



**PLANNING AND ZONING COMMISSION AND LOCAL PLANNING AGENCY  
RECORD AND REPORT  
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR  
360 S COUNTY ROAD, PALM BEACH  
TUESDAY, JULY 17, 2012, 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](http://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(9:15:25 a.m.)**

The meeting was called to order by Chairman Golboro at 9:30 a.m. Chairman Golboro asked for a moment of silence in honor of former Planning & Zoning Commission Chairman, Bill Guttman, who recently passed away.

Commission Members present were:

Alan Golboro, Chair  
Leslie Shaw, Vice Chair  
John Schuler, Member  
Floyd Wideman, Member  
Martin I. Klein, Member  
C Tanner Rose, Member  
Lewis Crampton, Alternate Member  
Jeffrey Cloninger, Alternate Member  
Michael Spaziani, Alternate Member

Commission Members absent were:

Eugene Lawrence, Member (excused)

Staff Members present were:

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

A letter from Mr. Lawrence's office requesting an excused absence was read into the record by John Page and Chairman Golboro noted that due to the absence of Mr. Lawrence, Alternate Member Crampton would be voting.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE(9:18:47 a.m.)**

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

**III. APPROVAL OF THE AGENDA(9:19:32 a.m.)**

Chairman Golboro stated that he intended to resign as Chairman of the Commission at the end of this meeting since his term was expiring and he hoped the new Chairman would have an opportunity to work with staff, noting that another election would take place in the fall.

**MOTION BY MR. KLEIN FOR APPROVAL OF THE AGENDA, AS AMENDED.  
MOTION SECONDED BY MR. CRAMPTON.  
MOTION CARRIED UNANIMOUSLY AFTER ROLL CALL VOTE.**

**IV. COMMENTS FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA  
(9:22:28 a.m.)**

Tom Greenbaum, 301 Australian Avenue, asked why the Chairman was resigning and Chairman Golboro stated that he was termed out and could not continue to serve.

**V. APPROVAL OF MAY 15, 2012 PLANNING AND ZONING COMMISSION/  
LOCAL PLANNING AGENCY MINUTES (9:23:34 a.m.)**

**MOTION BY MR. SCHULER TO APPROVE THE MINUTES OF THE MAY 15,  
2012 PLANNING & ZONING COMMISSION MEETING.  
MOTION SECONDED BY MR. WIDEMAN.  
MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE.**

**VI. RESCHEDULING OF THE SEPTEMBER 18, 2012 PLANNING AND ZONING  
COMMISSION/LOCAL PLANNING AGENCY MEETING(9:24:15 a.m.)**

Mr. Page noted that due to a scheduling conflict the September meeting of the Planning and Zoning Commission would have to be rescheduled. Several dates were suggested and after discussion it was the consensus that the meeting would be rescheduled for September 14, 2012.

**MOTION BY MR. SHAW TO CANCEL THE AUGUST MEETING OF THE  
PLANNING & ZONING COMMISSION.  
MOTION SECONDED BY MR. WIDEMAN.  
Discussion continued.  
MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE.**

**MOTION BY MR. SHAW TO SCHEDULE THE NEXT MEETING OF THE PLANNING & ZONING COMMISSION FOR FRIDAY, SEPTEMBER 14, 2012, SUBJECT TO NECESSITY.**

**MOTION SECONDED BY MR. WIDEMAN.**

**MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE.**

**VII. ORDINANCE NO. 10-2012 (9:30:42 a.m.)**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN COUNCIL, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ZONING, AS FOLLOWS: SEC. 134-2, DEFINITIONS AND RULES OF CONSTRUCTION, BY MODIFYING THE DEFINITION OF DECLARATION OF USE TO INCLUDE REMEDIES FOR VIOLATION OF LIMITATIONS, CONDITIONS OF APPROVAL OR THE CODE OF ORDINANCES AND SUBMISSION OF ANNUAL CERTIFICATES OF COMPLIANCE; SEC. 134-261, TOWN COUNCIL ACTIONS; SUBMISSION TO PLANNING AND ZONING COMMISSION FOR RECOMMENDATIONS AND REPORT; HEARINGS, BY REPLACING THE TERM BUILDING OFFICIAL WITH DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT OR DESIGNEE; SEC. 134-887, PERMITTED USES, IN THE R-B ZONING DISTRICT TO PROVIDE FOR OUTDOOR SEATING FOR THE PAR 3 GOLF COURSE CLUB HOUSE; SEC. 134-1159, SPECIAL EXCEPTION USES, BY CHANGING THE SPECIAL EXCEPTION REQUIREMENT IN THE C-WA ZONING DISTRICT FOR RETAIL AND SERVICE ACTIVITIES NOT SPECIFICALLY CITED AS PERMITTED USES FROM A FROSS LEASABLE AREA OF 2,000 SQUARE FEET TO 4,000 SQUARE FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

