



CITY OF LAKE WORTH
1900 2nd Ave N · Lake Worth, Florida 33461 · Phone: 561-586-1687

Agenda
Regular Meeting
City of Lake Worth
Planning & Zoning Board
City Hall Commission Room
7 North Dixie Hwy; Lake Worth, FL

WEDNESDAY, FEBRUARY 03, 2016 6:00 PM

1. Roll Call and Recording of Absences:
- 2. Pledge of Allegiance**
3. Additions/Deletions/Reordering and Approval of the Agenda:
4. Approval of Minutes:
 - A. October Meeting Minutes
 - B. November Meeting Minutes
 - C. January Meeting Minutes
5. Cases:
 - A. Swearing in of Staff and Applicants:
 - B. Proof of Publication:
 1. Lake Worth Herald
 - C. Withdrawals/Postponements:
 - D. Consent:
 1. PZB Project Number 13-00100001: Consideration of an amendment to the Conditions of Approval for the approved "Village at Lake Worth" project generally located at northwest corner of Lake Worth Road and 2nd Avenue N. The site is 7.65 acres in area and is currently developed.
 - E. Public Hearings:
 1. Cases:

February 3, 2016 Regular Meeting

- a. PZB Project Number 15-00500012 and Project Number PZB 15-01400006 which includes a request for a Major Site Plan and a Conditional Use Permit, to allow the construction of a +/- 40,000 square foot warehouse/distribution center with accessory office space. The address for the subject property is 2230 4th Avenue North, PCN#: 38-43-44-20-01-094-0010.
- b. PZB Project Number 16-01300001 and PZB Project Number 16-00300001 which includes a request to amend the Future Land Use Map (FLUM) from Public (P) to Mixed-Use East (MU-E) designation and Rezone a parcel of property from Public (P) to Mixed-Use East (MU-E). The subject property is located at 110 North F Street, PCN#: 38-43-44-21-150-12-0260.
- c. PZB/HRPB Project Number 16-02900001 a City-initiated request to consider proposed changes to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances.

2. Board Disclosure

F. Unfinished Business:

G. New Business:

6. Planning Issues:

7. Public Comments (3 minute limit):

8. Departmental Reports:

9. Board Member Comments:

10. Adjournment:

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. (Sec. 2-12 Lake Worth Code of Ordinances)

February 3, 2016 Regular Meeting

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.

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Agenda
Regular Meeting
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Planning & Zoning Board
City Hall Commission Room
7 North Dixie Hwy; Lake Worth, FL

WEDNESDAY, October 7, 2015 6:00 PM

1. Roll Call and Recording of Absences:

- Chairman Greg Rice called the meeting to order at 6:03pm.
- Aimee Sunny, Preservation Planning Coordinator, called the roll.
- Present in addition to the Chairman were: Mark Humm; Elise LaTorre; Anthony Marotta; Cindee Brown; and Dustin Zacks.
- Late Arrival 6:48 pm.: Dean Sherwin, Vice-Chair.

Also present were Carolyn Ansay, Legal Counsel; Maxime Ducoste, Planning & Preservation Manager; Curt Thompson, Community Planner; and Ms. Sunny

2. Pledge of Allegiance

3. Additions/Deletions/Reordering and Approval of the Agenda:

4. Approval of Minutes:

- Meeting Minutes

1. September 2, 2015 RM

- A. Marotta called for a correction to the meeting minutes, that E. LaTorre left the dais at 6:20 pm, and the vote on the motion to adjourn is listed at 7-1, which should be noted as 6-0.

Motion, 1st– A. Marotta

2nd – E. LaTorre

5. Cases:

- Swearing in of Staff and Applicants:
- Proof of Publication:

1. Legal Ads: Lake Worth Herald

6. Motion made for Proof of Publication

1st – M. Humm 2nd – A. Marotta

- Withdrawals/Postponements:
 1. PZB 15-01500003: Consideration of a request for Continuance to a date certain by Arc Stone & Tile/Arc Stone Trading LLC, Applicant, for a Variance, from Section 23.5-1, Signs, of the Land Development Regulations to allow additional signage on the subject site to be located at 425 Industrial Street (1800 4th Avenue North, Unit A); PCN# 38-43-44-21-02-023-0010. The subject property is located within the Industrial - Park of Commerce, (I-POC) Zoning District.
- Lawrence Zabik, representative for Michael Coiro, requests a continuance to next month's meeting. Mr. Caro had a family emergency and is unable to attend. The applicant has had several meetings with Staff, and have made improvements on the submittal.
- Board discussion over whether or not the continuance is justified and whether or not the code violation should move forward irrespective of the P&Z case. The decision is that the code case can move forward.

Motion made by M. Humm to continue the case to the November 4 P&Z meeting. 2nd by D. Zacks. Motion passes 4-2 Opposed: E. LaTorre and A. Marotta. (06:22pm)

- Consent:
- Public Hearings:
 1. Board Disclosure
 2. Cases:
 - a. PZB 15-00500006: Request by Jessica Vargas Astaiza, Transportation Planning Manager, for consideration of a Minor Site Plan amendment and Conditional Land Use pursuant to Sections 23.2-8, 23.2-29 and 23.2-30 of the LDRs. The subject property is the South Florida Regional Transportation Authority (SFRTA) owned Tri-Rail parking lot, located at 101 Erie St. PCN# 38-43-44-28-01-007-0010. The property is within the Transit Oriented Development West (TOD-W) Zoning District.
- Curt Thompson introduced the case, and noted that an oversight previously occurred regarding the parking lot for the Tri-Rail transit system. SFRTA recently acquired this property from FDOT and they are applying for a Conditional Land Use Permit. The parking lot is currently being used for this purpose. The Staff believes that the use is consistent with the zoning, and compatible with the FLU designation. Additionally, it has existed since 2004 and therefore will not cause any additional negative impact or public harm.

Staff is suggesting several conditions of approval, with conditions 2, 3, 4, 5 and 8 being extended to 90 days. Jessica Vargas and Kim Delaney are here on behalf of Treasure Coast Regional Planning.

- M. Ducoste clarified that the site is already developed, and this a housekeeping case at this point. The site was developed under a different set of land development regulations, and Staff has worked with the applicant to develop an appropriate plan that to help meet the current code. The 90-day time period was agreed upon in order to give the applicant time to implement the changes.
- Kim Delaney, comments that FDOT identified surplus properties and the RTA took ownership several months ago. Stated that the Lake Worth station is the 5th busiest in the system, and one of the busiest bike ridership stations. SFRTA staff is present as well as the engineer. Chuck Deed with TYLN International.
- M. Humm asked if there was a watering system for the landscaping, and Mr. Deed said yes.
- A. Marotta inquired as to why the project is considered non-conforming. Staff responded that under the previous code a Conditional Land Use is required for the parking lot use, but under the new code, a Conditional Land Use is required, which is why the application is before the Board tonight.
- Brown inquired if the property is currently fenced, and Mr. Deed indicated that there is a fence in place.
- M. Humm inquired if the parking lot is used at night, and whether or not it has adequate lighting, and Mr. Deed indicated that it is.
- Chairman Rice indicated that he has been through the lot and finds it to be appropriate.

Motion: by E. LaTorre, Move to approve 15-00500006 request for a conditional land use to continue the use, subject to staff recommended conditions of approval. Second by M. Humm. Motion carries 6-0.

Motion: by E. LaTorre, Move to approve request for a minor site plan amendment, subject to staff recommended conditions of approval, with amendment to conditions 3,4,5, and 8 to allow for 90 days.

Second by C. Brown. Motion carries 6-0. (06:41pm)

- b. PZB 15-00500008: Consideration of a request by Auction America, Inc., for a Conditional Land Use permit to allow an auction house use in the Industrial Park of Commerce (I-POC) Zoning District. The subject property is located at 1100 Barnett Drive units #: 11, 12, 13, 16, 17, 18; PCN# 38-43-44-21-46-000-0020
- Curt Thompson introduced the case at 1100 Barnett Drive. The project is located in the IPOC, within an existing warehouse/commercial district. The company is a full-

October 7, 2015 Regular Meeting

service auction and appraisal business. 43,842sf building and the auction house is proposed to occupy approximately 4500sf of the existing building. Most of the auction activity will occur after 5pm during the week, or on Saturday morning, and typically they host 3 auctions per month. No letters of support or opposition have been received. No outdoor storage has been proposed. Staff believes that the auction house will be in harmony with the existing zoning district and the neighboring industrial uses.

- Sherwin entered the meeting and dais at 6:48 pm.
- Mr. Thompson introduced the recommended conditions of approval.
- Applicant/agent Stan Crooks, is sworn in at 6:51pm. And discusses the parking lot situation. They will need to provide a lease agreement for the shared parking for the nurse on call.

C. Brown motion to approve 15-00500008 request for a conditional land use to establish an auction house, subject to staff recommended conditions of approval. Second by E. LaTorre. Discussion by A. Marotta, on whether or not the parking agreement should be added to the conditions. Mr. Thompson recommends adding the parking agreement as part of condition 3. C. Brown amends the motion to include the use of the parking lot be an agreement with the neighboring property. Conditions #3 – enter into an agreement for the use of the parking lot at 1926 10th Ave North, and will be required to be presented as part of the business tax receipt. Motion passes 6-0. (06:56pm)

- Unfinished Business:
- New Business:

7. Planning Issues:

A student is in the audience to observe a city board as part of a class requirement for Urban Planning.

8. Public Comments (3 minute limit): None

9. Departmental Reports:

Ms. Dubose resigned from the Division. We have been fortunate to have her for the past 8 years, and we are trying to proceed as usual. Mr. Ducoste has indicated that if anyone has questions, they should call 561-587-1687.

10. Board Member Comments: None

11. Adjournment:

Motion to adjourn 7:05 by Anthony Marotta, second by Dean Sherwin. Motion passed 6-0.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

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Attest:

Greg Rice, Chair

Submitted By:

Aimee Sunny, Preservation Planning Coordinator

Minutes Approved:

Date



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Minutes
Regular Meeting
City of Lake Worth
Planning & Zoning Board
City Hall Commission Room
7 North Dixie Hwy; Lake Worth, FL

WEDNESDAY, NOVEMBER 04, 2015 6:00 PM

1. Roll Call and Recording of Absences:

- Greg Rice, Board Chair, called the meeting to order at 6:15 pm.
- Aimee Sunny, called the roll. Those present were: Chairman Rice; Dean Sherwin, Vice-Chair; Mark Humm; Elise LaTorre; and Dustin Zacks.
- Absent: Cindy Brown, Anthony Marrota
- Also present were Carolyn Ansay, Legal Counsel; Maxime Ducoste, Planning & Preservation Manager; Curt Thompson, Community Planner; and William Waters, Director for Community Sustainability.

Special Note: Maxime Ducoste noted that relocation of meeting was necessary due to plumbing issues at City Hall. In an attempt to notify the public, the City posted notice at all entrances of City Hall, posted on the City's website, and Tweeted to note the change of location. Contacted all applicants and Board members to note the change of location. The meeting is starting at 6:15pm in order to give the public time to move locations. Carolyn Ansay notes that the City has taken all of the steps possible to note the change of location due to the issues at City Hall.

2. **Pledge of Allegiance**

No flag was available in the room, therefore, the pledge was skipped.

3. Additions/Deletions/Reordering and Approval of the Agenda

Action: Motion made by Mark Humm with a Second by Elise LaTorre to approve the agenda.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

4. Approval of Minutes:

A. Meeting Minutes will be recorded at the December 2015 meeting.

5. Cases:

A. Swearing in of Staff and Applicants:

- Ms. Sunny administered the swearing in of applicants.

B. Proof of Publication:

Action: Motion made by Mark Humm with a Second by Dustin Zacks to receive and file the Proof of Publication.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

C. Withdrawals/Postponements: None.

D. Consent:

1. Consideration to recommend city-owned parcel at 128 South E Street (PCN 38-43-44-21-15-059-0030) be deemed suitable for affordable housing.

Action: Motion made by Dean Sherwin with a Second by Mark Humm to recommend to the City Commission that the city-owned parcel be used for affordable housing.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

E. Public Hearings:

1. Board Disclosure

Mr. Humm and Mr. Rice read a letter that was sent to all Board members.

2. Cases:

- a. PZB 15-02200001; 15-00300001 and 15-01300002 Request for Annexation to allow for the annexing of a +/- 6.54 acre site into the City of Lake Worth; a Small Scale Land Use Change from Commercial High Intensity/8 dwelling units per acre (CH/8) and Commercial Low Intensity/8 dwelling units per acre (CL/8) to a City of Lake Worth Land Use designation of Mixed Use West (MU-W) and a rezoning from a Palm Beach County zoning designation of High Density Residential (RH) to a City of Lake Worth zoning designation of Mixed Use West (MU-W).

- Staff Comments, Mr. Thompson (06:25pm)

Stated that this is a three part request, as outlined in the Staff report. The site is located just west of 10th Avenue North and Boutwell Road. Discussed the Interlocal Service Boundary Agreement between the City and Palm Beach County. This agreement is to help facilitate annexation of certain outlying parcels into the City. Staff is recommending approval of the request for annexation, future land use map amendment, and zoning map amendment.

- Presentation from Applicant's Agent, Mark Rickerts, Kimley Horn, notes that the request tonight is not a site plan or a development, only the annexation, future land use map amendment, and zoning map amendment. The client is considering a residential project in the future.

- Mr. Thompson commented that the City has had 3 other similar cases in which an annexation has occurred without a development application.
- Mr. Waters and Mr. Romano were sworn in at 6:37pm.
- Public Comments: Mr. Rodney Romano stated that his request is for the Planning Board to reject the proposal tonight. He would like to see the entire enclave annexed at one time, rather than just this requested portion. Mr. Romano quotes Florida Statute 171, Section 046, regarding annexation, and notes that the Statute prohibits the annexation of an enclave.
- Mark Rickards, on behalf of Kimley Horn, notes that he believes the criteria for voluntary annexation is straightforward and that his client has met the requirements.
- Mr. Waters states that they City has worked with the County for 3 years to craft the ISBA program, which was effective in October. The ISBA does allow for enclaves to be created, but rather to bring in parcels as they volunteer, rather than the entire enclave. The County has already vacated Boutwell Road to the City, and therefore there is no way to access the County parcels but to use a City Right-of-way, which actually created an enclave.
- Ms. LaTorre asked Mr. Romano where his property is located, and what specifically his concerns are regarding the project. Mr. Romano stated that he feels the project as proposed will create an enclave, and that this will be in violation of Florida State Statute. He is also concerned with the MF-30 zoning, which could allow up to 30 units per acre, next to the single-family property that he currently owns.
- Mr. Rickards indicates that his client hopes to move forward with a site plan in approximately 3 months.
- Mr. Waters states that the City assessed the cost differences between being a part of the County versus a part of the City. Also, responds to Mr. Romano's comment regarding the number of units that are allowed on the property. In Lake Worth, the Code has a maximum FAR, height, lot coverage, impermeable surface, and setbacks, and all of these will need to be met for any future development.
- Ms. LaTorre asked Mr. Waters and Ms. Ansay if there is any way to allow the annexation but approve a zoning that respects the single-family homes located nearby. Mr. Waters answered that the Code is very predictable and therefore the applicant is aware of the development potential with the site and the MF-30 zoning is appropriate based on the City's Comprehensive Plan.

(7:12 PM)

Action: Motion made by Mr. Zacks with a Second by Dean Sherwin to recommend annexation to the City Commission.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

Action: Motion made by Mr. Zacks with a Second by Mr. Humm to recommend the Future Land Use Map Amendment to the City Commission.

Vote Ayes: Mr. Rice; Mr. Humm; and Mr. Zacks.

Nays: Mr. Sherwin; Ms. LaTorre;

Motion carried three (3) to two (2).

Action: Motion made by Mr. Zacks with a Second by Mr. Humm to recommend the Zoning Map Amendment to the City Commission.

Vote Ayes: Mr. Rice; Mr. Humm; and Mr. Zacks.

Nays: Mr. Sherwin; Ms. LaTorre;

Motion carried three (3) to two (2).

b. PZB 15-00500007; 15-00500010; 15-01500007 AND 15-01100002: Consideration of a Major Site Plan, Conditional Land Use, Major Subdivision and Sign Variance to allow for a proposed development on an 18.831 (+/-) acre site. The subject property is located at the northwest corner of Boutwell Road and 7th Avenue North within the Industrial Park of Commerce (IPOC).

- Staff comments, Curt Thompson:
Stated the number of buildings and the approximate size located on the existing property, and that the buildings are located in an East-West configuration. Discusses the location of the parking, loading docks, and entrances into the site. The site is 18.88 acres, which is quite large, and could accommodate as many as 30 different tenants. The applicant is requesting to alter 27 subdivision lots to 1 commercial lot. The applicant is requesting a Conditional Land Use to cover many different types of uses for the tenants. The applicant is proposing to clean up the peat and muck to clean up the site and protect the wetlands, under the community benefits sustainable bonus program. With the bonus, the applicant is requesting a height of 36 feet, instead of the 30 feet allowed per the Code. The applicant is also requesting a sign variance from the 150 square foot sign limitation to allow 1,206 square feet of signage in order to accommodate the large site and the multiple tenants. Staff is recommending approval of the four requests.
- Maxime Ducoste clarifies the total sustainable bonus values of the required and proposed improvements and benefits for the property as well as the adjoining properties.
- Board Member Comments: Mr. Zacks requested additional information regarding the proposed signage, and whether or not the 1206 square feet could all be applied on one façade.
- Mr. Waters stated that this project is conditional upon the Applicant dedicating the Boutwell Road right-of-way to the City, which will need to be approved by the City Commission at the December meeting. (07:28pm)
- Bradley Miller, Miller Land Planning comments: Representing Panattoni Development, states that this is the largest project ever to happen in Lake Worth at 252,000 square feet of industrial/commercial space. Jeff Konieczny, from Nashville, TN, on behalf of Panattoni Development. They have 17 North American offices, and they have mostly focused on retail, industrial, and office developments. The Boutwell Road project is speculative, they do not currently have any build-to-suit tenants. This project is a joint venture with the California Teacher's Pension Fund. Curtis Dubberly, with Miller Land Planning, presents the site location at the northwest corner of Boutwell Road and 7th Avenue North, and the site calculations. The Applicant is proposing a list of Conditional Land Uses that could accommodate a wide variety of tenants for the Boutwell Business Center. Mr. Dubberly stated that the Applicant has reviewed the list of proposed conditions, and they are in agreement with Staff.
- Mr. Sherwin would like to see the color scheme adjusted to something more in keeping with South Florida and Lake Worth.

- No Public Comments.

(07:45 pm)

Action: Motion made by Ms. LaTorre with a Second by Mr. Humm to approve the Conditional Land Use, with the conditions as recommended.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

Action: Motion made by Mr. Sherwin with a Second by Ms. LaTorre to approve the Major Site Plan, with the conditions as recommended.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

Action: Motion made by Mr. Humm with a Second by Ms. LaTorre to approve the requested Variance, with the conditions as recommended.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

Action: Motion made by Mr. Zacks with a Second by Mr. Humm to approve the Major Subdivision, with the conditions as recommended.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

F. Unfinished Business:

1. PZB 15-01500003: Consideration of Variances from Section 23.5-1, Signs, to allow additional signage for an importer and wholesaler of granite, marble, porcelain tile and slab surface business facility with accessory outdoor storage for property located at 1800 4th Avenue North, Unit A (425 Industrial Street). (07:50 pm)

- Staff comments, Curt Thompson:

The applicant is requesting a variance from the allowed amount of signage for the property. The Staff is recommending denial of the application. This applicant is requesting 1,242 square feet of signage on approximately 5 acres of the site.

- Michael Coiro, Owner of ArcStone trading, presented that he moved into the property in 2014, and that the area has always had stone companies and that he had no idea that there was a limitation on the signage for the area or that the use would require a Conditional Land Use. States that he needs every advantage to get people into his business, and that adequate signage is necessary for his business to succeed. Steve Graham, with the Wantman Group, and stated that Larry Zabik was previously involved in this case but was unable to attend. Mr. Graham is requesting a continuance of the case in order to allow for Mr. Zabik to be present at the hearing.
- Mr. Ducoste stated that the request would allow for one tenant to occupy a large portion of the signage allowance for the entire site. Additionally, the signs are unpermitted, and were not discussed with Staff before they were constructed. Based on

the conditions of the variance, Staff does not believe that there is a hardship to warrant approval of the variance.

- Board Member Comments: Mr. Rice stated that previously the Board had declared that an additional continuance would not be granted at the last meeting.

Action: Motion made by Ms. LaTorre with a Second by Mr. Sherwin to deny the request for a continuance.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Ms. LaTorre; and Mr. Zacks.

Nays: None

Motion carried five (5) to zero (0).

- The large freestanding sign is not part of the request, according to the Staff, as that sign was constructed without a permit and is not allowed by the Lake Worth code.
- Mr. Brian stated that the applicant has provided information as requested by the Staff, and that there is a hardship for the applicant.
- Mr. Thompson stated that the amount of signage requested by the Applicant is actually greater than the total signage allowance for the entire building, even though this tenant only occupies half of the building. (08:30pm)
- Board Member Comments: General discussion regarding the size, design, and type of the signs that exist currently, and what would be allowed by the Code. Discussion over whether or not the signage allowance applies to the entire building, or just the Applicant.

Action: Motion made by Mr. Sherwin, Move to approve 15-01500003 request for a variance from 23.5-1 regarding the total combined sign area. Permitted sign area for each building will be limited to one square foot of signage per one linear foot of building located adjacent to a public right of way. Motion did not receive a second.

- Additional discussion ensued regarding ownership of the property and the request for the variance. A variance, once granted, runs with the parcel, not a specific tenant. As such, the owner of the property should be involved with the outcome and the specifics of a variance. Ms. Ansay noted the ownership, and the legality of the Application that was submitted, and listed the decision options for the Board.

Action: Motion made by Mr. Sherwin with a Second by Mr. Humm to continue the case to the January 6, 2016, regular meeting, with the condition that all prohibited signs must be removed before the hearing.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; and Ms. LaTorre.

Nays: Mr. Zacks

Motion carried four (4) to one (1). (09:14pm)

G. New Business:

6. Planning Issues:
7. Public Comments (3 minute limit):
8. Departmental Reports:
9. Board Member Comments:

10. Adjournment:

Action: Motion to adjourn made by Mr. Sherwin with a Second by Ms. LaTorre.

Vote Ayes: Mr. Rice; Mr. Sherwin; Mr. Humm; Mr. Zacks; and Ms. LaTorre.

Nays: None.

Motion carried five (5) to zero (0). (09:16pm)

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Attest:

Greg Rice, Chair

Submitted By:

Aimee Sunny, Preservation Planning Coordinator

Minutes Approved:

Date



CITY OF LAKE WORTH

1900 2nd Ave N · Lake Worth, Florida 33461 · Phone: 561-586-1687

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Regular Meeting
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City Hall Commission Room
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WEDNESDAY, JANUARY 6, 2016 6:00 PM

1. Roll Call and Recording of Absences:
 - Chairman Greg Rice called the meeting to order at 6:00 PM.
 - Sherie Coale, Board Secretary called the roll. All members were present including: Dean Sherwin (Vice-Chair), Elise LaTorre, Mark Humm, Anthony Marotta, Cindy Brown and Dustin Zacks.
 - Also present were: Carolyn Ansay (Board Attorney), Maxime Ducoste - Planning & Preservation Manager, Aimee Sunny - Preservation Planning Coordinator, and Curt Thompson - Community Planner.

- 2. Pledge of Allegiance**

3. Additions/Deletions/Reordering and Approval of the Agenda:
 - None

4. Approval of Minutes:
 - A. Meeting Minutes
 - None (previous meeting was a Joint Workshop)

5. Cases:
 - A. Swearing in of Staff and Applicants:
 - Board Secretary administered the swearing in of Staff (M. Ducoste, C. Thompson) and Applicants Maria and Rocco Romanelli.

 - B. Proof of Publication:
 - Lake Worth Herald
 - C. Thompson indicated that publication of the meeting was received from the Lake Worth Herald Press and is included.

January 6, 2016 Regular Meeting

to the podium and asked whether he is in agreement to which he indicates he would prefer it otherwise but agrees to the conditions.

10. M. Ducoste speaks to the current unpermitted signage on the premises and indicates that pending approval of this sign variance, all unpermitted signage should be removed immediately.
11. Ms. Romanelli asks for clarification regarding permitted signage already present and is reminded that currently permitted signage is allowed, however it would not be in addition to the current recommendation of 1,500 square feet.
12. E. LaTorre brings forward discussion regarding the Use Approval Tables for the project.
13. M. Ducoste indicates that with a change in tenancy, any tenant wishing to conduct business within a space requiring conditional use approval will continue to contact our offices for processing through the conditional use process
14. Mr. Romanelli asks for 60 days to remove unpermitted. D. Zacks does not wish to entertain the issue due to the number of times this has already come before the board

- Action: Motion for approval by E. LaTorre for PZB 15-00500011 with additional conditions, seconded by D. Sherwin.
- Vote: Ayes – all Unanimous
- Action: Motion for approval D. Zacks, seconded by M. Humm
- Vote: Ayes – all Unanimous

F. Unfinished Business: **WITHDRAWN**

- PZB Project Number 15-01500003: Consideration of Variances from Section 23.5-1, Signs, to allow additional signage for an importer and wholesaler of granite, marble, porcelain tile and slab surface business facility with accessory outdoor storage for property located at 1800 4th Avenue North, Unit A (425 Industrial Street).

G. New Business:

- None

6. Planning Issues:

- None

7. Public Comments (3 minute limit):

- None

8. Departmental Reports:

- M. Ducoste – Planning & Preservation Manager introduced Board Secretary Sherie Coale and wished all members of the Board a prosperous, healthy, successful New Year.

9. Board Member Comments:

- None

10. Adjournment:

- Action: Motion to adjourn by Chairman Rice Seconded by multiple.
- Vote: Ayes –all Unanimous - Motion carried 7/0.
- Meeting adjourned at 6:29 PM

Attest:

Greg Rice, Chair

Submitted By:

Sherie C. Coale

Minutes Approved:

Date

THE
LAKE WORTH HERALD

Published Once a Week

Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA
COUNTY OF PALM BEACH:

BEFORE the undersigned authority personally appeared MARK J EASTON, who on oath says that he is PRESIDENT of *The Lake Worth Herald*, a weekly newspaper published at Lake Worth in Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB Project No. PZB 15-00500012 & PZB 15-01400006 will be held at 6:00 p.m. on February 3, 2016, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

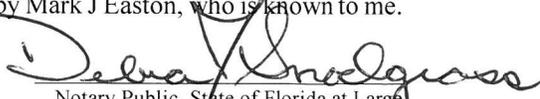
was published in said newspaper in the issue of

January 21, 2016

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 21st day of January, 2016, by Mark J Easton, who is known to me.


Notary Public, State of Florida at Large



DEBRA J SNODGRASS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF045522
Expires 9/18/2017

Legal Notice No. 29809

PLEASE TAKE NOTICE that the City of Lake Worth, Florida, Planning & Zoning Board, will hold a public hearing in the City Commission Room, in said City at or after 6:00 P.M. on February 3, 2016 to consider the following:

The Planning & Zoning Board will consider case **PZB-15-00500012 & PZB 15-01400006** which includes a request for a Major Site Plan and a Conditional Use Permit, to allow the construction of a +/- 40,000 square foot warehouse/distribution center with accessory office space. The public hearing will be held on Wednesday, February 3, 2016 at 6:00 p.m. in the City Hall Commission Chambers at 7 North Dixie Hwy., Lake Worth, FL 33460 pursuant to Sec. 23.2-29, Sec. 23.2-30, Sec. 23.2-31 & Sec. 23.2-32 of the Land Development Regulations. The address for the subject property is 2230 4th Avenue North, PCN#: 38-43-44-20-01-094-0010.

The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1687.

If a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1687 no later than five (5) days before the hearing if this assistance is required.

The Lake Worth Herald

THE
LAKE WORTH HERALD

Published Once a Week

Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA
COUNTY OF PALM BEACH:

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Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB/HRPB 16-01300001 and PZB 16-00300001 will be held at 6:00 p.m. on February 3, 2016, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

was published in said newspaper in the issue of

January 21, 2016

Affiant further says that the said *The Lake Worth Herald* is a newspaper published at Lake Worth, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, each week and has been entered as second class mail matter at the post office in Lake Worth, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 21st day of January, 2016, by Mark J Easton, who is known to me.


Notary Public, State of Florida at Large



DEBRA J SNODGRASS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF045522
Expires 9/18/2017

Legal Notice No. 29811

PLEASE TAKE NOTICE that the City of Lake Worth, Florida, Planning & Zoning Board, will hold a public hearing in the City Commission Room, in said City at or after 6:00 P.M. on February 3, 2016 to consider the following:

The Planning & Zoning Board will consider case **PZB-16-01300001 & PZB 16-00300001** which includes a request to amend the Future Land Use Map (FLUM) from Public (P) to Mixed-Use East (MU-E) designation and Rezone a parcel of property from Public (P) to Mixed-Use East (MU-E). The subject property is located at 110 North F Street, PCN#: 38-43-44-21-150-12-0260. The public hearing will be held on Wednesday, February 3, 2016 at 6:00 p.m. in the City Hall Commission Chambers at 7 North Dixie Hwy., Lake Worth, FL 33460 pursuant to Sec. 23.2-36 of the Land Development Regulations.

The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1687.

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1687 no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
January 21, 2016

THE LAKE WORTH HERALD

Published Once a Week

Lake Worth, Palm Beach County, Florida

STATE OF FLORIDA
COUNTY OF PALM BEACH:

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Notice of public meeting and hearing of the Lake Worth Florida Planning & Zoning Board to consider PZB/HRPB 16-02900001 will be held at 6:00 p.m. on February 3 and 10, in the City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth, FL.

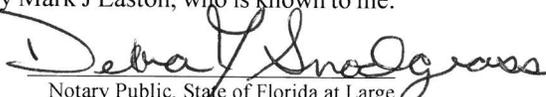
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January 21, 2016

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MARK J EASTON

SWORN TO AND SUBSCRIBED before me this 21st day of January, 2016, by Mark J Easton, who is known to me.


