



**AGENDA
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
BY TELECONFERENCE
WEDNESDAY, JULY 15, 2020 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES:

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

A. [June 17, 2020 Meeting Minutes](#)

CASES:

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [Palm Beach Post Proof of Publication](#)
- 2) [LW Herald Proof of Publication](#)

WITHDRAWALS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. PZB Project Number 20-00500003:** [Request by Anne-Christine Carrie of KEITH on behalf of 1900 10th Ave, LLC for consideration of a Major Site Plan, Conditional Use and Variance to construct Vehicle Fueling/Charging Station, Single-Destination Retail, and Restaurant uses at 1900 10th Avenue North within the Mixed-Use West \(MU-W\) zoning district. The subject property PCN is 38-43-44-21-02-005-0030.](#)
- B. PZB / HRPB Project Number 20-03100003:** [Consideration of an ordinance to amend Chapter 2 regarding application fees and Chapter 23 "Land Development Regulations" regarding changes to adopt a digital zoning and future land use map, site plan review, pervious and impervious surfaces, outdoor storage, and modifications to development standards and requirements for fence, walls and gates.](#)

C. PZB / HRPB Project Number 20-00400003: Consideration of an ordinance to amend Chapter 23 “Land Development Regulations” that includes changes to add new uses and to consolidate and clarify existing uses, including modifications to definitions, use tables, and development standards.

PLANNING ISSUES:

PUBLIC COMMENTS (3 minute limit)

DEPARTMENT REPORTS:

BOARD MEMBER COMMENTS:

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)*

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.



Planning Zoning Historic Preservation Division
1900 2nd Avenue North
Lake Worth Beach, FL 33461
561.586.1687

**AGENDA
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
VIRTUAL MEETING
WEDNESDAY, JUNE 17, 2020 -- 6:02 PM**

ROLL CALL and RECORDING OF ABSENCES:

Present were: Greg Rice-Chairman; Anthony Marotta-Vice Chair; Mark Humm; Michael Glaser; and Daniel Tanner. Absent: Laura Starr; Brock Grill.

Also present were: A. Rosenberg, Senior Community Planner; Andrew Meyer, Senior Community Planner; Erin Sita, Asst. Director for Community Sustainability; William Waters, Director for Community Sustainability; Pamala Ryan, Board Attorney; Sherie Coale, Board Secretary; Brian Shields, Director for Water Utilities.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

A. Minutes from May 20, 2020 & May 27, 2020

Board Secretary states revised minutes for May 27 were forwarded to the Board after the packet was published and delivered. This was in response to comments from a Board member wanting certain information included in the record, in particular the projected amount of rent for a one-bedroom unit.

Motion: A. Marotta moves to approve the minutes from both meetings as presented; M. Humm 2nd.

Vote: Ayes all, unanimous.

CASES:

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION Provided in the meeting packet.

- Palm Beach Post Proof & Lake Worth Herald Proof

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: There were no disclosures by any Board members.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. A request by Bryan Sherman, Sloan Consulting Inc on behalf of Arbor Square Realty Co., LLC for a Conditional Use Permit to allow a single destination retail use at 2507 North Dixie Highway, within the Mixed Use – Dixie Highway (MU-DH) zoning district.

Staff: A. Rosenberg presents case findings and analysis. The proposal is for a single destination retail use for Family Dollar. The space has been without tenancy for the last four (4) years. The tenant is proposing the outdoor storage of LP tanks and ice sales as well as alcohol and tobacco. The applicant currently has a separate application under review for a façade improvement for the entire plaza. The Conditions of Approval include, among other conditions, resolving all liens and code case violations prior to the issuance of a business license for Family Dollar. The deficient areas are: landscaping, maximum front setback, maximum impermeable surface coverage and Major Thoroughfare Design Guidelines.

Applicant: Robert Schweitzer

Board: M. Glaser questions if there is intent to sell alcohol and tobacco. Reminds Board members of the recent discussion of a similar situation where the sidewalks were impeded with the sales of seasonal items and LP tanks. Questions if that is the intent of applicant. **Applicant Response:** The need and criteria for a proximity waiver is understood. The Church facility will be vacating the premises within a few months; the pizza parlor does not sell package beer only on premises; Ken Rose Catering is a license holder but as a caterer, they serve off premises. The previous Dollar General store did sell those items. With regard to the outdoor displays, historically the LP tanks were outside and ice vending machine inside. The sidewalks are significantly wider than 36".

Staff: E. Sita - ADA compliance will be reviewed at time of permit, even so persons have been known to file civil suits. **Applicant response:** They previously incurred an ADA civil suit and improvements were made to bathrooms and parking lot. **Board:** G. Rice mentions the condition outdoor storage of LP and ice. **Applicant** is unsure of why the LP would be required to be inside. **Staff:** It is a code requirement, no outdoor storage, part of the Conditional Use and not permitted. Discussion about conditioning to be "inside permanently or after hours." **Applicant Response:** Will abide by the code and conditions although it will trigger the need for additional fire sprinklers.

Discussion shifts to code violations on the property. The **Applicant** stated that within one week 12 of the 15 violations were corrected. There are 1.5 million in improvements happening to the plaza and it did not make sense to paint, repair curbing, parking lot striping and landscape (addressing remaining violations) when a façade renovation is underway. Timeline of code violations, when they were addressed, request of the Special Magistrate for an extension. **Board attorney** recalls 3-6 months is normal for the improvements? **Applicant response:** In Oct a January deadline was given, they were granted an extension in January and were expecting the permit in April. The permit submittal initially indicated a Major Site Plan Amendment and was resolved to a Minor Site Plan Amendment including the façade improvement. It will take several weeks to address the review comments for the Minor Site Plan. **Board Attorney:** It would be a violation of code to allow a new tenant to move in prior to addressing all the violations. **Applicant response:** The curbs will be fixed within 2 weeks and close out the code case. **Board Attorney:** This is not a code hearing tonight.

Staff: E. Sita - the Board typically does not hear any project that has an active code case but through good faith efforts, the City being business friendly and the applicant being earnest in effort the project was brought to the Board despite a history of code issues.

Board Chairman states it will be a welcome improvement and with no surprises for the applicant when it is all in writing.

Motion: A. Marotta moves to approve PZB 20-00500008 a conditional use permit to allow a single destination retail use at 2507 North Dixie Highway with staff recommended conditions based upon the data and analysis in the staff report; M. Glaser 2nd.

Vote: Ayes all, unanimous.

- B. PZB/HRPB Project Number 20-00400002: Consideration to recommend to the City Commission to transmit to the State of the Florida the City's 2020 10-Year Water Supply Facilities Work Plan for review including the adoption of related amendments to the Comprehensive Plan.

Staff: B. Shields presents case findings and analysis. The text was prepared by Mock-Roos Engineering firm. Florida statutes requires a five (5) year reporting cycle to the 10 year water plan.

Board: M. Glaser- One needs to be an engineer to understand the report. The 90K is part of the CIP (Capital Improvement Plan), it does get amended. The monies are for new wells with the phasing out of old wells, galvanized water mains etc. G. Rice asks if it is part of the older bond monies. B. Shields states no those monies were spent in 2011-2012.

Motion: A. Marotta moves to recommend PZB/HRPB 20-00400002 to the City Commission to transmit to the State of Florida the 2020 10-year Water Supply Plan and including the adoption of related amendments to the Comprehensive Plan; M. Glaser 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES:

Chairman asks if July 15 is a suitable date for the next Planning & Zoning Board meeting. A poll indicates the date is acceptable for the five members present.

