



# TOWN COUNCIL MEETING

## TOWN OF PALM BEACH

OCTOBER 15, 2025

9:30 AM

TOWN HALL COUNCIL CHAMBERS, 2ND FLOOR | 360 SOUTH COUNTY RD | PALM BEACH, FL 33480

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Danielle H. Moore, Mayor  
Bobbie D. Lindsay, President  
Lew Crampton, President Pro Tem  
Julie Araskog  
Ted Cooney  
Bridget Moran

### AGENDA

#### CALL TO ORDER AND ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

#### COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS
2. PUBLIC - 3 MINUTE LIMIT

For those unable to attend in person: [Submit a written comment](#) [Register to comment virtually](#)

#### ORDINANCES

#### 3. FIRST READING

- 3.1 23-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134 Zoning, Article Vi.- District Regulations, Division 7. - R-D(2) High Density Residential District By Modifying Front Yard Setbacks In Sec. 134-1060(5); Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

#### ANY OTHER BUSINESS

#### ADJOURNMENT

Access this meeting video on the 'Public Meetings' page at [www.townofpalmbeach.com](http://www.townofpalmbeach.com).

If a person decides to appeal any decision made with respect to any matter considered at this meeting, 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.

Disabled persons needing accommodations to participate in this meeting should contact the Town Clerk's Office at (561) 838-5416 at least one day prior to the meeting.

# TOWN OF PALM BEACH

Information for Town Council Meeting on: October 15, 2025

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To: Town Council

Via: Wayne Bergman, Director of Planning, Zoning & Building

From: Planning, Zoning & Building Staff

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134 Zoning, Article Vi.- District Regulations, Division 7. - R-D(2) High Density Residential District By Modifying Front Yard Setbacks In Sec. 134-1060(5); Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.  
23-2025

Date: 10/2/2025

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At the September 3, 2025, Planning & Zoning Commission meeting, the Commission recommended Quick Fix #11 for Council approval. Ordinance No. 023-2025 has been advertised and is ready for approval on First Reading.

## **ATTACHMENTS**

Staff Report

Business Impact Statement - Ordinance No. 023-2025

Newspaper AD - Ordinance No. 023-2025

Draft Ordinance No. 023-2025 (Quick Fix #11) confirming changes

## **STRATEGIC PLAN**

Strategic Priorities:

Governmental Leadership and Innovation, Safe and Resilient Community, Community Culture and Character

Strategic Focus Areas:

Quality of Life

Community Preservation

Collaborative Town Government

## **FUNDING**

No Fiscal Impact

**ORDINANCE NO. 23-2025**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134 ZONING, ARTICLE VI.- DISTRICT REGULATIONS, DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT BY MODIFYING FRONT YARD SETBACKS IN SEC. 134-1060(5); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Palm Beach, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Council of the Town of Palm Beach, pursuant to the authority granted to it in Chapters 163 and 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

**WHEREAS**, as an outgrowth of their ongoing study of the Town's Zoning Code, the Planning, Zoning & Building (PZB) staff presented a number of items 8 through 14 referred to as "Quick Fixes Tranche 2" to the Town Council for consideration at its August 13, 2025, Development Review meeting; and

**WHEREAS**, the PZB staff recommended, as Quick Fix No. 11, that the Town update the Zoning Code's RD-2 Front Setback regulations relating to the height of the building depending upon the number of streets on which it fronts; and

**WHEREAS**, Town Council on August 13, 2025, directed PZB staff to address the current RD-2 Front Setback regulations (Quick Fix No. 11) as an immediate priority; and

**WHEREAS**, the Town's Planning and Zoning Commission considered the Quick Fixes Tranche 2 at its meeting of September 2, 2025, and recommended adoption of Quick Fix No. 11.

