



TOWN OF PALM BEACH

Planning & Zoning Commission

MEETING MINUTES OF THE PLANNING & ZONING COMMISSION HELD ON TUESDAY, MARCH 5, 2024

Please be advised that in keeping with a 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 may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting Kelly Churney, Acting Town Clerk, at (561) 227-6340.

I. CALL TO ORDER AND ROLL CALL

Chair Coniglio called the meeting to order at 9:29 a.m.

Gail Coniglio, Chair	PRESENT
Eric Christu, Vice Chair	PRESENT
Michael Spaziani, Member	PRESENT
Richard Kleid, Member	PRESENT
Marilyn Beuttenmuller, Member	PRESENT
Jorge Sanchez, Member	PRESENT (Arrived at 9:34 a.m.)
John Tatooles, Member	PRESENT
William Gilbane, Alternate Member	PRESENT
Nicki McDonald, Alternate Member	PRESENT
Dragana Connaughton, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
Jennifer Hofmeister-Drew, Planner III
Pat Gayle-Gordon, Deputy Town Clerk
Tom Baird, Town Attorney

II. PLEDGE OF ALLEGIANCE

Deputy Town Clerk Gayle-Gordon gave the invocation. Chair Coniglio led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Harvey Oyer, on behalf of the Society of the Four Arts, requested a change in the order of the items on the agenda to allow the presentation of Items VII.A and VII.B to follow the presentation of Item VI.A. The Commission discussed the rearrangement of the agenda.

A motion was made by Member Kleid and seconded by Member Sanchez to reorder the agenda with Items VII.A and VII.B to follow the presentation of Item VI.A. Items VI.B and C are to be moved to the end of the meeting. The motion was carried 6-1, with Mr. Spaziani dissenting.

IV. APPROVAL OF THE MINUTES

A. Minutes of Planning & Zoning Commission Meeting on February 6, 2024

A motion was made by Member Kleid and was seconded by Member Tatooles to approve the minutes of the February 6, 2024, Planning & Zoning Commission meeting as presented. The motion was carried unanimously, 7-0.

V. COMMUNICATIONS FROM CITIZENS - 3-MINUTE LIMIT, PLEASE

David Kelso, 255 Monterey Road, spoke about overdevelopment in Palm Beach. He urged the Planning and Zoning Commission to carefully consider changes that weaken the text in the official documents that regulate actions in the town.

VI. OLD BUSINESS

A. Zoning Review Update

Sean Suder, Lead Principal / Founder, ZoneCo.

Mr. Suder reviewed the Town of Palm Beach Zoning Code Update. He stated the current code of more than fifty years, is being updated through the crafting of custom-tailored, clear, consistent, user-friendly, sustainable, defensible zoning regulations that will advance the Town's vision balanced with property rights. He stated that the Town's vision is defined through the Comprehensive Plan. Mr. Suder explained the progress that has been made thus far. He stated sections of the code are now being drafted and presented to the PZC or input. He reviewed the draft study of the residential districts. In addition, he discussed the codify module which includes the following:

- Residential Districts Studied and Code Sections Drafted
- Commercial Districts Studied and Code Section Drafts Underway
- Worth Avenue Design Guidelines Reviewed
- South End Studied and Public Engagement on Thursday, March 7, 2023
- Cultural and Institutional District Studied and Draft Underway
- Nonconformities Studied and Draft Underway
- Administration and Procedures Under Study

Mr. Suder said a lot of work has gone into the review of the R-B zoning districts, establishing sub areas. The study proposed three new subareas within the existing R-B District.

Mr. Suder stated he did a deep dive into the commercial districts, which included a height analysis, use analysis, and measurements in order to gain a solid understanding of the state of the commercial built environment in Palm Beach. This review included Worth Avenue, Peruvian Avenue, and County Road. As soon as the study is available, it will be presented to the Planning and Zoning Commission. He noted that a review of the Worth Avenue Design Guidelines had been

done and some thoughts and comments will be shared on how to incorporate those design guidelines into the code.

