

**PLANNING & ZONING COMMISSION
2007-2008 ZONING HEARINGS
RECORD AND REPORT
TUESDAY, MAY 6, 2008 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 (tape or CD) of the meeting by contacting Debby Morakis, Secretary to the Planning & Zoning Commission at (561) 227-6411. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER AND ROLL CALL: (0:00:48) Chairman Guttman called the meeting to order at 9:30 a.m.

PRESENT: William M. Guttman, Chairman
Alan S. Golboro, Secretary
Lowry M. Bell, Jr., Member
John H. Schuler, Member
Walter Anthony Dowell, Member
Eugene Lawrence, Member
Floyd Wideman, Jr., Alternate Member
Martin I. Klein, Alternate Member
E. James Ryan, Alternate Member
John S. Page, Director of Planning, Zoning & Building
Paul W. Castro, Zoning Administrator
John C. Randolph, Town Attorney

ABSENT: Leslie A. Shaw, Member (unexcused)
Let the record reflect that due to Mr. Shaw’s absence, Mr. Wideman will vote today.

RECORDING SECRETARY: Deborah A. Morakis

II. INVOCATION AND PLEDGE OF ALLEGIANCE: (0:01:55) Ms. Morakis gave the invocation and led the Commission in the Pledge of Allegiance.

III. COMMENTS FROM THE PUBLIC: (0:02:40) There were no comments from the public at this time.

IV. REGULAR AGENDA

1. Approval of April 1, 2008, Planning and Zoning Commission Minutes **(3:15:00)**

MOTION BY MR. BELL TO APPROVE THE APRIL 1, 2008 MINUTES.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

2. Discussion and Review of Updated EAR Based Comprehensive Plan Amendments **(3:56:00)**

Mr. Timothy Frank, Planning Administrator, provided the Commission with a brief update on the EAR Based Comprehensive Plan Amendments. Mr. Frank stated that updated amendments will be delivered to the Commission within approximately one week. The Future Land-use Map has now been reviewed, parcel by parcel and will be updated. In addition, the other GIS colored maps are in their final format. The Capital Improvements Element is in the correct form now, but a section illustrating the committed funding sources for the first three years of the Capital Improvement Element will be added, as required by the state. An ordinance will be added to the plan as an attachment that will demonstrate the Town's adherence to the Transportation Fair Share mitigation requirements of Senate Bill 360. Mr. Frank stated that Mr. Randolph is working on that now and a reference to it will be included in the Transportation Element. The draft of the Water Element from West Palm Beach will come in August and that will catch up to the report later. This item will be on the agenda for discussion at the June 3, 2008 Planning & Zoning Commission Meeting.

3. Report on Off-Season Planning Tasks and Possible Designation of the Planning and Zoning Commission as the "local planning agency" under Florida's Growth Management Act **(0:07:03)**

Chairman Guttman presented a report on off-season planning tasks and stated that a consolidated prioritized list of planning issues to study over the summer was compiled in December. Mr. Guttman added that the planning of the quantity and quality of the Town's water supply is a planning task that the Town Council has decided to tackle alone. Most of the planning tasks identified did not take into account the new budgetary constraints on the use of outside consultants. Faced with this transformation, at the April 7 meeting of the Town Council, Mr. Guttman suggested an alternative approach to our planning function, though the Commission had not formally discussed it. Mr. Guttman

stated, “in the past two decades, Florida has been a national leader in the effort to manage growth. Adopted in 1985, Florida’s Growth Management Act requires all Florida’s 410 municipalities to adopt local government comprehensive plans that guide future growth and development. A comprehensive plan must contain chapters or elements that address future land use, housing, transportation, infrastructure, including sanitary sewer systems, solid waste disposal systems and storm drainage systems as well as coastal management, conservation, recreation, open-space, intergovernmental coordination and capital improvements. Each element of the comprehensive plan contains two sections. The first section consists of data, inventory and analysis or DIA. Updates and additions to existing DIA’s are supposed to be made and older data is supposed to be replaced with updated information as and when necessary.”

