

TOWN OF PALM BEACH

Minutes of the Local Planning Agency Meeting Held on November 13, 2025

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:30 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Bobbie Lindsay, Danielle Moore, Julie Araskog

Staff Present: Wayne Bergman, James Murphy, Kelly Churney, and Town Attorney Joanne O'Connor

PLEDGE OF ALLEGIANCE

Council President Lindsay led the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion was made by Council Member Cooney and seconded by Council Member Moran to approve the agenda as amended. The motion was carried unanimously, 5-0.

COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS

Council Member Araskog indicated that if residents would like to comment on the air traffic in the town, they could write to the United States Department of Transportation. Other websites she recommended were the Federal Aviation Administration (FAA) and Palm Beach International Airport (PBIA). She requested that the information on who to contact be posted on the Town's website for the convenience of residents.

2. PUBLIC - 3 MINUTE LIMIT

There were no comments heard at this time.

PUBLIC HEARINGS

ORDINANCES

Director of Planning, Zoning, and Building Wayne Bergman introduced the three proposed ordinances for first reading review by the Town Council. He stated that two ordinances related to the landmark incentives: one, which proposed changes to Chapter 54 of the historic preservation code, and the other, which proposed changes to Chapter 134. He said the third ordinance addressed a Scrivener's error in the fill ordinance.

Architectural Review and Historic Preservation Manager Friederike Mittner provided an overview of the proposed landmark incentives, noting that the material is essentially unchanged from what was presented at the October 15th meeting and reflects constructive feedback received from the Planning and Zoning Commission on October 7th. She explained that the ordinance focuses on streamlined code modifications related to adjustments for single-family landmark properties, including bundling existing adjustment provisions and addressing non-conformities within a single application process. She emphasized that the proposal applies only to single-family properties, not commercial, and is more restrictive than the current code by eliminating front setback relief while revising side and rear setback considerations. These changes are data-driven; she noted that over the past three years, 52 variances for landmark properties (across 26 applications) were all approved. Ms. Mittner described the creation of a new "guardrail" that requires any new additions to be compatible and subordinate to the existing historic structure, using language consistent with the Secretary of the Interior's Standards. Additional code areas reviewed included driveway gate height, landscape open space, lot coverage, CCR, and two-story accessory structures on R-B lots under 20,000 sq. ft. She referenced examples previously shown, including re-vesting situations where multiple variances could be consolidated into a single adjustment and replacement of two public hearings with a single LPC review before Town Council consideration. She also discussed height-related concerns during rehabilitation projects, noting an example where an addition lower than the main structure still triggered a height variance, which she characterized as unnecessary. Regarding two-story accessory structures on smaller R-B zoned lots, she acknowledged community feedback and outlined three options for Council consideration: (1) leave the proposal as written, (2) remove the provision entirely, or (3) allow a second story only if all side setbacks are met. She concluded by reiterating that all elements have been previously presented and that this meeting serves as the formal, advertised public hearing.

Council Member Cooney inquired about the setback requirement for the two-story accessory structure presented. Ms. Mittner was unsure and stated she would get the answer for him.

Council Member Moran supported the overall proposal but focused on second stories for accessory structures in the R-B district. She noted that most existing structures do not meet setback requirements because many were historically built on the property line. She recommended allowing a second story only when setbacks are met, and otherwise removing the provision, with owners still able to request relief individually. She said this approach best protects neighbors and avoids potential harm.

Council President Pro Tem Crampton asked about the impact and massing on the Sea Streets. He wondered if a waiver should be established for certain-sized lots. Ms. Mittner clarified that the ability to request relief already exists and that the proposed change was intended to assist lots

under 20,000 square feet. In response to concerns, she stated that staff are prepared to remove the proposal entirely (Option B) or amend it so that a second story would only be allowed if minimum setback requirements were met. Council President Pro Tem Crampton preferred Option B.

Council Member Araskog thought Ordinance 30-2025 needed further study. She felt the five-foot provision needed further study; she was worried about the unintended consequences. She asked about the scenario of a homeowner taking advantage of all the incentives. Ms. Mittner spoke of the existing guardrails in place as well as the oversight of the Landmarks Preservation Commission review.

Council Member Cooney began by expressing strong appreciation for staff, noting that the Town now has an exceptionally professional and knowledgeable team whose work has made these data-driven, codified landmark incentives possible. He stated that he supports all of the proposed provisions, including the accessory structure proposal, though he acknowledged that other Council members appear more cautious about that component. He emphasized that in the historic Sea Streets, two-story accessory structures were traditionally placed in the rear corners of lots, contributing to the neighborhood's character. Allowing a second story, he said, can create more gracious and functional homes on smaller lots, whereas strict suburban-style setbacks can unintentionally produce box-like structures.

Mr. Cooney encouraged consideration of Option C, which would allow a second story on an accessory structure only if it meets the same setbacks required for a two-story principal structure. He argued that this approach protects neighbors while maintaining flexibility and providing a meaningful incentive for landmarked properties. He described Option C as a reasonable compromise that preserves neighborhood character, maintains notice and public hearing requirements, and keeps height impacts consistent with what is already permitted for main structures.

Mayor Moore recalled a recent example in which a homeowner successfully added a second floor to an accessory structure after going through the full review process, noting that the outcome was appropriate and addressed the applicant's needs. She stated that Option C is preferable to remove the provision entirely, as it allows flexibility while still requiring proper review.