Mr. Suder said the South End had been studied, obtaining measurements, getting a layout of the land relative to the development pattern and existing development. He stated that he would be in town on March 6, 2024 for a South End public engagement event.

The cultural and institutional districts have been under study with staff members and the applicant from the Society of the Four Arts.

Mr. Suder said the nonconformity sections have been studied and a draft is underway. He said the Administration and Procedures are also under study.

Mr. Suder reviewed the next steps, stating a full code draft is anticipated sometime in the coming year.

Mr. Kleid asked when the residential component of the zoning review update relative to the South end would be discussed in detail. As Vice Chair and Director of the Citizens Association, Mr. Kleid gave some background on what happened in their meeting. He thought it was important that ZoneCo hold another meeting in the South end. Mr. Suder said there would be multiple meetings with the Citizens Association and South end residents. Mr. Suder said it was reviewed in November but may be reviewed again.

Mr. Spaziani did not remember a detailed conversation about the residential component of the review. Mr. Suder recalled it was discussed in November, but it may be revisited since it has been several months. Mr. Spaziani was confused about the subcategories and asked for an additional review for clarification.

Mr. Gilbane thought there would be some discussion on The Four Arts and other discussions around schedule and whether or not projects should flow with the zoning reform or be addressed independently. He thought that a comprehensive program-level schedule, including the dates and milestones of what had already been achieved to date, would be helpful. Mr. Gilbane wanted to make sure the public would be well-informed about the process before they left town. He requested a schedule, including what has already been done with respect to public participation and outreach. Mr. Suder said he would work with staff to compile a new schedule for the rest of the codify module.

Mr. Sanchez thought that a meeting would be helpful to discuss the details of the R-B District, including building construction and the changes in those zoning classifications. Mr. Spaziani agreed.

Chair Coniglio agreed that the commission had lost sight of the R-B district goals. One of the things she had heard was that there was a discussion about addressing the district by street sizes. She asked if it would be beneficial to look at the district by lot sizes since many of the homes on the narrow streets will be impacted.

Chair Coniglio reiterated the need and asked Mr. Suder to work with staff to develop an updated schedule.

B. Draft 2024 Town of Palm Beach Comprehensive Plan Update

Strike-Through and Underline Version of the Data and Analysis and Goals, Objectives, and Policies of the following Elements:

- Future Land Use – 5th Revision, new edits shown in Orange
- Housing – 4th Revision, new edits shown in Orange
- Historic Preservation – 4th Revision, new edits shown in Orange
- Public Safety – 4th Revision, new edits shown in Orange
- Recreation and Open Space – 4th Revision, new edits shown in Orange
- Property Rights – 4th Revision, new edits shown in Orange
- Coastal Management – 3rd Revision, new edits shown in Blue
- Conservation– 3rd Revision, new edits shown in Blue
- Capital Improvements– 3rd Revision, new edits shown in Blue
- Intergovernmental – 3rd Revision, new edits shown in Blue
- Infrastructure Element - 2nd Revision, new edits in Purple

Draft 2024 Town of Palm Beach Comprehensive Plan Update - Map Series

Ms. Hofmeister-Drew presented the 2024 Town of Palm Beach Comprehensive Plan update. She noted that the Comprehensive Plan had been presented to the Commission with strike-through and underline detailing. She said all elements had been provided except for the Transportation Element. The Town Council had directed the consultant not to do the 1% annual increase in traffic, which is state recognized but not recognized in the town. She stated additional vested projects, such as The Breakers, have been provided and will be considered. Next month the Transportation Element will be presented.

While reviewing each element of the Comprehensive Plan, the PZC members pointed out changes that needed to be made. Staff noted the requested changes relative to PUDs, and other miscellaneous wording throughout the document. Following the review, Ms. Hoffmeister-Drew explained the next steps in the review process.

Anita Seltzer, Coconut Row, thanked staff for copies of the information. She thanked the Commission for their efforts and expressed one concern about the wording brought forward by Mr. Kelso earlier during the meeting. She suggested that the list of all specimens and historic trees be made available online.

