

AGENDA
LANTANA TOWN PLANNING COMMISSION
sitting as the
LOCAL PLANNING AGENCY
October 25, 2023
6:30 p.m.

Joseph Farrell (Chairperson)	_____	Veronica Cobb	_____
Rosemary Mouring	_____	Lyn Tate	_____
Michelle Donahue	_____	Edward Shropshire (Alternate)	_____
Jorge Velazquez (Alternate)	_____		

1. CALL TO ORDER
2. ROLL CALL
3. AGENDA APPROVAL:
 - a. Additions, Deletions, Substitutions
 - b. Agenda Approval
4. APPROVAL OF MINUTES
 - a. Consideration of minutes for the September 27, 2023 LPA meeting.
5. NEW BUSINESS:

a. ORDINANCE NO. O-13-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 ZONING, BY AMENDING SECTION 23-1 – DEFINITION OF TERMS. TO CREATE A DEFINITION FOR “CALL CENTER”; BY AMENDING SECTION 23-98 – I INDUSTRIAL DISTRICT. TO ALLOW “CALL CENTER” AS A SPECIAL EXCEPTION USE; BY AMENDING SECTION 23-131 – OFF-STREET PARKING AND LOADING REQUIREMENTS. TO CREATE A “CALL CENTER” PARKING RATE; PROVIDING THAT THE REMAINDER OF CHAPTER 23 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.

Applicant: Project Connect

b. ORDINANCE NO. O-10-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 ZONING, BY AMENDING SECTION 23-96 – C1 COMMERCIAL DISTRICT. TO MODIFY THE COMMERCIAL DOCKS AND/OR MARINA USE THAT IS PERMITTED BY SPECIAL EXCEPTION EXCEPT IN THE OMX OCEAN AVENUE MIXED USE SUB-AREA OF THE DOWNTOWN OVERLAY; PROVIDING THAT THE REMAINDER OF CHAPTER 23 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.

Applicant: Town of Lantana

6. 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
September 27, 2023
6:30 p.m.

1. CALL TO ORDER: Mr. Farrell called the meeting to order at 6:30 PM.
2. ROLL CALL: Ms. Eassa called the roll and noted there was a quorum.
 - a. PRESENT: Joseph Farrell (Chairperson); Rosemary Mouring; Michelle Donahue; Veronica Cobb; Lyn Tate
 - b. ALSO PRESENT: Nicole Dritz, Development Services Director; Elizabeth Eassa, Assistant Development Services Director; Jeffery Jones, Legal Counsel
3. APPROVAL OF MINUTES:
 - a. Ms. Tate made a motion to approve the minutes for the August 23, 2023, LPA meeting as amended. Ms. Mouring seconded, and the motion passed unanimously.
4. AGENDA APPROVAL:
 - a. Ms. Donahue made a motion to approve the agenda. Ms. Tate seconded, and the motion passed unanimously.
5. NEW BUSINESS:
 - a. ORDINANCE NO. O-09-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 ZONING, BY AMENDING SECTION 23-81 – GENERAL PROVISIONS. BY REPEALING SUBSECTION (B) AND READOPTING SAME AS REVISED, IN ORDER TO REVISE THE CONDITIONAL SET BACK REGULATIONS RELATED TO WATERFRONT LOTS; PROVIDING THAT THE REMAINDER OF CHAPTER 23 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.

Applicant: Town of Lantana

Ms. Dritz gave an overview of the Ordinance.

The Board did not have any questions.

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Ms. Tate made a motion to recommend approval of the Ordinance amendment. Mr.

Donahue seconded.

Ms. Eassa called the roll and the motion passed 5-0.

6. ADJOURN: Ms. Mouring made a motion for adjournment. The meeting was adjourned unanimously at 6:34 PM.

Chairperson Joseph Farrell

Date

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.

TOWN OF LANTANA

Preserving Lantana's small town atmosphere through responsible government and quality service.

TEXT CHANGE APPLICATION

CASE #: TX23-0007

SUBMITTAL DATE: 9-13-23

Please submit six copies of all back-up documents such as plans, proposed text change, support letters and/or survey.