Notary Public, State of Florida at Large



DEBRA J SNODGRASS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF045522
Expires 9/18/2017

Legal Notice No. 29810

PLEASE TAKE NOTICE that the City of Lake Worth, Florida, Planning & Zoning Board will hold a public hearing in the City Commission Room, in said City at or after 6:00PM on February 3, 2016, to consider the following:

- **PZB/HRPB 16-02900001:** A City-initiated request to consider proposed changes to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances. The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

PLEASE TAKE NOTICE that the City of Lake Worth, Florida, Historic Resources Preservation Board will hold a public hearing in the City Commission Room, in said City at or after 6:00PM on February 10, 2016, to consider the following:

- **PZB/HRPB 16-02900001:** A City-initiated request to consider proposed changes to Chapter 23, Land Development Regulations and Permitted Use Table, of the Lake Worth Code of Ordinances. The Public Hearing will be conducted at the above stated time or as soon thereafter as possible.

Written responses can be sent to the Lake Worth Planning & Zoning Board at 1900 2nd Avenue N, Lake Worth, FL 33461 and must arrive before the hearing date to be included in the formal record. You also have the opportunity to attend the meeting to provide oral testimony.

For additional information on the above issues, please visit the City of Lake Worth Division of Planning, Zoning and Historic Preservation located at 1900 Second Ave. North, Lake Worth, Florida 33461 or contact City Staff at 561-586-1687.

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

In accordance with the provisions of the American with Disabilities Act (ADA) this document may be requested in an alternative format. Persons in need of special accommodation to participate in this proceeding are entitled to the provision of certain assistance. Please call 561-586-1633 no later than five (5) days before the hearing if this assistance is required.

Publish: The Lake Worth Herald
January 21, 2016



City of Lake Worth
Department of Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

AGENDA DATE: February 3, 2016

TO: Members of the Planning & Zoning Board

FROM: Maxime Ducoste, Planning and Preservation Manager

TITLE: **PZB Project Number 13-00100001:** Consideration of an amendment to the Conditions of Approval for the approved Village at Lake Worth project generally located at northwest corner of Lake Worth Road and 2nd Avenue N. The site is 7.65 acres in area and is currently developed. The project is inclusive of the following parcel:

<u>P.C.N.</u>	<u>Address</u>
38-43-44-20-01-115-0010	2222 2 nd Ave North
38-43-44-20-01-116-0010	2220 Lake Worth Road

BACKGROUND:

The Village of Lake Worth development is located at the northwest corner of Lake Worth Road and 2nd Avenue North (see Location Map Attachment “A”). The applicant is requesting an amendment to a conditions of approval, which was part of the site plan approval granted by the Planning and Zoning Board on May 1, 2013 (see Attachment “B”). As a requirement of receiving a Certificate of Occupancy, the applicant must comply with all of the conditions of approval associated with the development (see Attachment “C”). Specifically, under Planning and Zoning, Condition #29, reads as follows:

“29. An easement shall be granted to Palm Trans for the proposed bus shelter and bike rack at the southwest corner of the project site prior to the issuance of a certificate of occupancy for the first building.”

The Village of Lake Worth has been operating under a temporary Certificate of Occupancy. During that time, the applicant attempted diligently and faithfully to provide the required easement to Palm Tran as stipulated in the approval. However, Palm Tran no longer accept easement when infrastructure are placed on private properties (see Attachment “D”).

In order to receive the final Certificate of Occupancy, the development approval requires amending, specifically by the removal of condition of approval #29.

CONSEQUENT ACTION:

The Planning and Zoning Board's decision will be final for the request of amendment to the conditions of approval of the Conditional Land Use and Major Site Plan development approval for the Village of Lake Worth. The Applicant may appeal the Board's decision on the amendment to the City Commission.

REVIEWED BY AND RECOMMENDATION:

This agenda item has been reviewed by the Director for Community Sustainability with a recommendation of approval. Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board approval of the requested amendment.

POTENTIAL MOTION:

I MOVE TO RECOMMEND APPROVAL/DISAPPROVAL OF PZB PR# 13-00100001: Request for amendment to the Conditions of Approval for the approved "Village at Lake Worth" project.

Attachments:

- A - Location Map
- B - Approved Site Plan
- C -Result Letter with Approved Conditions of Approval
- D - Palm Tran Letter



Department for Community Sustainability
Planning, Zoning, & Historic Preservation Division
1900 2nd Ave North · Lake Worth, Florida 33461 · Phone: 561-586-1687

July 8, 2013

Mr. Ernesto Lopes
President & CEO
AHS Development Group
12895 SW 132nd Street, Suite 202
Miami, FL 33186

RE: PZB Project Number 13-01000001

Dear Mr. Lopes:

At their regular meeting on Wednesday, May 1, 2013, the Planning and Zoning Board (Board) considered your request for Site Plan approval for a 216 unit multi-family development at the subject site located at 2222 2nd Avenue N and 2220 Lake Worth Road (PCN 38-43-44-20-01-115-0010 and PCN 38-43-44-20-01-116-0010) respectively. The Board voted 5-0 to approve the site plan, subject to approval of the Major Amendment to the Residential Planned Development. The City Commission approved the Major Amendment to the Residential Planned Development on second reading of the ordinance at their meeting on June 18, 2013.

The site plan approval shall be subject to the Conditions of Approval included as Attachment "A". The site plan approval also included the approval of the incorporation of additional height and a third story pursuant to the provision of the Community Benefits identified in Exhibit "A" of the attached Conditions of Approval.

No changes shall be made to the information on this approved application that could in any way constitute a change in the aesthetic character of the project without approval of staff or the Planning & Zoning Board.

In accord with Section 23.20.01.12 of the Lake Worth Zoning Code, Site Plan approval granted by the Board, which authorizes construction, shall be null and void eighteen months after it has been granted unless construction has commenced and is progressing within eighteen months from the Board approval date. Please note, to request an extension, the request must occur prior to the expiration date of the approval.

If you have any questions or need additional information please call me at (561) 586-1673.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sergio Madera', is written over a horizontal line.

Sergio Madera, Community Planner

Attachment (1): Conditions of Approval



Department for Community Sustainability
Planning, Zoning, & Historic Preservation Division
1900 2nd Ave North · Lake Worth, Florida 33461 · Phone: 561-586-1687

CONDITIONS OF APPROVAL
PZ&B CASE No. 13-01000001

1. This approval is for the following:
 - **Additional height and third story** have the 30'/2 stories allowed by-right, pursuant to the Community Benefits provision within the City's adopted Comprehensive Plan.
 - **Site Plan** for a 216 unit apartment complex on a 7.65 acre site located at the northwest corner of northwest corner of Lake Worth Road & Boutwell Road in the MF-40/RPD District.
2. Approval of the Site Plan, as proposed, is contingent on the City Commission adopting the RPD Ordinance for the Village at Lake Worth Project.
3. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with the Municipal Code, the **Site Plan** approval shall expire **eighteen (18) months** from Planning & Zoning Board Approval.
4. ~~The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code, The Village at Lake Worth RPD Ordinance, and all other applicable Codes including but not limited to the Florida Building Code.~~
5. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
6. In the event of a legal challenge to this approval by a third party, the applicant shall be responsible for all reasonable costs to defend the action of the city in approving any and all permits related to this application. Should the applicant fail to enter into an agreement fund the costs of litigation, the city, at its discretion, may rescind this approval and revoke all permits issued.
7. All plans submitted to the City shall reflect all Planning & Zoning Board's approvals and any other changes required by the Board and/or staff. This condition applies to site plans, landscape plans, elevations, grading, and all other illustrations, text, or plans submitted to the City in connection with the project.

Public Services:

8. Disturbed right of way caused by construction activity to be restored by applicant per applicable City standards.

9. Work performed in the right of way will require a bond, cashier's check, letter of credit from an accredited banking institution issued to the City and returned upon successful project completion.
10. An approved MOT plan to be submitted to the City prior to the start of construction activity.
11. A SWPPP plan must be submitted and approved prior to the start of construction activity. Pre-inspection of all erosion control devices will be mandatory prior to construction start.

Water and Sewer Utilities:

12. Site Plan must comply with all fire department requirements prior to approval.
13. Final Paving, Grading and Drainage Plans to be submitted. Plans shall include as a minimum: all drainage structure rim and invert elevation data, all yard drain rim and invert elevation data, typical cross sections, flow direction arrows, all required details, NPDES SWPPP, and proposed grades in green areas.

Planning:

14. All lighting within the project area shall be a shoe box-type design that directs the light beam downward and not outward. All building mounted lighting shall contain shields that prevent light and glare from projecting outward.
15. A security lighting plan shall be prepared, subject to review and approval by the Department for Community Sustainability, prior to issuance of building permits. Outdoor lighting shall maintain a minimum of 0.5 foot candle of illumination for all parking and pedestrian areas. In addition, the plan must include details such as beam spreads and/or photometric calculations, location and type of fixtures, exterior colors, details on the foundation, and arrangement of exterior lighting that does not create glare or hazardous interference to adjacent streets or properties. The illumination along all property lines of the project site shall not exceed 1.0 foot candle.
23. The Landscape and Irrigation Plans shall be approved by the Public Services Department and Department for Community Sustainability, prior to the issuance of building permits. Submit the Landscape and Irrigation Plans with each set of construction plans directly to the Building Division of the Department for Community Sustainability for review and approval.

24. Prior to occupancy all landscaping and irrigation shown on the approved landscape and irrigation plans shall be installed. Provide the Building Division with a Certificate of Substantial Completion from the certified professional that prepared the approved landscape and irrigation plans.
25. All of the Community Benefits listed in Exhibit "A" shall be incorporated into the project prior to the issuance of a Certificate of Occupancy for the project. It is the responsibility of the applicant to ensure that all subsequent approvals and/or permits are obtained if required for the installation or application of any of the listed Community Benefits. Provide the Planning, Zoning, and Historic Preservation Division with a Certificate of Substantial Completion from the professional of record for the project that all the required Community Benefits have been included in the project prior to requesting the Certificate of Occupancy.
26. All of the Community Benefits listed in Exhibit "A" shall be retained and maintained indefinitely. No component of the Community Benefits amenities shall be removed or allowed to deteriorate to a level that they become inoperable or no longer meet the intent of the Community Benefits program.
27. Prior to the issuance of a certificate of occupancy for the first building, the applicant shall enter into a maintenance agreement with the City of Lake Worth for the maintenance of the landscaping in the Boutwell Road right of way on the west side of Boutwell Road between 2nd Avenue N. and Lake Worth Road.
28. An area shall be reserved at the southeast corner of the project site for a City of Lake Worth/ Lake Worth Park of Commerce monument sign. The applicant shall deposit \$10,000 into a trust account for the construction of the sign to be available when the City is prepared to have the sign constructed.
29. An easement shall be granted to Palm Trans for the proposed bus shelter and bike rack at the southwest corner of the project site prior to the issuance of a certificate of occupancy for the first building.
30. The applicant shall provide a certified copy of a recorded of a Unity of Title prior to the issuance of a building permit for the first building.

Exhibit "A"

Category	Community Benefit Provided	\$ Value	Notes
Higher Quality or Additional Open Space beyond the requirements of the Municipal Code	Tot lot play area and canopy	\$65,000	This is an amenity that is not required by the municipal code for multi-family residential projects
Higher Quality or Additional Open Space beyond the requirements of the Municipal Code	Barbeque areas with canopies	\$40,000	This is an amenity that is not required by the municipal code for multi-family residential projects
Higher Quality or Additional landscaping beyond the requirements of the Municipal Code	Landscaping exceeding current zoning code requirements	\$70,000	Applicant proposing landscape buffers that are twice as wide as that required by the zoning code around the entire perimeter of the project site
Higher Quality or Additional Open Space beyond the requirements of the Municipal Code	Walking path around lake	\$25,000	A five foot concrete walking path is being provided around the entire perimeter of the on-site lake
Higher Quality or Additional landscaping beyond the requirements of the Municipal Code	Precast Concrete Wall	\$60,000	A six foot high precast concrete wall is being provided between the project site and the existing residences along the western perimeter of the project site. This will provide privacy and sound attenuation for both the proposed development and the existing residences
Public Amenity	Bus Stop Pavilion with bike racks on Lake Worth Road	\$45,000	Provides a public amenity for use by both residents of the apartment community and the public at large
Public Amenity	School Bus Stop	\$25,000	Provides a public amenity for use by both residents of the apartment community and the public at large
Higher Quality or additional landscaping beyond the requirements of the Municipal Code	Entrance feature off Lake Worth Road	\$50,000	Entry feature is being categorized as an extension of the landscaping for the purpose of calculating the community benefit value. This is an amenity that is not required by the municipal code for multi-family residential projects but contributes to a higher quality design for the project
Public Amenity	City of Lake Worth monument sign at the corner of Lake Worth Road and Boutwell Road	\$10,000	Will provide an entry feature identifying entrance into the Park of Commerce

Category	Community Benefit Provided	\$ Value	Notes
Public Amenity/ Higher Quality or additional landscaping beyond the requirements of the Municipal Code	Improve and maintain landscape within the Boutwell Road right of way through out the ownership of the project	\$135,000	The applicant has proposed to improve/enhance the existing landscaping within the Boutwell Road right of way adjacent to their eastern perimeter and to maintain the area for a period of fifteen (15) years. The value was calculated by multiplying the expected monthly maintenance and cost over a 15 year period. This can be considered a public amenity as there will be a realized savings from the applicant maintaining this portion of right of way over a fifteen (15) year period.
Total value of Community Benefits provided		\$525,000	Sum of values of community benefits, as provided by applicant, staff has determined are applicable
Community Benefits Requirement Calculation			
Community Benefit Requirement = Area of 3rd Floor (gross floor area)	65,860 square feet x \$5.00/square foot	\$329,300	Because project is residential in nature the per unit cost of the community benefit requirement could be broken down by dividing the overall community benefit dollar requirement by the number of units proposed for the 3 rd floor = \$329,300/72 units = \$4,573.61/unit
Excess value of community benefit provided by project		2,000 <u>32,300</u> _____	The \$195,700 value represents the value of community benefits being incorporated into the project in excess of that required to satisfy the requirement.



Palm Tran

Administrative Offices

3201 Electronics Way
West Palm Beach, FL 33407-4618
(561) 841-4200
FAX: (561) 841-4291

Palm Tran Connection

50 South Military Trail
Suite 101
West Palm Beach, FL 33415-3132
(561) 649-9838
FAX: (561) 514-8365
www.palmtran.org



**Palm Beach County
Board of County
Commissioners**

Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor
Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

Official Electronic Letterhead

Mr. Rodney Patrick
Housing and Property Planner
Department for Community Sustainability
City of Lake Worth
1900 2nd Avenue North
Lake Worth, FL 33461

September 11, 2015

Re: Letter of Completion/Sentence of No Objection

Dear Mr. Patrick,

Thank you for your support of Palm Tran. The new bus waiting shelter at Stop 5982 (Lake Worth Road and Everett Court) will provide an extra level of comfort and convenience at this location. As this property is within the City of Lake Worth and a bus shelter is shown on the site plan, Palm Tran does not require a paper easement.

Please visit our website <http://www.co.palm-beach.fl.us/palmtran> as we make system changes to routes periodically in order to provide more timely, extensive and efficient service.

We are also proud to present to you iGo! Palm Tran's new app that provides you real time bus location information as well as schedules, routes and trip planning--all at your fingertips. For more info on iGo! please go to: <http://www.palmtran.org/igo>

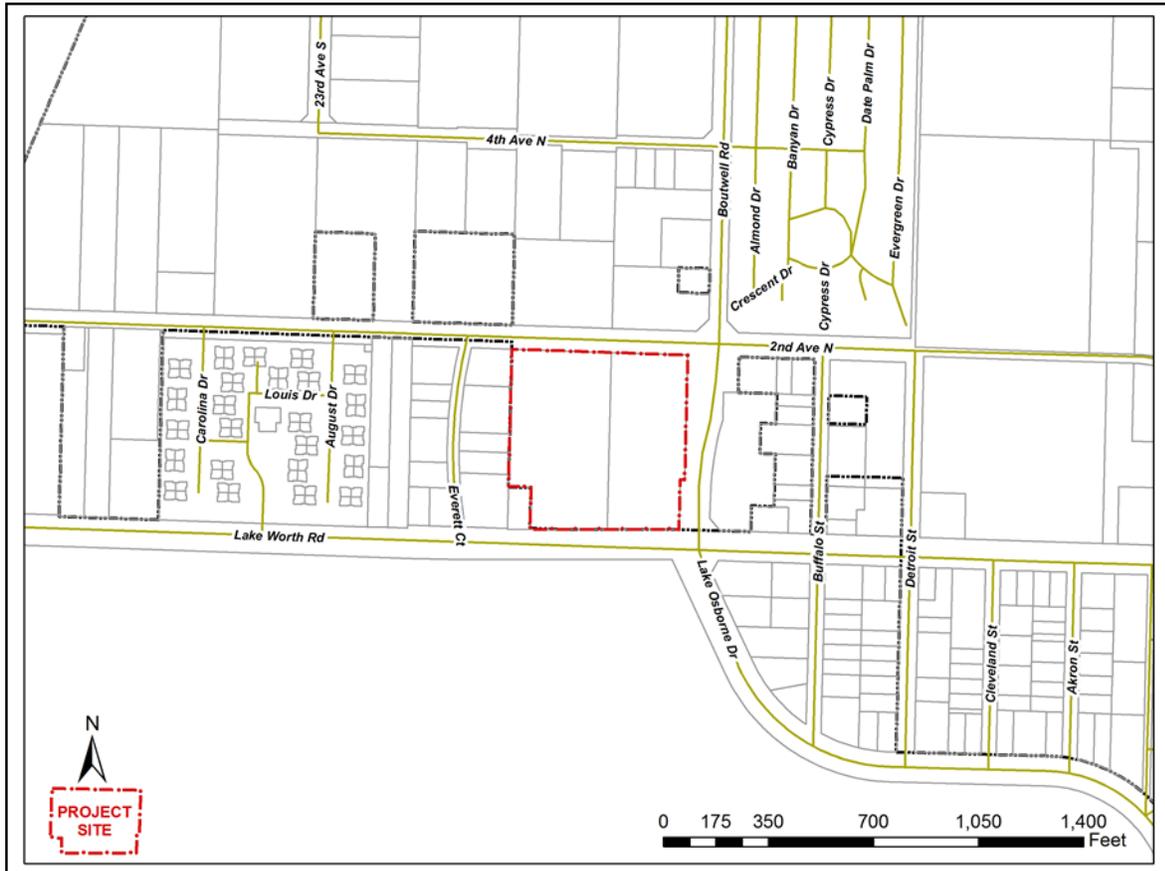
We appreciate your support and will strive to continue providing the best mass transit service to residents of Palm Beach County.

Thank you

Steve Anderson
Senior Planner
Palm Tran
sanderson@pbcgov.org
561-841-4246

Attachment "A"

LOCATION MAP



[Type here]





City Of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
 1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

DATE: February 3, 2016

TO: Members of the Planning & Zoning Board

FROM: Curt Thompson, Community Planner
 Maxime Ducoste, Planning and Preservation Manager

SUBJECT: PZB Project Number 15-00500012 and 15-01400006:

Request by Mr. Derek Schenavar, PE, of DDK Consulting, Inc., on behalf of GSG Investments South Florida, for consideration of a Major Site Plan and Conditional Land Use, to develop (+/-) 37,783 square feet of warehouse/distribution center and (+/-) 2,217 square feet of office for a total of (+/-) 40,000 square feet on a (+/-) 3.26 acre site. The subject property is located at 2230 4th Avenue North within the Industrial Park of Commerce (I-POC) Zoning District. The site is currently undeveloped and the proposed uses will require approval through a conditional land use request. The Property Control Number is 38-43-44-20-01-094-0010.

Land Use/Zoning

The property is located at 2230 4th Avenue North, between 2nd Avenue North and 4th Avenue North. The site has a Future Land Use designation of Industrial (I) and is zoned Industrial - Park of Commerce (I-POC).

Meeting Date: February 3, 2016

SYNOPSIS:

Applicar	GSG Investments South Florida (Eastern Metal Supply, Inc.,)	
General Locati	2230 4 th Avenue North	
Zonin	Industrial – Park of Commerce (I-POC)	
Existing Land l	Vacant Land	
Future Land U: Designation	Industrial – I	
Applicable Municipal Code Sections	23.2-29; 23.2-30; 23.2-31; 23.2-32	
	Require	Proposed/Existi
Lot Are	13,000 square feet	142,001 square feet
Lot Widtl	100 feet	133.18 feet

Building Height	Comprehensive Plan: Maximum 30' (not to exceed two stories) plus 15 feet (max 4 stories) with Sustainable Bonus Incentive Program	Zoning Code: Maximum 30' (not to exceed two stories) plus 15 feet (max 4 stories) with Sustainable Bonus Incentive Program	30 feet
Setback	Require	Provide	
Front (Boutwell Road)	20 feet	32 feet	
Side (7 th Avenue North)	20 feet	20 feet	
Side (Interior)	0 feet	10 feet	
Rear ()	10 feet	10 feet	
Bonus Height and Stories			
Living Area	Not Applicable	Not Applicable	
Accessory Structure Limitations	Not Applicable	Not Applicable	
Impermeable Surface Total	65% maximum	64%	
Maximum Building Coverage	55%	28.1%	
Floor Area Ratio	1.1	1.1	
Parking	46 (including 2 ADA)	69	
Board Action Required	Approve, Approve With Conditions, Deny the Request, Continue the request for additional information		
Staff Recommendation	Staff recommends approval of the requested Major Site Plan and Conditional, to develop 37,783 square feet of warehouse/distribution center (+/-) and 2,217 square feet of office (+/-) for a total of 40,000 square feet (+/-) on a 3.26 (+/-) acre site. The subject property is located at 2230 4th Avenue North within the Industrial Park of Commerce (I-POC) Zoning District.		
	Name and Title	Initials	
Project Planner	Curt Thompson, Community Planner	CT	
Approved by	Maxime Ducoste, Planning and Preservation Manager	MD	

Project/Property Description

The Property is located within the Industrial – Park of Commerce (I-POC), zoning district and is designated Industrial – I on the City’s Future Land Use Map. The subject property is West of I-95 approximately .6 miles, West of Boutwell Road about 1,000 feet and North of Lake Worth Road by approximately 750 feet. The vacant property has some vegetation located in the northwest corner and along a portion of the west boundary. This material will have to be removed in order to place the

building within the allowed setback area. The remainder of the site is clear for development. A larger portion of the site consists of shell rock road material. The property's soil consists of Immokalee fine sand with a smaller portion of an organic substratum.

Along the West side of the property there exists two multi-family developments. Along the East side there are existing businesses. The NE property is an industrial business by the name of MOPS that is a pump company. Their building is shared by another tenant, Atlantic Environmental Services. At the SE property line there is an existing landscape nursery that is owned and operated by Leaderscape.

Section 23-2.8 (b) (1) of the City's Land Development Regulations ("LDRs") authorizes the Planning & Zoning Board to grant a Conditional Use Permit subject to making two sets of findings detailed in Section 23.2-29 (c) and (d), to approve a Major Site Plan subject to compliance with the Qualitative Site Design Standards in Section 23-3.31. These include general and specific findings intended to ensure harmony of the proposed use both with the land development regulations as a whole as well as the surrounding existing uses.

The following analyzes the Applicant's request for a Major Site Plan and Conditional Use Permit request to develop (+/-) 37,783 square feet of warehouse/distribution center and (+/-) 2,217 square feet of office for a total of (+/-) 40,000 square feet on a (+/-) 3.26 acre site, with a discussion about property conditions and existing uses; operational characteristics of the proposed use; consistency of the proposed use with the comprehensive plan; a narrative with respect to each of the required findings for a conditional land use; a narrative with respect to the qualitative site design standards.

BACKGROUND & ANALYSIS:

The proposed project is requesting a conditional use for additional square footage. Due to the owner's current business demands for increased capacity of warehouse and distribution, the additional square footage and location are necessary for increased production of their extruded metal products. Eastern Metal Supply requires additional square footage to store the products that are manufactured and are placed in the warehouse until the items are distributed.

It is Staff's opinion that the proposed use of the property is in harmony with the adjacent uses. The development will not generate significantly greater traffic volumes or movements than the use by right due to the ingress and egress capability between 4th Avenue North and 2nd Avenue North. There will be fewer turning movements and circulation due to those access points. The proposed development will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.

The proposed project will use the existing thoroughfare system of 2nd Avenue North for egress and 4th Avenue North for ingress. This request will not alter the thoroughfare system resulting in additional public cost that would result from the development permitted by right.

The project will not create an additional demand upon municipal police or fire protection services beyond the capacity of those services that would be permitted by right. The proposed project will not generate significant noise, light or glare in excess of that allowed by the Land Development Regulations. The size and nature of the conditional use request will not be hazardous nor inconvenient to the character of the area in which it is proposed, nor to the future development of the City.

The proposed uses are allowed as High Intensity Industrial uses within the IPOC zoning district, subject to Conditional Land Use approval by the Planning & Zoning Board. Eastern Metal Supply operates a warehouse and manufacturing facility to the north of this vacant parcel and expansion of the metal supply company is necessary to keep up with the demand for warehouse and distribution. Therefore, expansion of the existing facility to this vacant parcel is necessary.

Public Support/Opposition

Staff has not received any letters of support or opposition

Consistency with the Comprehensive Plan:

It is the opinion of Staff that the applicant's proposed use is consistent with the following portions of the Comprehensive Plan:

Land Use Classification 1.1.3.4 – Industrial

The Industrial land use category is intended to provide for the establishment and enlargement of office, manufacturing and light to moderate industrial uses that would be incompatible in other areas of the city due to increased traffic generation. The implementing zoning district is Industrial Park of Commerce (I-POC).

Locational Strategy for the Industrial Category

The Industrial land use category is intended for mapping the area located west of I-95, known as the Park of Commerce. This location offers parcels of vacant and under-utilized land that provide a logical setting for development of office, manufacturing and light to moderate industrial uses that have the potential for increased traffic generation. This location also enjoys direct access to I-95 via the 10th Avenue North highway interchange.

Section 23.2-29(d): General findings relating to harmony with LDRs and protection of public interest

The project is in compliance with the general findings relating to harmony with the LDRs and protection of public interest, as follows:

1. The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.

Staff Response The conditional uses indicated on the proposed site plan will be in harmony with the uses which are most likely to occur in the immediate area where located. The proposed conditional uses are industrial in nature and are similar to other uses located in the IPOC district. The future land use designation for the surrounding area is industrial; therefore the proposed uses are compatible with future development.

2. The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.

Staff ResponseThe property to the north of the subject site is Eastern Metal Supply with an Industrial Land Use (I) future land use and an IPOC zoning designation. To the northeast is an existing warehouse use and to the southeast is the Leaderscape landscaping business with an Industrial Park of Commerce zoning designation. To the south, across 2nd Avenue North, consist of single and multi-family residential uses, in unincorporated Palm Beach County. The Palm Club residential apartments are located immediately west of the site.

3. The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the Property for some use permitted by right or some other conditional use permitted on the Property.

Staff ResponseThe proposed use will not result in substantially less public benefit or greater harm than would result from use of the property for some use permitted by right or some other conditional use permitted on the property.

4. The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.

Staff ResponseThe proposed project will not result in a more intensive development than what is permitted in the Industrial Future Land Use Element of the Comprehensive Plan. Rather, the proposed warehouse, and office shall be compatible with the planning goals, objectives and policies of the Industrial Future Land Use Element as identified above under Consistency with the Comprehensive Plan.

Section 23.2-29(e): Specific standards for all conditional uses

1. The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.

Staff ResponseThe proposed project will not generate traffic volumes or movements which will reduce the level of service provided on any street to a lower level than would result from a development permitted by right. The development will not generate significantly greater traffic volumes or movements than the use by right due to the ingress and egress capability between 4th Avenue North and 2nd Avenue North. There will be fewer turning movements and circulation due to those access points.

2. The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets.

Staff ResponseThe proposed conditional use will not produce significantly greater amounts of through traffic on local streets than would result from a development permitted by right and is

appropriately located with respect to collector and arterial streets. The proposed conditional use shall be industrial in nature and similar to other permitted uses in the area.

3. The proposed conditional use will not produce significant air pollution emissions.

Staff Response: The proposed development will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right. The proposed use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.

4. The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.

Staff Response: The proposed project will use the existing thoroughfare system of 2nd Avenue North for egress and 4th Avenue North for ingress. This request will not alter the thoroughfare system resulting in additional public cost that would result from the development permitted by right.

5. The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.

Staff Response: The proposed conditional uses will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost than would result from development permitted by right.

6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services.

Staff Response: The proposed conditional uses will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.

7. The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.

Staff Response: The proposed conditional uses will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. All proposed uses will comply with section 15.24 – Noise Control

8. The proposed conditional use will not generate light or glare which encroaches onto any adjacent property in excess of that allowed in Section 23.4-3, Exterior lighting.

Staff Response The proposed conditional uses will not generate light or glare which encroaches onto any residential property in excess of that allowed in 23.4-10 –Exterior Lighting. A condition of approval will be added requiring a photometric/lighting plan to be provided at the time of building permit.

Section 23.2-31: Site Design Qualitative Standards

1. Harmonious and efficient organization.

Staff Response Criterion met. The site plan design is efficiently organized for the function of the metal supply business for loading and unloading trucks for distribution and warehousing. The NE face of the proposed building allows the access in and the SE portion of the building face allows the access out. There is sufficient circulation for the trucks and vehicles for access to the building and to the surrounding roadways. Entry into the site will be from 4th Avenue North; exiting will be along 2nd Avenue North. Since this parcel is at the end of 4th Avenue North, there will be no impediment for other industrial businesses along that corridor. The size of the building is within the allowed height/square footage restrictions for this zoning and the type of use allowed within the land development regulations

2. Preservation of natural conditions.

Staff Response Criterion met. The site will have natural detention areas along all four sides of the property to allow for storm water runoff and shall be used to minimize ground and surface water pollution. This will also reduce any water erosion to adjacent developments.

3. Screening and buffering.

Staff Response Criterion met. The entire property will be fenced with a black poly vinyl coated chain link fence topped with barbed wire for security purposes. Both entry points will have rolling gates and will be open daily and closed at the end of the business day. Landscape buffering of the required hedge at 2' on center and trees at 20' on center will be provided to screen the adjacent developments of views into the vehicle use area and to the rear and side of the proposed building.

