



**PLANNING AND ZONING COMMISSION AND LOCAL PLANNING AGENCY
RECORD AND REPORT
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
TUESDAY, JANUARY 17, 2012, 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(9:30:32 a.m.)

Chairman Golboro called the meeting to order at 9:30 a.m. On roll call, Commission Members present were:

Alan Golboro, Chairman
Leslie Shaw, Vice Chairman
John Schuler, Member
Eugene Lawrence, Member
Floyd Wideman, Jr., Member
Martin Klein, Member
C. Tanner Rose, Member
Lewis Crampton, Alternate Member
Jeffrey Cloninger, Alternate Member
Michael Spaziani, Alternate Member

Staff Members present were:

John Page, Director of Planning, Zoning, Building
Paul Castro, Zoning Administrator
Debby Morakis, Secretary to the Planning & Zoning Commission

II. INVOCATION AND PLEDGE OF ALLEGIANCE(9:31:07 a.m.)

Ms. Morakis led the Commission with the invocation and Pledge of Allegiance.

III. APPROVAL OF THE AGENDA(9:32:17 a.m.)

**MOTION BY MR. KLEIN FOR APPROVAL OF THE AGENDA.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

IV. COMMENTS FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA(9:32:57 a.m.)

No comments were heard from the public at this time. Chairman Golboro stated that after the presentations, the entire meeting would be open to the public for questions.

V. APPROVAL OF NOVEMBER 15, 2011 PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY MINUTES(9:32:46 a.m.)

MOTION BY MR. KLEIN FOR APPROVAL OF THE NOVEMBER 15, 2011 PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY MINUTES.

MOTION SECONDED BY MR. SCHULER.

Mr. Wideman requested a correction to his comments on page 6.

MOTION AMENDED BY MR. KLEN FOR APPROVAL OF THE MINUTES WITH CORRECTIONS.

AMENDED MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

VI. NEW BUSINESS

Draft Zoning Ordinance. [Paul Castro]

a. Study possible changes in Chapter 134, Zoning, which modify the requirements for building east or partially east of the State Coastal Construction Control Line.(9:34:59 a.m.)

Paul Castro, Zoning Administrator, used a power point presentation to explain proposed changes to Chapter 134 and answered questions from the Commission.

b. Modify Chapter 134, Zoning, to eliminate the perimeter landscape open space requirements for lots over 20,000 square feet in the R-B zoning district.(9:36:11a.m.)

Mr. Castro explained the proposed changes within the RB District that the perimeter landscape provision be eliminated.

c. Modify Chapter 134, Zoning, to change the term occupational license to business tax receipt.(9:37:53 a.m.)

Mr. Castro explained that this change was a housekeeping item correcting sections of the code that refer to occupational licenses.

d. Study possible changes in Chapter 134, Zoning, to specifically prohibit the use of strobe or flash lighting and/or neon lighting which draws attention to a building or tenant space.(9:38:18 a.m.)

Mr. Castro explained that there was nothing in the code to deal with neon or strobe lighting. A discussion took place regarding the different types of lighting that are permitted and the types that are prohibited and Mr. Castro answered questions.

Bob Moore, 420 Santa Fe Road, West Palm Beach addressed the Commission and explained the holiday lighting policy that was adopted by the Town Council and enforced by Code Enforcement.

MOTION BY MR. KLEIN TO ADOPT THE ORDINANCE AS PRESENTED.

Mr. Schuler asked if there should be a specified date for beginning and ending of the holiday lighting season. Mr. Castro explained that the season typically begins right after Thanksgiving.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED 7-0 AFTER A ROLL CALL VOTE.

Mr. Castro explained that this Ordinance would have to be legally advertised and would come back to the Planning & Zoning Commission/Local Planning Agency and then go to Council.

VII. OLD BUSINESS(9:45:05 a.m.)

- a. [Update/Presentation from the City of West Palm Beach on the City Sustainability Plan. \[Penni Redford, West Palm Beach Sustainability Manager\]](#)

Mr. Page introduced Penni Redford, West Palm Beach Sustainability Manager, who addressed the Commission and used a power point presentation to provide an overview of the efforts the City of West Palm Beach is making regarding sustainability and global climate changes. Ms. Redford explained that her city was currently working on a Sustainability Plan and had recently presented the first of many E-4 Sustainability Summits in an effort to educate the public.

Josh Nichols, West Palm Beach Sustainability Coordinator, presented the Commission with information about initiatives the City has taken advantage of which include electric vehicles and incentivized parking with free charging stations. Mr. Nichols explained that the City had received grants from the South Florida Water Management System that were shared with the community for rain barrels, shower heads, faucet aerators, and toilets. Mr. Nichols also explained the city's energy performance contract with Energy Systems Group which includes many street lighting and HVAC improvements that are anticipated to result in a 14% reduction in energy consumption.

Mr. Schuler asked if procedures were in place for monitoring and Ms. Redford explained that the plan was currently in its draft form but was expected to be adopted with a built in reporting process.

Mr. Shaw asked several questions that were addressed by Ms. Redford relative to the Leeds program and financial incentives for the private sector. Ms. Redford explained that the City is vetting some programming for commercial properties (PACE) which is a way to do energy retro-fits with financing assessed to the property, not the property owner and that Lantana and Cutler Bay have similar programs and that West Palm Beach was considering opting in through an inter-local agreement.