VII. NEW BUSINESS

- A.** Privately Initiated Future Land Use and Zoning Maps and Text Amendments to the Comprehensive Plan and Zoning Code for parcels of land more particularly described in Exhibit A and displayed in Exhibit B, Ordinance Nos. 001-2024 through 004-2024.

Josh Martin, Frisbie Group

There was some discussion about the fact that the Planning and Zoning Commission had already voted not to allow additional Planned Unit Developments. Mr. Spaziani had some concerns about hearing the proposed ordinances. Mr. Frisbie responded that what was being presented today was a PUD but was also an option for not doing a PUD. He noted that a lot of feedback was received

from the Town Council, and the plan had been updated based on that feedback.

Mr. Bergman provided staff comments and explained the ordinances being presented. He said there were four ordinances before the PZC, two for the comprehensive plan and two for the zoning. Mr. Bergman said approval of all four ordinances would be necessary to move the project forward.

Rob Frisbie, Frisbie Group, commented on the newly proposed plan. He stated the request was for the Planning and Zoning Commission to recommend approval to the Town Council for the creation of a uniquely restrictive PUD. The PUD would guarantee future intensification. Mr. Frisbie assured the PZC members that The Frisbie Group was committed to working with the PZC, staff, and the Town Council until all parties agreed upon language.

Josh Martin, Frisbie Group, discussed the details of the project. He explained the phases and what was being requested of the PZC. He stated that this PUD was tied to architectural review and approval and would be reviewed by the Architectural Review Commission (ARCOM). He said all applications were contingent upon one another.

Mr. Bergman provided follow-up staff comments on the presentation. He said this project was not like The Four Arts, which started because of a staff recommendation to address private group use. He questioned whether it would be advisable to consider changes to the comprehensive plan and the zoning code while both are still under review. Mr. Bergman said that details such as the number of stories, landscaped open space, lot coverage, etc., would be part of the PUD tentative and final reviews, if this project is approved to move forward in the process. He said the current zoning would allow 20 dwelling units on the property. The comprehensive plan and future land use map designations for commercial and single-family would allow 34 dwelling units. Mr. Bergman explained the property's zoning and stated that no residential use would be allowed in the C-B zoned area.

John Koch, 100 Royal Palm Way, opposed the proposed plan. He said the vast majority of the 39 condominium owners opposed the original plan and had not been advised of the plan being presented today. He stated that condominium association members were willing to meet with the applicants.

Peter McLeod, 100 Royal Palm Way, opposed the project.

Frank Lynch, 1 Royal Palm Way Association, stated this plan was new. Unfortunately, his association could not comment on the plan presented today. He raised some questions and talked about concerns associated with the project.

Katie Pressly, 133 Seaspray Ave., also on behalf of her daughter of 136 Seaview Ave., said she had not met with The Frisbie Group, although they had reached out and tried to schedule a meeting. She expressed concern about this location for a PUD.

Allen Gozlan, 141 Seaview Ave., spoke in opposition to the requested PUD. He expressed concern that the Frisbie Group was not being transparent.

Jim Bauman, 100 Royal Palm Way, opposed the project. He agreed with Mr. Koch.

Ann Jackson, 135 Seaview Ave., agreed with Ms. Pressly. She was very opposed to the PUD rezoning.

Susan Watts, 44 Cocoanut Row, asked about traffic flow from South Ocean Boulevard. She thought the issue was in process and since the town was in the middle of the Zoning Code and Comprehensive Plan projects, she did not think this was the right time to consider the request.

Sarah Mettler, 330 Cocoanut Row, spoke in opposition to the project.

Anne Iorio, 131 Seaview Ave., spoke in opposition to the PUD.

Christine Seaver, 100 Royal Palm Way, agreed with Mr. Koch's comments.

Liza Pulitzer, 15 S. Lake Trail, spoke in opposition to the project.

Matt Iorio, 131 Seaview Ave., clarified the entrance into Seaview is not two-way. He said this is not a de-intensification of use. He was opposed to a PUD.

Chris Levine, 100 Royal Palm Way, briefly stated opposition to the project.

