



# TOWN OF PALM BEACH

Planning & Zoning Commission

## MEETING MINUTES OF THE PLANNING & ZONING COMMISSION HELD ON WEDNESDAY, FEBRUARY 6, 2024

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting may access the audio of that item via the Town's website at [www.townofpalmbeach.com](http://www.townofpalmbeach.com) or may obtain an audio recording of the meeting by contacting Kelly Churney, Acting Town Clerk, at (561) 227-6340.

### **I. CALL TO ORDER AND ROLL CALL**

Chair Coniglio called the meeting to order at 9:30 a.m.

Gail Coniglio, Chair	PRESENT
Eric Christu, Vice Chair	PRESENT
Michael Spaziani, Member	PRESENT
Richard Kleid, Member	PRESENT
Marilyn Beuttenmuller, Member	PRESENT
Jorge Sanchez, Member	PRESENT
John Tatoes, Member	PRESENT
William Gilbane, Alternate Member	PRESENT
Nicki McDonald, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building  
Jennifer Hofmeister-Drew, Planner III  
Kelly Churney, Acting Town Clerk  
Joanne O'Connor, Town Attorney

### **II. PLEDGE OF ALLEGIANCE**

Ms. Churney led the meeting with an invocation. Chair Coniglio led the Pledge of Allegiance.

### **III. APPROVAL OF AGENDA**

Ms. McDonald asked if it would make sense to switch items VI. A and VI. B so that the latter would be heard first. After some discussion, the commission decided to listen to the items in order as they were listed.

**A motion was made by Mr. Christu and was seconded by Mr. Kleid to approve the agenda as presented. The motion was carried unanimously, 7-0.**

### **IV. APPROVAL OF THE MINUTES**

- A. Approval of the January 3, 2024, Planning and Zoning Commission Meeting Minutes

**A motion was made by Mr. Kleid and was seconded by Mr. Spaziani to approve the minutes of the January 3, 2023, Planning & Zoning Commission meeting as presented. The motion was carried unanimously, 7-0.**

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

No one indicated a desire to speak.

**VI. UPDATE ON COMPREHENSIVE PLAN**

**A. Draft 2024 Town of Palm Beach Comprehensive Plan Update**

Strike-Through and Underline Version of the Data and Analysis and Goals, Objectives, and Policies of the following Elements presented at the January 3, 2024, PZC Meeting

- Future Land Use – 4th Revision, new edits shown in blue.
- Housing – 3rd Revision, new edits shown in blue.
- Historic Preservation – 3rd Revision, new edits shown in blue.
- Public Safety – 3rd Revision, new edits shown in blue.
- Recreation and Open Space – 3rd Revision, new edits shown in blue.
- Property Rights – 3rd Revision, new edits shown in blue.
- Coastal Management – 2nd Revision, new edits shown in purple.
- Conservation – 2nd Revision, new edits shown in purple.
- Capital Improvement – 2nd Revision, new edits shown in purple.
- Intergovernmental Coordination – 2nd Revision, new edits shown in purple.

Ms. Hofmeister-Drew provided a summary of changes made based on comments from the Planning and Zoning Commission and the public.

Joanne O'Connor, Town Attorney, addressed the requested change concerning the words “will” and “shall” throughout the comprehensive plan. She stated that in Florida case law, the word “shall” was used in comprehensive plans throughout the state. She recommended the consistent use of “shall” throughout the comprehensive plan.

Mr. Spaziani referenced page 21 of 411 and asked staff to clarify mark-ups in the paragraph that contained “to prevent critical and dangerous overuse of its streets...” as it had been crossed out. He believed that was the most crucial paragraph in the comprehensive plan and thought it should remain in the document. The Commission agreed and directed staff to reinsert that paragraph.

A question was raised about the wording used in Future Land Use Element Goals, Objectives and Policies, Policy 1.3. The Commission preferred not to use the word “primarily or predominantly” before “residential community.” The Commission also pointed out that it needed to be clear in the comprehensive plan that the community was built out, apart from the already approved construction that was in process.