4. Enhancement of residential privacy.

Staff Response Criterion met. Additional side setback for the building has been provided at the NW corner adjacent to the existing multi-family residences.

5. Emergency access.

Staff Response Criterion met. The site will be easily accessed for emergency purposes because of the access from 4th Avenue North and the egress to 2nd Avenue North. There is sufficient room around the building for emergency access as well due to the swale area that is proposed.

6. Access to public ways.

Staff Response Criterion met. The proposed sidewalk to the building within the parking area and along the right of way provides a safe and convenient access to the property internally and externally.

7. Pedestrian circulation.

Staff Response Criterion met. A sidewalk connection to the east has also been provided to connect with the existing pedestrian walkway and adjacent property owner.

8. Design of ingress and egress drives.

Staff Response Criterion met. The location of the ingress drive has been provided to minimize the impacts to 4th Avenue North and to the egress drive of 2nd Avenue North. Sufficient turn out and radii have been provided for tractor trailer vehicles. The width of the drive isle is 36' and will provide sufficient width for maneuverability for ingress and egress.

9. Coordination of on-site circulation with off-site circulation.

Staff Response Criterion met. The off-street parking, loading and vehicular circulation of the project has been located and designed to minimize the impact of noise, glare and odor on adjacent properties. The circulation is internal to the project and minimizes impact externally.

10. Design of on-site public right-of-way.

Staff Response Criterion not applicable. No on-site public right-of-ways are proposed for this development.

11. Off-street parking, loading and vehicular circulation areas.

Staff Response Criterion met. The off-street parking, loading and vehicular circulation of the project has been located and designed to minimize the impact of noise, glare and odor on adjacent properties. The circulation is internal to the project and minimizes impact externally.

12. Refuse and service areas.

Staff Response Criterion met. The refuse and service areas are easily accessible and are located near the SE corner of the proposed building and loading dock area. This area has been sufficiently screened from the adjacent property owners.

13. Protection of property values.

Staff Response Criterion met. The elements of the site plan are arranged so as to have minimum negative impact on property values of adjoining property. The size and location of the proposed building will be similar to the existing properties in the IPOC district and the proposed development is compatible with existing and planned future development patterns of this industrial area. The proposed building will have a setback from property lines per IPOC standards so as to minimize the impact on adjacent properties

14. Transitional development.

Staff Response The proposed site is located in an area that transitions from industrial to mixed use. All adjacent properties are located in the IPOC industrial district save for the property located directly to the west (MU-W). Furthermore, the proposed building will be similar to those in the rest of the IPOC district in terms of size and massing.

15. Consideration of future development.

Staff Response Criterion met. The proposed site plan shows the development of a vacant piece of property that will increase property values and be compatible with other uses in the IPOC zoning district. By designing the proposed development with respect to the future improvements for the 2nd Avenue right-of-way, the applicant appears to have demonstrated consideration for future development

d) Buildings, generally.

1. Buildings or structures which are part of a present or future group or complex shall have a unity of character and design. The relationship of forms of the use, texture and color of material shall be such as to create one (1) harmonious whole. When the area involved forms an integral part of, is immediately adjacent to, or otherwise clearly affects the future of any established section of the city, the design, scale and location of the site shall enhance rather than detract from the character, value and attractiveness of the surroundings. Harmonious does not mean or require that the buildings be the same.

Staff Response The warehouse structure will be design to be compatible with the existing warehouses in the IPOC zoning district. Meets criterion.

2. Buildings or structures located along strips of land or on a single site, and not a part of a unified multi-building complex shall achieve as much visual harmony with the surroundings as is possible under the circumstances. If a building is built in an undeveloped area, three (3) primary requirements shall be met, including honest design construction, proper design concepts, and appropriateness to the city.

Staff Response Meets criterion.

3. All façades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear foreign to the rest of the building.

Staff Response The building facades shall be designed to meet this criterion.

4. The concept of harmony shall not infer that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of scale, mass, bulk, proportion, height, orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, orientation and stylistic expression.

Staff Response Meets criterion.

5. Look-alike buildings shall not be allowed unless, in the opinion of the board, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit the duplication of floor plans and exterior treatment in a planned development where, in the opinion of the board, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.

Staff Response Meets criterion.

6. Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the board. Symbols attached to the buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building, project and neighborhood.

Staff Response Meets criterion.

7. Exterior lighting may be used to illuminate a building and its grounds for safety purposes, but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if, in the opinion of the board, the overall effect will be detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional as well as aesthetic value.

Staff Response Meets criterion.

8. Building surfaces, walls and roofs shall be compatible and in harmony with the neighborhood.

Staff Response Meets criterion.

9. "Take-out" or "pick-up" windows of retail or wholesale establishments shall not be located on a building façade that faces a public right-of-way, unless they are designed in such a manner as to constitute an aesthetic asset to the building and neighborhood.

Staff Response Criterion not applicable.

10. All exterior forms, attached to buildings, shall be in conformity to and secondary to the building. They shall be an asset to the aesthetics of the site and to the neighborhood.

Staff Response Meets criterion.

11. All telephones, vending machines, or any facility dispensing merchandise, or a service on private property, shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building, and where appropriate and feasible, should not be readily visible from off-premises.

Staff Response Meets criterion.

12. Buildings of a style or style-type foreign to South Florida or its climate will not be allowed. It is also to be understood that buildings which do not conform to the existing or to the evolving atmosphere of the city, even though possessing historical significance to South Florida, may not be approved.

Staff Response Meets criterion.

13. No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.

Staff Response Meets criterion.

14. Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized.

Staff Response Meets criterion.

Site Plan Review Team

The project was reviewed by the Site Plan Review Team on January 11, 2016. Any outstanding comments derived from the Site Plan Review Team are incorporated as part of the conditions of approval attached hereto as attachment A.

Conclusion:

The analysis has shown that the required findings can be made with respect to the Conditional Land Use and Major Site Plan. The use as proposed is in harmony with the underlying zoning district and surrounding areas, subject to compliance with staff proposed conditions of approval.

CONSEQUENT ACTION:

The Planning and Zoning Board's decision will be final for the Conditional Land Use and Major Site Plan requests. The Applicant may appeal the Board's decision on the Conditional Land Use and Major Site Plan requests to the City Commission.

STAFF RECOMMENDATION:

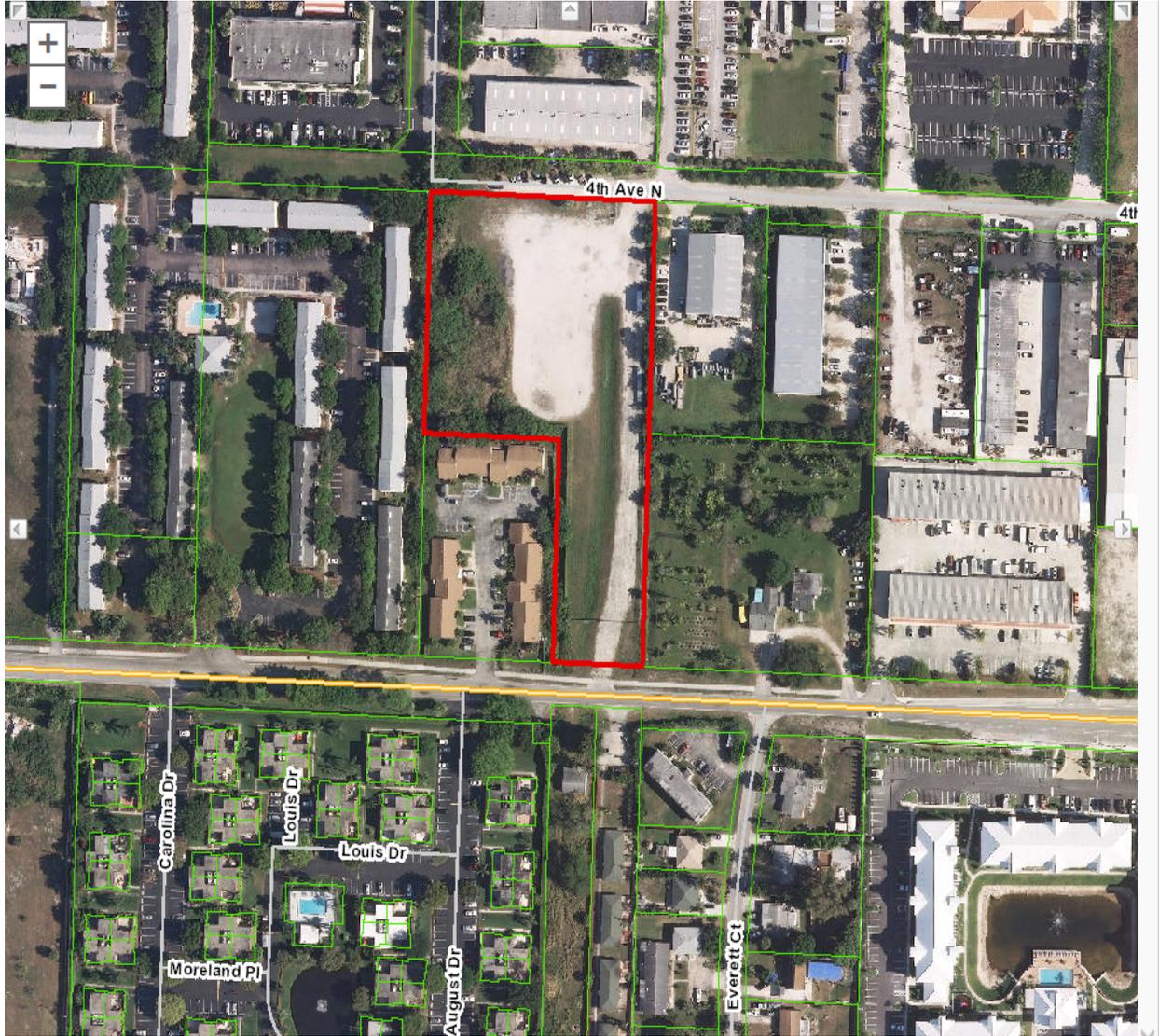
Based on the findings outlined in the analysis, staff recommends that the Planning and Zoning Board approval of the requested Major Site Plan and Conditional Use to allow for the construction of a 40,000 square foot warehouse/distribution building to be located at 2230 4th Avenue North in the Industrial – Park of Commerce (I-POC) Zoning District.

POTENTIAL MOTION:

“I MOVE TO APPROVE/DENY P&ZB Project Number 15-00500012: Request for Conditional Land Use to construct a (+/-) 40,000 square foot warehouse building with an accessory office to be located at 2230 4th Avenue North in the Industrial – Park of Commerce (I-POC) Zoning District subject to the staff recommended Conditions of Approval.”

“I MOVE TO APPROVE/DENY P&ZB Project Number 15-01400006: Request for a Major Site Plan to construct a (+/-) 40,000 square foot warehouse building with an accessory office to be located at 2230 4th Avenue North in the Industrial – Park of Commerce (I-POC) Zoning District subject to the staff recommended Conditions of Approval.”

LOCATION MAP



Attachments:

- A. Conditions of Approval

**DEPARTMENT FOR COMMUNITY SUSTAINABILITY
PLANNING, ZONING AND HISTORIC PRESERVATION DIVISION
CONDITIONS OF APPROVAL AND DEVELOPMENT INFORMATION FOR
PZB CASE No. 15-00500012**

Date of Preparation: January 27, 2016
P&ZB Meeting Date: February 3, 2016
Applicant: GSG Investments
Location: **2230 4th Avenue North**

**DRAFT CONDITIONS OF APPROVAL
PZB CASE No. 15-00500012**

Standard Conditions of Approval:

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable Codes including but not limited to the Florida Building Code.
2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire one (1) year from Planning & Zoning Board Approval.
3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.
4. This approval is for a conditional land use pursuant to Sections 23.2-29, 23.2-30, 23.2-31 and 23.2-32 to allow for the construction of a (+/-) 40,000 square foot warehouse and accessory office building. This use must operate in compliance with all state and local laws that govern this use.
5. In the event of a legal challenge to this approval, the applicant shall be responsible for all costs to defend the action of the city in approving any and all permits related to this application. Should the applicant fail to enter into an agreement fund the costs of litigation, the city, at its discretion, may rescind this approval and revoke all issued permits.

Additional Conditions of Approval:

Electric Utilities:

Before issuing the certificate of occupancy:

1. Please provide ten (10) feet Clearance in front of the transformer and four (4) feet in the remaining sides.
2. Provide ten (10) foot easement from the power pole to the transformer location.
3. Provide load calculation and voltage requirements.

Fire Department

1. Water supply for fire-flow requirements will be coordinated with Palm Beach County prior to building permitting.

Urban Design:

1. Improvements will be made to the 4th Avenue North to serve as ingress/egress for the larger vehicles.

Planning and Zoning:

1. Lighting Plan with photometrics must be provided prior to issuance of building permit.

2. The proposed chain link fence for the site shall be a black vinyl coated fence 6' with 2' barbed wire at the front setback along 4th Avenue North (North property boundary). The fencing will be provided at the property line on all other boundaries (South, East, and West). Proposed height of the fence is 8' inclusive of the barbed wire.

Public Services:

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Services Construction Standards and Policy and Procedure Manual.

2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under jurisdiction of the Department of Public Services.

3. Prior to the issuance of a building permit, the applicant shall contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City.

4. Prior to the issuance of a building permit, the applicant shall contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.

5. Prior to the issuance of a building permit, the Applicant shall contact and meet with a representative from the Public Services Refuse and Recycling Division to confirm dumpster enclosure location, accessibility and demand on property and that it is compatible with the requirements of the Department of Public Services. Refuse Division contact number is 561-533-7344.

6. Prior to the issuance of a certificate of occupancy, the Applicant shall ensure the entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing, stormwater system piping and structures, valve boxes, manholes, landscaping, striping, signage, and other improvements are in the same condition as prior to construction. A pre-construction video of the entire perimeter shall be performed and submitted to the City.
7. Prior to the issuance of a building permit, the applicant shall submit an Erosion Control plan and indicate the BMP's and NPDES compliance practices.
8. Prior to the issuance of a Certificate of Occupancy, the applicant shall fine grade and sod all disturbed areas with bahia sod.
9. Prior to the issuance of a Certificate of Occupancy, the existing driveway apron that is being proposed as an entrance off of 4th Ave N shall be removed and reconstructed per City standards and construction details. The valley gutter shall be removed and a new driveway constructed.

Landscaping:

1. A tree survey shall be provided prior to the issuance of a building permit.
2. Trees that are to be removed (particularly in the NW corner of the property) will be replaced on the Landscape Plan prior to the issuance of building permit.
3. Landscape Plans shall be modified to show additional trees if trees need to be removed in the NW corner of the site at time of building permit.

Water Utilities:

The Building Department Engineering Submittal shall include the following:

1. Complete water, sewer and drainage plans showing proposed pipe sizes, materials, crossing and structure sizes and elevations, as well as all pertinent site elevations.
 - a. Show limits of right of way restoration in engineering drawings.
 - b. Fireflow calculations based on a recent hydrant test
 - c. Drainage Calculations, and typical sections along each property line
 - d. Lift Station Calculations
 - e. Any storm water permits from SFWMD.
 - f. All applicable City of Lake Worth notes and details
2. Prior to building permit issuance, reserved capacity fees for water and sewer must be paid in full in accordance with the current City Ordinance.

Approved by:

Maxime Ducoste
Planning and Preservation Manager

1/27/2016

City of Lake worth

I got and a Courtesy Notice from you about the CasePZB-15-00500012 & PZB 15-01400006 , definitely I am not agree to have a warehouse/distribution area next to my property, is dangerous for all the kids who live in this community and the noise could affect them and all the people who live there.

Also the street is very small for big trucks to do something.

Hope you can help me to protect the health and the life.

2345n #104 2nd ave Lake worth 33461



Lucrecia G Jimenez
Registred agent
2345n 2nd ave LLC

JAN 28 2016

VIEW LOOKING NORTH WEST



VIEW LOOKING NORTH





VIEW LOOKING WEST FROM PROPERTIES TO THE EAST



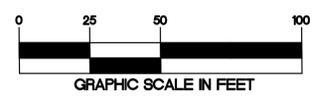
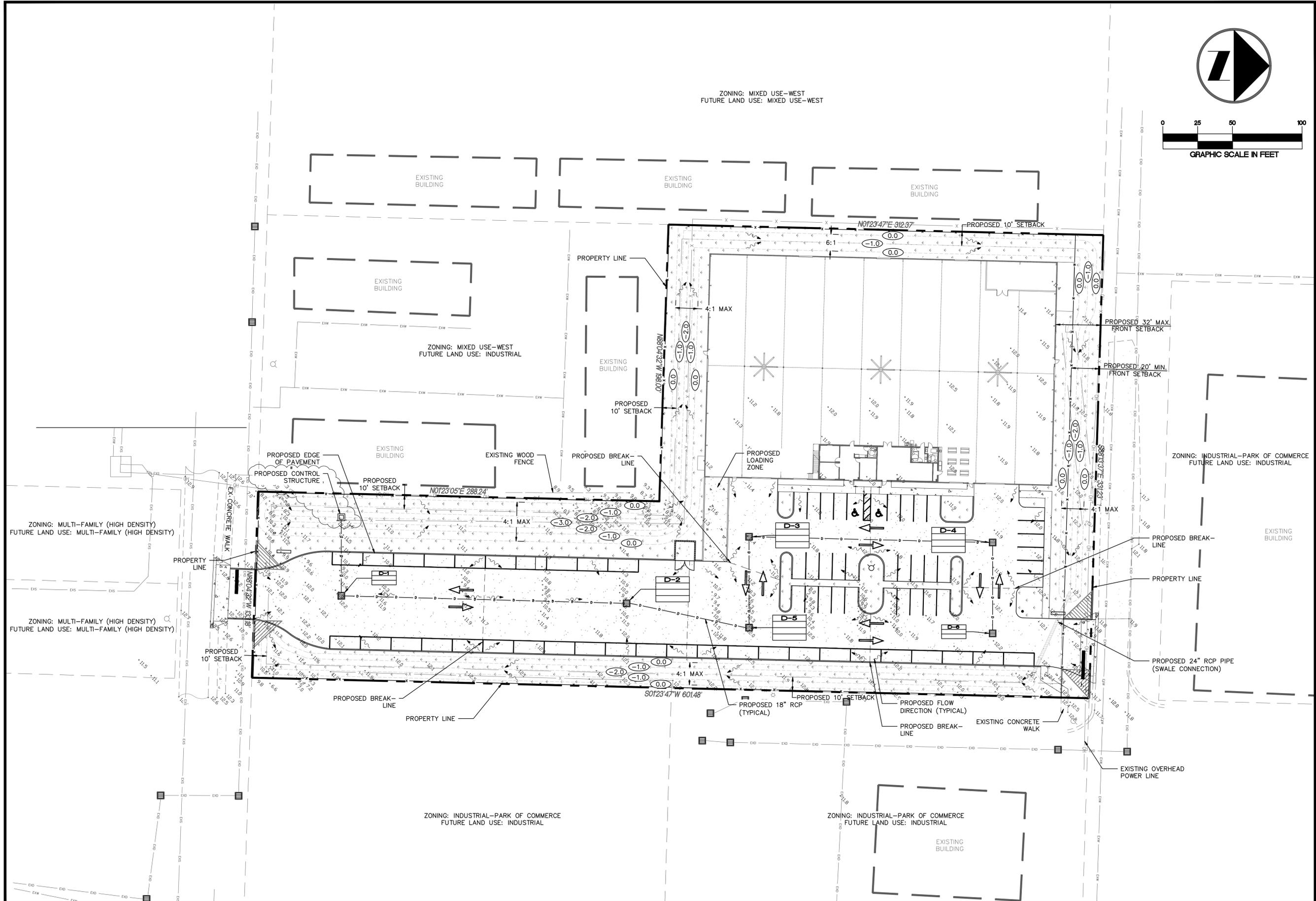
VIEW LOOKING NORTH





Eastern Metal Supply





ZONING: MIXED USE-WEST
 FUTURE LAND USE: MIXED USE-WEST

ZONING: MIXED USE-WEST
 FUTURE LAND USE: INDUSTRIAL

ZONING: INDUSTRIAL-PARK OF COMMERCE
 FUTURE LAND USE: INDUSTRIAL

ZONING: MULTI-FAMILY (HIGH DENSITY)
 FUTURE LAND USE: MULTI-FAMILY (HIGH DENSITY)

ZONING: MULTI-FAMILY (HIGH DENSITY)
 FUTURE LAND USE: MULTI-FAMILY (HIGH DENSITY)

ZONING: INDUSTRIAL-PARK OF COMMERCE
 FUTURE LAND USE: INDUSTRIAL

ZONING: INDUSTRIAL-PARK OF COMMERCE
 FUTURE LAND USE: INDUSTRIAL

02 PROPOSED DRAINAGE PLAN

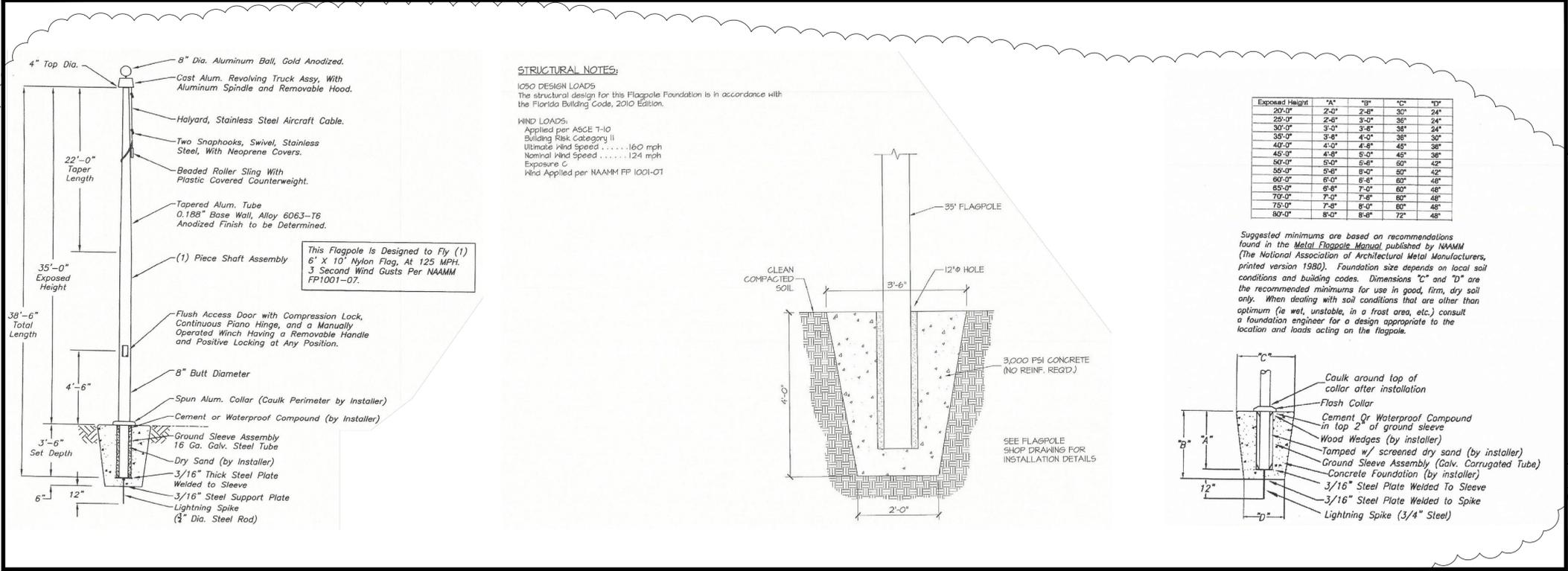
SCALE: 1"=30'

ENGINEER OF RECORD:
 DEREK SCHENAVAR
 PE # 63858

#	DATE	DESCRIPTION	REVISIONS

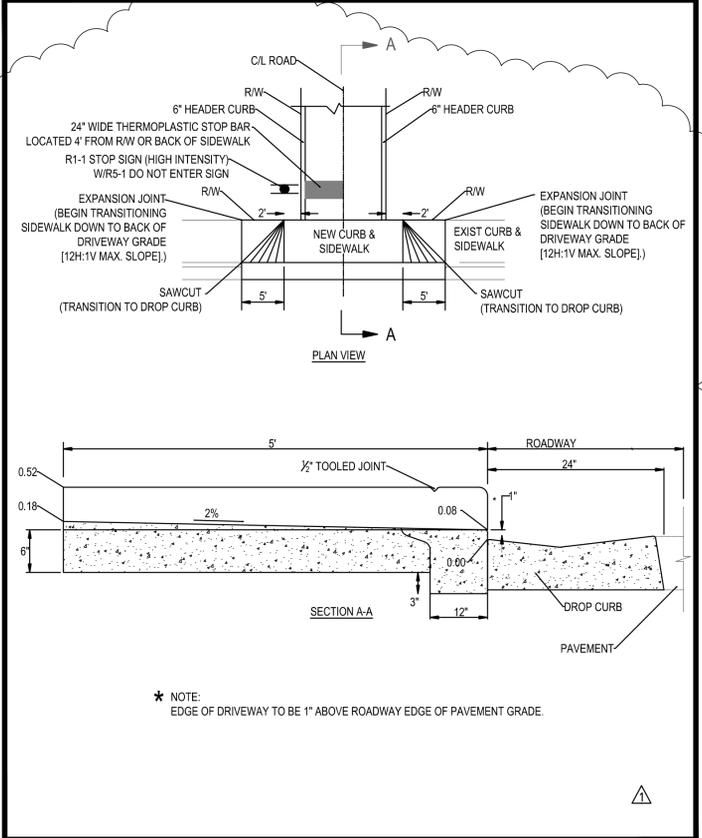
GSG INVESTMENTS OF SOUTH FLORIDA
 2230 4TH AVENUE N
 LAKE WORTH, FL 33467
PROPOSED DRAINAGE PLAN

DATE: 01-18-2016
 SCALE: AS NOTED
 DRAWN BY: MPU
 CHECKED BY: DHS
 PROJECT #: 15-01055



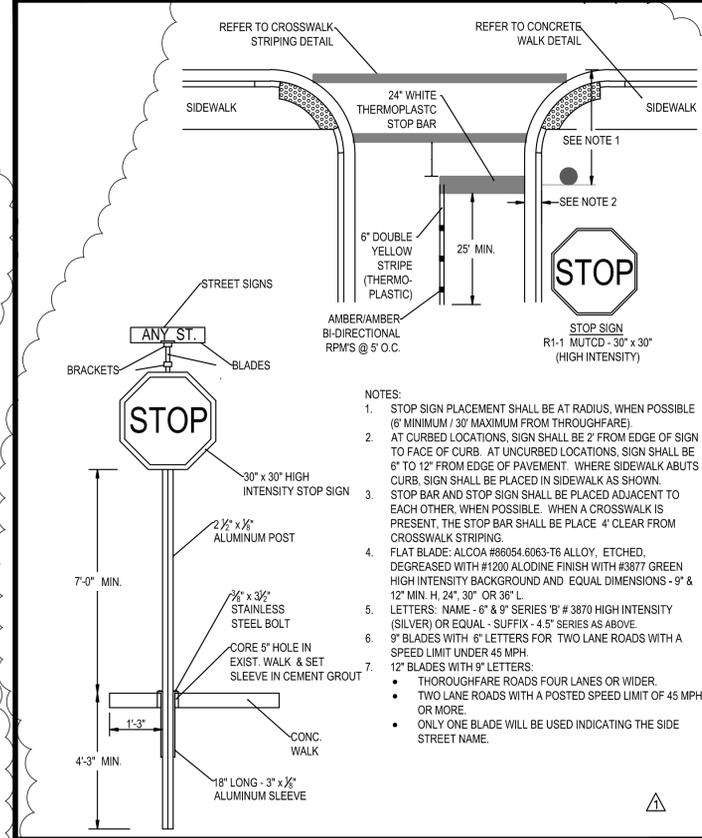
01 PROPOSED FLAGPOLE DETAILS

SCALE: N.T.S.



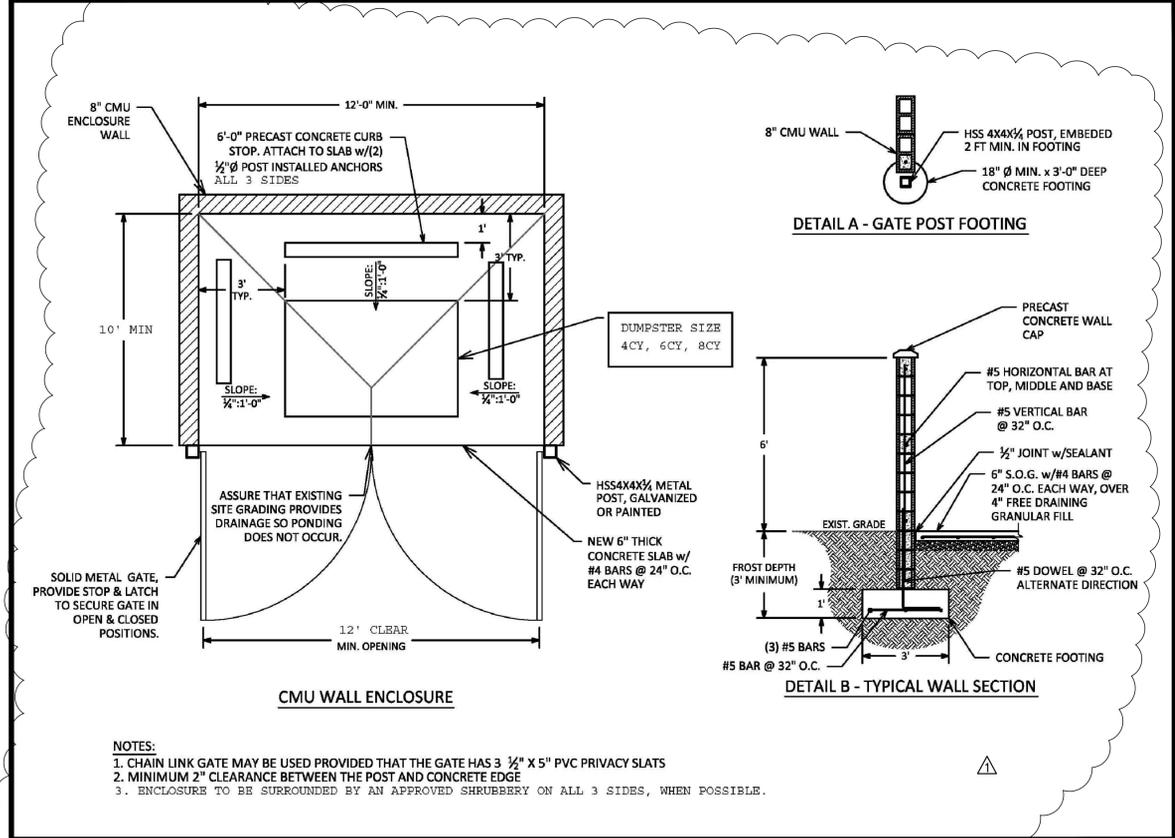
02 PROPOSED DRIVEWAY CONNECTION DETAIL

SCALE: N.T.S.