E. Sita advises the proposed Comprehensive Plan Amendments recently reviewed by Board have been transmitted to the State with an expected return by July 8. There will be another round of LDR amendments coming to Board at the July 15 meeting.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: M. Glaser asks if the Gulfstream has submitted for review.

E. Sita states to date no application has been received, Board Attorney mentions it is expected soon.

Board Attorney: Regarding the July meetings and whether the virtual meetings will continue, there is uncertainty about the Governor's actions. The meetings may be modified with a combination of live quorum and CMT for the public.

ADJOURNMENT: 6:57 PM

Planning, Zoning & Historic Preservation Legal Notice

PLEASE TAKE NOTICE that due to the Novel Coronavirus Disease 2019 (COVID-19) and Federal, State and Palm Beach County's Declarations of State of Emergency, the City of Lake Worth Beach will conduct the July 2020 Planning & Zoning Board and Historic Resources Preservation Board meetings via Communication Media Technology ("CMT").

Live streaming of the meeting, agenda, backup materials, and public comment forms can be accessed at <https://lakeworthbeachfl.gov/virtual-meetings/> to consider the following:

Public comment will be accommodated prior to and during the meetings through the web portal: <https://lakeworthbeachfl.gov/virtual-meetings/>. If you are unable to access the web portal during the meeting, please leave a message at 561-586-1687 to be read into the record by a staff member. Written responses or comments can be sent to the PZB/HRPB at 1900 2nd Avenue North, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record.

PLEASE TAKE NOTICE that the City of Lake Worth Beach Historic Resources Preservation Board ("HRPB"), acting as the local planning agency, will hold a public hearing via CMT on **Wednesday, July 8, 2020 at 6pm** or soon thereafter to consider the recommendation to the City Commission of two (2) ordinances regarding amendments to the City's Code of Ordinances.

PLEASE TAKE NOTICE that the City of Lake Worth Beach Planning & Zoning Board ("PZB"), acting as the local planning agency, will hold a public hearing via CMT on **Wednesday, July 15, 2020 at 6pm** or soon thereafter to consider the recommendation to the City Commission of two (2) ordinances regarding amendments to the City's Code of Ordinances.

- **PZHP 20-03100003:** Consideration of an ordinance addressing the creation of a digital Future Land Use Map and Zoning District Map, pervious/impervious surfaces and lot coverage, parking and drainage, clarifying major and minor development review thresholds, fences walls and gates, dumpster and mechanical equipment screening, and minor changes for clarity and consistency that include outdoor storage as follows: AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," DIVISION 1 "IN GENERAL," SECTIONS 2-4, 2-7, 2-10.2 AND 2-11.3 RELATED TO APPLICATION FEES; AND AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1 "GENERAL PROVISIONS," DIVISION 1, "GENERALLY," SECTIONS 23.1-5 AND 13.1-6 RELATED TO OFFICIAL MAPS; ARTICLE 1 "GENERAL PROVISIONS," DIVISION 2, "DEFINITIONS," SECTION 23.1-12 - DEFINITIONS; ARTICLE 2 "ADMINISTRATION" DIVISION 3, "PERMITS," SEC. 23.2-30. - SITE PLAN REVIEW; ARTICLE 3, "ZONING DISTRICTS" SECTION 23.3-2. -OFFICIAL ZONING MAP; ARTICLE 4, "DEVELOPMENT STANDARDS" - SECTION 23.4-4. - FENCES, WALLS AND GATES; ARTICLE 4, "DEVELOPMENT STANDARDS" SECTION 23.4-10 - OFF-STREET PARKING; ARTICLE 4, "DEVELOPMENT STANDARDS" SECTION 23.4-19 - OUTDOOR STORAGE; ARTICLE 4 "DEVELOPMENT ARTICLE 6 "ENVIRONMENTAL REGULATIONS", SECTION 23.6-1(1)(3) LANDSCAPE REGULATIONS OF THE CITY'S CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

- **PZHP 20-00400003** Consideration of an ordinance addressing modifications to the use table and related modifications to definitions and supplementary development standards, and providing supplementary standards related to breweries and distilleries and specialty storage as follows: AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1 "GENERAL PROVISIONS," DIVISION 2, "DEFINITIONS," SECTION 23.1-12 -DEFINITIONS; ARTICLE 3 "ZONING DISTRICTS," DIVISION 1, "GENERALLY," SECTION 23.3-6 - USE TABLES; AND ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4-12 - ADMINISTRATIVE USES AND CONDITIONAL USES OF THE CITY'S CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

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 assistance is required

Sherie Coale
Planning Zoning and Historic Preservation
Ph: 561.586.1687.

WP000580144-01

PROOF O.K. BY: _____ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

WP-000580144-01 (100%)

ADVERTISER: CITY OF LAKE WORTH BEACH

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PUBLICATION: WP-PALM BEACH POST

Legal Notice No. 37005

PLEASE TAKE NOTICE that due to the Novel Coronavirus 2019 (COVID-19) and Federal, State, and Palm Beach County's Declarations of State of Emergency, the City of Lake Worth Beach will conduct Planning and Zoning Board (PZB) meetings via Communication Media Technology ("CMT"). The meeting will be conducted on **Wednesday, July 15, 2020, at 6:00 p.m.** or as soon thereafter as possible.

Live streaming of the hearing and public comment forms can be accessed at <https://lakeworthbeachfl.gov/virtual-meeting/> to consider the following:

PZB 20-00500003: Request by Anne-Christine Carrie of KEITH on behalf of 1900 10th Ave, LLC for consideration of a Major Site Plan and Conditional Use Permit to construct Vehicle Fueling/Charging Service Station, Single-Destination Retail, and Restaurant uses at 1900 10th Avenue North within the Mixed-Use West (MU-W) zoning district. The subject property PCN is 38-43-44-21-02-005-0030. Public comment will be accommodated prior to and during the meeting through the web portal. If you are unable to access the web portal during the meeting, please leave a message at 561-586-1687 to be read into the record by a staff member. Mailed written responses can be sent to the Lake Worth Beach Planning and Zoning Board at 1900 2nd Avenue N, Lake Worth Beach, FL 33461 and must arrive before the hearing date to be included in the formal record. Affected parties, as defined in section 23.1-12 of the Lake Worth Beach Code of Ordinances, who are interested in virtual participation, must notify the City of their status and submit evidence they wish the PZB to consider, five (5) days prior to the meeting for technical accommodation. For additional information, please 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
July 2, 2020



DATE: July 9, 2020
TO: Members of the Planning and Zoning Board
FROM: Andrew Meyer, Senior Community Planner
THRU: William Waters, AIA, NCARB, LEED, AP BD+C, ID, SEED, Director for Community Sustainability
MEETING: July 15, 2020

SUBJECT: **PZB Project Number 20-00500003**: Request by Anne-Christine Carrie of KEITH on behalf of 1900 10th Ave, LLC for consideration of a Major Site Plan, Conditional Use and Variance to construct Vehicle Fueling/Charging Station, Single-Destination Retail, and Restaurant uses at 1900 10th Avenue North within the Mixed-Use West (MU-W) zoning district. The subject property PCN is 38-43-44-21-02-005-0030.

PROJECT DESCRIPTION:

The Applicant, Anne-Christine Carrie of KEITH on behalf of 1900 10th Ave, LLC, is requesting approval of the following:

- 1.) **Major Site Plan** for the development of a 4,730 square foot retail and restaurant building and 3,520 square foot canopy structure (page 5).
- 2.) **Conditional Use Permit** to establish Vehicle Fueling/Charging Station, Single-Destination Retail, and Restaurant Uses (page 9)
- 3.) **Variance** of 8 feet from the maximum building setback line to allow for a front setback of 40 feet from 10th Avenue North (page 12).

