

STAFF REPORT REGULAR MEETING

AGENDA DATE: January 20, 2026

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2025-30 – Second Reading – amending multiple sections of Chapter 23 “Land Development Regulations” to establish definitions, regulations, and performance standards for manufacturing and processing facilities with apparatus

SUMMARY:

The subject amendments to the City’s Land Development Regulations (LDRs) were drafted to establish definitions, regulations, and performance standards for manufacturing and processing facilities with apparatus.

BACKGROUND AND JUSTIFICATION:

This amendment seeks to establish a manufacturing and processing facilities with apparatuses for use in the Industrial Park of Commerce (I-POC). The applicant is seeking to develop an industrial property for a concrete batch plant. The City currently does not have land development regulations for this type of use. With the applicant’s coordination, staff have prepared language to allow for this type of use and similar uses, including:

- The amendments introduce new definitions for “apparatus,” “manufacturing or processing facilities with apparatus,” and “use area” to clarify terminology and ensure consistent application of the regulations.
- The Use Tables are revised to establish a new use category for manufacturing/processing facilities with apparatus and to modify existing manufacturing/processing uses to specify facilities “without apparatus structure.”
- Updates to the I-POC district include requiring compliance with applicable health, safety, and environmental regulations; establishing office space as an accessory use; correcting the maximum Sustainable Bonus Incentive height for principal structures; standardizing hours of operation; and creating regulations and performance standards for manufacturing/processing facilities with apparatus, including maximum apparatus height through the Sustainable Bonus Incentive Program.
- The amendments add standard parking dimensions for oversized vehicles and revise minimum parking requirements for industrial uses to be based on total use area rather than enclosed floor area.
- Revisions correct principal structure height standards for manufacturing/processing/fabrication facilities; establish standard hours of operation (5:00 a.m. to 8:00 p.m., Monday through Saturday) with waiver provisions; require consideration of school-related traffic impacts; allow parking reductions through Conditional Use or Site Plan waivers when justified; and create comprehensive regulations and performance standards for manufacturing/processing facilities with apparatus addressing height, screening, outdoor activities, nuisance avoidance, separation distances, landscaping, accessibility, and traffic management.
- Minor amendments correct references to the Development Review Official and allow public purpose dedication credit to be considered toward the City’s Sustainable Bonus Incentive Program.

The **Planning & Zoning Board (PZB)** unanimously voted to recommend approval of the proposed text amendments at their meeting on December 3, 2025.

The **Historic Resources Preservation Board (HRPB)** unanimously voted to recommend approval of the proposed text amendments at their meeting on December 10, 2025.

At its meeting of January 6, 2026, the City Commission voted unanimously to approve the ordinance on first reading with several edits that are highlighted in yellow.

MOTION:

Move to approve/disapprove Ordinance 2025-30 on second reading as amended from first reading.

ATTACHMENT(S):

Ordinance 2025-30
PZB/HRPB Staff Report

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ORDINANCE 2025-30 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS”, ARTICLE 1 “GENERAL PROVISIONS,” DIVISION 2 “DEFINITIONS,” SECTION 23.1-12 – DEFINITIONS; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1, “GENERALLY,” SECTION 23.3-6 USE TABLES; AND DIVISION 5, “INDUSTRIAL DISTRICTS,” SECTION 23.3-24 – I-POC – INDUSTRIAL PARK OF COMMERCE; ARTICLE 4 “DEVELOPMENT STANDARDS” SECTION 23.4-10 OFF-STREET PARKING, AND SECTION 23.4-13 ADMINISTRATIVE USES AND CONDITIONAL USES; AND ARTICLE 5 “SUPPLEMENTAL REGULATIONS,” SECTION 23.5-9 PUBLIC PURPOSE DEDICATION; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the “City”), enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, the City wishes to amend Chapter 23, Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 – Definitions to create and modify definitions related to manufacturing or processing facilities with apparatus; and

WHEREAS, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 1 “Generally,” Section 23.3-6 – “Use Tables,” to create a manufacturing or processing facilities with apparatus use, clarify manufacturing or processing facilities without apparatus uses; and