03 PROPOSED STOP SIGN/ STOP BAR DETAIL

SCALE: N.T.S.



04 PROPOSED DUMPSTER ENCLOSURE DETAIL

SCALE: N.T.S.

REVISIONS	DATE	DESCRIPTION

Landscape Data:

PERIMETER LANDSCAPING:	REQUIRED	PROVIDED
NUMBER OF TREES REQUIRED: 86	86	84
NUMBER OF TREES PROVIDED IN BUFFER: 84*		
NUMBER OF SHRUBS REQUIRED: 932	932	877
NUMBER OF SHRUBS PROVIDED: 877*		

INTERIOR PLANTING:	REQUIRED	PROVIDED
NUMBER OF TREES REQUIRED: 11	11	12
TOTAL NUMBER OF TREES PROVIDED: 12		
NUMBER OF PALMS PROVIDED: 21		21
NUMBER OF SHRUBS REQUIRED: 247	247	439
NUMBER OF SHRUBS PROVIDED: 439		

* TREES NOR SHRUBS NOT LOCATED IN VISIBILITY TRIANGLES OR ENTRY DRIVES

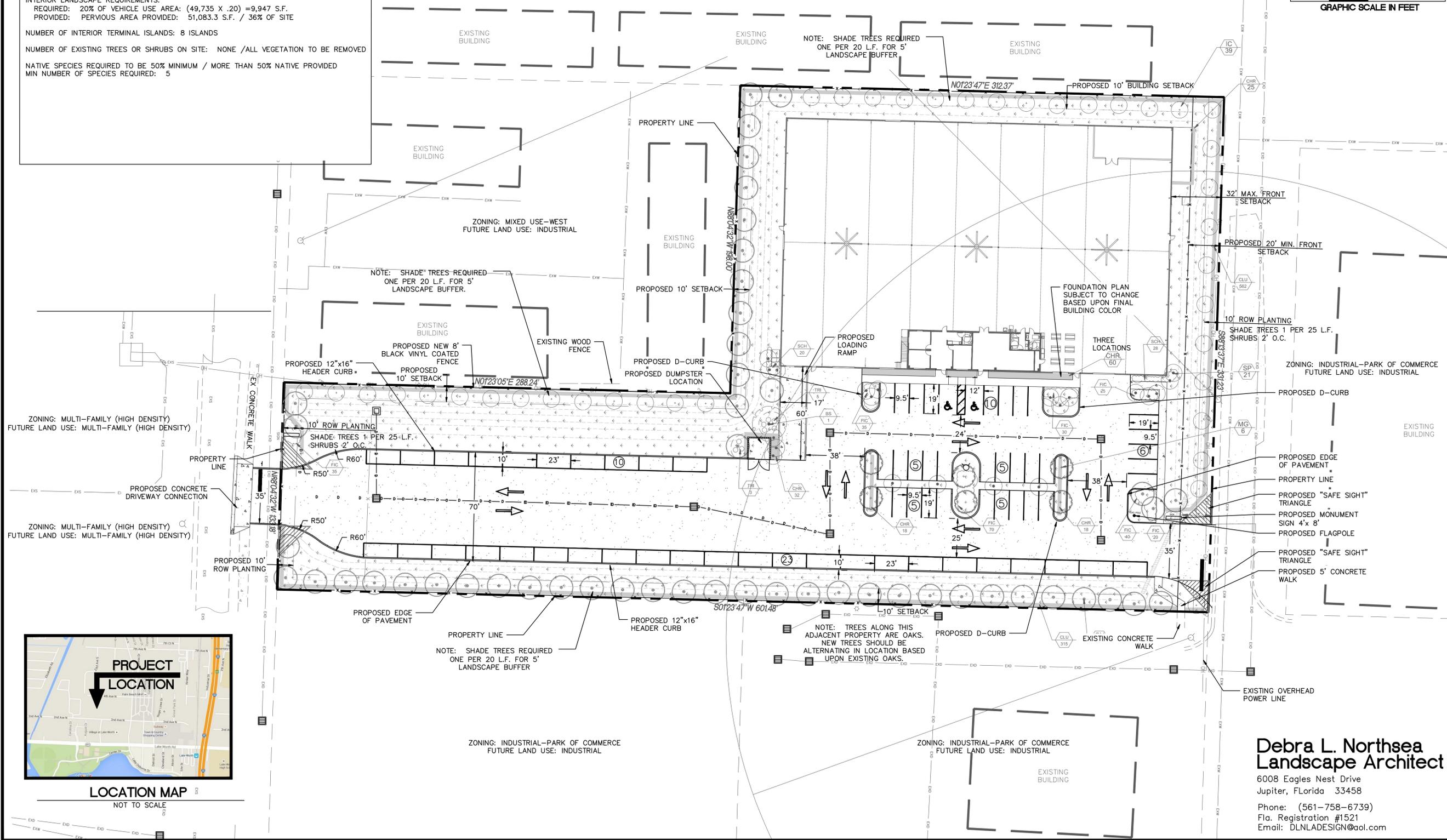
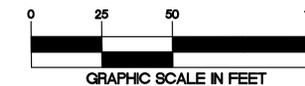
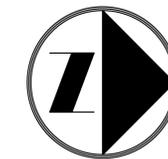
INTERIOR LANDSCAPE REQUIREMENTS:
 REQUIRED: 20% OF VEHICLE USE AREA: (49,735 X .20) =9,947 S.F.
 PROVIDED: PVIOUS AREA PROVIDED: 51,083.3 S.F. / 36% OF SITE

NUMBER OF INTERIOR TERMINAL ISLANDS: 8 ISLANDS

NUMBER OF EXISTING TREES OR SHRUBS ON SITE: NONE /ALL VEGETATION TO BE REMOVED

NATIVE SPECIES REQUIRED TO BE 50% MINIMUM / MORE THAN 50% NATIVE PROVIDED
 MIN NUMBER OF SPECIES REQUIRED: 5

ZONING: MIXED USE-WEST
 FUTURE LAND USE: MIXED USE-WEST



ZONING: MULTI-FAMILY (HIGH DENSITY)
 FUTURE LAND USE: MULTI-FAMILY (HIGH DENSITY)

ZONING: MULTI-FAMILY (HIGH DENSITY)
 FUTURE LAND USE: MULTI-FAMILY (HIGH DENSITY)

ZONING: MIXED USE-WEST
 FUTURE LAND USE: INDUSTRIAL

ZONING: INDUSTRIAL-PARK OF COMMERCE
 FUTURE LAND USE: INDUSTRIAL

ZONING: INDUSTRIAL-PARK OF COMMERCE
 FUTURE LAND USE: INDUSTRIAL

ZONING: INDUSTRIAL-PARK OF COMMERCE
 FUTURE LAND USE: INDUSTRIAL



LOCATION MAP
 NOT TO SCALE

Debra L. Northsea
 Landscape Architect
 6008 Eagles Nest Drive
 Jupiter, Florida 33458
 Phone: (561-758-6739)
 Fla. Registration #1521
 Email: DLNLADESIGN@aol.com

LANDSCAPE ARCHITECT
 DEBRA L. NORTHSEA
 FLA.#1521

RESPONSE TO COMMENTS	REVISIONS
1	# DATE DESCRIPTION

CSG INVESTMENTS SOUTH FLORIDA (TO BE PURCHASED BY WEEKS)
 2230 4TH AVENUE N
 LAKE WORTH, FL 33467
LANDSCAPE PLAN

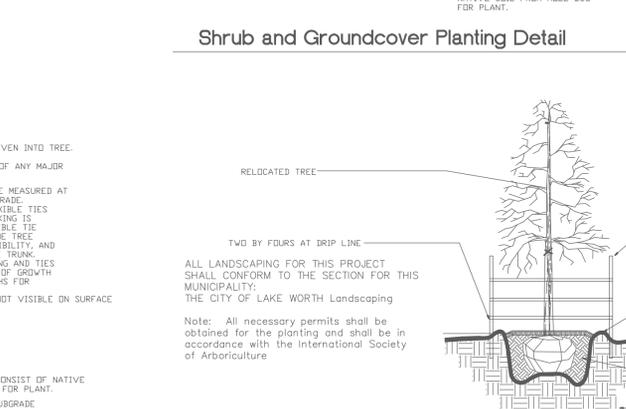
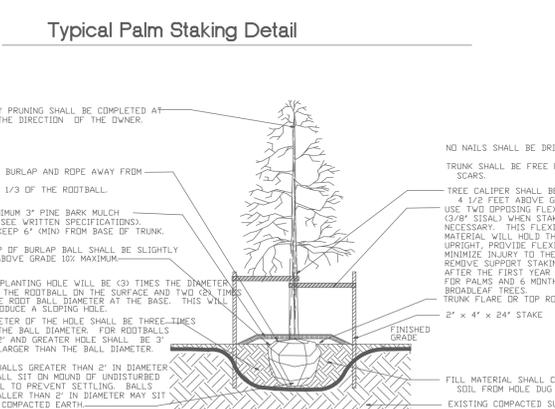
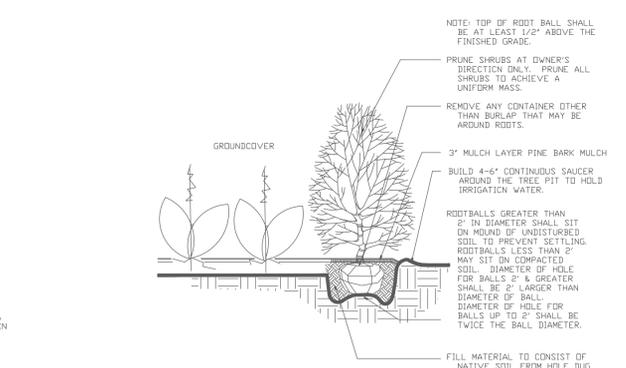
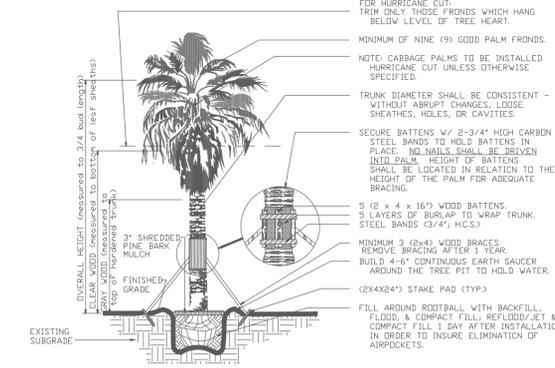
DATE: 12-07-2015
 SCALE: AS NOTED
 DRAWN BY: MPU
 CHECKED BY: DHS
 PROJECT #: 15-01055

DKK CONSULTING
 INCORPORATED
 CIVIL ENGINEERING - AGRI-CULTURAL REPRESENTATION - INFRASTRUCTURE - RESOURCE MANAGEMENT
 4546 CAMBRIDGE STREET • WEST PALM BEACH, FL 33415
 PH: 561-7718-9300 • FX: 561-6610-9141
 C.O.A. # 26948

1. SCOPE OF WORK
- A. The scope of work includes furnishing all plants, materials, equipment and labor necessary for planting plant materials indicated on the Drawings; and/or in the Specifications.
2. QUALITY ASSURANCE
- A. Landscape contractor to be regularly engaged in the installation of living plant material. Labor crews shall be controlled and directed by a landscape foreman well versed in landscape installation, plant materials, reading blueprints and maintenance of the job and nursery. The landscape contractor shall carry any necessary insurance and protect the Owner against all liabilities, claims or demands for injuries or damage to any person or property resulting out of the performance of the work under this contract and all of his workers shall be covered by Workmen's Compensation Insurance.
- B. The landscape contractor and irrigation contractor must coordinate scheduling and layout prior to commencement of material installation. If necessary, the landscape contractor and irrigation contractor may agree to minor adjustment in sprinkler layout, head type or quantity, in response to specific plant needs. The Landscape Architect must be notified of any such changes.
3. MATERIALS
- 3.1 PLANT MATERIALS:
- A. All plant materials shall be nursery grown unless otherwise noted. Abbreviations on plant list:
- C.W. clear wood
 - G. gallon
 - Spr. spread
 - C.T. clear trunk
 - O.A. overall height
 - O.C. on center
 - HT. height
 - D. diameter
- B. Quality and Size: Plants shall have a habit of growth that is normal for the species and shall be healthy, vigorous and equal or exceed the measurements specified in the plant list, which are the minimum acceptable sizes. Plants shall be measured before pruning with branches in normal position. Any necessary pruning shall be done at the time of planting. Requirements for measurements, branching, grading, quality, baling and burlapping of plants in the plant list generally follow the codes of standards currently recommended by the American Association of Nursery Stock. Plant materials shall be graded Florida No. 1 or better, as outlined under Grades and Standards for nursery plants, state rule Board of Florida. Plants that meet the requirements specified, but do not have normal balance of height and spread typical for the respective plant, shall not be accepted. All plants shall be free of weeds or any other objectionable vegetation.
- C. Quantities: All quantities indicated on the plant list are intended as a guide for the bidders and does not relieve the bidder of his responsibility to do a comprehensive plant take off. Shall a discrepancy occur between the bidder's take off and the plant list quantity, the Landscape Architect is to be notified for clarification prior to the submission of bid.
- D. Substitution: Plant substitution requests by the contractor will be considered by the Landscape Architect only upon submission of proof that any plant is not obtainable in the type and size specified. The Landscape Architect shall determine the nearest equivalent replacement in an obtainable size and variety. The unit price of the substitute item shall not exceed the bid item replaced, without approval of the Owner.
- 3.2 COMMERCIAL FERTILIZER
- A. Commercial fertilizer shall be an organic 13-3-13 LESCO fertilizer containing nitrogen phosphoric acid and potash available plant food by weight. Nitrogen shall not be less than 50% from organic sources. Nitrogen shall not be derived from the sodium form of nitrate. Fertilizers shall be delivered to the site unopened in original containers, each bearing the manufacturer's guaranteed analysis. Any fertilizer that becomes caked or otherwise damaged shall not be acceptable.
- B. Planting tablets shall be lightly compressed, long lasting, slow release fertilizer tablets weighing 21 grams, with a potential acidity of not more than 5% by weight and having an analysis of 20-10-5.
- 3.3 PEAT
- A. Peat shall be horticultural peat composed of not less than 60% decomposed organic matter by weight, on an oven dried basis. Peat shall be delivered to the site in a workable condition free from lumps.

- 3.4 PLANTING SOIL:
- A. Planting soil shall be sandy loam and shall contain a 25% minimum amount of decomposed organic matter. Planting soil shall be free of clay, stones, plants, roots, and other foreign materials which might be a hindrance to planting operations or be detrimental to good plant growth. Soil shall be delivered in a loose friable condition and applied in accordance with the Planting Specifications.
- 3.5 MULCH:
- A. Mulches shall not contain sticks larger than 1/4 inch in diameter, stones, or other foreign material that will prevent the eventual decay of the mulch necessary for its complete effectiveness.
- 3.6 WATER:
- A. Water for planting will be available at the site and will be provided by the Owner. Landscape Contractor shall not assume that the irrigation system will be operational at the time of planting. It is the responsibility of the Landscape Contractor to provide all the required water necessary to maintain the plant material in a healthy growing condition. The watering may include deep watering of trees and the watering of shrub and ground cover areas. Any plant materials that die or that are not in a healthy growing condition due to lack of water shall be replaced at no additional cost to the Owner.
4. EXCAVATION
- 4.1 PROTECTION OF PLANTS:
- A. Root Protection/Cuts:
1. Balled and Burlapped Plants: Plants designated B & B (balled and burlapped) shall be dug with firm natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root systems necessary for full recovery of plant. Balls shall be firmly wrapped with burlap or similar materials and bound with twine, cord, or wire mesh. All collected plants shall be balled and burlapped.
 2. Container Grown Plants: Plants grown in containers will be accepted as B&B, providing that all other specified requirements are met. Container grown plants shall meet plant sizes as specified on the Plant List and on the Drawings, and shall not be governed by container sizes. Minimum root balls of container grown material shall be no more than 25% less proportionately in size than that stated in Grades and Standards for nursery plants. These plants shall have been grown in the container for a maximum of two years prior to installation and shall exhibit a fully developed root system when removed from the container.
- B. Protection During Transporting: All plant material shall be protected from possible bark injury or breakage of branches. All plants transported by open trucks shall be adequately covered to prevent windburn, drying or damage to plants.
- C. Protection After Delivery: Plants which cannot be planted immediately on delivery to the site shall be covered with moist soil, mulch, or other protection from the drying of wind and sun. All plants shall be watered as necessary until planted. Storage pericid shall not exceed forty-eight (48) hours.
- D. Protection of Palms (if Applicable): Only a minimum of fronds shall be removed from the crown of the palm trees to facilitate moving and handling.
- E. Clear trunk shall be as specified after the minimum of fronds have been removed. Cabbage Palms shall have a sufficient ball size for rapid growth and acclimation. Burn marks on trunks shall be removed.
- F. Cabbage Palm heads shall be tied with a burlap strip to be left in place until the tree is well established.
- F. Protection During Planting: Trees moved by wind or crane shall be thoroughly protected from chain marks, grinding or bark slippage by means of burlap, wood battens or other approved methods.
- 4.2 PLANTING OPERATIONS:
- A. Layout: Location for plants and outline of areas to be planted are indicated on the Drawings. All plant locations shall be staked in the field by the Contractor, to the satisfaction of the Landscape Architect. Where construction or utilities below ground or overhead are encountered, or where changes have been made in the construction, necessary adjustments will be approved by the Landscape Architect.
- B. Soil Preparation: Apply pre-planting herbicide of Round-up or equal. Soil used shall be as herein before specified under "Planting Soil", thoroughly mixed with peat to produce 25% peat by volume. The soil should be in a relatively dry state and mixed thoroughly by hand or rotary mixer. All planting areas shall be treated with an approved pre-emergent according to the manufacturer's specifications. (Ronstar, Eptac, or equal).
- C. Excavation for Planting: Excavation of planting pits shall be circular in outline and shall blend with the required subgrade as specified hereunder. The minimum depth of plant pits specified below shall be measured from the finish grade. Moss planting beds shall be stripped of all vegetation prior to planting. The soil in excavated topsoil to form watering berms (saucers) around plants; use 25% of excavated material and mix with topsoil for backfill. Remove all excess material to dump site as directed by Owner.
- D. Balled and Burlapped Plants: After final setting, loosen burlap wrapping exposing the top of the rootball, leaving the ball unbroken. Remove excessive amounts of burlap to eliminate voids which may be caused upon decomposition.
- E. Container Grown Plants: Container grown plants shall, when delivered, have sufficient growth to hold earth intact when removed from container and shall not be root bound. Plant pits for container materials shall be formed fully to prevent damage to plant or root systems.
- F. Testing for Drainage: Test fill all tree pits with water before planting to assure proper drainage percolation is drainage and backfilling with gravel or crushed rock. No allowances will be made for lost plants due to improper drainage.
- G. Container Grown Plants: Container grown plants (width) and depth of planting pits for balled and burlapped, and container grown plants, shall be as follows:
1. Diameter - Trees: 18" greater than diameter of ball or spread of roots.
 2. Diameter - Shrubs: 4" greater than diameter of ball or spread of roots.
 3. Depth - Trees and Shrubs: 4" greater than depth of ball or roots to provide 4" of topsoil backfill under the rootball. (Large heavy trees and shrubs may sit directly on unexcavated pit bottom if it is determined that undue settlement may occur.)
 4. Depth - Vine Groundcovers: Pits shall conform to accepted nursery practice for the particular species and equal the plant pot depth plus one (1) inch.

- 4.3 PLANTING OPERATIONS (CONT.):
- H. Backfilling: when the plant pit has been excavated as specified previously and the plant has been set, the pit shall be backfilled with planting soil at the following rates:
- One-quarter cubic yard per tree
 - One cubic yard per 25' gals (pericid)
 - One cubic yard per 50 shrubs 3 gal.
 - One cubic yard per 100 1 gal. (ground cover)
- I. Setting Trees and Shrubs:
- Unless otherwise specified, all trees and shrubs shall be planted in pits, centered, and set on four inches (4") of compacted planting soil to such depths that the finished grade level of the plant after settlement shall be the same as that at which the plant was grown. They shall be planted upright and faced to give the best appearance or relationship to adjacent structures. No burlap shall be pulled out from under the balls. Platforms, wire and surplus binding from top and sides of the balls shall be removed. All broken or frayed roots shall be cut off cleanly. Soil shall be moist and compacted thoroughly, avoiding injury and shall be settled by watering. No filling around trunks will be permitted. After the ground settles, additional soil shall be filled in to the level of the finished grade allowing for two inches (2") of mulch. Form a shallow saucer around each plant by placing a ridge of soil along the edge of the plant pit. This ridge shall be one inch (1") high for each one inch (1") caliper of trunk to a maximum of four inches.
- J. Setting Palms: All palms shall be planted in sand, thoroughly washed in during planting operations and with a shallow saucer depression left in the soil line for future waterings. Saucer areas shall be top dressed two inches (2") deep with topsoil raked and left in a neat, clear manner.
- K. Fertilizing: When setting trees, palms and shrubs place in each plant hole Planting Tablets, 20-10-5 formula, 21 gram, according to the following:
- 2 - gallon can - 1 tablet
 - 2 - gallon can - 2 tablets
 - 7 - gallon can - 4 tablets
 - B & B Shrubs and Trees - 1 tablet for every 20' around circumference of root ball above middle of ball.
- Correct placement of Tablets: Position the plant in the hole and backfill no higher than halfway up the root ball. Place the recommended number of tablets evenly around the perimeter of, and immediately adjacent to, the root ball at a depth which is between the middle and the bottom of the rootball. Complete backfilling as described above under setting trees, palms and shrubs.
- L. Pruning: Remove dead and broken branches from all plant material. Prune to retain typical growth habit of individual species with as much height and spread as is practicable. Make all pruning cuts with a sharp instrument flush with trunk or adjacent branch, in such a manner as to ensure elimination of stubs. "Headback" cuts, right angle to line of growth, will not be permitted and trees will not be pole or topped. Point all cuts 1/2" in diameter and larger with approved waterproof antiseptic free point and remove trimmings from site.
- M. Guying and Staking: Guy all trees 1-1/2" in caliper and greater in three (3) directions with double strands of No. 12 galvanized wire attached to approved anchors driven below grade. When securing wires to trees, cover all wires which may come in contact with any part of tree with new rubber hose. Place guys not less than 1/3 of the height of tree above finished grade and above substantial limbs one inch (1") in diameter or more, if possible. All hoses shall be interlocked around tree trunk. Place anchors so that guys are equally spaced and at 45 degree angles to horizontal. Keep guys taut until project completion.
- N. In staking palms and broadleaf trees no nails or other fasteners will directly penetrate the trunk. Wood 2 x 4 battens 12 inches long, separated by a minimum of four (4) layers of burlap can be attached to the trunk of the trees with metal banding. Stakes can only be nailed to the wooden battens. Alternate methods of guying or staking may be employed with the approval of the Landscape Architect.
- O. Mulching: All trees and shrub beds shall be mulched immediately after planting, to a three inch (3") depth, with a mulch approved by the Landscape Architect. Prevent wind displacement of mulch by thoroughly settling down.
- P. Excess Excavated Soil: Excess excavated soil shall be disposed of by the Contractor at no additional expense to the Owner.
- 4.3 Sod (When Available):
- A. Soil: The Contractor shall submit a unit price per cubic yard for the supply and distribution of planting soil as herein before specified, to be applied to a depth of one inch (1") to all areas receiving sod. (The use of this item in the Contract shall be at the discretion of the Landscape Architect after evaluation of the existing soil on the site.) Payment for this item will be determined by a square foot, in-place measurement of the installed sod area after sod installation is complete, multiplied by the specified depth of one inch (1"), to determine cubic yards of soil used.
- B. Grades: It shall be the responsibility of the Contractor to finish (fine) grade all landscape areas, eliminating all bumps, depressions, sticks, stones and other debris to the satisfaction of the Landscape Architect, prior to the application of sod. If supplemental topsoil is to be spread, no sod shall be laid until the depth of this soil has been approved.
- C. The sod shall be as called for on the Landscape Drawings. Sod shall be of firm tough texture, having a compact growth of grass with good root development, and shall contain no Bermuda Grass, weeds or any other objectionable vegetation. The soil embedded in the sod shall be good earth, free from stones and debris and all sod shall be free from fungus, vermin and other diseases.
- D. Before being cut and lifted, the sod shall have been mowed at least three times with a lawn mower, with the final mowing not more than seven (7) days before the sod is cut. The sod shall be carefully cut into uniform dimensions.
- E. Solid sod shall be laid by the Contractor with closely abutting joints with a tamped or rolled, even surface. It shall be the responsibility of the Contractor to bring the sod edge in a neat, clean manner to the edge of all paving and shrub areas. If, in the opinion of the Landscape Architect, top-dressing is necessary after rolling, clean sand will be evenly applied over the entire surface and thoroughly washed in.



Plant Legend

Trees and Palms				
Key	Qty.	Common Name	Botanical Name	Specifications
N IC	39	DAHOON HOLLY	<i>Ilex cassine</i>	12' HT x 4' Sprd.; 2-1/2" Cal., Full Head;
MG	6	DD BLANCHARD MAGNOLIA	<i>Magnolia Grandiflora 'DDBlanchard'</i>	12' HT x 5' Sprd.; 3" Cal., Full Head
N QV	21	SABAL PALM (Curved)	<i>Sabal palmetto</i>	14' TO 20' OA ht., vary heights; smooth trnk; curved
N SP	50	LIVE OAK	<i>Quercus virginiana</i>	14' ht. x 6' sprd., 5' ct ;3" cal. min., Full canopy
N BS	1	GUMBO LIMBO	<i>Bursera simarubra</i>	14' ht. x 6' sprd., 5' ct ;3" cal. min., Full canopy

Shrubs, Groundcover, Accent Plants				
Key	Qty.	Common Name	Botanical Name	Specifications
N CLU	877	CLUSIA	<i>Clusia rosea</i>	24"ht. x 24" sprd., full 3 gal., 24" o.c.
N CHR	128	COCOPLUM HEDGE	<i>Chrysobalanus icaco</i>	24"ht. x 24" sprd., full 3 gal., 24" o.c.
N FIC	255	GREEN ISLAND FIGUS	<i>Ficus microcarpa greenisland</i>	18"ht. x 18" sprd., full 3 gal., 24" o.c.
N RAP		INDIAN HAWTHORNE	<i>Raphiolepis indica</i>	18"ht. x 18" sprd., full 3 gal., 24" o.c.
N TRI	8	FAKAHATCHEE GRASS	<i>Tripsacum dactyloides</i>	24"ht. x 24" sprd., full 3 gal., 36" o.c.
N SCH	48	SCHEFFLERA ARBORICOLA	<i>Schefflera arboricola trinette</i>	18"ht. x 18" sprd., full 3 gal., 24" o.c.

* RAP IS AN ALTERNATE FOR FIC
* CHR IS AN ALTERNATE FOR CLU

- ### General Notes
- 1) All plant materials are Florida No. 1 or better as noted.
 - 2) Refer to Sheet L-2 OF 2 For Plant Specifications and Details.
 - 3) All planting is 100% irrigated. Irrigation by others. Rain sensor required.
 - 4) Any planting substitutions shall be approved by Owner.
 - 5) Field adjust placement of planting for drainage structures as necessary.
 - 6) Trees and Palms shall be field inspected before installation.
 - 7) Field adjust placement of planting as necessary adjacent to sidewalks and roof canopies.
 - 8) Typical berming of mounding to be provided by others.
 - 9) Sod and mulch quantities by contractor.
 - 10) Refer to Planting Details and Specifications for soil and fertilizer requirements.
 - 11) Field verify quantities of relocated material if applicable.
 - 12) Contractor to verify all quantities on plans; notify LA of discrepancies
 - 13) All required / proposed planting requirements are shown on sheet LA-1 of 2.
 - 14) All tree supports shall be removed at 6 months for broadleaf trees and 1 year for palms.

RESPONSE TO COMMENTS	DATE	DESCRIPTION
1	11.19.16	

DLN CONSTRUCTION INC.
CORPORATED

ENGINEERING • ARCHITECTURE • INTERIOR DESIGN • RESTAURATION • LANDSCAPE ARCHITECTURE • CONSTRUCTION MANAGEMENT

4546 CAMBRIDGE STREET • WEST PALM BEACH, FL 33415
PH: 561-718-8390 • FX: 561-640-8141
C.O.A. # 26848

LANDSCAPE ARCHITECT
DEBRA L. NORTHSEA
FL #1521

CHRIS-TEL CONSTRUCTION INC.

