

TAB 10

Town of Lake Park Town Commission Agenda Request Form

Meeting Date: **November 5, 2003** Agenda Item No. 10

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input checked="" type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|--|

SUBJECT: Minimum Housing Standards

The minimum housing standards are for the occupancy of dwellings, hotels and rooming structures. It also is for the uniform minimum standards for the maintenance of the premises occupied or adjacent to such structures, including vacant lots and the premises of business establishments located in the area. This article is a means of protecting the health, welfare and safety of the public by eliminating overcrowding, substandard living conditions, unsanitary conditions and unsafe structures. Its objective is to remove the bad, improve the poor and preserve the good.

RECOMMENDED MOTION/ACTION: Request direction.

Approved by Town Manager: *J. Douglas Dwyer* Date: 10/29/03

Originating Department: Community Development <hr/> Tresa A. Fitzner	Costs: \$ _____ Funding Source: _____ Account # _____	
Department Review: <input checked="" type="checkbox"/> City Attorney <i>MB</i> <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Department _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager <i>J.D. 10/29/03</i>
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	Finance Director Approval: 	Attachments: <i>EXAMPels FROM OTHER CITIES</i>



Calvin, Giordano & Associates, Inc.

Engineers • Surveyors • Planners

560 Village Boulevard, Suite 340
West Palm Beach, Florida 33409
Phone: 561 684 6161 Fax: 561 684 6360

Memorandum

DATE: 10/28/03
TO: The Honorable Mayor Castro and Town Commission
FROM: Jamie A. Gentile, Calvin, Giordano & Associates
SUBJECT: Minimum Housing Code Update
PROJECT: 02-2748.27
CC: Douglas Drymon, Town Manager

As requested by the Town Commission, the purpose of this memorandum is to provide the Mayor and Commission with an update on "Minimum Housing Standards". Based upon staff's review of other municipal codes, there does not appear to be a clear or definitive definition of "Minimum Housing". Attached hereto are several codes from local municipalities, all with differing views of what defines "Minimum Housing" within their respective communities. For example, some communities have implemented legislation, which addresses property maintenance and appearance. These codes set minimum appearance standards and requirements for ordinary maintenance of residences and businesses. Other municipalities use "Minimum Housing Standards" to control and limit the number of individuals residing in a single-dwelling unit. The Commission may wish to approach "Minimum Housing Standards" by incorporating appearance and safety guidelines and/or restricting the number of residents per dwelling unit. Either way, Staff requests additional guidance and direction from the Commission prior to proceeding with the crafting and enactment of this type of ordinance

Whichever approach is palatable to the Town Commission, it should be noted that Minimum Housing Standards are not without controversy and legal challenges. If the Town Commission elects to establish appearance and maintenance standards pertaining to building color(s) and architectural style(s) and features, property owners often view this as an infringement of their property rights. This approach may also require additional funding for Code-Enforcement staff to conduct site inspections, and if need be, cite property owners which are non-compliant. Additionally, other communities have dealt with legal challenges from organizations including the ACLU and the Department of Housing and Urban Development (HUD). Staff suggests proceeding carefully on this issue to protect the Town's best interest and that of its residents and business owners.

Carefully and thoughtfully crafted, a Minimum Housing Code may be implemented successfully and achieve stated goals and objectives. Attached hereto are several examples of Minimum Housing Standards applied in other local communities. As you may be aware, Calvin, Giordano, & Associates, Inc. provides Planning, Zoning, Engineering and Landscape Architectural Services to the City of Weston, Florida. Acting as City Staff for the City of Weston, CGA wrote and implemented Weston's Code of Ordinances and Comprehensive



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Memorandum

Plan. The City's image, maintenance and beauty are extremely important issues for administrators and citizens alike. Cognizant of that point, CGA Staff crafted a Property Maintenance ordinance for the City, which establishes a maintenance and appearance standard for residential and non-residential property owners to adhere to. To date, this Ordinance has not been legally challenged and is generally accepted by residents and business owners in the City.

Accordingly, staff requests additional guidance and direction from the Town Commission as to how to proceed. Calvin, Giordano & Associates, Inc. is desirous and capable of creating an Ordinance, which is tailored to the needs, and furthers the goals of the Town of Lake Park.