

TOWN OF PALM BEACH

Office of the Town Clerk

REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING HELD ON THURSDAY, APRIL 11, 2013

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on Thursday, April 11, 2013, at 10:00 a.m., in the Town Council Chambers. On roll call, all Committee Members were found to be present.

II. APPROVAL OF AGENDA

The following change was made to the Agenda:

ADDITION: Request to consider codification of lighting standards was added to the Agenda as Item No. 4 under New Business.

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

III. COMMUNICATIONS FROM CITIZENS – None

IV. APPROVAL OF MINUTES AND REPORTS

A. Reconsideration of ORS Meeting Reports [Susan A. Owens, Town Clerk]

i. ORS Meeting Report - February 8, 2012

ii. ORS Meeting Report - May 30, 2012

Motion was made by Committee Member Pucillo, and seconded by Chairman Diamond, to recommend reconsideration and acceptance of the ORS Meeting Report of February 8, 2012, and acceptance of the ORS Meeting Report of May 30, 2012, to the Town Council. On call for a vote, the motion carried unanimously.

V. REGULAR AGENDA

A. Old Business

- 1 1. Review of the "3 Strike Rule" for Conflicts of Interest for Board and
2 Commission Members [William J. Diamond, Chair, ORS]

3
4 Jorge Sanchez, 239 Southland Road, expressed his concerns regarding the
5 3 Strike Rule.

6
7 Robert Moore, West Palm Beach, spoke regarding the history of the
8 Architectural Committee (ARCOM) and spoke in opposition of allowing
9 architects from other communities to serve on ARCOM to meet the
10 Florida registration purposes in lieu of allowing resident architects that
11 may not be registered in Florida.

12
13 Jackie Albarran, 11979 Polo Club Road, Wellington, expressed her
14 concerns regarding the 3 Strike Rule.

15
16 Anita Seltzer, 44 Cocoanut Row, spoke regarding how a term of office
17 would be calculated.

18
19 Bill Strawbridge, 223 Atlantic Ave, spoke regarding the Landmarks
20 Preservation Commission (LPC) and the need for qualified members.

21
22 Jorge Sanchez, 239 Southland Road, spoke regarding ARCOM and the
23 need for qualified members.

24
25 Discussion ensued regarding the number of conflicts to allow and other
26 remedies for members with excessive conflicts of interest.

27
28 **Motion was made by Committee Member Pucillo, and seconded by Chairman Diamond, to**
29 **recommend to the Town Council that the "3 Strike Rule" be substituted with the "5 Strike**
30 **Rule", which would allow members up to 4 conflicts of interest per year. On call for a vote,**
31 **the motion carried unanimously.**
32

- 33 2. Consideration of Allowing Architects Registered in a State other than
34 Florida to be Eligible to Serve as an Architect Appointee on Boards or
35 Commissions that Currently Require One or More Florida Registered
36 Architects to Serve on the Board or Commission. [William J. Diamond,
37 Chair, ORS]

38
39 Robert Moore, West Palm Beach, spoke in opposition of allowing
40 architects from other communities to serve on ARCOM to meet the
41 Florida registration purposes in lieu of allowing resident architects that
42 may not be registered in Florida.

43
44 Bill Feldkamp, 251 Bradley Place, spoke regarding the need for the
45 architect member to be registered in Florida.
46

1 Planning Administrator Lindgren stated that both ARCOM and LPC
2 discussed the membership requirements and voted unanimously to keep
3 the requirement that the architect be registered in Florida.

4
5 Anita Seltzer, 44 Cocoanut Row, spoke regarding the requirements to be
6 registered in Florida.

7
8 Discussion ensued regarding allowing that at least one of the two architect
9 members be registered in Florida.

10
11 Bill Strawbridge, 223 Atlantic Ave, expressed his concerns regarding the
12 requirement to be registered in Florida and spoke in support of a residency
13 requirement for the architect.

14
15 Ted Cooney, 445 Brazilian Avenue, expressed concern over how these
16 changes would affect the LPC.

17
18 Discussion ensued regarding the practicality of requiring that architects be
19 residents and be registered in Florida.

20
21 **Committee consensus was to send this item to the Town Council, without a**
22 **recommendation, for a full discussion. ARCOM and LPC members were invited to attend**
23 **the Town Council meeting.**

- 24
25 3. Final Review of Proposed Amendments to Chapter 18 – Buildings and
26 Building Regulations; and Proposed Amendments to the Florida Building
27 Code, Chapter 1, Administration.[Veronica Close, Assistant Director of
28 Planning, Zoning and Building]

29
30 Assistant Planning, Zoning, & Building Director Close provided an
31 overview of the proposed amendments.

32
33 Planning Administrator Lindgren provided an overview of the appeal
34 timeframe amendment.

35
36 Discussion ensued regarding a definition for “interested parties” as it
37 relates to appeals.

