

ORDINANCE NO. O-05-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA, AMENDING CHAPTER 23. ZONING. AT SECTION 23-96. C1 COMMERCIAL DISTRICT. TO AMEND THE SPECIAL EXCEPTION USE OF “VEHICLE SALES, RENTAL, AND/OR REPAIR” SUCH THAT IT SHALL NOW BE “VEHICLE SALES, SERVICE, AND/OR REPAIR” AND TO ADD “VEHICLE RENTAL” AS A SEPARATE SPECIAL EXCEPTION USE; FURTHER AMENDING CHAPTER 23. AT SECTION 23-97. C2 COMMERCIAL DISTRICT. TO AMEND THE SPECIAL EXCEPTION USE OF “VEHICLE SALES, RENTAL, AND/OR REPAIR” SUCH THAT IT SHALL NOW BE “VEHICLE SALES, SERVICE, AND/OR REPAIR” AND TO ADD “VEHICLE RENTAL” AS A SEPARATE SPECIAL EXCEPTION USE; PROVIDING THAT THE REMAINDER OF CHAPTER 23. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Lantana has determined that a need exists to permit vehicle rental within the Train Depot Overlay Zone in the C1 Commercial District; and

WHEREAS, the Town Council further desires to revise the special exception use of “vehicle sales, rental, and/or repair” so that it will now be “vehicle sales, service, and/or repair”; and

WHEREAS, the Town Council believes these revisions to the Code of Ordinances to be in the best interests of the health, safety, and welfare of the citizens of the Town of Lantana.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LANTANA, FLORIDA:

SECTION 1: Chapter 23. Zoning of the Code of Ordinances of the Town of Lantana is hereby amended at Section 23-96. C1 commercial district by amending subsection (d); providing that Section 23-96 shall hereafter read as follows:

Sec. 23-96. C1 commercial district.

- (a) – (c) (These subsections shall remain in full force and effect as previously adopted.)
- (d) Special exceptions. When the Town Council determines as a fact, after review of

the application and plans submitted therewith that the conditions, general standards and provisions of this Code, as set forth in section 23-75, and other regulations as set forth and defined in this Code, have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Town comprehensive land use plan, the following uses shall be permitted:

(1) – (11) (These sub-subsections shall remain in full force and effect as previously adopted.)

(12) Vehicle sales, ~~rental~~ service, and/or repair, except in CC, TD, OMX or DC.

(13) – (26) (These sub-subsections shall remain in full force and effect as previously adopted.)

(27) Vehicle rental, except in CC, OMX, or DC.

(e) – (f) (These subsections shall remain in full force and effect as previously adopted.)

SECTION 2: Chapter 23. Zoning. of the Code of Ordinances of the Town of Lantana is hereby amended at Section 23-97. C2 commercial. by amending sub-subsection (d); providing that Section 23-97 shall hereafter read as follows:

Sec. 23-97. C2 commercial district.

(a) – (c) (These subsections shall remain in full force and effect as previously adopted.)

(d) *Special exceptions.* When the Town Council determines as a fact, after review of the application and plans submitted therewith that the conditions, general standards and provisions of this Code, as set forth in section 23-75, and other regulations as set forth and defined in this Code, have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Town comprehensive land use plan, the following uses shall be permitted:

(1) – (10) (These sub-subsections shall remain in full force and effect as previously adopted.)

(11) Vehicle sales, ~~rental~~ service, and/or repair.

(12) – (23) (These sub-subsections shall remain in full force and effect as previously adopted.)

(24) Vehicle rental

SECTION 3: Each and every other Section and Subsection of Chapter 23. Zoning shall remain in full force and effect as previously enacted.

SECTION 4: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

SECTION 5: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 6: Specific authority is hereby granted to codify this Ordinance.

SECTION 7: This Ordinance shall take effect immediately upon adoption.

(The remainder of this page intentionally left blank.)

FIRST READING this 13th day of April, 2020.

SECOND AND FINAL READING this 27th day of April, 2020.

TOWN OF LANTANA

✓
Aye
Nay

Aye ✓
Nay

✓
Aye
Nay

✓
Aye
Nay

✓
Aye
Nay

David J. Stewart
Mayor David J. Stewart

Lynn J. Moorhouse
Vice Mayor Lynn J. Moorhouse

Malcolm Balfour
Councilmember Malcolm Balfour

Karen L. Lythgoe
Councilmember Karen L. Lythgoe

Mark Zeitler
Councilmember Mark Zeitler

ATTEST:

(SEAL)

Kathleen Dominguez
TOWN CLERK



Approved as to form and
legal sufficiency.

[Signature]
TOWN ATTORNEY