



TOWN OF PALM BEACH

Minutes of the Town Council Meeting
Held on May 13, 2026

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, Danielle Moore, Nicki McDonald

Members Absent: Julie Araskog (participated remotely but did not vote)

Staff Present: Wayne Bergman, Bradley Falco, Abraham Fogel, and Kelly Churney

INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Churney delivered the invocation, and Council President Cooney led the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to approve the agenda as presented. The motion was carried unanimously, 4-0.

ADMINISTRATION OF THE OATH

Town Clerk Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS

Council Member Moran thanked the Mayor for a wonderful party she held for the staff.

Council President Pro Tem Crampton reiterated his request that the Town communicate with the FAA and the Secret Service regarding the current Temporary Flight Restrictions (TFRs), stating

that, since the roadway has reopened, the existing restrictions are no longer necessary and should revert to the prior arrangement. He requested that the Mayor prepare a letter on behalf of the Town Council expressing the Town's concerns to the FAA and Secret Service. Mayor Moore agreed to write a letter, noting that the FAA was not engaging with the town because it was a party to litigation against the FAA.

Council Member McDonald also thanked the mayor for hosting the party for staff. She also thanked the Police and Fire Foundation for their generous donation and for keeping the town at the forefront of safety.

2. PUBLIC - 3 MINUTE LIMIT

Council President called for public comment. No one indicated a desire to speak.

PUBLIC HEARINGS

GENERAL BUSINESS

3. Presentation by Rhonda Giger, General Counsel, Palm Beach County Commission on Ethics

Attorney Rhonda Giger provided an overview of the Ethics Commission's role and jurisdiction, noting that the Commission has served the county for more than 15 years and oversees governmental employees and county employees throughout Palm Beach County. She advised that the Town's ethics training cycle is approaching and encouraged participation in live training sessions because they allow for interactive questions and discussion. Ms. Giger stated that the Commission has increasingly focused on proactive guidance and education rather than solely investigating complaints and emphasized that both public officials and members of the public are encouraged to contact the Commission with questions or concerns. She also explained that a code of ethics violation generally requires three elements: involvement of a prohibited entity, a financial benefit, and a special benefit applying to a limited class, noting that, in the absence of one of those elements, an action is generally not a violation of the code. Finally, she reminded the Council that the Commission is available to provide verbal guidance and written advisory opinions.

At this time, Mayor Moore presented a Proclamation for Historic Preservation Month to Landmarks Preservation Commission Chair Brittain Damgard.

4. 59-2026 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 141 Chilean Avenue Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

Council Members Moran, McDonald, Council President Pro Tem Crampton, and Council President Cooney disclosed ex parte communications.

Council President Cooney asked for proof of publication, which Abraham Fogel provided.

Emily Stillings of MurphyStillings presented background information on the project and provided some historical details about the property. She outlined how the property met the criteria for Landmark Designation, specifically Criteria 1 and 3. Ms. Stillings addressed the previous concerns about the home's lack of a notable architect. She discussed modifications to landmarked structures and how this structure had been modified, but she still believed it met the criteria.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to make the designation report part of the record. The motion was carried unanimously, 4-0.

Council President Cooney called for public comment.

Attorney Maura Ziska, representing the property owner of 141 Chilean Avenue, stated that the family has owned the property for 34 years and strongly opposes the proposed landmark designation. She argued that the property did not satisfy the applicable landmark criteria, lacked association with a notable architect, builder, or historical figure, and had undergone numerous alterations that diminished its historical integrity. Ms. Ziska compared the property to other landmarked bungalow-style homes in Town, asserting that those properties were stronger examples of the architectural style. She also noted that the Landmarks Preservation Commission recommendation was approved by a narrow 4-3 vote and argued that the designation would create a financial hardship and negatively impact the owner's long-term plans for the property. Ms. Ziska further advised that the owner intended to challenge the designation in court if the Town Council approved it.

Aimee Sunny, Director of Preservation Planning for the Preservation Foundation of Palm Beach, stated that based on her review of the designation report and materials submitted by the property owner's representative, she concurred that the property met Criteria 1 and 3 for landmark designation. She explained that the home represented a rare and early example of Palm Beach architecture from the period around the Town's incorporation, prior to the prominence of major architects and builders in the area. Ms. Sunny further stated that the structure reflected bungalow architecture with Prairie-style influences, citing features such as the massing, wood shingles, roof pitches, deep overhangs, and exposed rafter tails. Although acknowledging that modifications had been made over time, she stated that the changes did not diminish the building's ability to convey its historical significance or architectural character. She concluded that, in her professional opinion, the property satisfied the landmark designation criteria.

