

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE HELD ON WEDNESDAY, FEBRUARY 8, 2012

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee meeting was called to order on Wednesday, February 8, 2012, at 1:30 p.m., in the Town Council Chambers. On roll call, Chairman Diamond and Committee Member Pucillo were present.

II. APPROVAL OF AGENDA

The following changes were made to the Agenda:

ADDITION: Review of proposed emergency Ordinance No. 5-2012, temporarily abating Ordinance No. 25-2011 and establishing interim taxi cab regulations.

Motion was made by Committee Member Pucillo and seconded by Chairman Diamond to approve the Agenda, as amended. On consensus, the motion carried unanimously.

III. PUBLIC COMMENT

Tom Parker, 215 Jamaica Lane, spoke regarding excessive noise coming from his neighbor's generator.

Town Attorney Randolph stated that one of the problems is that there are other non-conforming generators in the Town. He added that an ordinance could not be passed retroactively. At this time, the only remedy is to cite violations as they occur.

Discussion ensued regarding how the Town might be able to better regulate such violations of the noise ordinance. Town Attorney Randolph stated that the Town might be able to amortize out the generators.

Committee Member Pucillo raised the question as to whether or not something could be done if so many citations are issued within a given time period.

Town Attorney Randolph stated that he would look into both matters, and report back to the Committee.

1 Les Evans, 214 Brazilian Avenue, spoke regarding the designation of parking spaces as
2 commercial and residential.

3
4 Deputy Town Manager Bradford stated that the Town's policy was to simplify the
5 designations so that they are the same for the entire block. Some blocks have both
6 residential and commercial designations, based upon their location. Staff looks at what
7 the majority of the spaces are designated as, and uses that designation for the entire
8 block.

9
10 **Chairman Diamond requested that staff provide a report on how many blocks are affected**
11 **by this split zoning, and provide recommendations for re-designation of these spaces.**

12
13 Joanne Warshaver, 223 Seminole Avenue, spoke regarding parking on Seminole Avenue
14 and the usage of those spaces by Temple Emanu-El.

15
16 Brenda Schwerin, 215 Seminole Avenue, spoke regarding parking on Seminole Avenue
17 and the usage of those spaces by Temple Emanu-El.

18
19 **Committee Member Pucillo requested that the designation of residential permit parking on**
20 **Seminole Avenue be done all at once.**

21
22 **Chairman Diamond requested that the Town bring to Temple Emanu-El's attention the**
23 **Town's valet parking restrictions, and that the Town will be enforcing its parking**
24 **regulations.**

25
26 **IV. REGULAR AGENDA**

27
28 **A. Old Business**

- 29
30 1. Review of Proposed Amendments to Chapter 18 – Buildings and Building
31 Regulations and Proposed Amendments to the Florida Building Code,
32 Chapter 1, Administration.

- 33
34 a. Sec. 18-166 and Sec. 54-36 of the Town Code of Ordinances
35 Pertaining to ARCOM and Landmarks Preservation Commission
36 Qualification Requirements for Architects.

37
38 Jeff Smith, Smith Architectural Group, 241 Sanford Avenue, spoke
39 regarding the process to become a Florida registered Architect. He
40 also suggested changing the residency requirement for one of the
41 architect positions to requiring that they have an office in the
42 Town.

43
44 Lori Volk, 206 Phipps Plaza, supported allowing one of the
45 architect members to be a non-resident, as long as they are certified

1 in the state of Florida. She also submitted documentation, for the
2 record, regarding the state's architect licensing requirements.

3
4 Alexander Ives, Executive Director of the Preservation
5 Foundation, and ARCOM Member, supported a requirement
6 allowing one of the architect members to have an office in the
7 Town of Palm Beach. He also suggested adding a requirement that
8 an applicant must have specialization in Palm Beach architecture.

9
10 Planning, Zoning, and Building Assistant Director Close
11 responded that the amendment presented includes a provision that
12 one of the architect positions "has a unique or special expertise in
13 Palm Beach architecture".

14
15 **Motion was made by Committee Member Pucillo and seconded by Chairman Diamond to**
16 **approve Staff's proposed amendment regarding ARCOM qualification requirements for**
17 **architects. On roll call, the motion carried unanimously.**

18
19 **Planning, Zoning, and Building Assistant Director Close added that the ARCOM**
20 **application form will be amended to require that applicants list their special expertise.**

21
22 Regarding Item No. IV.A.1., Ted Cooney, 495 N. Lake Way,
23 asked for clarification regarding the intent of defining major and
24 minor projects, notice requirements, appeals, and the scope of
25 ARCOM review for projects that are not visible from the street.

