

**MINUTES  
CITY OF LAKE WORTH BEACH  
CITY COMMISSION WORK SESSION  
TUESDAY, JUNE 25, 2019 -- 6:00 PM**

The meeting was called to order by Vice Mayor Pro Tem Scott Maxwell on the above date at 6:00 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

1. **ROLL CALL:** Present were Commissioners Scott Maxwell, Omari Hardy and Herman Robinson. Also present were City Manager Michael Bornstein, City Attorney Pamela Ryan and City Clerk Deborah Andrea. Mayor Pam Triolo and Vice Mayor Andy Amoroso were absent.
2. **PLEDGE OF ALLEGIANCE:** led by Commissioner Herman Robinson.
3. **UPDATES/FUTURE ACTION/DIRECTION:**

A. Accessory Dwelling Units (ADUs)

City Manager Bornstein introduced the item and turned the presentation over to Commissioner Hardy.

Commissioner Hardy introduced Christy Dodson, Urban Designer from Kronberg Wall, an architectural and planning firm, who was video-conferenced in to give a presentation about the housing choice and benefits of ADUs. She said that walkable neighborhoods with existing infrastructure would be the easiest antidotes for housing shortages; in Lake Worth Beach, there were walkable neighborhoods but not the housing for it. She stated that the City would be expected to grow by 6,000 people in the next few years and explained that ACUs were small houses on existing properties which were good for people and communities. She explained that ADUs were economically flexible, needed less infrastructure, worked well in historic neighborhoods, supported communities and downtown businesses and preserved existing character. She said that ADUs were good for small lots and had alley access which provided access to off street parking while reducing curb cuts and gave a walkable place with trees. She stated that by legalizing ADUs, the City would be able to inspect the properties.

Vice Mayor Pro Tem Maxwell thanked Ms. Dodson for her presentation and requested that it be provided to the Commission. Ms. Dodson left the meeting.

Mark Stivers, Community Sustainability Deputy Director, gave a presentation regarding ADUs and said that ADUs were currently allowed in the City; the discussion was about expanding the concept into single-family residential (SFR) neighborhoods or keep them where they were. He read the definition from the LDRs and iterated that this was different from an attachment to a house. He spoke about FL Statute 163.31771 and if were adopted, the City must follow it, but the City was not looking for “affordable housing” but rather different types of housing that would be affordable, in accordance with the second pillar of the strategic plan. He said that there was a difference between a unit attached to the house and a detached unit; small units already existed and it would have to be determined if larger or smaller ADUs were desired. He said the area in question was within walking distance to the downtown area and showed the Zoning District Distribution of the various districts.

He reported that there would have to be an amendment to the comp plan and the zoning code.

Comments/requests summary:

1. Commissioner Robinson asked why ADUs were not included in SFR in the updated LDRs.

William Waters, Community Sustainability Director, explained that ADUs had never been included in SFR, only one single residential building would be allowed on a lot.

2. Commissioner Hardy talked about the minimum lot size requirements for SFR and asked about the zoning districts that allowed ADUs.

Commissioner Robinson left the meeting at 6:43 PM and returned at 6:44 PM.

Mr. Stivers replied that 5000 square feet was the minimum lot size or seven units per acre density. He said that ADUs were allowed in SF-TF14, MF-20, 30, 40, E and FH districts.

Vice Mayor Pro Tem Maxwell announced that this was the time for public comment.

Clare Miller spoke in favor of ADUs.

Marina Parrish spoke in favor of having a granny flat to rent out in peak season.

Betty Resch requested that a giant zoning map be displayed at city hall. She spoke in favor of ADUs.

Anthony Marotta said that an ADU discussion should be brought up at a visioning session.

Richard Stowe spoke in favor of having ADUs only in the historic district.

Jeanne Hoban spoke in favor of being able to build a cottage on her property.

Anne Fairfax spoke in favor of ADUs.

AnnaMaria Hunt said she had two units on her property and renting them out would bring more money into the community.

Yolanda Vasquez spoke in favor of ADUs.

Jeannette Alfaro said that she would fix up the attached garage on her property to rent out for the income.

Janette Serrano spoke in opposition to having additional density or changing the character of the historic districts. She said she would need more information before she could support or oppose ADUs.

Kim Lingye spoke in favor of having units for aging in place and for supporting the downtown businesses.

Marty Welfeld spoke in opposition to ADUs and in favor of more market rate units like the MID.

Wes Blackman spoke in favor of trying ADUs in a smaller area to see how it would work for the City.

