AGENDA
TOWN OF JUNO BEACH, FLORIDA
PLANNING AND ZONING BOARD MEETING

October 6, 2014 4:30 pm
Council Chambers
340 Ocean Drive

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NOTICE: If any person decides to appeal any decision of the Planning and Zoning Board at this meeting, he will need a record of the proceedings and for that purpose, he may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based. The Town does not prepare or provide such record. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact Vanessa Dunham, Town Clerk, at least 48 hours in advance to request such accommodations.***

~ CALL TO ORDER
~ PLEDGE OF ALLEGIANCE TO THE FLAG
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

1. **PUBLIC COMMENTS**

2. **MINUTES**

   Staff recommendation: Consider a motion to approve the Planning and Zoning Meeting minutes of September 22, 2014.

3. **DISCUSS THE UPDATE OF CHAPER 34, ARTICLE II (ZONING CODE) *CONTINUED* AND ARTICLE III**

4. **COMMENTS FROM STAFF**

5. **COMMENTS FROM THE BOARD**

6. **ADJOURNMENT**

OCTOBER 6, 2014	PLANNING AND ZONING BOARD MEETING	4:30 PM
OCTOBER 20, 2014	PLANNING AND ZONING BOARD MEETING	4:30 PM
OCTOBER 22, 2014	TOWN COUNCIL MEETING	5:30 PM
OCTOBER 24, 2014	OKTOBERFEST	5:30 PM
NOVEMBER 3, 2014	PLANNING AND ZONING BOARD MEETING	4:30 PM
NOVEMBER 11, 2014	VETERAN'S DAY – TOWN CENTER CLOSED	
NOVEMBER 12, 2014	TOWN COUNCIL MEETING	5:30 PM
NOVEMBER 27, 2014	THANKSGIVING HOLIDAY – TOWN CENTER CLOSED	
NOVEMBER 28, 2014	THANKSGIVING HOLIDAY – TOWN CENTER CLOSED	

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 numbers 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