

AGENDA
LANTANA TOWN PLANNING COMMISSION
sitting as the
LOCAL PLANNING AGENCY
August 25, 2021
6:30 p.m.

Lyn Tate (Chairperson)	_____	Erica Wald	_____
Rosemary Mouring	_____	Michelle Donahue	_____
Kem Mason	_____	Joseph Farrell (Alternate)	_____
Moody Fuller (Alternate)	_____		

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1. CALL TO ORDER
 2. ROLL CALL
 3. APPROVAL OF MINUTES: Consideration of minutes for the May 26, 2021, meeting.
 4. AGENDA APPROVAL:
 - a. Additions, Deletions, Substitutions
 - b. Agenda Approval
 5. NEW BUSINESS:
 - a. **Ordinance O-12-2021: Consideration of an Ordinance amending Chapter 23 zoning to modify the minor modification regulations for site plan approval in the Town Code of Ordinances.**
Applicant: Town of Lantana
 6. PUBLIC COMMENTS
 7. ADJOURN

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

MINUTES
LANTANA TOWN PLANNING COMMISSION
sitting as the
LOCAL PLANNING AGENCY
May 26, 2021 – 6:30 p.m.

PRESENT: Chairperson Lyn Tate; Erica Wald; Kem Mason; Rosemary Mouring; Erica Wald

ALSO PRESENT: Nicole Dritz, Development Services Director; Walter Porr, Assistant Town Attorney; Caroline Shamsi-Basha, Assistant Development Services Director; Moody Fuller (alternate)

NOT PRESENT: Michelle Donahue, Joseph Farrell (alternate)

1. CALL TO ORDER: Ms. Tate called the meeting to order at 7:09 PM.
2. ROLL CALL: Ms. Shamsi-Basha called the roll and noted there was a quorum.
3. APPROVAL OF MINUTES: Mr. Mason made a motion to approve the minutes for the February 24, 2021, meeting. Ms. Mouring seconded and the motion passed unanimously.
4. AGENDA APPROVAL: Mr. Mason made a motion to approve the agenda. Ms. Wald seconded, and the motion passed unanimously.
5. NEW BUSINESS:

- a. **Ordinance O-08-2021:** Consideration of an Ordinance amending Chapter 23 zoning to allow the use of medical marijuana treatment centers in specific zoning districts and establish standards for regulation of the proposed use.

Applicant: Town of Lantana

Ms. Dritz gave an overview of the ordinance.

There was a discussion of the Planning Commission members. Mr. Porr and Ms. Dritz answered questions from the Planning Commission members.

The following members from the public commented on the item:

Steve Dworkin of 3001 Collonade Drive, Wellington.

Media Beverly of 1424 S Atlantic Dr.

Ann McGlinwork of 822 W Oyster Lane.

Dave Arm of 212 Iris Avenue.

Ms. Wald made a motion to deny recommendation of approval of the ordinance. Ms. Mouring seconded the motion. The motion passed 3-2 (Nay - Mr. Mason and Mr. Fuller).

6. PUBLIC COMMENTS: There were no statements from the public.
7. ADJOURN: Ms. Wald made a motion to adjourn and the motion passed unanimously. The meeting was adjourned at 7:58 p.m.

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

Chairperson Lyn Tate

Date

ORDINANCE NO. O-12-2021

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 - ZONING, BY RENAMING AND AMENDING SECTION 23-48. MINOR MODIFICATION OF SITE PLAN APPROVED PREVIOUSLY BY THE DEVELOPMENT SERVICES DIRECTOR. TO AUTHORIZE THE TOWN'S DEVELOPMENT SERVICES DIRECTOR TO APPROVE MINOR AMENDMENTS TO SITE PLANS; PROVIDING THAT REMAINDER OF CHAPTER 23 – ZONING SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Council has determined that a need exists to rename and amend Chapter 23 – Zoning, Article II – Administration and Enforcement by renaming and amending Section 23-48. Minor modification of site plan approved previously by the development services director. to identify certain amendments to site plans which may be authorized by the Town's Development Services Director; and

