

ORDINANCE NO 08- 2022

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 OF THE TOWN'S CODE OF ORDINANCES TO ADD DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted definitions pertaining to zoning terms which have been codified in Chapter 78, Article I under Section 78-2 of the Code of Ordinances of the Town of Lake Park (the Code); and

WHEREAS, the definitions that were part of Article III, Section 78-70 of the Town Code are being relocated to Section 78-2, and additional definitions are being added to section 78-2; and

WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing to review the proposed amendments and has provided a recommendation to the Town Commission; and

WHEREAS, the Town Commission, after review of the recommendations from the the Planning and Zoning Board, and after due notice and public hearings hereby amends section 78-2 to add definitions;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are hereby incorporated as the legislative findings of the Town Commission.

Section 2. Chapter 78, Article I, Section 78-2 of the Code, entitled “Definitions” is

hereby amended as follows:

Sec. 78-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or accessory building means a subordinate use or building customarily incidental to and located on the lot occupied by the main use or building.

Active use means a use within an enclosed building designed for human occupation with a direct view to adjacent streets or public open space.

Active use, ground floor means an active use that attracts pedestrian activity, provides access to the general public, and conceals uses designed for parking and other non-active uses if present. Ground floor active uses generally include, but are not limited to, retail, other commercial, restaurants, coffee shops, libraries, institution, educational and cultural facilities, residential, and entrance lobbies.

Active use liner means an active use that serves to conceal uses designed for parking and other non-habitable uses. Active liner uses generally include, but are not limited to, commercial, residential, hotel, office and the commercial uses associated with live/work.

Airbnb’s / Bed and Breakfast Inn means a use catering primarily to short-term rental or boarding, with the operator residing on site. Airbnb’s or Bed and Breakfast Inns shall be permitted inside existing single-family homes and mixed-use liner units in districts where they are a permitted use.

Animal day care establishment means an indoor facility operated between the hours of 7:00 a.m.—10:00 p.m., for the purpose of providing care and protection of domesticated animals, no overnight boarding.

Animal grooming establishment means an indoor facility operated between the hours of 7:00 a.m.—10:00 p.m. which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

Animal service establishment means any establishment having an outdoor component and any establishment which may include any of the following uses as specified in the individual zoning district.

- (1) *Pet stores.* An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;

- (2) *Boarding kennel.* An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

Noise nuisances which exceed permitted decibel levels as prescribed in the section 10-155 shall be mitigated by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the town's community development department under a building permit application. Boarding shall be limited to domesticated animals. The town commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

Animal indoor training center means a facility operated between the hours of 7:00 a.m.-10:00 p.m. for the teaching and training of domesticated animals.

Antiques means objects of an earlier period such as furniture, jewelry, stamps, coins, miniaturized replicas, works of art, or other decorative articles that are collected primarily because of their age, history or expectation of increasing value.

Antique shop means a shop selling items which are in demand and have a value due to being rare, old, historic, of a collectible nature, or an expectation of increasing value. Antique items include furniture, art objects, housewares, glassware, jewelry, coins, stamps, and decorative objects, at least 100 years old.

Architectural elements means building components attached to or part of a facade and consisting generally of projections intended to provide architectural character and facade articulation.

Architectural treatment means the provision of architectural and/or landscape elements on a facade which serve to visually screen non-active uses.

Art Gallery means a use dedicated to the display of artwork, which may or may not be for sale.

Auto-oriented uses means any use that discourages walkability such as but not limited to, large surface parking lots, drive-thru facilities, motor vehicle sales, service and repair, motor vehicle fuel sales and service and similar uses that, by their nature, are built with special accommodations for service directly to the automobile or the occupants of automobiles and require the extensive use of automobiles as part of their primary function.

Automotive service station means an establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods.

Awning means a roof-like projection without vertical supports placed above windows and doorways to provide pedestrian protection from sun and rain, and to enhance building facades and storefronts with color and dimension.

Bakery means an establishment engaged in the mixing, preparation, packaging, and sale of edible goods created on-premises at either retail or wholesale.

Balcony means a horizontal projection above the ground floor that is unenclosed and designed for human occupation.

Bank, or financial institution means an entity primarily engaged in financial services including but not limited to receiving savings deposits, cashing checks, and the provision of credit.

Building means each of the independent units into which a building is divided by party walls. The term "building" shall also include "structure."

