~~(28) Maximum 3,000 square feet of GLA. All other retail shops, personal services and banks and financial institutions not specifically cited under the permitted uses in subsection.~~

- (b) ***To be revised at a later date** Regulation of existing nonconforming commercial uses. Any existing uses contained on the list of permitted uses under subsection (a)(2) of this section which contain more than 3,000 square feet of gross leasable area (GLA) shall be classified as existing nonconforming uses (refer to division 2 of article IV of this chapter). However, all future changes of use shall be limited to those uses listed as permitted uses in subsection (a) of this section with a maximum gross leasable area of 3,000 square feet, and if a change of use is contemplated from one general commercial category (retail and services; office, professional and business services; or banks and financial institutions) to another, or from one generic use (residential, commercial, public/private group use) to another, wherein the new use will involve a gross leasable area exceeding 3,000 square feet, the contemplated new use shall be subject to prior approval of a special exception application by the town council before the change is made (refer to sections 134-227 through 134-233 pertaining to special exception uses). In effect, this will allow any existing use over 3,000 square feet, in a district with a 3,000-square-foot limitation, to continue operating at its existing scale or to change to another use within the same general commercial category without town council approval. No existing commercial use which is subject to the 3,000 square feet maximum gross leasable area (GLA) regulation may occupy additional space within 1,500 feet of the existing licensed businesses, which distance shall be measured along the public sidewalk, if such new space to be occupied will increase the total gross leasable area (GLA) to more than 3,000 square feet.*

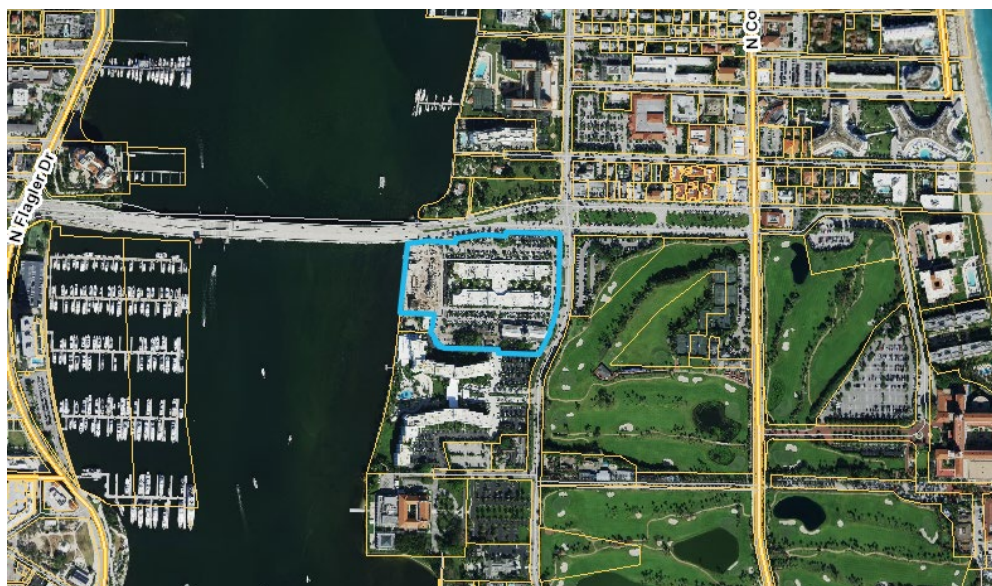
Sec. 134-1259. Special exception uses.

- ~~(a) The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the C-PC planned center district are as follows:~~
- ~~(1) Public or private parking or storage garages.~~
 - ~~(2) Private, social, swimming, tennis and yacht clubs.~~
 - ~~(3) Public structures/uses.~~