Paul Castro, Zoning Administrator, explained the housekeeping items included in Ordinance No. 10-2012. Chairman Golboro expressed his concern regarding the outdoor seating for the golf course and Mr. Castro stated that the seating would be on the verandas and subject to Council approval. A brief discussion ensued about the Town docks.

**MOTION BY MR. KLEIN FOR ADOPTION OF ORDINANCE NO. 10-2012, ADDING THE WORD "CONTIGUOUS" IF DEEMED NECESSARY.**

**MOTION SECONDED BY MR. WIDEMAN.**

Mr. Shaw asked about the requirement of a certificate of compliance and added that he felt it was not business friendly. Mr. Castro explained that Council has required this language be added to all agreements. Mr. Page explained the intention was not to be unfriendly but was an acknowledgement of conditions agreed upon at some point in the past. Discussion continued and Mr. Klein renewed his motion.

**MOTION CARRIED 6-1 AFTER A ROLL CALL VOTE WITH MR. SHAW OPPOSED.**

## **VIII. DISCUSSION OF VACANT STORE FRONTS ON SOUTH COUNTY ROAD**

**(9:47:45 a.m.)**

Chairman Golboro passed around to the Commission an article from the Palm Beach Post regarding new businesses opening in West Palm Beach. Mr. Page explained that staff had received direction to investigate the vacant storefront issue on South County Road and that he recently walked South County Road, finding 14 vacant storefronts. Mr. Page advised the Commission that staff checked property records to determine that two individuals (Messrs. Campaniello and Handelsman) own a majority of those vacant properties. Mr. Page explained some tools the Town might have available to deal with this issue but recommended that staff first engage these two owners in conversation to determine why these vacancies are occurring and determine any future plans they may have for the properties. Mr. Page noted that Council has encouraged the Commission to continue to look into this issue as well as any potential parking improvements that might be found. Further comments were made by Mr. Page who mentioned projects being considered by the Centennial Committee and recapped his recent meeting with representatives from the various associations in Town who made suggestions for improvements in the business community.

Pattie Sands, President of The South County Road Business Association, spoke about the Association's continuing efforts of beautification in Town and expressed the concerns of business tenants regarding the lack of available parking in the area and the increased cost of parking tickets.

Chairman Golboro asked if it would help to convert the current resident only parking to two-hour parking during the day in that area. Ms. Sands answered that it would be a band-aid but would help. A discussion ensued and comments were heard from Messrs. Cloninger, Shaw and Crampton. Comments were heard from Mr. Crampton who suggested the parking issue be added to the Commission's planning rubric.

Laurel Baker, Chamber of Commerce, suggested off-site parking for employees of businesses in the South County area including several restaurants, hotels, stores as well as Town Hall.

Chairman Golboro stated that he felt this discussion was the good first step and suggested the property owners and business owners be asked what they could do to help the Town with this parking issue.

Mr. Cloninger noted that on a recent trip to Worth Avenue before 9:00 a.m. he found more than 75% of the parking spaces already occupied and that he felt the majority of the parking was being taken up by employees. Mr. Cloninger noted that he was in daily contact with his client and that Mr. Campaniello was delighted the Town was talking about changes. Mr. Cloninger stated that by the next meeting he hoped to have a statement from Mr. Campaniello identifying some of his issues as a property owner and landlord such as property taxes and insurance costs. Mr. Cloninger also suggested the Town consider abandoning the idea that Palm Beach is a seasonal Town and develop a plan to encourage families to stay year round.

Comments were heard from Sue Ellen Clarfeld, the owner of Truffies, Inc. at 375 South County Road who stated that she was a business owner in Town for 26 years and felt as a commercial tenant she had no rights. Ms. Clarfeld asked for the definition of town-serving and added that she felt the black and white images blown up and used as window coverings for vacant spaces were atrocious.