Building frontage means the percentage of a building facade that is generally parallel, facing, or oriented toward a street and that lies within the minimum and maximum setback area allowed and shall include a principal building and active use.

Brewery means a facility whose principle use shall be the manufacture of malt liquors and the wholesale distribution of finished products.

Brewpub means an establishment that manufactures and sells beer products in conjunction with a restaurant that acts as the primary use.

Cabana means an enclosed or screened-in structure which is constructed on a concrete slab with CBS and stucco or poured concrete and stucco walls, a hard roofing system, and which is subject to the Florida Building Code. Manufactured buildings, factory-built housing, mobile homes, sheds and other similar assembled buildings shall not be considered to be a cabana.

Canopy means a roof-like projection without vertical supports generally placed above primary building entrances or along building facades to provide facade hierarchy, pedestrian orientation and accentuation.

Church/house of worship means a building, structure or premises wherein persons regularly assemble for religious worship which is specifically designed and used only for such purpose and is maintained and controlled by a religious body organized to sustain public worship.

Civic space is a small outdoor space that serves as a focal point for civic and recreational uses.

Coffee Shop means a business engaged in the brewing and sale of coffee, tea, and customarily-associated confectionary goods. Coffee shops may have a lounge area and space for live entertainment.

Community development director or director means the community development director of the town.

Community residential home means, as defined in F.S. ch. 419, a dwelling unit licensed to serve clients of the state department of children and family services, which provides a living environment for seven to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents, and which meet the notification requirements of F.S. ch. 419.

Consignment shop means a business engaged in the appraisal of merchandise and the retail sale of consigned items, returning a percentage of the profits to the item's original owner.

Courtyard building type means a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three sides.

Courtyard, garden means a public or semi-public open space that is partly surrounded by walls or buildings and is open to a public right-of-way or public space on at least one side or portions of its sides, with a higher percentage of vegetated area.

Courtyard house means a dwelling unit distinguished by the provision of an open-air courtyard or atrium. The courtyard is enclosed on at least three sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the courtyard.

Courtyard, interior means a private open space that is wholly or partly surrounded by walls or buildings.

Covered structures means non-habitable areas such as storage areas, restroom facilities, vertical circulation access ways, open air structures such as cabanas, gazebos, trellis and other similar structures which accommodate outdoor common areas.

Craft Distilleries shall be differentiated from a distillery by production limitations and an on-site sales component. A craft distillery shall mean a licensed distillery that produces 75,000 or fewer gallons per calendar year of distilled spirits on its premises that has notified the State in writing of its decision to qualify as a craft distillery.

Day-care center is an establishment for the care and supervision of unrelated children conforming with the standards set forth for such facilities by the Florida Department of Children and Families.

Deli shall mean a business deriving part of its profits from quick-service sandwich sales and part of its profits from the retail sale of meats, cheeses, and condiments.

Department store shall mean a retail operation offering an assortment of goods or products within various distinct departments, including but not limited to apparel, housewares, dry goods, jewelry, perfumes, and home furnishings.

Distilleries shall mean any manufacturer of distilled spirits with 100 percent of its total gross floor space dedicated to manufacturing and related processes. This use acts as a main supplier of distilled alcohol within a surrounding 'fixed' geographical area as identified in the business plan.

Dry cleaning means a facility primarily engaged in laundering, pressing, steaming, and cleaning clothing. Dwelling unit means an interconnected group of rooms located within a structure that form a single, habitable unit with facilities for living, sleeping, cooking and eating.

Dwelling unit, single-family means an interconnected group of rooms located within a single, standalone structure that form a single habitable unit with facilities for living, sleeping, cooking and eating.

Encroachment means the maximum allowed projection of a building element beyond the minimum setback or into an adjacent public right-of-way.

Entertainment, indoor means a commercial establishment offering to the public entertainment or games of skill in an enclosed building. Adult arcades and internet cafes are not permitted.

Facade means the vertical exterior surface of a building or parking structure which faces a right-of-way or property line.

Facade articulation means the provision of architectural features or treatment on a facade.

Facade elevation means the entire area of a facade that is visible in a two dimensional architectural elevation drawing, but not including facade areas that abut buildings on separate lots with zero setbacks and are therefore fully hidden from view.