- ~~(4) (4) Essential services related to town-owned municipal buildings and structures.~~
 - ~~(5) Supplemental parking per sections 134-2177 and 134-2182, as defined in section 134-2.~~
 - ~~(6) Restaurants, excluding formula restaurants as defined in section 134-2, and theaters-nightclubs, lounges/bars.~~
 - ~~(7) Museums.~~
 - ~~(8) Veterinarian/animal clinic.~~
 - ~~(9) Auto rental.~~
 - ~~(10) Banks and financial institutions.~~
 - ~~(11) (7) All retail and personal service activities exceeding 3,000 gross square feet gross leasable area not specifically cited under the permitted uses in subsection 134-1257(a)(2).~~
 - ~~(12) Timesharing uses at a maximum of nine units per acre and hotels at a maximum of 26 units per acre.~~
 - ~~(13) (8) Roof-deck automobile parking.~~
 - ~~(14) (9) Nonprofit cultural centers.~~
 - ~~(15) Veterinarian offices.~~
 - ~~(16) Outdoor seating in conjunction to permitted restaurants. See section 134-1260 for additional conditions.~~
 - ~~(17) (10) Outdoor cafe seating is permitted only for restaurants, retail specialty food stores, including the sale of prepared food for takeout only, and private, social, swimming, golf, tennis and yacht clubs, provided that all requirements and conditions in sections 134-2104 through 134-2108 are met.~~
 - ~~(18) Dining rooms when not more than 15 percent of the gross floor area of a building; no exterior or external advertising to be permitted.~~
 - ~~(19) Retail specialty foods, including incidental sale of prepared foods for takeout.~~
- ~~(b) An owner or tenant of a property, located within the C-PC district, which property has received approval of a special exception after March 31, 1980, shall be required to obtain approval by the town council under the provisions of section 134-229 prior to being granted a new business tax receipt. This subsection shall not apply to renewal of an existing business tax receipt. This section will be moved to the Article 3 Special Exception/Conditional Use section.~~

~~Sec. 134-1261. Commercial uses; site plan approval for new buildings, new building additions or changes in permitted uses over certain floor area.~~

~~All applications for new buildings or for new building additions or for changes in a permitted use in section 134-1257 which involve more than 2,000 square feet of building floor area of buildings in the C-PC planned center district shall require a site plan approval in accordance with article III of this chapter. No certificate of occupancy shall be issued for any building, unless all facilities included in the site plan have been provided in accordance therewith. The maximum dimension of any structure or group of attached structures shall not exceed 150 feet. Moving this Section to Article III Site Plan Approval~~



C-PC

340 Royal Poinciana Way

According to Town records there are approximately 950 BTRs, which include individual tenant spaces, the Playhouse, the Restaurant and the Slat House. The Property Appraiser's **GSF** is **112,119 SF**, consisting of multiple tenant retail sales and a 9,496 SF restaurant. The size of the property is 11.38 acres.

[New draft code in new Chapter 135]

ARTICLE 1 – INTRODUCTION & USING THE CODE

- 135-___ Title & Effective Date (see also 134-5)
- 135-___ Purpose & Intent (see also 134-2, 134-3, 134-752 and 134-753)
- 135-___ Applicability; Conflicting Provisions; Savings Clauses; Severability
(see also 134-2)
- 135-___ Zoning Map & Zoning Districts (see also 134-1, 134-4, 134-754,
and 134-755)
 - 135-___ Zoning Map (see also 134-752)
 - 135-___ Zoning Districts (see also 134-751)
 - 135-___ Rules for Interpreting Zoning District Boundaries on the
Zoning Map (see also 134-753)
- 135-___ Rules of Measurement & Calculation
 - 135-___ Measuring Structure Height (see also 134-1606)
 - 135-___ Exceptions to Height Limitations (see also 134-1607)
 - 135-___ Measuring Distance (see also 134-1547)
 - 135-___ Measuring Setbacks (see also 134-1547 and 134-2065)
 - 135-___ Corner Lots (see also 134-1576 and 134-1577)
 - 135-___ Determining Average Grade (see also 134-1600)
 - 135-___ Lot Aggregation
 - 135-___ Permitted Encroachments into Required Yards
- 135-___ Rules of Interpretation (see also 134-3, 134-36, and 134-37)
- 135-___ Uses Generally (see also 134-1516)
- 135-___ Similar Use Determinations

135-___ Changes in Lot Topography (see also 134-797, 134-847, 134-898, 134-953, 134-1009, 134-1065, 134-1121, 134-1171, 134-1221, 134-1269, 134-1316 and 134-1402)

135-___ Prohibited Materials

135-___ Basements (see also 134-1608 and 134-1611)

135-___ Streets (see also 134-1636 and 134-1637)

135-___ Other Relevant Regulations [List by Code Chapter]

[New draft code in new Chapter 135]

