

# TOWN OF PALM BEACH

Information for Town Council Meeting on: December 10, 2019

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

From: Wayne Bergman, Asst. Director of Planning, Zoning & Building

Re: Landmark Notification Procedures

Date: November 27, 2019

## **BACKGROUND**

This past August, the Landmarks Preservation Commission (“LPC”) voted to place the 100 plus private properties located along the “Sea Streets” under consideration and study for a future Landmark designation. The LPC was able to do this by considering the properties as a possible “historic district”. Chapter 54, Historical Preservation, allows the LPC to place individual properties or districts under consideration, without notice to the property owners and without guidance or direction from the Town Council.

Immediately after this action by the LPC, numerous property owners sent in letters and emails requesting that the LPC and Town Council NOT take such action. The Town Council, at their Development Review meeting held on September 11, 2019, made a motion to strongly request that the LPC rescind their motion to place the Sea Street historic district under consideration for future Landmark designation, and to send the matter of notice to the ORS Committee for their review.

The LPC, at their September 18, 2019, reviewed the strong request from the Town Council to rescind their action to consider the Sea Street district. The LPC again voted, 5-2, to keep the district under consideration for future Landmark designation. The Town Council, at their October 10, 2019 meeting, took action to remove from consideration, without prejudice, the “Sea Streets” as a historic district, based upon Section 54-41 of the Town Code. The Town Council further agreed to allow an educational symposium to move forward on historic preservation, without reference to any specific geographic area of the Town.

## **GENERAL INFORMATION**

The ORS Committee reviewed the LPC notice requirements at their October 24, 2019 meeting. Minutes are attached. Staff presented the item and introduced several suggestions from some of the Town residents. A lengthy discussion took place, with several residents stating that they would like to be notified whenever properties are being considered for either Landmark

designation or inclusion in a historic district. There was mention of concern with any significant changes to Chapter 54, Historical Preservation. At the conclusion of the discussion, Jay Boodheshwar summarized the two main issues involving changes to the existing notice requirements:

1. Should the notification procedures for Landmarking individual properties and historic districts designations be handled separately?
2. How should the Town memorialize the changes? Should the Town modify the existing code (Chapter 54) or simply adopt a new procedure for notice?

Attachments: ORS Minutes, October 24, 2019 Meeting  
Staff memo to ORS, dated October 14, 2019  
Draft code changes to Chapter 54, Section 54-164 to add notice requirement for any property about to be placed under consideration for Landmark designation or as part of a historic district  
Other municipal Landmark ordinances  
Emails from Residents about the notice requirement draft  
Ordinance 1-79  
Town Council Minutes, January 9, 1979 Meeting  
Town Council Minutes, February 13, 1979 Meeting

WRB