38
39 **Motion was made by Committee Member Pucillo, and seconded by Chairman Diamond, to**
40 **direct Town Attorney Randolph to draft a standard definition of “interested parties” as it**
41 **relates to appeals of ARCOM and LPC decisions, and to recommend to the Town Council**
42 **approval of Staff’s proposed amendments. On call for a vote, the motion carried**
43 **unanimously.**

The Following Item Was Added to the Agenda:

4. Request to Consider Codification of Lighting Standards.

Assistant Planning, Zoning, & Building Director Close provided an overview of Staff's request to consider establishing lighting standards.

Lead Code Enforcement Officer Walton and Planning Administrator Lindgren provided additional information on the request.

Committee consensus was to approve Staff's request to consider establishing lighting standards.

B. New Business

1. Consideration of Term Limits for Appointed and Elected Town Officials [William J. Diamond, Chair, ORS]

Discussion ensued regarding existing term limits for certain appointed officials and potential Code Enforcement Board term limits.

Robert Moore, West Palm Beach, spoke in opposition to term limits for the Building Board of Adjustments and Appeals.

Discussion ensued regarding potential term limits for elected Town officials.

Robert Moore, West Palm Beach, spoke in opposition to term limits for elected Town officials.

Committee consensus was to recommend to the Town Council adoption of a two full 3-year term limit for Code Enforcement Board members, with the ability to serve one more term if there are no other applicants or a current board member has already served two full 3-year terms.

Consideration of term limits for elected Town officials was withdrawn from the agenda.

2. Review of 80% Approval Requirement for Special Non-Ad Valorem Assessment Projects [Michael J. Pucillo, Co-Chair, ORS]

Item not considered as it was instead heard at yesterday's Town Council meeting, at which time they approved lowering the requirement to 67%.

3. Discussion on Establishment of Residency Requirements for Elected and Appointed Officials [Michael J. Pucillo, Co-Chair, ORS]

1 Upon advice from Town Attorney Randolph that residency requirements
2 have been challenged in court, no action was taken.
3

- 4 4. Review of Proposed Changes to Chapter 78, Charitable Solicitation
5 Permits and Chapter 106, Streets, Sidewalks and Other Public Places
6 (Special Event Permits) [Susan A. Owens, Town Clerk]
7

8 Town Clerk Owens provided an overview of the Chapter 106, special
9 event permit, proposed amendments.
10

11 Discussion ensued regarding events held without a permit and Code
12 Enforcement citations and penalties.
13

14 **Motion was made by Committee Member Pucillo, and seconded by Chairman Diamond, to**
15 **recommend approval to the Town Council of the proposed amendments regarding Chapter**
16 **106, special event permits. On call for a vote, the motion passed unanimously.**
17

18 Town Clerk Owens provided an overview of the Chapter 78, charitable
19 solicitation permit, proposed amendments.
20

21 Discussion ensued regarding length of events, events held without a
22 permit, the effect on smaller organizations, and after the fact building
23 permit fees.
24

25 Robert Moore, West Palm Beach, spoke regarding solicitations by smaller
26 charities and those who have not solicited in Palm Beach before and in
27 support of harder penalties for repeat offenders.
28

29 **Committee consensus was to recommend to the Town Council approval of that portion of**
30 **the proposed amendments related to evidence of engaging in charitable solicitation.**
31

- 32 5. Review of ORS Items Pending for Future Meetings [Thomas G, Bradford,
33 Deputy Town Manager]
34

35 Deputy Town Manager Bradford provided an overview of the pending
36 ORS items and stated that he was seeking direction on which items the
37 Committee would like to tackle first.
38

39 **Committee consensus was to begin with letters F, noise standards for new emergency**
40 **generators, and A, Ch 66 business parking permits in Phipps Plaza, and for Staff to report**
41 **back on the remaining items.**
42

43 Responding to the Committee, Deputy Town Manager Bradford stated that
44 Staff will provide ORS with the proposed language for these items.
45
46

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HELD ON THURSDAY, APRIL 11, 2013

VI. ANY OTHER MATTERS

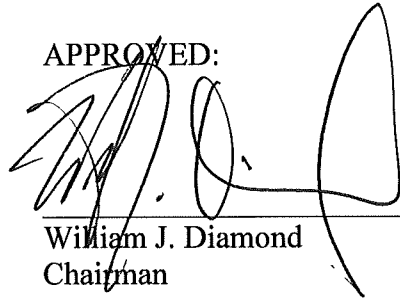
A. Scheduling of the Next ORS Meeting

The next ORS meeting was scheduled for Tuesday, May 14, 2013, at 10:00 a.m.

VII. ADJOURNMENT

There being no further business, the Ordinances, Rules, and Standards Committee Meeting of Thursday, April 11, 2013, was adjourned at 12:21 p.m.

APPROVED:



William J. Diamond
Chairman

ATTEST:



Susan A. Owens, MMC, Town Clerk

5/7/13

Date