ARTICLE 2.5 – NONCONFORMITIES

135-___ Purpose & Intent

135-___ Nonconforming Uses (see also 134-2069)

135-___ Continuation; Definitions; Intent (see also 134-386)

135-___ Extension of Expansion (see also 134-387)

135-___ Conversion to Permitted Use (see also 134-388)

135-___ Special Exception Use (see also 134-389)

135-___ Alterations & Repairs

135-___ Abandonment (see also 134-392)

135-___ Destruction or Partial Destruction

135-___ Regulation of Existing Nonconforming Commercial Uses

135-___ Nonconforming Structures

135-___ Continuation, Definitions; Intent (see also 134-416)

135-___ Extension of Expansion (see also 134-417)

135-___ Conversion to Conforming Structure (see also 134-418)

135-___ Restoration; Demolition; Enlargement; Extension;
Expansion; Reconstruction; Alteration; Repair (see also 134-
390, 134-391 and 134-419)

135-___ Alteration & Repairs

135-___ Minimum Flood Elevation

135-___ Unintentional Damage or Destruction or Partial Destruction (see
also 134-420)

135-___ Regulations

135-___ Development & Redevelopment of Nonconforming Residential
Lots (see also 134-446)

[New draft code in new Chapter 135]

ARTICLE 3 – ADMINISTRATIVE & PROCEDURES

135-___ Purpose & Intent

135-___ Decision Making Authority

135-___ Administrative Staff (see also 134-36, 134-37 and 134-38)

135-___ Design Review Commission

135-___ Town Council (see also 134-171, 134-172, 134-173 and 134-174)

135-___ Permits & Certificate of Occupancy

135-___ In General (see also 134-66)

135-___ Permits (see also 134-86, 134-87, 134-88, 134-89 and 134-90)

135-___ Certificate of Occupancy (see also 134-111)

135-___ Site Plan Approval (see also 134-326 and 134-330)

135-___ Special Exceptions / Conditional Uses (see 134-226 and 134-233)

135-___ Waivers & Variances

135-___ Administrative Waivers (see also 134-234 and 134-237)

135-___ Design Review Commission Waivers

135-___ Variances (see also 134-201)

135-___ Minor Variances

135-___ Major Variances

135-___ Code Amendments (see also 134-261, 134-286 and 134-296)

135-___ Text Amendments

135-___ Map Amendments

135-___ PUD Amendments (see also 134-476 and 134-721)

135-___ Appeals (see also 134-141 and 134-145)

135-___ Administrative Decision Appeals

135-___ Design Review Commission Decision Appeals

135-___ Town Council Decision Appeals

[New code is drafted in a new Chapter 135]

ARTICLE 4 – DISTRICTS (see also 134-1547, 134-1548, 134-1606, 134-1607, 134-1667, 134-1963, 134-1964, 134-1965, 134-1968, 134-1996, 134-1697, 134-1698, 134-1701, 134-1702, 134-1756, 134-1786, 134-1872, 134-1879, 134-1875, 134-1876)

RESIDENTIAL

- 135-___ Introduction to Residential Districts (see also 134-751)
- 135-___ Additional Regulations, Article 4 – Generally Applicable Regulations (see also 134-755, 134-4, 134-789, 134-999, 134-944, 134-889, 134-839 and 134-1054)
- 135-___ Residential Estate Districts – R-AA and R-A
 - 135-___ Purpose (see also 134-786 and 134-836)
 - 135-___ Uses (Table)
 - 135-___ Permitted (see also 134-787 and 134-837)
 - 135-___ Special Exception (see also 134-790 and 134-840)
 - 135-___ Accessory Uses and Structures (see also 134-788, 134-791, 134-792, 134-838 and 134-841)
 - 135-___ Lot and Development Standards (Table) (see also 134-793, 134-794, 134-795, 134-796, 134-842, 134-843, 134-844, 134-845 and 134-846)
- 135-___ Residential Neighborhood Districts – R-B
 - 135-___ Purpose (see also 134-886)
 - 135-___ R-B Classifications
 - 135-___ R-B1 Lots Up To 20,000 SQ FT
 - 135-___ R-B2 Lots 20,000 SQ FT and Larger
 - 135-___ R-B-SS Sea Streets
 - 135-___ Uses (Table)
 - 135-___ Permitted (see also 134-887)
 - 135-___ Special Exception (see also 134-890)
 - 135-___ Accessory Uses and Structures (see also 134-888, 134-891 and 134-892)
 - 135-___ Lot and Development Standards (Table) (see also 134-893, 134-894, 134-895, 134-896 and 134-897)