The subject site is 1900 10th Avenue North, located at the northwest corner of 10th Avenue North and Barnett Drive Is 54,331 square feet and previously operated as a vehicle rental lot for Wayne Akers Ford for at least the past 20 years.

The proposed development, 7-Eleven, consists of a 4,730 square foot retail and restaurant building and 3,520 square foot canopy structure. The canopy structure will exist as covering for the fuel pumps associated with the Vehicle Fueling/Charging Station use, and will be located at the southeast corner of the site. The retail and restaurant building will house 7-Eleven's 4,496 square foot retail store as well as their 234 square foot dine-in and take-out Laredo Taco restaurant, and will be located at the northeast corner of the site.

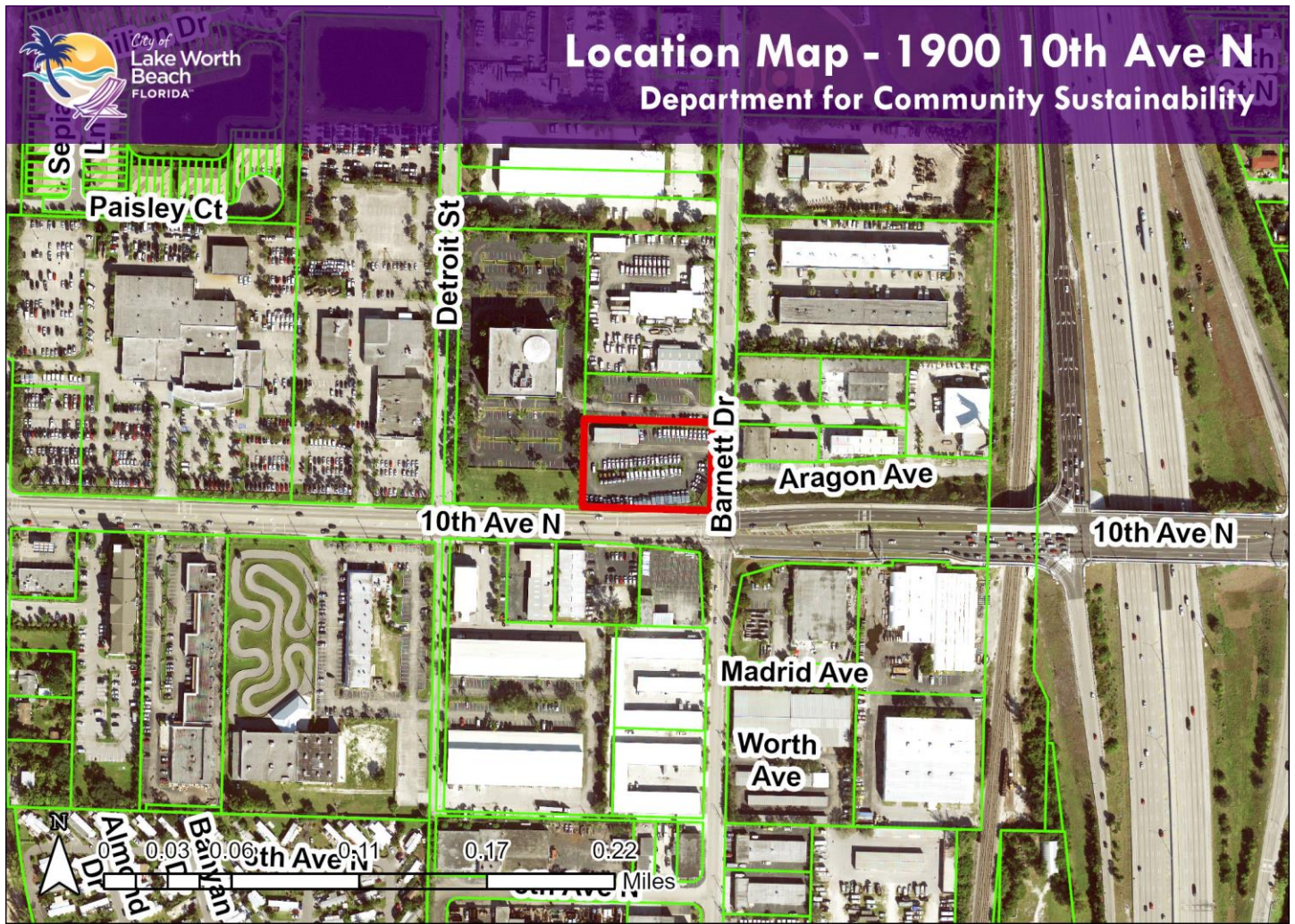
Staff Recommendation:

Staff has reviewed the documentation and materials provided, applying the applicable guidelines and standards found in the City of Lake Worth Zoning Code and Comprehensive Plan. The proposed development meets the criteria of the Comprehensive Plan and LDRs. Staff recommends that the Board approve the Major Site Plan, Conditional Use Permit and Variance as conditioned starting on page 13.

PROPERTY DESCRIPTION:

Applicant	Anne-Christine Carrie of KEITH on behalf of 1900 10th Ave, LLC
Owner	1900 10 th Ave, LLC
General Location	Northwest corner of 10 th Avenue North and Barnett Drive
PCN Number	38-43-44-21-02-005-0030
Existing Land Use	Vehicle Rental
Zoning	Mixed-Use West (MU-W)
Future Land Use Designation	Mixed-Use West (MU-W)

LOCATION MAP:



BACKGROUND:

The project site is located at 1900 10th Avenue North. Below is a timeline summary of the properties' histories based on Palm Beach Property Appraiser's records and City records:

- March 25, 1980 to April 16, 1991 – Property owned by Mark, Jane, and Steven Armstrong
- April 17, 1991 to June 16, 1991 – Property owned solely by Mark and Jane Armstrong
- June 17, 1991 to April 22, 1996 – Property owned by Home Life Insurance Company
- April 23, 1996 to December 18, 2019 – Property owned by Matus Akers Corporation
- Prior to December 21, 1999 (prior city records not available) to Today – Active business license for Wayne Akers Ford Rent-a-Car
- December 19, 2019 to Today – Property owned by 1900 10th Ave LLC
- June 15, 2020 – there is one active code case for Use & Occupancy inspection (Case 19-00003811). The building and site are currently vacant.

ANALYSIS:**Consistency with the Comprehensive Plan and Strategic Plan**

The subject application is located within the Mixed-Use West (MU-W) Future Land Use (FLU) designation (Policy 1.1.1.6), which provides for a mixture of residential, office, service and commercial retail uses within specific areas west of I-95. The project is located west of I-95, and the proposed vehicle fueling/charging station, single destination retail, and restaurant uses are commercial and retail uses appropriate in areas located west of I-95.

This project will replace an unused parking lot and activate a corner of the city which currently is inactive, increasing the taxable value of the lot. In addition, as this is a multi-use project, this project has the potential to provide multiple jobs of diverse skill sets. The project's location is also located in an area adjacent to the Lake Worth Park of Commerce and state transportation network facilities, and the proposed project provides services which can help support the development and enhancement of these areas. Therefore, the proposed vehicle fueling/charging station, single-destination retail, and restaurant uses are consistent with the following portions of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan:

- **Policy 1.1.1.6 of the City's Comprehensive Plan, Future Land Use Element:** Mixed-Use West
- **Pillar IV.A of the City's Strategic Plan:** Achieve economic and financial stability through a versatile and stable tax base.
- **Pillar IV.D of the City's Strategic Plan:** Influence the supply and expansion of jobs.
- **Pillar IV.E of the City's Strategic Plan:** Ensure development that anticipates and embraces the future.

