

Special Meeting of the Planning and Zoning Commission (sitting as the Local Planning Agency for a portion of the meeting) of the Town of Ocean Ridge held on Monday, April 20, 2009 in the Town Hall Meeting Chambers.

The meeting was called to order at 8:00 AM by Chair Jim Bonfiglio and roll call was answered by the following:

Mark Marsh
Ward Northrup
Penny Kosinski

Gerald Goray
Mauro Walker
Chair Jim Bonfiglio

III. APPROVAL OF FEBRUARY 9, 2009 MINUTES

Mr. Walker moved to adopt the February 9, 2009 minutes, seconded by Mr. Goray.

Motion carried – yea (6).

Chairman Bonfiglio suggesting rearranging the agenda to allow for Erin Deady, attorney from Lewis Longman & Walker, to give a brief presentation on “Going Green” incentives and then proceed back to item IV.

Atty Deady provided a short power point presentation on the Local Initiatives to Address Climate Change and Sustainability. She advised that several House Bills have been adopted to provide for renewing energy, energy efficiency, and creating incentives for same. She added that state agencies must implement certain targeted reductions by certain time frames. She stated that House Bill 679 amends the “Growth Management Act” in Section 163 which provides that any Future Land Use plan shall include data for energy efficient land use patterns and greenhouse gas reduction strategies within the Traffic Circulation Element and Housing Element with the Comprehensive Plan. Atty Deady commented that green building codes is one way for local governments to demonstrate compliance for the Comprehensive Plan Amendments.

Atty Deady briefly mentioned the Leadership in Energy and Environmental Design (LEEDS) by stating that it is actually part of the US Green Building Council which provides definitive standards for what constitutes a green building.

Atty Deady summarized two methods to develop green building codes such as holistically address energy efficiency, parking/transportation policies, recycling, landscaping, lighting, signage, water use/efficiency or limit code revisions to design standards relative to mixed use or residential buildings. She advised that she would forward codes from Gainesville and Sarasota and also a report recently completed by Delray Beach for review by this Commission.

Atty Spillias commented that Ocean Ridge is one of the few communities strictly residential and therefore the codes may not need to be as specific since it would only be for new development (which we are nearly built out) or redevelopment.

The Commission thanked Atty Deady for her presentation and providing insight to the green issue.

IV. CONSIDER AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN BASED ON THE TOWN'S ADOPTED EVALUATION AND APPRAISAL REPORT, SITTING AS THE LOCAL PLANNING AGENCY (LPA) WITH URBAN DESIGN STUDIOS

Town Manager Schenck advised that the Commission had been provided with a draft of the Comprehensive Plan Amendments that reflect the changes included in the EAR report adopted in June, 2007. Most of the changes were minor and take into account the changes in the community. He added that the P & Z, sitting as the Local Planning Agency, must review the changes and transmit comments to the Town Commission for their approval and submittal to the State.

Marty Miner, representing Urban Design Studios, was present and advised that Chapter 163 of the Florida Statutes requires updates to the Comprehensive Plan every seven years to update and review any changing conditions of local and state policies. He added that this report has a lot of emphasis on water, hence the inclusion of the 10-Year Water Supply Facilities Work Plan from the City of Boynton Beach, who currently provides the Town's water.

Mr. Northrup stated that he would like to see the Town investigate providing its own water source. Town Clerk Hancsak mentioned that after FOCUS 2000 the Commission created the Infrastructure Review Advisory Board that studied the possibility of providing its own water and they determined that some of the negative issues would be the cost, public property space for same, and also the many years necessary before this enterprise fund would generate any revenue.

Chairman Bonfiglio questioned whether the City of Boynton Beach could actually cut off its water supply to the Town to which he was advised that the Health Dept. would not permit this to happen but it was unsure whether they could simply just raise rates. The Commission recognized that this possibly should be reviewed.

Mr. Northrup moved to recommend completing a study to determine the feasibility of the Town developing its own water sources, sanitary sewer and distribution systems for reused water, stressing though that this motion would not be made a part of the Comprehensive Plan Amendments. Mr. Marsh seconded the motion.