Mr. Guttman stated that Section 163.3174 of the Growth Management Act requires local governments to designate by ordinance a local planning agency or LPA. At the moment, the Town Council is Palm Beach’s LPA for statutory purposes. By statute, the LPA is required to conduct the planning program including the preparation of the comprehensive plan, periodic evaluation and appraisal reports and plan amendments. There is a certain legal problem that Mr. Guttman asked Mr. Page to discuss with the Town Attorney. Mr. Guttman stated, “We have historically been looking at EAR’s and Comprehensive Plan Amendments but when you look at the mission of the Planning & Zoning Commission as set out in the Town’s Code of Ordinances, while we have a planning function that is undefined and relates only to the Town Council, we do not have a planning function, vis-a-vis the Local Planning Agency, which happens to be the Town Council. There is a chapter in our code of ordinances that goes into detail about the kind of work the LPA is supposed to be doing. The Town Council, acting as the LPA, has really done no work other than to meet for roughly 10 minutes, reconvene as the TC and adopt the plan. The LPA is solely advisory and has no decision making power. Therefore, if the Planning & Zoning Commission were designated as the LPA, we would be in no different situation than we are right now. We would be making recommendations to the Town Council concerning elements in the comp plan and the Town Council would be the body to vet and approve with final decision making process the EAR’s and the plan amendments.”

Chairman Guttman stated that about a decade ago, this Commission, which used to be known as the Zoning Commission, became known as the Planning and Zoning Commission. Former members of this Commission, Town Council President Richard Kleid and Councilwoman Susan Markin, both expressed a great deal of frustration in not understanding precisely what their role was as a member of a planning commission when they sat on the Planning and Zoning Commission.

In 2007, the Town Council asked the Planning & Zoning Commission to define its planning role and at the March 19, 2007, Planning & Zoning Commission meeting, the Commission recommended that the Town Council designate the Planning & Zoning Commission as the LPA, thereby enhancing our planning role in a manner consistent with the Commission’s powers and duties under Section 2-333 of the Town’s Code of

Ordinances. The Town Council has agreed to consider, on May 13, 2008, whether or not to name the Planning & Zoning Commission as the LPA and has instructed Staff to prepare a memorandum of the pros and cons of doing so. The Commission will go over the updated EAR based comprehensive plan amendments at the June 3, 2008 Planning & Zoning Commission meeting, and, if necessary, again on July 1. Mr. Guttman stated that he felt the Commission would not meet in August or September and stated that beginning next year and thereafter, using the state mandated comprehensive plan as a template for the Commission's planning role, the Commission would reassess elements of the comprehensive plan in more detail and take in-depth looks at the future land-use elements first and with the consent of the Council, at the sanitary sewer system, solid waste disposal system and other components of the Town's infrastructure. The Commission would begin with the land-use section because it serves as the central foundation of the land-use regulatory policies. Staff would go beyond the minimum requirements of the growth management act and upgrade the DIA and this chapter of the comprehensive plan. Then, based on this update, the Commission would reevaluate the existing land-use goals, objectives and policies and either leave them intact or make appropriate adjustments. The same procedures would be followed to address other components of our infrastructure and other elements of the comprehensive plan. Mr. Guttman added, "The Commission will have to be very sensitive to not intrude on the planning matters the Town Council wants to undertake or to undertake planning tasks that are beyond our expertise and therefore require the use of costly outside consultants."

John Page, Director of Planning, Zoning and Building, confirmed that Florida state statute does provide for LPA's to be established and there is a local provision in the Town's Code that designates the Town Council as the LPA and their role of reviewing the comprehensive plan is spelled out. There is the possibility that the Council could act to assign that designation of the LPA to the Planning and Zoning Commission. Attorney Skip Randolph is preparing background material for the Council to be considered at the Monday, May 12, 2008 Town Council Meeting.

Mr. Golboro affirmed that over the past three or four years the Town Council has changed the structure of this Commission, which is now comprised of two attorneys and the remainder are professionals.

Mr. Klein reiterated his support for the Chairman's comments and asked if the Commission could be provided with a copy of the backup provided to the Council.

4. Staff Presentation on Action Taken by the Town Council on April 7, 2008 on Proposed Zoning Ordinance Nos. 4-08, 9-08, 10-08, 11-08, 12-08, 13-08, and 14-08, arising out of Recommendations made during Phases I and II of the Staff Reports on Zoning Proposals for the 2007-2008 Zoning Season (0:23:07)