Tanner Rose congratulated Ms. Redford on her presentation and the city's online report. Mr. Rose asked about adaptive measures and Ms. Redford said there was a five county regional compact that just put together a draft action plan to address many issues, including deforestation and water conservation.

Chairman Golboro thanked the City of West Palm Beach and suggested the Town participate with the City of West Palm Beach in this program.

John Page, Director of Planning, Zoning, Building Department, stated that he would pass along the Commission's general consensus of support and encouragement for collaboration to the Town Council.

Neil Melick, Assistant City Administrator in West Palm Beach addressed the Commission and stated that his office has the support of Mayor Muoio and other city administrators to support these programs through the savings seen from the energy performance contract and utility projects. Mr. Melick added that he would be glad to meet with the Town's Administration to provide support and help build a team.

b. [Information relative to the Town's upcoming Energy Efficiency Seminar. \[Tom Bradford\]](#)

Tom Bradford, Deputy Town Manager, stated that on January 20, 2012, at the Palm Beach Civic Association offices community room in the Paramount Building, there would be an Energy Efficiency Seminar to present the Town's efforts in the energy efficiency and conservation block grant program that the Town was awarded, measures the Town is taking relative to its vehicle fleet, energy audits on its buildings and the Community Outreach Program intended to raise the awareness level in the community about the benefits of energy conservation and energy efficiency. Mr. Bradford added that most residents are interested in the energy independence of the United States and want to be able to save on their energy expenditures.

Mike Spaziani expressed his concern for sea level rise and added that he felt the Commission, as a Planning Board, should look to the Council to further study the affect and how it might impact the residential areas in Town.

c. [Informational Presentation on the PUD-A, The Breakers Hotel Plan Unit Development. \[Paul Castro\]](#)
(1:11:43)

Paul Castro, Zoning Administrator, presented the Commission with a power point presentation that included every resolution relative to the Breakers and the implementation of PUD-A. Mr. Castro explained the ten phases of the Breakers PUD Master Plan of 1981 and the agreements and resolutions that modified the PUD over time. Mr. Castro added that at some point, the Breakers would come back to the Town to reprioritize the plan and the Town could then renegotiate the use of the transfer station.

Chairman Golboro complimented the hotel and the staff on a magnificent presentation. As requested by Mr. Klein, Mr. Castro agreed to forward the power point presentation to the Commission members.

Mr. Cloninger asked if the Town had a definition in the code for a dwelling unit. Mr. Castro read from the code the definition of residential unit and a brief discussion ensued.

Mr. Crampton asked for clarification about the 236 units that the Breakers could exercise and Mr. Castro explained the residential density on Main Street and the 38 units on the corner. Mr. Crampton then asked if the Breaker's could convert one of their golf courses to residential dwelling units. Mr. Castro stated that they would have to come back to Council and get approval to amend or eliminate the PUD which would require a rezoning.

Mr. Klein stated that he was uncomfortable with further discussion without a representative from the Breaker's here. Mr. Castro stated that Mr. Leone had been contacted and invited to this informational hearing.

Mr. Spaziani asked if the transferrable development rights were transferrable outside the PUD and Mr. Castro said they were not.

Mr. Shaw asked to confirm that the Breakers could not abandon the PUD and have the property revert back to the R-B zoning district. Mr. Castro stated that they could only abandon the PUD if the Town decided to rezone the property and that the underlying zoning district is PUD-A. The Breakers would have to apply to modify the PUD-A which would need Council approval.

Bob Moore, 420 Santa Fe Road, West Palm Beach, stated that he although he represents the Breaker's, he was only here today to listen to the report. Mr. Moore commended Mr. Castro for his extremely accurate presentation including the history of the property. Mr. Moore also confirmed that the zoning could never change without Planning & Zoning Commission and Council approval.

Chairman Golboro asked what other PUD's exist in the Town and Mr. Castro listed Tres-Vidas, Sloan's Curve and Warden House.

VIII. COMMENTS OF THE PLANNING AND ZONING COMMISSION AND PLANNING, ZONING AND BUILDING DIRECTOR(11:19:55 a.m.)

Mr. Shaw addressed his comment to the Town Council regarding the restriction on parking on the west side of Town Hall to Mayor and Council only. Mr. Shaw stated that he felt this is an inconvenience to shops in the area and the public at large. Mr. Shaw asked for some reconsideration and suggested that other Commission Members also be able to park there during their meetings. Mr. Page stated that he would pass that on.

Chairman Golboro asked the Commission Members if they felt the Commission should review the definition of residential unit in terms of size and volume. Comments were heard from several Commission Members and it was the consensus that staff should bring this back to a future meeting for discussion. Mr. Castro stated that there was a definition in the code of residential dwelling units. Discussion ensued and Mr. Page agreed to bring this back to the Commission for discussion.

Chairman Golboro stated that he would like have a discussion about licensing service providers as a source of protection for citizens. A brief discussion took place and it was the consensus of the Commission to add this to a future agenda for discussion.

Mr. Page noted that flyers from the City of West Palm Beach Sustainability office were available.

IX. ADJOURNMENT(11:37:36 a.m.)

There was a motion and second to adjourn the meeting at 11:37 a.m.

Respectfully Submitted,

Alan S. Golboro, Chairman
Town of Palm Beach
Planning & Zoning Commission

Leslie A. Shaw, Secretary
Town of Palm Beach
Planning & Zoning Commission