Consistency with the City's Land Development Regulations

Per Section 23.2-29, conditional uses are defined as generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of pertinent conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. The Department of Community Sustainability is tasked in the code to review condition applications in accordance with the City's LDRs, for compliance with the findings for granting conditional uses (analyzed in the next section) and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

Mixed-Use West (MU-W): Per LDR Section 23.3-18(a), The Mixed-Use West district is intended to provide for the establishment and expansion of a broad range of office and commercial uses, including moderate intensity and higher intensity commercial, hotel/motel and medium-density multiple-family residential development along the city's western thoroughfares. The proposed project provides a mixture of higher intensity yet compatible commercial uses and is located on 10th Avenue North west of I-95. As such, the proposal is consistent with the intent of the MU-W district.

The table below shows the proposed site features and its compliance with the development regulation of the Mixed-Use West section of the Code:

Development Standard		Codified Regulation	Provided
Lot Size (min) In square feet (sf)		13,000 sf	54,331 sf
Lot Width (min)		100'	265.64''
Setbacks	Front (min)	Min 20', Max 32'	40'
	Rear (min)	10'	10'
	Street Side (min)	20'	30.21'
	Interior Side (min)	20'	91.7'
Impermeable Surface Coverage (maximum)		65%	64.6%
Structure Coverage (max)		50%	14.4%
Parking		24	32
Building Height (max)		30'	24'
Floor Area Ratio (FAR) (max)		1.3	0.09

Parking: The proposed development meets the minimum parking requirements in the City's LDRs. The required parking for the following uses are as follows:

- Retail: 22.48 (1 per 200 square feet)
- Restaurant: 3.12 (1 per 75 square feet)
- Filling Station: 6 (Flat number)

Additionally, per LDR Section 23.4-10(h), any land or building used for two or more uses receives a 25% parking reduction to the total number of spaces required. As the proposed project is considered mixed-use, the project receives a parking credit of 7.9 spaces, resulting in a total number of 24 (23.7 rounded up) spaces. The proposed project provides a total of 32 parking spaces (30 standard, 2 ADA), or 8 spaces more than what is required, which complies with the minimum parking requirement.

Landscaping: Overall, the development proposal complies with the City's landscape regulations. The project proposes Japanese Blueberry and Gumbo Limbo along 10th Avenue North, and Green Buttonwood and Queen Crepe Myrtle along Barnett Drive. A proposed air pump/vacuum system along 10th Avenue North will be visually screened by a row of Cocoplum located along 10th Avenue North. A condition has been added which will require the Cocoplum to be allowed to grow to and maintained at a height of at least $\frac{3}{4}$ of the height of the equipment as required by Code.

Impermeable Surface Coverage: The project as proposed has a total impermeable surface coverage of 64.6% and meets the allowed impermeable surface coverage of 65% outlined in the MU-W development regulations. The project is meeting this regulation by providing a portion of the parking at the northwest corner of the site to be paved with pervious pavement, which for lot coverage purposes is calculated at 50% of the actual area.

Structure Coverage: The project as proposed has a total building coverage of 14.4%, which meets the allowed maximum building coverage of 50%

Setbacks: The project as proposed provides a front setback of 40 feet, which does not meet the required maximum setback of 32 feet of the base zoning district, Mixed-Use West. As such, the applicant has applied for a variance from the maximum front setback, and has provided justification for the variance in Attachment C. The Applicant states that due to the tapered nature of the lot lines, and the requirement that gas station canopies require traffic circulation on all four sides while simultaneously providing for the city's required Landscape Buffer, the fuel canopy structure must be set back 40 feet from the front property line. The proposed setback variance request is consistent with variance criteria. The full analysis of the variance criteria begins on page 12 of this staff report.

Signage: This application includes a master sign program. The size and location of the building's signs are detailed on the architectural elevations (Sheets A200 and A202), while examples of the color palette and style of signage proposed as detailed on the signage plan documents. The signage submitted through the building permit will be reviewed against the location and size on sheets A200 and A202, as well as in conformance with the Code. Should the type of signage submitted as part of the building permit be significantly different in size, scale, scope, or style from what was indicated in the Site Plan package, the project will be required to go through a Site Plan amendment process prior to the approval of the building permit. This has been added as a condition of approval.

Major Thoroughfare Design Guidelines: The project has been reviewed and found to be compliant with the City's Major Thoroughfare Design Guidelines. Staff has included a condition of approval for a brighter paint color and more local design elements. The applicant will present alternative paint and materials for consideration by the PZB at the public meeting.

Major Site Plan:

The review criteria below is intended to promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements.

Section 23.2-31(c): Qualitative Development Standards

1. *Harmonious and efficient organization.* All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.

Staff Analysis: The applicant has stated that the site plan has been organized in relation to the site and surrounding lots. The applicant also states that the retail and restaurant building is situated toward the rear of the property, and the fuel canopy toward the center. The site is oriented toward 10th Avenue North, and the applicant states that parking is provided toward the rear of the site in order to keep separate pedestrian and vehicle circulation routes for safety purposes. **Meets Criterion.**

2. *Preservation of natural conditions.* The natural (refer to landscape code, Article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies as specified in Part II, Chapter 12, Health and Sanitation, Article VIII, Fertilizer Friendly Use Regulations. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four (4) feet or more.

Staff Analysis: This section is not applicable. The lots as they exist today are nearly completely paved, with no natural landscape and little vegetation. The applicant states that enhanced landscaping will be provided to improve the aesthetic appearance of the property and will comply with all landscaping requirements. **Meets Criterion.**

3. *Screening and buffering.* Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.

Staff Analysis: The property is surrounded by other vehicular uses and is not located adjacent to any residential uses. A wall currently exists along the west edge of the property, and is proposed to remain as part of the proposed site plan. In addition, Florida Privet shrubs will be planted along the north and west property lines to buffer the site from adjacent property. The applicant states that screening will be provided in compliance with Section 23.2-31. **Meets Criterion**

4. *Enhancement of residential privacy.* The site plan shall provide reasonable, visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.

Staff Analysis: This section is not applicable. The property is neither located in, nor adjacent to any residential properties. **Meets Criterion.**

5. *Emergency access.* Structures and other site features shall be so arranged as to permit emergency vehicle access by some practical means to all sides of all buildings.

Staff Analysis: The applicant states that the site is designed to ensure a safe and efficient circulation pattern for pedestrians, and personal, emergency access, and service vehicles. The fueling canopy is accessible from all sides, which allows both customer and emergency vehicles access to all sides of the structure in case of an emergency. **Meets Criterion.**

6. *Access to public ways.* All buildings, dwelling units and other facilities shall have safe and convenient access to a public street, walkway or other area dedicated to common use; curb cuts close to railroad crossings shall be avoided.

Staff Analysis: The applicant states that safe and convenient access is provided to the subject property along both Barnett Drive and 10th Avenue North, and that pedestrian access from the building to the public right-of-way is provided with sidewalks and clearly defined paths. **Meets Criterion.**

7. *Pedestrian circulation.* There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.

Staff Analysis: Paved sidewalks and pathways exist which provide a pedestrian circulation path between the retail and restaurant building and both 10th Avenue North and Barnett Drive. These pathways are designed in a way to bring the pedestrian circulation as separated as possible from the vehicular circulation. The applicant states that a continuous walking surface is provided leading to the building entrance without interacting with the drive aisles to highest extent possible. **Meets Criterion.**

8. *Design of ingress and egress drives.* The location, size and numbers of ingress and egress drives to the site will be arranged to minimize the negative impacts on public and private ways and on adjacent private property. Merging and turnout lanes traffic dividers shall be provided where they would significantly improve safety for vehicles and pedestrians.

