

ORDINANCE NO. 08-2020

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE III, SECTION 78-2 TO ADD THE DEFINITION OF SMALL SCALE FOOD AND BEVERAGE PRODUCTION; PROVIDING FOR THE AMENDMENT OF SECTION 78-71, THE C-1 BUSINESS DISTRICT TO ADD SMALL SCALE FOOD AND BEVERAGE PRODUCTION AS A SPECIAL EXCEPTION USE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida 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 a Land Development Code in Subpart B of Chapter 78 of the Town Code; and

WHEREAS, the Land Development Code within Chapter 78 consists of several Chapters and identifies the Town's various zoning districts and the land development regulations to be applied within these districts and with general definitions; and

WHEREAS, the definitions are codified in Section 78-2 and one of these zoning districts is the Commercial-1 (C-1); and

WHEREAS, the Community Development staff has recommended that the Town Commission amend Town Code, Chapter 78, Article III, Sections 78-2 and 78-71(2)g., to provide for the creation of a small scale food and beverage production use as a special exception use, along with its associated definitions and land development regulations.

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

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 78, Article III, Sections 78-2 and 78-71(2)g. of the Town Code is hereby amended to add to the definitions and uses the following:

Chapter 78, Article III, Sec. 78-2. “Definitions”

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.

Chapter 78, Article III, Sec. 78-71(2)g., entitled “C-1 business district”

g. Small Scale Food and Beverage Production as a special exception use provided the criteria of Section 78-184 and the following are met:

1. **Scale of Use.** The floor area of the use shall not exceed 30,000 square feet.
2. **Hours of Operation near Residential.** When abutting or within 200 feet of a residential zoning district boundary, measured from property line to property line, the use shall not operate or have any loading or delivery activities between the hours of 9:00 PM and 7:00 AM.
3. **No Nuisance Created.** The use shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties. Documentation evidencing these elements shall be required at the time of application for special exception approval.

Upon First Reading this 5 day of August, 2020, the foregoing Ordinance was offered by Vice-Mayor Glas-Castro who moved its approval. 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 ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____


PUBLISHED IN THE PALM BEACH POST THIS 9 DAY OF August, 2020

Upon Second Reading this 19 day of August, 2020, the foregoing Ordinance, was offered by Vice-Chair Glas-Castro 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 ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 08-2020 duly passed and adopted this 19 day of August, 2020.

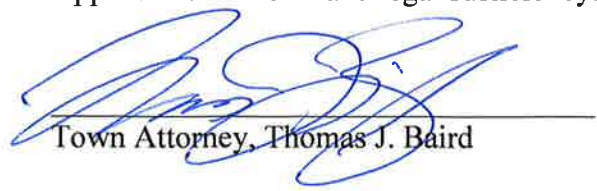
TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:


Town Clerk, Vivian Mendez
TOWN OF LAKE PARK
FLORIDA
SEAL


Town Attorney, Thomas J. Baird