

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING HELD ON THURSDAY, MARCH 5, 2015

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on Thursday, March 5, 2015, at 2:05 p.m., in the Town Council Chambers. On roll call, all Committee Members were found to be present.

II. APPROVAL OF AGENDA

Chair Townsend passed the gavel to make a motion to approve the Agenda. The motion was seconded by Committee Member Moore. On call for a vote, the motion carried unanimously.

III. COMMUNICATIONS FROM CITIZENS – None

IV. REGULAR AGENDA

A. Old Business

1. Update on Possible Codification of Business Association Special Events
(Paul W. Castro, Zoning Administrator)

Zoning Administrator Castro provided an update regarding possible codification of business association special events.

Chair Townsend requested that Staff meet with the business community and involve them in this process. She requested that the need to be sensitive to the economy be balanced with the preservation of the residential nature of the Town.

It was the consensus of the Committee to defer this item to the May 7, 2015, ORS Committee meeting.

2. Update on Alternative Plans Review and Inspection (Private Provider) Program (Veronica Close, Assistant Director of Planning, Zoning and Building)

Robert Moore, 318 Bunker Ranch Rd., West Palm Beach, expressed concerns regarding the proposed Program's compliance with State statutes and requested a deferral of the item to meet with Staff to discuss his concerns, and those of other interested parties.

It was the consensus of the Committee to defer this item to the April 2, 2015, ORS Committee meeting.

3. Review of Ordinance and Final Draft of Chapter 18, Buildings and Building Regulations, Valet Parking Sign Standards, Town of Palm Beach Code of Ordinances (*Veronica Close, Assistant Director of Planning, Zoning and Building*)

Assistant Director of Planning, Zoning, and Building Close provided an overview of the proposed amendments.

Discussion ensued regarding the Designation Manual and whether the proposed amendments could be heard prior to the Manual being formally approved by the Town Council, valet sign/podium height limits, and the need to include a definition for bulkhead line.

Staff was directed to determine the height of Buccan's valet podium. Later in the meeting, Code Enforcement/Parking Manager Houston reported that Buccan's valet podium is 48 inches high. The Committee approved 48 inches as the maximum valet sign/podium height and Staff was directed to incorporate that dimension into the final draft of the ordinance.

It was the consensus of the Committee to recommend that the Town Council approve the proposed final draft of Chapter 18, with the following amendments:

- **Sec. 18-843(a)(2):** ~~"The sign/podium shall be provided by the public works department of the town approved by the town and shall be of one common size as determined by the town no larger than 24 inches wide, and 19 inches deep, and 48 inches high..."~~
- **Sec. 18-278:** Add "bulkhead line" to the definitions by adding a reference to Chapter 62, Article II

4. Review of Ordinance and Final Draft of Florida Building Code Administrative Amendments (Chapter 1) (*Veronica Close, Assistant Director of Planning, Zoning and Building*)

Assistant Director of Planning, Zoning, and Building Close provided an overview of the proposed amendments.

Discussion ensued regarding the timeframe for review of the Resident Inspector Program.

It was the consensus of the Committee to recommend that the Town Council approve the proposed final draft of the Florida Building Code Administrative Amendments (Chapter 1).

5. Update on Short Term Rentals in Residential Areas (*John C. Randolph, Town Attorney*)

Town Attorney Randolph provided an update on the Town's options regarding short-term rentals and an overview of regulations adopted by other municipalities. He recommended taking the matter to the full Town Council for further direction.

Discussion ensued regarding not wanting to create burdensome requirements and ORS only reviewing items referred to it by the full Town Council.

It was the consensus of the Committee to take this matter before the full Town Council for their direction.

6. Review of Proposed Modifications to Chapter 62, Marine Structures, Relative to Bulkheads (*H. Paul Brazil, Director of Public Works*)

Director of Public Works Brazil provided an overview of the proposed modifications to Chapter 62.

Discussion ensued regarding comparing private bulkhead line surveys against the official map, effects of moving the seawall waterward, Bert Harris implications, and the North Ocean Boulevard seawall.

Town Attorney Randolph stated that he needed to review the proposed modifications further to determine if there would be any Bert Harris implications with moving the seawalls.

It was the consensus of the Committee to defer this item to the April 2, 2015, ORS Committee meeting.

B. New Business

1. Review of Section 118-13. (Buses, Commercial Vehicles Limited to State Highways) and Potential Annual Bus Permit Fee (*Ann-Marie Taylor, Police Captain*)

Captain Taylor provided an overview of Staff's recommendation against an annual Bus Permit fee.

It was the consensus of the Committee to approve Staff's recommendation against an annual Bus Permit fee.

2. Review of Process and Mail Ballot for Underground Utility Assessment Program (*Jay Boodheshwar, Deputy Town Manager*)

Deputy Town Manager Boodheshwar requested a deferral of this item until after the Town-wide Undergrounding Project discussion scheduled for the April 14, 2015, Town Council meeting.

It was the consensus of the Committee to defer this item to the May 6, 2015, ORS Committee meeting.

3. Review Proposed Amendment of Application for Boards and Commissions (*Jay Boodheshwar, Deputy Town Manager*)

Discussion ensued regarding applicant background checks, priority given to Recreation Advisory Board applicants that utilize recreational facilities, the number of alternates on the Code Enforcement Board, the administrative policy regarding applications and agenda backup, applicant presentations, placement of appointments on the agenda, applicant preparation to serve, and requiring prior knowledge of the Comprehensive Plan and Zoning Code for Planning & Zoning Commission applicants.

It was the consensus of the Committee to seek Town Council direction regarding further study of this item.

V. **ANY OTHER MATTERS**

Town Attorney Randolph stated that the recent amendments adopted regarding temporary animal permits and regulations overstepped State law, and he recommended rescinding Ordinance No. 2-2015. He advised that Staff will also review the remainder of that section of the Town Code to ensure that all of the original provisions are in compliance with all applicable laws as well. If any further amendments are needed, then the item will be brought back before the Committee at its June 4, 2015, meeting.

Chair Townsend asked if the Committee needed to review the technical variances necessitated by parapets and pitched roofs.

Director of Planning, Zoning, and Building Page responded that the Code reads the way it does on purpose, and that no changes are necessary at this time.

Chair Townsend spoke regarding a complaint she received regarding leaf blowing on Worth Avenue.

Discussion ensued regarding the noise ordinance and other leaf blowing regulations.

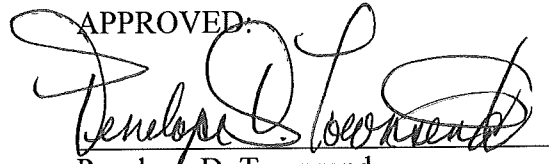
It was the consensus of the Committee to seek Town Council direction regarding further study of leaf blowing versus vacuuming on Worth Avenue.

Chair Townsend spoke regarding the outsourcing of inspections.

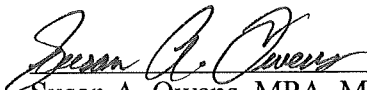
Director of Planning, Zoning, and Building Page stated that all private inspections must still meet all of the Town's criteria.

VI. ADJOURNMENT

There being no further business, the Ordinances, Rules, and Standards Committee Meeting of Thursday, March 5, 2015, was adjourned at 3:11 p.m.

APPROVED:

Penelope D. Townsend
Chair

ATTEST:


Susan A. Owens, MPA, MMC
Town Clerk

4/14/15
Date

