

RESOLUTION NO. 31-2021 OF THE CITY OF LAKE WORTH BEACH,  
FLORIDA, AMENDING HISTORIC PRESERVATION DESIGN  
GUIDELINES AS A SUPPLEMENT TO THE HISTORIC  
PRESERVATION ORDINANCE AND PROVIDING FOR AN EFFECTIVE  
DATE.

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the "City"), a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, in 1997, the City attained designation as a Certified Local Government ("CLG") under Florida's Certified Local Government Program created pursuant to 1980 Amendments to the National Historic Preservation Act of 1966; and

WHEREAS, pursuant to its authority under the Community Planning Act, Section 163, Florida Statutes, and in order to protect and preserve the historic resources within the city, the City has enacted Historic Preservation regulations set forth in Section 23.5-4 of the City Code, and has established six (6) historic districts within the city; and

WHEREAS, the City amended its Historic Preservation regulations in 2018; and,

WHEREAS, pursuant to Section 23.5-4 (e).15 of the City's Historic Preservation regulations, as amended, the City Commission may, by resolution, adopt design guidelines to supplement the land development regulations in order to conserve and enhance the special aesthetic, historical and cultural character of landmarks or historic districts; and

WHEREAS, by Resolution 03-2019, upon recommendation of the Historic Resources Preservation Board (HRPB), the City Commission adopted Historic Preservation Design Guidelines ("Design Guidelines") to provide clear guidance on all of the building elements that make up a particular architectural style; and

WHEREAS, the current Design Guidelines indicate on page 198 that clear glass is the most compatible for historic structures with the City's historic districts, and further notes that windows with Low-E or Solarban coatings, applied tint, and mirrored finishes are not recommended; and

WHEREAS, windows with Low-E coatings have become increasingly popular due to their energy conserving characteristics, and

WHEREAS, the HRPB has recently determined that Low-E coatings with a visible light transmittance (VLT) of 70% or greater resemble clear glass in appearance; and

WHEREAS, after receiving input from members of the public, the City Commission directed staff to prepare proposed amendments to the Design Guidelines to allow darker Low-E coatings, in order to promote energy conservation and reflect industry trends towards Low-E coatings with a 60% VLT; and,

WHEREAS, staff has proposed amendments to page 198 of the Design Guidelines to allow Low-E coatings with a minimum 60% VLT, as more fully set forth in Exhibit "A," attached hereto and incorporated herein by reference; and

WHEREAS, the HRPB considered the proposed amendments to the Design Guidelines at its regularly scheduled June 9, 2021 meeting and recommended approval/denial; and

WHEREAS, the proposed amendments were reviewed by the State Historic Preservation Office, as required by the City's CLG status, and were not recommended for approval; and

WHEREAS, the proposed amendments will serve the interests of energy conservation within the City's historic districts.

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

Section 1. The above Recitals are true and incorporated herein.

Section 2. The City hereby amends the Historic Preservation Design Guidelines as provided in Exhibit A, and said Design Guidelines, as amended, shall operate as a supplement to the Historic Preservation Ordinance. Should there be a conflict between the Ordinance and the Design Guidelines, the Ordinance shall take precedence.

Section 3. This resolution shall become effective immediately upon its passage.

The passage of this resolution was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch  
Vice Mayor Herman Robinson  
Commissioner Sarah Malega  
Commissioner Christopher McVoy  
Commissioner Kimberly Stokes

The Mayor thereupon declared this resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

LAKE WORTH BEACH CITY  
COMMISSION

By: \_\_\_\_\_  
Betty Resch, Mayor

ATTEST:

\_\_\_\_\_  
Deborah M. Andrea, City Clerk