Council President Pro Tem Crampton stated that when a property owner opposes landmark designation, he believes the property should be a particularly strong example of the architectural style. He noted the divided recommendation from the Landmarks Preservation Commission and stated that, in his opinion, the property was not a sufficiently strong example of the bungalow style to warrant designation.

Mayor Moore stated that she viewed the property as a charming and worthy example of the bungalow style and supported landmark designation to help preserve one of the few remaining examples in Town. She noted that alterations to landmarked properties can often be more easily addressed through the Landmarks process and observed that another recently designated bungalow property had undergone more substantial alterations than the subject property.

Council Member McDonald stated that while she respected the recommendations of the Landmarks Preservation Commission and staff, she believed a contested landmark designation should require a particularly strong and compelling case. She stated that she was not persuaded that the property was a strong enough example of the bungalow style to warrant designation and noted the closely divided vote of the Landmarks Preservation Commission.

Council Member Moran supported landmark designation, stating that the property remained a charming and historically significant example of the bungalow style despite alterations over time. She emphasized the importance of preserving the Town's historic character and believed the home's loss would negatively impact the neighborhood and Town.

Council President Cooney supported landmark designation, stating that the property was an important example of the Town's early history and that the alterations to the home did not diminish its historical significance. He emphasized the importance of preserving the remaining cottages and bungalows that reflect the Town's historic character.

A motion was made by Council Member Moran and seconded by Council President Cooney to approve Resolution No. 59-2026, designating the property at 141 Chilean Avenue as a landmark of the Town of Palm Beach on the basis that it meets criteria Numbers 1 and 3 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. The motion was carried 3-2, with Mayor Moore voting as the tie breaker.

5. **60-2026** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 333 Pendleton Lane Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. *[This item shall be deferred to the December 9, 2026, Town Council meeting]*

****Note: This item was deferred to December 9, 2026, upon the approval of the agenda.***

UNFINISHED BUSINESS

6. ZON-24-0055 (COA-24-0022) 120-132 N County Road - Palm Beach Synagogue - Review of Draft Declaration of Use Agreement
[Applicant to verbally request a deferral to a certain date in the Fall.]

Council President Cooney stated that Attorney Harvey Oyer had intended to attend the meeting in person but was unable to do so. He explained that Mr. Oyer wanted to first address and clarify the existing onsite uses and update the existing Declaration of Use to account for an additional space and the former restaurant. Council President Cooney noted that they felt it would be premature to move forward with the new Declaration of Use before resolving the issues related to the current one.

Council Member McDonald requested clarification on the Declaration of Use (DOU) Agreement being used. Mr. Bergman said that last month, on April 15, 2026, a staff memo was issued, and

there is a pending application to legitimize the expansion into the restaurant to the north and to provide an opportunity for the Town Council to modify the 2008 DOU, which is not being closely followed today.

Mayor Moore thought it needed to be tightened up to address the neighbors' concerns and memorialize the approvals. She stated she was reluctant to review the DOU in June, July, or August.

Council President Cooney agreed and heard concerns that the item was to be heard in the summer months.

A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to defer the item to October 14, 2026. The motion was carried unanimously, 4-0.

7. ZON-25-0091 (ARC-25-0102) 151 WORTH AVE - Clarification Hearing - Use of Vacant Lot on Peruvian Avenue

Director Wayne Bergman stated that 151 Worth Ave was reviewed for redevelopment and approved by both ARCOM and the Town Council. At the February 11, 2026, Town Council meeting, the redevelopment plan, which included new retail spaces on the first and second floors and a second-floor restaurant with outdoor seating, was approved with the condition that the vacant lot located behind the old Neiman Marcus building and accessed by Peruvian Avenue would remain green space. He stated that a permit for interior demolition was issued last year. Work stopped for the winter season and recommenced on May 1st of this year. The vacant lot on Peruvian Avenue was cleared of sod, plantings, and lined with gravel. A construction gate was installed, and a dumpster and portable toilets were placed on the lot. On Saturday, May 2, 2026, work resumed with activities on the vacant lot. There were calls from neighbors to the Police Department and to some of the elected officials. Staff were tasked with finding out how this work was happening and stopping it. On Monday, May 4, 2026, staff spoke with the contractor Batten Construction and with Jamie Crowley. It seems that this active construction staging yard was shown on a landscape planning page as part of the approved set of plans viewed by ARCOM, Town Council, and staff. Staff did not identify or notice the use of this vacant lot during reviews. The contractor was asked to cease using the lot until the owner could present the need for its use in conjunction with their large redevelopment project. They agreed to stop all activities on the lot until the outcome of this clarification hearing is rendered, and the applicant will remove the gravel and restore the lot to its original condition if required. Staff scheduled this clarification hearing under 134.173(5). It is worth noting that since the applicant did not disclose its intent to use this vacant lot during earlier public hearings, and the fact that the intended use was only shown on a couple of pages of an extensive set of plans, there was no expected use of this lot. If staff had noticed this intent, the use of the lot would have been highlighted for discussion at ARCOM and Town Council.