Anne Pepper, 333 Seaspray Ave., thought there was a hijacking of the process. What was being presented had never been seen before, and she thought the PZC should say no. She expressed concern that there was no notification of the specific plan to the public.

K.T. Catlin, 265 Fairview Ave., submitted comments that were read into the record by Ms. Hoffmeister-Drew. She was supportive of the request.

Jeffrey Berman, 100 Royal Palm Way, submitted comments that were read into the record by Ms. Hofmeister-Drew. He was supportive of the proposed development.

Reginald Stambaugh, 1818 Florida Avenue, Palm Beach Attorney, representing a group of citizens opposed to the project.

Anita Seltzer, 44 Cocoanut Row, talked about the process. She asked for clarity since this was supposed to discuss a text amendment.

Tom Quick, 291 El Vedado, agreed with the comments opposing the PUD. He spoke about his concerns with traffic and safety.

Suzanne Reynolds, 340 S Ocean Blvd., opposed the proposed project.

Win Lewis, 135 Seaview Ave., opposed the proposed project.

Ms. Hofmeister-Drew explained the process required for the four ordinances for the future land use map, the future land use element, the zoning map, and the zoning regulations that have been presented. The regulating plan will come through the PUD 5. All of the PUDs have similar regulating plans that are adopted by Resolution. She said some concept plan of density was necessary at this time, but this is not site-specific. She explained that at this time, PZC is only looking at the concept of changing the future land use map from the two existing land use categories to a PUD and changing the zoning map from three existing zoning districts to one zoning district. This would allow the entire site to be constructed as is being proposed by the

applicant.

Mr. Frisbie stated that two months ago, feedback had been received from the Town Council. The plan was for the Frisbie Group to go back and work on the plan before presenting it to the PZC. Mr. Frisbie reviewed some of the changes that had been made to the plan. He thought the iterative process was being continued and said there were more than 175 meetings had been held as part of a community outreach initiative. He addressed several of the public comments.

Motion was made by Member Kleid and seconded by Member Spaziani to recommend that the Town Council not approve Ordinance No. 001-2024. On roll call, the motion was carried by a vote of 7-0.

Motion was made by Member Kleid and seconded by Member Spaziani to recommend that the Town Council not approve Ordinance No. 002-2024. On roll call, the motion was carried by a vote of 7-0.

Motion was made by Member Kleid and seconded by Member Spaziani to recommend that the Town Council not approve Ordinance No. 003-2024. On roll call, the motion was carried by a vote of 7-0.

Motion was made by Member Kleid and seconded by Member Spaziani to recommend that the Town Council not approve Ordinance No. 004-2024. On roll call, the motion was carried by a vote of 7-0.

- B. Privately Initiated Text Amendments to the Comprehensive Plan and Zoning Code to amend the Future Land Use Element related to Private Group Use and creation of a new Cultural Institution District. Ordinance Nos. 005-2024 and 006-2024.

Harvey E. Oyer, III, Partner - Shutts & Bowen LLP

This item was addressed immediately following Sean Suder's presentation, VI.A.

Mr. Christu and Mr. Sanchez recused themselves from the discussion and participation concerning The Four Arts.

Harvey Oyer, Shutts & Bowen, LLP, introduced the request on behalf of The Society of the Four Arts. The request is for Text Amendments – Zoning and Comprehensive Plan. He reviewed the community services provided by the Four Arts. He also discussed the history of the Four Arts. The request was to create a new CI (Cultural Institution) zoning district to implement the Private Group Use Future Land Use category. The Town Council provided review and feedback on the proposal at their February 14, 2024, meeting.

Ms. McDonald asked why there was a rush to make the changes. She thought this was out of order, relative to the Zoning Review Update process. Mr. Oyer responded with the reasons for getting the requested changes made now. He said some of the problems that must be addressed are safety related. Mr. Oyer noted that Mr. Suder has been involved in the process and has provided input which has been adopted and incorporated into the text amendments. He noted that staff members were also allotted ample time to review the request.