Staff Analysis: Ingress and egress access points will be provided on 10th Avenue North as well as Barnett Drive. These ingress and egress access points are located as far as possible from the 10th Avenue North/Barnett Drive intersection so as to minimize any negative impact on the intersection. **Meets Criterion.**

9. *Coordination of on-site circulation with off-site circulation.* The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Minor streets shall not be connected to major streets in such a way as to facilitate improper utilization.

Staff Analysis: The applicant states that all circulation is designed in conjunction with existing vehicular patterns, and that the site is configured such that improper use, including as a byway between public rights-of-way is discouraged. Due to the fact that 10th Avenue North is a major thoroughfare, movements to and from 10th Avenue North are restricted to right-in/right-out only. **Meets Criterion.**

10. *Design of on-site public right-of-way.* On-site public street and rights-of-way shall be designed for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited direct access to parcels.

Staff Analysis: No public right-of-way is being proposed as part of this project, the site will be accessed from existing rights-of-way. The applicant states that on-site public rights-of-way are maintained where applicable and are not configured to encourage fragmentation. **Meets Criterion.**

11. *Off-street parking, loading and vehicular circulation areas.* Off-street parking, loading and vehicular circulation areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property.

Staff Analysis: The fueling pumps are located on the site in a location that is farthest from adjacent properties. The applicant states that off-street parking and circulation are placed so that the impact on adjacent properties is minimized and that the safety of visitors to the site is maximized. **Meets Criterion.**

12. *Refuse and service areas.* Refuse and service areas shall be located, designed and screened to minimize the impact of noise, glare and odor on adjacent property.

Staff Analysis: The dumpster is located on the northeast corner of the property. The applicant states that the dumper area is screened and located in an area which minimizes disruption to adjacent property and expedites servicing. **Meets Criterion.**

13. *Protection of property values.* The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property.

Staff Analysis: The applicant states that proposed design of the site plan meet or exceed the current standard of adjacent properties. The project is replacing an unused parking lot, and will provide a greater level of landscaping than what is currently being provided. **Meets Criterion.**

14. *Transitional development.* Where the property being developed is located on the edge of the zoning district, the site plan shall be designed to provide for a harmonious transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. Consideration shall be given to a harmonious transition in height and design style so that the change in zoning districts is not accentuated. Additional consideration shall be given to complementary setbacks between the existing and proposed development.

Staff Analysis: The applicant states that the configuration of the subject property is designed to meet with the existing standards of adjacent zoning districts, and states that the architectural design consists of stucco, glazing, and architectural canopies, and states these materials are common throughout both zoning districts. **Meets Criterion.**

15. *Consideration of future development.* In finding whether or not the above standards are met, the review authority shall consider likely future development as well as existing development.

Staff Analysis: No additional development beyond the scope of this application has been proposed at this time. Should any modification or future development of the site plan occur, they would be required to go through the appropriate site plan review process and meet all requirements of the Comprehensive Plan, Strategic Plan, Land Development Regulations, and Major Thoroughfare Design Guidelines. **Meets Criterion.**

Section 23.2-31(l): Community Appearance Criteria

1. The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.

Staff Analysis: The applicant states that the combination of natural tones and shifts in architectural planes ensures that the proposed project is in conformity with good taste, good design, and contributes to the image of the city. The retail and restaurant building has a canopy and architectural tower feature which breaks up the form and creates visual interest. **Meets Criterion.**

2. The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.

Staff Analysis: The property currently exists as an unused parking lot with minimal amount of vegetation. The proposed project improves the vegetation and landscaping of the site. The applicant states that the project will provide wide buffers and exceed the landscape requirements of the code, large trees will provide shade on site, and that the vehicular use areas will be screened by landscaping and perimeter hedging. **Meets Criterion.**

3. The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.

Staff Analysis: The applicant states that the proposed project satisfies the code requirements, and will be developed within the context of the 10th Avenue North corridor and adjacent commercial developments. The project proposed matches the scale and intensity of the surrounding area, and is in conformance with the land development regulations and comprehensive plan as mentioned earlier in this report. **Meets Criterion.**

4. The proposed structure or project is in compliance with this section and 23.2-29, as applicable.

Staff Analysis: The applicant states that they have provided the documents and plans for Site Plan and Conditional Use approval. **Meets Criterion.**

Conditional Use Permit:

Conditional uses are those uses that are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of conditions pertinent thereto in order to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. The project proposal includes a conditional use request to establish Vehicle Fueling/Charging Station, Single-Destination Retail, and Restaurant uses.

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

The proposed project is consistent 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 Analysis: The site contains a zoning designation of Mixed-Use West (MU-W). The applicant states that the Comprehensive Plan puts forth that the MU-W zoning designation allows for a mixture of activities, such as residential, office, service and commercial retail uses, but of a higher intensity west of I-95. The proposed Vehicle fueling/charging station, Single-Destination Retail, and Restaurant uses are of higher intensity uses appropriate in the MU-W zoning district. **Meets Criterion.**

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 Analysis: The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Current Use
North (adjacent)	I (Industrial)	I-POC	Parking Lot
South (across 10 th Ave N)	MU-W	MU-W	Mobility Device and Turf Sales
East (across Barnett Dr)	I	I-POC	Office and Warehouse
West (adjacent)	MU-W	MU-W	Warehouse/Contractor Office

Per the Palm Beach County Property Appraiser and City Business License records, the site is surrounded by a mixture of commercial, office, and light warehouse uses. The proposed project is in harmony with the existing mixture of uses in the immediate area. **Meets Criterion.**

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 Analysis: The Applicant states that the proposed project will replace the existing site and structure with a modern building that conforms to the current Land Development Regulations, and will generate more public benefit as the vehicular use area will receive landscaping which will screen it from public rights-of-way. The project adds commercial business to an otherwise unused parking lot, and has the potential to generate jobs. Therefore, the public benefit is anticipated to increase from this development. **Meets Criterion.**

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 Analysis: The Land Development Regulations anticipate and approve the uses of Vehicle fueling/charging station, Single-Destination Retail, and Restaurant in this zoning district. The project is consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan and will not result in a more intensive development than what the Plan anticipates. **Meets Criterion.**

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 Analysis: The applicant has stated that the traffic from the project will enter the site from 10th Avenue North, and a right turn lane into the point of egress will ensure that turning vehicles do not impede through traffic on 10th Avenue North. The applicant is working with Palm Beach County to develop a Traffic Performance Standards letter, and a condition of approval has been added to require the applicant to submit this letter to the City prior to the issuance of the building permit. Should the TPS Letter state any improvements needed that are not indicated on the site plan, the applicant is aware that the project will need to go back through the Site Plan approval process to ensure these facilities are provided. **Meets Criterion.**

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 Analysis: The proposed conditional use is located along an Urban Minor Arterial roadway with five lanes per the PBC Functional Classification of Road map. In the applicant's project justification, the segment of 10th Avenue North west of I-95 is identified as a predominantly commercial corridor with some industrial uses, and goes on to state that the proposed conditional uses are compatible with the transportation impacts generated by adjacent uses. **Meets Criterion.**

3. The proposed conditional use will not produce significant air pollution emissions, to a level compatible with that which would result from a development permitted by right.

