

ORDINANCE NO. 10-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134 ZONING, AT ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS, AT SECTION 134-1516. UNDERGROUND LOCATION OF UTILITY SERVICE LINES, BY EXCLUDING BOXES HOUSING ESSENTIAL SERVICES FROM LOT COVERAGE AND LANDSCAPE OPEN SPACE CALCULATIONS; CREATING SECTION 134-1518, WHICH PROHIBITS THE DOCKING AND STORAGE MOBILITY STATIONS FOR SHARED SCOOTERS IN THE TOWN; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, after public hearings pursuant to notice required by law, the Planning and Zoning Commission considered all testimony and recommended modification to the Code of Ordinances; and

WHEREAS, after public hearing pursuant to notice required by law, the Town Council considered the Planning and Zoning Commission's Record and Report and all evidence and testimony; and

WHEREAS, after public hearing pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach requires that the aforesaid Chapter 134, ZONING, of the Code of Ordinances, be amended as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Article VIII, SUPPLEMENTARY DISTRICT REGULATIONS, modifying Section 134-1516, Underground location of utility service lines, to read as follows:

Sec. 134-1516. - Underground location of utility service lines.

(1) Boxes housing essential services in the front, street side and street rear yard setbacks shall be screened from view from the street in so much as possible by either a wall or hedge planted and maintained at a height the same as or greater than said essential service box. An essential service is defined in section 134-2 of this Code.

(2) At the time that any new buildings or structures are being constructed or located on any privately owned property or at the time that any existing buildings or structures on privately owned property are being reconstructed, substantially extended and enlarged or structurally altered, such buildings or structures shall have an entirely underground location for all utility service lines, electrical distribution systems, wires and cables, which connect to and service such buildings or structures.

(3) Boxes housing essential service, including their pads, shall not count against the maximum lot coverage or minimum landscape open space of a lot.

Section 2. Article VIII, SUPPLEMENTARY DISTRICT REGULATIONS, creating Section 134-1518, Shared mobility scooters, to read as follows:

Sec. 134-1518. Shared mobility scooters.

The following regulations shall apply to all zoning districts in the Town.

(1) Docking or storage mobility stations for shared scooters and dockless shared scooters is prohibited in the Town.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect thirty-one days after its adoption, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 10th day of April, 2019, second reading and final adoption on this 15th day of May, 2019.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Kathleen Dominguez, Town Clerk

Bobbie Lindsay, Town Council Member