



TOWN OF PALM BEACH

Minutes of the Local Planning
Agency Meeting
Held on May 15, 2024

I. **CALL TO ORDER AND ROLL CALL (05:08)**

The Local Planning Agency Meeting was called to order on May 15, 2024, at 9:31 a.m. On roll call, all elected officials were found to be present except for Mayor Moore, who arrived at 10:04 a.m.

II. **PLEDGE OF ALLEGIANCE (05:42)**

Acting Town Clerk Churney gave the invocation. Council President Lindsay led the Pledge of Allegiance.

III. **COMMENTS OF MAYOR DANIELLE H. MOORE (06:04)**

There were no comments heard at this time.

IV. **COMMENTS OF TOWN COUNCIL MEMBERS AND DIRECTOR OF PLANNING, ZONING AND BUILDING (06:11)**

There were no comments heard at this time.

V. **COMMUNICATIONS FROM CITIZENS - 3-MINUTE LIMIT, PLEASE**

There were no comments heard.

VI. **APPROVAL OF AGENDA (07:41)**

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the agenda as presented. The motion was carried unanimously, 5-0.

VII. **ORDINANCES (08:03)**

A. **Second Reading**

1. **Amending the Town of Palm Beach Comprehensive Plan Future Land Use Element Policy 2.3.6 related to the Private Group Use Future Land Use Designation. ((08:08)**

ORDINANCE NO. 005-2024: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Adopted 2017 Town Of Palm Beach's Comprehensive Plan, Pursuant To Chapter 163, Florida Statutes; Amending The Goals, Objectives, And

Policies Of The Comprehensive Plan Future Land Use Element Within The Comprehensive Plan; Amending The Town Of Palm Beach Comprehensive Plan Future Land Use Element Policy 2.3.6 Related To The Private Group Use Future Land Use Designation; Amending Policy 2.3.6 To Remove The Maximum Lot Coverage And To Allow, In Limited Circumstances, The Maximum Building Height To Be Three Stories With Town Council Approval; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Herewithin; Providing For Codification; Providing An Effective Date.

Mr. Bergman, Director of Planning, Zoning and Building, introduced Ordinance Nos. 005-2024 and 006-2024. He stated upon review by State agencies, there were no comments provided to the Town.

Attorney Joanne O’Conner read Ordinance No. 005-2024 by title only.

Harvey Oyer, attorney for the Four Arts, made a presentation on the two ordinances. He reviewed the changes to the text amendment requested by the Town Council.

Mr. Oyer said the on-site residential unit was mostly unoccupied. On occasion, if a guest speaker was on campus, they would be allowed to use the residential unit. He said the original Declaration of Use specifically set forth how the residential unit could be used.

Council Member Lindsay asked about special exception uses for outdoor promotional events. Mr. Oyer stated that the Town Council indicated that there were already sections of the Code to govern outdoor promotional events. Council Member Araskog thought the language could be better clarified to reflect the type of events. She asked if a special approval could be required for events that were not considered cultural. Mr. Bergman pointed out that the section of the Code referenced contained detailed requirements for outdoor events. The uses required a special exception, and a Declaration of Use could be developed to allow for limitations.

Council Member Araskog mentioned the accessory café and wondered if the use of the café could be limited to patrons of The Four Arts. Mr. Oyer stated that he had included a sentence in the document that referenced this, but it had been stricken. Mr. Oyer was agreeable with adding the language back into the document to indicate the café would only serve patrons of the not-for-profit cultural and arts institution.

Council Member Araskog raised concern about the language under (11) Planar break, the reference to buildings that exceeded 140 feet in length. She wondered if buildings described could be approved by special exception only. Her concern was that the Town could be bound to the language in the amendment, prohibiting others from automatically getting 140 feet without a Planar break. Mr. Oyer said the rest of the town was 175, which had been reduced to 140 for this amendment.

Ms. Hofmeister-Drew clarified that town-serving and Worth Avenue's maximum building length was 150 feet. Council Member Araskog asserted that she wanted to see the word “maximum” reflected in the language about building height with planar breaks. Ms. Hofmeister-Drew stated that Sean

Suder of ZoneCo, had reviewed this. She asked if the document had a section for a maximum building length. She suggested language to add a length or state that buildings shall have a maximum of 150 or 175 by introducing a planar break. She noted these design elements were being considered in the ongoing code review. Mr. Oyer said a variance would be required once a finite amount was in the language. Council Member Araskog thought a special exception would be best. Attorney O'Connor advised that a special exception use could be required.

Keith Spina, with Spina O'Rourke, stated that all new buildings exceeded 175 feet but had planar breaks. Ms. Hofmeister-Drew found 150 feet to be the maximum allowed by code. Council Member Araskog also asked that the language exempted existing buildings.

Clerk's note: Mayor Moore arrived at 10:04 a.m.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to recommend Ordinance No. 005-2024 to the Town Council for adoption. The motion was carried unanimously, 5-0.

2. [Text Amendment amending Chapter 134, Zoning, to create a new Division 16. CI Cultural Institutional District. \(47:38\)](#)

ORDINANCE NO. 006-2024: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 134, Zoning, Article VI, District Regulations; Amending Sections 134-1482-134-1500. - Reserved, To Create A New Division 16. CI Cultural Institution District; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Herewithin; Providing For Codification; Providing An Effective Date.

Mr. Oyer went through the Future Land Use (FLU) Amendment.

Council President Lindsay asked about the ordinance's verbiage regarding maximum lot coverage and the ability to allow, in limited circumstances, a maximum building height of three stories with Town Council approval. For the future, she suggested adding language to clarify further that additional stories would be subject to approval in the sole discretion of the Town Council. Mr. Oyer said that would be part of the Future Land Use (FLU) Amendment.

Mr. Oyer said if anything were changed, the process would have to start over with the State, which would take an additional 45-60 days. He thought the document was clearly outlined items that the Town Council would have to approve. Attorney O'Connor advised that the title of the comprehensive plan could not be changed. A change in the comprehensive plan had to return to the State. She recommended keeping changes to a minimum.

There were no public comments.

Attorney Joanne O'Conner read Ordinance No. 006-2024 by title only.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to recommend the amended Ordinance No. 006-2024 to the Town Council for adoption. The motion was carried unanimously, 5-0.

VIII. ANY OTHER MATTERS

No other matters were discussed at this time.

IX. ADJOURNMENT (48:26)

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to adjourn the meeting at 10:15 a.m. The motion was carried unanimously, 5-0.

APPROVED:

Bobbie D. Lindsay, Town Council President

ATTEST:

Kelly Churney, Acting Town Clerk
Date: _____