John Page provided the definition of Town-serving and townsperson and Mr. Rose stated that he felt it would be helpful to categorize and prioritize the various approaches as short, medium, and long term and that he felt the comments heard about parking on Worth Avenue were "spot-on".

Chairman Golboro suggested the property owners be invited to a future meeting to explain their interests and Mr. Wideman stated that he was concerned the Commission was spending a great deal of time discussing how to bring different businesses to the Town. Mr. Wideman added that he felt if anyone should be doing that it should be the Chamber of Commerce, not the Commission, and that the real attraction to the Town was that it was a residential community and that people moved here because of that way of life, not to go shopping.

Mr. Klein stated that he disagreed with Mr. Wideman and felt the discussion was a critical one the Commission needed to have. Mr. Klein commended Mr. Cloninger for his thought provoking ideas and added that he was reluctant to put off further discussion and urged the Commission to continue this discussion on a regular basis, reminding his colleagues of their commitment to the Town upon their appointment to the Commission.

Mr. Schuler stated that he felt the Town would continue to have these problems until it got more boutique type stores rather than anchor stores.

Comments were heard from Mr. Shaw who stated that he felt the Commission needed to look toward the future and suggested the parking fines collected be used to help solve the parking problem.

Chairman Golboro summarized discussion and stated that he felt staff had enough to work on. Attorney Randolph asked the Commission to provide staff with further direction in addition to inviting property owners to the September 14 meeting.

Discussion continued and it was suggested that the landowners be invited to the September 14, 2012 Planning & Zoning Commission meeting.

**MOTION BY MR. SHAW THAT STAFF INVITE THE AREA LANDOWNERS TO THE SEPTEMBER 14 MEETING OF THE PLANNING & ZONING COMMISSION.**

**MOTION SECONDED BY MR. KLEIN.**

Mr. Page asked for further clarification of who staff should invite to the meeting. After a brief discussion the motion was amended:

**MOTION AMENDED BY MR. SHAW TO ALLOW STAFF TO INCLUDE ANY COMPLIMENTARY ELEMENT IN THE INVITATION.  
AMENDED MOTION SECONDED BY MR. KLEIN.  
MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE.**

Chairman Golboro thanked the Commission and stated that he wished to resign as Chairman of the Planning & Zoning Commission for the remainder of his term. The gavel was passed to Vice-Chairman Shaw.

Mr. Wideman nominated Leslie Shaw as Chairman. Nomination seconded by Mr. Schuler.

Chairman Golboro nominated Tanner Rose. Mr. Klein seconded that nomination.

Attorney Randolph and Vice Chairman Shaw determined that a voice vote would be taken and after a voice vote it was declared that Mr. Rose was the Chairman.

Mr. Golboro thanked the Council, staff, and the Planning & Zoning Commission and Mr. Schuler stated that he had enjoyed serving under Mr. Golboro's leadership on the Commission.

**IX. COMMENTS OF THE PLANNING AND ZONING COMMISSION AND PLANNING, ZONING AND BUILDING DIRECTOR**

Mr. Page confirmed with the Commission that invitations to the September 14, 2012 meeting would be extended to property owners on South County Road only. It was requested by Mr. Shaw and agreed that adjacent property owners would also be invited. Mr. Page stated that when the Town Council recently met a new issue emerged involving the possibility of a code change to list municipal parks as a special exception use rather than a permitted use. Attorney Randolph stated that the Council asked that the issue be looked at by the Planning & Zoning Commission. It was noted that after advertisement, it will be considered by the Commission at a subsequent meeting.

Paul Castro, Zoning Administrator, explained that currently parks are permitted uses in most districts but any improvements are special exceptions. Mr. Castro added that Council felt the parks themselves should also be allowed by special exception.

Mr. Golboro noted that in October or November the Council would be acting on the Royal Poinciana overlay and it would then come back to the Commission.

**X. ADJOURNMENT(10:56:53 a.m.)**

Chairman Rose stated that he has appreciated Mr. Golboro's leadership as Chairman of the Commission and that he would operate following the example set by Mr. Golboro.

**MOTION BY MR. GOLBORO TO ADJOURN THE MEETING.  
MOTION SECONDED UNANIMOUSLY.  
MEETING ADJOURNED.**

Respectfully Submitted,

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

  
Leslie A. Shaw, Vice Chairman  
Town of Palm Beach  
Planning & Zoning Commission