PLANNING AND ZONING COMMISSION
MEETING MINUTES
TUESDAY, FEBRUARY 16, 2021 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 of the meeting by contacting Kelly Churney, Secretary to the Planning & Zoning Commission at (561) 227-6408.

I. CALL TO ORDER AND ROLL CALL

Chair Ainslie called the meeting to order at 9:30 a.m. All members participated via Zoom Webinar due to the COVID-19 Situation.

Michael Ainslie, Chair	PRESENT
Richard Kleid, Vice Chair	PRESENT
Rick Pollock, Member	PRESENT
Michael Spaziani, Member	PRESENT
Eric Christu, Member	ABSENT (unexcused)
Marilyn Beuttenmuller, Member	PRESENT
Jorge Sanchez, Member	PRESENT
William Gilbane, Alternate Member	PRESENT

Staff Members present were:
Wayne Bergman, Director of Planning, Zoning and Building
James Murphy, Assistant Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Brad Falco, Zoning Technician
Kelly Churney, Secretary to the Planning and Zoning Commission

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Churney led the Commission with the Invocation and the Pledge of Allegiance.

Mr. Ainslie welcomed all in attendance.

III. APPROVAL OF THE AGENDA

Motion made by Mr. Pollock and seconded by Mr. Spaziani to approve the agenda as presented. Motion carried unanimously.

IV. APPROVAL OF JANUARY 19, 2021 PLANNING & ZONING COMMISSION MINUTES

Mr. Kleid requested minor changes to the January 19, 2021 minutes. Ms. Churney agreed to make the changes.

Motion made by Mr. Kleid and seconded by Mr. Sanchez to approve the minutes of the January 19, 2021 Planning & Zoning Commission meeting as amended. Motion carried unanimously.

V. COMMUNICATIONS FROM CITIZENS REGARDING NON AGENDA ITEMS - (3 MINUTE LIMIT PLEASE)

There were no communications from citizens at this time.

VI. STAFF UPDATE ON THE RETENTION OF YARD RETAIL STRATEGY CONSULTANT

Mr. Bergman provided an update on the retail strategy consultant firm chosen and the Town Council's action on the timeline when the study would take place.

Mr. Kleid inquired about the decision to wait until fall to begin the study as well as the decision to pay for the study with Town funds rather than the money raised by Mr. Ainslie.

Mr. Bergman explained the Town Council wanted to wait until COVID was a little more behind everyone, and also felt the timeliness of the study would be more appropriate with the true retail environment at start of the season. The Town Council received some pushback from some residents and had some concern among themselves. So, they decided to fully pay for the study so there would be no image of private developers or private business associations doing funding for a study that might benefit an outcome they favored.

Mr. Ainslie also provided further clarification that the Town Council wanted to have time to add public input into the study.

Additionally, Mr. Bergman commented Yard and Company was requiring 80 hours of staff time, which would be difficult to provide at this time.

Mr. Ainslie commented on objections by some Council Members, and recommended listening to the meeting, in particular to the Mayor's summary.

VII. DISCUSSION ON THE EXCEL SPREADSHEET OF USES IN THE ROYAL POINCIANA WAY AREA

Mr. Bergman reported that as discussed at the December meeting, staff had undertaken expanding the list of retail and commercial operations; however, other pressing matters had taken staff time and it was probably 75% complete at this time. With the Town Council's decision to delay the study to start in November, Mr. Bergman suggested pausing on this internal study until September or October. By that time, staff would have updated the entire spreadsheet so that Yard and Company would have more relevant information to work with.

Messrs. Kleid, Spaziani, and Chair Ainslie agreed. Mr. Gilbane commented Yard and Company might also have suggestions of things that were not included in the spreadsheet, but that could be useful to them.

Chair Ainslie suggested obtaining land data from county records so that Yard and Company could see if there were particular landlords that had high vacancy rates or low vacancy rates.

