

ORDINANCE NO. 15-05

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING CHAPTER 86 ZONING ARTICLE I "IN GENERAL" SECTION 86-1 "DEFINITIONS" BY ADDING DEFINITION FOR GROUP HOME; AMENDING ARTICLE VI "DISTRICTS" DIVISION II "SINGLE-FAMILY RESIDENTIAL (SF) DISTRICTS" BY AMENDING SECTION 86-212 "PERMITTED PRINCIPAL USES AND STRUCTURES" BY ADDING GROUP HOMES AND CHURCHES EXISTING AT DATE OF THIS CODE; AMENDING ARTICLE VI "DISTRICTS" DIVISION 3 "MULTIPLE-FAMILY RESIDENTIAL (MF) DISTRICT SECTION 86-237 "PERMITTED PRINCIPAL USES AND STRUCTURES" BY ADDING GROUP HOMES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS the Town Council has identified a need for long-term housing and limited support services that are residential in nature for the health, safety and welfare of the Town's aging population; and

WHEREAS, the Town Council has reviewed certain sections of the Town's Code of Ordinances related to zoning and has determined that certain changes are needed to allow for group homes for the elderly for six or fewer persons to be located in single-family and multiple-family residential districts; and

WHEREAS, the Town Council has determined that the addition of group homes as permitted uses in the single-family and multiple-family residential districts would be in the public interest and would be beneficial to the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. Section 86-1 "Definitions", of Article I, "In General" of Chapter 86, "Zoning", of the Code of Ordinances of the Town is hereby amended by changing the definition of adult congregate living facility (ACLF) to allow for seven or more persons, and adding definition for group home as follows:

(a) 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:

- *Adult congregate living facility (ACLF)* means an establishment, institution, building, residence, private home, boardinghouse, home for the elderly, or other place, having some or all of the characteristics of homes for the elderly, or other place, whether operated for profit or not,

which through its operation provides one or more personal services for ~~seven~~ four or more persons not related by blood or marriage to the owner or operator, for a period exceeding 24 hours. Personal services are in addition to housing and food service and include but are not limited to: personal assistance with bathing, dressing, housekeeping, supervision, eating, supervision of self-administered medication, and assistance in securing health care from appropriate sources.

• Group Home means a means an establishment, institution, building, residence, private home, boardinghouse, home for the elderly, or other place, having some or all of the characteristics of homes for the elderly, or other place, whether operated for profit or not, which through its operation provides one or more personal services for six or fewer persons. Personal services are in addition to housing and food service and include but are not limited to: personal assistance with bathing, dressing, housekeeping, supervision, eating, supervision of self-administered medication, and assistance in securing health care from appropriate sources. All group homes shall comply with the minimum standards set forth in Chapter 419.001(2), F.S.

SECTION 2. Section 86-212, “Permitted principal and accessory uses and structures”, of Article I, “In General” of Chapter 86, “Zoning”, of the Code of Ordinances of the Town is hereby amended by adding group homes and churches existing at date of this code, as follows:

Sec. 86-212. - Permitted principal and accessory uses and structures.

(a) Permitted principal uses and structures in the single-family residential (SF) district are as follows:

- (1) Single-family dwellings;
- (2) Group homes; and
- ~~(2)~~ (3) Churches, existing at date of this Code.

SECTION 3. Section 86-237. “Permitted principal uses and structures”, of Division 3, “Multiple –Family Residential (MF) District”, of Article VI, “Districts” of Chapter 86, “Zoning”, of the Code of Ordinances of the Town is hereby amended, as follows:

Sec. 86-237. - Permitted principal uses and structures.

Permitted principal uses and structures in the multiple-family residential (MF) district are as follows:

- (1) Two-family dwelling.
- (2) Multiple-family dwelling.

(3) Single-family dwellings, existing at the date of adoption of this Zoning Code.

(4) Group Homes

SECTION 4. The provisions of this Ordinance will be made a part of the Code of Ordinances of the Town of Lake Clarke Shores, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 5. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Ordinance.

SECTION 6. The provisions of this Ordinance shall become effective immediately upon adoption.

PASSED this 14th day of July, 2015, on first reading.

PUBLISHED this 23rd day of July, 2015 in Lake Worth Herald.

PASSED AND ADOPTED this 11th day of August, 2015, on second and final reading.

TOWN OF LAKE CLARKE SHORES, FLORIDA

	FOR	AGAINST
BY: <u>[Signature]</u> Robert M. W. Shalhoub, Mayor	<u>o</u>	_____
<u>[Signature]</u> Gregory Freebold, Vice Mayor	<u>x</u>	_____
<u>Absent</u> Valentin Rodriguez Jr., President Pro Tem	_____	_____
<u>[Signature]</u> Malcolm K. Lewis, Council Member	<u>x</u>	_____
<u>[Signature]</u> Thomas C. Mayes Jr., Council Member	<u>x</u>	_____

ATTEST:

By: [Signature]
~~Mary Pinkerton, Town Clerk~~
Tammy House, Deputy Town Clerk

Ordinance #15-05 Sponsored by: The Town Council