



MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, APRIL 03, 2024 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chair; Mark Humm; Zade Shamsi-Basha; David Mathews; Daniel Walesky, Vice-Chair; Henry Pawski; Evelin Urcuyo. Also present: Scott Rodriguez, Asst .Director for Planning & Preservation; William Waters, Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

D. Walesky moved to approve the agenda as presented; M. Humm 2nd. Ayes all, unanimous.

APPROVAL OF MINUTES: None

CASES:

SWEARING IN OF STAFF AND APPLICANTS Not required as it is a legislative item not quasi-judicial.

PROOF OF PUBLICATION Provided in the meeting packet.

- 1) Ordinance 2024-05 - Affordable Workforce Housing Program
Ordinance 2024-06 - Spring 2024 LDR

WITHDRAWLS / POSTPONEMENTS None

PUBLIC HEARINGS:

BOARD DISCLOSURE None required as the items being heard are legislative not quasi-judicial in nature.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. Ordinance 2024-05:** Consideration of an ordinance amending Chapter 23 "Land Development Regulations," Article 2 "Administration," Division 3 "Permits," Section 23.2-39 "Affordable/Workforce Housing Program" to provide minor changes for clarity to the Affordable/Workforce Housing Program Tiers.

Board Attorney: Reads the Ordinance Title for Workforce Housing.

Staff: William Waters – The City Commission has been asking how to incentivize and increase Affordable Housing within the City. Accessory Dwelling Units (ADU) are one method. This is a revision to the existing Ordinance with regard to the 15% bonus currently available. The 15% rarely creates an entire unit and the Comprehensive Plan does not allow rounding up to the next full unit. The CRA has

also suggested that with multiple lots of record each lot could receive an extra unit. The Floor Area Ratio (FAR) is still pertinent nor do other zoning restrictions change. The units would continue to be deed restricted. The City currently provides more dedicated affordable housing than most municipalities and Palm Beach County in the past thirteen years. There are upwards of 200 additional units currently in process or entitled through Live Local. There are an additional 50-60 units through Habitat for Humanity, Adopt-a-Family, Housing Renaissance with ownership opportunities.

Board: What type of square footage is required? **Response:** A Studio apartment can be 340 square feet; 510 square feet - 1 bedroom; 800 square feet - 2-bedroom; and 1000 square feet - 3-bedroom unit.

Discussion of FAR, Accessory dwelling units, underlying land use of Single-Family residential.

Public Comment: Chris Eichmann – 809 N. Palmway- how does the rounding-up apply to the parking ratio? **Response:** All other codes apply.

Motion: D. Walesky moves to recommend approval of Ordinance 2024-05 with additional recommendation that it not be applied to Single Family residentially zoned districts with underlying Single Family Land Use., H. Pawski 2nd.

Vote: 6/1 motion carries. E. Urcuyo dissenting.

B. Ordinance 2024-06: Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping items and minor changes for clarity.

Board Attorney: Reads the Ordinance Title.

Staff: S. Rodriguez -Strike line 10034 regarding Historic Preservation.

Board: Questions regarding contesting of the demolition of non-contributing SF structures. Florida Statutes only exemptions granted to Key West and Palm Beach.

Explanation of Open Air Operations for Exhibit M- display areas. It is duplicated in Code. Signage code will address sandwich boards. The only place they will be allowed will be Lake and Lucerne Avenues which coincidentally creates ADA issues.

The correlation between overhang and lot coverage. Would recommend the three-foot overhanging eave maintaining a three feet setback and not encroaching on the property line.

Fence height – The natural grade is hard to determine on previously filled lots, now defined as the average between the two lots. This will prevent a neighbor from being negatively affected by a wall height that is ultimately higher than 6 feet depending on the amount of fill. Any fill higher than 30 inches (which may require a railing (plus 42 inches) brings the total to six feet. As an example, the average of 30 inches would be 15 inches plus 30 inches of fill plus 42 inch railing.

String lights – Currently not allowed except under Major Thoroughfare Guidelines in Downtown. This may be changing due to the numerous Holidays and allowing those lights in backyards.

Public Comment: None

Motion: Z. Shamsi-Basha moves to recommend adoption of Ordinance 2024-06 with the added recommendation of the change to Exhibit O Historic Preservation- (strike line 10034 and to maintain the three-foot setback to any overhanging eave) (Exhibit A); E. Urcuyo 2nd,

Vote: Ayes all, unanimous.

C. Ordinance 2024-07: Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 4 “Development Standards,” Section 23.4-25 “Micro-Units” to provide minor changes to the development standards for Micro-Units.

Staff: W. Waters -Section C – Discussion of evolution of micro units in the City. The change is a proposal to reduce the commercial/personal service and retail component of a project to 10 % or 2,500 square

feet of the gross area of the project. As currently written it is not economically feasible. Two projects may submit plans should this change occur.

Board: The number of units should be reduced to less than 20 perhaps 10 units. Discussion of the minimum square footage of the area dependent upon the size of the project. The common shared area is not being reduced with this Ordinance. Mixed- Use districts can also support residential only projects.

Staff: When the Ordinance was written, there was concern among those sitting commissioners that it would encourage sub-standard housing and lead to Section 8 housing and occupancy levels would not be followed. That changed with a new commission that was more open to the need for affordable housing. The commercial space rental rate (which is higher) is what is attractive to developers, this would help with subsidizing the construction of the micro-units (which have a lower rental rate).

Public Comment: None

Motion: D.Walesky recommends adoption of Ordinance 2024-07 with revisions to Line 54 (A) from 20 to 10 units and adding into section (C) that "If a project does not provide a mix of uses, the interior shared common area shall be at least 20 percent". M. Humm 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: Sunset Properties have pulled the application. Gulfstream initial permit documents were received. There is the thought and hope the Groundbreaking will coincide with Historic Preservation month of May. Live Local will maintain the Industrial area designation.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: Budget for 2025 is submitted. Take a look at the upcoming meetings in April and May and stay informed.

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 7:20 PM