



TENTATIVE:  
SUBJECT TO  
REVISION

# **TOWN OF PALM BEACH**

PLANNING, ZONING, & BUILDING DEPARTMENT

## **TOWN COUNCIL MEETING DEVELOPMENT REVIEW**

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

### **AGENDA**

**SEPTEMBER 13, 2021**

**9:30 AM**

**To participate via Zoom, please use the following link:  
<https://us06web.zoom.us/j/83939643872>**

## **Welcome**

**For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.**

### **I. CALL TO ORDER AND ROLL CALL**

Danielle H. Moore, Mayor  
Margaret A. Zeidman, President  
Bobbie Lindsay, President Pro Tem  
Julie Araskog  
Ted Cooney  
Lew Crampton

### **II. INVOCATION AND PLEDGE OF ALLEGIANCE**

### **III. COMMENTS OF MAYOR DANIELLE H. MOORE**

#### IV. COMMENTS OF TOWN COUNCIL MEMBERS

#### V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

#### VI. APPROVAL OF AGENDA

#### VII. DEVELOPMENT REVIEWS

##### A. Appeals

1. ARCOM Appeals of B-063-2020 160 Royal Palm Way **Request for Deferral to October 13, 2021 Per Email from Donald Lunny**

##### B. Variances, Special Exceptions, and Site Plan Reviews

###### 1. Old Business

- a. **Z-20-00289 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) 160 ROYAL PALM WAY**  
Consideration of the Construction Management Agreement  
**Staff Recommends Deferral to the October 13, 2021 Meeting**
- b. **Z-20-00299 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R A Estate Residential The application of 1015 SOUTH OCEAN LLC (MAURA ZISKA, MANAGER), applicant, relative to property located at **1015 S OCEAN BLVD**, legal description on file, is described below. 1) Section 134 840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two story residence on a non conforming lot that is 97.97 feet in depth in lieu of the 150 foot minimum required In the R A Zoning District. 2) Section 134 843(a)(5): A request for a variance to allow a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R A Zoning District. 3) Section 134 843(a)(9): A request for a variance to allow a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R A Zoning District. 4) Section 134 843(a)(6)b: A request for a variance to allow an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R A Zoning District. 5) Section 134 843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two story element) in lieu of the minimum 35 foot (one story element) to 47.6 foot (two-story element) minimum required by Code in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq]  
[Architectural Review Commission Recommendation:  
Implementation of the proposed variances will cause negative architectural impacts to the subject property. Carried 6-1.] [The Architectural Review Commission denied the project at the May 26, 2021 meeting. Carried 5-2.] **Staff Recommends a Deferral to the October 13, 2021 Meeting**
- c. **Z-20-00311 SPECIAL EXCEPTION WITH**

**VARIANCE(S)** Zoning District: C-TS Town Serving Commercial The application of Bricktop's Palm Beach, applicant, relative to property located at **375 S COUNTY RD**, legal description on file, is described below. Section 134 1109 (14): Modification to previously approved Special Exception with Site Plan Review is being requested for Bricktop's restaurant to add 40 outdoor seats for lunch and dinner in the north courtyard adjacent to the existing restaurant. The additional seating will increase the seating from 150 indoor and patio seats to 190 seats. The current approval allows 52 seats of the 150 seats to be outside on the south patio. Section 134 2176: a variance is being requested to provide zero (0) on site parking spaces in lieu of the 13 parking spaces that are required for the additional 40 outdoor seats. [Applicant's Representative: Maura Ziska Esq]

- d. **Z-21-00333 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of 04TST101NIGHTINGALE LLC, applicant, relative to property located at **101 NIGHTINGALE TRL**, legal description on file, is described below. Section 134 893(13): The applicant is proposing to construct a 70 square foot one story bathroom addition and two Dutch gables that will be added to the courtyard elevations of the pool cabana and kitchen which will increase the cubic content ratio ("CCR") to 5.24 In lieu of the 5.01 existing CCR and the 3.9 maximum CCR allowed in the R B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the September 29, 2021 meeting. Carried 7-0.] **Staff Recommends Deferral to the October 13, 2021**

