

SPECIAL TOWN COMMISSION MEETING MINUTES
JUNE 18, 2018

Minutes of the Special Town Commission Meeting/Joint Meeting of the Planning & Zoning Commission
of the Town of Ocean Ridge held on Monday, June 18, 2018, at 8:30 AM in the
Town Hall Commission Chambers.

CALL TO ORDER

The meeting was called to order by Mayor Bonfiglio at 8:30 a.m.

ROLL CALL

Deputy Town Clerk Hallahan led the roll call, which was answered by the following:

	<u>Present:</u>	<u>Absent:</u>	<u>Tardy:</u>
<u>Town Commission:</u>			
Commissioner Besler		x	
Mayor Bonfiglio	x		
Commissioner Coz	x		
Commissioner de Haseth	x		
Vice Mayor MaGruder	x		
<u>Planning & Zoning:</u>			
Chairman Goray	x		
Vice Chair Marsh	x		
Member Carey	x		
Member Hutchins	x		
Member Kosinski	x		
Alternate Member Leming		x	

PLEDGE OF ALLEGIANCE

Mayor Bonfiglio led the Pledge of Allegiance.

WORKSHOP DISCUSSION ITEMS

1. Direction to Planner Regarding Land Development Review and Timeline for Adoption of Land Development Amendment Ordinances

Town Manager Titcomb introduced and explained that Ocean Ridge had retained Marty Miner with Urban Design Kilday Studios, as the Town Planner to assist the Town with amendments to the Comp Plan and Land Development Code. Ordinance #630 has an administrative exception clause in the ordinance that allows approval of conventional homes. If it meets those criteria then it can move forward to the Concept Plan Review and permit submittal and approval. There have been a steady flow of plans that he had been reviewing in the last few weeks to see if they meet the exception clause. One structure was not approved because it did not meet the minimum Zoning Code while the other 2 structures are still under review.

Marty Miner, Town Planner, stated that he had 30 years of experience in Land Development Planning. He had reviewed the Town Code and Commission's minutes to bring himself up to date. He felt there were 2 Issues to be addressed: 1) Drainage – Drainage, Lot Coverage and Open Space were a major concern. Our current code requires 25% pervious area. He asked the Commissions to consider changing it from 25% to 35% or 40%. He stated that neighborhoods with more trees and landscaping, retain their value. 2) Parking – Standard departments require 1 parking space per bedroom. This would impact the open landscape, and a 6 bedroom home may require a 3 car garage. His goal was to make the Town Code more efficient and to make sure that all aspects tie everything together.

Mayor Bonfiglio felt it was important that through the Concept Plan Development that Ocean Ridge retain more greenspace and deal with flooding issues through our Detention and Retention Areas. Vice Mayor MaGruder requested an explanation of FAR in our Zoning Code. Mr. Miner state that FAR regulates the size of the home on the lot. Ocean Ridge allows for 36% FAR. Other communities have FAR at 30-35%

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with a flexible scale according to the size of the lot. If someone was constructing on 1½ lots, then it would allow them to go larger by reducing the required FAR.

Manager Titcomb stated that the south end of Ocean Ridge is not as stringent concerning setbacks or FAR. This allows for rebuilds of old structures and new development. Drainage would always be a major consideration. We have dated underground infrastructure. There are also issues with ROW encroachments and swales. Mr. Miner stated that there while there would be consideration for older lots, the goal is to maximize pervious areas as much as possible. Part of the Comp Plan is the maintenance of drainage facilities, but we will need to use the existing environment to move forward for improvement.

Comm. Coz requested clarification of pervious driveways. Mr. Miner stated that not all paver driveways were pervious because of minimum spacing between pavers. Only a percentage of pervious driveways would be included in those calculations. Drain fields and septic tanks cannot however be included in the calculations.

Comm. de Haseth felt that all items needed review overall to achieve our goals. Some things are now incompatible, such as conventional vs unconventional. She requested a baseline and description of conventional. She also asked if there were requirements for garage sizes. Mayor Bonfiglio requested that something be established to allow and encourage more space and development for the older homes south end of Town. Some of the properties were almost zero lot lines. Something that would also allow them to be more compatible such as setbacks with the rest of the Town. Mr. Miner suggested that the Town allow incentives to encourage combining smaller lots for new construction.