Paul Castro, Zoning Administrator, reported that there were 16 study items for the 2007/2008 Zoning Season. Not all of the ordinances were adopted. Some of the

ordinances and study items were sent back for further study. Ordinance No. 4-08, that considered many of the study items that the Planning & Zoning Commission heard in both Phase I and Phase II, included the point of measurement for height, cellular antennas, increasing the fee schedule for land development regulations, site plans for single family platted lots, creation of regulations for electrical transmission substations, as well as fast food take out chains and some housekeeping items. Within that Ordinance, the item providing for administrative approval on single family platted lots was pulled by the Town Council and referred back to Staff for further study. Ordinance No. 9-08 will be going for second reading on May 12. The Town Council deferred the next phase of the intersection vision study and asked Staff to look at this item more closely, specifically the implementation strategy. Also, the recent trend in the conversion of condominium hotels did not make it to ordinance form. The ordinance on the nightclub use versus the restaurant use generated three ordinances that were provided to the Town Council: Ordinance No. 11-08, which was the Planning & Zoning Commission's recommendation, which Staff supported; Ordinance No. 12-08, which was an alternative ordinance that provided more flexibility and was provided to the Council as an option; and Ordinance No. 13-08 which modified Chapter 22 which clarified the entertainment uses within the code and specifically provided for a closing time for those types of establishments. Ordinance No. 12-08 was set aside. The Town Council is moving forward on the Planning & Zoning Commission's recommendation in Ordinance No. 11-08 as well as Ordinance No. 13-08 which will go to the Town Council on May 12, 2008. Ordinance No. 10-08 regarding flags was set aside and the Town Council asked Staff to look at this item a little closer as it related to the uses and size of flags.

Mr. Castro stated that the EAR based amendments will be coming to the Planning & Zoning Commission this summer and the Commission will also consider additional comprehensive plan issues relative to the land-use element. Royal Poinciana Area Planning Study is coming back to the Town Council in May.

Mr. Wideman stated that he did not recall hearing the term "entertainment establishment" in any discussion at any of the meetings of the Commission and felt it was very confusing.

Mr. Castro stated that when this item was brought to the Town Council, there was some discussion about what constitutes an entertainment establishment.

Chairman Guttman explained that when the addition of an entertainment component to restaurant activities was brought to the Commission as a study item, Staff and the town attorney were unaware that outside of the zoning code there is Chapter 22, and, in one of its articles it deals with so-called entertainment establishments. That Chapter regulates entertainment activities based on legal nuisance concepts. Mr. Guttman said, "the Town Council was prepared to adopt the ordinance and apply it to restaurants, but, I urged them not to because Chapter 22 contained a host of inconsistencies." Mr. Guttman added that at the Town Council's request, Staff took Chapter 22 and defined the word "entertainment establishment" to refer to each and every type of entertainment activity that was described

throughout the chapter and regulated them all the same way.

After further discussion, Mr. Castro stated that there would be two ordinances adopted relating to “entertainment establishments”; Ordinance No. 11-08 and Ordinance No. 13-08.

Mr. Golboro asked if there would ever be a need for an electrical substation on the island.

Mr. Castro could not answer that question but stated that the Town Manager’s Office and Public Works Department recommended that these regulations be adopted.

Mr. Klein suggested the Commission have a discussion over the summer regarding the process; and, better defining the role of the Commission, the role of Staff, and the interrelationship between Staff, the Commission and the Council.

Chairman Guttman requested this be added to the June agenda and stated that by the June meeting, the Commission will know if the Town Council has designated the Commission as the LPA and instructed the Town Attorney to proceed with the necessary ordinances. Mr. Guttman stated, “If the Commission does not become the LPA, I hope that at the June 12 meeting, the Town Council will do one of two things if they don’t see their way to designating us as the LPA, either they will define our planning role, because I give up and I don’t think anybody on this Commission can. We either need some very concrete direction from the Town Council, or, and frankly, this would not get my nose out of joint, they can change the name of this Commission back to the Zoning Commission. That also is fine. At least we will not be chasing our own tail and not know what to do and in the process get very frustrated.”

Mr. Wideman added another point regarding Ordinance No. 11-08 and stated that the definitions are not clear.

Mr. Castro stated that there is nothing in the definition that precludes a restaurant from serving alcohol.

Chairman Guttman suggested to Mr. Wideman that if he felt this was important enough to revisit, that he bring it up when the Commission gets to the list of zoning study items.

5. Consideration of Proposed List of Study Items for Zoning Season and Comments and Suggestions on Any Other Items for Consideration (0:49:41)

Paul Castro, Zoning Administrator, provided a list of seventeen zoning study items that were either studied last year or have been on a previous agenda of the Planning & Zoning Commission or Town Council and have been carried forward.

Regarding Study Item #1, Chairman Guttman stated that Tim Frank should be aware that Policy 1.3 in the Comprehensive Plan states that the Town will complete this study item by the 2008/2009 zoning season. Mr. Guttman suggested that this item be studied to meet the policies in the comprehensive plan or change the comprehensive plan.