Motion carried – Yea (6)

At this point the Commission reviewed the Comprehensive Plan document page by page and recommended the following changes:

Page 1-8 Policy 8.2 – take out over and replace with within or through

Page 1-10 Policy 10.1 – at end of the sentence add and consistent with Town codes and policies

Page 1-11 Policy 10.5 – remove entire paragraph

Page 2-1 Policy 1.2.2 – replace Maintain with Retain

Page 3-1 Objective 1.3 – after manufactured housing, add if State required

Page 3-2 three typographical errors observed – worthy instead of worth, in instead of is under (b), should be sites instead of site and archaeologically instead of archaeological

Page 4-1 Policy 1.2.1 - at end of sentence add and rainfall of one inch in one hour

Page 4-1 Policy 1.2.4 – check with Solid Waste Authority and then revise to read 9.54 pounds of solid waste per person per day, consistent with Solid Waste Authority waste generation rate estimates

Page 5-1 Policy 1.1.3 – Remove the sentence beginning with However

Page 8-1 Policy 1.2.2 – add Manalapan

Page 8-2 Policy 1.2.4 – add Manalapan

Page 9-2 Policy 1.2.4 – remove extra zero in 5,000

Page 9-2 Policy 1.2.3 – add back in to adequately detain runoff from one inch of rain in one hour

Page 9-2 Policy 1.2.6 check with Solid Waste Authority and then revise to read 9.54 pounds of solid waste per person per day, consistent with Solid Waste Authority waste generation rate estimates

Page 9-2 Policy 1.3.1 – add Town codes and policies

Atty Spillias reminded the Commission that the Comprehensive Plan Amendments are to primarily recognize changes that have occurred in the Town. Staff was also directed to check with the Town Engineer to determine if the changes related to Page 4-1 Policy 1.2.1 and Page 9-2 Policy 1.2.3 were consistent.

After the review there was no public comment.

Mr. Northrup recommended approval of the EAR amendments in the Comprehensive Plan Amendments as amended by the Local Planning Agency. Mrs. Kosinski seconded the motion.

Motion carried – Yea (6)

V. DISCUSS VARIOUS ZONING CODES AND ALSO SECTIONS THAT RELATE TO THE FLAT ROOF AREA, 75% SECOND FLOOR RULE, FLOOR AREA RATIO AND ALSO THE POSSIBILITY OF “GOING GREEN” INCENTIVES OR SCHEDULING FUTURE MEETING FOR SAME

Regarding the “Green Issue”, the Commission offered that Brandon Caldwell, a property owner and member of the audience, speak on this item.

Mr. Caldwell, 66 Spanish River Drive, stated that he still has concerns regarding the method the FAR is calculated and a few of the definitions. He advised that he was an accredited LEED professional who has built approximately 140 homes. He stated that he

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was still interested in using the insulated concrete forms which are safer and considered green, however, he exceeds the FAR with the way the code is written or the way the definitions are interpreted. Mr. Bonfiglio commented that governments move slowly with such issues because any decisions made affect many residents.

Town Clerk Hancsak advised that staff had met with Mr. Caldwell again and unfortunately they agreed to disagree on the definition interpretations. She stated that no other architects or engineers have had any questions regarding the way the FAR is calculated. She added that Mr. Caldwell was advised of the method he could take if he wanted a formal zoning interpretation regarding the definitions, which he has thus far declined.

The consensus of the Commission was not to move forward quickly because the issue is still in an infancy state statewide. They requested to be provided copies of the codes for Gainesville and Sarasota and the report from Delray Beach and be given an undetermined amount of time for review and that the Chair would provide a brief update to the Town Commission at the regular May monthly meeting and they would also be provided with these minutes.

In reviewing the Town Manager's memorandum for this meeting and based on prior discussion, Mr. Marsh moved to recommend modifying the maximum tie beam for a single story residence from 16' to 12' and also reduce the maximum height to the ridge of the roof from 28' to 24'. Mr. Northrup seconded the motion.

Motion carried – Yea (6)

The consensus of the Commission was to leave the zoning code related to flat roofs the same with no changes.

After a brief discussion regarding the 75% second floor requirements the Commission seemed to favor a step back method instead of anywhere on the second floor, however, they decided that they wanted the staff to obtain neighboring zoning codes pertaining to the second floor and also the FAR before making any recommendations. They also mentioned the possibility of increasing the FAR for garages or removing garages from the calculations.

Mr. Caldwell suggested utilizing a maximum square footage instead of a FAR and separating the garage square footage.

Mr. Walker moved to schedule a workshop to discuss the 75% second floor rule and the FAR after they have reviewed neighboring communities zoning codes for these issues. Mr. Marsh seconded the motion.

Motion carried – Yea (6)

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Town Manager Schenck mentioned that Commissioner Bingham had suggested at the last meeting that the P & Z review hedge heights. The consensus of the Commission was that they already addressed this issue and were not in favor of a hedge height.

VI. ADJOURNMENT

The meeting was adjourned at approximately 10:55 AM.

Chairman Bonfiglio

Attest:

Town Clerk