

PLANNING AND ZONING COMMISSION'S RECORD AND REPORT - DECEMBER 10, 2003

The Planning and Zoning Commission of the Town of Palm Beach met on December 10, 2003, at 360 S. County Road in Palm Beach, Florida, in the Council Chambers in Town Hall, to hold the second public meeting on the 2003-2004 Planning and Zoning Commission's Record and Report. The meeting was called to order by the Chairman at 9:30 a.m.. A roll call disclosed that a quorum of the members of the Planning and Zoning Commission was present as follows:

PRESENT:

James B. Bertles - Chairman
Richard Kleid - Secretary
Peter Broberg - Member
Harrison Robertson - Member
Joanna Golino - Member
Nancy Murray - Alternate Member*
Elizabeth Murphy - Alternate Member*
Susan Markin - Alternate Member* (voted only for approval of October minutes)

ABSENT:

Lowry Bell - Member (Unexcused)
Jorge Sanchez, Member (Unexcused)

*Alternate Member, voting in absence of regular member

STAFF PRESENT:

Robert L. Moore, Director of Planning, Zoning & Building
Veronica B. Close, Asst. Dir. of Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Paul W. Castro, Zoning Administrator
Cynthia M. Delp, Recording Secretary

STAFF ABSENT: John C. Randolph, Town Attorney

Approval of the Minutes of the October 2, 2003 Meeting:

(Let the record show that Mrs. Golino recused herself from this vote as she was not present at the October 2, 2003 meeting.)

MOTION BY MR. ROBERTSON TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. BROBERG.

MOTION CARRIED UNANIMOUSLY. (All 3 alternates voted in the stead of Mrs. Golino, and Messrs. Sanchez and Bell.)

The Commission reviewed the draft PLANNING AND ZONING COMMISSION'S RECORD AND REPORT. All interested persons were given an additional opportunity to be heard.

Mr. Bertles called for questions/comments/suggestions relative to each of the Study Items. It should be noted that relative to Study Item 16, Nonconforming Structures, Staff distributed replacement pages 5 and 6 for insertion into the Record and Report which had been previously hand delivered to the members. The two new pages contain new language in an effort to further clarify these issues.

With regard to Study Item 23, Landscaped Open Space Requirements, Ms. Markin asked staff who monitors compliance with green space requirements. Mr. Moore responded that the green space is monitored by staff at various intervals during the course of a job; first, when Mr. Frank meets with an architect in review of ARCOM/Landmarks plans; secondly, during the plan review stage; thirdly, at the time of Certificate of Occupancy - during Final Inspection and review of a tie-in survey. Staff would also check

green space calculations in response to any citizen complaint, even after the Certificate of Occupancy.

There was considerable discussion relative to the proposed language of Study Item 13, Beach Area District Text Modifications, which was finalized on December 2, 2003. The discussion took place to clarify the real intent of the Planning and Zoning Commission with respect the particular situations or circumstances which would require re-establishing the ocean vista. Mr. Bertles summarized the commission's intent, stating that regardless of size of the cabana, if the footprint is expanded, the ocean vista must be re-established. Staff will develop appropriate language in that regard, and fax that language to the members for review. (Note: The aforementioned language has been developed and reviewed by the members and is now included in the Record and Report of the Planning and Zoning Commission which will be transmitted to the Town Council for review and approval.)

With regard to Study Item 30, Driveway Curb Cuts and Site Visibility Triangles, Mr. Moore stated that the attempt to make the Zoning Code harmonious with the Public Works Right of Way Manual is ongoing and will be re-visited by the Town Council at their January meeting. Mr. Broberg adamantly requested that any Public Works rules/regulations which affect private property, should be discussed in public forum, and should be given to the Planning and Zoning Commission for input, **prior** to being enacted. Mr. Moore responded that if these issues affect private property, the Planning and Zoning Commission may be an appropriate forum for discussion, but if the issues affect the public right of way, the Public Safety Committee would be the appropriate forum.

Prior to approval of the Record and Report, Mrs. Golino asked to go back to Study Item 14, Residential Redevelopment-Neighborhood Scale, and suggested a language addition to the last sentence of the first paragraph under R-B District, at the bottom of Page 4. She requested that the language read "such as a study of **neighborhood averages** as it relates..." Other members agreed with this change, and staff will incorporate the new language.

After due consideration, upon a motion by Mr. Broberg and seconded by Mr. Kleid by a vote of 7-0, the Planning and Zoning Commission approved the report as modified and with language to be modified regarding beach cabanas, and authorized the Chairman and Secretary to sign and transmit the Planning and Zoning Commission Record and Report to the Town Council for their consideration.

Mr. Broberg interjected a comment at this point relative to leaf blowers, and how private landscape companies as well as Town personnel, blow leaves out into the road. This, then, leads to the leaves entering the storm sewer inlets and clogging same. He called for regulations which would require that leaves/grass be blown onto the private property, or bagged and hauled away. Mr. Moore responded that staff will relay this suggestion at future meetings of the Ordinance, Rules and Standards Committee.

Mr. Frank distributed copies of the most recent version of the Comprehensive Plan to the members for their review and familiarity. He requested that the members particularly review the eight (8) planning areas as shown in the Comp Plan for feedback at a future meeting.

After the regular business, the Planning and Zoning Commission went into a workshop session relative to requirements and training opportunities for membership on Town boards and commissions. The record of that workshop is attached to this Record and Report.

After the workshop, the meeting was recessed at 11:35 a.m., to January 15, 2004 at 9:00 a.m.

Respectfully submitted:

James B. Bertles - Chairman
Town of Palm Beach
Planning and Zoning Commission

Richard Kleid - Secretary
Town of Palm Beach
Planning and Zoning Commission

PLANNING & ZONING COMMISSION
WORKSHOP

WEDNESDAY, DECEMBER 10, 2003
TO BE HELD IMMEDIATELY AFTER CONCLUSION OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
IN THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. WORKSHOP RELATIVE TO PORTION OF STRATEGIC PLAN, GOVERNANCE ACTIONS, BOARDS AND COMMISSIONS: Review and revise Town policies regarding appointed commissions and boards to include the following considerations:

- Clarify commission and board “missions” to provide for greater coordination, consistency with policies and the Strategic Plan, clarity of purpose and authority, etc.

- Mission as already stated in the Town of Palm Beach Code of Ordinances, Section 2-333. Powers, duties: “The Planning and Zoning Commission shall act in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The commission shall follow the concepts and contents of the Town’s Comprehensive Land Use Plan in all planning, zoning and development related deliberations and decisions. The commission shall also have such powers and duties as may be prescribed by ordinance.”
- Expand mission to include “follow and implement the vision of the Town’s Strategic Plan.”
- Preserve and improve Palm Beach for the residents of Palm Beach.
- Develop a methodology for evaluating (reality vs. commission goals).
- Establish guidelines/rules for physical attributes of the town.
- Preserve Palm Beach and manage growth issues/redevelopment.

- Define requirements relating to levels of experience and/or mandatory courses applicable to the expertise relevant to each board and commission.

- Attorney (Real Estate attorney preferable)
- Landscape architect
- Architect
- Professional planner
- Individual with prior commission experience (Palm Beach or elsewhere)
- “Ordinary” citizens living in various areas of town, having civic interests at heart, having prior personal experience with building/construction
- Builder
- Permit, (but not require) a non-resident (members very divided on permitting non-residents to serve)
- Members shall serve at least one year as an Alternate member
- DIVERSITY in membership is desired with no maximums or minimums set

- Consider providing additional training to enhance the effectiveness of boards and individuals.

- **Additional training should be optional, but encouraged**
- **Staff should provide specific course information available within the next six months**
- **After evaluation of additional training, may be changed to mandatory**
- **Voluntary, encouraged, and course cost compensated**
- **Staff presentations for new and existing members**
- **Joint workshops with other commissions**
- **Not only technical courses, but association management courses which provide methods to evaluate problems, set agendas and policies, etc.**

- Interview procedures and/or requirements.

- **Current application and selection procedure should remain in place**
- **Interviews with every applicant would be very time consuming**
- **If necessary, individual interviews encouraged, but should not be mandatory**
- **Interviews with staff, prior to appointment, are valuable to make the applicant fully aware of membership responsibilities, typical actions of the board, etc.**