



**MINUTES  
CITY OF LAKE WORTH BEACH  
HISTORIC RESOURCES PRESERVATION BOARD MEETING  
CITY HALL COMMISSION CHAMBER  
WEDNESDAY, NOVEMBER 13, 2024 -- 6:03 PM**

**ROLL CALL and RECORDING OF ABSENCES** Present were: Robert D'Arinzo, Chair; Nadine Heitz, Vice-Chair; Edmond LeBlanc; Laura Devlin; Edmund Deveaux; Elain DeRiso. Also present were: Anne Hamilton, Senior Preservation Planner; Yeneneh Terefe, Historic Planner; Annie Greening, Principal Planner; Scott Rodriguez, Asst. Director for Planning & Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

**PLEDGE OF ALLEGIANCE**

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA** New Business Item C will be heard before New Business Item B.

**APPROVAL OF MINUTES:**

**Motion:** E. DeRiso moves to accept the October 16, 2024 Regular Meeting Minutes as presented; E. LeBlanc 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**CASES**

**SWEARING IN OF STAFF AND APPLICANTS:** Board Secretary administered oath to those wishing to give testimony.

**PROOF OF PUBLICATION** None required

**WITHDRAWLS / POSTPONEMENTS** None

**CONSENT** None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. **HRPB Project Number 24-00100164:** Consideration of a Certificate of Appropriateness for the construction of a new Accessory Dwelling Unit and one historic waiver to exceed the accessory structure size limitation at 406 North L Street. The subject property is located within the Single Family and Two Family Residential (SF-TF-14) zoning district and has a future land use designation of Medium Density Residential (MDR). The property is a contributing resource in the Northeast Lucerne Historic District.

**Staff:** A. Hamilton provides historic background information and existing conditions on the property.

The ADU would be located in the rear yard opposite the garage. Parking would be beneath the building with one bedroom on the ground floor. The windows would be in the style of the existing main structure, It opens onto the alley but appears to open to the parking lot (Sacred Heart). One waiver is being requested as the applicant intends to preserve in their entirety, the principal structure and accessory structure, thus exceeding the size limitation of 1,000 square feet. The applicant could have added on to the principal structure, instead has chosen to minimize the impact to the existing historic structures. It meets all waiver criteria. Conditions prohibit any future utilization or conversion of the accessory garage to an ADU.

**Board:** Is the only issue the extra 40 square feet? **Response:** No, it is the 60% of the requirement, the plan indicates they are at 87%. Why the discrepancy in the square footage? **Response:** The cantilevered balcony would be included in the higher count. What is the intent of the use? **Response:** Air B&B not allowed within the City limits.

**Applicant:** Would like to have parents there as they get older. Has tried to build something that goes well with the primary historic structures.

**Motion:** N. Heitz moves to approve HRPB 24-00100164 with staff recommended Conditions of Approval for the ADU and waiver to exceed the accessory size based on the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation Requirements; E. Deveaux 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

- B. Ordinance 2024-14:** Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 – Definitions and Article 6 “Environmental Regulations,” Section 23.6-1 “Landscape Design Standards” to create a definition for artificial turf and establish regulations and performance standards for artificial turf.

#### **Board Attorney reads Ordinance Title**

**Staff:** A. Greening would allow for artificial turf within the City with specific requirements pertaining to quality, location and installation. Athletic fields, playgrounds, SF & TF properties in side and rear yards or limited use as decorative material between pavers/ parking strips; rooftop recreation or amenity areas of mixed-use and multi-family residential Treated as impervious material, permit required. No more than 10% of impermeable may be artificial turf. Direction was given to staff at the City Commission workshop in May 2024. Planning & Zoning Board recently recommended it be referred to as pervious material.

**Board:** How would the yards with limited back yard space be treated? **Response:** The first 20 feet of the front yard is considered front yard. Anything beyond that would be treated as other properties with a back yard. **Board:** How are City owned properties being treated? **Response:** This Ordinance does not pertain to City properties.

Additional discussion regarding benefits and cost effectiveness such as water savings; costly initial installation along with regular maintenance and how long until it needs to be replaced, how often?. Several Board members agree it should not be considered as impervious, which is in agreement with the Planning & Zoning Board recommendation. Is one-foot setback enough to prevent runoff or storm water leaching? **Response:** That is currently the standard used to prevent runoff onto the neighboring property. Question as to what type of material is mulch considered to be? **Response:** Part of the living landscape bed. **Board:** Even with the weed barrier it would be similar to artificial turf.

**Motion:** L. Devlin moves to recommend denial of Ordinance 2024-14 to the City Commission; E. Le Blanc 2<sup>nd</sup>.

**Vote:** 3/3 ; R. D’Arinzo; N. Heitz, E. Deveaux dissenting.

**Motion fails.**

**Motion:** N. Heitz moves to recommend approval of Ordinance 2024-14 to the City Commission: E. Deveaux 2<sup>nd</sup>.

**Vote:** 3/3 L. Devlin; E. DeRiso; E. LeBlanc dissenting.

***Motion fails.***

Qualifying, underlying beliefs do not change the outcome of a vote.