Vice Chair Marsh stated that Ocean Ridge was under siege because new construction projects were in potential violation of our code. The Planning & Zoning Commission had discovered many shortfall in the Code to determine a conventional home. Should the Code be change first or the Comprehensive Land Development? Mr. Miner stated that both should be done simultaneously. He was working on a list of goals and objectives and to address major concerns and would be referring them to the Town Commission for First Reading. Then it would be sent to the State Department for a 45 day review. It may come back with comments or recommendations for the Town Commission and then proceed for a 2nd Reading. However, any changes to the Town Code by Planning & Zoning does not have to go to the State but still has to be consistent with the Comp Plan. The details are in the Zoning Code. He would be available to the Planning & Zoning to assist with the changes. He had already started reviewing the required updates/changes and felt that within 4 to 7 weeks he would be ready to submit to the Commission.

Manager Titcomb stated then Mr. Miner was hired to assist with compliance and issues of sea level risings and to provide additional planning services for Land Development Review process. Ocean Ridge has specific priorities, and probably in 3-6 months for full completion including 1st and 2nd Readings.

Member Hutchins explained that an Ocean Ridge resident had researched and provided a report for a “standard single family home” in Ocean Ridge with also ideas for off-street parking. Member Hutchins was in favor of the Town moving forward, but with care to avoid potential lawsuits. Mr. Miner stated that he had read that report and would like to incorporate and reflect it into the updates.

Vice Mayor MaGruder provided to the Town Commission his rewrite of the introduction of the Comp Plan with updates. He felt this would lead the Town forward with goals and compatibility with other towns. The Commission thanked him for his time and effort and felt it was a good start.

Chairman Goray felt that the 25% pervious area or drainage area should be changed to 35% - 40%. He was in agreement that pavers should only be used as a percentage, and that septic tanks or drain fields should not be counted as pervious area. In regards to parking or use of garages and using the ratio of 1 car/bedroom;

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he questioned how much should be under cover or open, and what is a “standard size parking space”. Mr. Miner agreed that drainage and parking are 2 items that could be immediately addressed.

Mayor Bonfiglio stated that the Town has an issue with water absorption. He felt that the residents could possibly assist with this issue with their pervious areas and swales, especially as the seal level rises. Should the Town change the policy to accommodate more pervious areas or swales versus expensive drainage infrastructures?

Vice Chair Marsh stated that our minimum floor elevations have just changed to 8.6 for new builds. More sophisticated systems now have to be utilized to accomplish for drainage.

Lisa Tropepe, Town Engineer, stated that all new homes would like to be higher, but our current code states that you cannot in adversely affect your neighbors, and you must retain 1” of water per hour on your own property. Coconut Lane has always been one of the lowest streets. The road cannot be pitched because of the elevation. In the 50’s people used chattahoochee for their driveways to solve drainage issues because it absorbed water. In the 60’s it was mixed with epoxy which was not pervious. In the 70’s asphalt, and 80’s concrete. Now we have brick pavers and expensive travertine. With the spacing between which is also not pervious unless there is grass in between, then they can get partial credit. If we are looking at increasing the pervious then the landscaping code needs to be addressed also.

Member Kosinski was in favor of the residents working with the Town and increase their landscaping. Member Hutchins asked the Town to consider a possible tax credit if a resident decreased his driveway to allow more landscaping. Comm. Coz was informed by a builder that there were new technologies for smaller waste treatment centers; and these new treatment centers would allow for more pervious areas. Mayor Bonfiglio also asked that Ocean Ridge consider allowing one on-street parking decal per home. This could be done through the use of parking passes or decals and alternate the 2 sides of the streets.

Chairman Goray requested guidance for the best ways to proceed. He felt that there were 4 Main Issues: Parking, Septic, Drainage and Ingress/Egress. There is also the overall review of the Concept Plan Review. He asked Mr. Miner which should be addressed first. Mr. Miner stated that they should address the 4 Issues first, as the Concept Plan Review is a wider scope. The Code changes are enforceable while the Comp Plan is a policy oriented.

Brian Shutt, Town Attorney, stated that the Comp Plan would have to be consistent with the Code policy changes. The two should be hand in hand to proceed with future ordinances and the adoption of new Codes. It was discussed that Ocean Ridge wanted to keep the character of the Town and its goals. Manager Titcomb reminded them that the purpose of the Town Planner is to keep everything current and parallel with the Town Mission. They are interrelated. It was also discussed that in order to speed up the issue of the moratorium, 4 basic issues were going to be addressed at this time and any other changes could be made at a later time.