Staff Analysis: The Applicant has stated that the project will comply with all DEP and EPA regulations and will not produce significant air pollution emissions. **Meets Criterion.**

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 Analysis: The Applicant states that the proposed conditional use is designed in such a way that neither the extension, enlargement, or other alteration of that system would in higher net public cost or earlier incursion of public cost than what would result from a development permitted by right. **Meets Criterion.**

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 Analysis: The Applicant states that the proposed conditional use is located adjacent to existing water, sanitary sewer, storm, and surface drainage systems, and states that they do not anticipate an alteration of such systems would result in a higher net public cost than a development permitted by right. No adverse impact to infrastructure or public utilities is anticipated to occur as a result of this request. **Meets Criterion.**

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

Staff Analysis: The applicant states that the project is located along the 10th Avenue North corridor, which is characterized by Commercial development. As such, the proposed use will not generate demand beyond the capacity of municipal emergency services. **Meets Criterion.**

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 Analysis: Unreasonable noise, which is defined in Section 15.24-1, is prohibited in the City when:

- Equal to or greater than 65 dba between 11:00 p.m. and 8:00 a.m., Sunday through Thursday
- Greater than 85 dba between 8:00 a.m. and 11:00 p.m., Sunday through Thursday
- Equal to or greater than 65 dba between 12:00 a.m. and 8:00 a.m., Friday through Saturday
- Equal to or greater than 85 dba between 8:00 a.m. and 12:00 a.m., Friday through Saturday

The Applicant states that the proposed project is located along a corridor predominantly characterized by Commercial development, and states that the use will not generate significant noise beyond what is permitted by right. Based on the uses being proposed, the project is anticipated to generate noise levels that are compliant with Section 15.24. **Meets Criterion.**

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 Analysis: This criterion is not applicable as the proposed project is not adjacent to any residential property. **Meets Criterion.**

Section 23.4-13(c)(1)(A)(2)(c): Design and Performance Standards for Vehicle Filling Stations

1. The minimum lot area shall be twenty-seven thousand (27,000) square feet.

Staff Analysis: The lot area for this project is 54,331 square feet, which exceeds the minimum lot area. **Meets Criterion.**

2. Pump island shall be set back a minimum of twenty (20) feet from the street property lines and fifteen (15) feet from side and rear property lines.

Staff Analysis: The pump islands are set back approximately 45 feet at its narrowest approach to the property lines, which is in excess of the required minimum setbacks for pump islands. **Meets Criterion.**

3. Overhead canopies shall be set back a minimum of ten (10) feet from street front property lines and from nonresidential property lines and a minimum of fifteen (15) feet from residential property lines.

Staff Analysis: The overhead canopy is set back 40 feet from the front property line, which exceeds the minimum required setback of 10 feet. **Meets Criterion.**

4. Curb cuts shall not be located closer than fifteen (15) feet to the intersection of two (2) right-of-way lines. There shall be a maximum of two (2) curb cuts on any one (1) street frontage.

Staff Analysis: Measured from the intersection of 10th Avenue North and Barnett Drive, the ingress and egress from the site onto 10th Avenue North is located 225 feet away, and the ingress and egress from the site onto Barnett Drive is located 197 feet away. **Meets Criterion.**

5. There shall be no outdoor display of any kind of merchandises.

Staff Analysis: The proposed use does not include any kind of outdoor merchandise display. A condition of approval has been added to ensure that no outdoor merchandise display is a part of this project. **Meets Criterion.**

Variance

The subject application includes a request for a variance of 8 feet from the maximum front setback. Currently, Section 23.3-18 has a minimum front setback of 20 feet, and a maximum front setback of 32 feet. The applicant is providing a front building setback of 40 feet, or 8 feet greater than the maximum front setback of 32 feet. The variance from the maximum front building setback is being requested as the proposed fuel canopy must have circulation on all four sides to allow vehicles to approach and leave the fueling pumps underneath the canopy in addition to supplying a landscape buffer as required by Section 23.6-1. Staff has analyzed the proposed variance request against the following variance review criteria found within Section 23.2-26:

1. Special circumstances or conditions exist which are peculiar to the land or building for which the variance is sought and do not apply generally to nearby lands and buildings, and that this is not the result of action of the applicant;

Staff Analysis: The applicant states that there are two existing conditions which are peculiar to the land and building. First, the front lot line is not straight and is curved to accommodate the transition of the westbound lanes of 10th Avenue North from a highway overpass to a Urban Minor Arterial roadway, and second, the proposed gas fueling canopy requires traffic circulation on all four sides, as well as the code requires the applicant to provide a landscape buffer along 10th Avenue North. Further, the applicant is required to provide a deceleration turn lane which has impacted the internal circulation of the site. **Meets Criterion.**

2. The strict application of the provision of these LDRs would deprive the applicant of any reasonable use of the land or building for which the variance is sought;

Staff Analysis: The applicant states that the strict enforcement of the setback would prevent the use of a vehicular fueling/charging service station, which is an appropriate use along 10th Avenue North west of I-95 and also within the Mixed-Use West zoning district, and goes on to state that the application of the setback would prevent the establishment of the most appropriate use for the site. **Meets Criterion.**

3. That the variance proposed is the minimum variance which makes possible the reasonable use of the land or building; and

Staff Analysis: The applicant states that the fuel canopy has been oriented as close to 10th Avenue North as possible while still providing for the required landscape buffer and allowing for traffic circulation. **Meets Criterion.**

4. That the granting of the variance will be in accordance with the spirit and purpose of this chapter, and will not be unduly injurious to contiguous property or the surrounding neighborhood nor otherwise detrimental to the public welfare. In deciding appeals from decisions of the development review official or in granting variances, the decision making board is authorized and required to impose any reasonable conditions and safeguards it deems to be necessary

or desirable, and violation of such conditions or safeguards when made a part of the terms under which a variance is granted, shall be deemed to be a violation of these LDRs.

Staff Analysis: The applicant states that the site is currently a vacant parking lot, which adds little value and does not meet the purpose and intent of the Mixed-Use West zoning district, and states that the proposed uses will provide benefits to the city that the current parking lot currently does not. **Meets Criterion.**

Public Support/Opposition:

Staff has received a phone call in opposition to the project from Mr. Daniel Hiatt and a request to review the application materials. Staff has not received any other phone calls or letters of opposition.

CONCLUSION:

The proposed request for a Major Site Plan, Conditional Use and Variance to construct Vehicle fueling/charging station, Single-Destination Retail, and Restaurant uses at 1900 10th Avenue North is consistent with the purpose, intent and requirements of the Comprehensive Plan, underlying zoning district, and surrounding areas, subject to compliance with staff's proposed conditions of approval. Therefore, staff recommends that the Board recommend **approval of the proposed request with the conditions** below:

Electric Utilities:

1. Prior to the issuance of a Certificate of Occupancy, the following shall be completed:
 - a. Provide the load calculations and voltage requirements
2. Electric Utilities shall approve all easements and/or alternate transformer configurations prior to the issuance of a building permit.
3. Should no alternate transformer and/ or easements be approved by the Electric Utilities, then the following shall be provided and approved prior to the issuance of a building permit:
 - a. Show the service entrance location on the site plan
 - b. Provide a ten ft. clearance in front of the transformer and four ft. on the remaining sides
 - c. Relocate the proposed tree from the transformer location
 - d. Provide a ten foot easement from the transformer location to the power pole across the street on Barnett Drive. Please keep the utility easement free of landscaping or any other structures.

Planning:

1. The landscape screen adjacent to the air/vac mechanical equipment along 10th Avenue North shall be maintained at a height of at least $\frac{3}{4}$ of the height of said equipment so that it is screened from the right-of-way.
2. All proposed signage will be reviewed against the location and size on sheets A200 and A202, as well as in conformance with the Code. Should the type of signage submitted as part of the building permit be significantly different in size, scale, scope, or style from what was indicated in the Site Plan package, the signage will be required to be approved administratively through a Minor Site Plan amendment process prior to the approval of the building permit.
3. Prior to the issuance of a building permit, the following shall be completed:
 - a. Continue the fenestration toward the ground across the entire building on both sides of the entrance doors.
 - b. Paint the retail/restaurant building a color other than beige as described in the Major Thoroughfare Design Guidelines; alternative colors and/or materials shall be presented to the PZB for consideration and approval; and architectural plans shall be updated and approved by staff prior to the issuance of a building permit to reflect an alternate color or materials.
 - c. The applicant shall submit a TPS letter from the Palm Beach County Traffic Division.