**C. Ordinance 2024-17:** Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations” to establish definitions, regulations, and performance standards for manufacturing and processing facilities with apparatuses.

**Board Attorney reads Ordinance Title**

**Staff:** A. Greening states the amendment is for new uses making provisions within Code and the LDR’s for uses such as processing plants. It creates definitions, puts them on the use table, minor changes to the Sustainable Bonus Incentive Program to accommodate the height of the apparatus, revised minimum parking requirements for the within IPOC zoning district. Creates a temporary use category to allow certain amount of days to work outside of normal work hours. As Historic districts do not overlap the IPOC districts, the Board would still need to act as the Local Planning Agency for the Ordinance to go before the City Commission.

**Board:** What were the PZ Board recommendations? Change from Use area to Property line and reduce the distance to 375 linear feet. Question about the extended hours with the possibility of amounting to ½ month working outside the normal work hours. Is it seasonal? **Response:** More project based.

**Bradley Miller, Urban Design Studio:** The Ordinance, amendment, would cover all the IPOC zoning district. Regarding the Temporary Use, it is more project based such as roadway projects or the like. As the Use does not currently exist in Code, a grandfathered applicant (CEMEX) has interest. The trucks and processing most frequently occurs at night when traffic is less.

**Motion:** E. Deveaux moves to recommend approval of Ordinance 2024-17 to the City Commission with recommended changes suggested by Planning & Zoning Board (change to line 391 (375 feet from property line to property line); N. Heitz 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**D. Ordinance 2024-18:** 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 Ordinance Title**

**Staff:** Relocation of Nursing Homes/Assisted Living to the Institutional Use in the use table; Changing the name of retirement home to Independent Senior Living was suggested by Planning & Zoning Board; Revision to the minimum lot size in the Mixed-Use Dixie zoning district west of Dixie Hwy to match the requirements on the east side of Dixie Hwy and correcting the maximum density. Revision of the definition of Townhomes to allow for a two-unit townhome; removal of townhouse complex for the definitions.

**Public Comment:** Amy Mihelich-2032 Collier Ave(unincorporated) Does not support the change in definition of townhouses. Currently townhouses are not permitted in the SFR zoning district. Should be posted rather than hiding a zoning change in the “general housekeeping”

**Response:** This change does not allow for Townhomes to be located in SFR zoning district, as they are not currently allowed. It does allow for a two-unit townhouse in the SF-TF 14 zoning district. This does not change the SFR zoning district. The townhome definition currently requires 3-units. A townhouse complex definition (to be removed) was meant to have multiple townhouses located on a parcel. Some subtle differences include: Duplexes have one owner with one or two tenants; townhouses each have an owner and have a portion of the parcel and each occupant owns their townhouse structure.

**Board Attorney:** The definition of townhouse is changing, not the zoning district.

**Motion:** N. Heitz moves to recommend approval of Ordinance 2024-18 to the City Commission with the recommendation to change retirement home to Independent Senior Living; E. DeRiso 2<sup>nd</sup>.

**E. Ordinance 2024-19:** Consideration of an ordinance adopting the City's Mobility Plan and amending the City's Comprehensive Plan to align with the goals and objectives of the new Mobility Plan.

**Board Attorney reads Ordinance Title**

**Staff:** It is intended to serve as a mobility plan (how goods and services move throughout the City) and as a safety plan (safety action and improvement projects). The inclusion of the Safety Plan will allow for availability of additional City funding. Will be an element added to the Comp Plan. The draft copy may undergo revisions in the future during the approval process but it is generally as it appears.

**Board:** Great outreach to the Community and appreciates there was much effort and work put into the new element.

**Motion:** L. Devlin moves to recommend approval of Ordinance 2024-19 to the City Commission; N. Heitz 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**F. Ordinance 2024-20:** Consideration of an ordinance banning marijuana dispensing facilities within the City of Lake Worth Beach.

**Board Attorney reads Ordinance Title**

**Staff:** Although the State of Florida voters did not approve the amendment allowing for the Recreational use of marijuana, the previous ban on dispensaries will remain in effect.

**Board:** What changes are contained in the Ordinance?

**Board Attorney:** There are no changes, the City Commission requested this Ordinance be brought forward to the Boards. Since this pertains to the non-medical use, it is now a moot point.

**Motion:** N. Heitz moves to recommend denial of Ordinance 2024-20 to the City Commission; E. LeBlanc 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**PLANNING ISSUES:** None

**PUBLIC COMMENTS:** (3 minute limit) None

**DEPARTMENT REPORTS:** A. Greening notifies the Board of the condemnation of 126 South J Street. The CRA has acquired the property. No action is required by the Board as the structure(s) have been condemned by the Building Official.

Board members inquire as to the status of a more recent condemned property (523 South M. Street) with large Banyan trees. **Response:** No action to date-pre-demolition forms not yet provided, staff has discussed the need to preserve the trees on site.

**BOARD MEMBER COMMENTS:** None

**ADJOURNMENT** 7:22 PM