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**ORDINANCE NO. 2021-14 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY’S OFFICIAL ZONING MAP FROM THE ZONING DISTRICT OF SINGLE FAMILY – RESIDENTIAL (SF-R) TO PUBLIC (P) ON PROPERTIES GENERALLY LOCATED AT THE NORTHWEST CORNER OF BARTON ROAD AND 16TH AVE SOUTH AT 1509 BARTON ROAD, 1511 BARTON ROAD, 1515 BARTON ROAD, AND 1421 BARTON ROAD, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A; AND PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE**

WHEREAS, the City Commission of the City of Lake Worth Beach, Florida, pursuant to the authority granted in Chapters 163 and 166, Florida Statutes, and the Land Development Regulations, as adopted by the City of Lake Worth Beach, is authorized and empowered to consider amending the City’s Official Zoning Map; and

WHEREAS, this is a City-initiated request for a zoning map amendment to change the zoning district of the properties as more particularly described in Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, City staff has prepared and reviewed an amendment to the City’s Official Zoning Map to change the zoning district of the properties described below from Single Family – Residential (SF-R) to Public (P), pursuant to the City of Lake Worth Beach Land Development Regulations and Comprehensive Plan; and

WHEREAS, on September 1, 2020, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, considered a concurrent future land use map (FLUM) amendment to the P future land use;

WHEREAS, on September 1, 2020, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, recommended approval of the subject zoning map amendment to the City’s Official Zoning Map; and

WHEREAS, the City has received public input and participation through hearings before the Local Planning Agency and the City Commission in accordance with Section 163.3181, Florida Statutes; and

WHEREAS, the City Commission has considered all of the testimony and evidence and has determined that rezoning meets the rezoning review criteria of the Land Development Regulations, Section 23.2-36 and is consistent with the City’s Comprehensive Plan and Strategic Plan.

WHEREAS, the City Commission has considered all of the testimony and evidence and has determined that the adoption of this ordinance is in the best interest of the citizens and residents of the City of Lake Worth Beach.

48 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY  
49 OF LAKE WORTH BEACH, FLORIDA, that:

50  
51 Section 1. The foregoing recitals are hereby affirmed and ratified.

52  
53 Section 2. The parcel of land more particularly described in **Exhibit A** is hereby  
54 designated Public (P) on the City's Official Zoning Map.

55  
56 Section 3. The City's zoning maps shall be updated to reflect the changes to the  
57 property described in **Exhibit B**.

58  
59 Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict  
60 herewith are hereby repealed to the extent of such conflict.

61  
62 Section 5. Severability. If any provision of this ordinance or the application thereof is  
63 held invalid by a court of competent jurisdiction, the invalidity shall not affect other  
64 provisions of the ordinance which can be given effect without the invalid provision or  
65 application, and to this end the provisions of this ordinance are declared severable.

66  
67 Section 6. Effective Date. This ordinance shall become effective upon the same day  
68 as the concurrent Future Land Use Map amendment (Ordinance 2021-13). Per Florida  
69 Statute 163.3187. The Future Land Use Map amendment (Ordinance 2021-13) shall be  
70 effective 31 days after adoption provided there is no challenge.

71  
72 The passage of this ordinance on first reading was moved by \_\_\_\_\_,  
73 seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

74  
75 Mayor Betty Resch  
76 Vice Mayor Herman Robinson  
77 Commissioner Sarah Malega  
78 Commissioner Christopher McVoy  
79 Commissioner Kimberly Stokes

80  
81 The Mayor thereupon declared this ordinance duly passed on first reading on the  
82 \_\_\_\_ day of October, 2021.

83  
84 The passage of this ordinance on second reading was moved by  
85 \_\_\_\_\_, seconded by \_\_\_\_\_, and upon being put to a vote,  
86 the vote was as follows:

87  
88 Mayor Betty Resch  
89 Vice Mayor Herman Robinson  
90 Commissioner Sarah Malega  
91 Commissioner Christopher McVoy  
92 Commissioner Kimberly Stokes

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95           The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_\_ day  
96 of \_\_\_\_\_, 2021.