Public Works:

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. Prior to performing work in the right of way, the applicant shall apply for and receive issuance of a "Right of Way/Utility Permit" application.
3. Prior to the issuance of a certificate of occupancy, the following shall be completed:
 - a. 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.
 - b. all conditions of approval shall be satisfied under jurisdiction of the Department of Public Services.
 - c. the applicant shall fine grade and sod all disturbed areas with Bahia sod.
 - d. the applicant shall broom sweep all areas of the affected right of way and remove of all silt and debris collected as a result of construction activity.
 - e. the applicant shall restore the right of way to a like or better condition. Any damages to pavement, curbing, striping, sidewalks or other areas shall be restored in kind
4. Prior to the issuance of a building permit, the following shall be completed:
 - a. 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.
 - b. The applicant shall contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
 - c. 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.
 - d. The applicant shall submit an Erosion Control plan and indicate the BMP's and NPDES compliance practices.

Utilities Water & Sewer:

1. System data shows the site uses an existing 1-inch meter, however the drawing reference utilizing the existing 2-inch service. No taps or fitting are allowed upstream of the City water meter on the City's water service. The potable water service also requires an RPZ.
2. Prior to the issuance of a building permit, the following shall be completed:
 - a. Ensure the plan conforms/integrates with the Palm Beach County (PBC) Roadway widening/improvement project, and provide an acknowledgement from PBC.
 - b. Provide the egress from Barnett Drive as egress only
 - c. Provide a collection structure in the dumpster pad that is connected to an oil/grease inceptor. This will manage the runoff in this area and will be connected to the stormwater collection system. This shall not be connected to the sanitary sewer system. Minimum size of the oil/grease inceptor is 750 gallons.

Board Actions:

I MOVE TO RECOMMEND APPROVAL OF PZB PROJECT NUMBER 20-00500003 with staff recommended **conditions** for a Major Site Plan, Conditional Use and Variance to construct Vehicle fueling/charging station, Single-Destination Retail, and Restaurant uses at 1900 10th Avenue North. The project meets the applicable criteria based on the data and analysis in the staff report.

I MOVE TO RECOMMEND DENIAL OF PZB PROJECT NUMBER 20-00900001 for a Major Site Plan, Conditional Use and Variance to construct Vehicle fueling/charging station, Single-Destination Retail, and Restaurant uses at 1900 10th

Avenue North. The project does not meet the applicable criteria for the following reasons [Board member please state reasons.]

Consequent Action:

The Planning & Zoning Board's decision will be final for the Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.

ATTACHMENTS:

- A. Zoning Map
- B. Site Plan Package
- C. Supplemental Supporting Documents
- D. Site Photos



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

DATE: July 1, 2020 & July 9, 2020

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

FROM: William Waters, Director Community Sustainability

MEETING: July 8, 2020 and July 15, 2020

SUBJECT: **PZB / HRPB Project Number 20-03100003**: Consideration of an ordinance to amend Chapter 2 regarding application fees and Chapter 23 “Land Development Regulations” regarding changes to adopt a digital zoning and future land use map, site plan review, pervious and impervious surfaces, outdoor storage, and modifications to development standards and requirements for fence, walls and gates.

BACKGROUND/ PROPOSAL:

On March 5, 2020, the City Commission held a workshop on the prioritization of amendments to the City’s Land Development Regulations (LDR) that were previously identified by staff and the Commission. The subject LDR amendments address a second series of prioritized items identified at the March meeting. These include changes to additional definitions, electronic zoning maps and future land use maps, fees, site plan review, fences, walls and gates, parking lot materials and dumpsters. The proposed amendments to the Land Development Regulations have been reviewed by staff for consistency with the City’s Comprehensive Plan. A summary of each component in the draft ordinance is also provided.

The proposed LDR amendments for Chapter 23 will modify the following sections of the City’s Code of Ordinances:

- Article 1- Section 23.1-5 and 6 - General Provisions
- Article 1- Section 23.1-12 – Definitions
- Article 2 - Section 23.2-20 – Site Plan Review
- Article 3 - Section 23.3-2 – Official Zoning Map
- Article 4 - Section 23.4-4 – Fences, Walls and Gates
- Article 4 - Section 23.4-10 – Off Street Parking
- Article 4 - Section 23.4-19 – Outdoor Storage
- Article 6 - Section 23.6-1 – Landscape Regulations

There also are a few changes to Chapter 2 of the Code of Ordinances related to development fees.

Changes and amendments to Chapter 2: These amendments are proposed to reference the City's official schedule of fees and charges for privately initiated changes to either the City's Comprehensive Plan or Future Land Use Map (FLUM) as well as voluntary annexations and other zoning requests.

Official Future Land Use Map and Official Zoning Map: The proposed amendments provide for the City to have both its official zoning map and official future land use map managed digitally.

Definitions: The proposed amendments provide clarity and with regard to building lot coverage, overall lot coverage, and permeable and impermeable surfaces.

Site Plan Review: The proposed amendments clarify the distinction between major site plans and minor site plans as well as the process to amend same.

Fences, Walls & Gates: The proposed amendments provide additional regulations regarding types of perimeter fences, materials and locations for all zoning districts as well as clarity with regard to visibility triangles.

Off Street Parking: The proposed amendments provide for clarity with regard of acceptable materials allowed for off street parking.

Outdoor Storage: The proposed amendments provide for clarity on the where outdoor storage may occur and storm water requirements for outdoor storage.

Landscape Regulations: The proposed amendments provide for dealing with dumpster landscaping and non-conforming dumpster conditions.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2020-XX: PZB / HRPB Project Number 20-03100003

POTENTIAL MOTION:

I move to RECOMMEND/NOT RECOMMEND TO THE CITY COMMISSION **TO ADOPT** the proposed LDR text amendments included in PZB / HRPB Project Number 20-03100003 (Ordinance 2020-11).

Attachments

- A. Draft Ordinance 2020-11

1
2
3 **ORDINANCE 2020-11 - AN ORDINANCE OF THE CITY OF LAKE**
4 **WORTH BEACH, FLORIDA, AMENDING CHAPTER 2**
5 **“ADMINISTRATION,” DIVISION 1 “IN GENERAL,” SECTIONS 2-4, 2-7,**
6 **2-10.2 AND 2-11.3 RELATED TO APPLICATION FEES; AND AMENDING**
7 **CHAPTER 23 “LAND DEVELOPMENT REGULATIONS, BY AMENDING**
8 **ARTICLE 1 “GENERAL PROVISIONS,” DIVISION 1, “GENERALLY,”**
9 **SECTIONS 23.1-5 AND 23.1-6 RELATED TO OFFICIAL MAPS; ARTICLE**
10 **1 “GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION**
11 **23.1-12 - DEFINITIONS; ARTICLE 2 “ADMINISTRATION” DIVISION 3,**
12 **“PERMITS,” SEC. 23.2-30. – SITE PLAN REVIEW; ARTICLE 3, “ZONING**
13 **DISTRICTS” SEC. 23.3-2. –OFFICIAL ZONING MAP; ARTICLE 4,**
14 **“DEVELOPMENT STANDARDS” - SECTION 23.4-4. – FENCES, WALLS**
15 **AND GATES; ARTICLE 4, “DEVELOPMENT STANDARDS” SECTION**
16 **23.4-10 – OFF-STREET PARKING; ARTICLE 4, “DEVELOPMENT**
17 **STANDARDS” SECTION 23.4-19 – OUTDOOR STORAGE; ARTICLE 4**
18 **“DEVELOPMENT ARTICLE 6 “ENVIRONMENTAL REGULATIONS”,**
19 **SECTION 23.6-1(C)(3) LANDSCAPE REGULATIONS OF THE CITY’S**
20 **CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE**
21 **REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE**
22 **DATE.**