Attorney Jamie Crowley presented the case on behalf of his client. He stated that his client went through the process, obtained the permits, and submitted the construction staging and logistics plan. All work was permitted, and the town's notice procedures were followed. He stated that when he received a call from Mayor Moore, he immediately stopped the work to try to reach an understanding with the neighboring property owners. He stated that his client offered to stop working on Saturdays and to increase the screening to benefit the neighbors. He said this is

essential to keep the project on schedule, with the alternative being to put all of the equipment on Worth Avenue, which would require a lane closure.

Gage Batten of Batten Construction explained why it was necessary to use the lot during the proposed time.

Mr. Crowley was asked to discuss what the Town Council approval consisted of and the future plans for the lot. Mr. Crowley responded, explaining that there are no future development or construction plans for that lot. However, a total refurbishment of that landscape would be part of the project. He noted that all green space requirements do not have to be met during construction; this would be a temporary condition.

Mayor Moore expressed her appreciation to the applicant for stopping work, and she was glad that a clarification hearing was taking place.

Council President Cooney called for public comment.

Emily Clifford, 156 Peruvian Avenue, a neighboring property owner, questioned the legal standing of the permits, as she did not feel residents were notified and given a proper opportunity to comment. She discussed her concerns with two aspects of the proposal.

Tom Leclare, 134 Peruvian Avenue, expressed his concerns about the project. He supported development but shared his concerns about the use of that lot and would like to see the area protected to keep children and animals off the lot.

Council President Cooney noted receipt of a letter from Mr. Lefkowitz regarding the project.

Attorney Crowley noted that the condition would be temporary and the lot would be restored to grass. He was requesting accommodation through November 1, 2026.

Mayor Moore wondered if they could change the date to October 1, 2026, and Mr. Batten said that would be sufficient.

Council Member McDonald wanted assurance that after October 1, 2026, there would be no cranes on Worth Avenue. Mr. Battan said he would come back next month with an answer. He did not know whether he would be able to restore the lot to green space by October 1, 2026. Mr. Crowley stated that he would return each month with a construction update. He agreed to no more work on Saturdays.

Council President Pro Tem Crampton asked how the additional CNA would be handled. Mr. Bergman responded that this has been frustrating. The use of this lot was not disclosed at ARCOM or the Town Council. He said the active permit is for interior demolition, but no pre-construction meetings were scheduled, and consequently, they are taking place after the fact.

Council Member Moran supported the October 1, 2026, date, but wanted to ensure the contractors would be good neighbors.

Council Member Araskog mentioned that Mr. Bergman stated the permit is interior only. She

asked the applicant why some items could not be placed elsewhere on the site. Mr. Batten responded. She thought it was important to make things clearer going forward.

A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to approve the vacant lot for staging until October 1, 2026, with the following conditions: no exterior work shall be allowed on Saturdays, the screening shall be increased, the construction manager shall provide his phone number to the neighbors, and Construction Manager Gage Batten shall return in June to clarify the construction schedule moving forward. The motion was carried unanimously, 4-0.

8. ZON-25-0091 (ARC-25-0102) 151 WORTH AVE - Review of Draft Declaration of Use Agreement

[Applicant to verbally request a deferral to a certain date in the Fall.]

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to defer the review of the Declaration of Use agreement for 151 Worth Avenue to November 10, 2026. The motion was carried unanimously, 4-0.

9. ZON-26-0010 331 S COUNTY RD CAFE L'EUROPE - Review of Draft Declaration of Use Agreement

Council Member Moran and Council President Cooney disclosed ex parte communications.

