

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: December 1, 2020

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2020-15 – Second Reading - amending Chapter 23 “Land Development Regulations” regarding changes to commercial vehicle parking, open air operations, temporary banner signage for new construction, and landscaping requirements.

SUMMARY:

Consideration of Ordinance 2020-15 amending Chapter 23 “Land Development Regulations” of the City’s Code of Ordinances as follows

1. Article 1- Section 23.1-12 – Definitions (commercial vehicles)
2. Article 4- Section 23.4-15 - Cemeteries/mausoleums/columbariums
3. Article 4 - Section 23.4-19 - Outdoor storage and open-air operations
4. Article 4 - Section 23.4-22 - Parking, storing or keeping of commercial vehicles in non-residential districts
5. Article 5 - Section 23.5-1 – Signs (temporary banner signage)
6. Article 6 - Section 23.6-1 – Landscape Regulations

BACKGROUND AND JUSTIFICATION:

Ordinance 2020-15 provides for a series of updates, clarifications, corrections and additions to the City’s Land Development Regulations (LDRs). Back at its workshop on March 3, 2020, Staff presented a series of priorities for the LDRs to the Commission. The subject LDR amendments address a second series of prioritized items identified at the March meeting as summarized below. The draft text amendments are summarized below.

- **Landscape Regulations (Artificial Turf):** Removed from Ordinance after first reading.
- **Commercial Vehicles:** The proposed amendments provide clarity and with regards to the regulation of commercial vehicles on non-residential properties.
- **Cemeteries/mausoleums/columbariums:** The proposed amendments provide additional use and site development requirements for cemeteries, mausoleums, and columbariums
- **Open Air Operations:** The proposed amendments will amend the outdoor storage section to specifically address open air operation, including outdoor display.
- **Temporary Signage:** The proposed amendments provide additional banner style signage related to the opening of a newly constructed building or substantially renovate building.
- **Landscape Regulations:** The proposed amendments provide clarity for when permits are requirements and related to installation requirements for ground cover and inorganic mulch.

At the October meetings, the Planning & Zoning Board (PZB) and Historic Resources Preservation Board (HRPB) both recommended unanimously for the City Commission to approve the proposed amendments excluding the artificial turf changes in Exhibit G. The HRPB voted to not recommend approval of the artificial turf changes. However, if approved by the City

Commission, the HRPB requested that all applications for artificial turf within the historic districts require a Certificate of Appropriateness prior to the issuance of a landscape permit for artificial turf. This requested change by the HRPB is reflected in the attached ordinance. The PZB declined to make a formal motion on artificial turf at its meeting citing the need for additional public discussion. The Tree Board requested to discuss the artificial turf changes in Exhibit G although review of land development regulations is outside of their board authority. At their October 28th meeting, the Tree Board recommended that the City Commission not allow artificial turf based on concerns identified in two (2) public comment letters and a letter to the editor in the Lake Worth Herald, which members requested be forwarded to the City Commission.

At its meeting of November 17, 2020, the City Commission unanimously voted 4-0 to approve the ordinance on first reading excluding Exhibit G relating to artificial turf. Exhibit G was removed subsequent to the meeting and its removal is reflected in the attached ordinance.

MOTION:

Move to approve/disapprove Ordinance No. 2020-15 on second reading.

ATTACHMENT(S):

Ordinance 2020-15

PZB/HRPB Staff Report

Tree Board - Public Comment Letters & Lake Worth Herald Letter to the Editor (are available upon request from the City Clerk's office)