



TOWN OF PALM BEACH

Minutes of the Planning and Zoning Commission Meeting
Held on November 4, 2025

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 9:30 AM in the Town Council Chambers

Members Present: Gail Coniglio, Chair, William Gilbane, Vice-Chair, Marilyn Beuttenmuller, Barbara Chapman, Carol LeCates, Nicki McDonald, Jorge Sanchez, Victoria Donaldson, Matthew Ailey, Anne Fairfax

Staff Present: Wayne Bergman, James Murphy, Jennifer Hofmeister, Pat Gayle-Gordon and Town Attorney Joanne O'Connor

PLEDGE OF ALLEGIANCE

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

MINUTES

1. Minutes of the October 7, 2025, Planning and Zoning Commission Meeting

A Motion was made by Ms. Beuttenmuller and seconded by Mr. Gilbane to approve the October 7, 2025, minutes as presented. The motion was carried unanimously, 7-0.

APPROVAL OF AGENDA

Ms. Donaldson thanked the Police for their traffic duties, particularly during the weekends.

A Motion was made by Mr. Gilbane and seconded by Ms. Beuttenmuller to approve the agenda, as presented. The motion was carried unanimously, 7-0.

COMMENTS

2. OFFICIALS

Ms. LeCates asked about incentives for landmarks, noting planned tweaks before first and second readings, and asked whether the PZC had seen the final version. Mr. Bergman responded that the PZC had provided feedback on the final draft, which was scheduled for first reading at the upcoming Town Council meeting. It was noted that some scrivener's errors had been submitted, and Ms. Hofmeister said they had been included in the ordinance for first reading. When Ms. LeCates asked if one element could still be changed, Chair Coniglio advised her to submit suggestions to Mr.

Bergman.

3. STAFF

There were no comments from staff.

4. PUBLIC – 3 MINUTE LIMIT

There were no comments from the public.

UNFINISHED BUSINESS

5. Zoning Code Items – Quick Fixes #1-7

5.1 Quick Fix #1B: Mechanical Equipment – Screening Wall

James Murphy, Assistant Director of Planning, Zoning, and Building Department, presented Quick Fix 1 B. He explained that before 2017, and again before the 2024 FEMA map changes, the requirement for mechanical equipment yards to be screened by perimeter walls worked effectively. However, with FEMA now requiring critical infrastructure to be placed at base flood elevation plus one, the maximum seven-foot wall height was no longer sufficient to screen the equipment.

Staff developed several options, including keeping the wall height at seven feet but requiring ample landscaping at the time of planting to meet the screening standard. Mr. Murphy noted that while data showed average plant heights of about eighteen inches, they typically ranged from eight to ten inches. He stated that the proposed ordinance amendment would formalize this fix by requiring both a wall and landscaping to mitigate the visual impact of taller mechanical equipment. Ms. Beuttenmuller suggested that the word “also” be added to clarify the dual requirement.

A Motion was made by Mr. Gilbane and seconded by Ms. McDonald to approve the quick fixes to the Mechanical Equipment – Screening Wall, as presented. The motion was carried unanimously, 7-0.

6. Zoning Code Items – Quick Fixes #8-14

6.1 Quick Fix #12: Basements

Mr. Bergman stated that the item was not ready to move forward for a reading, as staff needed to verify the accuracy of the accompanying maps for the south end. He asked the PZC to review the revised and proposed definitions of “basement” in the draft ordinance and noted that a definition for “flood vents” had also been added. He recommended removing the term “sub-basement.”

Mr. Bergman asked the PZC to consider whether basements should be included in the calculation of floor area, stating his view that they should not, as basements currently do not contribute to the CCR. Mr. Sanchez agreed, provided the basement was uninhabitable.

Mr. Ailey asked whether a basement outside the residential structure’s floorplate would still be considered a basement and whether standards should differ between single-family and multi-unit properties.

Ms. Fairfax cautioned that this issue might overlap with regulations on impermeable space, noting that an underground basement extending beyond the occupied footprint should be counted toward the floor area. Mr. Bergman agreed that this underscored the need for a precise definition. When a question arose about enforcement, he added that if a basement were an occupiable space, it might then count toward floor area. He also noted that basements are often considered non-occupiable

spaces due to the means of egress. For example, a legal bedroom may not occupy basement space without some emergency escape into a lighted well with a ladder leading to grade. Most owners would not want to go through the legal process of making a basement into a bedroom.

Mr. Sanchez stated that sometimes when properties change ownership, things are corrected whether by inspection or code enforcement.

Mr. Gilbane thought that basements would become adapted into occupiable space if this ordinance were not well written. He said the FAR discussion is essential with respect to basements.

Ms. LeCates expressed concern about the term *inhabitable*. Ms. O'Connor clarified the definition of *habitable space* within or on a structure used or intended to be used for occupancy, for living, sleeping, lounging, eating, cooking or recreation. Ms. LeCates stated that a formula should be created to count the basement in FAR with conditions such as air-conditioned space, ceiling height, plumbing, etc.

Mr. Bergman initiated a discussion on where measurements should begin to determine which portions of a basement are considered underground. Ms. Fairfax questioned why the PZC was focused on parsing FAR language for basements, inquiring about the potential harm if a sloped residential lot allowed light and air exposure on one side. Chair Coniglio noted that Palm Beach already had many large homes and stated that the issue was subjective, although adjustments might be appropriate in certain districts. She cautioned that regulations should remain tight enough to prevent four-story homes from being built across the island. Mr. Sanchez agreed.

Ms. LeCates expressed concern that the discussion was overly focused on space usage rather than drainage. She emphasized that nearly every town struggles with drainage due to dense development, referencing sea level rise in Palm Beach. She warned that excess water must drain somewhere, and if unmanaged, it will rise. She suggested reviewing accurate maps for context. Mr. Bergman acknowledged her points, stating that drainage and stormwater management required careful review and that the Town's requirements needed updating. He noted the difficulty of accommodating a ten-year design storm on a quarter-acre lot. Still, he explained that water could be retained on-site through drainage curbs or exfiltration trenches, allowing it to be stored underground. He then redirected the discussion back to the basements.

Ms. Donaldson asked whether regulations could be organized into categories, such as FEMA-related requirements. Mr. Bergman said he had developed a table for that purpose a few months earlier and was continuing to refine it.

Mr. Gilbane thought the PZC should step back and think about drainage. He said this issue might be beneficial to have a landscape open space and parking underneath, which would necessitate a different approach to drainage. He was concerned about mixing permeable and drainage issues with the conversation about basements. Mr. Bergman agreed.

Clerk's Note: The meeting recording stopped due to a power outage. The meeting took a recess. After the recess, the meeting was adjourned due to technical difficulties.

NEW BUSINESS

7. 2025 Comprehensive Plan EAR policies that require placement into Chapter 134, Zoning. (Per Florida Statute)

ANY OTHER BUSINESS – None

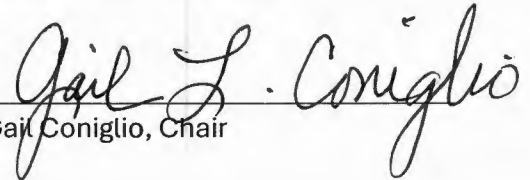
MEETING SCHEDULE

8. The next meeting is scheduled for December 2, 2025

ADJOURNMENT

A motion was made by Mr. Gilbane and seconded by Mr. Sanchez to adjourn the meeting at 10:45 AM to a date to be determined. The motion was carried unanimously, 7-0.

Respectfully Submitted


Gail Coniglio, Chair