135-___ Residential Mid-Town District – R-C

135-___ Purpose (see also 134-941)

135-___ Uses (Table)

135-___ Permitted (see also 134-942)

135-___ Special Exception (see also 134-945)

135-___ Accessory Uses and Structures (see also 134-943, 134-946, 134-947 and 134-951)

135-___ Lot and Development Standards (Table) (see also 134-948, 134-949, 134-950 and 134-952)

135-___ Residential Multi-Family Districts – R-D1 and R-D2

135-___ Purpose (see also 134-996 and 134-1051)

135-___ Uses (Table)

135-___ Permitted (see also 134-997 and 134-1052)

135-___ Special Exception (see also 134-1000 and 134-1055)

135-___ Accessory Uses and Structures (see also 134-998, 134-1001, 134-1002, 134-1003, 134-1007, 134-1053, 134-1057, 134-1058, 134-1059 and 134-1063)

135-___ Lot and Development Standards (Table) (see also 134-1004, 134-1005, 134-1006, 134-1008, 134-1060, 134-1061, 134-1062, 134-1064 and 134-1070)

COMMERCIAL

135-___ Introduction to Commercial Districts

135-___ Additional Regulations, Article 4 – Generally Applicable Regulations (see also 134-1116, 134-1117, 134-1118, 134-1119, 134-1121, 134-1166, 134-1167, 134-1168, 134-1169, 134-1171, 134-1312, 134-1311, 134-1313, 134-1314, 134-1316, 134-1267, 134-1269, 134-1264, 134-1265, 134-1266, 134-1221, 134-1216, 134-1217, 134-1218 and 134-1219)

135-___ Additional Restrictions (see also 134-1112, 134-1162, 134-1212, 134-1261, 134-1307 and 134-1310)

- 135-___ Accessory Uses and Structures (see also 134-1108, 134-1110, 134-1158, 134-1160, 134-1208, 134-1211, 134-1258, 134-1303 and 134-1306)
- 135-___ Additional Development and Design Standards (see also 134-1120, 134-1170, 134-1220, 134-1268 and 134-1315)
- 135-___ Commercial Town-Serving District - C-TS
 - 135-___ Purpose (see also 134-1106)
 - 135-___ Uses (Table)
 - 135-___ Permitted (134-1107)
 - 135-___ Special Exception (see also 134-1109)
 - 135-___ Lot and Development Standards (Table) (see also 134-1113, 134-1114 and 134-1115)
- 135-___ Commercial Worth Avenue District – C-WA
 - 135-___ Purpose (see also 134-1156)
 - 135-___ Uses (Table)
 - 135-___ Permitted (see also 134-1157)
 - 135-___ Special Exception (see also 134-1159)
 - 135-___ Lot and Development Standards (Table) (see also 134-1163, 134-1164 and 134-1165)
 - 135-___ Worth Avenue Design Guidelines (Appendix XX)
- 135-___ Commercial Royal Poinciana Area District – C-RPA
 - 135-___ Purpose (see also 134-1256)
 - 135-___ Uses (Table)
 - 135-___ Permitted (see also 134-1257)
 - 135-___ Special Exception (see also 134-1259)
 - 135-___ Lot and Development Standards (Table) (see also 134-1262 and 134-1263)
- 135-___ Commercial Office, Professional and Institutional – C-OPI (Royal Palm Way)(Collapse C-B District into this)
 - 135-___ Purpose (see also 134-1206 and 134-1301)
 - 135-___ Uses (Table)

135-___ Permitted (see also 134-1207 and 134-1302)

135-___ Special Exception (see also 134-1209 and 134-1304)

135-___ Lot and Development Standards (Table) (see also 134-1213, 134-1214, 134-1215, 134-1308 and 134-1309)

OTHER DISTRICTS

135-___ Introduction to Other Districts

135-___ Additional Regulations, Article 4 – Generally Applicable Regulations (see also 134-1397, 134-1398, 134-1399, 134-1400, 134-1402, 134-1477, 134-1478, 134-1479, 134-1481, 134-1491 and 134-1493)

