



TOWN COUNCIL MEETING

TOWN OF PALM BEACH

JUNE 10, 2026

9:30 AM

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

Danielle H. Moore, Mayor
Ted Cooney, President
Lew Crampton, President Pro Tem
Julie Araskog
Nicki McDonald
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 17-2026** 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, Article V, District Regulations, At Division 4. - R-B Low Density Residential District, Section 134-890(13); At Division 5.- R-C Medium Density Residential District, Section 134-945; At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055 To Reinstate The Changes Made By Ordinance 06-2025 Removing Private And Public Academic School As Special Exception Uses In Certain Residential Zoning Districts And Geographic Areas Of Same And To Clarify The Prior Governmental Approval Condition On A Special Exception Use For Pedestrian Access Tunnels To The Beach In Section 134-890; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

ANY OTHER BUSINESS

ADJOURNMENT

Access this meeting video on the 'Public Meetings' page at 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: June 10, 2026

To: Town Council

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

From: Jennifer Hofmeister, AICP, LCAM, Planner III

Re: 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, Article V, District Regulations, At Division 4. - R-B Low Density Residential District, Section 134-890(13); At Division 5.- R-C Medium Density Residential District, Section 134-945; At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055 To Reinstate The Changes Made By Ordinance 06-2025 Removing Private And Public Academic School As Special Exception Uses In Certain Residential Zoning Districts And Geographic Areas Of Same And To Clarify The Prior Governmental Approval Condition On A Special Exception Use For Pedestrian Access Tunnels To The Beach In Section 134-890; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
17-2026

Date: 5/29/2026

The proposed ordinance amends Chapter 134 (Zoning), Article VI (District Regulations), to correct and reinstate zoning provisions previously adopted through Ordinance No. 006-2025 that removed private and public academic schools as special exception uses in certain residential zoning districts and geographic areas of the Town. The ordinance also clarifies language related to the special exception criteria for pedestrian access tunnels to the beach by requiring prior written approval from all governmental agencies having jurisdiction.

Specifically, the ordinance restores the intended zoning regulations within the R-B, R-C, R-D(1), and R-D(2) residential zoning districts following the adoption of Ordinance No. 035-2025, which inadvertently omitted the prior amendments concerning academic schools as special exception uses.

ATTACHMENTS

Draft Ordinance No. 017-2026
Business Impact Statement

Newspaper Ad

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Quality of Life

Community Preservation

FUNDING

No Fiscal Impact

ORDINANCE NO. 17-2026

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, ARTICLE V, DISTRICT REGULATIONS, AT DIVISION 4. - R-B LOW DENSITY RESIDENTIAL DISTRICT, SECTION 134-890(13); AT DIVISION 5.- R-C MEDIUM DENSITY RESIDENTIAL DISTRICT, SECTION 134-945; AT DIVISION 6. - R-D(1) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1000; AND AT DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1055 TO REINSTATE THE CHANGES MADE BY ORDINANCE 06-2025 REMOVING PRIVATE AND PUBLIC ACADEMIC SCHOOL AS SPECIAL EXCEPTION USES IN CERTAIN RESIDENTIAL ZONING DISTRICTS AND GEOGRAPHIC AREAS OF SAME AND TO CLARIFY THE PRIOR GOVERNMENTAL APPROVAL CONDITION ON A SPECIAL EXCEPTION USE FOR PEDESTRIAN ACCESS TUNNELS TO THE BEACH IN SECTION 134-890; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted Chapter 134, Zoning, of the Code of Ordinances, to establish comprehensive controls for the development of land in the Town based on the Comprehensive Plan for the Town; and

WHEREAS, Chapter 134 establishes zoning districts for the purpose of protecting, promoting and improving the public health, safety, morals, and the general welfare of the people and convenience of efficient traffic circulation of people and goods; and

WHEREAS, Article VI of Chapter 134 provides for land development regulations for each of the established zoning districts by division that include a list of permitted and special exception uses; 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, on May 14, 2025, the Town Council of the Town of Palm Beach adopted Ordinance No. 006-2025 to remove private and public academic schools from the list of special exception uses in the R-B low density residential district, R-C medium density residential district, and C-B commercial district in the central (midtown) and north end of the Town, and as a special exception use south of 2500 South Ocean Boulevard only in the R-D(1) moderate density residential district, R-D(2) high density residential district, and CTS town-serving commercial district; and

WHEREAS, on February 11, 2026, the Town Council of the Town of Palm Beach adopted Ordinance No. 035-2025 related to required Code Amendments to maintain consistency with the adopted 2024 Comprehensive Plan, which required Code

Amendments that did not pertain to private and public academic schools as special exception uses; and

WHEREAS, Ordinance No. 035-2025 inadvertently failed to reflect the changes made to the residential zoning districts by Ordinance No. 006-2025; and

WHEREAS, in reviewing Section 134-890 of the Code, Town Staff noted that the special exception use for pedestrian access tunnels to the beach in the R-B low density residential district requires further clarification with respect to the prior written governmental approval on which that special exception use is conditioned to make it consistent with the conditions on the same special exception uses in Sections 134-790 (RAA large estate residential district) and Section 134-840 (R-A estate residential district).