- e. **Z-21-00349 SITE PLAN REVIEW** Zoning District: R-B Low Density Residential The application of STEPHEN LIVADITIS (CONTRACT PURCHASER), applicant, relative to property located at **200 BAHAMA LN**, legal description on file, is described below. Section 134-893(b): Site Plan Review to allow the construction of a 5,856 square foot two story, single family residence on a non conforming platted lot that is 90.17 feet in depth in lieu of the 100 foot minimum required in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the September 29, 2021 meeting. Carried 7-0.] **Staff Recommends Deferral to the October 13, 2021 Meeting.**

- f. **Z-21-00353 SITE PLAN REVIEW** Zoning District: R-A Estate Residential The application of TODD GLASER, applicant, relative to property located at **1080 S OCEAN BLVD**, legal description on file, is described below. Section 134-843(b): Request for Site Plan Review to allow the construction of a 9,485 square foot two story, single family residence on a non conforming platted lot that is 17,567 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning

District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission approved the project at their August 25, 2021 meeting. Carried 6-1.]

- g. **Z-21-00356 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: C-TS Town Serving Commercial The application of BUCCAN (SAM SLATTERY), relative to property located at **350 S COUNTY RD SUITE: 100**, legal description on file, is described below. Section 134-1109 and Section 134-1112: Modification to a previously approved special exception use with site plan approval for the sandwich take out counter business for Buccan Restaurant to request the following: (a) to install two (2) new awnings to match existing awnings; (b) to modify the storefront to include a new door in the existing opening; (c) to modify an interior floor plan of the sandwich shop (no seats are being proposed); (d) to modify the hours of operation to be 7:00 AM to 3:00 PM (previously approved were 11:00 AM 3:00 PM) [Applicant's Representative: Maura Ziska Esq]
- h. **Z-21-00359 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-A Estate Residential / B-A Beach Area The application of 870 S OCEAN LLC (TODD GLASER, MANAGER), Owner, relative to property located at **870 S OCEAN BLVD**, legal description on file, is described below. Section 134-840: Request for a Special Exception with Site Plan Review to allow construction of a 435 square foot beach cabana (20' x 25') with a 250 square foot pool and a new seawall in the R-A/B-A Zoning District. Section 134-1474(a): Request for a variance to construct a 435 square foot beach cabana that is on a lot with frontage of 101.53 feet in lieu of the 125 feet required for lot width in the B A Zoning District for beach area property adjacent to R-A Zoning District. Section 134-1701 and 62 37: Request for a variance to construct a new 100.5' seawall three feet east of the existing seawall which is east of the Town of Palm Beach bulkhead line 6'2" at the south end and 6'0" at the north end, in lieu of the seawall being placed directly on the bulkhead line. The proposed new seawall will align with the recently constructed seawall at 880 South Ocean Boulevard. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variances will cause negative architectural impacts to the subject property. Carried 6-1.] [The Architectural Review Commission deferred this project to the September 29, 2021 meeting. Carried 7-0.] **Staff Recommends Deferral to the October 13, 2021 Meeting**
- i. **Z-21-00361 VARIANCE(S)** Zoning District: R-C Medium

Density Residential The application of GARY PURUCKER (CONTRACT PURCHASER), Applicant, relative to property located at **334 CHILEAN AVE**, legal description on file, is described below. Section 134 948: A request for a variance to construct a new 5,270 square foot, two story residence, on a non conforming lot with a lot area of 9,384 sq. ft. in lieu of the 10,000 sq. ft. minimum required in the R-C Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project at their August 25, 2021 meeting. Carried 5-2.]