Attorney Maura Ziska stated she was representing the owner, who requested to speak. Jennifer Marcello, owner, spoke about the history of Cafe L'Europe. Ms. Ziska provided comments on the declaration of use and spoke on two points to clarify. One is for no lunch on Friday, although traffic is no different on Fridays than on any other weekday. She referenced a letter from the valet parking company, On Point, stating that they could park 24 vehicles.

Attorney Joanne O'Connor referred to the fifth whereas clause in the DOU, which should be removed from the agreement, and Ms. Ziska agreed.

Council Member McDonald thought that employees were to park off-island. She also questioned the maximum seating, including outdoor seating. She also asked about taking over the lot for parking, but was not clear whether the lot was owned by separate entities and required approvals. Ms. Ziska said the entire building is owned by the Morrisons.

Council Member Moran preferred parking off-island. She also preferred limiting outdoor seating to 12. In addition, she thought they needed a better parking plan.

Council President Pro Tem Crampton loved the restaurant but felt they had a parking problem. He requested a clear understanding of the parking situation before approval.

Mayor Moore said most restaurants on the island use off-site parking. She said enforceability is the question. She asked for a letter from the adjacent lot owner stating that they have permission to use the lot. She agreed with Council President Pro Tem Crampton.

Council Member Araskog (participating remotely) shared concerns about the parking. She said there are only exceptions to off-site parking when they were grandfathered. She also stated that

when the application was filed, there was no allowance for tandem parking. Ms. Ziska said they don't have to provide additional parking; this is a grandfathered use, and the applicant is trying to make the best situation possible. Mr. Bergman clarified the ordinance on tandem parking.

Council Member McDonald was still concerned about lunch on Friday. Ms. Marcello stated she would remove her request for lunch except on Saturdays and Sundays only.

Council President Cooney called for public comment.

Attorney John Eubanks, representing Thomas McCarthy, expressed his client's opposition to the requested plan.

Council President Pro Tem Crampton felt this represented an intensification and reiterated the need to see a parking plan.

Council Member Moran asked if they are required to provide parking. Mr. Bergman said they are not increasing the number of seats. He said he would like to refer to the staff memo.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to approve the Declaration of Use Agreement, as amended, to permit lunch service on Saturdays and Sundays only, with revised operating hours from 11:30 a.m. through dinner service, with modifications to Article 4 to limit maximum seating to 62 seats, including 12 outdoor seats consistent with the approved seating plan; removal of conditions #5 and #9 under Article 4, and an amendment to allow employees to park on site. The motion was carried unanimously, 4-0.

10. ZON-25-0054 (ARC-25-0058) 1960 S OCEAN BLVD. (COMBO) – SPECIAL EXCEPTION & VARIANCE(S) The application, Stephen A. Wynn Florida Revocable Trust (Stephen A. Wynn, Trustee), has filed an application requesting Town Council review and approval for a special exception and two (2) setback variances as they relate to the construction of a new beach cabana structure on the oceanside parcel of an existing residential estate. The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 7-0.] [The Architectural Review Commission approved this project. Carried 7-0.]*

Several members disclosed ex parte communications.

Mr. Falco provided staff comments on the project.

Attorney Maura Ziska provided comments on the project, stating that Mr. Falco did a good overview. She displayed an elevation drawing with the full linear frontage of the property along the ocean.

Council Member Moran inquired about the hardship of the application. Ms. Ziska responded.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton that Variance No. ZON-25-0054, 1960 S. Ocean Blvd. shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 4-0.

A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton that Special Exception No. ZON-25-0054, 1960 S. Ocean Blvd. shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. The motion was carried 4-0.

11. ZON-26-0001 (ARC-25-0098) 1519 N OCEAN WAY (COMBO) – VARIANCE The applicant, The Duane and Kelly Roberts Community Property Trust U/A/D May 11, 2012 (Kelly Roberts, Trustee), has filed an application requesting town council review and approval of a variance to permit four pieces of A/C equipment in a side-yard setback where a maximum of two pieces of equipment are permitted, as part of renovation and additions including hardscape and landscape changes at an existing residence. The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 7-0.] [The Architectural Review Commission approved this project. Carried 7-0.]*

No one disclosed ex parte communications.

Mr. Falco provided staff comments on the project.

Attorney David Klein, representing the homeowner of 1519 N. Ocean Way, presented an overview of the variance being requested. He explained the reason for the requested variance.