Chair Coniglio thought references to phases that had completed undergrounding seemed meaningless if the undergrounding project was completed.

Ms. Beuttenmuller thought the graphic on page 145 should be removed.

Chair Coniglio allowed for public comment.

Anita Seltzer, 44 Coconut Row, referencing page 15 of 511, questioned if the language “together these residents of Palm Beach donate more money to charity per capita than any other community in America” was appropriate in the comprehensive plan. Chair Coniglio responded as to why she thought that information was pertinent.

Ms. Seltzer referenced page 21 of 511, where the portion added, “The town recognizes that there are sites that may be redeveloped that would increase the population and aggregate the existing traffic problems.” She said there were likely to be commercial redevelopment projects, and she wondered if the word “population” had been correctly used since commercial development would draw people who do not live on the island.

Mr. Bergman thought Ms. Seltzer’s recommendation may be appropriate; he suggested “residential density and commercial intensity” could replace “population.” Ms. Seltzer said there were other places where “population” was used that she believed could also be changed.

There was some discussion about the historical information contained in the comprehensive plan.

There was a consensus of the PZC to leave the historical information in the document.

#### B. Draft 2024 Town of Palm Beach Comprehensive Plan Update

First Review of Strike Through and Underline Version of the Data and Analysis and Goals, Objectives, and Policies of the following Elements

- Transportation Element – 1<sup>st</sup> Revision, new edits shown in green.
- Infrastructure Element – 1<sup>st</sup> Revision, new edits shown in green.

Beginning with the Infrastructure Element, Ms. Beuttenmuller asked that the graphic for pickleball and basketball be removed.

Ms. Hofmeister-Drew reviewed the map series that had been included in the plan. She said the map series would be interactive once the document was adopted. She also studied the infrastructure element and summarized changes made based on comments from the Planning and Zoning Commission and the public. She noted that Public Works staff members were included in the process.

Ms. Coniglio asked if the drainage system provided an overview of what existed and if the same information was available for water. Ms. Hofmeister-Drew responded that the town maintained some of the public infrastructure, but a portion was maintained by West Palm Beach. Ms. Coniglio asked if the town was going forward with a contract with the City of West Palm Beach and if that physical system was being accepted by the community as it was. She wanted to know if there would be value in incorporating information about the system's physical condition into the document at this time. Ms. Hofmeister-Drew explained that there were ongoing negotiations with potable water, which was why the policy stated that it had to be determined. She also noted that the town did preventative maintenance. Regarding new development, every project was reviewed by Public Works or whatever purview deemed necessary. She said it had been clearly stated that the town’s public facilities met the standard level of services, and the comprehensive plan was based upon a 20-year horizon. Mr. Gilbane asked if all entitled but not yet built projects were included. Ms. Hofmeister-Drew said

that an analysis was being done at this time concerning the impacts of entitled development.

Mr. Christu asked about language in the plan, which pertained to flooding, and an assessment that was in place but scheduled to be in the current year. He wondered if that assessment would be integrated into capital improvement and if that should be translated into some further goal/objective. Ms. Hofmeister-Drew said that information could be incorporated into the plan with more specificity.

Mr. Bergman interjected that what was being discussed was a life cycle study of the pumps and the drainage system in place. While private properties are designed and required by code to retain the first two inches of stormwater, once that is exceeded, the water drains into the street, goes into the drain system, and ends up in the intercoastal waterway. He said the Lucity program would monitor the pumps and systems' lifecycle and provide data upon which decisions may be made for future infrastructure needs.

In the summary regarding converting overhead utilities to underground, Ms. Coniglio thought the word "safety" should be added.

In the Transportation Element, the paragraph that started as follows: "to maintain the quality of life which has given the town its unique and historic character..." was an essential paragraph and should be put into the plan. Still, it should also state, "reduce residential density and commercial intensity." Ms. Hofmeister-Drew said that statement could be added to the executive summary. Mr. Bergman thought it was reflected in the Goal.