- j. **Z-21-00371 SITE PLAN REVIEW** Zoning District: R-B Low Density Residential  
The application of MICHAEL S. ARLEIN, TRUSTEE OF THE 267 DUNBAR ROAD TRUST DATED 10/07/20, APPLICANT, relative to property located at **267 DUNBAR RD**, legal description on file, is described below. Site Plan Review to allow the construction of a new two story 7,552 square foot single family residence on a non conforming platted lot which is 98.5 feet in width in lieu of the 100 foot minimum width required in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred this project to the September 29, 2021 Meeting. Carried 6-1.] **Staff Recommends a Deferral to the October 13, 2021 Meeting**

- k. **Z-21-00372 VARIANCE(S)** Zoning District: R-B Low Density Residential  
The application of 301 POLMER PARK LLC (RICHARD TRUE, CONTRACT PURCHASER), APPLICANT, relative to property located at **301 POLMER PARK**, legal description on file, is described below. The subject property is 37,818 square feet in total area. The applicant is requesting a variance to split the lot into two lots. East Lot with residence 22,873 square feet in area; and West vacant lot 14,945 square feet in area. All improvements will be removed from the West lot. The following variances are being requested in order to split the property into two lots and retain the residence on the East lot. Request for a west side yard setback of 8.25 feet (for the proposed East lot) in lieu of the 17.5 foot minimum required for a lot in the R B Zoning District that is in excess of 20,000 square feet and has a width in excess of 150 feet. A lot coverage of 29% in lieu of the 25% maximum allowed for a lot in excess of 20,000 square feet in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq]

- l. **Z-21-00378 VARIANCE(S)** Zoning District: R-A Estate

Residential The application of ANN DESRUISSEAU, APPLICANT, relative to property located at **800 S COUNTY RD**, legal description on file, is described below. The applicant is seeking to modify the previous approval (Z 20 00261) which allowed the renovation and additions to a 2 story landmarked residence with accessory buildings in the R-A Zoning District. The renovation is underway and the approval included raising the finished floor elevations of all of the structures to 9.0 feet NAVD. The applicant is requesting approval to modify the previous approval to raise the finished floor elevation of the main residence and generator building (only) another two feet to 11.0 feet NAVD. The following variances are being requested to allow the new finished floor to be elevated another two feet from the previous approval: a north side yard setback of 5 feet for the boat house addition in lieu of the 30 foot minimum required; a north side yard setback ranging from 1.1 feet to 5.5 feet in lieu of the 30 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; a rear yard setback of 0 feet in lieu of the 15 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; a rear yard setback ranging from 0 feet to 13.4 feet in lieu of the 15 foot minimum required for the existing main house when raising the finished floor thus increasing the height in the setback; a rear yard setback of 12.58 feet in lieu of the 15 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; a north side yard setback of 14.5 feet for the 2 story generator building in lieu of the 30 foot minimum required; a south side yard setback ranging from 9 feet to 15.5 feet in lieu of the 30 foot minimum required for the new cabana and main house addition; a height in the main residence and addition to main house of 28.5 in lieu of the 25 foot maximum allowed; to allow the finished floor elevation to be 3.6 feet above the crown of the road in lieu of the 18 inches maximum allowed; to allow the finished floor elevation at 2.66 feet above grade in lieu of the 8 inch maximum allowed; a lot coverage of 28.46% in lieu of the 25% maximum allowed for the raised terrace; a rear yard setback of 1.75 feet in lieu of the 15 foot minimum required for the raised terrace; a south side yard setback of 4.5 feet in lieu of the 30 foot minimum required for the raised terrace. [Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 4-3.] [The Landmarks Preservation Commission approved the project as presented at their August 18, 2021 meeting. Carried 4-3.]

## **2. New Business**

### **a. Z-21-00380 SPECIAL EXCEPTION Zoning District: C-TS**

Town Serving Commercial The application of YOSHIKO PALM BEACH LLC (ELLEN JEFFRIES, MANAGER), Applicant, relative to property located at **400 HIBISCUS AVE**, legal description on file, is described below. The applicant is requesting permission to expand the salon ("Salon Yoshiko") from 2,780 square feet to 3,423 square feet which will require special exception approval as the resulting square footage is in excess of 3,000 square feet. Town Serving documentation is on file in the office of the Town of Palm Beach. Planning, Zoning and Building Department. [Applicant's Representative: Maura Ziska Esq]

