



TOWN OF PALM BEACH

Minutes of the Planning and Zoning Commission Meeting Held on December 2, 2025

CALL TO ORDER AND ROLL CALL

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

Members Present: Gail Coniglio, William Gilbane, 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

PLEDGE OF ALLEGIANCE

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

MINUTES

1. Minutes from the November 4, 2025, Planning & Zoning Meeting.

A motion was made by Ms. Beuttenmuller and seconded by Ms. McDonald to approve the minutes of the November 4, 2025, meeting as presented. The motion was carried unanimously, 7-0.

APPROVAL OF AGENDA

Wayne Bergman, Director of Planning, Zoning, and Building, requested that items nos. 5 and 6 be heard in reverse order. The commissioners agreed with this change.

A motion was made by Mr. Gilbane and seconded by Mr. Sanchez to approve the agenda as amended. The motion was carried unanimously, 7-0.

COMMENTS

2. OFFICIALS

There were no comments heard at this time.

3. STAFF

There were no comments heard at this time.

4. PUBLIC - 3 MINUTE LIMIT

There were no comments heard at this time.

UNFINISHED BUSINESS

5. Zoning Code Items - Quick Fixes #8-14

5.1 Quick Fix #12: Basements

Mr. Bergman stated that the issue of basements is overly complex. He said the goals, which entail codifying current Planning and Zoning Board Interpretations are clarifying the definitions, and aligning with FEMA and Building Codes. Subsequently, he provided three options: prohibiting basements entirely, simplifying basement regulations, and aligning them with FEMA regulations for permitted locations, or leaving the existing code as it is currently written. He presented staff comments and recommendations regarding basements. He stated that this discussion would be simply about the regulation of basements, specifically whether one is allowed on a property.

Mr. Bergman stated that, as a result of the discussion, a revision will be made to reflect that the basement shall not count toward CCR or floor area.

Ms. LeCates reiterated her concerns about drainage. She had doubts about excavating in a flood zone and did not think basements could be considered without taking into account flooding and stormwater in the dune infrastructure. Mr. Bergman disagreed; he said these two matters were not the same, and the objective was to improve the code. He suggested going to impervious surface coverage. He said the code currently allows underground parking to expand beyond the building. He stated that underground parking is beneficial for the South End's multi-family buildings.

There was consensus that the extension beyond the walls of the structure should not be included in the calculation of the landscape open space.

Mr. Bergman inquired whether areas beyond the walls of the structure should be included in the calculation of lot coverage.

Mr. Murphy spoke about the Ambassador project and said that when looking at a project, from what can be seen versus what cannot be seen, there are fundamental differences in the zoning regulations. He stated that there needed to be some regulation for below-grade structures, but that lot coverage needs to be different than above-grade coverage.

Mr. Bergman stated that that would count as lot coverage, but at a different percentage, which he would present at the next Planning and Zoning Commission meeting.

Ms. LeCates stated it is a very nice, simple solution, but from a coastal engineering viewpoint, she was not supportive. However, she proposed an alternative, which would be permitting a first-story covered parking garage at ground level with an increased height allowance for the building, which would only be available if a covered garage was constructed as the first story. Mr. Bergman noted there were advantages to having underground parking. If an owner were to develop property in that way, perhaps incentives could be provided for placing a percentage of the required parking underground.

Mr. Bergman stated that lot coverages for below and above ground would be presented at the next meeting for further discussion and consideration. He added that the discussion about incentives could be continued at a future meeting.

Ms. McDonald inquired for clarification regarding parking. Ms. Hofmeister stated that she had referred to the current parking code, which is antiquated, and is being addressed by Kimley-Horn. She said that, additionally, the sign code and subdivision regulations will be other elements that will comprise the new land development regulations. Ms. Fairfax noted that she felt traffic signage was significantly over-regulated. She also asked about the Kimley-Horn parking studies and whether any type of focus group or other outreach would be conducted as part of their study. Ms. Hofmeister said it is not currently part of the plan, but she could discuss soliciting additional public input.

6. Zoning Code Items – Quick Fix #15

Ms. Hofmeister provided an overview of the zoning code changes related to the adopted 2024 comprehensive plan policy amendments. She then presented and explained the eleven proposed changes. The Town Council will consider the changes at its upcoming meeting.

Mr. Sanchez noted that if the Palm Beach Acre was 40,000 square feet, in the RB District, that would yield approximately 92% of the original Palm Beach Acre. He asked if subdividing into four lots would be permitted, and Mr. Bergman responded that there would be no change in density.

Chair Coniglio asked whether the discussed zoning district titles, including lakeside differences and allowances, would be incorporated into the document. Mr. Bergman responded that staff is reviewing the RB and Single-Family Residential districts and expects future changes, but the eleven amendments presented today will codify those provisions already approved in the comprehensive plan.

Chair Coniglio asked why someone would want to go three stories if the footprint of the building and the square footage are reduced, and secondly, she wondered what happens when that building does not want a parking lot or that calculation within the lot size. She wondered if that would be considered a zoning relief. Ms. Hofmeister responded that there are opportunities for underground parking. However, lot coverage is what sets the standard.

Ms. Fairfax thought it might be helpful to have local architects review and provide input on the proposed changes. Ms. Hofmeister stated that the state requirement is to set an intensity standard. Mr. Bergman agreed with Ms. Hofmeister regarding the floor area ratio. He noted that staff would have no issue taking the proposed changes to the Architectural Commission (ARCOM) and the Landmarks Preservation Commission (LPC) for their feedback. However, the zoning code changes are time-sensitive. He agreed with the recommended maximum FAR of 1.0,

which would allow for opportunities for architectural design creativity with a minimum need for zoning relief. Ms. Hofmeister added that this is a good starting point and there will still be opportunities to make adjustments if deemed necessary. Mr. Bergman reiterated that today's discussion concerns commercially zoned districts where lot sizes are known. He acknowledged that the south end could be redeveloped in many different ways, and currently, there is only a small piece of commercially zoned property in that area.

Mr. Gilbane thought this would be an ongoing challenge.

Peter Henn, of Jones and Foster, stated that local government has the right to change its zoning code. If a 1.0 FAR is established today, that is not carved in stone and may not be relied upon unless it can create a vested right through certain approvals. However, Ms. Hofmeister has demonstrated that a 1.0 FAR works in most situations.

A motion was made by Mr. Gilbane and seconded by Mrs. Coniglio to accept the staff's recommendation for the comprehensive plan adjustments to the zoning code to comply with the State, with the understanding that the zoning code is being revised and will be revisited soon. The motion passed 6-1 with Mr. Sanchez dissenting.

6.1 2025 Comprehensive Plan EAR Policies that Require Placement into Chapter 134, Zoning. (Per Florida Statute)

ANY OTHER BUSINESS

Ms. LeCates suggested that additional supplemental information be provided to help tie together the information being presented by staff, including a brief summary of the problem and the proposed solution.

Ms. Beuttenmuller suggested that staff provide clarity regarding the cost versus the benefits of any proposed changes to basements.

MEETING SCHEDULE

7. The next meeting is scheduled for January 6, 2026.

ADJOURNMENT

A motion was made by Mr. Sanchez and seconded by Mr. Gilbane to adjourn the meeting at 11:26 AM. The motion was carried unanimously, 7-0.

Respectfully Submitted,


Gail Coniglio, Chair