



**PLANNING AND ZONING COMMISSION
RECORD AND REPORT
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
TUESDAY, OCTOBER 15, 2013, 9:30 a.m.**

Please be advised that in keeping with a recent 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, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (tape or CD) of the meeting by contacting Debby Morakis, Secretary to the Planning & Zoning Commission at (561) 227-6411. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER AND ROLL CALL (8:58:15 a.m.)

Chair Rose called the meeting to order at 9:30 a.m. On roll call, Commission Members present were:

C. Tanner Rose, Chair
Floyd Wideman, Member
Martin Klein, Member
Lewis Crampton, Member
Bobbie Lindsay Buck, Member
Bruce Langmaid, Member
Alan S. Golboro, Member
Thomas Greenbaum, Alternate Member
Kevin Kenny, Alternate Member

Staff Members present were:

John Page, Director of Planning, Zoning, Building
Veronica Close, Assistant Director
Paul Castro, Zoning Administrator
Debby Morakis, Secretary to the Planning & Zoning Commission

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Morakis led the Commission with the invocation and Pledge of Allegiance.

III. OATH OF OFFICE FOR NEW OR REAPPOINTED MEMBERS

Ms. Morakis administered the Oath of Office to Messrs. Golboro and Klein.

IV. APPROVAL OF THE AGENDA

Mr. Rose suggested the agenda be modified moving item #9 before item #8.

MOTION BY MR. WIDEMAN FOR APPROVAL OF THE AGENDA, AS MODIFIED.

THE MOTION WAS SECONDED BY MR. KLEIN.

MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE.

V. ELECTION OF VICE CHAIR (8:58:53 a.m.)

Chair Rose called for nominations to fill the position of Vice Chair.

**MOTION BY MR. GOLBORO TO NOMINATE MR. KLEIN AS VICE CHAIR.
MOTION SECONDED BY MS. BUCK.**

MOTION BY MR. WIDEMAN TO NOMINATE MR. CRAMPTON.

Mr. Crampton thanked Mr. Wideman but declined the nomination. The motion failed. Mr. Golboro addressed Mr. Klein thanking him for his letter to Council regarding the history of the Planning & Zoning Commission. Mr. Rose agreed that Mr. Klein's letter was very helpful with the presentation to Council on June 11.

MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE AND MARTIN KLEIN WAS DECLARED THE VICE CHAIR.

Comments were heard from Dick Kleid, who stated Marty Klein was the Chairman of the Planning & Zoning Commission at the time when he was appointed to serve on the Commission many years before.

Comments were heard from Mr. Crampton and Chair Rose regarding the recent resignation received from Mr. Cloninger. Both thanked Mr. Cloninger for his service to the Town.

VI. COMMENTS FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA (9:03:08 a.m.)

There were no comments heard from the public at this time.

VII. APPROVAL OF MAY 21, 2013 PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY MINUTES (9:03:22 a.m.)

MOTION BY MR. WIDEMAN TO APPROVE THE MINUTES OF THE MAY 21, 2013 MEETING.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

IX. DISCUSSION ON THE FUTURE ROLE OF THE PLANNING AND ZONING COMMISSION (9:06:45 a.m.)

Attorney Skip Randolph joined the meeting via telephone.

Mr. Page addressed the Commission explaining that Council had raised the possibility of the elimination of the Planning & Zoning Commission at their May Council meeting, continued discussion at their June meeting, deferred immediate action to eliminate the Commission, but, proceeded to designate itself as the Local Planning Agency (LPA). Mr. Page briefly explained the history of the Zoning Commission going back to 1929. Mr. Page added that he felt Council would like to see the Commission meet on an "as needed" basis, with direction from Council.

Chair Rose explained that he and Martin Klein had both addressed Council at their June meeting. Mr. Rose stated that he told Council that he felt their concerns could be addressed by several changes and added that he felt Council would like the Commission to meet as needed but on a year-round basis, with their focus being on Chapter 134, Zoning, and only looking outside Chapter 134 if requested by Council. This would result in fewer meetings and less staff time. Chair Rose asked for comments from the Commission.

Comments were heard from Zoning Administrator Paul Castro who stated that Council had in the past asked the Zoning Commission to sift through technical issues related to the Comprehensive Plan. It was noted that the Commission would still be looking at issues related to land use changes and that the Commission would retain its name as the Planning & Zoning Commission.

Mr. Klein distributed an outline (Exhibit A) to the Commission members indicating his suggested goals and methodology.

Mr. Crampton suggested that perhaps a blue ribbon group chaired by a Council person would be a way to discuss the issues that surfaced.

Comments were heard from Mrs. Buck who stated that she always knew she was serving at the pleasure of the Council and felt the Commission was vital to the community.

Mr. Wideman stated that he felt the Commission was chastising itself too much and added that he felt the Commission's name should be changed since it was no longer the planning commission. Mr. Langmaid stated that he felt the Commission needed to work more closely with Council.

Mr. Klein stated that he wanted to make it clear that he was not in favor of stifling any incentive or idea but that he felt the Commission had an obligation to keep its meetings meaningful, relative and efficient. Mr. Wideman then asked if the Commission was planning or zoning, and, Mr. Klein stated that he felt that answer depended upon the agenda and what Council decided to have the Commission look at. Discussion continued.

Mr. Crampton asked if the Council had always acted as the Zoning Board of Appeals, referring to the Wednesday Council meetings. Mr. Page explained that although not referred to in that way, that role had always been Council's responsibility.