Family means one person or a group of two or more persons living together and interrelated by bonds of legal adoption, blood, or a licit marriage, or a group of not more than three people who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling. Any person under the age of 18 years whose legal custody has been awarded to the state department of children and family services or to a child placing agency licensed by the department, or who is otherwise considered to be a foster child or child in emergency shelter care, and who is placed with a family, shall be deemed to be related to and a member of the family for the purposes of this chapter. Nothing herein shall be construed to include any roomer or boarder as a member of a family. *Fence* means a freestanding structure of any material or combination of materials erected for confinement, screening, or partition purposes.

Fenestration means the arrangement and design of windows, doors, and openings in a building.

Flex building type means a building that is designed to respond to changes of function in a flexible way. The flex building type is able to accept different internal configurations and easily adapt to its surroundings.

Forecourt means an open area, in front of the building, surrounded by walls on at least three sides.

Freestanding canopy means a nonhabitable, self-supporting structure, typically used as a shelter for vehicles, boats, trailers, RVs, motorcycles, and other items of personal property, which is constructed of nonrigid materials, except for the supporting framework which may include, but is not limited to, metal, wood, concrete, plastic, or PVC, and which is not attached to or supported by a building or other structure, and the supporting framework of which extends to the ground.

Freighting or trucking yard or terminal means an establishment for the loading, unloading, and interchange of freight between modes of transportation, such as a distribution center. This may include space primarily characterized by short-term storage for last-mile product distribution and a high frequency of pickups and drop-offs.

Fruit and Vegetable Market means a business engaged exclusively in the retail sale of fruits and vegetables.

Funeral home means an establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

Garage, Parking means a building or structure or portion thereof used exclusively for the storage or parking of automobiles.

Greenways, urban means an improved outdoor area in an urban environment, set aside for recreational use or pedestrian connectivity.

Grocery, general means an establishment offering the sale of a variety of food, beverages and other personal items. Does not include beer/wine, or liquor stores.

Grocery, specialty means an establishment offering a variety of specialty fresh merchandise, including poultry, beef, vegetables, fruits, breads, dairy products, and similar items of a specialty or ethnic nature. Does not include beer/wine, or liquor stores.

Gross building area means the total floor area of a building, including air-conditioned or fully enclosed storage spaces, enclosed areas on the rooftop, such as bathrooms and lobbies, stairs and elevator areas, and external unenclosed circulation areas. The gross building area does not include parking areas; unenclosed colonnades, porches and balconies; mechanical and electrical spaces; and trash rooms. Storage spaces without windows and enclosed by

surfaces that allow for natural ventilation or outside air circulation shall not be included. The gross building area shall be measured from the outside face of exterior walls.

Ground floor means the street-level story of a building.

Group home means a dwelling unit that pursuant to F.S. ch. 419 is a type of community residential home licensed to serve clients of the state department of children and family services, which provides a living environment for six or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents.

Gym means a facility offering equipment for physical exercise, providing for individual and/or group activities, which may or may not provide clients instructional services.

Height means the maximum vertical extent of a building or structure that is measured as a number of stories not to exceed a vertical dimension in feet.

Hospital, sanitarium or medical center means a facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

Hotel means an establishment providing short-term lodging, may provide for dining, and other services for guests.

Ice cream parlor means an establishment engaged in the sale of ice cream, gelato, frozen yogurt, or similar frozen refreshments and assorted confectionary products for consumption on or off-premises.

Instructional studio means an establishment or workplace in which instruction in the performing or visual arts is provided as the primary use, in disciplines such as martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar areas of instruction which are deemed appropriate by the town's community development director, and which are conducted in either or both group or individual instruction sessions or lessons.

Liner building type means a building that conceals a garage, or other faceless building, that is designed for active use.

Liquor Store means an establishment offering the sale of beer, wine, liquor and/or other alcoholic spirits or drinks.

Live/work means a type of mixed-use development that combines a nonresidential use with a residential dwelling unit.

Lot means a parcel of land occupied or designed to be occupied by one building, and the accessory buildings or uses customarily incident thereto, including such open spaces as are required by the provisions of this chapter, and such open spaces as are arranged or designed to be used in connection with such buildings. The term "lot" shall also include "plot."

Lot, Parking means an improved surface used exclusively for the storage or parking of automobiles in conjunction with a use or a combination of uses.

Mailing, shipping, packing store means a business engaged in logistics operations, including shipment, packaging, and delivery for private and public parties.

