

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS," ARTICLE 2 "ADMINISTRATION," DIVISION 2 "PROCEDURES," ADDING A NEW SECTION 23.2-20 "PUBLIC NEIGHBORHOOD MEETING," PROVIDING FOR A PUBLIC NEIGHBORHOOD MEETING TO BE HELD BY THE APPLICANT FOR DEVELOPMENT; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth Beach, Florida (the "City"), is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City has an interest in ensuring its residents and business owners have knowledge and opportunity to comment on proposed developments within the City; and

WHEREAS, the City desires to formalize a requirement that applicants for development hold a public neighborhood meeting to provide this opportunity to City residents and business owners who may be impacted by the proposed development; and

WHEREAS, the City Commission finds and declares that the adoption of this ordinance is appropriate, and in the best interest of the health, safety and welfare of the City, its residents and visitors.

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

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the City Commission.

Section 2. Chapter 23 "Land Development Regulations," Article 2 "Administration," Division 2 "Procedures," is hereby amended by adding thereto a new Section 23.2-20 "Public Neighborhood Meeting" to read as follows:

Sec. 23.2-20. Public Neighborhood Meeting.

- (a) A public neighborhood meeting shall be required for all Planned Developments, Developments of Significant Impact, and Lake Worth Beach Community Redevelopment Agency sponsored new construction projects along the City's major thoroughfares as well as those utilizing the City's Sustainable Bonus Incentive

44 Program, Transfer Development Rights Program and/or Economic Investment
45 Incentives.

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47 (b) Concurrent with submittal of an application for a development, project or incentive
48 identified in paragraph (1), but before presentation to the City's Planning and Zoning
49 Board or the Historic Resources Preservation Board, the applicant shall hold a public
50 neighborhood meeting, in accordance with the requirements of this section, to
51 discuss the application for development.

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53 (c) Notice of the public neighborhood meeting shall be provided by the applicant and
54 sent by regular first-class mail to all persons who, according to the most recent tax
55 rolls, own property within 400 feet of the property proposed for development as well
56 as to any neighborhood association whose boundaries include the proposed project.
57 The notice shall also be posted prominently at the property to be developed as well
58 as the City's website, the Lake Worth Beach CRA's website, if applicable, and other
59 appropriate social media outlets and websites. The notice and an affidavit of notice
60 affirming the notice requirements have been met shall be hand-delivered to the
61 department for community sustainability. The notice shall be mailed, posted at the
62 property, and hand-delivered to the City Clerk and CRA office (as applicable) for
63 website posting at least 15 days before the public neighborhood meeting. The
64 expense of the mailed notices and posted notice at the property and public
65 neighborhood meeting shall be borne by the applicant.

66
67 (d) The notice shall provide the time, date, and location of the public neighborhood
68 meeting as well as the applicant's (or applicant's representative) contact information
69 including at a minimum an email address and phone number . The notice must also
70 include the following statement: "No person may rely upon any comment made by
71 any person during the public neighborhood meeting as a representation or
72 implication that the application will be approved or disapproved in any form by the
73 City."

74
75 (e) The public neighborhood meeting shall be held at a location that is accessible to the
76 public and which will reasonably accommodate the number of persons notified of
77 the meeting. The meeting may be in person, virtual or a combination of both.

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79 (f) The purpose of the public neighborhood meeting is informational only. While
80 department of community sustainability staff and other city officials, advisory board
81 members, and employees may attend and observe, they shall not participate and
82 the meeting shall not be considered an official city meeting.

83
84 (g) The procedures of the public neighborhood meeting must include the following:

85
86 (1) The applicant shall discuss and answer questions regarding the following:

87
88 a. The nature of the proposed development, including land use types and
89 densities, as well as residential unit types; the placement of proposed

buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas; the preservation of natural features; the proposed parking areas; the internal traffic circulation system, including trails; the approximate total ground coverage of paved areas and structures; and types of water and sewage treatment systems.

- b. Conformity of the proposed development with the comprehensive plan, the strategic plan, this chapter and other applicable regulations.
- c. Any variances, sustainable bonuses, development rights transfers, planned development relaxation, exceptions or waivers or other incentives being requested under the LDRs for the development as of the time of the meeting.
- d. Any direct and indirect public benefits associated with the project that support the requested sustainable bonuses, development rights transfers or other incentives being utilized under the LDRs for the development known at the time of the meeting.
- e. Any new city revenue projections associated with the project including but not limited to ad valorem taxes and utility revenues.
- f. Any provision of affordable or workforce housing including proposed unit types, estimated rental or sale parameters and projected commitment term.
- g. Estimate of development schedule.

- (2) The applicant shall also allow attendees to comment on the proposed development.

(h) Minutes

- (1) The applicant shall provide a summary and/or minutes of the public neighborhood meeting which shall include the following:
 - a. Date and location of the meeting;
 - b. Time meeting started and time meeting ended;
 - c. List of attendees including appropriate contact information;
 - d. Topics discussed;
 - e. Proposed responses to topics discussed;
 - f. Social media postings; and
 - g. Project Website.
- (2) Minutes from the public neighborhood meeting, taken by the applicant, shall be promptly provided to the department for community sustainability. The city shall not conduct any public hearings on the development until the meeting minutes

are received by the department. Copies of the minutes provided by the applicant shall be included in the back-up materials for the city's public hearing(s).

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

Section 5. Codification. The sections of the ordinance may be made a part of the City's Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6. Effective Date. This ordinance shall become effective ten (10) days after its final passage.

The passage of this ordinance was moved by _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Christopher McVoy
Commissioner Sarah Malega
Commissioner Kimberly Stokes
Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on first reading on the 19th of May 2022.

The passage of this ordinance on second reading was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Christopher McVoy
Commissioner Sarah Malega
Commissioner Kimberly Stokes
Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk