MINUTES
PLANNING AND ZONING COMMISSION WORKSHOP
2005-20006 ZONING SEASON
Thursday, October 6, 2005 at 9:30 a.m.
360 South County Road, Palm Beach
Town Council Chambers

Town Attorney, John Randolph, stated that a temporary Chairman would need to be nominated to serve for purposes of running this meeting. That election follows after the Roll Call.

I **Call to Order and Roll Call:**

PRESENT: Peter S. Broberg, Member
Elizabeth S. Murphy, Member
Susan Markin, Member
John Schuler, Alternate Member
Stanley G. Mortimer III, Alternate Member
Veronica Close, Director of Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
William F. Brisson, Brisson Planning Solutions (Zoning Consultant)
John C. Randolph, Town Attorney

ABSENT: Harrison M. Robertson, Chairman (Unexcused)
Lowry M. Bell, Member (Unexcused)
Nancy M. Murray, Member (Unexcused)
Alan Golboro, Alternate Member (Unexcused)

RECORDING SECRETARY: Cynthia M. Delp

Nominations for Temporary Chairman for this meeting:
Mr. Schuler nominated Mr. Broberg as temporary Chairman. There were no other nominations.

MOTION BY MR. SCHULER THAT A UNANIMOUS BALLOT BE DECLARED FOR MR. BROBERG.
MOTION SECONDED BY MS. MARKIN.
MOTION CARRIED UNANIMOUSLY.

II **Invocation**: By Mrs. Delp

III **<u>Pledge of Allegiance:</u>**

IV **<u>Procedures for Input by the General Public</u>**: Mr. Randolph explained that staff will offer comments first, and then will take public comments and questions. After that, the Planning and Zoning Commission will go into commission session.

V **<u>Comprehensive Plan Evaluation and Appraisal Report Community Input:</u>**

Veronica Close, Director of Planning, Zoning and Building welcomed the members to the 2005-2006 zoning season. She explained that typically in October, the season begins with meetings devoted to planning activities. Today's discussion will rest with the Comprehensive Plan Evaluation and Appraisal Report or EAR. The EAR is the first step toward the modification of the Comprehensive Plan which is required every seven (7) years. Two Planning and Zoning Commission meetings (today and Nov. 3, 2005) will be devoted to this task. Today's meeting is designed to solicit community input relative to establishing a list of issues for inclusion in the upcoming revisions to the Comprehensive Plan. The meeting on November 3, 2005 will allow for the input from other interested agencies around South Florida and the state. The regular zoning season will commence at the end of November. The largest of the issues to be discussed relates to alternate development standards, and the firm of Siemon and Larsen will provide the presentation. The first of three community meetings will also be held on November 17, 2005 to solicit community input relative to the neighborhood index CCR proposal considered last year, and relative to long term solutions for the R-B zoning district. After the three community meetings have been completed, staff will assemble the community input and present some ideas to the Planning and Zoning Commission for consideration.

Timothy Frank, Planning Administrator, explained that the modification of the Comprehensive Plan is a two year process. The purpose of the EAR is to evaluate and appraise the existing Comprehensive Plan to determine whether the community's goals and objectives, as specified in the Comp Plan, have been met. The EAR process also provides a forum for community input to identify issues which are important to the community prior to the development of the new Comp Plan, and that is the purpose of today's meeting.

Mr. Frank referred to the Town's Implementation Matrix (copy of former matrix distributed) as a very useful tool which allows staff to monitor progress in the community's satisfaction of the goals and objectives of the Comp Plan. He stated that with the advent of the Town's Strategic Plan, other relevant important community issues have been identified which will be included in the current EAR. These issues are included in the document entitled *Information Packet for Public Workshop,* which was distributed to all of the members in advance of this meeting, and was available to the public as backup information for this meeting.

Mr. Broberg asked how the Town's Comp Plan compares to those of other municipalities. Mr. Brisson replied that the Town's Comp Plan is unique in that the Town really tries to implement its plan more so than in other communities. He anticipated that after the upcoming modifications to the plan, the Town's Comp Plan will be more "cutting edge" than the plans of other communities. Mr. Broberg also asked how the Comp Plan dovetails with the Strategic Plan. Ms. Close responded that the Comp Plan is a document recognized by the State of Florida which governs the physical development of the town, while the Strategic Plan looks at issues beyond the limits of those included in a Comp Plan.

Acting Chairman Broberg called for comments from the public.

Council President Bill Brooks (240 Seabreeze Avenue) stated that he was responsible for initiating the Strategic Plan. He described the Strategic Plan as a "group of citizens looking to take a snapshot of how they would like our town to look in ten years." He noted that the Town Council has a scheduled time frame to implement the suggestions of the Strategic Plan, and it would be ideal for the Comp Plan to meld together with the Strategic Plan.