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

Section 1. Article VI, DISTRICT REGULATIONS, Division 4. - R-B Low Density Residential District, Section 134-890 is hereby amended as follows:

Sec. 134-890. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the R-B low density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures, including essential services west of Lake Trail.
- (3) Essential services related to town-owned municipal buildings and structures.
- (4) Beach cabana houses intended for the use of family and guests.
- ~~(5) Public and private academic schools.~~
- ~~(6)~~ (5) Private social, swimming, golf, tennis, and yacht clubs, and houses of worship in existence prior to January 1, 1996.
- ~~(7)~~ (6) Churches and synagogues and other houses of worship.
- ~~(8)~~ (7) Required off-street parking in accordance with subsection 134-2177(3) and supplemental parking, allowed only in a manner consistent with the zoning of the district in which it is located.
- ~~(9)~~ (8) Nonprofit cultural centers.
- ~~(10)~~ (9) Municipally owned or operated parking areas.
- ~~(11)~~ (10) Museums occupying buildings of unique value as historical landmarks, as determined by the landmarks preservation commission and the town council, and for which it is demonstrated that no permitted use is economically viable.
- ~~(12)~~ (11) Group home with up to six occupants.

- ~~(13)~~ (12) Foster care facility with up to six occupants.
- ~~(14)~~ (13) Pedestrian access tunnel to the beach as an accessory use provided that the applicant owns the land on both sides of the roadway, provides unity of title, and provides prior written approval from all governmental agencies having jurisdiction.
- ~~(15)~~ (14) Municipally owned and operated parks and recreation centers.

Section 2. Article VI, DISTRICT REGULATIONS, Division 5. - R-C Medium Density Residential District, Section 134-945 is hereby amended as follows:

Sec. 134-945. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the R-C medium density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- ~~(4) Public and private academic schools.~~
- ~~(5)~~ (4) Churches, synagogues and other houses of worship.
- ~~(6)~~ (5) Supplemental parking.
- ~~(7)~~ (6) Nonprofit cultural centers.
- ~~(8)~~ (7) Municipally owned or operated parking areas.
- ~~(9)~~ (8) Beach cabana houses intended for the use of family and guests only.
- ~~(10)~~ (9) Museums occupying buildings of unique value as historical landmarks as determined by the landmarks preservation commission and the town council and for which it is demonstrated that no permitted use is economically viable.
- ~~(11)~~ (10) Roof-deck automobile parking.
- ~~(12)~~ (11) Group home.
- ~~(13)~~ (12) Foster care facility.
- ~~(14)~~ (13) Pedestrian access tunnel to the beach as an accessory use provided that the applicant owns the land on both sides of the roadway, provides unity of title, and provides prior written approval from all governmental agencies having jurisdiction.
- ~~(15)~~ (14) Municipally owned and operated parks and recreation areas.

Section 3. Article VI, DISTRICT REGULATIONS, Division 6. - R-D(1) High Density Residential District, Section 134-1000 is hereby amended as follows:

Sec. 134-1000. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the R-D(1) high density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- (4) Public or private academic schools located south of 2500 South Ocean Boulevard.
- (5) Churches, synagogues and other houses of worship.
- (6) Supplemental parking.
- (7) Roof-deck automobile parking.
- (8) Municipally owned or operated parking areas.
- (9) Beach cabana houses intended for the use of family and guests only.
- (10) Group home.
- (11) Foster care facility.
- (12) Municipally owned and operated parks and recreation areas.

Section 4. Article VI, DISTRICT REGULATIONS, Division 7. - R-D(2) High Density Residential District, Section 134-1055 is hereby amended as follows:

Sec. 134-1055. Special exception uses.

The special exception uses require a site plan review as provided in article III of this chapter. The special exception uses in the R-D(2) high density residential district are as follows:

- (1) Existing Approved planned unit developments.
- (2) Public structures/uses.
- (3) Essential services related to town-owned municipal buildings and structures.
- (4) Public or private academic schools located south of 2500 South Ocean Boulevard.
- (5) Churches, synagogues and other houses of worship.
- (6) Supplemental parking.
- (7) Accessory commercial uses to hotel uses.
- (8) Municipally owned or operated parking areas.
- (9) Beach cabana houses intended for the use of family and guests only.
- (10) Hotels.
- (11) Timesharing uses.
- (12) Roof-deck automobile parking.
- (13) Group home.
- (14) Foster care facility.
- (15) Pedestrian access tunnel to the beach as an accessory use provided that the applicant owns the land on both sides of the roadway, provides unity of title, and provides prior written approval from all governmental agencies having jurisdiction.
- (16) Outdoor cafe seating for dining purposes related to hotels, condo-hotels and dining rooms provided that all requirements and conditions contained in sections 134-2104 and 134-2108 are met.
- (17) Condo-hotels in accordance with section 134-2110.
- (18) Municipally owned and operated parks and recreation areas.