Ms. Jennifer Hofmeister-Drew, Planner III, offered staff comments related to the Cultural Institution Zoning District. She explained what was being proposed when it came to the private

group use text amendment. She said when it came to the Cultural Institution (CI) zoning district, the proposed legislation would help two properties, The Four Arts and The Flagler Museum. There are six other properties that have private group uses. Those properties would be looked at and possibly rezoned if the CI zoning district is approved. She stated that Mr. Suder and staff have reviewed the Cultural Institution zoning district and that zoning map amendments would have to accompany the approval. She stated that the Town Council oversees any changes to land use designation or private group use.

Mr. Gilbane asked what the six other properties are that have private group uses. Ms. Hofmeister-Drew stated they are the Sailfish Club, Palm Beach Country Club, Flagler Museum, Four Arts, the Everglades Club, Mar-a-Lago, and the Bath and Tennis Club. Mr. Gilbane questioned the profit/not-for-profit status of the properties. He thought the distinction was important to note. Mr. Oyer said private group use is a Future Land use designation that includes private clubs. He said they are very different, and the goal is not to make them eligible for CI zoning use. He said this request is only for cultural institutions. He also noted that this would not create a spot zoning situation. He said the Town Council would have to approve the CI zoning district designation. It was clarified that the CI zoning district would not be imposed on any of the organizations; a change in zoning status would have to be requested. Ms. Hofmeister-Drew responded.

Mr. Kleid asked what would happen to properties such as the Preservation Foundation and the Royal Poinciana Playhouse. Ms. Hoffmeister-Drew said that the Cultural Institution Zoning District, as proposed, is very specific. Mr. Oyer said the Preservation Foundation and the Royal Poinciana Playhouse have no nonconformities; they fit into legal, conforming zoning districts.

Mr. Bergman explained the ordinances before the PZC, Ordinance No. 005-2024, which is an ordinance to amend the comprehensive plan. Ordinance No. 006-2024 is an ordinance for the zoning text amendment.

Motion made by Member Kleid and seconded by Member Tatoes to recommend to Town Council the approval of Ordinance No. 005-2024.

Public Comment

Mr. Michael Ainslie, 202 Plantation Road, spoke in support of the ordinances and talked about why there is a sense of urgency to get these ordinances approved.

George Matthews, 343 Seabreeze Ave., spoke in support of the Cultural Institution District.

K.T. Catlin, 265 Fairview Road, supported the Cultural Institution District, but thought additional information was needed. She expressed her concerns.

Joe Jacobs, 324 Plantation Road, spoke in support of the Cultural Institution District.

Robert Forbes, 171 Clarke Ave., spoke in support of the Cultural Institution District.

Bonnie McElveen-Hunter, 240 Banyan Road, spoke in support of the Cultural Institution District.

Skip Aldridge, 2295 S Ocean Blvd., representing The Citizens Association of Palm Beach in support of the Cultural Institution District.

Regina Lee, 227 Australian Ave., spoke in support of the Cultural Institution District.

Wilbur James, 10 Golfview Road, spoke in support of the Cultural Institution District.

The Vice Chair, Society of the Four Arts, 100 Royal Palm Way, spoke in support of the Cultural Institution District.

Tom Quick, 291 El Vedado Rd., spoke in support of the Cultural Institution District.

Patrick Henry, 630 Crest Rd., spoke in support of the Cultural Institution District.

Bob Donnelly, 190 Via Palma, spoke in support of the Cultural Institution District.

Shelly Gubleman, also representing her husband, Billy, spoke in support of the Cultural Institution District.

Bill Roberts, 401 Seaview Ave., spoke in support of the Cultural Institution District.

James Chip DePalma, 456 S. Ocean Blvd., spoke in support of the Cultural Institution District.

Liza Pulitzer, 15 S Lake Trail, spoke in support of the Cultural Institution District.

Julianna Koch, 263 El Pueblo, spoke in support of the Cultural Institution District.

Sandra Thompson, 44 Cocconut Row, spoke in support of the Cultural Institution District.

Barry Hoyt, 133 Banyan Rd., spoke in support of the Cultural Institution District.