Acting Chairman Broberg called for comments from the commission.

Mr. Schuler called attention to the Traffic and Parking issue listed on page 5 of the *Information Packet for Public Workshop*. He felt that this is a really important issue to the Town's residents, especially in light of all of the new condo buildings being constructed in West Palm Beach which will bring an additional traffic and parking impact to the commercial and residential areas of the town.

Mr. Bill Diamond (220 Wells Road) agreed with Mr. Schuler. He explained that he serves as Chairman of the Government Impact Review Panel (GIRP). GIRP was formed a few months ago and serves to ascertain the affects of the surrounding communities on the Town of Palm Beach. This panel will receive advance notice of development occurring within other communities which will afford them the opportunity to have input (on behalf of the Town) into the decision making processes relative to those developments. Mr. Diamond invited the Planning and Zoning Commission to the next GIRP meeting to be held in the Town Council Chambers at 10 a.m. on November 17, 2005.

Mr. Sam Boykin (285 Jamaica Lane) and Mr. Tony Dowell (101 E. Inlet Drive) addressed the commission representing the north end property owner's association, a group which has recently been formed. They requested that the north end property owners be notified when any matters concerning the north end properties are discussed, and that such matters are clearly identified on Town commission agendas. Mr. Boykin stated that many of the north end residents are not happy with the proposed regulations for the north end which would limit the size of homes.

Ms. Close noted that the north end properties will not be discussed today other than to note that the "Preservation of Residential Neighborhoods" is listed on Page 4 of the *Information Packet for Public Workshop* handout for today's meeting as part of a list of issues important for inclusion in the EAR. Today's meeting was noticed in the newspaper and was posted at Town Hall to invite residents to offer additional suggestions for issues they would like included in the development of the EAR. Mr. Frank read the 5 items included in the handout which will be included in the EAR, as follows:

1. Levels of Service
2. Infrastructure - Underground utilities and Emergency water supply
3. Preservation of Residential Neighborhoods
4. Shoreline protection
5. Traffic and Parking

Ms. Close advised that all zoning season study items are advertised in the newspaper, and every property owner in the R-B zoning district will receive notice of the previously mentioned three community meetings.

Mr. Dowell stated that he prefers the zoning regulations as they exist now. He views the proposed regulations as "a direct attack" on his net worth, if future development on his site is further limited in size.

Upon Ms. Markin's request, Ms. Close reviewed the zoning calendar meeting dates and subjects for discussion for the benefit of all those in attendance.

Mr. Boykin and Mr. Dowell again expressed concern about the north end residents being given the opportunity to be heard relative to the proposed regulations which would place more stringent limitations on the size of homes. Ms. Close assured the gentlemen that all Planning and Zoning Commission meetings and all Town Council meetings are open to the public and public comment is welcomed in all cases.

Mr. Dowell directed a question to Mr. Randolph as to whether there is an element of subjectivity in staff's review of these issues. Mr. Randolph responded that staff was given an assignment to study an issue with no pre-determinations made. In this way, staff serves the community and the Town Council by using its expertise to evaluate issues, but staff does not make decisions. Recommendations are rendered by the Planning and Zoning Commission and decisions are made by the Town Council. Mr. Randolph advised Mr. Boykin and Mr. Dowell that in addition to speaking at public meetings, they are free to submit any comments in writing to staff which staff may use to incorporate into their reports.

Ms. Close stated that the concept of the neighborhood index CCR was birthed during discussion at a Strategic Planning Commission meeting. Staff was asked to return to the Planning and Zoning Commission with such a concept and that was done last year. The staff's suggestion was amended by the Planning and Zoning Commission and then was forwarded to the Town Council. The Town Council asked staff to take another look at the proposal; seek community input relative to the proposal; bring the proposal back to the Planning and Zoning Commission; and then ultimately back to the Town Council.

Ms. Murphy stated that she looks forward to the three upcoming community meetings to hear the input of the citizens. Ms. Markin stated that the Planning and Zoning Commission is still in only the evaluating stage of this proposal, and she urged all north end residents to participate in the community meetings.

Mr. Broberg asked for further comments from the commission.

Ms. Markin stated that last zoning season she expressed concern that the Town's break walls in easements along the Intracoastal waterway are deteriorating. These Town owned walls occur between private property. She felt that it is important for the Town to maintain its break walls so that there is no negative impact to the break walls of surrounding property owners. Mr. Frank agreed that this is a matter of concern and he will add it to the list of issues to be addressed within the EAR process.