- b. **Z-21-00381 SPECIAL EXCEPTION** Zoning District: C-WA Worth Avenue The application of 329 WORTH AVE LLC (Matthew Raptis and Adrienne Raptis), Applicant, relative to property located at **329 WORTH AVE**, SUITE: 5, legal description on file, is described below. Special Exception request for a change of use from a 525 square foot retail book store to a merchant retail take out cafe with a to go counter and take out food and beverage which will be called "Via Roma Cafe." There will be no seats. The hours of operation are proposed to be 7:00 AM to 6:00 PM. [Applicant's Representative: Maura Ziska Esq]
- c. **Z-21-00382 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of DAVID CANEPARI AND DIANE ELLWOOD CANEPARI, Applicants, relative to property located at **260 NIGHTINGALE TRL**, legal description on file, is described below. A request for a flood plain variance on a historically significant home in order to construct a 120 square foot one story addition with a finished floor elevation of 5.99 feet North American Vertical Datum ("NAVD") in lieu of the 7.0 foot NAVD required. This home is a Historically Significant Building. [Applicant's Representative: Maura Ziska Esq]
- d. **Z-21-00383 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of MICHAEL T FRIES & MICHELLE R MALONE, Applicants, relative to property located at **146 SEASPRAY AVE**, legal description on file, is described below. Request a variance to expand nonconforming 2-story accessory building in the rear of the property by adding a 128 square foot one story cabana/office addition that would result in a 5.6 foot rear yard setback in lieu of the 10 foot minimum required in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 4-3.] [The Architectural Review Commission approved the project as presented. Carried 4-3.]

- e. **Z-21-00384 SPECIAL EXCEPTION** Zoning District: C-PC Planned Center The application of TOOJAY'S PALM BEACH LLC (JEFF SIROLLY, GENERAL COUNCIL), Applicant, relative to property located at **340 ROYAL POINCIANA WAY, SUITE: M335**, legal description on file, is described below. Request for a special exception approval for the relocation of TooJay's Restaurant from Suite M313 to Suite M335 of the Royal Poinciana Plaza. Suite M335 is the space formerly occupied by Coyo Taco. The proposed restaurant would occupy 3,529 square feet of gross leasable area with 90 total seats, 12 of which are proposed as outdoor cafe seating. Proposed hours of operation are 8:00 AM to 9:00 PM, seven days per week. TooJay's Palm Beach, LLC will be Town Serving as explained in the Town Serving statement on file with the Planning Zoning and Building Dept. The outdoor cafe seating standards are addressed in the Letter of Intent which is on file with the Planning Zoning and Building Dept. [Applicant's Representative: James Crowley]
- f. **Z-21-00385 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-B Low Density Residential The application of 239 MONTEREY ROAD LLC (Louis Capano, Jr., Manager), Applicant, relative to property located at **223 MONTEREY RD**, legal description on file, is described below. The lot is non conforming in area: 9,000 square feet in lieu of the 10,000 square feet required in the R-B Zoning District; and in width: 90 feet in width in lieu of the 100 foot minimum required in the R-B Zoning District. Request to demolish the existing one story residence, accessory structure, pool, driveway and miscellaneous site walls, piers and fences and construct a new 3,902 square foot single family two-story home on a non conforming lot (overall size and width) meeting all applicable Town codes. The request includes a driveway, pool/spa, hardscape and landscape, including an emergency generator and civil storm water and grading. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the September 29, 2021 meeting. Carried 7-0.] **Staff recommends a deferral to the October 13, 2021 meeting.**
- g. **Z-21-00386 SITE PLAN REVIEW WITH VARIANCE(S)** Zoning District: R-B Low Density Residential The application of JAMES & SARA MCCANN, Applicants, relative to property located at **217 BAHAMA LN**, legal description on file, is described below. This home has been designated as Historically Significant and will be heard before Landmarks Preservation Commission prior to being heard before Town Council. Site Plan Review is being requested to allow the renovation and one-story additions totaling 894 square feet to an