2230 4TH AVENUE N
LAKE WORTH, FL 33467

LANDSCAPE PLAN

DATE: 12-07-15
SCALE: AS NOTED
DRAWN BY: MPU
CHECKED BY: DHS
PROJECT #: 15-01055

Debra L. Northsea
Landscape Architect

6008 Eagles Nest Drive
Jupiter, Florida 33458

Phone: (561-758-6739)
Fla. Registration #1521
Email: DLNLADESIGN@aol.com

LA-2

SHEET 2 OF 2

**A SCHEMATIC BUILDING DESIGN FOR:
EASTERN METAL SUPPLY**
2ND AVE. NORTH
LAKE WORTH, FLORIDA

CONSULTANT:



ALBERT DAMBROSE
AR93689

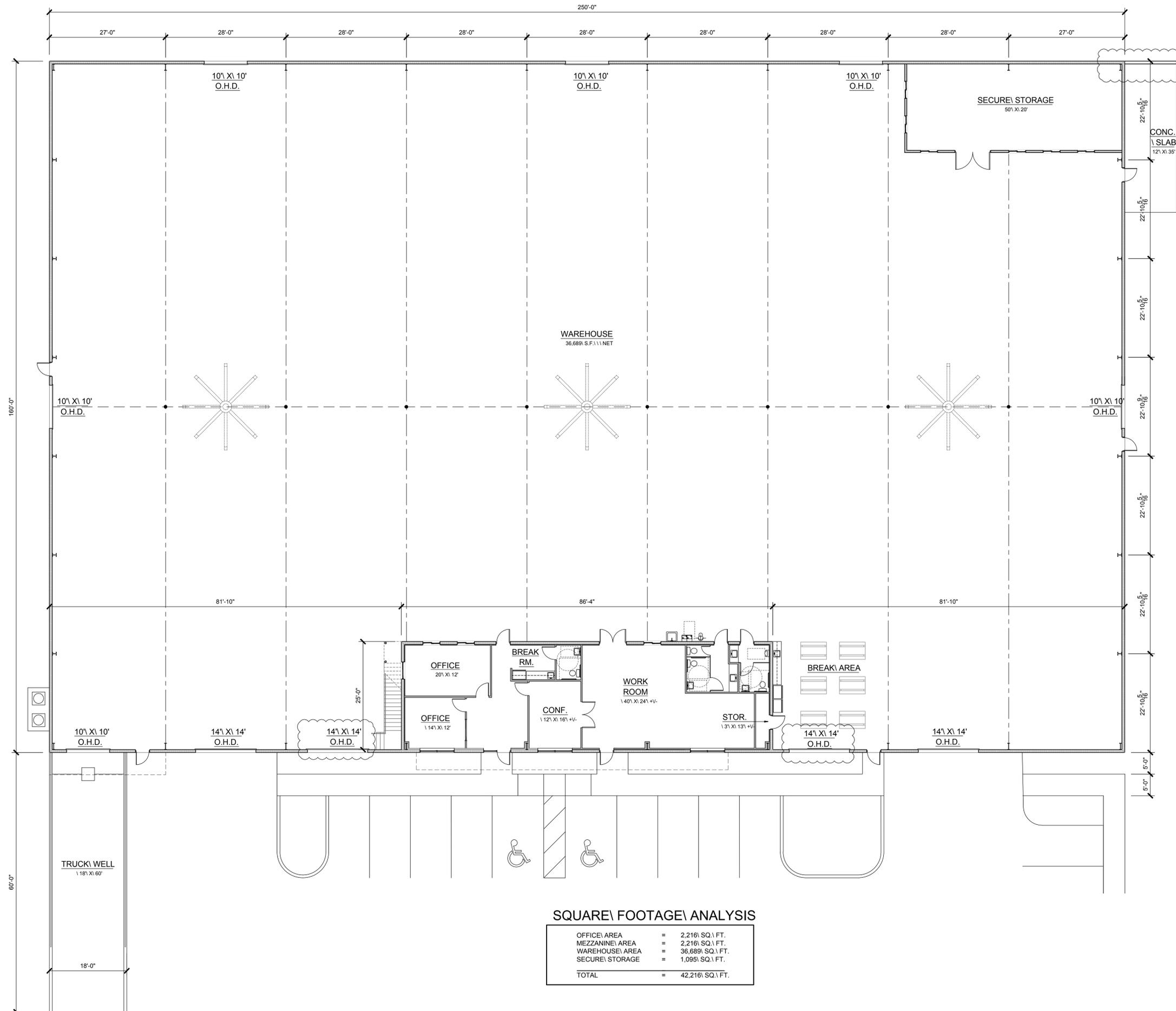
DATE ISSUED: 41 JAN 2016

REVISIONS:
121 JAN 2016

SHEET

SDP1

OF 3



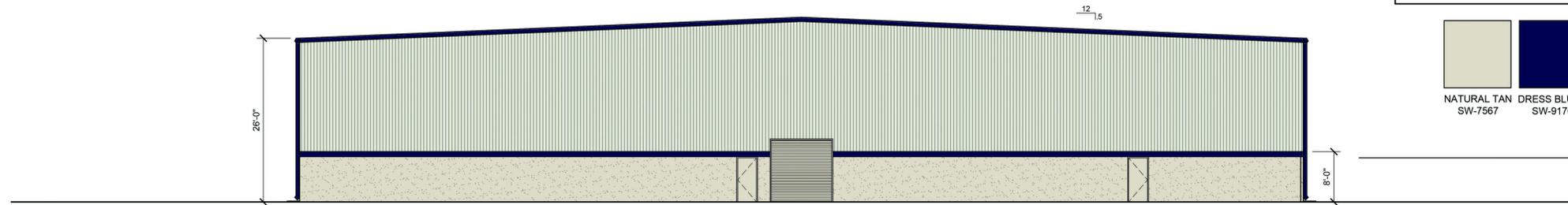
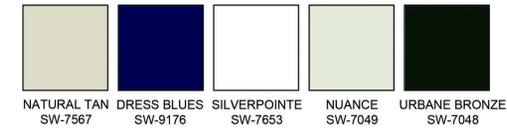
SQUARE FOOTAGE ANALYSIS

OFFICE AREA	=	2,216	SQ. FT.
MEZZANINE AREA	=	2,216	SQ. FT.
WAREHOUSE AREA	=	36,689	SQ. FT.
SECURE STORAGE	=	1,095	SQ. FT.
TOTAL	=	42,216	SQ. FT.

SCHEMATIC FLOOR PLAN

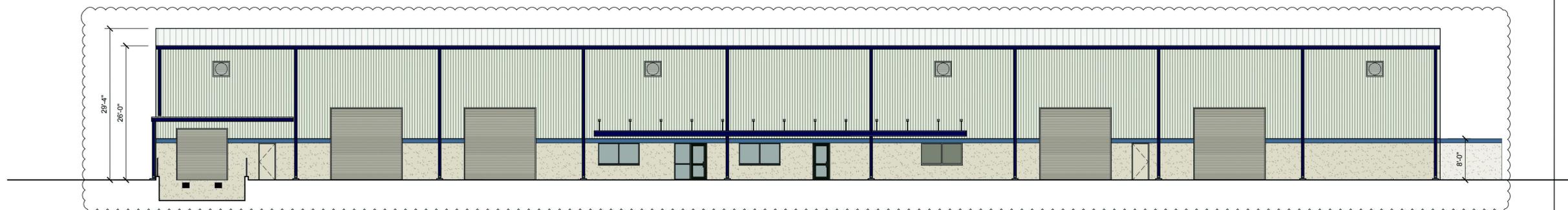
COLORS USED

STUCCO WALL UPPER	SHERWIN WILLIAMS	NATURAL TAN	SW-7567
STUCCO BANDING	SHERWIN WILLIAMS	DRESS BLUES	SW-9176
METAL ROOFING	GALVALUME BY MANU.	EQUAL TO SILVERPOINTE	SW-7653
METAL PANELING	LIGHT STONE BY MANU.	EQUAL TO NUANCE	SW-7049
METAL EAVE/GUTTERS	SHERWIN WILLIAMS	DRESS BLUES	SW-9176
WINDOW FRAME	BRONZE BY MANU.	EQUAL TO URBANE BRONZE	SW-7048



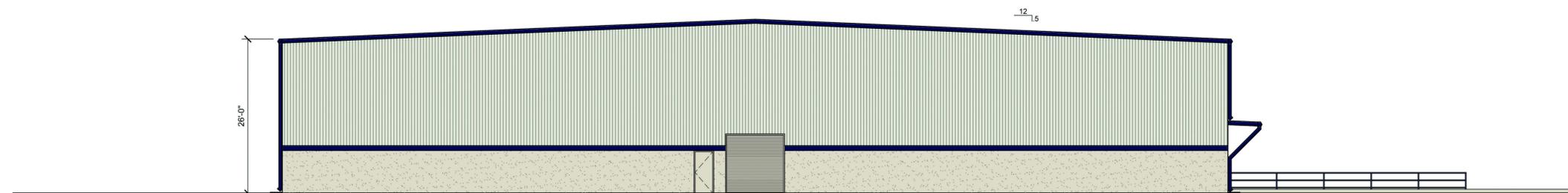
SCHEMATIC NORTH ELEVATION

SCALE: 3/32" = 1'-0"



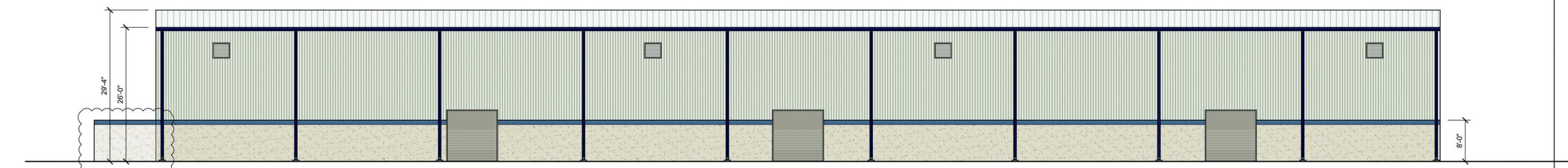
SCHEMATIC EAST ELEVATION

SCALE: 3/32" = 1'-0"



SCHEMATIC SOUTH ELEVATION

SCALE: 3/32" = 1'-0"



SCHEMATIC WEST ELEVATION

SCALE: 3/32" = 1'-0"

**A SCHEMATIC BUILDING DESIGN FOR:
EASTERN METAL SUPPLY**
2ND AVE. NORTH
LAKE WORTH, FLORIDA

CONSULTANT:



ALBERT DAMBROSE
AR93689

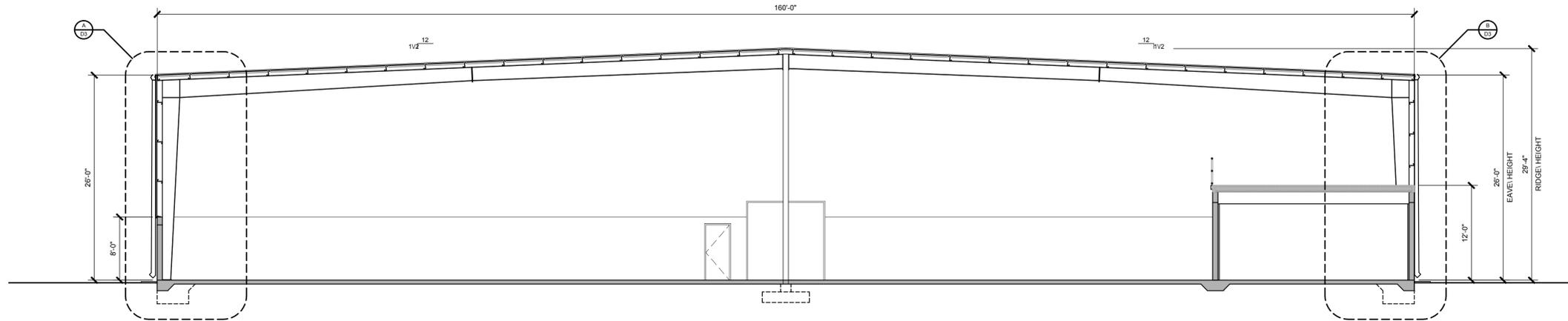
DATE ISSUED: 4 JAN 2016

REVISIONS:
12 JAN 2016

SHEET

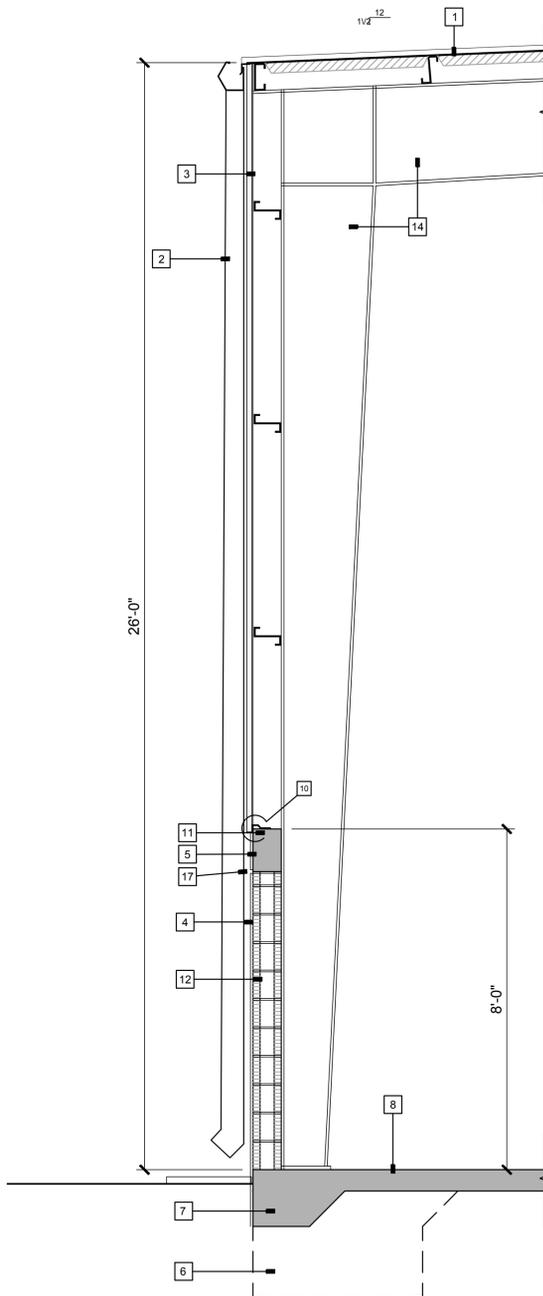
SDP2

OF 3



SCHEMATIC WEST TO EAST BUILDING SECTION

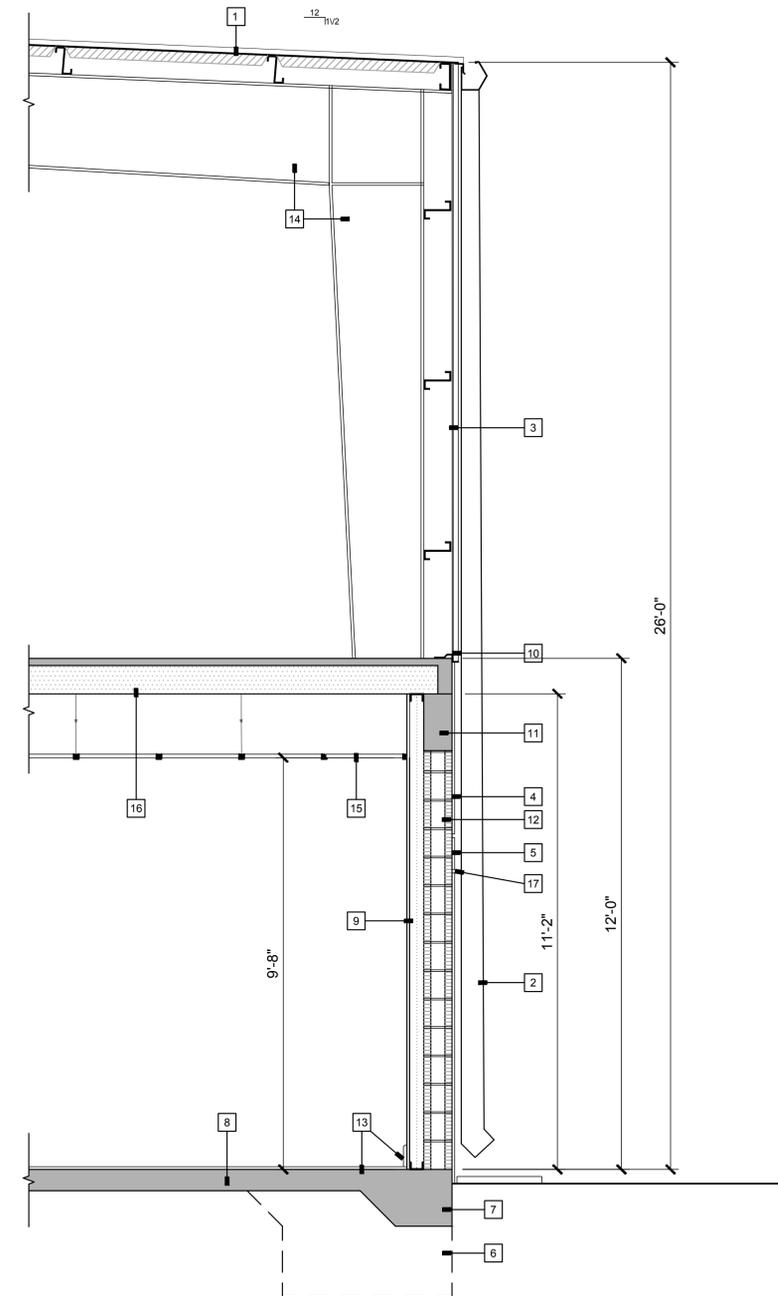
SCALE: 1/8" = 1'-0"



A SCHEMATIC WEST WALL SECTION

D3

SCALE: 1/2" = 1'-0"



B SCHEMATIC EAST WALL SECTION

D3

SCALE: 1/2" = 1'-0"

KEYNOTES

- 1 22 GA. CONCEALED FASTENER, METALLIC SILVER KYNARI COLOR, EQUAL TO SW #7653, "SILVERPOINTE" GALVANIZED STEEL ROOF PANELS ON 8" STEEL PURLINS. PROVIDE 3" VINYL BACKED INSULATION THRU-OUT.
- 2 PAINTED, COLOR, EQUAL TO DRESS, BLUES, SW #9176, CONTINUOUS ROLL FORMED, 24 GA. METAL GUTTER AND DOWNSPOUTS AS SHOWN. PROVIDE CONCRETE SPLASH BLOCKS.
- 3 LIGHT STONE BY METAL BUILDING MANUFACTURER, SIMILAR TO SW #7049, "NUANCE", 26 GA. GALVANIZED STEEL WALL PANELS. THRU-OUT ON 8" STEEL GIRTS PER METAL BUILDING SHOP DRAWINGS.
- 4 5/8" TEXTURED FINISH STUCCO VENEER ON 8" CMU WALL STRUCTURE. PAINTED, COLOR, EQUAL TO SW #7567 "NATURAL TAN".
- 5 5/8" TEXTURED FINISHED STUCCO BAND. PAINTED, COLOR, EQUAL TO SW #7567 "DRESS BLUES".
- 6 CONCRETE PAD FOOTING BEYOND. REFER TO STRUCTURAL SHEETS.
- 7 CONCRETE MONOLITHIC EDGE FOOTING. REFER TO STRUCTURAL SHEETS.
- 8 SMOOTH TROWEL FINISH CONCRETE SLAB. REFER TO STRUCTURAL SHEETS.
- 9 1/2" PAINTED GYPSUM BOARD (MOISTURE RESISTANT BOARD AT HVAC BATH) ONE SIDE OF 4" NOMINAL 20 GA. METAL STUDS AT 16" O.C. WITH CONTINUOUS TOP TRACK AND BOTTOM TRACK SHOT TO SLAB AT 32" O.C. MAX. R-11 BATT INSULATION THROUGHOUT.
- 10 PAINTED METAL BASE FLASHING TO MATCH SIDING COLOR. REFER TO METAL BUILDING SHOP DRAWINGS.
- 11 FORMED CONCRETE TIE BEAM. REFER TO STRUCTURAL SHEETS.
- 12 8" CONCRETE MASONRY UNIT SKIRT WALL CONSTRUCTION. REFER TO STRUCTURAL SHEETS.
- 13 OWNER SELECT BASE AND FLOORING.
- 14 PAINTED PRE-ENGINEERED RIGID STEEL FRAME. REFER TO METAL BUILDING SHOP DRAWINGS.
- 15 24" X 24" LAY-IN ACOUSTICAL TILES IN METAL GRID SYSTEM.
- 16 2" SMOOTH TROWEL CONCRETE TOPPING ON 8" PRECAST HOLLOW CORE CONCRETE PLANKS.
- 17 CONTINUOUS STUCCO SCREED.

A SCHEMATIC BUILDING DESIGN FOR:
EASTERN METAL SUPPLY
2ND AVE. NORTH
LAKE WORTH, FLORIDA

CONSULTANT:



ALBERT J. DAMBROSE
AR93689

DATE ISSUED: 41 DEC 2015

REVISIONS:

NO.	DESCRIPTION

SHEET

SDP3

OF 3



DEPARTMENT for COMMUNITY SUSTAINABILITY
Planning, Zoning and Historic Preservation Division
1900 2nd Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1687

DATE: January 23, 2016

TO: Members of the Planning & Zoning Board

FROM: Curt Thompson, Community Planner
Maxime Ducoste, Planning and Preservation Manager

SUBJECT: **PZB Project Numbers 16-01300001 and 16-00300001** Consideration of:

- A recommendation to the Planning & Zoning Board on a request for a **Small Scale Future Land Use Map Amendment** from a City of Lake Worth Land Use designation of Public (P) to a City of Lake Worth Future Land Use designation of Mixed Use East (MU-E);
- A recommendation to the Planning & Zoning Board on a request for a **Zoning Map Amendment** from a City of Lake Worth Public (P) Zoning District to a City of Lake Worth Mixed Use – East (MU – E) Zoning District.

P&ZB Meeting Date: February 3, 2016

BACKGROUND/ PROPOSAL:

Neighborhood Renaissance, Inc. (“Applicant”) has entered into a contract with the Lake Worth Community Development Agency (“CRA”) to purchase the property located at 110 North F Street (“Property”). The Applicant has also entered into an agreement with the CRA to construct live-work residences for working artists that will be sold to households earning less than 120% of the area median income which is considered affordable housing. Additionally the agreement contemplates construction of additional community/commercial space on the Property (collectively called the “Project”). The CRA has determined that the development is consistent with its Community Redevelopment Plan (the “Redevelopment Plan”), and serves both a municipal and public purpose. The CRA meeting agenda dated August 11, 2015 approving the agreements attached as Exhibit A.

The following is the CRA’s justification for acquiring the Property as previously described:

“The development of new owner-occupied units will bring further stability west of the RR tracks, creating even more of an artist cluster. This development further supports other CRA/City efforts in developing the Artisanal and/or Mixed-Use district and joins projects including the Urban Arts Lofts, the new Lake Worth Arts Center (Armory Arts Annex), the Benzaiten Center for the Creative Arts and the Flamingo Clay Studio. The synergy of artists in this clustered area creates a destination and attraction in a once blighted area.”

“Development of this site addresses the goals and objectives in the CRA’s Redevelopment Plan including:

- Elimination of slum and blighted conditions
- Increase the tax base to generate additional revenues
- Elimination of conditions that decrease property values
- Facilitation of new investment in the redevelopment district
- Encouragement of housing opportunities
- Establishment of a safe, functional and aesthetically pleasing community environment”

The Property was conveyed by the City of Lake Worth (“City”) to the CRA on May 19, 2015 by Quit Claim Deed as recorded in the public records of Palm Beach County on May 26, 2015. The transfer of ownership from the City was authorized by Resolution No. 16-2015. In Section 2 of the ordinance, “The City Commission finds that the property located at 110 N F Street is appropriate for affordable housing and should be conveyed directly to the CRA consistent with Section 2-1 of the City’s code of ordinances...” A copy of the ordinance is attached as Exhibit B.

The Property is located on the northeast corner of Lucerne Avenue and N F Street. The Urban Arts Lofts were built by the CRA on the northwestern and on the southwestern corners of Lucerne and F Street. The project was very successful, as all 12 townhomes were sold and now occupied by working artists. Directly to the south, across Lucerne Avenue is the Lake Worth Arts Center (aka. Armory Arts Annex) that is operated by the Amory Arts Annex. The proposed project is intended to be an extension of the first phase of a growing creative and productive community. The Property contains .4646 acres of land that was previously developed with a 2 story office building occupied by the County Health Department. The building and parking area were demolished in 2015 by the CRA and the Property is currently vacant. The Property is currently zoned Public (P) and its Future Land Use (FLU) is Public (P).

Development of the subject property has no impact to existing or potential designated and/or contributing historic resources. The Property is not in or adjacent to a City Historic District.

The Property is located in an area where the majority of other properties are designated as Mixed Use East (MU-E) in Zoning and on the Future Land Use Map (FLUM). The MU-E zone extends along Lucerne Avenue from the FEC railroad tracks to the west on both sides of the avenue all the way to I-95 with the exception of the Shuffle Board Courts directly south (Public) and the north side of the avenue between C and B Streets (Medium Density Residential). The relevant portion of the Zoning and FLU maps are attached as Exhibit C.

The MU-E designation will allow the development of the property as a combination of residential and commercial uses, and, allow the artists to use a portion of their home for their occupation of producing and selling their work or services “by right”. This ability of the artists to work out of their homes was an important decision factor for the phase 1 buyers and is a major selling point for phase 2. The following principal nonresidential uses permitted by right in the MU-E district and are essential for a working artist to conduct his or her craft or occupation out of his or her home:

- a) Commercial – Low Intensity
- b) Office – Low Intensity
- c) Retail - Low Intensity

- d) Personal Services- Low Intensity
- e) Cultural and Artisanal Arts- Low Intensity
- f) Institutional- Low Intensity
- g) Essential Services
- h) Home occupations

Other Medium Intensity uses are allowed with either administrative or conditional uses in the MU-E district.

ANALYSIS:

The requested Future Land Use Amendment (FLUM) and Rezoning is consistent with the following Objective and Policies of the Future Land Use Element within the City's adopted Comprehensive Plan:

1.1.3 Land Use Classifications

Mixed Use East: Maximum of thirty (30) dwelling units per acre (30 du/acre). Maximum height of 45'. Third story and above allowed with the provision of the Sustainability Bonus Incentive Program (Community Benefits). Maximum 2.0 FAR for non-residential uses. Preferred mix of uses within this land use classification is 25% residential and 75% non-residential. The corresponding zoning districts for this land use category are MU-DH, MU-FH and MU-E.

1.2.2.4 Locational Strategy for the Mixed Use East Category:

The Mixed Use East land use category is intended for mapping along arterials where the existing land use pattern is characterized by a high proportion of office and multi-family uses and/or a high proportion of land (either vacant or with marginally useful structures) that has a good potential for new office, commercial and medium to high density multi-family development. These areas are also 1) located adjacent to the City's central commercial core, and 2) have reasonable development potential.

1.1.3.4 Mixed Use East, maximum 30 du/acre

The Mixed Use East category is intended to provide for a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 25% residential and 75% non-residential. While mixed-use projects are allowed on a single site, it is not a requirement that each site within the category incorporate multiple uses. Zoning regulations implementing the Mixed Use East category shall permit the establishment and expansion of residential (including single family, two-family and multi-family), office, service and commercial retail uses either as uses permitted by right or through conditional use permit provisions. All buildings are required to provide transitional buffering and design features to mitigate impact of the MU-E sites adjacent to residential zoning districts.

Section 23.2-36: Rezoning of Land and Future Land Use Map (FLUM) amendments:

An amendment to the official zoning map processed with the FLUM amendment shall be reviewed based on the following factors:

- a. Consistency. Whether the proposed FLUM amendment would be consistent with the purpose and intent of the applicable Comprehensive Plan policies, Redevelopment Plans, and Land Development Regulations. Approvals of a request to rezone to a planned zoning district may include limitations or requirements imposed on the master plan in order to maintain such consistency.

Staff Response While no formal site plan has been submitted as part of the FLUM and rezoning, The Amendment is consistent with the purpose and intent of the applicable Comprehensive Plan objectives and policies as follows:

1. Definition 1.1.3.4, specifically describes that the Property is located in an area intended as the Mixed Use East district. The Property is located on Lucerne Avenue in an area east of I-95, near of adjacent to the center commercial core and major thoroughfares of the City. The current designation of Public (P) does not allow private residential or commercial uses.
 2. Section 1.2.1.1, Strategy for Delineating Land Use Category Boundaries. The amendment and rezoning will create boundaries that follow recognized parcel boundaries and public right of ways by the Property being the same classification as adjacent properties to the east and west.
 3. Section 1.2.2.4, the Locational Strategy for the MU-E Category is intended for mapping along arterials where the existing land use pattern is characterized by a high proportion of office and multi-family uses and/or a high proportion of land (either vacant or with marginally useful structures) that has a good potential for new office, commercial and medium to high density multi-family development. These areas are also 1) located adjacent to the City's central commercial core, and 2) have reasonable development potential. Predominately all the properties between the central core and I-95 along Lucerne Avenue hold the MU-E designation on the FLUM. The property is highly desirable to be developed as next phase of the Urban Arts Lofts that has revitalized the neighborhood.
- b. Land Use Pattern. Whether the proposed FLUM amendment would be contrary to the established land use pattern, or would create an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM amendments that would result in more desirable and sustainable growth for the community.

Staff Response The Amendment would establish a consistent land use pattern. It would eliminate an isolated land use classification unrelated to adjacent and nearby classifications. It would not constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare.

The following table identifies the FLU and Zoning classification of the adjacent properties:

Adjacent Property Information			
Property Location	Future Land Use	Zoning	Current Use
North	MDR	SF-TF 14	Single Family Home
South	Public	PROS	Shuffle Board Courts
East	MU-E	MU-E	Shopping Center
West	MU-E	MU-E	Residential – Urban Artist Lofts

The Amendment will make the FLU and Zoning consistent with its adjacent properties to the east and west but also fills a gap in the MU-E zoning along Lucerne Avenue. The Mixed Use East land use and zoning designations are the predominate designations on Lucerne Avenue from the FEC railway to Interstate-95 (I-95).

- c. Sustainability. Whether the proposed FLUM amendment would support the integration of a mix of land uses consistent with smart growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.

Staff Response The Amendment will support the integration of a mix of land uses consistent with smart growth and sustainability initiatives. The requested land use designation is complementary to adjacent properties and the area, is accessible to public transportation and provide interconnectivity within the Project and between adjacent properties. The Project is planned as the next phase of the highly successful Urban Arts Lofts that was developed by the CRA a few years ago. All 12 residences are owned and occupied by working artists. Most of the artists live and work from their homes, creating economic activity in the urban area of Lake Worth. The MU-E designation is desirable as it allows the artists to live and work in their properties. Light commercial and occupational activities are allowed by right.