Agent	Property Owner
Name: Sandra Megrue, Agent Urban Design Studio	Name: Sharon L'Herrou, Director-CEO 415 Gator Drive, Inc.
Address: 610 Clematis Street, WPB, FL 33401	Address: 415 Gator Drive, Lantana, FL 33462
Phone: 561-366-1100	Phone: 561-533-1065
Email: SMegrue@udsflorida.com	Email: Sharon L'Herrou / sharon@211pbt.org and Ken Kettner / ken@ecsinc.biz

*****DO NOT WRITE BELOW THIS LINE ---- FOR DEPARTMENTAL USE ONLY*****

ACCEPTED FOR REVIEW

Town Official: [Signature] Date: 9/22/23
Fee (s) Paid: \$1500

TOWN ACTION

Town Council: _____ Date: _____

APPLICATION FOR ZONING TEXT CHANGE

This request for a zoning text change is hereby filed to request the following (attached additional documentation if needed):

This is a request to amend the Town's Land Development Regulations to add the use of a 'Call Center' to accommodate the existing use of a community related service located with the Town's municipal boundary. The Owner/Applicant/Operator desires to demolish their existing metal warehouse building and construct a single 2-story building for the sole use of the Owner/Applicant/Operator. The Town Staff has previously determined that the existing use is similar in nature to a Call Center; however, the Town's LDRs do not make provisions for such use. This request is a result of the coordination between the Town Staff and the Owner/Applicant/Operator to accomodate the existing use within the Industrial Future Land Use and Zoning Categories.

Please address the following information for the request:

1. **Consistent with Current Policies-** Show how the proposal is consistent with the Town's Comprehensive Plan policies.

This is an existing use within the Town's municipal boundary that has no comparable zoning use classification. Approval of this modification to the Zoning text will allow this longstanding use, and critical service to our surrounding communities, to redevelop their existing site and continue to operate within an area of Industrial uses as defined by the Future Land Use Element of the Comprehensive Plan. Approval of this request is in keeping with the Goal of the Comprehensive Plan to maintain the diverse, small-town character of Lantana by encouraging a mix of uses, uses that do not create negative impacts on adjoining properties, and is in keeping with the intent of the Industrial district to provide employment centers and uses that serve the Town's residents, as well as residents and busienses from the adjacent municipalities and unincorporated area of the County and the Treasure Coast

2. **Not an Isolated District-** Show how the proposed amendment would not create an isolated district or would not grant a special privilege to an individual property owner as contrasted with protecting the public welfare.

Granting this approval will not create an isolated district or grant special privilege as this is an existing use that currently has no compatible classification of use in the Town's LDRs. Approving this request will cure the non-conforming use and provide use regulations.

3. **Changing Conditions-** Show how conditions have changed or are changing to make the proposed amendment desirable.

The Applicant desires to redevelop their site to provide for enhanced working conditions and environment for current employees and allow for fluxuations in the number of employees as the need for these critical services increases within PBC and the Treasure Coast

4. **Compatible with Utilities, Roadways and Other Public Facilities-** Show how the proposed amendment is compatible with existing or proposed utilities, roadways, and other public facilities.

This is a request to amend the LDRs to add a use classification that is comparable to the long-standing existing use of the site. Any increase in services for the use to expand will be addressed as part of the Site Plan Review request, but are not affected by this request.

5. **Adjacent and Nearby Properties-** Show how the proposed amendment would affect adjacent or nearby properties with regard to compatibilities, property values, etc.

There are no impacts to the surrounding properties as a result of this request to add a comparable use o the LDRs for an existing use within the Town's municipal boundary to cure an existing non-conforming use.

6. **Scale of Development-** Is the proposed change reasonably related to the needs of the neighborhood and Town as a whole?

This is a request to amend the Town's LDRs to add a use that is comparable to the existing use on the site, which is a critical use within the community of Lantana and the whole of Palm Beach County and the Treasure Coast.