Major recreational equipment means boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Mezzanine means a partial story that may occur anywhere in the building and shall be utilized for functions ancillary to the floor in which it is located. The height of the mezzanine is not included in the height of a story, provided it does not cause the building to exceed the maximum allowable height.

Microbrewery means an establishment that manufactures and sells beer products in conjunction with an accessory use such as a restaurant, tasting room, or other retail sales.

Motel/hotel means a commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a building or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

Non-active use means a building use which is generally not intended for human occupation. Non-active uses include, but are not limited to, parking and building service areas such as storage, mechanical, electrical and trash. Architectural treatment shall be provided for all non-active use facade elevations.

Off-street parking space means a minimum net area of 200 square feet of appropriate dimensions for parking of an automobile, exclusive of access drives or aisles thereto. Mixed-use zoning districts permit a minimum net area of 162 square feet of appropriate dimensions for parking of an automobile, exclusive of access drives or aisles thereto.

Office, business and professional, means an establishment providing executive, management, administrative, or professional services to the public. Such offices include, but are not limited to, advertising offices; business offices of private companies; business offices of utility companies, public or nonprofit agencies, and trade associations; employment agencies, excluding day labor and labor pool services; professional or consulting offices for accounting, architecture, design, engineering, landscape architecture, law, planning, and similar

professions; property and financial management, and real estate; secretarial and telecommunication services; and travel agencies.

Office, government means an administrative government office, including town offices, law enforcement or fire-rescue facilities, and post offices.

Office or clinic, medical means an establishment with services including medical, dental, and other health-care activities by practitioners licensed by the state of Florida and by technicians and assistants acting under their supervision, but not including overnight stays.

Office/warehouse means a use whereby the office is utilized for administrative or showroom functions and the warehouse is utilized for trade work, storage of materials associated with the business, studio work or any combination thereof.

Open space means an improved outdoor area open to the sky.

Open space, private means open space that is intended solely for the use of building occupants.

Open space, public means a ground floor open space for public use and access abutting a public street on at least one side and with unencumbered pedestrian access from the public sidewalk or right-of-way for the general public at all times.

Open space, semi-public means a ground floor open space intended primarily for use by building occupants but may have limited public access.

Pawnshop means a business establishment that accepts goods or property owned by an individual in return for paying cash or loaning money for such property, and allowing redemption of such property.

Pedestrian passageway means an open space that provides a pedestrian-only cross-block connection from two or more public rights-of-way or public spaces.

Personal services means an establishment providing services of a personal nature that are necessary on frequent or recurring basis, but excluding those services specifically classified as an individual use. Personal services may include the accessory retail sale of items related to the service rendered. Personal services also means an establishment that provides informational, instructional, personal improvement or services of a similar nature, especially those conducted in large groups and/or on a reoccurring basis. Such services include, but are not limited to, art and music schools, beauty shops and barbershops, licensed massage therapists, manicurists and services of a similar nature.

Pet shop means an indoor facility operated between the hours of 7:00 a.m.—10:00 p.m. for the purpose of selling animal accessories.

Podium means the lower portion of the tower building type on which the tower rests.

Printing establishment means a business engaged in printing, copying, or creating material based on either original or customer schematics using such mediums as paper, plastic, clay, or those using 3D printers.

Private school or nonpublic school means a parochial, religious, denominational, for profit, or nonprofit organization that designates itself as an educational center for instructional purposes and that may include kindergarten, elementary, middle or junior high school, secondary or high school, or as an elementary, secondary, business, technical, or trade school below college level or that offers academic, literary, or career training below college level, or any combination of the above.

Projection, horizontal means any facade surface or building component which protrudes from the main building facade plane, including, but not limited to, architectural features, awnings, balconies, canopies, colonnades and porches.

Public space is a large outdoor gathering area that can be used for events, public gatherings, and recreational uses.

Rear line means the line parallel or practically parallel to the front line of a lot and at the furthest extremity thereof.

Resident of a community residential home means a frail elder as defined in F.S. § 400.618; a physically disabled or handicapped person as defined in F.S. § 760.22(7)(a); a developmentally disabled person as defined in F.S. § 393.063(12); a nondangerous mentally ill person as defined in F.S. § 394.455(18); or a child as defined in F.S. § 39.01(14), F.S. § 984.03(9) or (12), or F.S. § 985.03(8).

