



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON TUESDAY, DECEMBER 7, 2021

I. CALL TO ORDER AND ROLL CALL

The Town Council Special Meeting of Tuesday, December 7, 2021, was called to order at 9:31 a.m. in the Town Council Chambers. On roll call, all council members were found to be present.

II. PRESENTATIONS

A. A Review of the Town's Comprehensive Plan

Wayne Bergman, Director of Planning, Zoning & Building, presented a PowerPoint Presentation explaining what a Comprehensive Plan is and providing a history of the Town's Comprehensive Plan and its amendments. He explained the elements that comprise the Town's Comprehensive Plan and outlined what is included within the elements. Future Land Use Element, Transportation and Housing Element, as well as Historic Preservation Elements are the primary elements utilized by the Planning, Zoning and Building Department. He outlined specific goals, objectives and policies included in the Future Land Use Element, such as protection of the Town's history and charm, addressing issues with tourism and traffic, the intensification of use, construction of out of scale homes, and promotion of town-serving businesses. He provided background on the Transportation Element and reviewed recommendations made by the Element and outlined the one goal of the Element, as well as its objectives and policies. He also provided background on the Housing Element, spoke regarding the census numbers for the Town, explained what the Element covers and explained that it does not fully address the size of homes, which can be addressed in the next version. He explained the Element's one goal, policies and objectives. He briefly provided an overview of the Infrastructure Element, Coastal/Conservation Element, Recreation/Open Space Element, Intergovernmental Coordination Element, Capital Element, Historic Preservation Element (optional) and Public Safety Element (optional). He addressed the process of comprehensive plan amendments and explained small-scale and large-scale amendments. He spoke regarding the necessity

of ensuring the Town's Zoning Code remains consistent with the Comprehensive Plan. He outlined the next steps for the Comprehensive Plan Amendment process.

B. Discussion on the Review of the Town's Comprehensive Plan

Mayor Moore stated that copies of the Garden's Club original plan have been distributed to Town Council.

In response to a question from Council Member Araskog, Town Attorney Randolph clarified that the Zoning Ordinances must follow the Comprehensive Plan and explained what could be construed as an "intensification of use."

Zoning Manager, Paul Castro, provided further clarification of the Comprehensive Plan Elements and their Goals, Objectives and Policies.

Council President Pro Tem Lindsay spoke regarding the State not being able to preempt the Town's Comp Plan and Director of Planning, Zoning & Building Bergman spoke regarding the approval process and the ability for the State and County to provide input and approval. Council President Pro Tem Lindsay spoke regarding three areas that are impacting the Town: Land Use, Housing and Transportation and she expressed concern that all of the Town's Commissions understand that not just the Zoning Code, but also the Comprehensive Plan should be reviewed when approving projects.

Council Member Crampton spoke regarding the Comprehensive Plan not being a regulatory document and spoke regarding how the census numbers do not reflect the activity of the Town. He spoke regarding the need to make major changes of the Plan. Zoning Manager Castro spoke regarding the 2017 amendment to the Comprehensive Plan, which only updated the data and census numbers.

Council President Zeidman stated that the Comprehensive Plan is at odds with what the Town has become. She spoke regarding the purpose of the workshop and expressed the importance of the Commissions being apprised of the Comprehensive Plan and reviewing it moving forward.

In response to a question from Council Member Cooney, Town Attorney Randolph provided clarification of the role of the Comprehensive Plan to the Commissions. Additionally, Director of Planning, Zoning and Building Bergman spoke regarding the criteria that are required for decisions that come before the Commissions and stated that staff is looking into incorporating the policies and objectives that are included in the Comprehensive Plan in their agenda memos.

Council Member Araskog emphasized the importance of Intergovernmental Relations and Coordination on key issues and the importance of moving quickly on several of the policies to be included in the Comp Plan.

Council President Pro Tem Lindsay requested clarification on the timeline for adopting Code regulations that are consistent with the Comprehensive Plan. She spoke regarding conducting incremental Code reform with amending the Comprehensive Plan.

In response to a question from Council Member Cooney, Director Bergman and Town Attorney Randolph spoke regarding the Town Code and Comp Plan addressing Property Rights legislation.

Council Member Crampton spoke regarding how the State review has been diminished and that the Council should be able to address issues that are relevant to the Town. He spoke regarding three major threats to the Town: a major hurricane, sea level rise, and growth. He spoke regarding principles he will be following while going through this process: respecting tradition while managing change; understanding that the process is as important as the product; and keeping an emphasis on a healthy economy. He spoke regarding the benefit of having three Council Members who have lived in the Town for the majority of their lives.

Council President Zeidman asked a question regarding town-serving businesses and spoke regarding how Worth Avenue is no longer town-serving. Town Attorney Randolph spoke regarding Worth Avenue becoming region-serving prior to the Town Council adopting regulations emphasizing town-serving businesses. Zoning Manager Castro spoke regarding a memo and back up that will be re-distributed to Town Council that outlines the town-serving regulations and what businesses must prove in order to open in the Town. Council President Zeidman stated that an item on town-serving businesses will be on the December Development Review Agenda.

Council President Pro Tem Lindsay spoke regarding how the Code and actions that have been made by the Town Council may not reflect some of the growth policies and goals that are in Comprehensive Plan, such as town-serving businesses and intensification of use, and building of large-scale homes, especially in the R-B District.

Council Member Araskog spoke regarding the proliferation of large-scale homes throughout the entire Town. In response to a question by Council Member Araskog, Zoning Manager Castro explained the history of when the Town adopted regulations pertaining to town-serving businesses and explained the size of businesses that must abide by those regulations.

III. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Anita Seltzer, 44 Cocoanut Row, spoke regarding the knowledge of individuals who have lived in the Town for many years. She spoke regarding the online version of the Comprehensive Plan being a redlined version and requested a clean version, as well as the redlined version that was sent to the State, be made available on the website.

Susan Gary, 229 Onondaga Avenue, expressed support of an extensive review of the Town's Comprehensive Plan and emphasized the importance of the preservation of the Town's neighborhoods.

Anne Pepper, 333 Seaspray Avenue (via Zoom), spoke regarding the issue of the Town's ordinances and actions have not been following the vision, goals and policies of the Comprehensive Plan. She emphasized the importance of having Code reform to maintain the vision and goals of the Comprehensive Plan.

Council President Zeidman spoke regarding the Comprehensive Plan needing to be redlined when it is sent to the State. Discussion ensued regarding the ability for a clean version to be posted on the City website and Director Bergman stated that a clean version would be posted online.

Council Member Araskog requested clarification from Town Attorney Randolph about items in the Executive Summary being included in the policies and goals. He spoke regarding the importance of amending the Town's regulations to follow the goals and policies of the Comprehensive Plan.

Council President Zeidman spoke regarding the Comprehensive Plan being considered the "Constitution" of the Town and that it is very broad. Discussion ensued regarding the importance of reviewing the Zoning Code to ensure that they are consistent with the Comprehensive Plan's goals and objectives.

Mayor Moore expressed appreciation to the Town Council for taking on the large task of a full review of the Comprehensive Plan and reminded the residents that the Town Council is doing its best to make decisions that are best for the entire Town.

V. ADJOURNMENT

The meeting was adjourned at 11:14 a.m. without benefit of a motion.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Kelly Churney, Deputy Town Clerk