Council President Cooney asked about the lot shown and if they were combining properties. It was noted that the property appraiser indicated there is an existing configuration, and staff is working with the application to get a Unity of Title for the properties. The document has already been signed by the owners and the lenders and should be completed shortly.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council Member McDonald and seconded by Council Member Moran that Variance No. ZON-26-0001, 1519 N. Ocean Way shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 4-0.

12. ZON-26-0005 (ARC-25-0094) 1300 N OCEAN BLVD. (COMBO) – VARIANCE The applicants, Laurence & Molly Austin, have filed an application requesting Town Council review and approval for a variance to revest the existing landscape open space deficit on a parcel over 20K square feet in the R-B zoning district. The Architectural Commission shall perform design review of the application. *[This item shall be deferred to the June 10, 2026, Town Council meeting, pending architectural design review.]*

****Note: This item was deferred to June 10, 2026, upon the approval of the agenda.***

NEW BUSINESS

13. ZON-26-0018 320 TANGIER AVE. - VARIANCE The applicant, Trust U/A I.I.E of the William Pitt 1993 Living Trust u/a/d 8/19/93 (Pauline B. Pitt, Trustee), has filed an application requesting Town Council review and approval for a variance to exceed the maximum gangway width of a marine dock at a single-family residence. *[This item shall be deferred to the June 10, 2026, Town Council meeting]*

****Note: This item was deferred to June 10, 2026, upon the approval of the agenda.***

14. ZON-26-0019 (ARC-26-0016) 401 BRAZILIAN AVE. (COMBO) – VARIANCE The applicant, Marlene Perlmutter (Nievera Williams Design), has filed an application requesting Town Council review and approval of one (1) variance exceeding the allowable height of a site wall in the street side-yard setback. The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 7-0.] [The Architectural Review Commission approved this project. Carried 7-0.]*

Mayor Moore and Council President Cooney disclosed ex parte communications.

Mr. Falco provided staff comments on the project.

Cory Meyer of Nievera Williams Design was present to answer questions, but did not have any additions to Mr. Falco's comments.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council Member McDonald and seconded by Council Member Moran that Variance No. ZON-26-0019, 401 Brazilian Avenue shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 4-0.

15. ZON-26-0020 (COA-26-0010) 241 SEAVIEW AVE. (COMBO)—VARIANCE The applicant, Palm Beach Day School (Michael Murphy, Representative), has filed an application requesting Town Council review and approval of one (1) variance to exceed the maximum permitted height for rooftop air conditioning units and screening for the landmarked property. The Landmarks Preservation Commission shall perform design review of the application.

Council President Cooney disclosed ex parte communications.

Mr. Falco provided staff comments on the project. He noted that a recently adopted ordinance amended regulations pertaining to rooftop screening and equipment. He said the 4' height requirement applies because the day school is in the RB zoning district.

Council Member Moran asked about the equipment's location on the roof. Mr. Falco stated that

the code requires the equipment to be centrally located on the roof, but the Landmarks Commission would opine that the location is sufficiently central on the roof.

Attorney Maura Ziska, representing Palm Beach Day School, stated that representatives from the school are present. She stated that essentially, Mr. Falco did a good job presenting the project. She noted that because of the equipment's size, it needs to be on stands and will be screened. This is a replacement project.

Jason Zubatkin of Palm Beach Day School spoke about the change and confirmed, when asked, that it will be an improvement for the neighbors.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council Member McDonald and seconded by Council Member Moran that Variance No. ZON-26-0020, 241 Seaview Avenue shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 4-0.

16. ZON-26-0015 (COA-26-0004) 151 ROOT TRAIL (COMBO)-VARIANCES The applicant, Julie Phillips (Brian Brady with Brady Design, Representative), has filed an application requesting Town Council review and approval of two (2) variances to reduce the east side yard and west side yard setbacks for a new second-story addition to the existing one-story residence for property under consideration to be landmarked. The Landmarks Preservation Commission shall perform design review of the application impacting the property under consideration to be landmarked. *[This project will be deferred to the June 10th, Town Council meeting, at the applicant's request.]*