William Feldcamp spoke in favor of the City moving forward with ADUs.

Darrin Engel said that he was neutral about ADUs.

Commissioner Hardy asked Mr. Engel what changes should be made to the LDRs.

Mr. Engel replied that and the LDRs should be more consistent and form-based.

Pattie Schultz said that she was not against ADUs that they should be regulated.

Mary Watson spoke in opposition to ADUs.

Robert Morrison asked about the environmental impact of ADUs related to water, sewer and stormwater runoff.

Cynthia Beck said that that renting out her ADU had allowed her to live in the City.

Karen Carr said that she needed more data about ADUs and their impact.

Commissioner Maxwell thanked everyone for their comments.

3. Commissioner Hardy said that many articles had been written about ADUs which was an important subject. He stated that many City neighborhoods had no housing options, which added to school segregation, and the downtown was not doing very well due to a lack of people there. He said that the City would need to densify the area by I-95 and every option should be on the table. He iterated that property rights should be restored to the owners.

City Manager Bornstein said that staff had been asked to bring the item back to seek direction as the budget process advanced.

4. Commissioner said that he had many questions related what costs would be incurred by the City in terms in infrastructure and what the cost-benefit analysis would show. He said that a number of commissioners had taken best practices from major cities in California or Oregon but they would not necessarily work here in Lake Worth Beach. He suggested that Commissioner Hardy find cities with comparable population size and demographics.

5. Commissioner Robinson thanked Commissioner Hardy for bringing the matter forward. He expressed disappointment that the Planning & Zoning Board (P&Z) had not included ADUs during the comp plan discussion. He opined that change was difficult and the City was not very different from Portland. He was looking forward to giving property rights to the people who would want ADUs; it was wrong to deny people their rights.
6. Commissioner Hardy stated that there were charges for new utility hookups and there were no incentives unless it was a project like the MID. He said that allowing ADUs would be more incremental. He listed smaller towns in the northwest that allowed ADUs and said that several states had passed laws disallowing a ban.

Mr. Stivers said it was unknown how many ADUs were on existing lots in the City.

7. Commissioner Maxwell said it would have to be determined how to police the regulation of ADUs.
8. Commissioner Robinson said if the issue was legalized, the City would be able to police it. He stated that there should be consensus from the three Commissioners to move forward with P&Z working on an ordinance.
9. Commissioner Hardy stated that based on consensus, the issue should be brought back with an ordinance that could be discussed. He said that zoning changes were made to limit people's property rights but if done right, this could benefit people, giving them more property rights.
10. Commissioner Maxwell said that there was not consensus because he did not support ADUs.
11. Commissioner Robinson said he is looking forward to the next meeting when we have a full commission but that there was a two to one consensus.
12. Commissioner Maxwell explained that three affirmative votes would be needed for consensus.

City Manager Bornstein said that a comp plan change would be needed to allow ADUs in other zoning areas. He asked what the time frame would be.

Mr. Stivers replied that some comp plan changes had been made and the LDRs would need amendments followed by comp plan amendments which would mean that an ordinance could be ready in about six to eight months.

City Attorney Ryan recommended that the issue come back on the next agenda for a short discussion to allow for consensus or a vote to give direction to staff as there was not a majority at the meeting.

13. Commissioner Robinson asked that the issue be put on the agenda for the next meeting.

14. Commissioner Maxwell stated that it would be appropriate for the others to weigh in, but they would have to review the tape of the work session.

City Manager Bornstein said that there was not enough direction to draft an ordinance; another meeting would be required to address all the issues that had been discussed.

15. Commissioner Maxwell said there would be a significant fiscal impact to implementing a City-wide ADU program.

City Attorney Ryan said the item should be held off until the other elected officials could vote whether to direct staff to move forward or not without having a replay of the work session. She explained that the item would be limited to thirty minutes and three no votes would end the issue.

City Manager Bornstein suggested that an item be crafted for the next meeting and that the Mayor and Vice Mayor, who were attending the U.S. Conference of Mayors, would watch the video.

16. Commissioner Maxwell said that the item would be discussed for 30 minutes with no extensions.

**4. ADJOURNMENT:**

The meeting adjourned at 8:13 PM.

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Scott Maxwell, Vice Mayor Pro Tem

ATTEST:

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Deborah M. Andrea, CMC, City Clerk

Minutes Approved: August 6, 2019

A digital audio recording of this meeting will be available in the Office of the City Clerk.