135-___ Additional Restrictions (see also 134-1355 and 134-1490)

135-___ Accessory Uses and Structures (see also 134-1353, 134-1394 and 134-1480)

135-___ Additional Development and Design Standards

135-___ Cultural Institution District – CI

135-___ Purpose (see also 134-1482)

135-___ Uses (Table)

135-___ Permitted (see also 134-1483)

135-___ Special Exception (see also 134-1484)

135-___ Lot and Development Standards (Table) (see also 134-1488 and 134-1489)

135-___ Existing Planned Unit Development Districts – PUD

135-___ Purpose (see also 134-1391)

135-___ Classifications of PUD's

135-___ Uses (Table)

135-___ Permitted (see also 134-1392)

135-___ Special Exception (see also 134-1395)

135-___ Lot and Development Standards (Table) (see also 134-1396)

135-___ Conservation District – C

135-___ Purpose (see also 134-1351)

135-___ Uses (Table)

135-___ Permitted (see also 134-1352)

135-___ Special Exception (see also 134-1359)

135-___ Lot and Development Standards (Table)

135-___ Beach Area District – B

135-___ Purpose/Location (see also 134-1471)

135-___ Uses (Table)

135-___ Permitted (see also 134-1472)

135-___ Special Exception (see also 134-1473)

135-___ Lot and Development Standards (Table) (see also 134-1474, 134-1475
and 134-1476)

135-___ Public and Recreation District – PR (Could be split into Public District and
Recreation District)

135-___ Purpose

135-___ Uses (Table)

135-___ Permitted

135-___ Special Exception

135-___ Lot and Development Standards (Table)

[New draft code in new Chapter 135]

ARTICLE 5 – GENERALY APPLICABLE REGULATIONS

135-___ Parking, Drives, & Loading

135-___ Purpose & Intent

135-___ Parking Spaces (see also 134-2173)

135-___ Parking Space Size (see also 134-2172)

135-___ Required Number of Parking Spaces (Table)(see also 134-2171, 134-2174, 134-2175, 134-2176)

135-___ Location of Parking Spaces (see also 134-2177, 134- 2178, and 134-2179)

135-___ Equivalencies

135-___ Drives

135-___ Drive Locations

135-___ Drive Dimensions

135-___ Drive Standards

135-___ Loading

135-___ Loading Areas Required

135-___ Loading Area Dimensions (see also 134-2211)

135-___ Parking Lots and Structures (see also 134-2181)

135-___ Parking Lots (see also 134-2180, 134-2236, and 134- 2237)

135-___ Parking Structures

135-___ Parking Screening

135-___ Off Site & Shared Parking (see also 134-2182)

(Move Secs. 134-2291 through 134-2336 to a New Chapter)

135-___ Signs

135-___ Purpose & Intent (see also 134-2371)

135-___ Applicability

135-___ Exemptions (see also 134-2411)

135-___ Permitted Signs (see also 134-2373 and 134-2450)

135-___ Sign Measurements (see also 134-2438, 134-2439 and 134-2441)

135-___ Sign Standards (see also 134-2442 and 134-2444)

135-___ Type of Sign (see also 134-2402)

135-___ Building Entrance Signs (see also 134-2405 and 134-2437)

135-___ Wall / Façade Signs (see also 134-2406, 134-2407 and 134-2410)

135-___ Overhead Signs in Vias (see also 134-2436)

135-___ Window and Door Signs (see also 134-2440)

135-___ Temporary Yard Signs (see also 134-2403, 134-2404, 134-2408, 134-2409, 134-2443, 134-2445, 134-2446 and 134-2447)

135-___ General Sign Design and Materials

135-___ Illumination

135-___ Maintenance & Removal of Signs

135-___ Prohibited Signs (see Also 134-2448)

135-___ Landscape & Screening

135-___ Purpose & Intent

135-___ Required Landscaping & Screening

135-___ Landscape Standards (See Chapter 66)