****Note: This item was deferred to June 10, 2026, upon the approval of the agenda.***

17. ZON-26-0008 (ARC-26-0004) 108 EL MIRASOL (COMBO) – SPECIAL EXCEPTION, SITE PLAN REVIEW, AND VARIANCES The applicant, 108 El Mirasol LLC (Tara B. Mulrooney, Authorized Representative), has filed an application requesting Town Council review and approval for (4) variances to exceed maximum permitted lot fill permitted within front, north side-yard, south side-yard, and east rear-yard setback areas, a special exception request for a reduced vehicle queueing space between driveway gate and edge of cul-de-sac, and site plan review for a generator over 100kW; as part of an application for construction of a new residence over 10,000 square feet. The Architectural Commission shall perform design review of the application. *[This item shall be deferred to the August 12, 2026, Town Council meeting, pending architectural design review.]*

****Note: This item was deferred to August 12, 2026, upon the approval of the agenda.***

ORDINANCES

18. SECOND READING

18.16-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, Article XI, Signs, Division 1, Generally, At Section 134-2373, General Regulations And Definitions Applicable To Permitted Signs, Related To The Prohibition Of Signage On Awnings To Allow Signage On The Valance Of Awnings Subject To Certain Conditions; Division 3, Commercial Districts, Adding Section 134-2451, Signs On The Valance Of An Awning, Creating Standards For Signage On Awnings; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Mr. Bergman read Ordinance 006-2026 by title only.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to adopt Ordinance 006-2026. The motion was carried unanimously, 4-0.

18.28-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, By Amending Article IX, -- Off-Street Parking And Loading, Division 2, -- Off-Street Parking, By Creating A New Section To Provide Regulations For Tandem (Stacked) Parking In A Valet Operated And Maintained Parking Lot Or Parking Garage; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Mr. Bergman read Ordinance 008-2026 by title only.

Council Member Moran mentioned correspondence received from Ms. LeCates, suggesting a sunset clause for this item in case there are unintended consequences.

Jennifer Hofmeister, Planner III, pointed out that the Town can allow tandem parking under the code, but this ordinance will require a special exception use.

Council President Cooney called for public comment.

Anita Seltzer, 44 Cocoanut Row, stated that crucial pieces are missing from the ordinance that should be considered. She believed the tandem parking was council-driven and, in the interim, had gotten to the Town Council in a vacuum. She said there are instances in the ordinance that have not been considered because they have not yet been reviewed. She suggested that the Town Council put this item on hold and explained her reasoning.

Ms. Hofmeister stated that the staff was not introducing or changing variances to special exceptions for lots. She said this ordinance applies only to valet-operated and maintained parking garages. Attorney O'Connor advised that the substance of the ordinance is limited to the parking garage.

Council President Pro Tem Crampton noted this had been discussed as part of the quick fixes and

was discussed at the last Town Council meeting.

Council Member Araskog thought that Ms. LeCates and Ms. Seltzer brought up good points. She supported a sunset clause in the ordinance. She asked if there was specific information about who may use the tandem parking. Ms. Hofmeister responded that it would go through the special exception process.

Council Member McDonald thought this originated from the Neiman Marcus project. She asked if this would have to be approved with each project. Ms. Hofmeister said yes, these are site-specific.

A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to adopt Ordinance 008-2026. The motion was carried unanimously, 4-0.

18.3 12-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Adopted 2024 Town Of Palm Beach Comprehensive Plan, Pursuant To Chapter 163, Florida Statutes; Amending The Data & Analysis And The Goals, Objectives And Policies Of The Future Land Use Element To Create A New Policy 1.1 To Acknowledge The Comprehensive Plan As The Blueprint To Guide Growth, Development, Resource Protection And Public Services And Facilities; To Create Policies 1.3 And 1.4 To Replace Policy 1.12 With A New Definition Of Town Resident; To Delete Policies 1.7 And 1.8 As They Are Duplicates Of Policies 2.1 And 2.2; To Amend Policy 1.13 To Change The Designation Names For Residential Categories And To Adjust The Density To Whole Numbers Based Upon An Acre; To Amend Policy 1.14 To Incorporate The Definitions Of Town Serving Commercial Establishments, To Adjust The Density To Whole Numbers Based Upon An Acre, To Update The Uses Permitted In Non-residential Uses, And To Create A New Beach Area Future Land Use Category; To Amend Policy 1.15 To Establish Floor Area Ratio (Far) As The Intensity Standard For Non-residential Uses; To Delete Policy 6.4, 6.5 And 6.6 As The Policies Are Directives That Have Now Been Addressed With The Proposed Amendment; To Amend Policy 8.1 To Replace Standards For New Planned Unit Developments (PUDs) With A List Of The Three Approved Puds; To Amend Policy 2.3 To Change The Language To Read From Zoning Ordinances To Zoning Code; Amending The Data & Analysis And The Goals, Objectives And Policies Of The Historic Preservation Element To Amend Policy 1.4 To Reflect The Continuous Monitoring Of Archaeologically Sensitive Sites And Zones In Coordination With Appropriate State And County Agencies Needed In Their Protection; Amending The Data & Analysis And The Goals, Objectives And Policies Of The Infrastructure Element To Amend Policy 3.1 To Update The Potable Water Level Of Service Standard In Accordance With The City Of West Palm Beach As The Town's Potable Water Provider; To Amend Policy 5.2 To Address The Updated 20-year Water Supply Facilities Work Plan That Is Adopted By Reference; To Amend The Adopted 2024 Comprehensive Plan Map Series To Replace The Future Land Use Map To Identify The Beach Area, To Include The Lake Worth Lagoon In The Conservation Future Land Use Designation, To Amend The Designations Of Public Buildings To Have A Public Future Land Use Designation, To Amend The Future Land Use Designations Of Park Sites Owned By Local Governmental Agencies And The Preservation