Cynthia Hoyt, 133 Banyan Rd., spoke in support of the Cultural Institution District.

Christina Aylward, 117 Casa Bendita, President, Garden Club of Palm Beach, spoke in support of the Cultural Institution District.

Ron Bradley, 118 Hammon Ave., spoke in support of the Cultural Institution District.

Anne Pepper, 333 Seaspray Ave., confirmed that two residential parcels on the north side of Seaview, owned by Four Arts, were not included. She spoke in support of the Cultural Institution District but thought it important for the Commission to understand what may be permitted by right if the requests are approved.

Gay Hart Gaines, 2 N Breakers Row, spoke in support of the Cultural Institution District.

Philip Rylands, President, and CEO of The Four Arts, spoke in support of the Cultural Institution District.

Rip McIntosh, 1263 North Lake Way, spoke in support of the Cultural Institution District.

Bob Guthrie, 140 El Mirasol, spoke in support of the Cultural Institution District.

Correction noted by Mr. Oyer, striking out commercial Worth Avenue and adding the word "may," striking "shall," remove the bracket, and add "subject to Town Council approval."

Motion was amended by Mr. Kleid and seconded by Mr. Tatooles to recommend approval of Ordinance No. 005-2024 to the Town Council, with the above referenced changes in wording. Motion was carried by a vote of 7-0. Mr. Sanchez and Mr. Christu did not participate in the discussion or vote. Mr. Gilbane and Ms. McDonald voted.

Mr. Oyer discussed the line item changes to the zoning text amendment, Ordinance No. 006-2024. He stated the purpose of the Cultural Institution (CI) zoning district. Mr. Oyer clarified that Dr. Rylands' residence, which spreads from Seaspray to Seaview, was not included in the CI zoning district. He said the point of the CI zoning district is that it must be not-for-profit, and it must be cultural. If there are multiple parcels, it would be considered a campus. Mr. Oyer said that for all legal purposes, the Four Arts operate under a Unity of Title and are considered one legal lot of record.

Mr. Suder suggested that in the line that the following change be made: “A campus shall be defined as the total of all of the property, or lots included in a unity of title approved by the town, that are utilized for such purpose and *owned and operated* by a single not-for-profit cultural institution, or subject to an approved unity of title, shall be considered one parcel of land for the purposes of administering the requirements of this Division and thus applied to the entire campus and not on an individual lot by lot basis.”

There was some discussion about the Permitted Uses defined in the text amendment. Mr. Suder thought the definitions needed further clarification. He said there were seven independent uses that a portion of or the entire property could be used for; he recommended creating one definition for a not-for-profit arts and cultural institution in a campus setting. He also said there must be clear definitions for all uses.

Mr. Suder stated that he would work with Mr. Oyer to develop appropriate language based on the discussion.

Mr. Oyer reviewed the Accessory Uses outlined in the proposed text amendment. He said the list was not intended to be an exhaustive list, it is meant to provide examples of things that are normally accessory uses. Mr. Suder thought the accessory uses could be under the umbrella of permitted uses. Mr. Suder stated that café needs a definition. Mr. Oyer said the ultimate guardrail around this is the fact that it is a Town Council Special Exception Use approval.

Mr. Oyer stated that all of the R-B setbacks have been maintained or increased in the text amendment.

Mr. Suder reviewed the section and shared his comments and suggestions. He stated that all of the standards in the proposed ordinance are in line with the R-B zoning district regulations. He recommended increasing the side yard setbacks, rather than tracking what a residential house would be. He thought the rear yard setbacks were good; they were greater than the setbacks in the R-B zoning.

Mr. Bergman mentioned residential density. Mr. Oyer said that currently, in R-B, four residential units may be constructed per palm beach acre. That would allow approximately 38 units on the campus. All the Four Arts are keeping are the incidental units. There are presently 3 onsite residential units. He said if the number of residential uses needs to be defined, he would do so. Ms. Coniglio asked Mr. Oyer to work with the town staff and Mr. Suder to come up with a number of units.

Ms. Coniglio said that lot coverage with the length of buildings is of concern. Mr. Oyer said all of the buildings and the Flagler Museum would fit under 300 feet, making the buildings conform.