existing 3,034 square foot, one story residence, this requires demolition by more than 50% cubic footage on a lot with a depth of 91 feet in lieu of the 100 foot minimum required in the R-B Zoning District. Variances being requested are to allow a west side yard setback for the garage addition to remain non conforming with a setback of 9.83 feet in lieu of the 12.5 foot minimum required in the R-B Zoning District. To allow a flood plain variance in order to construct the a 360 square foot one story garage addition on the east side of the residence; a 200 square foot one story closet addition on the west side of the residence; and a 334 square foot loggia addition to the rear of the residence, all with a finished floor elevation of 5.82 and 6.82 feet North American Vertical Datum ("NAVD") in lieu of the 7.0 foot NAVD required; and an angle of vision of 119 degrees in lieu of 103 degrees existing and 100 degrees maximum allowed.

[Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the historically significant building. Carried 7-0.] [The Landmarks Preservation Commission approved the project at their August 18, 2021 meeting. Carried 7-0.]

- h. **Z-21-00387 SPECIAL EXCEPTION** Zoning District: C-OPI Office, Professional and Institutional The application of CYPRESS TRUST COMPANY (JOHN MARINO), Applicant, relative to property located at **251 ROYAL PALM WAY, SUITE: 500**, legal description on file, is described below. Applicant is requesting a special exception in order to add banking, which is a special exception use, to their current financial services. [Applicant's Representative: Maura Ziska Esq]
- i. **Z-21-00389 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of JEANNE H OLOFSON REVOCABLE TRUST DATED OCTOBER 19, 1992 (JEANNE H OLOFSON, TRUSTEE), Applicant, relative to property located at **266 ORANGE GROVE RD**, legal description on file, is described below. Request to allow a 224 square foot existing garage on a one story residence to be converted to living space by creating a guest bedroom, which would require a variance to eliminate the one car garage required on a lot that is 75 feet in width. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 6-1.] [The Architectural Review Commission approve the the project at their August 25, 2021 meeting. Carried 7-0.]
- j. **Z-21-00390 VARIANCE(S)** Zoning District: R-B Low Density

Residential The application of DAVID LITTMAN AND CONSTANCE LITTMAN, Applicants, relative to property located at **300 N LAKE WAY**, legal description on file, is described below. A request for a variance to add 1,452 square foot, one-story addition, onto an existing one-story guest house that would result in a cubic content ratio ("CCR") of 4.72 in lieu of the 4.49 existing and the 4.5 maximum allowed in the R-B Zoning District for a lot that is 65,500 feet in area. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to their November 19, 2021 meeting. Carried 7-0.] **Staff Recommends Deferral to the December 15, 2021 Meeting**

## VIII. ORDINANCES

### A. Second Reading

1. Proposed ordinance to modify the code related to fill limitations as well as setbacks for stairs, landings, porches and ramps.

**ORDINANCE 19-2021** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article I, In General, Section 134-2, Modifying The Definitions For Building, Height Of (Applicable Only In The R-B Districts), Building Height Of (Applicable To All Districts Except The R-B Districts, Building, Height Of, (Applicable To Lots Or Portions Of Lots East Of The State Of Florida Coastal Construction Control Line (CCCL), Building, Height Of, (Applicable To R-B Lots Abutting Lake Trail) To Eliminate The References To Raising The Grade Of A Property And Eliminating Redundant Language; At Article VI, District Regulations, At Sections 134-795, 134-845 And 134-895, Same-Exceptions To Yard Regulations, By Allowing First Floor Entry Ramps, Landings, Associated Steps And Ramps Within Required Setbacks In The R-AA, R-A And R-B Residential Zoning Districts; Sections 134-950, 134-1006 And 134-1062 Same-Exceptions, By Allowing First Floor Entry Ramps, Landings, Open Terraces And/Or Steps Within Required Setbacks In The R-C, R-D(1) And R-D(2) Residential Zoning Districts; Sections 134-797, 134-848, 134-898, 134-953, 134-1009 And 134-1065, Lot Grade Topography And Drainage, By Providing That The Grade Of A Property Cannot Be Raised To Meet Base Flood Elevation Requirements Except As Provided For In A New Section 134-1600 Of The Code And Elimination The Requirement That The Habitable Finished Floor Of A Building Shall Not Exceed Eight Inches Above The Permitted Grade On A Property In The R-AA, R-A, R-B, R-C, R-D(1) And R-D(2) Residential Zoning Districts; Creating Sections 134-1121, 134-1171, 134-1221, 134-1269, 134-1316 And 134-1402, Lot Grade Topography And Grading In The C-TS, C-WA, C-OPI, C-PC, And C-B Commercial Zoning Districts And The PUD District To Provide That The Grade Of A