Section 5. Incorporation of Recitals.

The above recitals are incorporated as fully set forth herein

Section 6. 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 7. 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 8. Codification.

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

Section 9. 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 10th day of June 2026, and for second and final reading this 15 day of July 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

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, ARTICLE V, DISTRICT REGULATIONS, AT DIVISION 4. - R-B LOW DENSITY RESIDENTIAL DISTRICT, SECTION 134-890(13); AT DIVISION 5.- R-C MEDIUM DENSITY RESIDENTIAL DISTRICT, SECTION 134-945; AT DIVISION 6. - R-D(1) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1000; AND AT DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1055 TO REINSTATE THE CHANGES MADE BY ORDINANCE 06-2025 REMOVING PRIVATE AND PUBLIC ACADEMIC SCHOOL AS SPECIAL EXCEPTION USES IN CERTAIN RESIDENTIAL ZONING DISTRICTS AND GEOGRAPHIC AREAS OF SAME AND TO CLARIFY THE PRIOR GOVERNMENTAL APPROVAL CONDITION ON A SPECIAL EXCEPTION USE FOR PEDESTRIAN ACCESS TUNNELS TO THE BEACH IN SECTION 134-890; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; 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 of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.
2. The proposed ordinance relates to the issuance or refinancing of debt.
3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
4. 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.

5. The proposed ordinance is an emergency ordinance.
6. The ordinance relates to procurement.
7. 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

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?

No

Provide the relevant exemption reason number if applicable:

N/A

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

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinance amends Chapter 134 (Zoning), Article VI (District Regulations), to correct and reinstate zoning provisions previously adopted through Ordinance No. 006-2025 that removed private and public academic schools as special exception uses in certain residential zoning districts and geographic areas of the Town. The ordinance also clarifies language related to the special exception criteria for pedestrian access tunnels to the beach by requiring prior written approval from all governmental agencies having jurisdiction.

Specifically, the ordinance restores the intended zoning regulations within the R-B, R-C, R-D(1), and R-D(2) residential zoning districts following the adoption of Ordinance No. 035-2025, which inadvertently omitted the prior amendments concerning academic

schools as special exception uses.

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

a) An estimate of direct compliance costs that businesses may reasonably incur:

The ordinance is not anticipated to impose direct compliance costs on private, for-profit businesses. The amendments primarily correct and clarify existing zoning regulations and restore provisions previously adopted by the Town Council.

b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

The ordinance does not establish any new fees, charges, or financial obligations. Existing application and development review fees remain unchanged at this time.

c) An estimate of the Town of Palm Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

The ordinance is not expected to materially increase regulatory costs to the Town. The amendments will be administered through existing zoning and development review processes using current staffing and operational resources. No new revenues are anticipated at this time.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The ordinance primarily affects land use regulations applicable to certain residential zoning districts and clarifies special exception provisions. Any impacts would generally be limited to applicants seeking development approvals involving academic school uses or pedestrian access tunnel special exceptions within the affected zoning districts.

Additional information the governing body deems useful (if any):

The ordinance is corrective and clarifying in nature and is intended to restore consistency between previously adopted legislative actions and the current zoning code.



THE TOWN OF PALM BEACH NOTICE

The Town of Palm Beach Town Council proposes adopting the following ordinance to amend Chapter 134 of the Zoning Code. Identified below is the title for this Ordinance, which is being advertised correcting a scrivener's error in Ordinance No. 035-2025:

ORDINANCE NO. 017-2026

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, ARTICLE VI, DISTRICT REGULATIONS, AT DIVISION 4. - R-B LOW DENSITY RESIDENTIAL DISTRICT, SECTION 134-890(13); AT DIVISION 5.- R-C MEDIUM DENSITY RESIDENTIAL DISTRICT, SECTION 134-945; AT DIVISION 6. - R-D(1) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1000; AND AT DIVISION 7. - R-D(2) HIGH DENSITY RESIDENTIAL DISTRICT, SECTION 134-1055 TO REINSTATE THE CHANGES MADE BY ORDINANCE 06-2025 REMOVING PRIVATE AND PUBLIC ACADEMIC SCHOOL AS SPECIAL EXCEPTION USES IN CERTAIN RESIDENTIAL ZONING DISTRICTS AND GEOGRAPHIC AREAS OF SAME AND TO CLARIFY THE PRIOR GOVERNMENTAL APPROVAL CONDITION ON A SPECIAL EXCEPTION USE FOR PEDESTRIAN ACCESS TUNNELS TO THE BEACH IN SECTION 134-890; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

On Tuesday, June 2, 2026, at 9:30 a.m., the Planning and Zoning Commission will hold its regularly scheduled meeting to review and discuss the above ordinance. On Wednesday, June 10, 2026, at 9:30 a.m., the Local Planning Agency and the Town Council of the Town of Palm Beach will hold its regularly scheduled meetings, and among other items on the agenda will be the first reading and public hearing on proposed Ordinance No. 017-2026, 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 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.