Keith Spina, Spina O’Rourke & Partners Architecture, stated there were not any buildings that were over 300 square feet, but there were some buildings in the high 200 square feet.

Mr. Suder said typically, buildings that exceed 100-150 feet require some articulation to the building. He said it would be wise to make sure it is codified that one cannot have a 300 ft long building that does not have articulation to the façade. Ms. Coniglio thought the professionals should work together to develop appropriate articulation criteria.

Mr. Suder said he had no issues with the language pertaining to landscape, open space, and floor area. He said the percentages being proposed seemed reasonable.

Mr. Suder said for number two under Statues and/or Sculptures, he noticed there was not a height limit. He also noted that the view restrictions were from someone standing on the street or the sidewalk. He thought there would be some merit in considering what people may see from the second floor of their homes. Mr. Oyer suggested capping the height allowed, moving the six to nine feet. Mr. Bergman suggested capping the height at twelve feet.

Mr. Suder thought this district would cure many of the nonconformities. Mr. Oyer offered some examples of nonconforming buildings. He said he was seeking clarity on whether any nonconforming building in a CI district is a grandfathered nonconformity.

Mr. Oyer explained that the supplementary district regulations came about because of a problem at the Flagler Museum, where people stop in front of the structure for purposes such as taking photographs or during Segway tours. This would allow the cultural institution to regulate outside third-party commercial use of their property without their permission. Mr. Suder did not think this belonged in the zoning code. Mr. Oyer stated that the Supplementary district regulations would be removed from the proposed text amendment. Ms. Coniglio suggested that town staff revisit the use of segways, bull horns, microphones, and other things that disrupt the quality of life in the town.

Mr. Oyer reviewed the Pre-special event and post-special event hours of quiet work. He said this section benefits the neighbors. He provided an example. Mr. Bergman thought this was a good suggestion, but he was unsure it belonged in the zoning code. He suggested this be looked at outside of this application and the zoning code. Mr. Oyer was agreeable to deleting this section and allowing it to be addressed universally and in another manner.

Mr. Oyer reviewed the Signage. He said the campus would benefit from wayfinding signage. He explained the types of signage that would be appropriate throughout the campus. Under the proposal, a master signage plan must be approved by the Landmarks Preservation Commission. Mr. Suder asked if the Master Sign Plan would be allowed to remove existing signs. Mr. Oyer stated that the goal is to legalize all of the existing signs, but it does not preclude the applicant from asking permission to remove or alter any existing signs. Mr. Suder suggested something similar to having maximum sign square footage allowed. He also suggested that the small “card” styled signs that identify a sculpture or something similar may be exempt. Mr. Suder was a little concerned about item three. Additional sign regulations, which may apply to the Cultural Institution district, were of concern. Mr. Oyer agreed to remove that from the text. He noted that the existing sign code never contemplated a CI zoning district. Mr. Bergman concurred.

Mrs. Davidson, owner of homes at 424 Seaspray and 414 Seaview, asked where there were stipulations that the property owned by the Four Arts and located between Seaview and Seaspray would be excluded from the CI campus. Mr. Oyer confirmed that the applicant has no intention of having the campus north of Seaview. He said if this were to pass and the CI zoning district were to be created, The Four Arts would have to ask to rezone the property from R-B to CI, and that is when the area to be included would be defined.

Anne Pepper, 333 Seaspray, was still interested to know about the third story partial structure on the extension of the Rominski building. Also, where in the potential overall buildout of the campus would other third stories be allowed or added. She said she needed to feel confident that the guardrails about over-scaling were incorporated into the text. She thought the third story was still confusing. Mr. Oyer said it is theoretically possible that a third story could be added anywhere on the campus that does not violate the cubic content maximum of the building, and that it is at least 150 feet away from the nearest residential area. He outlined the buildings that would be excluded. Mr. Oyer stated with absolute certainty that there is no intention ever to add a third story to the O’Keefe building. He invited Ms. Pepper to the Four Arts to see the plans.