26
27 Discussion ensued regarding how major and minor projects are
28 differentiated, and whether projects not visible from public rights-
29 of-way, both major and minor, are reviewed by ARCOM.

30
31 **Staff was directed to provide a list of typical major and minor projects to ARCOM for**
32 **their determination as to how these projects should be designated, and that ARCOM's**
33 **recommendations be brought back before Committee for further consideration.**

34
35 b. Sec. 18-237. Agreed Maximum Schedule for Completion of
36 Construction.

37
38 Discussion ensued regarding establishing overall time limits for
39 multiple permits issued for one site. Building Official Taylor
40 stated that, in the case of commonly owned multi-unit buildings,
41 the Town could tie the permits and projects together, creating one
42 maximum timeframe for construction on these buildings.

43
44 **Staff was directed to prepare an amendment that would tie permits for work on commonly**
45 **owned multi-unit buildings into one permit, creating one maximum timeframe for work on**
46 **all units, to be brought back before the Committee for further consideration.**

c. Sec. 18-1014. Emergency Measures During Storm Events

By consensus, the Committee approved Staff's proposed amendment regarding emergency measures during storm events.

Anita Seltzer, 44 Cocanut Row, spoke regarding changes to Section 103.2.4, Assistant Building Official Qualifications.

Staff was directed to remove the proposed addition to Section 103.2.4, "or at other such times as determined by the Planning, Zoning and Building Director to be in the best interest of the town".

Discussion ensued regarding construction fences.

Assistant Director Close stated that the next draft of proposed amendments will clarify that wood fences must be painted, and chain link fences must be screened.

Motion was made by Committee Member Pucillo and seconded by Chairman Diamond to approve the Proposed Amendments to Chapter 18 – Buildings and Building Regulations and Proposed Amendments to the Florida Building Code, Chapter 1, Administration, as amended above. On roll call, the motion carried unanimously.

B. New Business

1. Review of Proposed Ordinance Providing for Temporary Group Parking Permits in the Controlled Parking Residential Areas Commonly Referred as "Gainesville Plan Areas."

Joanne Warshaver, 223 Seminole Avenue, spoke in opposition of the temporary permits.

Les Evans, 214 Brazilian Avenue, spoke in opposition of the temporary permits.

Discussion ensued regarding procedures, logistics, timeframes, and fees for the temporary permits.

Marty Silver, 125 Seminole Avenue, spoke in opposition of the temporary permits.

Lori Volk, 206 Phipps Plaza, spoke in support of some regulation, and suggested holding a workshop for affected residents.

Staff was directed to draft a plan that establishes procedures, logistics, timeframes, and fees, to be brought back before the Committee for further consideration.

The Following Item Was Added to the Agenda:

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING
HELD ON WEDNESDAY, FEBRUARY 8, 2012

2. Review of Proposed EMERGENCY ORDINANCE NO. 5-2012
Temporarily Abating the Provisions of Ordinance No. 25-11, Providing
However for a Period of Time until October 1, 2012, Taxicabs as Defined
Herein Are Hereby Authorized to Be Operated Only in Commercial
Zoning Districts of the Town and Only Between the Hours of 6:00 PM to
6:00 AM the Following Day. [Tom Bradford, Deputy Town Manager]

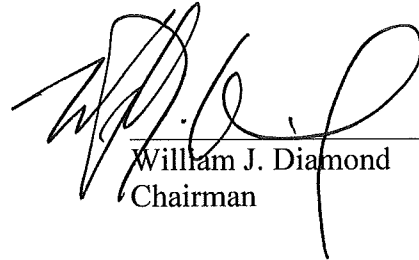
Committee consensus was to take this ordinance, as is, directly to the Town Council for their consideration at the February 16, 2012, Council meeting.

V. ANY OTHER MATTERS – None

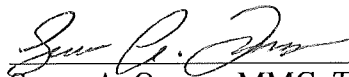
VI. ADJOURNMENT

There being no further business, the Ordinances, Rules, and Standards Committee Meeting of Wednesday, February 8, 2012 was adjourned at 4:41 p.m.

APPROVED:



William J. Diamond
Chairman



Susan A. Owens, MMC, Town Clerk

5/7/13
Date