She added that many homes in the Sea Streets already have two-story accessory structures, and the number of properties affected by this change may be limited. She believes the option would be valuable to owners of landmark homes, particularly those with smaller houses, and expressed support for adopting Option C.

Mr. Murphy thanked the Mayor and Council, noting that public feedback helped refine the accessory structure proposal. He acknowledged that second stories on accessory structures located on property lines could create issues, which led staff to develop alternative options. He said Option C is a reasonable compromise because it allows a second story only when setbacks are met. He emphasized that none of the proposed landmark adjustments are "by right"; all require notice, a public hearing, and review by the Landmarks Preservation Commission for compatibility. Neighbor concerns can still result in denial. Mr. Murphy added that the proposal reorganizes existing code provisions and strengthens design review standards. Landmark-related variance requests represent a small percentage of total variances, all of which have been

approved, typically for minor issues. Height, open space, and lot coverage limits remain, and exceeding them would still require a traditional variance.

Council Member Araskog asked Town Attorney O'Connor about the use of the word "may" in the ordinance language. Ms. O'Connor responded. Council Member Araskog asked about the gate setback. Ms. Mittner stated that the staff could make sure it meets the requirements. Council Member Araskog inquired about the setback requirements for an accessory structure in the R-B district and requested information before making a decision.

Council Member Moran asked the staff to look at the landmarks manual and update it with the incentives.

Council Member Cooney reiterated that all landmark adjustments, including accessory structure proposals, would still require notice to neighbors and a public hearing, clearly identifying any deviation from standard R-B zoning. He noted that neighbors would also retain the ability to appeal decisions to the Town Council. He stated that these steps provide strong safeguards while still offering meaningful incentives for landmark property owners.

Council President Lindsay called for public comment.

Aimee Sunny of The Preservation Foundation of Palm Beach thanked the Council and staff for their extensive work on the ordinance, noting that incentives for landmark properties have been sought for many years. She said the proposal is valuable because it recognizes that landmark homes are unique and cannot be governed by a one-size-fits-all code. She highlighted the guardrails that protect historic features, such as requiring additions to be de minimis and prohibiting the removal of significant materials, while still giving owners flexibility. She stated that the ordinance strikes a balance between preservation and reasonable accommodation and will help strengthen support for the landmark program.

3. FIRST READING

- 3.1 29-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 54, Historical Preservation, Article I, In General, At Section 54-2, Definitions, To Remove The Definition Of Minor Exterior Change And Add A Definition For The LPC Approval Guide; Article III, Certificate Of Appropriateness, Division 1, Generally, At Section 54-71, To Remove The Expenditure Limit For Exterior Changes And Refer To The LPC Approval Guide; Article III, Certificate Of Appropriateness, Division 2, Procedures And Effect, At Section 54-93 To Reference The LPC Approval Guide; And Article III, Certificate Of Appropriateness, Division 3, Criteria For Issuance, At Section 54-121 To Reference The LPC Approval Guide; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to recommend approval of Ordinance 29-2025 to the Town Council. The motion was carried unanimously, 5-0.

- 3.2 30-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, Article I, In General, At Section 134-2, Definitions And Rules Of Construction Related To Building Height Point Of Measurement For Additions To Landmarked Structures; Article II, Administration, Division 4, Special Exceptions, Variances, And Dimensional Waivers, Subdivision IV, Dimensional Waivers, By Renaming Section 134-234, Dimensional Waiver And Landmark Adjustment Described And Amending To Describe Adjustments Available For Landmarked Properties And Structures; By Renaming Section 134-235, General Conditions Applicable To All Dimensional Waivers And Landmark Adjustments And Amending The General Conditions; By Renaming Section 134-237, Dimensional Adjustments For Single-Family Landmarked Properties And Amending And Adding Relief For Landmarked Properties And Structures; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to recommend to the Town Council the approval of Ordinance 30-2025, with the change to Option C to provide setback protection for the two-story accessory structure.

Council Member Araskog inquired about the setback requirements for an accessory structure in the R-B district. Ms. Mittner indicated that the side and rear setbacks were 10 feet for one-story structures.

The motion was carried unanimously, 5-0.

- 3.3 31-2025** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning Article VIII.- Supplementary District Regulations, Division 2. - Lot, Yard And Area Requirements, Subdivision III. Lot Fill By Modifying The Equation Of How Fill Is Calculated And Specifying That The Maximum Amount Of Fill Pertains Only To The Required Yard Elevations; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Mr. Murphy clarified for the record that the Planning and Zoning Commission approved a Scrivener's error correction to the fill equation in the code. The current wording in Municode had incorrectly embedded a formula that produced negative numbers, requiring staff to rely on interpretation. The correction properly subtracts the crown of the road from the finished floor elevation and applies only within the required yards. He added that staff informed the Commission they are not yet ready to revisit raising elevation requirements in required yards due to potential impacts on neighboring properties. Any future consideration of that topic would require additional technical input from engineers and drainage experts.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to recommend approval of Ordinance 31-2025 to the Town Council. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

There was no other business discussed.

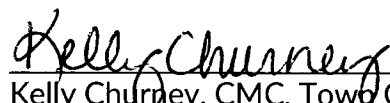
ADJOURNMENT

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to adjourn the meeting at 10:07 AM. The motion was carried unanimously, 5-0.

APPROVED:


Bobbie D. Lindsay, Town Council President

APPROVED:


Kelly Churney, CMC, Town Clerk
Date: 12/9/25