Applicant's Certification

(I) (We) affirm and certify that (I) (we) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be part of the Town of Lantana, (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (we) understand that this application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Heather Anstætt

Witness

Sharon L'Herrou

Signature of Applicant

Heather Anstætt

Witness

Sharon L'Herrou

Printed Name of Applicant

Sharon L'Herrou, Director-CEO

9/8/2023

Date

Applicant is:

- ☒ Owner
☐ Optionee
☐ Lessee
☐ Agent
☐ Contract Purchaser

Address:

415 Gator Drive Inc
415 Gator Drive
Lantana, FL 33462
Phone: (561) 533-1065 fax ()
Email: Sharon L'Herrou / sharon@211pbt.org
Ken Kettner / ken@ecsinc.biz

OWNERS AUTHORIZATION (if Applicant is not the owner)

(I) (We) affirm and certify that Urban Design Studio, the applicant, is hereby authorized to represent me in all dealings regarding this petition with the Town of Lantana.

Heather Anstætt

Witness

Heather Anstætt

Witness

9/8/2023

Date

Sharon L'Herrou

Signature of Owner

Sharon L'Herrou, Director-CEO

Printed Name of Owner

415 Gator Drive Inc
415 Gator Drive
Lantana, FL 33462

ORDINANCE NO. O-13-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 ZONING, BY AMENDING SECTION 23-1 – DEFINITION OF TERMS. TO CREATE A DEFINITION FOR “CALL CENTER”; BY AMENDING SECTION 23-98 – I INDUSTRIAL DISTRICT. TO ALLOW “CALL CENTER” AS A SPECIAL EXCEPTION USE; BY AMENDING SECTION 23-131 – OFF-STREET PARKING AND LOADING REQUIREMENTS. TO CREATE A “CALL CENTER” PARKING RATE; PROVIDING THAT THE REMAINDER OF CHAPTER 23 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 of the Town of Lantana has determined that a need exists to amend Chapter 23 – Zoning. of the Town’s Code of Ordinances; and

WHEREAS, the Town Council has determined this revision 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:

SECTION 1: Chapter 23 – Zoning. of the Code of Ordinances of the Town of Lantana is amended at Section 23-1. Definition of terms. providing that Section 23-1 shall hereafter read as follows:

Sec. 23-1. Definition of terms.

All words used in the present tense shall include the future tense; all words used in the plural number shall include the singular number unless the natural construction indicates otherwise; the words "used for" shall include the meaning "designed for"; the word "structure" shall include the word "building"; the word "lot" shall include the words "plot" and "tract"; and the word "shall" is mandatory.

For purposes of this chapter, the following terms or words shall be used in the interpretation of the purpose and intent herein. In addition, definitions related to land development, subdivision and platting are listed in Chapter 17.5, Article XII, Appendix 13.

“Accessory building or structure” – “Bulk storage, sale or distribution” (These definitions shall remain in full force and effect as previously adopted)

Call Center: An establishment primarily engaged in providing customer service, support, or information in a centralized office environment, and whose typical activities included receiving (inbound) or transmitting (outbound) telephone calls, facsimiles, or internet communications (e.g., live chat, instant messaging, email). The use is often integrated into a campus style development and/or not frequented by the general public.

“Car wash (automatic or self-service)” – “Zoning Code” (These definitions shall remain in full force and effect as previously adopted)

SECTION 2: Chapter 23 – Zoning. of the Code of Ordinances of the Town of Lantana is amended at Section 23-98 – I industrial district. providing that 23-98 shall hereafter read as follows:

(a) – (c) (These subsections shall remain in full force and effect as previously adopted).

(d) *Special exceptions.* When the town council determines as a fact, after review of the application and plans submitted therewith, that the conditions, general standards and provisions of this Code, as set forth in section 23-75, and other regulations as set forth and defined in this Code, have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Town comprehensive land use plan, the following uses shall be permitted:

(1) – (9) (These sub-sections shall remain in full force and effect as previously adopted).

(10) Call Center.

(e) – (f) (These subsections shall remain in full force and effect as previously adopted).

SECTION 3: Chapter 23 – Zoning. of the Code of Ordinances of the Town of Lantana is amended at Section 23-131 – Off-street parking and loading requirements. providing that SCHEDULE 23-131.1 MINIMUM NUMBER OF OFF-STREET PARKING SPACES shall hereafter read as follows:

<i>Use Classification</i>	<i>Minimum Off-Street Parking Required</i>	<i>Off-Street Loading Required ⁽¹⁾</i>
"Single-family dwelling units (2)" – "Business offices/studios, individual" (These parking rates shall remain in full force and effect as previously adopted)		
<u>Call Center</u>	<u>One (1) space per call center employee workspace @ maximum shift, plus two (2) spaces per one thousand (1,000) square feet of area not used for call center employee workspaces.</u>	<u>N/A</u>
"Car wash, self-service or automatic" – "Warehouse" (These parking rates shall remain in full force and effect as previously adopted)		

SECTION 4: Each and every other Section and Subsection of Chapter 23 Zoning. shall remain in full force and effect as previously enacted.

SECTION 5: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

SECTION 6: 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 7: Specific authority is hereby granted to codify this Ordinance.

SECTION 8: This Ordinance shall take effect immediately upon adoption.

(The remainder of this page is intentionally left blank.)

SECOND AND FINAL READING this 11th day of December, 2023.

<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Mayor Karen Lythgoe
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Vice Mayor Lynn J. Moorhouse, D.D.S.
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Vice Mayor Pro Tem Mark Zeitler
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Councilmember Christopher Castle
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Councilmember Kem Mason

(SEAL)

Kathleen Dominguez, CMC, TOWN CLERK

Approved as to form and legal sufficiency.

R. Max Lohman, TOWN ATTORNEY

ORDINANCE NO. O-10-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23 ZONING, BY AMENDING SECTION 23-96 – C1 COMMERCIAL DISTRICT. TO MODIFY THE COMMERCIAL DOCKS AND/OR MARINA USE THAT IS PERMITTED BY SPECIAL EXCEPTION EXCEPT IN THE OMX OCEAN AVENUE MIXED USE SUB-AREA OF THE DOWNTOWN OVERLAY; PROVIDING THAT THE REMAINDER OF CHAPTER 23 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 of the Town of Lantana has determined that a need exists to amend Chapter 23 – Zoning. of the Town’s Code of Ordinances; and

WHEREAS, the Town Council has determined this revision 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:

SECTION 1: Chapter 23 – Zoning. of the Code of Ordinances of the Town of Lantana is amended at Section 23-96 – C1 commercial district. providing that 23-96 shall hereafter read as follows:

- (a) – (c) (These subsections shall remain in full force and effect as previously adopted).
- (d) *Special Exceptions.* When the Town Council determines as a fact, after review of the application and plans submitted therewith that the conditions, general standards and provisions of this Code as set forth in section 23-75, and other regulations as set forth and defined in this Code, have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Town comprehensive land use plan, the following uses shall be permitted (see NOTE below):

Note: Special exception uses denoted with the following two-letter subarea codes, representing specified sub-areas specifically defined at section 23-130, indicate that these special exception uses are NOT allowed in those denoted subarea(s): CC- Cottage Commercial; DC-Dixie Corridor; and OMX-Ocean Avenue Mixed Use.

(1) – (8) (These subsections shall remain in full force and effect as previously adopted)

(9) Commercial docks and/or marinas (see Section 23-134 for additional requirements), ~~except in OMX.~~

(10) – (28) (These subsections shall remain in full force and effect as previously adopted)

(e) – (g) (These subsections shall remain in full force and effect as previously adopted)

SECTION 2: Each and every other Section and Subsection of Chapter 23 Zoning. shall remain in full force and effect as previously enacted.

SECTION 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

SECTION 4: 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 5: Specific authority is hereby granted to codify this Ordinance.

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

(The remainder of this page is intentionally left blank.)

SECOND AND FINAL READING this 13th day of November, 2023.

<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Mayor Karen Lythgoe
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Vice Mayor Lynn J. Moorhouse, D.D.S.
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Vice Mayor Pro Tem Mark Zeitler
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Councilmember Christopher Castle
<div><div></div><div>Aye</div></div>	<div><div></div><div>Nay</div></div>	Councilmember Kem Mason

(SEAL)

Kathleen Dominguez, CMC, TOWN CLERK

R. Max Lohman, TOWN ATTORNEY