Foundation Of Palm Beach To The Recreation Future Land Use Designation, To Amend The Future Land Use Of The Former U.S. Post Office Located At 95 North County Road That Is Now Privately Owned To The Commercial Future Land Use Designation, And To Establish Associated Acronyms For Each Future Land Use Designation And To Update The Archaeological Sites Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date. *[This item shall be deferred to the June 10, 2026, Town Council meeting, pending responses from the state review agencies.]*

****Note: This item was deferred to June 10, 2026, upon the approval of the agenda.***

18.4 13-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Official Zoning Map By Replacing The Existing 1974 Official Zoning Map Of The Town Of Palm Beach Last Updated September 2024 With A New 2026 Official Zoning Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date. *[This item shall be deferred to the June 10, 2026, Town Council meeting, pending responses from the state review agencies.]*

****Note: This item was deferred to June 10, 2026, upon the approval of the agenda.***

18.5 14-2026 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 2, R-Aa Large Estate Residential District, At Section 134-791, Accessory Structures, To Allow An Additional Accessory Structure Containing Bedrooms With Bath Facilities, Division 3, R-A Estate Residential District, At Section 134-841, Accessory Structures, To Allow An Additional Accessory Structure Containing Bedrooms With Bath Facilities, Division 4, R-B Low Density Residential District, At Section 134-891, Accessory Structures, To Allow An Additional Accessory Structure Containing Bedrooms With Bath Facilities; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Mr. Bergman read Ordinance 014-2026 by title only.

Council Member Araskog recommends that the use be designated as a special exception.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to adopt Ordinance 014-2026. The motion was carried 3-1, with Council President Cooney dissenting.

18.6 15-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings And Building Regulations, Article II, Administration Of Planning, Zoning & Building, Division 5, Demolition, To

Amend Section 18-112, Prohibition On Demolition By Changing The Start And Stop Dates Of The Demolition Season; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Mr. Bergman read Ordinance 015-2026 by title only.

Mayor Moore stated she would like to prohibit demolition from starting on a Saturday. Mr. Bergman said that type of work is strictly prohibited everywhere except for Worth Avenue.

Council President Cooney called for public comment. No one indicated a desire to speak.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran to adopt Ordinance 015-2026. The motion was carried unanimously, 4-0.

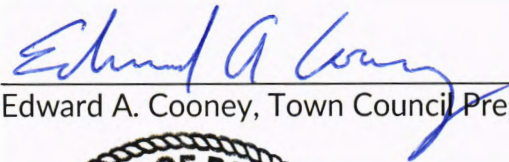
ANY OTHER BUSINESS

No other business was discussed at this time.

ADJOURNMENT

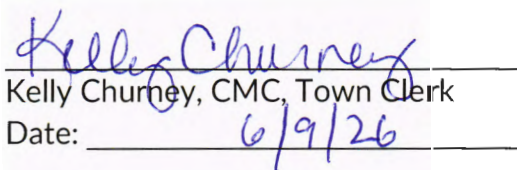
A motion was made by Council Member Moran and seconded by Council President Pro Tem Crampton to adjourn the meeting at 12:41 PM. The motion was carried unanimously, 4-0.

APPROVED:



Edward A. Cooney, Town Council President

APPROVED:


Kelly Churney, CMC, Town Clerk
Date: 6/9/26