The Amendment makes the Property’s zoning and land use the same as adjacent properties and allows development with complementary uses. The location of the property encourages the use of alternative transportation due to its location on Palm Trans bus routes 61 and 62 that runs east and west (Lake and Lucerne Avenues) and within 3 blocks of route 1. The Lake Worth Tri Rail station is within walking distance, .55 miles to the west. Interconnectivity along Lucerne Avenue is enhanced and extended by a consistent pedestrian experience with active artist workspaces fronting on the street.

While no formal site plan has been submitted as part of this FLUM and Rezoning request, the governing land development regulations, including the sustainable bonus program will encourage smart growth and sustainable initiatives within the site as development takes shape. Smart Growth principals are accomplished by infill development in developed urban area with adequate infrastructure close to grocery, drug and dining establishments. The infill development will further utilized utility and transportation networks without creating sprawl.

- d. Availability of Public Services/Infrastructure. Requests for rezoning to planned zoning districts shall be subject to review pursuant to Section 23.5-2.

Staff Response The applicant recognizes that in order to receive approval of a site plan, the proposed site will need to demonstrate compliance with Section 23.5-2.

- e. Compatibility. The application shall consider the following compatibility factor: Whether the proposed FLUM amendment would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties.

Staff Response The proposed Amendment is compatible with the current and future land uses of the adjacent and nearby properties by making the designation the same as those properties. The Amendment will allow development of the Property consistent with the newly developed Urban Art Lofts to the west and with contemplated development or use of properties along this area of Lucerne Avenue.

- f. Economic Development Impact Determination for Conventional Zoning Districts. For FLUM amendments involving rezoning to a conventional zoning district, the review shall consider whether the proposal would further the City's Economic Development Program, and also determine whether the proposal would: 1) Represent a potential decrease in the possible intensity of development, given the uses permitted in the proposed land use category; and 2) Represent a potential decrease in the number of uses with high probable economic development benefits.

Staff Response The proposed Amendment would further the City's Economic Development Program by bringing more residents and businesses into the City and the neighborhood. The MU-E allows mixed residential and commercial development. The existing designation of Public does not allow either. The MU-E designation allows, "by right", residences to include workspace for West Village Art Flats, 110 North F Street artists' occupational business activity and possibly job opportunities for the citizens of the City. This will expand the City's property tax base and associated taxes generated by commercial activities.

The MU-E designation will encourage mixed development of commercial and residential uses. It will allow increased intensity of development and types of uses on the Property.

Increased commercial activity in the live-work properties and additional residents of the development will support other business already located in the City.

The proposed land use and zoning designations represent an increase in the number of uses with high probable economic development benefits such as employment and expansion of the tax base, while allowing for other mix of uses when compared to the existing Public (P) land use and zoning designation.

- g. Commercial and Industrial Land Supply. The review shall consider whether the proposed FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:

1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or

(2) The proposed FLUM amendment provides substantiated evidence of satisfying at least four of the Direct Economic Development Benefits listed in subparagraph "g" above; and

(3) The proposed FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation.

Staff Response: The proposed FLUM amendment will increase, not reduce, the amount of land available for commercial/industrial development. The MU-E encourages a mix of commercial with residential uses on a property. Neither is allowed under its existing designation of Public.

The proposed FLUM amendment provides substantiated evidence of satisfying the following Direct Economic Development Benefits as listed in subparagraph 4.f. (must meet at least 4):

Benefit (2) The Amendment contributes to the enhancement and diversification of the City's tax base by allowing private ownership and development of the property.

Benefit (3) Meets current market demand for more affordable housing in the City. The first phase of the Urban Arts Lofts which are live-work residences is wildly successful. The ability to work out of one's residence is highly desirable in today's entrepreneurial society.

Benefit (4) Will create new employment opportunities for residents who will occupy and own the residences. The economic activities of the artist residents will most likely conducted on site rather than at an offsite location, possibly not in the City boundary. Most of the residential properties in the City do not allow a business to be conducted within the residence.

Benefit (5) Will promote and utilize innovative method and technologies that promote sustainability. The construction will comply with standards of and be certified by Florida Green Building Coalition at a minimum. The standards cover the building materials, building efficiency, siting and Florida friendly landscaping.

Benefit (7) Will be complementary to existing uses, thus fostering synergy effects.

Benefit (8) Will alleviate blight/economic obsolescence of the subject site. The property is vacant and does not contribute economically to the area nor to the neighborhood's community. The City Council has determined that the property is surplus and not needed or suitable for its future needs.

The proposed FLUM amendment will result in higher valuation than the existing land use which is Public. Public property does not generate economic activity or increased property values since it would be exempt from taxation. Private ownership will increase tax revenues.

- h. Alternative Sites. Whether there are sites available elsewhere in the city in zoning districts which already allow the desired use.

Staff Response There are no alternative sites. The City Council's intention by conveying the property to the CRA was for the development of affordable housing in the CRA's jurisdiction. The affordability factor is being assisted by a grant of funds to the home buyers to make the homes affordable. The funds must be spent within the CRA boundaries. The Property is also planned by the CRA to expand its Urban Arts Lofts initiative which phase 1 is located adjacent.

- i. Master Plan and Site Plan Compliance with Land Development Regulations.

Staff Response Staff will ensure that the proposed project will comply with the site development standards of 23.2-32 and the applicant will provide specific details through the required Site Plan Application approval process subsequent to approval of this request.

CONSEQUENT ACTION:

The Planning and Zoning Board can choose to recommend approval of the application; recommend approval of the application with conditions; continue the hearing to a date certain to request additional information; or recommend denial of the application. The Planning and Zoning Board's

recommendations will be forwarded to the City Commission for consideration at the next available regularly scheduled meeting.

STAFF RECOMMENDATION:

The analysis has shown that the rezoning request meets the applicable standards as indicated above. The rezoning as proposed is in harmony with the underlying future land use and all future proposals shall be subject to the City of Lake Worth's Land Development Regulations. The Land Development Regulations require a conditional land use permit for a hotel use in the Downtown zoning district. Staff recommends that the Planning & Zoning Board approve the following:

- Approval of the Small Scale Future Land Use Map Amendment from Public (P) to assign a Future Land Use designation of Mixed Use East (MU-E);
- Approval of the Zoning Map Amendment from Public (P) to assign an initial zoning of Mixed Use – East (MU - E) District.

POTENTIAL MOTIONS:

I MOVE THAT THE BOARD FORWARD TO THE CITY COMMISSION A RECOMMENDATION TO APPROVE/DISAPPROVE P&ZB Case No. 16-00300001 a Small Scale Future Land Use Map (FLUM) change from a City land use designation of Public (P), to a City of Lake Worth land use designation of Mixed Use East (MU-E).

I MOVE THAT THE BOARD FORWARD TO THE CITY COMMISSION A RECOMMENDATION TO APPROVE/DISAPPROVE P&ZB Case No. 16-01300001: Zoning Map Amendment from a City of Lake Worth Zoning Designation of Public (P), to a City Zoning Designation of Mixed Use – East (MU-E).

LOCATION MAP



Attachments:

- Exhibit A
- Exhibit B
- Exhibit C-1
- Exhibit C-2



West Village Art Flats, 110 North F Street
Justification Statement for
Rezoning and Future Land Use Map Amendment

Neighborhood Renaissance, Inc. (“Applicant”) has entered into a contract with the Lake Worth Community Development Agency (“CRA”) to purchase the property located at 110 North F Street (“Property”). The Applicant has also entered into an agreement with the CRA to construct live-work residences for working artists that will be sold to households earning less than 120% of the area median income which is considered affordable housing. Additionally the agreement contemplates construction of additional community/commercial space on the Property (collectively called the “Project”). The CRA has determined that the development is consistent with its Community Redevelopment Plan (the “Redevelopment Plan”), and serves both a municipal and public purpose. The CRA meeting agenda dated August 11, 2015 approving the agreements attached as Exhibit A.

The following is the CRA’s justification for acquiring the Property as previously described:

“The development of new owner-occupied units will bring further stability west of the RR tracks, creating even more of an artist cluster. This development further supports other CRA/City efforts in developing the Artisanal and/or Mixed-Use district and joins projects including the Urban Arts Lofts, the new Lake Worth Arts Center (Armory Arts Annex), the Benziten Center for the Creative Arts and the Flamingo Clay Studio. The synergy of artists in this clustered area creates a destination and attraction in a once blighted area.”

“Development of this site addresses the goals and objectives in the CRA’s Redevelopment Plan including:

- Elimination of slum and blighted conditions
- Increase the tax base to generate additional revenues
- Elimination of conditions that decrease property values
- Facilitation of new investment in the redevelopment district
- Encouragement of housing opportunities
- Establishment of a safe, functional and aesthetically pleasing community environment”

The Property was conveyed by the City of Lake Worth (“City”) to the CRA on May 19, 2015 by Quit Claim Deed as recorded in the public records of Palm Beach County on May 26, 2015. The transfer of ownership from the City was authorized by Resolution No. 16-2015. In Section 2 of the ordinance, “The City Commission finds that the property located at 110 N F Street is appropriate for affordable housing and should be conveyed directly to the CRA consistent with Section 2-1 of the City’s code of ordinances...” A copy of the ordinance is attached as Exhibit B.

The Property is located on the northeast corner of Lucerne Avenue and N F Street. The Urban Arts Lofts were built by the CRA on the northwestern and on the southwestern corners of Lucerne and F Street. The project is wildly successful, as all 12 townhomes were sold and now occupied by working artists. Directly to the south, across Lucerne Avenue is the Lake Worth Arts Center (aka. Armory Arts Annex)

that is operated by the Amory Arts Annex. The proposed project is intended to be an extension of the first phase of a growing creative and productive community.

The Property contains .4646 acres of land that was previously developed with a 2 story office building occupied by the County Health Department. The building and parking area were demolished in 2015 by the CRA and the Property is currently vacant. The Property is currently zoned Public (P) and its Future Land Use (FLU) is Public (P).

Development of the subject property has no impact to existing or potential designated and/or contributing historic resources. The Property is no in or adjacent to a City Historic District.

The Property is located in an area where the majority of other properties are designated as Mixed Use East (MU-E) in Zoning and on the Future Land Use Map (FLUM). The MU-E zone extends along Lucerne Avenue from the FEC railroad tracks to the west on both sides of the avenue all the way to I-95 with the exception of the Shuffle Board Courts directly south (Public) and the north side of the avenue between C and B Streets (Medium Density Residential). The relevant portion of the Zoning and FLU maps are attached as Exhibit C.

The MU-E designation will allow the development of the property as a combination of residential and commercial uses, and, allow the artists to use a portion of their home for their occupation of producing and selling their work or services "by right". This ability of the artists to work out of their homes was an important decision factor for the phase 1 buyers and is a major selling point for phase 2.

The following principal nonresidential uses permitted by right in the MU-E district and are essential for a working artist to conduct his or her craft or occupation out of his or her home:

- a) Commercial – Low Intensity
- b) Office – Low Intensity
- c) Retail - Low Intensity
- d) Personal Services- Low Intensity
- e) Cultural and Artisanal Arts- Low Intensity
- f) Institutional- Low Intensity
- g) Essential Services
- h) Home occupations

Other Medium Intensity uses are allowed with either administrative or conditional uses in the MU-E district.

The following demonstrates the need and rationale for rezoning and amending the Future Land Use Map for the Property in compliance with Chapter 23, Article 2, Administration, Division 2, Section 23.2.36 Rezoning of Land and Future Land Use Map (FLUM) Amendments.

The applicant is requesting the property be Rezoned and the FLUM amended to Mixed Use East (MU-E) classification, collectively called the "Amendment".

The City's Comprehensive Plan, Section 1.1.3.4 defines the MU-E land use classification as:

"The Mixed Use East category is intended to provide for a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 25% residential and 75% non-residential. While mixed-use projects are allowed on a single site, it is not a requirement that each site within the category incorporate multiple uses. Zoning regulations implementing the Mixed Use East category shall permit the establishment and expansion of residential (including single family, two-family and multi-family), office, service and commercial retail uses either as uses permitted by right or through conditional use permit provisions. All buildings are required to provide transitional buffering and design features to mitigate impact of the MU-E sites adjacent to residential zoning districts."

"Maximum of thirty (30) dwelling units per acre (30 du/acre). Maximum height of 45'. Third story and above allowed with the provision of Community Benefits. Maximum 2.0 FAR for non-residential uses. Preferred mix of uses within this land use classification is 25% residential and 75% non-residential".

Chapter 23, Section 23.2.36, Paragraph 4 "Review Criteria" An amendment to the official zoning map processed with the FLUM amendment shall be reviewed based upon the following factors:

4. a. Consistency

The Amendment is consistent with the purpose and intent of the applicable Comprehensive Plan policies, Redevelopment Plans and Land Development Regulations.

The Amendment is consistent with the purpose and intent of the applicable Comprehensive Plan objectives and policies as follows:

1. Definition 1.1.3.4, specifically describes that the Property is located in an area intended as the Mixed Use East district. The Property is located on Lucerne Avenue in an area east of I-95, near of adjacent to the center commercial core and major thoroughfares of the City. The current designation of Public (P) does not allow private residential or commercial uses.
2. Section 1.2.1.1, Strategy for Delineating Land Use Category Boundaries. The amendment and rezoning will create boundaries that follow recognized parcel boundaries and public right of ways by the Property being the same classification as adjacent properties to the east and west.
3. Section 1.2.2.4, the Locational Strategy for the MU-E Category is intended for mapping along arterials where the existing land use pattern is characterized by a high proportion of office and multi-family uses and/or a high proportion of land (either vacant or with marginally useful

structures) that has a good potential for new office, commercial and medium to high density multi-family development. These areas are also 1) located adjacent to the City's central commercial core, and 2) have reasonable development potential. Predominately all the properties between the central core and I-95 along Lucerne Avenue hold the MU-E designation on the FLUM. The property is highly desirable to be developed as next phase of the Urban Arts Lofts that has revitalized the neighborhood.

4. Objective 1.3.1: The Amendment will eliminate and reduce land uses inconsistent with the community character by making the Property's zoning and FLU the same as adjacent properties.
5. Objective 1.3.2: To achieve a simple land use pattern with a higher degree of use compatibility within each land use category is achieved if the Property's zoning and FLUM designations are the same as adjacent properties and the corridor along Lucerne Avenue.
6. Objective 1.3.4: To encourage redevelopment and renewal of blighted areas and to promote the rehabilitation and restoration of older structures. The objective will be achieved by the MU-E designation. The Property is located within the CRA boundary and the CRA was created to make investments that will eliminate blight, increase property values and encourage economic activity within its boundaries. The Project is also part of the CRA's Redevelopment Plan.
7. Policy 1.3.4.1: Redevelopment opportunities shall be maximized through activities of the Community Redevelopment Agency to operate within the Redevelopment Area as shown on the Future Land Use Plan. The property was conveyed to the CRA by the City for development as affordable housing and the CRA desires more live work housing in this area. The CRA economic and community development strategy for the area includes expansion of the community of artists that live and work in the West Village.
8. Policy 1.3.4.4: Redevelopment opportunities will be maximized through use of mixed land use designations that permit a flexible mix of multi-family residential and compatible office uses.
9. Policy 1.3.4.5: Redevelopment with commercial or office uses in locations that are presently devoted to residential uses, but would be more suitable for commercial or office uses, will be encouraged through use of mixed land use designations. Lucerne Avenue is currently built out with a mix of commercial buildings, mixed use buildings, multi-family and single family homes. The CRA's Redevelopment Plan for the area is a mix of uses and encourage more varied commercial uses and providing more housing.
10. Objective 1.3.9: The City shall discourage the proliferation of urban sprawl and shall facilitate a compact urban development pattern that provides opportunities to more energy efficient use and develop infrastructure, land, and other resources and services by concentrating more intensive growth within the City's mixed use, high density residential and TOD areas.
11. Policy 1.3.9.1 The City shall further discourage urban sprawl by:
 - 2 applies: Requiring in all future development and redevelopment in the City, land use patterns that are non-strip in nature and demonstrate the ability to attract and encourage a functional mix of uses.

12. Policy 1.6.1.2: The City shall support redevelopment with recommended regulations pertaining to height, density, and design, mixed use, neighborhood compatibility and protection of historic resources. The area is in the CRA redevelopment area, supports the redevelopment of an older urban area and allows infill development on a vacant lot. The Property is not in a designated Historic District.
13. Policy 1.7.1.4: The City and CRA will continue to implement the Redevelopment Plan, and review and update the plan as necessary.
14. Policy 1.7.5.1: The City will continue to support operation of the CRA in assembly of lots for redevelopment.
15. Policy 3.1.2.1: Amendments to the zoning ordinance and other development regulations shall retain principles and criteria for guiding the location of adult congregate living facilities, group homes, housing for low and moderate income households, mobile homes, and foster homes in a manner consistent with State laws and more explicitly in conformity with Florida Statutes.
16. Policy 3.2.2.3: The City shall ensure compatibility of new affordable housing developments with existing characteristics by proactively seeking projects that integrate adaptive re-use, missed use, and offer affordable housing solutions through site plan review and design guidelines.

Redevelopment Plan:

The Amendment will support the Redevelopment Plan. See Exhibit A – CRA meeting agenda item approving the project.

4. b. Land Use Pattern

The Amendment would establish a consistent land use pattern. It would eliminate an isolated land use classification unrelated to adjacent and nearby classifications. It would not constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare.

The following table identifies the FLU and Zoning classifications of the adjacent properties:

Adjacent Property Information			
Property Location	Future Land Use	Zoning	Current Use
North	MDR	SF TF 14	Single Family Home
South	Public	PROS	Shuffle Board Courts
East	MU-E	MU-E	Shopping Center
West	MU-E	MU-E	Residential – Urban Artist Lofts

The Amendment will make the FLU and Zoning consistent with it adjacent properties to the east and west but also fill a gap in the MU-E zoning along Lucerne Avenue. MU-E is the predominate designation on Lucerne Avenue from the FEC railway to I-95.

4. c. Sustainability

The Amendment will support the integration of a mix of land uses consistent with smart growth and sustainability initiatives. The requested land use designation is complementary to adjacent properties and the area, is accessible to public transportation and provide interconnectivity within the Project and between adjacent properties. The Project is planned as the next phase of the highly successful Urban Arts Lofts that was developed by the CRA a few years ago. All 12 residences are owned and occupied by working artists. Most of the artists live and work from their homes, creating economic activity in the urban area of Lake Worth. The MU-E designation is desirable as it allows the artists to live and work in their properties. Light commercial and occupational activities are allowed by right.

The Amendment makes the Property's zoning and land use the same as adjacent properties and allows development with complementary uses.

The location of the property encourages the use of alternative transportation due to its location on Palm Trans bus routes 61 and 62 that runs east and west (Lake and Lucerne Avenues) and within 3 blocks of route 1. The Lake Worth Tri Rail station is within walking distance, .55 miles to the west.

Interconnectivity along Lucerne Avenue is enhanced and extended by a consistent pedestrian experience with active artist workspaces fronting on the street.

Smart Growth principals are accomplished by infill development in developed urban area with adequate infrastructure close to grocery, drug and dining establishments. The infill development will further utilized utility and transportation networks without creating sprawl.

4. d. Availability of Public Services/Infrastructure

This section applies to planned zoning districts and is not applicable to this application.

4. e. Compatibility.

The proposed Amendment is compatible with the current and future land uses of the adjacent and nearby properties by making the designation the same as those properties. The Amendment will allow development of the Property consistent with the newly developed Urban Art Lofts to the west and with contemplated development or use of properties along this area of Lucerne Avenue.

4. f. Does not apply to the Amendment. Applies to planned zoning districts.

4. g. Economic Development Impact Determination for Conventional Zoning Districts.

The proposed Amendment would further the City's Economic Development Program by bringing more residents and businesses into the City and the neighborhood.

The MU-E allows mixed residential and commercial development. The existing designation of Public does not allow either. The MU-E designation allows, "by right", residences to include workspace for

artists' occupational business activity and possibly job opportunities for the citizens of the City. This will expand the City's property tax base and associated taxes generated by commercial activities.

The MU-E designation will encourage mixed development of commercial and residential uses. It will allow increased intensity of development and types of uses on the Property. Increased commercial activity in the live-work properties and additional residents of the development will support other business already located in the City.

The Amendment will increase not decrease the number of uses with "high probable economic development benefits such as employment and expansion of tax base". The Amendment will increase the benefits compared to its existing designation as Public.

4. h. Commercial and Industrial Land Supply

The proposed FLUM amendment will increase, not reduce, the amount of land available for commercial/industrial development. The MU-E encourages a mix of commercial with residential uses on a property. Neither is allowed under its existing designation of Public.

The proposed FLUM amendment provides substantiated evidence of satisfying the following Direct Economic Development Benefits as listed in subparagraph 4.f. (must meet at least 4):

Benefit (2) The Amendment contributes to the enhancement and diversification of the City's tax base by allowing private ownership and development of the property.

Benefit (3) Meets current market demand for more affordable housing in the City. The first phase of the Urban Arts Lofts which are live-work residences is wildly successful. The ability to work out of one's residence is highly desirable in today's entrepreneurial society.

Benefit (4) Will create new employment opportunities for residents who will occupy and own the residences. The economic activities of the artist residents will most likely conducted on site rather than at an offsite location, possibly not in the City boundary. Most of the residential properties in the City do not allow a business to be conducted within the residence.

Benefit (5) Will promote and utilize innovative method and technologies that promote sustainability. The construction will comply with standards of and be certified by Florida Green Building Coalition at a minimum. The standards cover the building materials, building efficiency, siting and Florida friendly landscaping.

Benefit (7) Will be complementary to existing uses, thus fostering synergy effects.

Benefit (8) Will alleviate blight/economic obsolescence of the subject site. The property is vacant and does not contribute economically to the area nor to the neighborhood's community. The City Council has determined that the property is surplus and not needed or suitable for its future needs.

The proposed FLUM amendment will result in higher valuation than the existing land use which is Public. Public property does not generate economic activity or increased property values since it would be exempt from taxation. Private ownership will increase tax revenues.

4. i. Alternative Sites

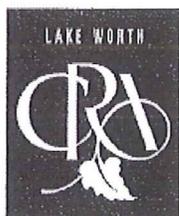
There are no alternative sites. The City Council's intention by conveying the property to the CRA was for the development of affordable housing in the CRA's jurisdiction. The affordability factor is being assisted by a grant of funds to the home buyers to make the homes affordable. The funds must be spent within the CRA boundaries. The Property is also planned by the CRA to expand its Urban Arts Lofts initiative which phase 1 is located adjacent.

4. j. Master Plan and Site Plan Compliance with Land Development Regulations

The Project will comply with the site development standards of 23.2-32 and will provide specific details through the required Site Plan Application approval process subsequent to approval of the Amendment.

EXHIBIT A – CRA AGENDA ITEM

VIII. a.



LAKE WORTH
COMMUNITY REDEVELOPMENT AGENCY
29 SOUTH J STREET
LAKE WORTH, FLORIDA 33460-3787
www.lakeworthcra.org

Phone: (561) 493-2550
Fax: (561) 493-2549

MEMORANDUM

TO: Chair, Vice-Chair and Members of the Board
FROM: Joan C. Oliva, Executive Director
DATE: August 11, 2015
SUBJECT: Development Agreement for West Village

EXPLANATION:

Under the approved Action Plan in the NSP-2 application, the Lake Worth Consortium is tasked with the acquisition, rehabilitation and construction of 100 housing units. The LW-CRA is responsible for the purchase of all foreclosed and/or abandoned properties that fit the guidelines within the target area. Along with the responsibility of acquisition comes the need for Tier II environmental, State Housing and Preservation Office letters of inquiry, lead and asbestos testing, the clearing of title and any code fines, ordering surveys and appraisals, creating files and the reporting of all activities in the federal on-line system.

In April 2015, the Board approved a conceptual site plan and development proposal for 110 N F Street. The property, formerly owned by the County Health Department was donated to the City in 2013. Since that time, the building remained vacant and continued to deteriorate. This May the City conveyed the property to the CRA for the development of additional NSP-funded arts lofts. To date, the CRA paid just over \$23K for environmental testing, a historic review, a survey and structural demolition.

Neighborhood Renaissance (NR) and the CRA executed a Memorandum of Understanding (MOU) earlier this year in preparation for the development of an NSP-funded project, West Village (Exhibit "A"). Since that time Staff from both the CRA and Neighborhood Renaissance have been meeting with the City to discuss design, unit number and type and financing options.

As a partner in the development of West Village, the CRA is contributing the land and an additional \$700K to help defray development costs. The \$700K in NSP funds will be used to pay for impact fees, permit fees, water and sewer connections and other necessary fees and infrastructure costs such as recording and closing costs, engineering and architectural fees, the bond application, utility relocation and other fees that all constitute NSP-2 eligible expenses.

The development agreement is an Exhibit to the Purchase and Sale agreement. The Purchase and Sale agreement complete with the development agreement and other exhibits is attached as Exhibit "B".

Highlights of the Development Agreement include the following:

- All units must be sold to Artists who meet the established definition
- The development will include up to 11 owner occupied live/work residential units, all offered at 120% or less of AMI (Exhibit "C"), at least 2000 square feet of community/commercial space for cultural uses plus garages and amenities
- The project must become Florida Green Building Certified
- The CRA shall participate in the recruitment of interested artists
- The CRA will use NSP funds to establish an initial maintenance reserve of \$25K for the to-be-established HOA
- Up to \$12K in NSP funds will be used for down payment assistance for qualified buyers
- Other than the Grant money provided by the CRA, Neighborhood Renaissance is responsible for securing all other necessary financing for the construction of the project
- CRA Board has the right to approve the design of the Project

The development of this site will put the Lake Worth Consortium well over our stated 100 unit goal in the NSP-2 Action Plan. With the addition of these eleven new units, the total number of NSP developed units increases to 176.

The development of new owner-occupied units will bring further stability west of the RR tracks, creating even more of an artist cluster. This development further supports other CRA/City efforts in developing the Artisanal and/or Mixed-Use district and joins projects including the Urban Arts Lofts, the new Lake Worth Arts Center, the Benzaiten Center for the Creative Arts and the Flamingo Clay Studio. The synergy of artists in this clustered area creates a destination and attraction in a once blighted area.

Development of this site addresses many of the goals and objectives in the CRA's Redevelopment Plan including:

- Elimination of slum and blighted conditions
- Increase the tax base to generate additional revenue
- Elimination of conditions that decrease property values
- Facilitation of new investment in the redevelopment district
- Encouragement of housing opportunities
- Establishment of a safe, functional and aesthetically pleasing community environment

REQUEST:

Staff requests the Board approve the Purchase and Sale agreement between Neighborhood Renaissance Inc. and the CRA.

EXHIBIT B – CITY COUNCIL AGENDA



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1750

AGENDA DATE: May 5, 2015 Regular Meeting **DEPARTMENT:** Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 16-2015 – declare 21 properties as surplus and directing the method of sale

SUMMARY:

The Resolution authorizes the review of a city-owned inventory list and determination if any are appropriate for affordable housing, needed for city purposes, or to be offered for sale.

BACKGROUND AND JUSTIFICATION:

State statute and City ordinance require the City Commission to review the list of all real property within the City limits to which the city holds fee simple title. The City Commission must review the list at a public hearing and make a determination if any of the properties are appropriate for affordable housing. If the properties are not appropriate for affordable housing, the Commission must determine if the properties are unusable or not needed for city purposes. The properties that are not appropriate for affordable housing and not usable or needed for city purposes, may be sold by competitive sealed bids or by request for proposal.

Staff has identified 21 properties to be reviewed (all 21 properties are identified on the attached list by PCN, address and legal description). Staff recommends that the City Commission find that the property at 110 North E. Street is appropriate for affordable housing and convey the same to the Lake Worth Community Redevelopment Agency. Staff also recommends that the City Commission find that the remaining 20 properties are not appropriate for affordable housing and not usable or needed for city purposes and should be disposed of as follows:

- | | | |
|-----|------------------------|---|
| 1. | 313 North M Street | RFP with Historic New Construction Covenant |
| 2. | 431 North L Street 1 | Sealed Bid with Historic Restoration Covenant |
| 3. | 622 North H Street | RFP |
| 4. | 601 North E Street | RFP |
| 5. | 639 Washington Avenue | RFP |
| 6. | 711 North L Street | RFP with Historic New Construction Covenant |
| 7. | 416 3rd Avenue South 1 | RFP with Historic New Construction Covenant |
| 8. | 1203 18th Avenue North | RFP with Multiple Parcel Potential |
| 9. | 1506 South J Street | RFP |
| 10. | 431 North K Street | RFP with Historic New Construction Covenant |
| 11. | 624 Highland Avenue | RFP |
| 12. | 1526 Wingfield Street | RFP |
| 13. | 1756 14th Avenue South | RFP |
| 14. | 1101 South E Street | RFP |
| 15. | 626 Latona Avenue | RFP |
| 16. | 628 North K Street | RFP with Historic New Construction Covenant |

- | | | |
|-----|---------------------------|------------------------------------|
| 17. | 629 South H Street | RFP |
| 18. | 1527 South Douglas Street | RFP with Multiple Parcel Potential |
| 19. | 304 South F Street | RFP |
| 20. | 732 South C Street | RFP with Multiple Parcel Potential |

Successful disposition of these properties will accomplish returning the properties to productive use and back onto the City's tax roll, eliminate potential blight, reduce on-going maintenance costs, reduce exposure to liability and help offset the City's current fiscal situation.

MOTION:

I move to approve/not approve Resolution No. 16-2015.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution
Property List

16-2015

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RESOLUTION NO. 16-2015 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING TWENTY-ONE PROPERTIES ON THE INVENTORY LIST OF ALL CITY OWNED PROPERTY AS SURPLUS; FINDING ONE PROPERTY APPROPRIATE FOR AFFORDABLE HOUSING; FINDING TWENTY PROPERTIES NOT USABLE FOR CITY PURPOSES AND NOT APPROPRIATE FOR AFFORDABLE HOUSING; DIRECTING THE METHOD OF SALE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 2-1 of the City's code of ordinances requires the City Commission to review a list of all real property within the city limits to which the city holds fee simple title; and

WHEREAS, this review must occur at a public hearing to determine if any property is appropriate for affordable housing and, if not, whether usable or needed for city purposes; and

WHEREAS, if a property is appropriate for affordable housing, the City may sell it (and use the proceeds for further affordable housing development); sell it with restrictions for affordable housing; or, donate it to a nonprofit housing organization for permanent affordable housing; and

WHEREAS, for property to be conveyed to the Lake Worth Community Redevelopment Agency (CRA), the City Commission may waive the sale requirements of Section 2-1; and

WHEREAS, if a property is not appropriate for affordable housing and is not usable or needed for city purposes, the City Commission may authorize its sale; and

WHEREAS, the City Commission has reviewed the list of twenty-one (21) properties (attached hereto and incorporated herein) and has determined that all such properties are surplus and not need by the City for its purposes; and

WHEREAS, the City Commission has specifically determined that one (1) property is appropriate for affordable housing and that twenty (20) properties are not appropriate for affordable housing and are unusable; and

WHEREAS, the City Commission finds declaring the twenty-one (21) properties surplus and as further set forth herein as serving a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA:

Section 1. The foregoing WHEREAS provisions are adopted herein as true and correct statements and findings of the City Commission.