97

98

LAKE WORTH BEACH CITY COMMISSION

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100

101

By: \_\_\_\_\_

102

Betty Resch, Mayor

103

104 ATTEST:

105

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107

108 \_\_\_\_\_  
Melissa Ann Coyne, City Clerk



## Exhibit A

### DEPARTMENT FOR COMMUNITY SUSTAINABILITY, PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION

#### PROPERTY DESCRIPTION FOR PZB CASE No. 20-01400036

109 The subject site is a vacant 0.53 acre sit comprised of two parcels. The site is located at 825 & 827 South Federal  
 110 Highway on the west side of South Federal Highway and includes the northern 20 ft of the abandoned 9<sup>th</sup> Avenue South  
 111 right-of-way adjacent and south of 827 South Federal Highway.

<b>Applicant</b>	Cotleur & Hearing on behalf of The Lord’s Place, Inc.
<b>Owner</b>	Lords Place Inc.
<b>General Location</b>	Northwest corner of South Federal Highway and 9 <sup>th</sup> Avenue South
<b>Existing PCN Numbers</b>	38-43-44-27-01-021-0140; 38-43-44-27-01-021-0160
<b>Existing Land Use</b>	Vacant
<b>Zoning</b>	Mixed Use – Federal Highway (MU-FH)
<b>Future Land Use Designation</b>	Mixed Use – East (MU-E)



## Exhibit B

### DEVELOPMENT STANDARDS FOR PZB CASE No. 20-01400036 (Ordinance 2021-16)

Development Standard		Base Zoning District	Residential Urban Planned Development with Sustainable Bonus Incentive Program (SBIP)	Proposed
Min. Lot Size in square feet (sf)		5,000 sf	Greater or equal to 21,780 sf (0.5 acres)	22,950 sf (0.52 acres)
Min. Lot Width		50 ft.	50 ft.	170 ft.
Min. Setbacks	Front	10 ft.	10 ft.	10 ft.
	Rear	13.5 ft.	15 ft.	14 ft.
	Street Side	10 ft.	10 ft.	20 ft.
	Interior Side	10 ft.	10 ft.	53 ft.
Max. Impermeable Surface Coverage		55%	55%	50.68%
Max. Structure Coverage		45%	45%	33.3%
Min. Pervious Landscaped Area in Front Yard		900 sf.	900 sf.	1,121 sf.
Min. Living Area for a Three-Bedroom Unit		900 sf.	900 sf.	<b>636 sf. per unit*</b>
Parking Spaces		14 spaces	14 spaces	14 spaces (13 spaces + 4 bike rack spaces)
Max. Density		20 du/acre or 10 units	25 du/acre or 13 units	14 du/acre or 7 units

Development Standard	Base Zoning District	Residential Urban Planned Development with Sustainable Bonus Incentive Program (SBIP)	Proposed
Max. Building Height	30 ft.	43.75 feet	19 ft.8 in. to the average height between the eave and ridge  21'2" to the top of the ridge
Floor Area Ratio (FAR) Limitations	0.6	1.2	0.33
<p><i>* Request to relax these items is addressed as part of the Residential Urban Planned Development analysis.</i></p>			

113

## Exhibit C

### DEPARTMENT FOR COMMUNITY SUSTAINABILITY, PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION CONDITIONS OF APPROVAL FOR PZB CASE No. 20-01400036

114 **Electric Utilities:**

- 115 1. Prior to the issuance of a Certificate of Occupancy, the following actions shall be completed:
- 116 a. Provide electrical plans and ensure the plans include the electrical riser diagram.
- 117 b. Indicate the voltage the project requires and whether a three-phase or single-phases is
- 118 needed.
- 119
- 120 2. The electrical services for the proposed building will come from the rear alley.
- 121
- 122 3. If the customer is wanting the service to be fed by a padmount transformer, the City will need a
- 123 10-ft-wide utility easement for the padmount transformer location and the electrical line that will
- 124 be run from the new pole to the padmount transformer. A padmount transformer will need 8-ft
- 125 minimum clearance in front of it and 3-ft minimum clearance on the sides and rear of it, including
- 126 any landscaping. The customer will be responsible for installing any electrical conduit needed by
- 127 Lake Worth Beach and at the proper depths.
- 128
- 129 4. If the electric service will only need one meter, and if this service is larger than 320 amps, the
- 130 electric service will need to be run through a CT Cabinet and be CT-metered.
- 131

