

# TOWN OF PALM BEACH

Information for Town Council Meeting on: June 9, 2021

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To: Mayor and Town Council

From: Wayne Bergman, Director of PZB

Via: Kirk Blouin, Town Manager

Re: Arcom and LPC Architect Exemptions – Ordinances 09-2021 & 10-2021

Date: May 5, 2021

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## BACKGROUND:

The Town codes for both Architectural Review and Landmarks Preservation Commissions state that once five (5) conflicts of interest for any Commission member is reached in a calendar year, that Commissioner is automatically removed from the Commission. Several Commissioners and Town Council members have questioned whether that number of conflicts of interest, five, is the appropriate number for architects and for the landscape architects that are required by code to serve on the Commissions. The thought is that good design professionals, in most cases, are active in their profession and may work for Town residents. Many of them are quite busy with their practice. It seems unreasonable for a well-regarded design professional, with an active practice involving Town projects, to be automatically removed from the commission solely because they follow the ethics rules and disclose their conflicts of interest.

In consultation with Skip Randolph, and with Town Council direction, staff drafted two ordinances to exempt the required architects, landscape architects, or master gardener, from the current code provisions that would result in automatic removal. These two ordinances now trigger a Town Council review of the conflicts, not an automatic removal of the architect from the Commission. The Town Council could review the circumstances and decide if removal of the architect is needed. The Town Council shall have sole discretion as to whether an architect should be removed. Another change is that the two architects that serve on Arcom would not have minor projects count towards the number of conflicts that would trigger a review.

These comments were reviewed with Skip Randolph and the ordinances were approved on First Reading last month.

Ordinance 09-2021 amends Chapter 18, Building and Building Regulations, Article III, Architectural Review, as described above. Ordinance 10-2021 amends Chapter 54, Historical Preservation, Article II, Landmarks Preservation Commission, as described above. Both ordinances are ready for adoption on Second Reading.

Attached: Ordinance 09-2021  
Ordinance 10-2021

WRB