Mr. Castro stated that Staff is recommending to study Items #2 through 6.

Chairman Guttman stated that if Staff needs to hire outside consultants on any particular study item, they need to get Town Council approval.

Mr. Klein noted that the majority of study items require the use of a consultant and stated that perhaps if we need so many consultants, perhaps the list should be refined or shortened.

Veronica Close, Assistant Director of Planning, Zoning and Building stated that in the past, the Town has always used outside consultants because the workload of planning goes up and down each year. Ms. Close stated that the cost incurred for consultants has been between \$35,000 and \$150,000 per year.

Mr. Ryan asked why the cost of the consultant is not incurred by the applicant.

Mr. Castro stated that based on the new fee schedule, the consultants' fees will be paid by the applicant.

Mr. Golboro mentioned the Testa's application and asked if there was a deadline under which the tanks must be out and the gas station closed, unless they have the new tanks installed.

Ms. Close stated that she believed that Testa's is facing a 2009 deadline for the installation of new tanks.

Chairman Guttman stated that his preference would be for Treasure Coast Regional Planning Council to deal with this, but, if the Town is to use an outside consultant, the Town will need someone with some expertise in economic matters.

Chairman Guttman stated that Study Item #6 is intended to go beyond landscaping and walls and include an analysis of any obstacle in a site triangle such as an SUV parked against the curbside, telephone or light poles that are obstructive from a public safety perspective.

Mr. Bell asked why this item has come back to the Commission when the Commission recommended to kill this item.

Mr. Page stated that most of the time, any recommendation coming from the Planning and Zoning Commission and Staff are closely allied, if not identical to one another. It does happen, on occasion, in all communities that there will sometimes be a difference between a Staff recommendation and a recommendation from the Planning & Zoning Commission to the Town Council. Mr. Page stated that he would do a better job in the future of identifying any occasion from this point forward when Staff expects to move forward with

a recommendation that differs in any way from the Commission recommendation. Mr. Page stated that Mr. Castro was correct in that the Town Council has requested this item stay as a study item and requested more information.

Mr. Bell asked if the markers could be placed on the streets.

Mr. Page stated that Staff would attempt to find one or two representative intersections and arrange a time for Staff and the Commission to meet. Mr. Castro suggested perhaps the use of orange paint, which would be a less permanent test.

Mr. Castro stated that Attorney Skip Randolph would be working with Tom Bradford regarding Study Item 6 to look at the “taking” issue. The regulation that was proposed, along with a final opinion, will be brought back to this Commission.

Mr. Castro added that Study Item #7 came out of the POD issue and stated that Staff does not feel this is a priority, but, should be kept in the list. Mr. Castro stated that Staff is not recommending studying Item #8 and feels this should be left in the purview of the Town Council. Study Item #9 has been around for several years and Staff is not recommending that it be studied this year. Staff recommends that Study Item #10 be studied.

Mr. Castro stated that Staff recommends studying Item #11 and explained the possible comprehensive plan and zoning amendments. Mr. Castro stated that when someone joins two units together in a condominium the Town requires a unity of title that cannot be severed unless they meet the density requirements in the plan and zoning code as well as the parking requirements in the zoning code. Staff would like to put some verbiage in the comprehensive plan that would allow a resident to split these units back to the way they were originally built without the unity of title.

Mr. Castro stated that Council has asked that Staff look at Study Item 12 regarding the accommodation of dogs at restaurants, and bring it back to the Planning & Zoning Commission and Town Council. Study Item #13 is to provide a concept for shared parking for construction related vehicles in the summertime and Town Council would like to look at zoning provisions related to that. Study Item #14 is a study providing more flexibility for outdoor seating in restaurants, more opportunities for outdoor seating for existing as well as proposed restaurants in the Town. Study Item #15 covers various housekeeping items. Study Item #16 is to study lots in the R-A Zoning District and Staff does not recommend studying this item.

Chairman Guttman commented on Items #16 and 17 and urged Mr. Castro to ask the Town’s Attorney to look at Section 134-261 of the Town’s Code of Ordinances which states, “if one or more property owners request a rezoning by petition, the Town’s Building Official shall submit to the Planning & Zoning Commission for its recommendation and report.”

Mr. Castro stated that if someone wants to rezone their own property, Staff must bring that

application to the Planning & Zoning Commission and Town Council, but Staff cannot bring an application to the Planning & Zoning Commission and Town Council that is a private property owner's application that would rezone someone else's property.