WHEREAS, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 5 “Industrial Districts,” Section 23.3-24 “I-POC-Industrial park of commerce,” to permit and provide standards for manufacturing or processing facilities with and without apparatus, correct the Sustainable Bonus Incentive height, and provide for hours of operation; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 “Development Standards,” Section 23.4-10 – “Off-street parking,” to clarify the minimum parking space requirements for industrial uses and create standards for oversized vehicle spaces; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 “Development Standards,” Section 23.4-13 – “Administrative and conditional uses,” to revise the design and performance standards for manufacturing/processing/fabrication facilities and create additional regulations for manufacturing or processing facilities with apparatus; and

WHEREAS, the City wishes to amend Chapter 23, Article 5 “Supplemental Regulations,” Section 23.5-9 – “Public purpose dedication,” to clarify applicable reviewers and options for credit to a project; and

52 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning agency,
53 considered the proposed amendments at a public meeting; and

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55 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
56 planning agency, considered the proposed amendments at a public meeting; and

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58 **WHEREAS**, the City Commission has considered the proposed amendments at a duly
59 advertised public hearing and has determined that it is in the best interest of the public health,
60 safety, and general welfare of the City to adopt this ordinance.

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62 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
63 **LAKE WORTH BEACH, FLORIDA, that:**

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65 **Section 1:** The foregoing “WHEREAS” clauses are ratified and confirmed as being
66 true and correct and are made a specific part of this ordinance as if set forth herein.

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68 **Section 2:** Chapter 23 “Land Development Regulations, Article 1 “General
69 Provisions,” Division 2 “Definitions”, Section 23.1-12 “Definitions” is hereby amended by adding
70 the words shown in underline type and deleting as indicated in Exhibit A.

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72 **Section 3:** Chapter 23 “Land Development Regulations, Article 3 “Zoning Districts,”
73 Division 1 “Generally,” Section 23.3-6 “Use Tables” is hereby amended by adding the words
74 shown in underline type and deleting the words struck through as indicated in Exhibit B.

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76 **Section 4:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”
77 Division 5 “Industrial Districts,” Section 23.3-24 “I-POC – Industrial Park of Commerce” is hereby
78 amended by adding the words shown in underline type and deleting the words struck through as
79 indicated in Exhibit C.

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81 **Section 5:** Chapter 23 Land Development Regulations, Article 4 “Development
82 Standards,” Section 23.4-10 “Off-street parking” is hereby amended by adding the words shown
83 in underline type and deleting the words struck through as indicated in Exhibit D.

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85 **Section 6:** Chapter 23 Land Development Regulations, Article 4 “Development
86 Standards,” Section 23.4-13 “Administrative and Conditional Uses” is hereby amended by adding
87 the words shown in underline type and deleting the words struck through as indicated in Exhibit
88 E.

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90 **Section 7:** Chapter 23 Land Development Regulations, Article 5 “Supplemental
91 Regulations,” Section 23.5-9 “Public purpose dedication” is hereby amended by adding the words
92 shown in underline type and deleting the words struck through as indicated in Exhibit F.

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94 **Section 8:** Severability. If any section, subsection, sentence, clause, phrase or portion
95 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent
96 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
97 such holding shall not affect the validity of the remaining portions thereof.

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99 **Section 9:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
100 herewith are hereby repealed to the extent of such conflict.

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Section 10: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 11: Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by Commissioner May, seconded by Commissioner Segrich, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch	AYE
Vice Mayor Sarah Malega	AYE
Commissioner Christopher McVoy	AYE
Commissioner Mimi May	AYE
Commissioner Anthony Segrich	AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 6th day of January, 2026.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Sarah Malega
Commissioner Christopher McVoy
Commissioner Mimi May
Commissioner Anthony Segrich

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2026.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

EXHIBIT A

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 "GENERAL PROVISIONS"

Article 1, "General Provisions," Division 2, "Definitions"

Sec. 23.1-12. – Definitions.

Apparatus: Technical equipment, machinery, or structure used to assist in the mechanical or chemical transformation of materials or substances into new products such as cranes, conveyor belts, construction hoppers, and silos.

Manufacturing or processing facilities with apparatus: Establishments that utilize specialized equipment and structures, including apparatus, to transform materials or substances mechanically or chemically into new products.