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:**

Section 1: The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2: Chapter 134, Zoning Article VI, District Regulations, Division 7.- R-D(2) High Density Residential District, SEC. 134-1060 Lot, yard and area requirements—Generally is hereby amended as follows:

**Sec. 134-1060. - Lot, yard and area requirements—Generally.**

In the R-D(2) high density residential district, the schedule of lot, yard and area requirements is as given in this section:

(5) *Front yard.* The front setback requirements for all buildings located in the R-D(2) district are as follows:

- a. For single-family uses buildings, the minimum front yard setback is 25 feet.
- b. For two-family uses buildings, the minimum front yard setback is 25 feet.
- c. For townhouses buildings, the minimum front yard setback is 25 feet.
- d. For multifamily uses buildings, the minimum front yard setback ~~shall be either~~ is 25 feet for three-story buildings up to a maximum height of 35 feet; 40 feet for four-story buildings up to a maximum height of 45 feet; and 55 feet for five-story buildings. or the height of the building, whichever is the greater. When more than one street yard exists (as provided in sections 134-1576 and 134-1577) and the height of a building exceeds 25 feet, the total amount of street yard setbacks shall equal the height of the building times the number of street yards, and any individual street yard setback shall be not less than 25 feet. See also requirements in sections 134-1576 and 134-1577.
- e. ~~For timesharing uses, the minimum front yard setback is 25 feet.~~
- f. ~~For hotels, the minimum front yard setback is 25 feet.~~

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Section 3: Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4: Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this, or any part of this Ordinance are hereby repealed.

Section 5: Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

Section 6: Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this [15th] day of October, [2025], and for second and final reading this [13th] day of [November], [2025].

\_\_\_\_\_  
Danielle H. Moore, Mayor

\_\_\_\_\_  
Bobbie Lindsay, Town Council President

\_\_\_\_\_  
Lewis S.W. Crampton, Council President  
Pro Tem

\_\_\_\_\_  
Julie Araskog, Town Council Member

ATTEST:

\_\_\_\_\_  
Edward A. Cooney, Town Council Member

\_\_\_\_\_  
Kelly Churney, CMC, Town Clerk

\_\_\_\_\_  
Bridget Moran, Town Council Member



**STAFF DIRECTIVE:**

At the Town Council meeting on August 13, 2025, Planning, Zoning, and Building (PZB) staff presented items from the zoning code study for active consideration. These items are affectionately referred to as "Quick Fixes Tranche 02." The presentation was well received with a consensus of the Council to have the "items" to be drafted into a working draft ordinance for review at the Planning & Zoning Commission. This is Quick Fix item number eleven.

The front yard regulations for multifamily buildings in the R-D(2) Zoning District rely on the height of the building to determine the required front yard, which is not unusual for municipal zoning regulations; it goes on, however, to multiply that amount by the number of streets along which the building fronts. Staff would like to respectfully modify the determinations of calculating the front yard requirement to simplify and streamline review.

**DISCUSSION:**

The burdensome setback requirement, which is based on multiplying the building height by the number of street frontages the parcel has in order to determine the required front yard, makes no sense. Along any given block, this regulation would create a disjointed streetscape due to varying front yard setbacks. Building height or number of stories should determine the front setback. The Planning, Zoning and Building Department staff proposes providing for front setback solely based on building height to ensure uniformity in design and streetscape.

At the September 3, 2025, Planning & Zoning Commission meeting, the Commission recommended Quick Fix #11 for Council approval.

Ordinance No. 023-2025 is ready for approval on First Reading.

WRB:JGM



# THE TOWN OF PALM BEACH

## Business Impact Estimate

### **TITLE OF ORDINANCES:**

### **ORDINANCE NO. 023-2025**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134 ZONING, ARTICLE VI.- DISTRICT REGULATIONS, DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT BY MODIFYING FRONT YARD SETBACKS IN SEC. 134-1060(5); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

### **BUSINESS IMPACT ESTIMATE:**

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more boxes are checked below, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation.
- ☐ The proposed ordinance relates to the issuance or refinancing of debt.
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in s.163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
  - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

**In accordance with the provisions of controlling law, the Town hereby publishes the following information:**

1. Summary of the proposed ordinance:  
The Ordinance is prepared to make the zoning regulations easier to understand and to simplify the zoning process.
2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:  
No negative impact on any resident or business is anticipated once the Ordinances are adopted.
3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:  
The Ordinance will apply to all land-use applications and building permits, thereby impacting any business that is renovated or constructed.
4. Additional information the governing body deems useful (if any):  
Nothing in the proposed Ordinance is more restrictive and the changes to the code are all designed to simplify the zoning process and to make the regulation easier to understand.