VIII. UPDATE ON POSSIBLE CODE REFORM

Mr. Bergman commented on possible code reform beginning during the coming year with the Planning and Zoning Commission and Town Council support. He planned to propose full code reform for the Town, primarily in Chapter 134, but added there could be spillover into other codes, such as parking and drainage. He described the current zoning codes as a patchwork which seemed to be a little more suburban geared than urban geared. Mr. Bergman expressed agreement with his predecessor, Josh Martin, that one of the most important things the Planning and Zoning Department could do over the next several years was to focus on code reform, which he expected would take two to three years. He stated it must be supported and funded by the Town Council. He felt the timing was perfect as they were looking at ways to enhance preservation of historic buildings, and to embrace and hopefully to expand the retail and commercial areas of the Town.

Mr. Bergman outlined his proposed initial setup, which would be different than that proposed by Josh Martin. First would be getting the Town Council to commit, and establish a realistic budget and the length of time for the reform. The Town Council would appoint a steering committee which would provide oversight for full code reform. This committee would form the scope of work for hiring an outside consultant to provide assistance. They would set the scope of code reform, along with establishing goals, objectives, and policies. Next would be to move forward with steps to analyze existing code and the conflicts within the code, holding public meetings to educate the community and get their input. Code documents would be created and reviewed by Planning and Zoning Commission, and in time the final draft would be sent to the Town Council for their consideration of adoption. Once all work was finished, the steering committee would be dissolved.

Mr. Kleid asked about the rationale for having another committee rather than utilizing the Planning and Zoning Commission. Mr. Bergman responded everything would go through the Planning and Zoning Commission, but initially he felt a steering committee might be the best way to tie the town together by getting input from various people. Mr. Kleid asked about funding additional help. Mr. Bergman envisioned hiring an outside consultant who would basically be working for the Town and be a member of the steering committee. Mr. Bergman indicated this could be a three year or longer commitment.

Mr. Sanchez congratulated Mr. Bergman for moving in a good direction for the town and expressed his support. He suggested the RFP would need to be handled in a way to choose the best consultant. Mr. Bergman commented everything would be decided by Town Council. He envisioned the steering committee would meet every couple of months to determine the workload. Mr. Sanchez expressed his opinion that many members of the Planning and Zoning Commission should participate on the steering committee and he wanted to be involved.

Mr. Spaziani suggested each member of the Planning and Zoning Commission could take a section of the code to review as they might be able to provide suggestions for the steering committee. He felt this effort could save money.

Mr. Pollock agreed the Commission should have people on the steering committee, but not the majority. He added they needed to act independently based on information given to them by the consultant for credibility reasons.

Chair Ainslie added that this was going to be up to Town Council to decide how they wanted to proceed. Mr. Bergman had outlined one approach, which would involve a very broad reach of the community on a steering committee. He noted that the town was in reasonably healthy financial condition and this was certainly one of the most important issues facing them going forward. He expressed consensus of the Commission for Mr. Bergman to proceed to put together a concept and bring it back to the Commission.

Chair Ainslie commented on Town Council's request that Mr. Bergman study outdoor seating at restaurants, and asked that he keep the Commission fully informed on this issue. He commented there should certainly be a review of the code, which had been very tough on outdoor seating, and asked Mr. Bergman for an update.

Mr. Bergman commented he would like to place outdoor seating on next month's agenda to review current code regulations and look at other possible ways to handle outdoor seating.

Mr. Bergman indicated he would like to also place on the next agenda permitted uses versus special exception uses, which the Town Council was concerned about and wanted to look at along with staff to see if changes needed to be made.

IX. COMMENTS FROM PLANNING AND ZONING COMMISSIONERS AND THE PLANNING, ZONING AND BUILDING DIRECTOR

There were no further comments at this time.

X. ADJOURNMENT

Motion made by Mr. Kleid and seconded by Mr. Sanchez to adjourn the meeting at 10:04 a.m. Motion carried unanimously.

Respectfully Submitted,

Michael Ainslie, Chair
Town of Palm Beach
Planning & Zoning Commission