Medium-Intensity industrial uses: These are industrial uses that typically generate moderate volumes of customer traffic, to include the following and those that are substantially similar or related:

Fabrication, manufacturing, processing facilities without apparatus, excluding retail displays and sales

Use area: The portion of property physically occupied or used by the principal and accessory land uses for which the required parking is calculated. The use area does not include areas required for other on-site improvements that generally support the use of the site.

EXHIBIT B

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 “ZONING DISTRICTS”

Article 3, “Zoning Districts” Division 1, “Generally”

Sec. 23.3-6. – Use tables.

Note: amended text is shown below as underlined for new text and stricken text for deleted text. Uses or sections with modified text are also highlighted

TYPE/USE	SF-R	SF-TF 14	MH-7	MF- 20	MF- 30	MF- 40	MU-E Lake & Lucerne	MU-E 1st & 2nd Edges	MU-E Federal Hwy	MU-E 10th & 6th	DT	MU- FH	MU- DH	MU- W Lake & 10th	TOD-E	TOD- W	NC	BAC	AI	I-POC	
Note: P is Permitted by Right, A is Administrative Use Permit (staff level review), and C is Conditional Use Permit (board level review).																					
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INDUSTRIAL																					
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High Intensity Industrial Uses—Use area greater than 7,500 sq. ft. and/or high intensity impact uses.																					
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Fabrication Services/Manufacturing/ or Processing without apparatus, excluding retail display and sales																					C
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Factory or Manufacturing																					C
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Manufacturing or Processing facilities with apparatus																					C
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Organic/Green/All Natural Composting Fertilizer Manufacturing or Processing facilities without apparatus																				C	C
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Medium Intensity Industrial Uses—Use area less than 7,500 sq. ft. and/or medium intensity impact uses.																					
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Fabrication Services/Manufacturing/Processing/Assembly without apparatus, excluding retail display and sales																				C	A
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EXHIBIT C

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 5, "Industrial Districts"

Sec. 23.3-24. – I-POC – Industrial park of commerce.

b) *Use restrictions.* Uses permitted both by right and as administrative or conditional uses shall also comply with the applicable regulations in Article 4, Development Standards. Refer to the permitted use table at section 23.3-6 for a complete list of uses.

3. *Principal uses permitted by either administrative or conditional use.*

L. Manufacturing or processing facilities with or without apparatus, subject to the following requirements:

(1) Such uses and uses accessory thereto shall meet all local, state, and federal requirements for health, safety, and environmental concerns, including, as applicable, those imposed by the Florida Department of Environmental Protection.

(2) For such uses, office space is considered an accessory use.

c) *Development regulations for uses permitted by right*

portion of table omitted for brevity.

Height	Primary	30 ft. (not to exceed 2 stories) *Additional 15 ft. of height under Sustainable Bonus Incentive Program (not to exceed 4 stories)
	Accessory	24 ft. (not to exceed 2 stories)
	<u>Apparatus</u>	<u>24 ft. (not to exceed 2 stories)</u> <u>*Additional 60 ft. of height under Sustainable Bonus Incentive Program (not to exceed 84 feet)</u>

portion of table omitted for brevity.

3. *Maximum height of buildings and structures.*

B. Up to an additional ~~Additional five (5)~~ fifteen (15) feet in height shall be granted ~~is available under~~ the Sustainable Bonus Incentive Program (not to exceed four (4) stories).

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D. Apparatus: Twenty-four (24) feet. Up to an additional sixty (60) ft. of height is available under the Sustainable Bonus Incentive Program (not to exceed 84 feet).

e) Hours of operation. Operations may begin at 6:00 a.m. and shall end by 8:00 p.m., daily, unless otherwise specified in LDR Section 23.4-13.

EXHIBIT D

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

Sec. 23.4-10. – Off-street parking.

f) *Minimum parking space requirements by use category.*

1. Minimum off-street parking space requirements are as follows:

B. Nonresidential uses:

Industrial — One (1) space per one thousand (1,000) gross square feet of ~~space~~ use area.

j) *Minimum parking dimensions.*

2. *Parking lot designs:*

a. Parking space dimension for other types of spaces are:

iv. Oversized vehicles at ten (10) feet x thirty (30) feet.

EXHIBIT E

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

Sec. 23.4-13. – Administrative uses and conditional uses.

c) Standards.