Pg. 2, Reso. 16-2015

49
50 Section 2. The City Commission finds that the property located at 110
51 N. F Street is appropriate for affordable housing and should be conveyed directly
52 to the CRA consistent with Section 2-1 of the City's code of ordinances (without
53 a minimum bid amount or by sale).

54
55 Section 3. For the other twenty (20) properties, the City Commission
56 finds that the properties are not usable, not needed for city purposes and are not
57 appropriate for affordable housing and are to be sold by the following methods:

- 58
59 1. 313 North M Street RFP with Historic New Construction Covenant
60 2. 431 North L Street 1 Sealed Bid with Historic Restoration Covenant
61 3. 622 North H Street RFP
62 4. 601 North E Street RFP
63 5. 639 Washington Avenue RFP
64 6. 711 North L Street RFP with Historic New Construction Covenant
65 7. 416 3rd Avenue South 1 RFP with Historic New Construction Covenant
66 8. 1203 18th Avenue North RFP with Multiple Parcel Potential
67 9. 1506 South J Street RFP
68 10. 431 North K Street RFP with Historic New Construction Covenant
69 11. 624 Highland Avenue RFP
70 12. 1526 Wingfield Street RFP
71 13. 1756 14th Avenue South RFP
72 14. 1101 South E Street RFP
73 15. 626 Latona Avenue RFP
74 16. 628 North K Street RFP with Historic New Construction Covenant
75 17. 629 South H Street RFP
76 18. 1527 South Douglas Street RFP with Multiple Parcel Potential
77 19. 304 South F Street RFP
78 20. 732 South C Street RFP with Multiple Parcel Potential
79

80 Section 4. Effective Date. This Resolution shall take effect immediately
81 upon its adoption.

82
83 The passage of this Resolution was moved by Commissioner _____,
84 seconded by Commissioner _____, and upon being put to a vote, the vote
85 was as follows:

86
87 Mayor Pam Triolo
88 Vice Mayor Scott Maxwell
89 Commissioner Christopher McVoy
90 Commissioner Andy Amoroso
91 Commissioner Ryan Maier
92

Pg. 3, Reso. 16-2015

93 Mayor Pam Triolo thereupon declared this Resolution duly passed and
94 adopted on the 5th day of May, 2015.

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100

LAKE WORTH CITY COMMISSION

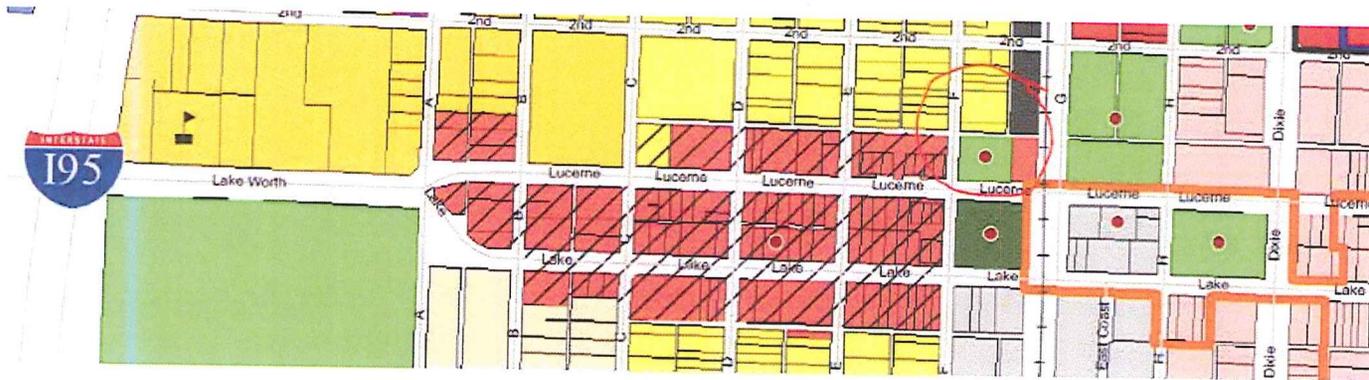
By: _____
Pam Triolo, Mayor

101 ATTEST:

102
103
104
105

Pamela J. Lopez, City Clerk

Exhibit C-1 Future Land Use



17 | Page



Exhibit C-2 Zoning Map



Single Family Residential (SFR)	Mixed Use - East (MU-E)	Artisanal Industrial (AI)	Historic Preservation Districts	Arts Overlay District
Mobile Home Residential, 7 du/net acre (MH-7)	Mixed Use - West (MU-W)	Neighborhood Commercial (NC)	College Park	Municipal Boundary
Single Family and Two-Family Residential (SF-TF-14)	Mixed Use - Dixie Highway (MU-D)(IE)	Beach and Casino (BAC)	North East Lucerne	Residential Planned Development
Low-Density Multi-Family Residential, 20 du/net acre (MF-20)	Mixed Use - Federal Highway (MU-FH)	Public (P)	Old Lucerne	City Owned Property
Medium-Density Multi-Family Residential, 30 du/net acre (MF-30)	Transit Oriented Development East (TOD-E)	Public Recreation and Open Space (PROS)	Old Town	PBC School Board Property
High-Density Multi-Family Residential, 40 du/net acre (MF-40)	Transit Oriented Development West (TOD-W)	Conservation (CON)	South East Lucerne	
Downtown (DT)	Industrial - Park of Commerce (I-POC)	Palm Beach County Zoning (PBC)	South Palm Park	



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1687

MEMORANDUM DATE: January 19, 2016

AGENDA DATE: February 3, 2015

TO: Members of the Planning & Zoning Board

RE: Land Development Regulations (LDRs)

FROM: William Waters, Director
Maxime Ducoste, Planning and Preservation Manager
Department for Community Sustainability

TITLE: ~~PZB/HRPB Project Number 16-02900001~~: Consideration of recommendation to the City Commission concerning a proposed amendment to Chapter 23 (Land Development Regulations) of the Lake Worth Code of Ordinances.

BACKGROUND AND JUSTIFICATION:

On August 6, 2013 the City of Lake Worth adopted Chapter 23 – Land Development Regulations of the Code of Ordinances. The LDRs include six (6) articles governing all development within the city. They are Article I – General Provisions, Article II – Administration, Article III – Zoning Districts, Article IV – Development Standards, Article V – Supplemental Regulations, and Article VI – Environmental Regulations.

As the code progresses, staff acknowledges that some aspects require clarification and edits/additions to provide consistency, improve understanding and facilitate implementation as well as address issues that have arisen over the past year. Attachment 1 of this report includes the proposed ordinance and a highlight/strike-thru version of those sections of the code which are proposed to be amended.

In this round of amendments, following the joint Planning and Zoning Board and Historic Resources Preservation Board workshop conducted on December 16, 2015 we are proposing to amend the following sections: Article 1 - Section 23.2-12 Definitions; Article 2 - Division 1: Administration, Section 23.2-15 – Summary of the Notice Requirements for Public Hearing; Section 23.2-30, Site Plan Review; Section 23.3-6, Permitted Use Table; Section 23.4-3, Exterior Lighting; Section 23.4-6, Home Occupations; Section 23.4-10, Off-Street Parking; Section 23.5-1 Signs; and Section 23.6-1, Landscape Regulations.

As such, Staff is proposing these amendments as a solution to some of the aspects confronted during last year and are a solution to items discussed in the joint workshop held on December 16, 2015. The proposed amendments also will go before the Historic Resources Preservation Board (HRPB) next week at its regularly scheduled meeting of February 10, 2016. The first hearing of the ordinance before the City Commission is tentatively scheduled for the regularly scheduled meeting on March 1, 2016.



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1687

POTENTIAL MOTION:

I MOVE TO RECOMMEND/NOT RECOMMEND DENY PZB/HRPB 16-02900001: Proposed amendments to Chapter 23 (Land Development Regulations) of the Lake Worth Code of Ordinances.

ATTACHMENTS:

Proposed Ordinance No. 2016-XX Amendments to Chapter 23 (Land Development Regulations) – Inclusive of Attachments A through I.

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	PD	P	PROS	CON	FEC	HOTEL	
RESIDENTIAL																											
Dwelling, Single Family	P	P		P	P	P			P			P									P						
Dwelling, Mobile Home			P																								
Dwelling, Two-Family		P		P	P	P			P			P									P						
Dwelling, Multifamily				P	P	P	P	P	P	P	P	P	P	P	P	P			C		P						
Mobile Home Park			P																								
Townhouses		C		C	C	C	C	C	C	C	C	C	C	C	C	C			C		P						
Accessory Dwelling Unit		P		P	P	P	P	P	P	P		P															
Accessory Mechanical Equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Accessory Structure(s)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P		P						
Assisted Living Centers/Facilities			C	C	C	C						C		C													
Family Day Care (Accessory to Residence per Florida Statutes)	P	P		P	P	P			P	P	P	P	P	P							P						
Boarding House				C	C	C	C	C	C	C									C								
Nursing Homes/Facilities			C	C	C	C						C		C													
Retirement Homes/Facilities			C	C	C	C						C		C													
Community Residences, Type I (6 or less residents) - Former Group Home	P	P		P	P	P	P	P	P	P		P															
Community Residences, Type II (7-14) - Former Group Home				C	C	C	C	C	C	C			C	C													
Community Residences, Type III										C		C	C	C								C					
Community Residences, Type IV													C	C								C					

	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	PD	P	PROS	CON	FEC	HOTEL	
TYPE/USE																											
RETAIL																											
High Intensity Retail Uses - Greater than 7,500 sq. ft.																											
Drive Through Facilities													C	C													
Drug Store Full Service							C	C		C		C	C	C	C												
Grocery Store Regional							C	C		C		C	C	C	C												
Home Improvement Center													C	C													
Produce Market							C			C	C		C	C	C	C											
Liquor Store							C			C	C		C	C													
Merchant Retail Stock (Reference Ordinance Chapter 14)							C			C	C		C	C	C	C											
Auto, Boat, Cycle, RV Sales See Automotive/Vehicular Use Section																											
Single Destination Retail							C	C	C	C	C		C	C	C	C	C			C							
Stand Alone Retail											C		C	C													
TYPE/USE																											
Medium Intensity Retail Uses - Less than 7,500 sq. ft.																											
Convenience Stores (Maximum 7,500 sq. ft.)							A	C					A	C	A	C											
Drive Through Facilities													C	C													
Drug Store Full Service							A		A		A		A	A	A	A											
Drug Store Limited Service							A				A		A	A	A	A											
Grocery Store Neighborhood							A			A			A	A	A	A											
Home Improvement Center											C			A	A												
Liquor Store							C			C	C		C	C													
Produce Market							A			A	A		A	A	A	A											
Single Destination Retail							P	P	P	P	P		P	P	P	P	P			P							
Specialty Retail							A		A			P		P	P	P	P			P							
Stand Alone Retail							A		A	A			A	A	A	A				A							
Specialty Food Product Stores							A		A	A			A	A	A	A											
Sundry Shop							A		A	A	A		A	A	A	A	A		P	A							
TYPE/USE																											
Low Intensity Retail Uses - Less than 2,500 sq. ft.																											
Gift Boutiques							P	P	P	P	P		P	P	P	P			P	P							
Hobby Shops							P	P	P	P	P		P	P	P	P				P							
Produce Market							A			A	A		A	A	A	A						A					
Grocery Store Neighborhood							A			A			A	A	A	A											
Single Destination Retail							P	P	P	P	P		P	P	P	P	P			P							
Specialty Food Product Stores							P	P	P	P	P		P	P	P	P	P			P							
Specialty Retail							P		P				P	P	P	P			P	P							
Sundry Shop							P		P	P			P	P	P	P			P	P			P				
Tobacco Shop							P						P	P	P	P				P							

	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	PD	P	PROS	CON	FEC	HOTEL
TYPE/USE																										
COMMERCIAL																										
High Intensity Commercial Uses - Greater than 7,500 sq. ft.																										
Bars/ Clubs with or without live entertainment											C		C	C	C	C			C							
Bars/clubs with live entertainment											C		C	C					C							
Cold Storage																			C	C						
Contractor (Office with no outdoor storage yard)							C						C	C					C	C						
Contractor (Office with outdoor storage yard)																				C						
Dead Storage Facilities														C					C	C						
Drive Through Facilities									C	C			C	C												
Eating and Drinking Establishments, w/ Drive Through									C	C			C	C												
Eating and Drinking Establishments, w/o Drive Through									C	C			C	C												
Financial Institution w/ Drive Through									C	C	C		C	C	C	C										
High Intensity Financial Institution Financial Institution w/o Drive Through							C		C	C	C	C	C	C	C	C										
Hotels							C		C		C	C	C	C	C	C										C
Indoor Commercial Recreation (Reference Ordinance Chapter 14)													C	C					C	C						
Laundry Facilities - Public							C						C	C	C	C										
Linen service/uniform service																					C					
Printing Services							C			C	C		C	C	C	C			C	C						
Mini-Warehouses													C	C					C	C						AC
Motels							C	C	C	C	C	C	C	C					C							
Motel or Hotel, extended stay											C		C	C						C						
Outdoor Commercial Recreation (See Indoor Commercial Recreation)														C					C	C						
Printing Services													C	C					C	C						
Restaurants Accessory to Hotel or Motel							C		C	C	C	C	C	C	C	C										
Restaurants w/Drive Through							C		C	C	C		C	C					C							
Restaurants - High Turn Over With Bar							C		C	C	C		C	C	C	C		AC	C							
Restaurants - Medium Turn Over Take Out							AC	C	C	AC			AC	AC	AC	AC	C	AC	AC		AC					
Restaurants - Low Turn Over							AC	AC	AC	AC	AC		AC	AC	AC	AC	AC	AC	AC	AC						
Single Destination Commercial										C	C		C	C	C	C			C							
Truck/Van Rentals														C							C					
Veterinary Offices, w/ Kennels													C	C					C	C						
Warehouse Facilities														C					C	C						
Wholesale and Distribution Facilities														C					C	C						
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	PD	P	PROS	CON	FEC	HOTEL
Medium Intensity Commercial Uses - Less than 7,500 sq. ft.																										
Bars/ Clubs with or without live entertainment											AC		AC	AC	AC	AC			AC							
Bars/clubs with live entertainment											C		C	C					C							
Bed and Breakfast Inns	C	C		C	C	C	C	C	C	C	C	C	C						C							
Caterer/Caterer							A						A	A	A	A			A							
Contractor (Office only, no outdoor storage yard)							A	A	A	A	A	A	A	A	A	A			A	A						
Contractor (Office with outdoor storage yard)																					C					
Drive Through Facilities									C	C			C	C												
Dry cleaners													A	A					A							

	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	PD	P	PROS	CON	FEC	HOTEL
TYPE/USE																										
OFFICE																										
High Intensity Office Uses- Greater than 7,500 sq. ft.																										
Administrative/Professional Services: (non-medical)							C	C	C	C	C	C	C	C	C	C			C							
Business Services							C	C	C	C	C		C	C	C	C										
Call Center													C		C	C			C	C						
Contractor (Office with no outdoor storage yard)							C						C	C					C	C						
Contractor (Office with outdoor storage yard)																				C						
Governmental Administrative Office							C			C			C	C	C	C			C	C		C				
Health Clinics/Urgent Care													C	C	C	C							C			
Medical Offices							C	C	C	C		C	C	C									C			
Out Patient Clinics													C	C									C			
TYPE/USE																										
Medium Intensity Office Uses - Less than 7,500 sq. ft.																										
Administrative/Professional Services: (non-medical)							A	A	A	A	A	A	A	A	A	A	A		A							
Business Incubation Office							A		A		A		A	A	A	A										
Business Services							A	A	A	A	A		A	A	A	A										
Call Center													A	A	A	A			A							
Contractor (Office only, no outdoor storage yard)							A	A	A	A	A	A	A	A	A	A			A	A						
Contractor (Office with outdoor storage yard)																					C					
Governmental Administrative Office							A			A			A	A	A	A			A	A		A				
Health Clinics/Urgent Care													C	C	C	C							C			
Interior Design Studio w/ Sales							A		A		A		A	A	A	A			A							
Kitchen/Millwork Design Studio							A	A	A	A	A		A	A	A	A			A	A						
Medical Offices							C A	C A	C A	C A		C A	C A	C A									C A			
Out Patient Clinics/Medical Office							A		A				A	A	A	A										
TYPE/USE																										
Low Intensity Office Uses - Less than 2,500 sq. ft.																										
Administrative/Professional Services: (non-medical)							P	P	P	P	P	P	P	P	P	P	P		P	P		C				
Call Center													P	P	P	P			P							
Contractor (Office only, no outdoor storage yard)							P	P	P	P	P	P	P	P	P	P			P	P						
Contractor (Office with outdoor storage yard)																					C					
Health Clinics/Urgent Care													C	C	C	C							C			
Medical Offices							A	A	A	A		A	A	A	A	A							A			
Out Patient Clinics/Medical Office							A		A				A	A	A	A										
Governmental Administrative Office							A			A			A	A	A	A			A	A		A				
Home Occupation	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P			P		P					

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	PD	P	PROS	CON	FEC	HOTEL
Low Intensity Personal Services Uses - Less than 2,500 sq. ft.																										
Ballroom, Banquet and Meeting Rooms							A		A	A	A		A	A	A	A		P	A			A	A			A
Barber's Shop							P	P	P	P	P	P	P	P	P	P	P		P		P					
Beauty Parlor/Shop/Salon/Esthetician/Make-up Artist							P	P	P	P	P	P	P	P	P	P	P		P		P					
Clothing Alterations							P	P	P	P	P	P	P	P	P	P	P		P							
Day Spa							P	P	P	P	P	P	P	P	P	P	P		P		P					
Dry Cleaning Establishment							A	A		A			A	A	A	A			A							
Exercise Gyms/Studio							P	P	P	P	P	P	P	P	P	P	P		P				P			
Holistic Health Care Facility							P	P	P	P	P	P	P	P	P	P	P		P							
Laundry Establishment							A	A		A			A	A	A	A			A							
Large Household Appliance Repair													P	P					P	P						
Small Household Appliance Repair													P	P					P							
Licensed Tanning Salon							P	P	P	P	P	P	P	P	P	P	P		P							
Nail Salon							P	P	P	P	P	P	P	P	P	P	P				P					
Martial Arts Studio							P	P	P	P			P	P	P	P			P	P			P			
Music/Dance Studio							P	P	P	P			P	P	P	P			P	P			P			
Gymnastics Studio/Training Facility							P	P	P	P			P	P	P	P			P	P			P			
Personal Training Gyms/Studio							P	P	P	P	P	P	P	P	P	P	P		P				P			
Pet Grooming							P	P	P	P	P	P	P	P	P	P	P		P		P					
Shoe Repair							P	P	P	P	P	P	P	P	P	P	P		P							
Tailor/Dressmaking							P	P	P	P	P	P	P	P	P	P	P		P							
Tattoo Studio/Body Art/Piercing											A		A						A							
Watch, Clock and Jewelry Repair							P	P	P	P	P	P	P	P	P	P	P		P							

	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	PD	P	PROS	CON	FEC	HOTEL	
TYPE/USE																											
AUTOMOTIVE/VEHICULAR																											
High Intensity Vehicular Uses - Greater than 7,500 sq. ft.																											
Airport Transportation Services																											
Ambulance Services																											
Automobile Auctions													C														
Automobile Body Shops																			C		C						
Automobile Charging Station																					C						
Automobile Filling Stations													C	C													
Automotive Towing Services and Storage Yards																											
Automobile Washing Establishments, Attended / Unattended													C	C													
Automobile Service and Repair-Major													C	C													
Automobile Service and Repair-Minor													C	C						C							
Bus Lines																											
Bus Charter Services																											
Limited Dockage																								C	C	C	
Limousine Rental w/Drivers													C														
Marinas																								C	C	C	
Motorcycle/Motorscooter Sales and Rentals													C	C													
Motorcycle Service and Repair													C	C													
New Automobile Sales and Rentals													C	C													
New Boat Sales and Rentals													C	C													
Parking Lots Public or Private							C	C	C	C			C	C					C	C			C			C	
Parking Facilities							C	C	C	C	C		C	C	C	C			C	C			C	C			
Recreational Vehicle Sales/Service													C														
Special Interest Automobile Dealership													C						C		C						
Tire/Rim Sales and Service													C	C													
Transit Terminal Facilities																											
Used Automobile Sales and Rentals													C	C													
Used Boat Sales and Rentals													C	C													
Vehicle Broker													C														
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	PD	P	PROS	CON	FEC	HOTEL	
Medium Intensity Vehicular Uses - Less than 7,500 sq. ft.																											
Automobile Charging Facility													C	C													
Automobile Body Shops																				C		C					
Automobile Filling Stations													C	C													
Automobile Lubrication Establishments													C	C													
Automobile Rustproofing and Undercoating Establishments													C	C													
Automobile Service and Repair-Major													C	C													
Automobile Service and Repair-Minor													C	C						C		C					
Automobile Upholstery Establishments													C	C						C		C					
Automobile Washing Establishments, Attended / Unattended													C	C													

	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	PD	P	PROS	CON	FEC	HOTEL	
TYPE/USE																											
INDUSTRIAL																											
High Intensity Industrial Uses - Greater than 7,500 sq. ft.																											
Aquaculture/Hydroponic Farming																				C	C						
Auction House w/ or w/out outdoor storage																				C	C						
Building and Construction Trades/Contractors manufacturing w/ Outdoor																					C						
Building and Construction Trades/Contractors manufacturing w/o Outdoor																				C	C						
Boat Repair / Maintenance / Detailing																					C						
Equipment Rental and Leasing																					C						
Factory or Manufacturing (Reference Ordinance Chapter 14)																					C						
Food Manufacturing & Processing																				C	C						
Garment/Clothing/Apparel Manufacturing																				C	C						
Heavy Utility Service Uses																					C		C				
High Intensity Fabrication Services excluding retail display and sales																					C						
High Intensity Manufacturing excluding retail display and sales																					C						
High Intensity Processing excluding retail display and sales																					C						
Import/Export Business														C						C	C						
Jobsite Preparation (Reference Ordinance Chapter 14)																				C	C						
Microbrewery w/Sales																				C	C						
Microbrewery w/o Sales																				C	C						
Organic/Green/All Natural Composting Fertilizer Manufacturing																				C	C						
Pharmaceutical & Medicine																					C						
Plant Nursery (sales only)													C							C	C						
Plant Nursery																				C	C						
Recycling Processing Center																				C	C						
Regional Distribution Center																				C	C						
Renewable Energy Resource Center																					C						
Research & Development Scientific/Technological																					C						
Septic Tank, Sewer, and Drain Cleaning and Repair Services																					C						
Storage-outdoor																				C	C						
Storage-indoor																				C	C						
Testing Laboratory																					C						
Utility Plant, Substation, Power Generation-Minor																					C		C				
Vintner/Winery																				C	C						
Welding Contractors																					C						
Welding Repair Services																					C						
TYPE/USE																											
Medium Intensity Industrial Uses - Less than 7,500 sq. ft.																											
Aquaculture/Hydroponic Farming																				A	A						
Auction House w/out outdoor storage													C							C	C						
Boat Repair / Maintenance / Detailing																				C	C						
Building and construction trades/contractors manufacturing without outdoor																				C	C						

Garment/Clothing/Apparel Manufacturing																			P	P								
Medical and Dental Laboratories																			P	P								
Pharmaceutical & Medicine																				C								
Research & Development Scientific/Technological																				C								
Testing Laboratory																				C								

	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	PD	P	PROS	CON	FEC	HOTEL
TYPE/USE																										
INSTITUTIONAL																										
High Intensity Institutional Uses - Greater than 7,500 sq. ft.																										
Colleges and Universities	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C							C			
Day Care Center						C	C	C	C	C		C	C	C	C	C				C						
Day Care Center Accessory to Place of Worship	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C										
Hospitals and Clinics Public														C									C			
Hospitals and Clinics Private														C									C			
Museums							C		C		C									C			C	C	C	
Schools, elementary	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C							C			
Schools, intermediate and secondary	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C							C			
Schools-Conservatory of Music (Retail merchant license required if selling any instruments, equipment, etc.)													C	C	C	C				C						
School of the Arts														C						C			C			
School for Modeling or Booking Agency														C						C			C			
School of Instruction (for artisan, workers, etc.)														C						C			C			
Places of Worship	A	C		A	C	A	C	A	C	A	C	A	C	A	C	A	C									
TYPE/USE																										
Medium Intensity Institutional Uses - Less than 7,500 sq. ft.																										
Botanical Research and Education																				A			A	A	A	
Colleges and Universities (Satellite Campus)	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A				A			A			
Day Care Center				A	A	A	A	A	A	A		A	A	A	A	A				A						
Marine Research and Education															A	A				A			A	A	A	
Museums							A		A		A									A			A	A	A	
Nursing Homes/Assisted Living Facilities				A	A	A	A	A	A	A		A	A	A	A	A				A						
Places of Worship	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A										
Welcome Centers															A	A							A	A	A	
TYPE/USE																										
Low Intensity Institutional Uses - Less than 2,500 sq. ft.																										
Environmental Nature Centers																							C	C	C	
Museum											P									P			P	A	A	

	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	PD	P	PROS	CON	FEC	HOTEL			
CULTURAL & ARTISANAL ARTS																													
High Intensity Artisanal Uses - Greater than 7,500 sq. ft.																													
Artisanal Foods													C						C	C									
Artisanal Manufacturing													C						C	C									
Ceramics Studio w/ Kiln							C	C	C										C	C									
Ceramics Studio w/o Kiln							C	C	C										C	C									
Commissary Kitchen													C						C	C									
Culinary Arts													C						C	C									
Film Studio													C		C				C	C									
Indoor Motion Pictures (more than three (3) Screens)													C		C				C	C									
Performing Arts Theatre (more than 250 seats)																			C	C									
Radio Broadcasting Studio													C		C				C	C		C							
Recording Studio										C			C	C	C				C	C									
Sculpture Studio w/ Kiln																			C	C									
Sculpture Studio w/o Kiln																			C	C									
Television Production Studio												C	C		C				C	C		C							
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	PD	P	PROS	CON	FEC	HOTEL			
Medium Intensity Artisanal Uses - Less than 7,500 sq. ft.																													
Artisanal Foods											A			A					A	A									
Artisanal Manufacturing														A					A	A									
Artisan Studio							A	A	A	A	A	A	A	A	A				A	A									
Arts and Crafts Studio																			A	A									
Art Gallery							A	A	A		A		A		A	A			A	A									
Bakery											A		A						A	A									
Book Binding																			A	A									
Ceramics Studio w/ Kiln														A					A	A									
Ceramics Studio w/o Kiln							A		A	A									A	A									
Commissary Kitchen														A					A	A									
Culinary Arts							A							A					A	A									
Custom Jewelry Studio							A												A	A									
Indoor Motion Pictures (more than three (3) Screens)																			A	A									
Performing Arts Theatre (less than 250 seats)											A								A	A		A	A	A					
Perfumery											A			A					A	A									
Photography Studio							A							A					A	A									
Pottery Shop/Studio																			A	A									
Recording Studio											A			A	A	A			A	A									
Sculpture Studio w/ Kiln																			A	A									
Sculpture Studio w/o Kiln																			A	A									
Stationery/Engraver							A				A								A	A									

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	PD	P	PROS	CON	FEC	HOTEL
Low Intensity Artisanal Uses - Less than 2,500 sq. ft.																										
Artisan Studio							P		P	P			P						P							
Arts and Crafts Studio							P	P			P		P	P					P							
Art Gallery							P	P	P	P	P		P	P	P	P			P							
Ceramics Studio w/o Kiln							A		A	A									A							
Ceramics Studio w/o Kiln							P		P	P									P							
Craft gallery											P		P	P					P							
Bakery							P	P	P	P	P	P	P	P	P	P	P		P	P	P					
Commissary Kitchen														P					P	P						
Custom Jewelry Fabrication/Studio							P	P	P	P			P	P	P	P			P							
Photography Studio							P		P		P		P	P					P							
Photography gallery, including picture framing.							P	P	P	P			P	P					P							
Pottery Shop/Studio							P	P					P	P					P							
Recording Studio											A			A	A	A			P							
Sculpture Studio w/o Kiln							A	A					A	A					A							
Sculpture Studio w/o Kiln							P	P					P	P					P							
Stained Glass Studio							P	P					P	P					P							

	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	PD	P	PROS	CON	FEC	HOTEL	
TYPE/USE																											
PUBLIC																											
High Intensity Public Uses - Greater than 7,500 sq. ft.																											
Amphitheatres - Greater than 250 Seats																		P					C	C			
Community Gardens																							C	C			
Light Utility Facility Services	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C
Recreation Public (Indoor) w/ Team Sports Facilities													C					P		C		C	C				
Recreation Public (Indoor) w/o Team Sports Facilities													C					P				C	C				
Recreation Public (Outdoor) w/ Team Sports Facilities																				C		C	C	C			
Recreation Public (Outdoor) w/o Team Sports Facilities	C	C	P	C	C	C	C	C	C	C	C	C	C	C	C	C		P				C	C	C			
Recreation Park (Active) w/ Team Sports Facilities																						C	C	C			
Sports Arenas													C									C					
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	PD	P	PROS	CON	FEC	HOTEL	
Medium Intensity Public Uses - Active - Less than 7,500 sq. ft.																											
Amphitheatres - Less than 250 Seats																		P				C	C	C			
Community Gardens																						C	C				
Concession Stands in Conjunction with recreational facilities																		P				C	C	C			
Light Utility Facility Services	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C
Recreation Public (Indoor) w/ Team Sports Facilities													C					P		C		C	C				
Recreation Public (Indoor) w/o Team Sports Facilities													C					P				C	C				
Recreation Public (Outdoor) w/ Team Sports Facilities																				C		C	C	C			
Recreation Public (Outdoor) w/o Team Sports Facilities	C	C	P	C	C	C	C	C	C	C	C	C	C	C	C	C		P				C	C	C			
Recreation Park (Passive) - More than Two (2) Acres	C	C	P	C	C	C	C	C	C	C	C	C	C	C	C	C		P				C	C	C			
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	PD	P	PROS	CON	FEC	HOTEL	
Low Intensity Public Uses - Passive - Less than 2,500 sq. ft.																											
Nature, Foot and Bicycle Trails	P	P		P	P													P			P	P	P	P			
Pocket Parks	P	P		P	P		P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P			
Picnic facilities, Play-Grounds, Passive Recreational, Restrooms																		P			P	P	P	P			
Public and Private Nature Preserves	P	P		P	P													P				P	P	P			
Recreation Park (Passive) - Less than Two (2) Acres	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P			