Chairman Goray also noted that a lot of time may be required to address ingress/egress issues and septic tank rules. Engineer Tropepe stated that the State of Florida guide the rules for septic tanks, and direct it down to the Palm Beach County Health Department to enforce the rules. Ocean Ridge can be more stringent than the County Health Department. A major step would be to not include the septic tank in the calculation of pervious area. Because we are on a barrier island, we could look and more stringent septic tank guidelines/rules in regards to setbacks or number of bedrooms.

Vice Mayor Magruder was concerned with swales disappearing after the C/O and of unconnected storm/trench drains. Vice Chair Marsh stated that per hour code, each property is to retain 1” of water per hour. Private storm drains are not allowed to flow into the public storm drains, each homeowner must

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retain their own water. Manager Titcomb also noted that at this time we have a resident collaborating with FDOT regarding finding a solution for street flooding on Anna Street.

Comm. de Haseth requested harsher codes because Ocean Ridge is a barrier island with rising sea levels. Such as, requiring seasonal residents to have their irrigation systems set to not run on rainy days which would cause excess street flooding.

It was discussed that the moratorium has impacted sales and also contractors/residents are upset and afraid that they may not be able to build on their property. Under the Exception Clause, the Town Manager could approve new construction building plans for conventional homes. If it is found through this parallel tracking of both Comp Plan Review and Code changes, that any items which may affect each other will be red flagged and resolved. It was summarized that Mr. Miner should be able to have his Comp Plan updates by the next Concept Plan Review meeting on July 9th, 2018.

Vice Chair Marsh excused himself and left at 9:50 a.m.

2. Concept Plan Review Process

Town Manager Titcomb explained that the Concept Plan Review is advisory only, and has no teeth as to their comments or enforcement. They do not feel this has been effective to date, and asked for authority to make binding recommendations or as a condition of approval for the permit process.

Member Kosinski excused herself and left at 9:55 a.m.

Chairman Goray agreed with Manager Titcomb that while the Concept Plan Review has been a good idea, at times it has been frustrating because they are advisory only. He asked if there could be another step applied that would allow them to keep Ocean Ridge the same. Member Hutchins agreed with Chairman Goray that their recommendations need to carry some authority. Mayor Bonfiglio stated that the Town Commission had approved the Concept Plan Review as only advisory. There were 3 choices: 1) Abolish the Concept Plan Board, 2) Keep it as is. 3) Change it to give it more authority. The Town Attorney could draft/present something to the Town Commission for the Concept Plan Board to have more power. However there would be a lot of push back from residents and contractors. Town Attorney Shutt stated that most Boards have more teeth/authority than ours. Any appeals could then be submitted to the Town Commission. **The Town Commission requested the Town Attorney to draft and present at the next Commission Meeting to provide the next step(s) for possible authority to the Concept Plan Review Board. This would also include the process of any appeals.**

3. Possible Charter Review Committee Expanded Role

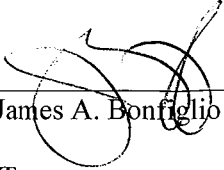
Town Manager Titcomb explained that there have been requests to expand role of the Charter Review Committee. Since any changes are done by referendum, and in order to streamline the process, the staff's recommendation was to not expand their role at this time. Mayor Bonfiglio stated that it needed to be done quickly with publishing deadlines involved. He also felt that least is best, the smaller the Charter, the better. He felt that most items could be addressed by Resolutions or Ordinances which could be easily changed at a later time. It would be less burdensome for them to focus on as few things as possible. Comm. de Haseth stated that since these members were almost our founding fathers of Ocean Ridge, that they could also give insight to any possible Code changes. **There was a Consensus by the Commission to keep the Charter Review Committee focused on the Charter, however if they wanted to recommend changing any Ordinances they could.**

ADJOURNMENT

Meeting Adjourned at 10:10 a.m.

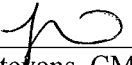
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Minutes prepared by Deputy Town Clerk Hallahan, and adopted by the Town Commission on July 2, 2018.



Mayor James A. Bonfiglio

ATTEST:



Tracey L. Stevens, CMC, Town Clerk