7. Manufacturing/processing/fabrication facilities.

B. Design and performance standards.

(1) Height: Maximum height of any industrial/manufacturing structure excluding office not to exceed ~~thirty-five (35)~~ thirty (30) feet including silos or building façades, unless otherwise allowed within this section.

~~(2) Silos: The number of silos shall not exceed four (4) silos within the site area and shall be effectively screened.~~

~~(23) Outdoor storage: Outdoor storage, commercial vehicle parking, display and sale of products shall be shielded from all public rights-of-way. See section 23.4-19 for additional outdoor storage regulations.~~

~~(34) All production and processing shall be restricted to an enclosed building, unless otherwise allowed within this section.~~

~~(45) Buffering requirements shall apply as required by existing ordinances but may be increased based on a site-specific review basis.~~

~~(56) Noise levels shall not be in excess of sixty-five (65) decibels measured from the property line adjacent to residential uses.~~

~~(67) Minimum area per business/tenant on a multiple tenant/business site shall not be less than eight hundred (800) square feet for manufacturing or processing and five hundred (500) square feet for fabrication services.~~

(7) Hours of operation: Operations may begin at 5:00 a.m. and shall end by 8:00 p.m., Monday through Saturday; however, a waiver to amend the hours of operation may be requested at time of Conditional Use or Site Plan application subject to Section 23.2-27.c) and upon findings by the Planning and Zoning Board or Historic Resources Preservation Board, as applicable, that particular circumstances justify such a change in the hours of operation.

(8) Hours of operation shall avoid adverse impact to existing traffic patterns for drop-off and pick-up times for schools, day cares, and other substantially similar uses.

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348 (9) Parking shall be provided in accordance with section 23.4-10; however, a
349 waiver to reduce the required parking may be requested at time of Conditional Use or
350 Site Plan application subject to Section 23.2-27.c) and upon findings by the Planning
351 and Zoning Board or Historic Resources Preservation Board, as applicable, that
352 particular circumstances justify such a reduction to the required parking.

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354 C. *Recycling facility.* In addition to the requirements in subsection 7.B. above, the
355 following regulations shall apply to recycling facilities:

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359 ~~(3) Operations may begin at 6:00 a.m. and shall end by 8:00 p.m., Monday~~
360 ~~through Saturday.~~

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362 ~~(4)~~(3) All delivery vehicles entering and leaving the site shall be outfitted with
363 material containment devices to ensure dust and other debris do not collect on
364 public or private rights-of-way or adjacent properties.

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367 D. Manufacturing or processing facilities with apparatus. In addition to the requirements in
368 subsection 7.B. above, the following regulations shall apply to manufacturing or
369 processing facilities with apparatus:

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371 (1) Number: A site meeting the minimum lot area of 13,000 square feet may have
372 up to four (4) apparatus. Each additional apparatus shall require an additional 5,000
373 square feet of site area, with a maximum total of eight (8) apparatus within the site
374 area.

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376 (2) Height: Maximum height of any apparatus shall not to exceed twenty-four (24)
377 feet. Up to an additional 60 ft. of height is available under the Sustainable Bonus
378 Incentive Program (not to exceed 84 feet).

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380 (3) Outdoor storage regulated: Outdoor storage areas shall be screened from
381 surrounding public rights-of-way and adjacent properties by opaque fencing, wall,
382 berm, or combination thereof with landscape installed at a minimum height of three (3)
383 feet to grow and be maintained at a height of six (6) feet above grade.

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385 (4) Production and processing: Production and processing may be allowed outside
386 of an enclosed building only if and to the extent requested as part of a Conditional Use
387 or Site Plan application and approved by the Planning and Zoning Board or Historic
388 Resources Preservation Board, as applicable.

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390 (5) Nuisances: Adequate provisions and systems shall be installed to address
391 odors, dust, vermin, noise, and contaminated runoff.

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393 (6) Location: Manufacturing or processing facilities with apparatus shall be located
394 a minimum of three hundred and fifty (350) feet from any residential land use, school
395 (public or private, including pre-k through 12th grade), house of worship, and/or child
396 care facility. The measurement shall be taken from property line to property line.
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(7) Landscape requirements. The site must be provided with a minimum five-foot (5) wide perimeter planting area with large shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained at a minimum of six (6) feet in height within the required planting area.

