

MINUTES
TOWN OF JUNO BEACH
PLANNING AND ZONING BOARD MEETING

September 22, 2014

Council Chambers

340 Ocean Drive

- PRESENT: SYDNEY VICKERS, CHAIR
MICHAEL STERN, BOARDMEMBER
DON FELICELLA, BOARDMEMBER
JACK KNEUER, BOARDMEMBER
- ALSO PRESENT: RUBEN CRUZ, DIRECTOR OF PLANNING & ZONING
LEONARD RUBIN, TOWN ATTORNEY
ADA OLIVER, ADMINISTRATIVE SECRETARY
- ABSENT: WARREN TURNER, VICE CHAIR
BOB HAMILTON, ALTERNATIVE BOARDMEMBER

Chair Vickers called the Planning and Zoning Board Meeting to order at 4:32 pm.

Audience: 3

- ~ CALL TO ORDER
~ PLEDGE OF ALLEGIANCE TO THE FLAG
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA – None

1. PUBLIC COMMENTS- None

2. MINUTES/MOTION

MOTION: Felicella/Stern *made motion to approve the September 8, 2014 minutes.*

ACTION: *The motion passed unanimously.*

3. DOGGIE DINING ORDINANCE

Town Attorney Rubin stated the Town Council, by consensus, has directed him to draft an ordinance amending the Town's zoning regulations to adopt the legal exemption that would allow food service establishments to designate outdoor seating for patrons with dogs. As required by statute, the ordinance must be included in the zoning code and therefore requires review by the Board. (See Attached Memo)

Town Attorney Rubin stated that any public food service establishment seeking to allow dogs within outdoor seating areas is required to apply for a permit from the Town.

Town Attorney Rubin stated the permit application must include a diagram of the proposed outdoor seating area. The ordinance also outlines numerous regulations and requirements, many of which are included in the statute.

Director of Planning & Zoning Cruz discussed the differences between a service dog and an ESA animal. He indicated a service dog is providing a service and is not classified as a pet.

Vice Chair Vickers asked if there were any public comments.

David Cox, 922 Ocean Drive, Juno Beach, FL, indicated that he was concerned with health issues associated with allowing dogs and other animals in restaurants.

Group discussions on doggie dining and which establishments would be applying for the permit.

Public comments closed 4:57 pm.

Group discussions on the following amendments to the Ordinance proposed by Boardmember Felicella:

- Limiting the length of the dog's leash to a maximum of 6 feet.
- Prohibiting dogs from patrons' laps.
- Ensuring that patrons of the establishment do not have to travel through the doggie dining area when entering the restaurant
- Limited the designated area for dogs to 40% of the outdoor area.

The consensus of the Board was to recommend the amendments to Council, with the exception of the 40% limitation.

Town Attorney Rubin stated if the Board recommends denial of the Ordinance, he will include the recommended revisions in his memorandum to the Town Council..

MOTION: Stern/Felicella made motion to recommend denial of the proposed Ordinance.

ACTION: The motion passed 3-1 (Vickers-opposed)

4. **MEDICAL MARIJUANA ORDINANCE**

Town Attorney Rubin discussed the proposed ordinance, which would allow medical marijuana dispensaries as a special exception use within the Medical Commercial (MC) zoning district, subject to additional regulations and requirements. (See Attached Memo)

Town Attorney Rubin asked if there were any questions from the Board.

Chair Vickers asked if there were public comments.

Public comments closed 5:18 pm

Group discussions on operation days for Saturdays and Sundays. Group discussions indicated preference for the dispensary to be closed on Sundays.

Town Attorney Rubin confirmed that there was a consensus to eliminate Sunday operation.

MOTION: Kneuer/Felicella made a motion to recommend approval of the Ordinance, (as amended to prohibit operation on Sunday).

ACTION: The motion passed unanimously.

5. **DISCUSS THE UPDATE OF CHAPTER 34, ARTICLE II – (ZONING CODE)**

Director of Planning and Zoning Cruz indicated that the Board would commence review of Chapter 34, Article II.

Chair Vickers asked the Board if they had questions on Article II.

Chair Vickers commented on page 11 in reference to the appearance review criteria requiring that structure be of a design and proportion which enhances and is in harmony with the area. She believed that this determination was too subjective.

Director of Planning and Zoning Cruz discussed the various housing styles and the requirement of harmonious design.

Chair Vickers recommended eliminating Section 34-116(2)(b)2.

Town Attorney Rubin stated he will present the removal of this criterion to the Town Council.

Group discussions on various sections of Article II.

Chair Vickers asked if there were any additional questions.

4. **COMMENTS FROM STAFF**

Director of Planning and Zoning Cruz advised the Board that the Board of Adjustment and Appeals upheld a recent appeal challenging his determination that a proposed architectural style did not comply with the Code. The Town Council will discuss this issue at the September 23, 2014 Town Council Meeting.

Director of Planning and Zoning Cruz indicated the next Planning and Zoning meeting will be held on October 6, 2014. Mr. Cruz indicated they will commence review of Chapter 34, Article II.

5. **COMMENTS FROM THE BOARD- None**

6. **ADJOURNMENT** 5:57pm

Chair Vickers adjourned the meeting at 5:57pm



Chair Sydney Vickers



Ada Oliver, Administrative Secretary