



PLANNING AND ZONING COMMISSION

**TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
TUESDAY, MAY 16, 2017, 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 Klein called the meeting to order at 9:33 a.m.

Martin I. Klein, Chair	PRESENT
Lewis Crampton, Vice Chair	PRESENT
Carol Mack, Member	ABSENT (unexcused)
Alan S. Golboro, Member	PRESENT
Michael Ainslie, Member	PRESENT
Kenneth Walker, Member	PRESENT
Carol LeCates, Member	PRESENT
Michael Spaziani, Alternate Member	PRESENT
Rick Pollock, Alternate Member	PRESENT
Eric Christu, Alternate Member	PRESENT

Staff Members present were:

John Page, Director of Planning, Zoning & Building

Paul Castro, Zoning Administrator

Kelly Churney, Secretary to the Planning and Zoning Commission

Mr. Page stated that Mr. Spaziani would be voting in Carol Mack's absence.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF THE AGENDA

Chair Klein welcomed all in attendance at the meeting.

Motion made by Mr. Crampton and seconded by Mr. Ainslie to approve the agenda as presented. Motion carried with all in favor.

IV. APPROVAL OF MARCH 21, 2017 PLANNING AND ZONING COMMISSION MINUTES

Motion made by Mr. Crampton and seconded by Mr. Spaziani to approve the minutes from the March 21, 2017 meeting. Motion carried with all in favor.

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

There were no citizens' comments at this time.

VII. STUDY PROPOSED CHANGES TO ZONING REGULATIONS RELATED TO THE MINIMUM FLOOD ELEVATION REQUIREMENTS FOR THE POINT OF MEASUREMENT FOR BUILDING HEIGHT, BUILDING OVERALL HEIGHT, BUILDING HEIGHT PLANE AND MAXIMUM BUILDING CUBIC CONTENT RATIO (WHERE APPLICABLE) IN ALL RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS IN THE TOWN OF PALM BEACH.

Mr. Page stated he would be updating the Commission on the flood plain changes that will be imminent to the Town. He introduced Bill Bucklew, Building Official and Certified Flood Plain Manager for the Town. Mr. Page reviewed the two primary reasons that the Town participates in the National Flood Insurance Program. Mr. Page reviewed the use of the flood maps and how the Town uses these maps to determine elevations of new structures. Mr. Page stated that the Town had been alerted that the flood maps were being revised and once completed, they would need to be adopted by the Town in order to remain in the National Flood Insurance Program. He indicated that once the determination letter was received, the Town would have 6 months to adopt the new flood maps and a model flood plain regulation.

Mr. Page stated that staff took the changes in Chapter 50 in the Code of Ordinances to reflect the new flood plain regulations to the ORS Committee. Subsequently, the ORS Committee was in agreement with the changes but Mr. Page stated that the changes could not be made until the determination letter had been received. Mr. Page stated that the Town received the letter in April.

Mr. Page identified many of the items in Chapter 50 within the Code of Ordinances that would be changed and indicated that the items in the Zoning Code that reference Chapter 50 needed to be modified as well. Since these Codes need to be in harmony, he told the Commission that their task would be to look at those changes. He told the Commission that Paul had prepared an ordinance with some necessary changes.

Mr. Castro discussed the requested changes to Chapter 134 that reflect the necessary changes to make it consistent with the proposed changes in Chapter 50.

Mr. Crampton asked for clarification on the changes proposed. Mr. Castro responded.

Mr. Crampton asked if the building code would be changed as well. Mr Bucklew described the building code and the process in which changes occur. He said that the ORS Committee had approved a model flood plain ordinance that was proposed.

Mr. Walker questioned whether the Town should make the greater changes than what is being required. Mr. Bucklew responded and described the Community Rating System program.

Maura Ziska, Attorney, asked if 6 inches would still be added to the base flood elevation for residential structures. Mr. Bucklew responded and talked about base flood calculations.