(8) Accessibility requirements: In conjunction with a conditional use application, travel routes diagram, truck turning radii, and applicable transportation agency approval letter shall be provided prior to the site plan process.

(9) A traffic management plan is required for all properties with more than two (2) apparatus.

(10) The maximum lot area coverage for all apparatus shall not exceed fifteen percent of the total parcel size (15%).

(11) The minimum setbacks for all apparatus from the front property line must be at least thirty-two feet (32') and at least twenty-five feet (25') from any other property line.

EXHIBIT F

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 5 "SUPPLEMENTAL REGULATIONS"

Sec. 23.5-9. – Public purpose dedication.

c) *Application.* A property that has previously or will be dedicating right-of-way or other property to the city when requested or required by the city may file an application with the ~~director of community sustainability~~ Development Review Official for public property credit as part of the site plan approval for the property.

4. If the application is approved, in accordance with the standards below, the density or intensity of the dedicated property shall be applied to the remainder of the property.

B. Credit may be applied to the required applicant payment under the Sustainable Bonus Incentive Program. ~~considered for the following requirements should a project further the policies, goals and objectives of the city's comprehensive plan and adopted city master plans:~~

- ~~i. Utilities; and,~~
- ~~ii. Development fees~~



DATE: November 26, 2025

TO: Members of the Planning & Zoning and Historic Resources Preservation Boards

FROM: William Waters, Director Community Sustainability

MEETING: December 3 and December 10, 2025

SUBJECT: **Ordinance 2025-30**: Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations” to establish definitions, regulations, and performance standards for manufacturing and processing facilities with apparatus.

PROPOSAL / BACKGROUND/ ANALYSIS:

This amendment seeks to establish a manufacturing and processing facilities with apparatus use in the Industrial Park of Commerce (I-POC). The applicant is seeking to develop an industrial property for a concrete batch plant. The City currently does not have land development regulations for this type of use. With the applicant’s coordination, staff has prepared language to allow for this type of use and similar uses.

The proposed LDR Amendments will modify the following sections of the City’s Land Development Regulations:

- Article 1 – Section 23.1-12: Definitions
 - Creating definitions for apparatus, manufacturing or processing facilities with apparatus, and use area.
- Article 3 – Section 23.3-6: Use Tables
 - Creating a new use for manufacturing/processing facilities with apparatus and revising existing manufacturing/processing uses to including the phrase “without apparatus structure,”.
- Article 3 – Section 23.3-24: Industrial Park of Commerce (I-POC)
 - Establishes requirements for compliance with all applicable health, safety, and environmental regulations.
 - Establishes office space as an accessory use.
 - Correcting the maximum Sustainable Bonus Incentive height for principal structures and creating standard hours of operation for the zoning district.
 - Creating regulations and performance standards for manufacturing/processing facilities with apparatus, including maximum height of apparatus structures through the Sustainable Bonus Incentive Program.
- Article 4 – Section 23.4-10: Off-Street Parking
 - Adding standard parking dimensions for oversized vehicles, as well as revising the minimum parking requirements for industrial uses to base minimum parking requirements on total use area rather than on the enclosed use area space.
- Article 4 – Section 23.4-13: Administrative Uses and Conditional Uses
 - Revising the existing design and performance standards for manufacturing/processing/fabrication facilities to correct the height of principal structures.

- Establishes limits on hours of operation (5 a.m.–8 p.m., Monday–Saturday) with the ability to request a waiver; requires hours to avoid impacts on school-related traffic; and allows parking reductions through the Conditional Use or Site Plan waiver process when justified.
- Creating regulations and performance standards for manufacturing/processing facilities with apparatus, including maximum height of apparatus structures; screening for outdoor storage areas; allow outdoor production or processing only with Planning & Zoning Board or HRPB approval; avoidance of nuisances; separation distance from residential land uses, schools, places of worship, and child care facilities; perimeter landscaping; accessibility requirements; and traffic management plan.
- Article 5 – Section 23.5-9: Public Purpose Dedication
 - Correcting references to the Development Review Official and allowing for credit to be considered towards the City’s Sustainable Bonus Incentive Program.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2025-30.

POTENTIAL MOTION:

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed LDR text amendments included in Ordinance 2025-30.

Attachments

- A. Draft Ordinance 2025-30
- B. Exhibit B – Use Table