

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 10, 2019

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Josh Martin, Director of Planning, Zoning & Building

Re: Review of the Decision by the Landmarks Preservation Commission Regarding Placing the Sea Streets Under Consideration as a Historic District

Date: September 26, 2019

BACKGROUND

As you know, the Landmarks Preservation Commission (“LPC”) voted unanimously on August 21, 2019, to place the Sea Streets under consideration as a historic district. After this action, numerous residents and interested parties contacted the Town regarding this decision, some residents in support of the historic district, but most of the letters, emails, and reports from the residents and interested parties were not in support of the historic district consideration. The Town Council discussed this matter at their September 11, 2019 Development Review meeting, but were advised at that moment that they could not overturn the decision of the LPC to place the area under consideration as a historic district, although the Town Council does have the final say in whether a historic district is ultimately designated. The Town Council voted at their meeting to strongly recommend that the LPC remove the Sea Streets from consideration as a historic district. The Town Council at the same time approved holding an education symposium on historic preservation, to be scheduled later this year. At their meeting on September 18, 2019, the LPC again voted to place the Sea Streets under consideration as a historic district, although the vote changed to 5-2 in support.

GENERAL INFORMATION

Please refer to John Randolph’s email message of September 24, 2019 regarding his legal opinion on the ability of the Town Council to review any decision of the LPC – and their ability to reverse the decision of the LPC to place the Sea Streets under consideration as a historic district. This involves code section 54-41, Appeals and Review. As Mr. Randolph points out, the Town Council has the ability to hear appeals of any ruling of the LPC. They can also, on their own, “review” any decision of the LPC and that their disposition of the matter shall be final. This provides the Town Council with the opportunity to review the decisions of the LPC, and to either support or reverse any of their rulings. This would apply to placing the Sea Streets under consideration as a historic district.

The primary purpose of this staff memorandum is to formalize the ability of the Town Council to review and take action on this matter and to formally place this item on the October 10, 2019 Development Review agenda.

Please contact me with any questions.

Attachments – Code Section 54-41, Appeals and Review

John Randolph's legal opinion, dated September 24, 2019 (emailed to staff on September 25, 2019)

Copies of all letters, emails, and reports provided by residents and interested parties