Ms. Ziska inquired how NAVD would be calculated for residential and commercial structures. Mr. Bucklew responded. Mr. Castro added that the flood elevations would be calculated in a similar fashion as they are today.

Ms. Ziska asked how these new standards would affect recently approved construction projects. Mr. Bucklew responded. A discussion ensued on this topic.

Mr. Golboro expressed a concern about the potential problem for homeowners when insuring their home. Mr. Castro responded.

Mr. Bucklew provided some clarification about the potential changes to the flood plain ordinance.

Mr. Ainslie asked about the timing for the change in the Ordinance and the adoption of the of the new flood plain maps. Mr. Bucklew responded.

Mr. Ainslie asked how owners could raise their new, approved structures to meet the new flood plain voluntarily without penalty. Other members expressed the same concern.

Mr. Spaziani asked for clarification between the 6 and 7.5 foot measurements. Mr. Bucklew explained the measurements.

Ms. Ziska recommended allowing owners in mid-construction or in the permitting stage to place their finished floor at a higher level without penalizing them by limiting the building's height. Ms. LeCates agreed.

Town Attorney, Skip Randolph, suggested that staff work with the Town Council to come up with a plan for these circumstances.

Julie Araskog, 1490 Via Manana, asked if the Architectural Commission would need to approve the additional height since the Commission looks at roof heights in neighborhoods during approvals.

Ms. LeCates if there was a table in the Ordinance that shows building elevations for each zoning district. Mr. Bucklew responded.

Mr. Golboro asked when the FEMA map arrived. Mr. Page responded. Mr. Golboro asked about the number of permits issued for new construction in the last 45 days. Mr.

Bucklew responded. Mr. Golboro expressed concern that the issue was not discussed months ago which would have allowed a provision to be put in place to deal with this issue.

Mr. Page stated the actions that staff has taken in preparation of the changes. Mr. Castro restated the action needed from the Planning and Zoning Commission concerning the proposed changes Chapter 50. Mr. Bucklew added that the changes to Chapter 50 would be presented to the Town Council in June.

Mr. Walker expressed concern for owners willing to increase their finish floor elevation and thought the Town Council should help them. Mr. Randolph responded.

Mr. Randolph stated that the Commission could ask the Town Council to give special consideration to the permits in construction or owners who are ready to begin construction.

Anita Seltzer, 44 Cocanut Row, asked for clarification on an agenda item. She also inquired how the proposed changes would affect the streets and other structures that currently sit below the minimum flood plain.

Mr. Klein and Mr. Castro addressed Ms. Seltzer's questions.

Mr. Bucklew addressed Ms. Seltzer's question regarding the utility transformers.

Mr. Golboro stated that the North end's pumps have been raised in the last few years.

Ms. Araskog asked if the addition in height would affect the ARCOM decisions. Mr. Page responded and stated that staff would work with the Town Council through these changes.

Ms. LeCates asked for clarification on zero datum. Mr. Castro responded.

Mr. Spaziani asked if there were maps that show point of measurements. Mr. Castro responded.

Mr. Klein recommended moving the change in the language forward but expressed the concern about the properties in construction or that will start construction before the new language is adopted. Mr. Page and Mr. Castro responded and indicated that they would speak to the Town Council regarding the concerns.

Motion made by Mr. Golboro and seconded by Mr. Ainslie to accept the recommendation of the Staff as written and suggest that the Town Council listen to their comments and concerns from today's meeting. Motion carried with all in favor.

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

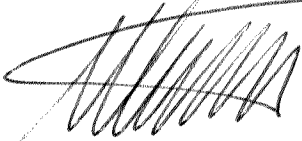
Mr. Page told the Commission that there were no other pending items to discuss and as such, the meeting in June would be cancelled. He stated that staff would be in touch regarding the July and August meetings.

Mr. Walker added his opinion that the addition of one foot in height for safety should not negative affect others.

VII. ADJOURNMENT

The meeting adjourned at 10:54 a.m. with the benefit of a motion.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Martin Klein', written over a horizontal line.

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