- 135-___ Buffering
- 135-___ Native Landscape Requirements
- 135-___ Construction Site Screening (See Chapter 18)
- 135-___ Landscape Removal & Replacement
- 135-___ Walls, Fences, Gates
 - 135-___ Purpose & Intent
 - 135-___ Applicability & Prohibitions (134-1666, 134-1667, 134-1669 and 134-1671)
 - 135-___ Wall Standards (see also 134-1670)
 - 135-___ Fence Standards
 - 135-___ Gate & Gatepost Standards (see also 134-1668)
- 135-___ Fill
 - 135-___ Purpose & Intent
 - 135-___ Fill Standards (see also 134-1600)
 - 135-___ Fill Calculation & Exemptions
- 135-___ Mechanical Equipment
 - 135-___ Purpose & Intent
 - 135-___ Mechanical Equipment Standards (see also 134-1728 and 134-1729)
- 135-___ Docks, Seawalls, & Marine Structures
 - 135-___ Purpose & Intent
 - 135-___ Dock & Boatlift Standards (see also 134-1697, 134-1698 and 134-1700)
 - 135-___ Seawall Standards

- 135-___ Other Marine Structures Standards (see also 134-1701 and 134-1702)
- 135-___ Swimming Pools & Fountains
 - 135-___ Swimming Pool & Fountain Standards (see also 134-1757)
- 135-___ Private Outdoor Sports Courts & Facilities
 - 135-___ Private Outdoor Sport Court & Facility Standards (see also 134-1735 and 134-1759)
- 135-___ Exterior Lighting
 - 135-___ Exterior Lighting Standards (see also 134-1731)
- 135-___ Other Generally Applicable Regulations
 - 135-___ Dish Antennas
 - 135-___ Statues & Sculptures (see also 134-1727)
 - 135-___ Playground Equipment (see also 134-1734)
 - 135-___ Free-Standing Awnings, Carports, & Cabanas (see also 134-1730)
 - 135-___ Garbage & Recycling Containers (see also 134-1733)

[New draft code in new Chapter 135]

ARTICLE 6 – SUPPLEMENTAL REGULATIONS

135-___ Home Occupations

135-___ Purpose & Intent

135-___ Regulations

135-___ Condominium Hotels (see also 134-2110 and 134-2111)

135-___ Purpose & Intent

135-___ Regulations

135-___ Temporary Storage Units (134-1732)

135-___ Purpose & Intent

135-___ Regulations

135-___ Reasonable Accommodation Procedures (134-2112)

135-___ Purpose & Intent

135-___ Regulations

135-___ Shared Mobility – Scooters & Bikes

135-___ Purpose & Intent

135-___ Regulations (134-1518 and 134-1519)

135-___ Outdoor Café Seating (see also 134-2104 and 134-2109)

135-___ Purpose & Intent

135-___ Standards & Criteria for Special Exception & Outdoor Café
Permit Application Review

135-___ Application

135-___ Fees & security Deposit

135-___ Liability & Insurance Requirement

135-___ Denial, Suspension or Revocation of Approval

- 135-___ Appeal of Denial, Suspension or Revocation
- 135-___ Outdoor Promotional Events
 - 135-___ Purpose & Intent
 - 135-___ Regulations
- 135-___ Telecommunication (see also 134-2026, 134-2035, 134-2061, 134-2069, 134-2096 and 134-2102)
 - 135-___ Purpose & Intent
 - 135-___ Applicability
 - 135-___ Permitted or Special Exception Use
 - 135-___ Factors Considered in Granting Special Exception Approval
 - 135-___ Inventory of Existing Sites
 - 135-___ Multiple Antenna / Tower Plan
 - 135-___ Franchises
 - 135-___ Signs Prohibited
 - 135-___ Removal of Abandoned Antenna & Towers
 - 135-___ Criteria for Review and Approval of Applications
 - 135-___ Information Required for Application
 - 135-___ Availability of Suitable Existing Towers, Other Structures or Alternative Technology
 - 135-___ Setbacks
 - 135-___ Separation
 - 135-___ Security Enclosure
 - 135-___ Landscaping
 - 135-___ Nonconforming Uses
 - 135-___ State or federal Requirements

- 135-___ Aesthetics
- 135-___ Lighting
- 135-___ Construction Standards
- 135-___ Compliance with Division
- 135-___ Equipment Storage; Location
- 135-___ Electric Distribution Substations (see also 134-2103)
 - 135-___ Purpose & Intent
 - 135-___ Review & Approval
 - 135-___ Setback & Buffers
 - 135-___ Substation Site Selection