	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	PD	P	PROS	CON	FEC	HOTEL	
TYPE/USE																											
SPECIALTY																											
High Intensity Specialty Uses - Greater than 7,500 sq. ft.																											
Adult Establishments																					C						
Flea Market							C	C	C	C	C	C	C	C	C	C			C	C		C					
Outdoor Farmer's Market																			C			C			C		
Mobile food vending courts																			C			C			C		
Passenger Railroads/Transit															C	C							C				
Private Club									C				C	C													
Power Plants																					C		C				
Public Safety Facilities																							C				
Radio and Television Broadcasting Studios w/ Communication Towers														C							C		C				
Shooting Ranges																					C						
Special Interest Automobile Dealership													C							C	C						
Sports Arenas, (Public/Private)(Indoor/Outdoor)														C							C						
Taxicab Companies																					C						
Taxidermist																					C						
Water Towers																							C				
Wireless Communication Facilities										C	C	C	C	C	C	C				C	C		C			C	
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	PD	P	PROS	CON	FEC	HOTEL	
Medium Intensity Specialty Uses - Less than 7,500 sq. ft.																											
Adult Establishments																					C						
Cemetery/Mauseleum(Public/Private)	C	C		C	C	C						C										C	C				
Private Club									A				A	A													
Produce Market							A			A	A		A	A	A	A						A					
Radio and Television Broadcasting Studios w/o Communication Towers							P A			P A	P A		P A	P A	P A	P A				P A	P A		C				
Special Interst Automobile Dealership													A							A	A						
Temporary Help Marshalling and Dispatch Services																							C				
Non-motorized recreational equipment rental (canoes, kayaks, paddle boards, etc)																							C	C	C		
Outdoor Farmer's Market																					C		C			C	
Flea Market																					C		C			C	
Mobile food vending courts																					C		C			C	
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	PD	P	PROS	CON	FEC	HOTEL	
Low Intensity Specialty Uses - Less than 2,500 sq. ft.																											
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Open Space Conservation Areas	P	P	P	P																			P	P	P		
Produce Market							A			A	A		A	A	A	A						A					
Private Club									P					P													
Special Interest Automobile Dealership													P							P	P						
Water Conservation Areas	P	P	P	P																			P	P	P		

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ORDINANCE NO. 2016-XX OF THE CITY COMMISSION OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES BY AMENDING ARTICLE 1 DIVISION 2, SECTION 23.2-12, DEFINITIONS; ARTICLE 2, DIVISION 3, SECTIONS 23.2-30 SITE PLAN REVIEW; ARTICLE 3, DIVISION 1, SECTION 23.2-15, NOTICE REQUIREMENTS; ARTICLE 3, DIVISION 1, SECTION 23.3-6, PERMITTED USE TABLE; ARTICLE 4, DEVELOPMENT STANDARDS, SECTION 23.4-3, EXTERIOR LIGHTING; SECTION 23.4-6, HOME OCCUPATIONS; SECTION 23.4-10, OFF-STREET PARKING; ARTICLE 5, SUPPLEMENTAL REGULATIONS, SECTION 23.5-1, SIGNS; ARTICLE 6, ENVIRONMENTAL REGULATIONS, SECTION 23.6-1, LANDSCAPE REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of LakeWorth, Florida (the "City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City adopted a new Chapter 23 Land Development Regulations of the code of ordinances on August 6, 2013; and

WHEREAS, as use of the new Chapter 23 proceeds, items are identified that need clarification or revision in order to refine and implement the code; and

WHEREAS, the City periodically amends and updates the Land Development Regulations; and

WHEREAS, on February 3 2016 this amendment was reviewed by the Lake Worth Planning and Zoning Board at a public hearing and the Board found the amendment to be consistent with the Comprehensive Plan and made a recommendation to the City Commission to adopt the amendment; and

WHEREAS, on February 10 2016 this amendment was reviewed by the Historic Resources Preservation Board which made a recommendation to the City Commission to adopt the amendment; and

WHEREAS, the City Commission has reviewed the recommended amendments and has determined that it is in the best interest of the public health, safety and general welfare of the City, its residents and visitors to adopt these amendments.

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

50 Section 1. The foregoing “WHEREAS” clauses are true and correct and are
51 hereby ratified and confirmed by the City Commission.
52

53 Section 2. Chapter 23 Article 1 Division 2, Section 23.2-12, Definitions is
54 amended by adding the words and letters shown in underline and deleting words
55 and letters struck through as indicated in exhibit A.
56

57 Section 3. Chapter 23 Article 2. Division 3, Section 23.2-30, Site Plan Review is
58 amended by adding the words and letters shown in underline and deleting the
59 words and letters struck through as indicated in exhibit B.
60

61 Section 4. Chapter 23 Article 3. Division 1 Section 23.2-15, Notice Requirements
62 is amended by adding the words and letters shown in underline and deleting the
63 words and letters struck through as indicated in exhibit C.
64

65 Section 5. Chapter 23 Article 3. Division 1 Section 23.3-6, Permitted Use Table
66 is amended by adding the words and letters shown in underline and deleting the
67 words and letters struck through as indicated in exhibit D.
68

69 Section 6. Chapter 23 Article 4. Section 23.4-3, Exterior Lighting is amended by
70 adding the words and letters shown in underline and deleting the words and
71 letters struck through as indicated in exhibit E.
72

73 Section 7. Chapter 23 Article 4. Section 23.4-6, Home Occupations is amended
74 by adding the words and letters shown in underline and deleting the words and
75 letters struck through as indicated in exhibit F.
76

77 Section 8. Chapter 23 Article 4. Section 23.4-10, Off-Street Parking is amended
78 by adding the words and letters shown in underline and deleting the words and
79 letters struck through as indicated in exhibit G.
80

81 Section 9. Chapter 23 Article 5. Section 23.5-1, Signs is amended by adding the
82 words and letters shown in underline and deleting the words and letters struck
83 through as indicated in exhibit H.
84

85 Section 10. Chapter 23 Article 4. Section 23.6-1, Landscape Regulations is
86 amended by adding the words and letters shown in underline and deleting the
87 words and letters struck through as indicated in exhibit I.
88

89 Section 11. Severability. If any section, subsection, sentence, clause, phrase or
90 portion of this Ordinance is for any reason held invalid or unconstitutional by any
91 court of competent jurisdiction, such portion shall be deemed a separate, distinct,
92 and independent provision, and such holding shall not affect the validity of the
93 remaining portions thereof.
94

95 Section 12. Repeal of Laws in Conflict. All ordinances or parts of ordinances in
96 conflict herewith are repealed to the extent of such conflict.
97

98 Section13. Codification. All exhibits of the ordinance shall be made a part of the
99 City code of ordinances and may be re-numbered or re-lettered to accomplish
100 such, and the word “ordinance” may be changed to “section”, “division”, or any
101 other appropriate word.

102
103 Section14. Effective Date. This Ordinance shall take effect ten days after its
104 adoption.
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The passage of this Ordinance on first reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

- Mayor Pam Triolo _____
- Vice Mayor Scott Maxwell _____
- Commissioner Christopher McVoy _____
- Commissioner Andy Amoroso _____
- Commissioner Ryan Maier _____

The Mayor thereupon declared this Ordinance duly passed on first reading on the _____, 2016.

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

- Mayor Pam Triolo
- Vice Mayor Scott Maxwell
- Commissioner Christopher McVoy
- Commissioner Andy Amoroso
- Commissioner Ryan Maier

The Mayor thereupon declared this Ordinance duly passed and enacted on the _____, 2016.

LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk

EXHIBIT A

Chapter 23

ZONING

ARTICLE 1 GENERAL PROVISIONS, DIVISION 2, SECTION 23.2-12 DEFINITIONS

Amended by adding the words and figures shown in underline type and deleting the words and figures crossed through.

Accessory structure: Any detached structure which houses an accessory use which is customarily incidental and subordinate to the principal structure. Accessory structures shall count toward overall floor area ratio (FAR) and lot coverage. Such buildings must maintain the same setback or greater from public streets as the principal structure and may not be constructed between any principal structure and a public street right of way.

Accessory building: A building, structure, or use on the same lot with, and of a nature customarily incidental and subordinate to, the principal building, structure, or use. Examples would include detached garages or tool sheds. Accessory buildings shall count toward overall floor area ratio (FAR) and lot coverage. Such buildings must maintain the same setback or greater from public streets as the principal structure and may not be constructed between any principal structure and a public street right of way.

Lumen: A unit of measure of the quantity of light that falls on an area of one square foot every point of which one foot from the source of one candela. A light source of one candela emits a total of 12.57 lumens.

Pharmaceutical & Medicine: An establishment primarily engaged in one (1) or more of the following: (1) manufacturing biological and medicinal products; (2) processing (i.e., grading, grinding, and milling) botanical drugs and herbs; (3) isolating active medicinal principals from botanical drugs and herbs; and (4) the collection, destruction, disposal, or other related processes.

Research & Development, Scientific/Technological: An establishment engaged in conducting original investigation undertaken on a systematic basis to gain new knowledge (research) and/or the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes (experimental development). Excluding treatment, storage, or processing of human or animal bodies or body parts. Medical or scientific research which involves the use, treatment, storage, or processing of human or animal bodies or body parts would require conditional use approval.

Testing Laboratory: An establishment primarily engaged in performing laboratory analysis of natural, biological resources and manufactured materials. The scientific analysis is generally performed for an outside customer to support the work of that customer.

Exhibit B

Chapter 23

ZONING

ARTICLE 2 ADMINISTRATION, DIVISION 1, SECTION 23.2-15 SUMMARY ILLUSTRATION OF NOTICE REQUIREMENTS FOR PUBLIC HEARING

Amended by adding the words and figures shown in underline type and deleting the words and figures crossed through.

Table 2-2. Notice Requirements

Type of Permit Application	Newspaper Publication	Mailing	Site Posting	None Required
Historic landmark designation - district or individual property	14 <u>10</u> days	14 <u>10</u> days 400' R	10 days	
Certificate of appropriateness (COA) - Administrative	-	-	-	X
Certificate of appropriateness (COA) - Board • Demolition • New construction	10 days	10 days <u>400' R</u>	Within 3 days of application <u>10 days</u>	-
Ad valorem tax abatement	<u>10 days</u>	10 days	Within 3 days of application <u>10 days</u>	-
Annexation - voluntary and involuntary	First hearing: 7 days Second hearing: 5 days	10 days 400' R	<u>10 days</u>	-
Administrative use permit	-	-	-	X
Conditional use permit	10 days	10 days 400' R	10 days	-
Variance	10 days	10 days 400' R	10 days	-
Proximity waiver	-	-	X	-
Planned development (PD)	10 days prior to adoption hearing	<u>10 days</u> 400' R	<u>10 days</u>	-
Site plan - minor				X
Site plan - major	10 days	10 days 400' R	10 days	-
Sustainable bonus incentive (per associated permit required)	-	-	-	-

Type of Permit Application	Newspaper Publication	Mailing	Site Posting	None Required
Zoning map amendment, (rezone initiated by other than city)	10 days prior to adoption hearing	<u>10 days</u> 400' R	<u>10 days</u>	-
Zoning map amendment (rezone initiated by city) less than 10 acres	<u>10 days</u>	30 days <u>10 days</u> 400' R	<u>10 days</u>	
Zoning map amendment (rezone initiated by city) 10 acres or more	First hearing: 7 days Second hearing: 5 days	<u>10 days</u> 400' R	<u>10 days</u>	
Zoning text amendments (change to list of uses within a zoning category)	First hearing: 7 days Second hearing: 5 days			
Zoning text amendments	10 days prior to adoption hearing			
Comprehensive plan future land use map amendment (small scale, 10 or fewer acres)	<u>5 10 days</u>			
Comprehensive plan amendment (more than 10 acres)	First hearing: 7 days Second hearing: 10 days			
Appeals to city commission of PZB or HRPB		10 days 400' R		

The foregoing Table 2-2 is illustrative with the text being controlling in the event of conflict or ambiguity between the text of these LDRs and the table.

Exhibit C

Chapter 23

ZONING

ARTICLE 2 ADMINISTRATION, DIVISION 3, SECTION 23.2-30 SITE PLAN REVIEW

Amended by adding the words shown in underline type and deleting the words crossed through.

Sec. 23.2-30. - Site plan review.

a) *Intent.* The intent of the site plan review provisions is to establish standards for development and provide review procedures which ensure compliance with these qualitative standards and with other regulations of these LDRs. Site plans shall be prepared in accordance with the qualitative site design requirements in section 23.2-31. Site plan review and approval shall be required for the following:

1. Construction of all new structures, except principal and accessory structures associated with use a lot or parcel for single-family detached dwelling units.
2. Modification of existing structures, except principal and accessory structures associated with use of a lot or parcel for single-family detached dwelling units.
3. Occupancy of an existing structure, where a change of occupancy requires additional parking, a site plan shall be required. Where a change of use does not require additional parking, an application so stating and signed by the development review official must be attached to the certificate of occupancy application file prior to the issuance of a certificate of occupancy.

In the case of a site plan that is part of a master development plan for a planned development district, the procedures in section 23.3-25 shall apply.

b) *Determination if site plan review required.* Prior to issuance of a building permit or a certificate of occupancy, the development review official shall determine if site plan review pursuant to the provisions of this section is required. If site plan review is required, the development review official shall notify the applicant of this determination.

c) *Determination of type of site plan review procedure application* Applications shall be submitted to the department for community sustainability. The development review official shall review development applications to determine if they require site plan review or approval as minor or major developments. If the application constitutes a major development, notice of the review by the appropriate board shall be given by publication, posting and courtesy mailing in accordance with the notice provision of this article. The development review official's determination shall be based on the following criteria:

1. Minor development may include the following:
 - a. Addition of awnings, canopies or ornamental structures; redesign and different location of pools, parking spaces and drives and driveways; modifications in stairs or elevations of decks, porches, terraces and fencing; or similar types of improvements;
 - b. Addition of up to twenty (20) parking spaces;
 - c. Attached or detached additions to buildings which do not increase the floor area by more than five thousand (5,000) square feet; and
 - d. New structures having less than ~~ten thousand (10,000)~~ seven thousand five hundred (7,500) square feet of floor area.

Exhibit D

Chapter 23

ZONING

ARTICLE 3 ZONING DISTRICTS, DIVISION 1, SECTION 23.3-6 PERMITTED USE TABLE
Amended by adding the words shown in underlined type and deleting the words crossed through.

(to be inserted)

Exhibit E

Chapter 23

ZONING

ARTICLE 4 DEVELOPMENT STANDARDS, SECTION 23.4-3. EXTERIOR LIGHTING

Amended by adding the words shown in underline type and deleting the words crossed through.

Sec. 23.4-3. - Exterior lighting.

a) *Purpose.* The purpose of this section is to provide for regulations for outdoor lighting that will permit reasonable uses of lighting for nighttime safety, utility, security, productivity, enjoyment and commerce. Further, this section shall strive to:

1. Conserve energy and resources to the greatest extent possible;
2. Minimize adverse off-site impacts, including light trespass and obtrusive light;
3. Curtail light pollution and preserve the nighttime environment; and
4. Help protect the natural environment from the adverse effects of nighttime lighting from electric sources.

b) *Conformance with all applicable codes.* All outdoor lighting shall be installed in conformance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.

c) *Design and location.*

1. All outdoor lighting in all zoning districts used to light the general area of a specific site shall be shielded to reduce glare and shall be so located and arranged so as to reflect lights away from all adjacent residential districts, adjacent residences or public thoroughfares.
2. All outdoor lighting in all zoning districts shall be directed toward the ground or the façade of a building.
3. All lighting used for the external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of motor vehicle operators or pedestrians.
4. High intensity lighting may be used to illuminate parking areas and to promote security, where needed. However, such lighting shall be shielded and located so as not to allow light trespass upon neighboring residential properties or districts in excess of ~~one (1) foot candle~~ 12.57 lumens when measured on that property.
5. No illuminated signs or any other outdoor feature shall be of a flashing, moving, or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use.
6. Lighting shall be arranged to eliminate conflicts with safe traffic and pedestrian movements.

7. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day.
8. Lighting following the form of the building or part of the building will not be allowed if the overall effect will be detrimental to the environment or contrary to the architectural style of the building.
9. Lighting on a building shall be compatible with the architectural style of the building. Any lighting proposed for decorative or artistic purposes shall be appropriate to both the use and function of the building as well as its architectural style.

Exhibit F
Chapter 23
ZONING

ARTICLE 4 DEVELOPMENT STANDARDS, SECTION 23.4-6. HOME OCCUPATIONS

Amended by adding the words shown in underline type and deleting the words crossed through.

Sec. 23.4-6. - Home occupations.

- a) Purpose. It is the purpose of this section to provide for the orderly use of residential premises for certain customary home occupations. This provision allows for a portion of a residential unit to support a home office space business, profession or trade conducted for gain and that generates income for the owner/tenant. ~~If~~ It is further the purpose to assure that none of the residential ambiance of a neighborhood is modified or in any way diminished by the presence of said home occupation.
- b) Design and performance standards.
 1. Limited use. The home occupation shall be conducted within the residential premises and only by ~~the person who is licensed to do so and is a resident~~ s of the premises. ~~The individual so licensed shall not engage any employees to assist in the home occupation.~~
 2. Pedestrian and automobile traffic. The home occupation shall not generate pedestrian or automobile traffic beyond what would normally be expected in a residential district.
 3. Maximum area of use. No individual home occupation shall occupy more space than twenty (20) percent of the total floor area of a residence exclusive of any open porch, attached garage, or similar space not suited for or intended to be occupied as living quarters, provided however, in no event shall such all home occupations occupy more than forty (40) percent of the total floor area of the residence or one thousand (1,000) square feet, whichever is less.
 4. No signs or advertisements. No signs, banners or flyers shall be permitted to advertise the accessory use of the premises for an occupational purpose.
 5. Limited equipment. ~~No equipment shall be used on the building site except telephones, typewriters, personal computers and mailboxes.~~ No chemical, electrical or mechanical equipment shall be used except that which is normally used for domestic, or household or home office purposes. No electrical or mechanical equipment which causes outside interference may be installed or used. No equipment or process shall be used in a home occupation which creates fumes, glare, noise, odors, vibration, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence or outside the dwelling unit if conducted in other than a single family residence.
 6. Stock in trade. No goods shall be sold on or from the building site. Stock or inventory is permitted in so much as will fit within the allowable area of the residence being utilized as a home occupation and does not create a health or safety hazard. No outdoor storage of materials or equipment related to the home occupation shall be permitted on the premises. Deliveries may not exceed that which would be utilized by a private residence and shall not be disruptive to the immediate neighborhood
 7. Parking. The vehicle used for the home occupation is limited to a passenger car, van, or pickup truck. The vehicle may not be more than twenty (20) feet in overall length and not more than seven (7) feet in overall height. Any vehicles used solely in connection with such home occupation must have separate off-street parking facilities in addition to those provided for the residence, except as otherwise regulated by city ordinances.

8. Residential character. There shall be no alteration in the residential character or appearance of the premises in connection with such home occupation.
9. Neighborhood impact. A home occupation shall not create any nuisance, hazard, or other offensive condition, such as that resulting from noise, smoke, fumes, dust, odors, or other noxious emissions. Electrical or mechanical equipment that causes fluctuations in line voltage, creates any interference in audio or video reception, or causes any perceivable vibration on adjacent properties is not permitted.
10. Three (3) home occupations per residence. No more than three (3) home occupations shall be permitted at any given residence at one (1) time. Each home occupation must maintain the required applicable business tax receipts and use and occupancy certificates.
11. Audible evidence of the activity should not be present off the real property line before 9:00 a.m. or after 9:00 p.m.
12. If a home occupation reaches a level of activity that detracts from the residential character of the area, it shall be considered a commercial or business activity and shall be required to relocate to an appropriate zoning district where such use is permitted.

Exhibit G

Chapter 23

ZONING

ARTICLE 4 DEVELOPMENT STANDARDS, SECTION 23.4-10. OFF-STREET PARKING

Amended by adding the words shown in underline type and deleting the words crossed through.

Sec. 23.4-10 i) 4. Exceptions.

B. Changes in use, remodeling, ~~or building expansion~~ of existing buildings as designated as a contributing structure in one (1) of the city's historic districts (as determined by section 23.5-4.).

Exhibit H

Chapter 23

ZONING

ARTICLE 5 SUPPLEMENTAL REGULATIONS, SECTION 23.5-1 SIGNS

Amended by adding the words Shown in underlined type and deleting the words crossed through.

Sec. 23.5-1. - Signs

12. *Temporary signs.*

A. Temporary construction, real estate, and development signs shall be permitted, as follows:

- (i) Real estate signs. The maximum allowable sign area for parcels in excess of one hundred fifty (150) lineal feet shall be limited to twelve (12) square feet. Parcels comprise of two (2) acres or more shall be limited to thirty-two (32) square feet. Only one (1) real estate sign per parcel. All real estate signs six (6) square feet and under shall be exempt from permitting requirements.
- (ii) Sign area. The maximum allowable sign area for all other temporary signs shall be thirty-two (32) square feet.
- (iii) No temporary sign shall be placed closer than ~~ten (10)~~ three (3) feet from ~~any side~~ property line.
- (iv) Permits for temporary signs shall be valid for not longer than six (6) months.
- (v) All temporary signs shall meet all applicable regulations set forth in this section.

Exhibit I
Chapter 23
ZONING

ARTICLE 6 ENVIRONMENTAL REGULATIONS, SECTION 23.6-1 LANDSCAPE REGULATIONS
Amended by adding the words shown in underlined type and deleting the words crossed through.

2. *New and existing multiple-family, commercial and industrial development.* On the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, landscaping shall be provided as follows:
 - (a) *Perimeter requirements adjacent to public and private rights-of-way.*
 1. A strip of land at least ten (10) feet in depth located between the off-street parking area or other vehicular use area and the City's Major Thoroughfares and roadway rights-of-way shall be landscaped. For developments located in the Downtown Mixed Use (DT) and the Transit Oriented Development East (TOD-E) zoning districts, a landscape strip of land along roadway rights of way other than Major Thoroughfares must be at least five (5) feet in depth. A similar landscaped strip of land at least five (5) feet in depth shall be located between the City's alleys and off street parking areas or other vehicular use areas. The landscaping shall consist of ~~at least one (1) tree for each twenty (20) linear feet or fraction thereof.~~
 - a. At least one (1) small tree for each fifteen (15) linear feet or fraction thereof, or
 - b. At least one (1) medium tree for each twenty (20) linear feet or fraction thereof, or
 - c. At least one (1) large tree for each twenty-five (25) linear feet or fraction thereof, or
 - d. A combination of small, medium and/or large trees, when aggregated meet the linear spacing as outlined in a through c.

The trees shall be located between the right-of-way line and the off-street parking or vehicular use area. The remainder of the landscape area shall be landscaped with living ground cover and organic mulch.

Additionally, a hedge, wall or other durable landscape area shall be placed along the interior perimeter of the landscape strip. If a hedge is used (see subsection c), it must attain a minimum

height of three (3) feet above the finished grade of the adjacent vehicular use or off-street parking area within one (1) year of planting.

If a nonliving barrier is used, it shall be a minimum of three (3) feet above the finished grade of the adjacent vehicular use. Nonliving barriers shall require additional landscaping to soften them and enhance their appearance. For each five (5) feet of nonliving barrier, two (2) shrubs or vines shall be planted along the street side of the barrier, in addition to tree requirements. Earth berms may be used only when installed in conjunction with sufficient plant materials to satisfy the screening requirements. The slope of the berm shall not exceed a 3:1 ratio.

Hedges for multi-family projects which are used to separate a residential use from an adjacent arterial or collector road right-of-way may attain a height of eight (8) feet to mitigate the impact of the adjacent roadway, unless otherwise prohibited. A visibility triangle shall be maintained (see section 23.4-4).

Perimeter hedging installed to effect screening of storage areas must be a minimum of four (4) feet in height at the time of installation and be permitted to grow to a height to conceal the materials being stored. Perimeter shade trees are required to be planted every twenty (20) feet and are not permitted to be clustered. Palm trees used for the purpose of street trees must be planted in clusters of three (3) with no palm being planted further than ten (10) feet apart.

2. The unpaved portion of the right-of-way adjacent to the property line shall be landscaped and provided with irrigation and maintenance.

(b) *Perimeter landscaping requirements relating to abutting properties.*

1. A landscaped screen shall be provided between the off-street parking area or other vehicular use area and abutting properties. The landscape screen may be two (2) feet in height at the time of planting and shall achieve and be maintained at not less than three (3) feet and no greater than six (6) feet in height to form a continuous screen between the off-street parking area or vehicular use area and such abutting property. This landscape screen shall be located between the common lot line and the off-street parking area or other vehicular use area in a planting strip of not less than five (5) feet in width. In addition, one (1) shade tree shall be provided for every twenty (20) linear feet of such landscaped screen or fraction thereof.

2. Where any commercial or industrial area abuts a residential zoning district in addition to requirements established for district boundary line separators in the zoning code one (1) shade tree shall be planted every twenty (20) feet to form a solid tree line.

3. The provision for perimeter landscape requirements relating to abutting properties shall not be applicable where a proposed parking area or other vehicular use area abuts an existing hedge or established tree line. The existing hedge and trees may be used to satisfy the landscape requirements provided the existing material meets all applicable standards. The landscape strip, a minimum of five (5) feet in depth, however, is still required, and must be landscaped with living ground cover. If the existing landscaping does not meet the standards of this section, additional landscaping shall be required as necessary to meet the standards. In the event that the landscaping provided by the adjacent property which has been used to satisfy the landscaping requirements for the property making application is ever removed,

the property heretofore using the existing vegetation to satisfy landscaping requirements must then install landscaping as required to comply with the provisions of this code.

(c) Interior landscaping requirements relating to areas exclusive of vehicular parking areas and building footprints.

1. All pervious areas of a site that not associated with required water retention shall be provided landscaping meeting the following standards.

- a. At least one (1) small tree for each two hundred and twenty-five (225) square feet or fraction thereof, or
- b. At least one (1) medium tree for each four hundred (400) square feet or fraction thereof, or
- c. At least one (1) large tree for each six hundred and twenty-five (625) square feet or fraction thereof, or
- d. A combination of small, medium and/or large trees, when aggregated meet the square footage tree ratio as outlined in a through c.
- e. A five (5) foot building landscape area shall be provided adjacent to the perimeters of all buildings where one (1) shrub shall be planted for every five square feet of landscaping area.
- f. The remainder of the building landscape area shall be landscaped with living ground cover and organic mulch.
- g. The remainder of the impervious area of the site shall be landscaping with grass, living ground cover, organic mulch or other material as deemed appropriate by the community sustainability department.
- h. Additional landscaping may be provided which shall serve as credit toward the Sustainable Bonus Incentive Program in applicable.

3. Interior landscape requirements for parking and other vehicular use areas

- (a) The amount of interior landscaping within off-street parking areas shall amount to no less than twenty (20) percent of the total area used for parking and accessways.
- (b) There shall be a group of palms or a shade tree for every one hundred (100) square feet of required interior landscaping. No more than twenty-five (25) percent of these required trees shall be palms.
- (c) Landscape islands which contain a minimum of seventy-five (75) square feet of plantable area, with a minimum dimension of eight (8) feet, exclusive of the required curb, shall be placed at intervals of no less than one (1) landscaped island for every ten (10) parking spaces. One (1) shade tree or equivalent number of palm trees shall be planted in every interior island.

- (d) Each row of parking spaces shall be terminated by landscape islands with dimension of eight (8) feet in width, exclusive of curbs. An exception to this requirement is when a landscaped area exists at the end of the parking row.
- (e) Whenever parking tiers abut, they shall be separated by a minimum five-foot wide landscape strip. This strip shall be in addition to the parking stall. Non-mountable curbs are not required for these landscaping strips, provided carstops are installed. Should carstops not be installed the landscape strip shall be a minimum of nine (9) feet wide and be provided a non-mountable curb.
- (f) Perimeter landscape strips which are required to be created by these land development regulations shall not be credited to satisfy any interior landscaping requirements; however, the gross area of perimeter landscape strips which exceed minimum requirements may, upon approval by the building community sustainability department, be credited to partially satisfy the interior landscape requirements of this section.
- (g) Interior landscaping in both parking areas and other vehicular use areas shall, insofar as possible, be used to delineate and guide major traffic movement within the parking area so as to prevent cross-space driving wherever possible. A portion of the landscaping for interior parking spaces, not to exceed twenty-five (25) percent of the total requirement, may be relocated so as to emphasize corridors or special landscape areas within the general parking area or adjacent to buildings located on the site, if helpful in achieving greater overall aesthetic effect. Such relocated landscaping shall be in addition to the perimeter landscaping requirements.
- (h) All dumpster and refuse areas and all ground level mechanical equipment shall be screened with shrubbery or with fencing where visible from public rights-of-way.
- (i) Landscaping may be permitted in easements only with the written permission of the easement holder. Written permission shall be submitted as part of the site plan or landscape plan review.
- (j) All landscaped areas shall be provided with an irrigation system, automatically operated, to provide complete coverage of all plant materials to be maintained. This system should be designed to automatically shut off when raining. The source of water may be either from city water or non-potable water. The use of recycled water is encouraged.