

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING HELD ON MONDAY, AUGUST 7, 2017

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on Monday, August 7, 2017, at 9:30 a.m. in the Town Council Chambers. On roll call, all of the Committee Members were found to be present.

II. APPROVAL OF AGENDA

Motion was made by Council Member Araskog, and seconded by Council Member Lindsay to approve the agenda. The motion passed unanimously.

III. COMMUNICATIONS FROM CITIZENS

Gilbert Kapelman, Mediterranean Ave., spoke regarding his view of the Town's approach to rules and regulations by seasonal vs. non-seasonal timeframes and expressed concerns with traffic safety and noise disturbances from the Undergrounding Project. Mr. Kapelman also requested that the Town Council consider restricting the size of construction vehicles in the North End and limit new construction permits while the Undergrounding Project is underway in the North End.

Deputy Town Manager Boodheshwar invited Mr. Kapelman to attend the Public Works Committee meeting scheduled to take place the following day since the topic of *Managing Townwide Undergrounding Traffic* was on the agenda for discussion.

Director Brazil reported on the rules for extended construction hours during the Undergrounding construction project and verified that only the Director of Public Works and the Town Manager may authorize expanded hours and only if they are on an as needed basis.

A discussion ensued regarding past construction projects that called for the restriction of truck size and weight limits in the North End, the Burt Harris Law, suggestions for managing traffic and other private construction permits in the North End during the Underground Project, the name of the construction company liaison and the monthly events that will be taking place with the undergrounding construction crew.

Chair Lindsay asserted the high level of attention given by the Town and the contractors towards minimizing the disturbance level to the residents throughout the Undergrounding Project.

IV. REGULAR AGENDA

A. Old Business

1. Potential Code Change to Modify Dates of Construction Season (John Page, Director of Planning, Zoning and Building)

Director Page gave a brief history and overview of the modifications to the Town's Code pertaining to construction hours. Mr. Page presented research on how similar communities regulate their construction hours and recommended that the focus be on regulating Saturday construction hours. Mr. Page also spoke regarding the enforcement of the parking rules for construction sites and the Right-of-Way.

Committee Member Araskog presented her research on the regulation of construction hours in similar communities and stated her preference for Jupiter Island's regulations for construction work on Saturdays.

Chair Lindsay spoke regarding inconsistencies with the Right-Of-Way manual and the three-strike parking rule and suggested making administrative exceptions for extended construction hours in the dense and sparsely populated areas.

Discussion ensued regarding placing restrictions on Saturday construction work, restricting the construction hours in November, construction parking in the Right-of-Way, parking abuse by the contractors, balancing the construction permits that are issued while the Undergrounding Project is underway for seasonal and non-seasonal residents, Jupiter Island's construction parking regulations, the timeline for season in Palm Beach, and how to balance private property construction permits vs. public property construction permits.

Director Brazil spoke regarding the Town's efforts to restrict construction projects in November.

Chair Lindsay requested that staff come back in September with more information based on the input received today, to research the City of Montecito California's regulations on Saturday construction hours, and to present ways to balance out the private vs. public construction projects.

Deputy Town Manager Boodheshwar spoke regarding the process of policy and the execution of policy when it comes to balancing the needs of seasonal demographics and competing interests. Mr. Boodheshwar also reminded the committee that the Town Council deferred indefinitely the adoption of Ordinance No. 21-2016 back in December 2016 that would impose changes to Landscaping hours.

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2. Further Review of Chapter 66 (Veronica Close, Assistant Director of Planning, Zoning and Building)

Assistant Director Close provided an overview of the revisions to draft Ordinance No. 27-2016 for proposed changes to Article IV Section 66 relative to Vegetation and Landscape and Irrigation requirements and spoke regarding how the Town compares to other municipalities.

Discussion ensued regarding how the Town staff came to the decision to minimize the requirement for one shade tree, how to revise or re-word the sections that address the minimum and maximum of shade canopy trees, including language in the Ordinance for the Town Council to waive fees, and the prohibition of Ficus benjamina.

Deputy Town Manager Boodheshwar spoke regarding reintroducing the proposed Ordinance for first reading to reflect the changes discussed above and bring it back to the Town Council for adoption.

Council Member Araskog requested that the Ordinance include language about the conditions for replanting Ficus benjamina.

Town Attorney Randolph is to review the draft Ordinance, make any necessary changes and send it to the ORS Committee to review before bringing to Town Council meeting in September.

B. New Business

1. None.

V. ANY OTHER MATTERS

Deputy Town Manager Boodheshwar announced the date of the next ORS Meeting, which is scheduled for Thursday, September 7th at 2:00 p.m. Mr. Boodheshwar also added that a discussion of the construction hours ordinance and the necessary changes to the drone ordinance will be placed on the agenda.

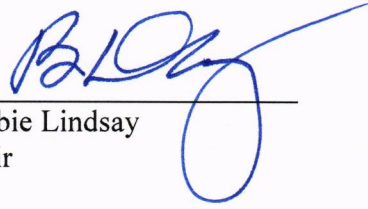
Council Member Lindsay requested that staff bring back Ordinance 21-2016 to the council for first reading and review and that the Saturday leaf blowing hours be a companion to the ordinance for construction hours.

VI. ADJOURNMENT

There being no further business, the ORS Meeting of August 7, 2017 was adjourned at 11:12 a.m.

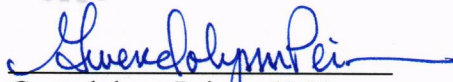
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APPROVED:



Bobbie Lindsay
Chair

ATTEST:



Gwendolynn Peirce, CMC

Acting Town Clerk

Date: 9/22/17