132 **Planning and Zoning:**

- 133 1. Per LDR Section 23.6-1(c)(3)(h), all ground level mechanical equipment shall be screened with
- 134 shrub hedging or opaque fencing or walls, regardless whether it is visible from the street.
- 135
- 136 2. While the building and mechanical equipment may be located in the 20-foot abandoned ROW
- 137 area, they shall not be located within utility easement. If an easement is required, an updated
- 138 survey shall be submitted prior to the issuance of a building permit and reflect the easement and
- 139 the right of way abandonment.
- 140
- 141 3. A Declaration of Unity of Title shall be required combining all properties prior to issuance of a
- 142 building permit.
- 143
- 144 4. All lighting shall be shielded (full cut-off) so as to not trespass upon neighboring residential
- 145 properties or districts in excess of 12.57 lumens when measured from the property line and shall
- 146 comply with lighting code regulations in [LDR Section 23.4-3](#). LED lighting shall have a warm tone
- 147 of 2700K or less and light fixtures shall be consistent with the architectural style of the building.
- 148 Manufacturing cut-sheets for proposed fixtures and sconces in compliance with this condition
- 149 shall be provided prior to issuance.
- 150
- 151 5. Prior to the issuance of a building permit, submit the manufacturing details of the pervious
- 152 parking pavers. The details shall include the pavers' percolation rate which shall be at least 50%
- 153 relative to the ground percolation rate. a paver maintenance plan to ensure that it will maintain
- 154 its permeability over time.



- 155 6. All proposed signage shall be applied for on a city building permit and shall comply with the sign  
156 code, LDR Section 23.5-1.  
157
- 158 7. The architectural plans shall be revised to depict the total length of the east elevation and the  
159 measurements for each opening prior to first reading by the City Commission.  
160
- 161 8. Florida Green Building certification shall be obtained prior to the issuance of a Certificate of  
162 Occupancy.  
163
- 164 9. The minimum living area requirement in Section 23.3-20(c)(4)(B)(4) shall be met through the  
165 provision of a minimum unit size of 636 sf per 3-bedroom unit, as proposed, and the equivalent  
166 indoor common space area that is accessible to residents for a total of 900 sf per each 3-bedroom  
167 unit. Should the Lord's Place cease operations at this facility, then the residential units shall be  
168 modified to comply with the minimum unit size.  
169

170 **Public Works:**

- 171 1. Prior to the issuance of a building permit, the following actions shall be completed:  
172 a. Permits from the Lake Worth Drainage (LWDD) District's Engineering Department and the  
173 South Florida Water Management District's (SFWMD) Engineering Department shall be  
174 obtained, if necessary, and furnish to the City.  
175 b. An Erosion Control plan shall be submitted and indicate the BMP's and NPDES compliance  
176 practices.  
177
- 178 2. Prior to the issuance of a Certificate of Occupancy, the following actions shall be completed:  
179 a. The entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing,  
180 stormwater system piping and structures, valve boxes, manholes, landscaping, striping,  
181 signage, and other improvements shall be restored to the same or better condition as  
182 prior to construction.  
183 b. All disturbed areas shall be fine graded and sodded with Bahia sod.  
184 c. Broom sweep all areas of the affected right of way and remove of all silt and debris  
185 collected as a result of construction activity.  
186 d. Restore the right of way to a like or better condition. Any damage to pavement, curbing,  
187 striping, sidewalks or other areas shall be restored in kind.  
188 e. These conditions of approval shall be satisfied under jurisdiction of the Dept. of Public  
189 Works.  
190
- 191 3. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code  
192 and all other applicable standards including but not limited to the Florida Department of  
193 Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake  
194 Worth Public Works Construction Standards and Policy and Procedure Manual.  
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- 196 4. Prior to performing work in the right of way, the issuance a "Right of Way/Utility Permit" is  
197 required for the scope of work being performed.

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**Utilities Water & Sewer:**

1. Prior to the issuance of a building permit, the following actions shall be completed:
  - b. Obtain approval from FDOT on Access Management for driveway cuts.
  - a. Submit proof of approval from the Florida Department of Transportation (FDOT) on access management for driveway cuts.
  - b. Prepare a sketch and legal descriptions for the easement over the fire hydrant. There are two sketch and legal descriptions anticipated since the fire hydrant will be centered over what will now be the property lines.
  - c. An Erosion Control plan and with the BMPs and NPDES compliance practices shall be provided for the project site.
  - d. Reserved capacity fees for water and sewer shall be paid in full in accordance with the current City Ordinance.