Property In Those Districts Cannot Be Raised To Meet Base Flood Elevation Requirements Except As Provided For In A New Section 134-1600 Of The Code; Section 134-1309, Same-Exceptions, To Allow First Floor Entry Ramps, Landings And Associated Steps To Extend Into A Required Setback In The C-B Commercial District; At Article Viii, Supplementary District Regulations, Section 134-1548, Yard Regulations, To Allow First Floor Entry Ramps, Landings, Open Terraces, Porches And Associated Steps As Ordinary Projections Into A Required Yard And Cross Referencing The Specific Sections Of The Code That Apply; Creating A New Subdivision III Within Article VIII, Supplementary District Regulations, Section 134-1600, Lot Fill, Providing For A Calculation For The Maximum Amount Of Fill That Can Be Placed On A Lot; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

2. Proposed ordinance to modify the code related to supplemental off-site shared parking regulations.

**ORDINANCE 20-2021** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article I, In General, Section 134-2, Amending The Definition Of Supplemental Parking To Provide That Supplemental Off-Site Parking In An Underground Garage Or Surface, Enclosed, Partially Enclosed Or Rooftop Parking Facility Shall Not Be Required To Be In Addition To The Required Parking; Sunsetting The Definition On March 13, 2024, Unless Extended Or Modified By The Town Council; At Article VI, District Regulations, Sections 134-1107, 134-1157 And 134-1207, Permitted Uses, In The C-TS, C-WA And C-OPI Commercial Zoning Districts To Allow Supplemental Off-Site Shared Parking In A Surface, Enclosed, Partially Enclosed Or Rooftop Parking Facility As A Permitted Use; Cross Referencing The Requirement For Said Parking In Sections 134-2177 And 134-2182; And Providing A Sunsetting Provision For Said Parking Facilities In Those Districts On March 13, 2024, Unless Extended Or Modified By The Town Council; Section 134-2177 Location Of Parking Spaces, And Section 134-2182, Location Of Parking Spaces, By Allowing Supplemental Off-Site Shared Parking In A Surface, Enclosed, Partially Enclosed Or Rooftop Parking Facility As A Permitted Use In The C-TS, C-WA And C-OPI Zoning Districts Provided That Said Parking Does Not Exceed 50 Percent Of The Parking Inventory Of The Parking Facility And Providing That If Said Parking Facility Abuts A Residential Use That Said Parking Shall Only Be Allowed Between The Hours Of 8:00 A.M. And 6:00 P.M.; At Section 134-2182 By Relocating The Existing Sunsetting Provision Into A New Subsection (E) And Including Surface, Enclosed, Partially Enclosed And Rooftop Off-Site Supplemental Shared Parking As Part Of The Existing Sunsetting Provision; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An

Effective Date.

**IX. Discussion Items**

- A.** Recognition and Discussion of Increased ARCOM Workload and Applications
- B.** Town-Serving Regulations

**X. ANY OTHER MATTERS**

**XI. ADJOURNMENT**

**PLEASE TAKE NOTE:**

- Note 1:** Please submit written comments/materials to [council@townofpalmbeach.com](mailto:council@townofpalmbeach.com) or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website ([townofpalmbeach.com](http://townofpalmbeach.com)) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the

Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website ([townofpalmbeach.com](http://townofpalmbeach.com)).

### **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.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.