Secondly, Ms. Markin called attention to the abandoned boats which were moored in the Intracoastal during the hurricanes of last year, and ultimately washed ashore sometimes damaging the property of Town residents. She stated that no one is tagging or removing them, and that they are abandoned and uninsured. Currently, during this hurricane season, there are still abandoned boats moored in the Intracoastal. She cited Cocoanut Grove as an example of a municipality which passed an ordinance limiting the amount of time a boat could be moored off that particular town. Given this trend, she anticipated that others who do not wish to violate such ordinances, and who do not want to pay high dock fees, will continue to moor their boats off the Town of Palm Beach or other communities which are not protected by such ordinances. She advocated that the Town enact such an ordinance.

Ms. Close responded that there would be substantial legal concerns involved in enacting such an ordinance. In lieu of that, she suggested adding an element to the Comp Plan in the form of Disaster Management to handle issues such as this. Ms. Markin responded that other towns have taken steps to eradicate this problem, and certainly, the Town of Palm Beach should be more pro-active in this regard.

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Ms. Murphy asked that the election of a new secretary be placed on the next Planning and Zoning Commission agenda, since Mrs. Golino has resigned from the commission. Staff will see that this is done.

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There was some discussion relative to how the community meetings would be structured, and who would facilitate the meeting....staff or the Planning and Zoning Commission. Ms. Close indicated that staff will act as facilitators; present the proposal, not advocate the proposal; invite commentary, both for and against; and record the public comments made. Ms. Markin felt it was important for staff to facilitate the meetings as a neutral party in the matter, but added that the person chairing the meetings must be organized and maintain control over the proceedings as this is a very contentious issue.

Mr. Schuler requested that staff forward another copy of the Planning and Zoning Season Calendar for 2005/2006 to the members, and to Mr. Boykin and Mr. Dowell. (*Mrs. Delp notes* *that Mr. Dowell was previously provided with same, and he forwarded a copy to Mr. Boykin.)*

Ms. Murphy asked that posters illustrating the maximization study be hung in the Town Council Chambers or out in the hallway for three months to allow persons to study them and understand why the proposed neighborhood index CCR regulations are currently being studied. Ms. Close will forward this request to the Town Manager's office.

Mr. Broberg asked that the Planning and Zoning Commission be given a "dry run" of the staff's presentation for the community meetings. Ms. Close responded that staff will be preparing a report to be followed at the community meetings, and that report will be provided to the Planning and Zoning Commission, and will be available to the public.

Mr. Boykin commented that a proper study of an issue must include an adverse impact study. As such, he requested that staff prepare an adverse impact study and have it ready at the same time that the aforementioned report is available.

MOTION BY MR. SCHULER TO ADJOURN THE MEETING.
MOTION DIED FOR LACK OF A SECOND.

Ms. Markin commented that the meeting schedules of the Planning and Zoning Commission are not aggressive enough, and the topics for discussion are not sufficiently inclusive. She requested agendas which are more full to take optimum advantage of meeting days. Ms. Close responded that some of the scheduling of the agenda items related to the Comp Plan are dictated by state requirements. She stated that the EAR process is a way to address all of the community's concerns by incorporating these into an updated Comp Plan. With regard to zoning season study items, she indicated there is a limit to the number of study items which can be handled by the Town's small staff. Ms. Close noted that this is the first year that the Planning and Zoning Commission will look at the R-B zoning district as a whole, and this is a large task.

Ms. Murphy agreed with Ms. Markin that more in-depth discussions are needed within the commission meetings. She advocated more frequent meetings which are kept to just morning meetings. Secondly, she asked Mr. Dowell to address the commission relative to the success he had in limiting buses in the north end.

Mr. Dowell stated that Palm Tran buses made their way through the north end of Palm Beach about ten times a day, and slightly less on the weekends. Observing this, Mr. Dowell began to attend Palm Tran meetings, and simply asked that they cut back the number of stops in the north end of the island. As a result of Mr. Dowell's efforts, Palm Tran has significantly cut down the frequency of buses in the north end, and has discontinued service on a Sunday. He suggested that the Town encourage Palm Tran to use smaller buses or vans when coming to the island. Ms. Markin remarked that it took a long time for this change to be effected, and Ms. Murphy noted that the change was directly attributable to a citizen volunteer, Mr. Dowell.

Mr. Broberg acknowledged that regardless of the depth of the Planning and Zoning

Commission's agendas, the commission is only advisory to the Town Council, and all decisions rest with them. Ms. Markin responded that she would like to take on as many issues as possible, and forward them to the Town Council for action.

IX Any Other Items

X Adjournment

MOTION BY MR. SCHULER TO ADJOURN AT 11:05 A.M.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Planning and Zoning Commission will be held on **THURSDAY, NOVEMBER 3, 2005** at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach.

Respectfully submitted,

Peter Broberg, Acting Chairman
Town of Palm Beach
Planning and Zoning Commission

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