Mr. Oyer asked the PZC not to delay the project. He stated his willingness to work everything out as discussed. He felt the changes could be made before the Town Council meeting and asked the PZC to consider approval with conditions.

Motion was made by Member Kleid and seconded by Member Beuttenmuller to recommend approval of Ordinance No. 006-2024 to the Town Council, subject to a

consensus of opinion between the three parties who are going to make changes that were agreed to by the Planning and Zoning Commission. Motion was carried by a vote of 7-0. Mr. Sanchez and Mr. Christu did not participate in the discussion or vote. Mr. Gilbane and Ms. McDonald voted.

VIII. COMMENTS FROM THE PLANNING AND ZONING COMMISSIONERS

Mr. Gilbane mentioned private group use and when it was originally thought of that every use there was a not-for-profit organization. He believed that many private clubs are the same and that they should be looked at to find where they belong in the document. Mr. Gilbane thought there were for-profit private clubs that used private group use to get permission in the town. Ms. Hoffmeister-Drew agreed. She said it could be addressed when a zoning district has to be established to implement private clubs with designations other than not-for-profit.

Mr. Gilbane read what private group use was intended for, and he believed that most of what was in there was institutional or not-for-profit tax-exempt. When the language was developed, no one thought a market for for-profit private clubs would exist. His concern was that where information in the code is outdated, that language is being used against the residents for advanced monetization in the town.

IX. COMMENTS FROM THE PLANNING, ZONING & BUILDING DIRECTOR

There were none.

X. ADJOURNMENT

Motion was made by Member Spaziani and seconded by Member Gilbane to adjourn the meeting at 3:53 p.m. Motion was carried unanimously, 7-0.

Respectfully Submitted,

Gail Coniglio, Chair
Town of Palm Beach
Planning & Zoning Commission

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Christu, Eric	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning and Zoning Commission
MAILING ADDRESS 1500 N. Ocean Blvd.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Palm Beach	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
DATE ON WHICH VOTE OCCURRED March 5, 2024	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Eric Christu, hereby disclose that on March 5, 20 24 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, Harvey Oyer ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Privately Initiated Future Land Use and Zoning Maps and Text Amendments
to the Comprehensive Plan and Zoning Code for parcels of land more particularly
described in Exhibit A and displayed in Exhibit B,
Ordinances Nos. 001-2024 through 004-2024.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/5/24
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Christu, Eric	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning and Zoning Commission
MAILING ADDRESS 1500 N. Ocean Blvd.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY Palm Beach	COUNTY Palm Beach
DATE ON WHICH VOTE OCCURRED March 5, 2024	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Eric Christu, hereby disclose that on March 5, 20 24 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☒ inured to the special gain or loss of my relative, Maura Christu (Ziska) ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Privately Initiated Text Amendments to the Comprehensive Plan and Zoning code to amend the Future Land Use Element related to Private Group use and creation of a new Cultural Institution District. Ordinances No. 005-2024 and Ordinance No. 006-2024

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/5/24
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Snatcher, Jorge Alberto</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>P&Z</i>
MAILING ADDRESS <i>239 Southland Rd.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>PB</i>	NAME OF POLITICAL SUBDIVISION <i>Palm Beach</i>
DATE ON WHICH VOTE OCCURRED <i>3/5/24</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, J. A. Sanchez, hereby disclose that on 3/5, 2024:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Society of the Four Nats, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I have been engaged for services through GMI Landscape Nails

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/5/24
Date Filed

J. Sanchez
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sanchez, Jorge Alberto</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Pd 2</i>
MAILING ADDRESS <i>239 Southline Rd</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <i>PB</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY <i>PB</i>	NAME OF POLITICAL SUBDIVISION: <i>Palm Beach</i>
DATE ON WHICH VOTE OCCURRED <i>3/5/24</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, J.A. Sanchez, hereby disclose that on 3/5, 2024:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Franchise Group / Wells Fargo site, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My firm was retained for service (SMT Landscape Arch). We retired from their service many months ago

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/5/24
Date Filed

J. Sanchez
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.