Chairman Guttman asked why a consultant would be needed for Item #17 and Mr. Castro stated that it is a fairly substantial study, the notice requirements are substantial; and, it would be a much longer process.

Chairman Guttman stated that he would like to hear from his colleagues. Mr. Guttman stated, "If Mr. Brindell represents roughly 40% of the homeowners along the lake who want to have their properties rezoned, and when you look at the "shall" language in the Town's code, then it seems that part of the study must be done on the Town's nickel. To the extent that we are going beyond that to include the other 60%, then I can see some sort of cost sharing possibilities there."

Mr. Castro stated that Staff disagreed with that. If it is an owner initiated application, there is a professional services fee involved which is required of the property owner or applicant. It is only if the Town decides to study it independently, that the cost would be borne entirely by the Town.

Mr. Bell asked why this is not being studied immediately rather than postponing it.

Mr. Castro stated that the Town Council has turned down the request to study this proposed study item twice.

Jim Brindell identified himself for the record and stated that he was here on behalf of the Committee for Fairness in Zoning, which is comprised of a number of properties. Mr. Brindell stated that 41 parcels out of 95 are included, and they stretch from Dunbar Road to Reef Road. Mr. Brindell demonstrated the properties involved with a map and stated that 76% of the properties are in the 20,000 square feet or greater area. The character of this area is predominantly R-A and not R-B. Mr. Brindell stated, "being zoned R-B but being 20,000 square feet or greater, you end up being penalized for that situation because under the R-B districts, you have to meet the R-A standards. Then you get hammered with the CCR requirement which is not part of the R-A zoning. So you get hammered from both ends." Mr. Brindell continued, "Staff recommends that 10 of the 17 study items be undertaken this season and four of those would be consultant assignments and one of those items is to allow dogs at outdoor restaurant seating. I love dogs. I have two and I am about to have a third on Friday. I love dogs and would prefer to have dogs in most places than sometimes people. On a relative basis of importance, these people have been trying to get some consideration for three years now about what seems to be a very logical request." Mr. Brindell noted that Staff indicated last year that the consultant estimated \$68,000 to analyze this proposal. Mr. Brindell stated that this should be a town-initiated item because this is not about one piece of property and asked that this be added to the recommendation list.

Mr. Klein stated to Mr. Brindell that if one applicant submitted a request for rezoning, then the Town would have to consider that. Mr. Klein asked, "Why shouldn't the Planning and Zoning Commission look at this comprehensively as part of the Commission's core planning function?"

Mr. Lawrence declared ex-parte communication and stated that he has discussed this matter with Mr. DeMarco. Mr. Lawrence asked what the logic was in making all those lake-front lots R-B lots. Mr. Castro did not know the answer to that question.

Mr. Lawrence agreed that the water front lots should be zoned differently. Mr. Lawrence added, "As an architect, I have dealt with properties like this that are zoned R-B, where you take on all the penalties of R-A and then you pick up the CCR and what the effect of that is, is that you are on the lake, where you are not influencing anyone whatsoever, but you are required to minimize the cubic content of your property and this is of no benefit to anybody. I would like to see this matter studied."

Mr. Bell asked how many properties are involved and what the difference means in the construction of the house with a change from R-A to R-B.

Mr. Brindell stated that he represents 41 of the 95 parcels and 76% of the 95 parcels are 20,000 square feet or more.

Mr. Bell stated that he saw no reason to delay the study of this item.

Mr. Ryan asked if this would require a change in the comprehensive plan. Mr. Castro and Mr. Brindell both stated that this would not require a comprehensive plan change.

After further discussion, Mr. Castro read an email received from Leslie Shaw regarding this matter into the record.

Mr. Klein stated that he felt the consensus was to study this item and Chairman Guttman agreed. After further discussion, the following motion was made:

**MOTION BY MR. WIDEMAN TO "BOLD" STUDY ITEM #17 ON THE 2008/2009 PROPOSED ZONING STUDY ITEM LIST.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED 6-1 AFTER ROLL CALL VOTE, WITH MR. GOLBORO OPPOSED.**

Chairman Guttman asked if there were other zoning study items to be added and read from an editorial in Sunday's *Shiny Sheet* regarding the Nightingale Beach Club Association and their sea grapes.

Mr. Castro stated that it was his understanding that the Nightingale Beach Club could get a permit from the state to do the work and Staff was trying to work with the property

owner's association to get it done. The reluctance was on the part of the property owner to get the permit to do the work.