Ms. Beuttenmuller asked if the list of signalized and non-signalized streets needed to be in the document. Ms. Hofmeister-Drew said she could condense that list into a statement.

Ms. McDonald suggested the removal of reference to municipalities with populations greater than 50,000. Ms. Hofmeister-Drew said she would remove that reference. Mr. Gilbane thought it should be recognized in the comprehensive plan that the county's growth impacted the Town of Palm Beach.

Mr. Bergman said traffic was a considerable concern. The Corradino Traffic and Parking Study was completed and will be presented to the Town Council on February 13, 2024. He cautioned the Planning and Zoning Commission to be careful getting into the details of the study since it is technically based, and the comprehensive plan is policy-based.

Ms. Coniglio asked why the primary access points for which the Florida Department of Transportation (FDOT) was responsible were not listed in Policy 4.2; she cited some examples. Ms. Hofmeister-Drew stated she would make updates.

Ms. McDonald thought the wording should be fine-tuned regarding the town continuing to encourage the Florida Coast Guard to reduce the number of bridge openings during rush hour traffic.

Chair Coniglio allowed for public comment.

KT Catlin, 265 Fairview Road, discussed suggested information for addition to the comprehensive plan. She also pointed out what she thought were some red flags that should be addressed. She provided a copy of the suggestions to Ms. Churney for the

record.

Mr. Sanchez thought it would be an excellent enterprise for the town to engage construction companies to park on the town-owned property across the bridge.

Anita Seltzer, 44 Cocoanut Row, had several suggestions about the comprehensive plan. She thought the transportation element should be the second element in the plan. She referred to page 373, the new text under “Florida Requirements for the Transportation Element,” stating that she thought the Transportation Element should follow the Future Land Use.

Ms. Seltzer suggested some of the stricken language be added back in (i.e., to preserve the quality of life in the town and concentration of general traffic along a limited number of streets.) She said that paragraph appeared twice in the existing comprehensive plan.

Ms. Hofmeister-Drew explained that the Florida Statutes listed all the elements of a comprehensive plan and how she reordered the elements for the plan. It was agreed upon that following Future Land use by Transportation was valuable. Ms. Hofmeister-Drew said she would do more in the executive summary to tie those two elements together.

Ms. Seltzer’s suggestions were discussed and submitted to Ms. Churney. Ms. Seltzer questioned the results of the traffic and parking study and wanted to ensure it would be thoroughly vetted to avoid any unintended consequences resulting from policies.

Ms. Hofmeister-Drew explained that the comprehensive plan was intended to be adopted in April; now, it would not be adopted until August with a 31-day appeal period. Putting policies in place that shall be considered would not change the code or the parking regulations. As part of the study, not only did it contain professional opinions, but it also analyzed other local governments similar in size. The study was looking at the parking requirements compared to other cities. She said if the language in the plan was too specific, it could be appropriately adjusted. Ms. Hofmeister-Drew offered to meet with Ms. Seltzer to discuss her suggestions further.

Martin Klein, 1060 N. Ocean Blvd., concurred with Ms. Seltzer that the Corradino Study should be vetted before data is placed in the comprehensive plan.

Ms. Hofmeister-Drew responded to some of the comments provided. She stated she would look at the transportation element to see if some data points were too specific and time-certain. She said it should be a long-range document, leaving much information up to the vetting process through the traffic and parking study.

- C. Draft 2024 Town of Palm Beach Comprehensive Plan Update
  - a. Map Series

## **VII. COMMENTS FROM THE PLANNING AND ZONING COMMISSIONERS**

No one indicated a desire to speak at this time.

**VIII. COMMENTS FROM THE PLANNING, ZONING & BUILDING DIRECTOR**

No comments were heard at this time.

**IX. ADJOURNMENT**

**A motion was made by Mr. Christu and was seconded by Mr. Spaziani to adjourn the meeting at 12:13 p.m. The motion was carried unanimously, 7-0.**

Respectfully Submitted,

Gail Coniglio, Chair  
Town of Palm Beach  
Planning & Zoning Commission

kmc