Restaurant, fast food means an establishment where food and beverages are primarily precooked, prepackaged, served in disposable wrapping and containers and where orders are taken at a counter or drive-through.

Restaurant, general means an establishment where food and beverages are prepared, served and consumed primarily on the premises.

Restaurant, specialty means an establishment where specialty or ethnic food and beverages are prepared, served and consumed primarily on the premises.

Retail sales means the sale, incidental repair and rental of goods, including bulky goods such as household appliances, that are sold on a retail basis excluding those uses specifically classified and regulated as a separate use in the use chart. Does not include beer/wine, or liquor stores.

School, post-secondary, means an institution offering either academic training leading to an associate, undergraduate or graduate degree; or career-oriented technical or vocational training, including administrative and secretarial skills, computer operations and repair, drafting, electronic equipment operations and repair, massage therapy, medical technology, nursing, and physical therapy.

Shed means a standalone accessory structure permitted in residential zoning districts and intended to store lawn, garden, pool care equipment, or other similar items that meet the regulations of the zoning district within which they are located. Shed walls shall not exceed eight feet and the roof peak not to exceed 12 feet when measured from the finished grade. The total square footage of any shed shall not exceed 144 square feet. Such structures shall be limited to one per property and shall be placed in side and rear yards only and shall meet all setback requirements. Structure materials shall be of a color and design that are compatible in relation to other structures in the immediate area. The structure shall be appropriately landscaped when viewed from a public way or neighboring property.

Side line means the two lines of a lot not the front line or the rear line.

Sideyard house means a detached dwelling distinguished by the provision of an unenclosed porch on the side of the house. The side porch is screened from the view of the street by a wall or fence.

Sidewalk café/outdoor seating : A sidewalk café or outdoor seating is a group of tables with chairs and associated articles approved by the town situated and maintained outside on public property and used for the consumption of food and beverages sold to the public from an adjoining business.

Small Scale food and beverage production means an enterprise that conducts the production of prepared food and/or beverages for local or regional wholesale or retail distribution, or both. Such uses include, but are not limited to, wholesale or retail bakeries, commercial kitchens, and specialty food and/or beverage processing or packaging shops, but excludes meat or seafood processing plants.

Social service activities means the administration of any community-oriented service, including offices, meetings, storage, library and similar administrative uses. The term "social service activities" shall not mean any social service activities, including, without limitation, substance rehabilitation services, counseling activities and services, shelter for the homeless or abused, food/meal distribution for the needy, job training, and teen oriented programs.

Special exception means a use that would generally not be appropriate throughout the zoning district. However, special exception uses may be within a particular zoning district upon the applicant's compliance with the criteria established within this article and with such conditions as the commission may elect to impose.

Storage warehouse means any use where the majority of space is used for passive storage functions and does not contain a significant administrative or office component.

Stores & services, large format means establishments that sell food or merchandise or provide personal or professional services containing over 50,000 square feet of enclosed floor area.

Story means the vertical space in a building measured between the upper surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between the floor and the uppermost surface of the ceiling assembly or roof above. The number of stories is used to calculate building height.

Street designation, Mixed Use means a street classification system in the mixed use districts that regulates the characteristics of streets and rights-of-way with respect to spatial dimension, pedestrian and vehicular mobility and building active uses. Street designations vary in each mixed use district and generally consist of four types: primary, secondary, tertiary and alleys.

Street line means the dividing line between a lot and the adjoining street.

Studio means a use where skilled labor is performed by a single worker or a small team, usually on a freelance basis to primarily produce artisanal products or provide one-on-one or small group instruction. Examples may include, but are not limited to, woodworking, metalworking, sculpting, painting, upholstering, graphic design, filming and editing, tailoring, individual or small group tutoring, private instruction, photography, restoration, and detailed repair.

Substance abuse treatment facility means a facility having one or more service components that are not otherwise permitted by right by the governing zoning district and that are operated by service providers licensed by the state as defined in F.S. ch. 397.

Substantial renovation means either of the following: Repair, rehabilitation, restoration, reconstruction, alteration, expansion, or similar improvement, in a calendar year, in excess of 50 percent of the assessed value of the property, as determined by the most recent certified tax roll prepared by the county tax collector; or any building addition in excess of 20% of the existing gross floor area or increase in height in excess of 20% of the existing building height.

Theater, indoor, means an enclosed building which offers to the public live performances or motion pictures.