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town of Palm Beach's website by the time notice of the proposed enactment of the ordinance is published.*



## THE TOWN OF PALM BEACH NOTICE

The Town of Palm Beach Town Council proposes to adopt the following ordinance amending Chapter 134 within the Zoning Code. Identified below is the title for this Ordinance:

### ORDINANCE NO. 023-2025

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 134 ZONING, ARTICLE VI.- DISTRICT REGULATIONS, DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT BY MODIFYING FRONT YARD SETBACKS IN SEC. 134-1060(5); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

On Wednesday, October 15, 2025, at 9:30 a.m., the Local Planning Agency and the Town Council of the Town of Palm Beach will hold its regularly scheduled meeting, and among other items on the agenda, the first reading and public hearing on proposed Ordinance No. 023-2025 as identified above. The meeting will take place in the Town Council Chambers located on the second floor of Town Hall, 360 South County Road, Palm Beach, Florida.

All interested persons may appear and be heard at said Public Hearing and may likewise submit written statements prior to and at said Public Hearing and such shall be made part of the record of such proceedings. The ordinance in its entirety can be viewed digitally via our website at [www.townofpalmbeach.com](http://www.townofpalmbeach.com) or by scanning the static QR code below.



<https://www.townofpalmbeach.com/853/Public-Meetings>

Pursuant to Section 286.0105, Fla. Stat., the Town hereby advises the public that: If any person decides to appeal any decision made by the Town Council with respect to any matter considered at its meeting or hearing, such person will 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. This notice does not constitute consent from the Town for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In Accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Town Manager's Office, at (561) 838-5410 for assistance, no later than five (5) days prior to the proceeding. If hearing impaired, telephone the Florida Relay Service Numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice), for assistance.

## **ORDINANCE NO. 023-2025**

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**WHEREAS**, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Council of the Town of Palm Beach, pursuant to the authority granted to it in Chapters 163 and 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

**WHEREAS**, as an outgrowth of their ongoing study of the Town’s Zoning Code, the Planning, Zoning & Building (PZB) staff presented a number of items 8 through 14 referred to as “Quick Fixes Tranche 2” to the Town Council for consideration at its August 13, 2025, Development Review meeting; and

**WHEREAS**, the PZB staff recommended, as Quick Fix No. 11, that the Town update the Zoning Code’s RD-2 Front Setback regulations relating to the height of the building depending upon the number of streets on which it fronts; *and*

**WHEREAS**, Town Council on August 13, 2025, directed PZB staff to address the current RD-2 Front Setback regulations (Quick Fix No. 11) as an immediate priority; and

**WHEREAS**, the Town’s Planning and Zoning Commission considered the Quick Fixes Tranche 2 at its meeting of September 2, 2025, and recommended adoption of Quick Fix No.

11.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

**Section 1.** The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

**Section 2.** Chapter 134, Zoning Article VI, District Regulations, Division 7.- R-D(2) High Density Residential District, SEC. 134-1060 Lot, yard and area requirements—Generally is hereby amended as follows:

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- e. ~~For timesharing uses, the minimum front yard setback is 25 feet.~~
- f. ~~For hotels, the minimum front yard setback is 25 feet.~~

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**Section 3.** Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

**Section 4.** Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this, or any part of this Ordinance are hereby repealed.

**Section 5.** Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

**Section 6.** Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach, Florida, on the First Reading this \_\_\_\_ day of \_\_\_\_, 2025; and for the Second and Final Reading on this \_\_\_\_ day of \_\_\_\_, 2025.

\_\_\_\_\_  
Danielle H. Moore, Mayor

\_\_\_\_\_  
Bobbie Lindsay, Town Council President

\_\_\_\_\_  
Lewis S.W. Crampton, President Pro Tem

\_\_\_\_\_  
Julie Araskog, Town Council Member

ATTEST:

\_\_\_\_\_  
Bridget Moran, Town Council Member

\_\_\_\_\_  
Kelly Churney, Town Clerk

\_\_\_\_\_  
Edward Cooney, Town Council Member