WHEREAS, the Town Council believes this amendment to the Code of Ordinances to be in the best interests of the health, safety, and welfare of the citizens of the Town of Lantana.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, THAT:

Section 1: Chapter 23 Zoning. of the Code of Ordinances of the Town of Lantana is hereby amended at Section 23-48. Minor modification of site plan approved previously by the development services director. by renaming and amending said section and subsections (a) through (c) thereof; providing that Section 23-48 shall hereafter read as follows:

Sec. 23-48. ~~Minor modification of site plan approved previously by the development services director~~ Minor Amendments to previously approved site plans.

The purpose of this section is to provide a procedure for ~~the minor modification of a~~ amendments to site plans previously approved by the ~~d~~Development s~~Services d~~Director or Town Council. Minor ~~modifications~~ amendments are those ~~types of amendments, corrections or changes~~ that are not significant enough to warrant a full site plan review process and are listed in subsection

23-48(b). The ~~Town~~ Development Services Director shall ~~will~~ consider a request for minor site plan ~~modifications~~ amendments upon receipt of a letter explaining the details, impacts and need for the ~~modifications and~~ amendment and which demonstrates that the amendment satisfies the criteria set forth herein. This should be accompanied by payment of the fee established by the adopted fee schedule. The ~~d~~Development ~~s~~Services ~~d~~Director shall consider the requested ~~minor modifications~~ amendment and may approve, approve with conditions, or deny ~~disapprove or approve with changes.~~

(a) ~~Applicability. The procedure established in this section may only be utilized to modify a site plans previously approved by the development services director. A request to modify a site plan previously approved by the Town Council as part of special exception approval will require a full special exception review as established in section 23-75.~~ Minor site plan amendments may be sought for the following:

- (1) Site plans previously approved by Development Services Director
- (2) Site plans previously approved by Town Council

(b) Minor site plan ~~modifications~~ amendments are those which:

- (1) ~~Decrease~~ Do not increase the density, intensity, ~~and/or~~ total floor area of any building, and/or ~~reduce~~ the number of principal structures, height, stories, or units;
- (2) Do not include overall architectural character changes. They may include ~~Cosmetically~~ alterations such as changes to the external facade of an existing or proposed building, ~~including~~ new or renovated signage, awnings and architectural detailing, provided that the overall architectural character is not changed;
- (3) – (5) (The subsections shall remain in full force and effect as previously adopted.)
- (6) Do not increase or cause negative impacts on adjacent properties;
- (7) Do not increase traffic generated on the site;
- (8) Do not increase parking demand;
- (9) Do not reduce the number of required parking spaces on the site.

~~(c) Minor site plan modifications shall not:~~

- ~~(1) Increase negative impacts on adjacent properties;~~

~~(2) Increase traffic generated on the site;~~

~~(3) Increase parking demand or reduce the number of parking spaces on the site;~~

~~(4) Increase intensity or density on the site.~~

Section 2: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 3: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 4: Specific authority is hereby granted to codify this Ordinance.

Section 5: The remainder of Chapter 23. – Zoning shall remain in full force and effect as previously enacted.

Section 6: This Ordinance shall take effect immediately upon adoption.

[The balance of this page is intentionally left blank.]

FIRST READING this 27 day of September, 2021.

SECOND AND FINAL READING this 11 day of October, 2021.

TOWN OF LANTANA

Aye

Nay

Mayor Robert Hagerty

Aye

Nay

Vice Mayor Malcolm Balfour

Aye

Nay

Vice Mayor Pro Tem Karen Lythgoe

Aye

Nay

Councilmember Lynn J. Moorhouse

Aye

Nay

Councilmember Mark Zeitler

ATTEST:

(SEAL)

TOWN CLERK

Approved as to form and legal sufficiency.

TOWN ATTORNEY