Mr. Bell stated that he felt there was no problem in obtaining a state permit to cut sea grapes. It is done every day.

After further discussion, Mr. Klein recommended that a motion be made to add, as a study item, a review of the zoning issue as opposed to the enforcement of the open vista ordinance.

MOTION BY MR. SCHULER TO ADD, AS A STUDY ITEM , A REVIEW OF THE OPEN VISTA ORDINANCE.

MOTION SECONDED BY MR. DOWELL.

MOTION CARRIED 6-1 AFTER ROLL CALL VOTE WITH MR. GOLBORO OPPOSED.

Mr. Golboro stated, "There are other conflicting things, especially along the seashore, between the state and the town. Our rules are different and I think you have limited your study to just that. If you want to expand it to the variations of the differences between the Town's ordinances and the State ordinances or Federal ordinances, I would accept it. But just as a very specific item that Staff should take care of, I disagree that we go through a study item as equal to 1 and 12 of the items here, doesn't measure up."

Chairman Guttman asked for more examples and Mr. Golboro added sea walls, foreign plants.

Mr. Castro stated that Staff understands the issue at the bulkhead and stated that item is not on this list, but is on a list of items that Staff will study in collaboration with public works.

Mr. Guttman stated that it sounds like Staff is trying to address this. Mr. Guttman stated that in the 2005/2006 Zoning Season, Sieman and Larson prepared a set of alternative development rules to add an element of standard-based flexibility to the zoning code. Mr. Guttman proposed that the item be studied in a piecemeal approach and distributed a copy to the Commission.

MOTION BY MR. WIDEMAN TO ADD A STUDY ITEM ON STANDARD-BASED FLEXIBILITY FOR FRONT YARD AND SIDE YARD SETBACKS.

MOTION SECONDED BY MR. GOLBORO.

Mr. Lawrence asked if it was mandatory that we have the hardship in the ordinances or is it an opportunity to write the criteria for a variance differently than it is now written?

Chairman Guttman stated that with respect to the non alternative development standards, you would not have to meet the undue and unnecessary hardship rule.

Mr. Castro stated that as a direct result of the Sieman and Larson report, the Town placed an undue hardship waiver in the code, which grants the ability to the Director to grant specific waivers.

Mr. Golboro asked if we should be studying a way of inviting or getting town-serving businesses.

Ms. Close stated that there are a lot of people in favor of the town-serving concept. Some businesses have a problem with it.

Mr. Page stated that if this is an issue that the Planning & Zoning Commission feels should be on the list, Staff would make that recommendation to the Council.

Chairman Guttman stated that he would like to take a vote on this but was concerned that we need to test the community's feelings about the town-serving requirements. "It is apt to be an extraordinarily contentious issue and we will need to devote a lot of time and attention to it. It is not something we can decide. While I agree with Staff and Mr. Golboro that it should be addressed, we have a very full season."

Mr. Golboro stated that the Town has been losing retailers, and that there are no mens' stores in Town anymore.

MOTION CARRIED UNANIMOUSLY.

Mr. Wideman stated that he disagrees with Mr. Golboro and felt there are plenty of mens' stores in Town. "By doing away with the town serving requirements, we would increase density. Although it is difficult to administer, we would be foolish to change that requirement."

Mr. Klein stated that he would recommend adding that item to next year's list.

V. COMMENTS OF THE PLANNING AND ZONING COMMISSION AND PLANNING, ZONING AND BUILDING DIRECTOR (2:26:36)

Mr. Page stated that the Town has been considering remodeling changes to Town Hall and there will be some consideration about proceeding ahead with this project at the next Town Council Meeting. Mr. Page advised the Commission that once the renovation is underway, alternative arrangements will be made for a meeting place for all of the Council and Board meetings.

Chairman Guttman stated that the Medical Care Commission used to meet at the Fire Department meeting room and Mr. Page stated that the Town Manager's Office is taking a look at a number of sites.

Mr. Page stated that all of the recommendations made today with regard to the zoning season study items will be delivered to the Council for their consideration.

VI. ADJOURNMENT (2:28:36)

MOTION BY MR. BELL TO ADJOURN.

MOTION SECONDED UNANIMOUSLY BY THE COMMISSION.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

William M. Guttman, Chairman
Town of Palm Beach
Planning and Zoning Commission

Alan S. Golboro, Secretary
Town of Palm Beach
Planning and Zoning Commission

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