Thrift/used merchandise/junk store means a retail establishment, including a flea market, which sells ordinary used, secondhand, or junk merchandise, including but not limited to vehicular or marine engine and body parts, books, clothes, electronic and mechanical equipment and parts, furniture, household goods, jewelry, shoes, tools of all kinds, toys, etc., that are donated, purchased or otherwise acquired for resale.

Time sharing means, but shall not be limited to, any building or part thereof in which the right of use or occupancy of any unit circulates among various occupants for a specific period of time, less than a full year during any given year, but not necessarily for consecutive years, in accordance with a fixed time schedule on a periodically recurring basis extending for more than one year.

Tower building type means a multi-level building organized around a central core where a part of the building is higher in proportion.

Townhouse means a single dwelling unit in a group of such units that are attached horizontally in a linear arrangement to form a single building, with each unit occupying space from the ground to the roof of the building, and located or capable of being located on a separate townhouse lot. A townhouse development is considered a type of multifamily dwelling.

Transient residential use means a dwelling that is operated or used in such a way that it has a turnover in occupancy of more than two times in any one year, and shall include, but not be limited to, rooming houses with such turnover. Occupancy by the real property owner(s) of the dwelling unit shall not be counted toward the frequency of turnover, as long as the turnover of other occupants does not exceed more than two times in any one year. *Vehicle sales and rentals* means an establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

Wineries shall mean an establishment that manufactures and sells wine products (wineries, meaderies, and cideries), including establishments that are operated in conjunction with an accessory use such as a restaurant, tasting room, or other retail sales.

Section 3. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 4. Codification. The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the Ordinance may be re-numbered or re-lettered to accomplish such.

Section 5. Effective date. This Ordinance shall take effect immediately upon execution.

Upon First Reading this 6 day of July, 2022, the foregoing Ordinance was offered by Commissioner Taylor, who moved its approval. The motion was seconded by Commissioner Linden and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>Absent</u>	_____
COMMISSIONER MARY BETH TAYLOR	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 10 DAY OF July, 2022

Upon Second Reading this 20 day of July, 2022, the foregoing Ordinance, was offered by Commissioner Taylor who moved its adoption. The motion was seconded by Commissioner Michaud and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____
COMMISSIONER MARY BETH TAYLOR	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 08-2022 duly passed and adopted this 20 day of July, 2022.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:

[Signature]
Town Clerk, Vivian Mendez
(Town Seal)
**TOWN OF LAKE PARK
SEAL
FLORIDA**

[Signature]
Town Attorney, Thomas J. Baird

TOWN OF LAKE PARK NOTICE OF PUBLIC HEARINGS:
AMENDMENT TO THE ZONING CODE OF THE TOWN OF LAKE
PARK

Please take notice and be advised that the Town of Lake Park, Florida is proposing to adopt an ordinance amending Chapter 78, Article 1, Section 78-2 of the Town of Lake Park Code of Ordinances by relocating definitions to Section 78-2 that were previously located elsewhere in the Code and adding additional definitions.

ORDINANCE NO ___ - 2022

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 OF THE TOWN'S CODE OF ORDINANCES TO ADD DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARINGS ARE SCHEDULED AS FOLLOWS:

Planning and Zoning Board: Monday, April 4, 2022 at 6:30 pm or as soon thereafter as can be heard.

Lake Park Town Commission (Quasi-Judicial):

First Hearing: Wednesday, April 20, 2022, at 6:30 pm or as soon as the matter can be heard.

Adoption Hearing: Wednesday, May 4, 2022, at 6:30 pm or as soon as the matter can be heard

Location: All meetings will be held in the Town Commission Chambers
535 Park Avenue, Lake Park, FL.

BE ADVISED: ALL DATES ARE SUBJECT TO CHANGE. Please refer to the Town website LakeParkFlorida.gov and agendas for the most up to date items being presented or call 561-881-3320.

For additional information, or to review any documents related to the proposal described herein, please visit the Community Development Department at 535 Park Avenue, Lake Park, FL 33403, or contact Planners Anders Viane or Karen Golonka at 561-881-3320, or aviane@lakeparkflorida.gov or kgolonka@lakeparkflorida.gov.

If a person decides to appeal any decision made by the Planning & Zoning Board, or Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose 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. Records related to the item may be inspected by visiting the Community Development Department at Town Hall (535 Park Avenue, Lake Park, FL 33403). For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez

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