Mr. Golboro stated that he felt it would be a mistake to not schedule regular meetings and that it would not be a problem to schedule a meeting and then cancel it if it was determined that it was not needed.

Mrs. Buck asked how many decisions had been made by the Commission acting as the LPA and Mr. Castro explained that twice a recommendation was made by the Commission as the LPA in the past five years.

Comments were heard from Mr. Greenbaum who stated that he felt planning and zoning was critical to the Town and asked if the Planning and Zoning Commission acted in an advisory capacity in other communities. Attorney Skip Randolph stated that in his experience in other communities the planning and zoning commissions and boards were advisory with the ultimate authority lying with Council.

Comments were heard by Mr. Kenny who spoke about his experience in the State of Connecticut where the architectural review commission would report to the Planning & Zoning Commission.

Chair Rose summarized: the Commission would no longer act as the LPA, its focus would be related to the zoning code (Chapter 134) and the Comprehensive Plan as it relates to the zoning code, resulting in fewer meetings and less staff time. The Commission would not be prevented from asking Council either directly or through staff about other issues Council would like the Commission to look at. The Commission would meet year round, on an as needed basis. Attorney Randolph stated that he felt that was in line with Council's wishes and Chair Rose noted that he would make a presentation to Council at their November meeting.

After a brief discussion, Mr. Castro explained that there would not be a "zoning season", but staff would bring issues to Council seeking direction. Mr. Castro explained that the zoning code was structured with a time line for when staff could review applications to bring to the Commission for recommendation to Council.

Chair Rose noted that the Commission needed to be prepared to meet on the third Tuesday each month. Mr. Castro noted that a meeting would not be scheduled unless necessary and Mr. Page agreed. Attorney Randolph left the meeting.

VIII. INTERACTIVE DEMONSTRATION: ELECTRONIC ACCESS TO TOWN CODE OF ORDINANCES (9:52:01 a.m.)

Chair Rose invited Mr. Castro to demonstrate how the Commission and the public could access the code via the internet through a link on the Town's website www.townofpalmbeach.com to the Municipal Code Corporation's website at www.municode.com. Director John Page agreed to provide an excerpt of any applicable section of the code with any study item provided to the Commission. Veronica Close, Assistant Director, demonstrated where to find various GIS and zoning maps on the website and explained some enhancements that are being developed.

Mr. Castro explained that in the coming months Staff and Deputy Town Manager Tom Bradford would be bringing to the Commission possible changes to the on-street parking Arlington and Gainesville Plans. Chair Rose also noted that Attorney Randolph would present the Sunshine Law to the Commission at a future meeting.

X. COMMENTS OF THE PLANNING AND ZONING COMMISSION AND PLANNING, ZONING AND BUILDING DIRECTOR (10:10:07 a.m.)

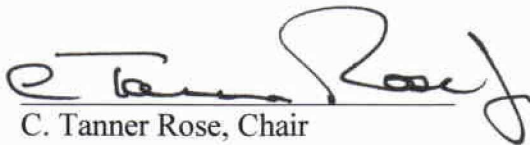
Mr. Page explained that on November 13 there would be a meeting of the Council to vote on the PUD-5 ordinances and that arrangements were being made for Steven Mouzon to make a presentation to the Commission to review the Contributing Buildings Report and Design Guidelines which would both need to be incorporated into the ordinances, once adopted. Mr. Page added that the Landmarks Preservation Commission would be invited to attend the workshop and that the Architectural Review Commission members may also be invited.

A brief discussion ensued regarding scheduling the next few Commission meetings and it was determined that no meeting would be necessary during the month of November.

XI. ADJOURNMENT (10:18:19 a.m.)

A motion was made and seconded to adjourn the meeting at 10:55 a.m.

Respectfully Submitted,



C. Tanner Rose, Chair
Town of Palm Beach
Planning & Zoning Commission



Martin Klein, Vice Chair
Town of Palm Beach
Planning & Zoning Commission

I. Goal

- A. To foster and maintain a viable, strong and efficient Planning and Zoning Commission that serves the needs of the Town Council and the overall community.
- B. To expedite the consideration of relevant, appropriate matters by the Planning and Zoning Commission
- C. To provide a meaningful venue for town residents to have input into planning and zoning matters
- D. To establish a talent pool of experienced residents with knowledge of, and Historical context of, Town planning and zoning issues.

II. Methodology

- A. Commission's mandate is land use related issues but including both Planning and Zoning
 - 1. Issues such as climate change, green energy, environmental and similar are excluded (unless directly related) or except upon specific Council referral.
- B. Commission to revert to an October-April "zoning season"
 - 1. Regular monthly meetings October-December and February-April.
 - a. Members available for meetings any time (summer included) for possible workshop meetings and review of past/future matters.
- C. Commission to hold only substantive meetings.
 - 1. Meetings for Commission to hear public input and/or to take specific action.
 - a. No "feel good" meetings or meetings for demonstrations of website or other items.
 - 2. Meetings must have a stated purpose, proper notice, and action items.
 - a. No stigma attached if a meeting is cancelled for lack of sufficient business.

D. Commission Agenda to be Specific.

1. Overall Commission goals and study items to be recommended by staff and approved by Council. Commission can propose additional self-generated study items but such must also be presented by staff to Council with staff recommendation as to necessity and cost (staff time and expense).
2. Commission monthly meeting agendas continue to be set by chairman in consultation with staff (and perhaps council president).