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24
25 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
26 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
27 “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary
28 powers necessary to conduct municipal government, perform municipal functions, and
29 render municipal services, and may exercise any power for municipal purposes, except
30 as expressly prohibited by law; and

31
32 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
33 body of each municipality in the state has the power to enact legislation concerning any
34 subject matter upon which the state legislature may act, except when expressly prohibited
35 by law; and

36
37 **WHEREAS**, the City wishes to amend Chapter 2, Division 1 “In General,” Sections
38 2-4, 2-7, 2-10.2 and 2-11.3 addressing application fees to provide clarity and address a
39 conflict; and

40
41 **WHEREAS**, the City wishes to amend Chapter 23, Division 1 “Generally,” Sections
42 23.1-5 and 23.1-6, and Article 3, “Zoning Districts” SEC. 23.3-2. –Official Zoning Map to
43 adopt a digital Future Land Use Map and Zoning District Map; and

44
45 **WHEREAS**, the City wishes to amend the definitions and landscape sections of
46 Chapter 23 of its land development regulations to address inconsistencies and conflicts
47 related lot coverage type and pervious and impervious surfaces; and

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WHEREAS, the City wishes to amend Chapter 23, Article 2 “General Provisions,” Division 3, “Permits,” Section 23.2-30. Site Plan Review to provide clarity and consistency regarding major development and minor development site plan processing; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 “Development Standards,” Sections 23.4-4 regarding fences, walls and gates section to provide clarity and consistency; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 “Development Standards, Section 23.4-19 regarding outdoor storage to provide clarity and consistency on where outdoor storage may occur and storm water pollution requirements; and

WHEREAS, the Planning and Zoning Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

WHEREAS, the Historic Resources Preservation Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

WHEREAS, the City Commission has reviewed the proposed amendments and has determined that it is in the best interest of the public health, safety, and general welfare of the City to adopt this ordinance.

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

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

Section 2: Chapter 2 “Administration,” Division 1, “In-General,” Sections 2-4, 2-7, 2-10.2 AND 2-11.3 related to application fees of the City’s Code of Ordinances, is hereby amended by adding the words shown in underlined type and deleting the words struck through as indicated in **Exhibit A**.

Section 3: Chapter 23 Land Development Regulations,” Article 1, “General Provisions,” Division 1 “Generally,” Sections 23.1-5 AND 13.1-6 related to official maps is hereby amended by adding the words shown in underlined type and deleting the words struck through as indicated in **Exhibit B**.

Section 4: Chapter 23 Land Development Regulations,” Article 1, “General Provisions,” Division 2 “Definitions,” Section 23.1-12 - Definitions is hereby amended by adding the words shown in underlined type and deleting the words struck through as indicated in **Exhibit C**.

Section 5: Chapter 23 Land Development Regulations,” Article 2, “Administration,” Division 3 “Permits,” Sec. 23.2-30. – Site Plan Review is hereby

96 amended by adding the words shown in underlined type and deleting the words struck
97 through as indicated in **Exhibit D**.

98
99 **Section 6:** Chapter 23 “Land Development Regulations,” Article 3, “Zoning
100 Districts” Sec. 23.3-2. –Official Zoning Map; are hereby amended by adding the words
101 shown in underlined type and deleting the words struck through as indicated in **Exhibit**
102 **E**.

103
104 **Section 7:** Chapter 23 “Land Development Regulations,” Article 4,
105 “Development Standards” Sec. 23.4-4. –Fences, Wall, and Gates; are hereby amended
106 by adding the words shown in underlined type and deleting the words struck through as
107 indicated in **Exhibit F**.

108
109 **Section 8:** Chapter 23 “Land Development Regulations,” Article 4,
110 “Development Standards” *Section 23.4-10 – Off-street parking*; are hereby amended by
111 adding the words shown in underlined type and deleting the words struck through as
112 indicated in **Exhibit G**.

113
114 **Section 9:** Chapter 23 “Land Development Regulations,” Article 4,
115 “Development Standards” *Section 23.4-19 – Outdoor Storage*; are hereby amended by
116 adding the words shown in underlined type and deleting the words struck through as
117 indicated in **Exhibit H**.

118
119 **Section 10:** Chapter 23 “Land Development Regulations,” Article 6,
120 “Environmental Regulations” Sec. 23.6-1. – Landscape Regulations; are hereby
121 amended by adding the words shown in underlined type and deleting the words struck
122 through as indicated in **Exhibit I**.

123
124 **Section 11. Severability.** If any section, subsection, sentence, clause, phrase or
125 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
126 competent jurisdiction, such portion shall be deemed a separate, distinct, and
127 independent provision, and such holding shall not affect the validity of the remaining
128 portions thereof.

129
130 **Section 12. Repeal of Laws in Conflict.** All ordinances or parts of ordinances in
131 conflict herewith are hereby repealed to the extent of such conflict.

132
133 **Section 13. Codification.** The sections of the ordinance may be made a part of
134 the City Code of Laws and ordinances and may be re-numbered or re-lettered to
135 accomplish such, and the word “ordinance” may be changed to “section”, “division”, or
136 any other appropriate word.

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138 **Section 14. Effective Date.** This ordinance shall become effective 10 days after
139 passage.

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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 Andy Amoroso
- Commissioner Scott Maxwell
- Commissioner Omari Hardy
- Commissioner Herman Robinson

The Mayor thereupon declared this ordinance duly passed on first reading on the _____ day of _____, 2020.

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

- Mayor Pam Triolo
- Vice Mayor Andy Amoroso
- Commissioner Scott Maxwell
- Commissioner Omari Hardy
- Commissioner Herman Robinson

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2020.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Deborah Andrea, CMC, City Clerk

EXHIBIT A

Chapter 2

CODE OF ORDINANCES ARTICLE 2 "ADMINISTRATION"

DIVISION 1. – IN GENERAL

Sec. 2-4. - Changes and amendments to comprehensive plan.

~~(a) There is hereby fixed a service charge of fifteen dollars (\$15.00) for copying the comprehensive plan, excluding the land use map. There is hereby fixed a fee of five dollars (\$5.00) for copying the land use map.~~ (b) There is hereby fixed a service charge. A fee of not less than of one thousand five hundred dollars (\$1,500.00) two thousand dollars (\$2,000) shall be established by resolution in the City's adopted fee schedule for any request to amend the City's comprehensive plan pursuant to section 163.3187(1)(c), Florida Statutes, and a service charge of five hundred dollars (\$500.00) for any other request to amend the comprehensive plan, which amount shall be paid at the time of the filing of such petition regardless of whether such petition has ever previously been filed. The sum shall be a flat application fee plus the cost of advertising and the same, or any part thereof, shall not be refundable.

Sec. 2-7. - Voluntary annexation; service charge.

~~There is hereby A fixed a service charge of five hundred dollars (\$500.00) plus the costs of advertising for each petition for voluntary annexation shall be established by resolution in the City's adopted fee schedule. The service charge and advertising fees may be waived by the City Manager or designee on a case-by-case basis to incentivize annexation within the City's future annexation area.~~

Sec. 2-10.2. - Zoning confirmation fees.

Whenever the city receives a request for zoning confirmation or information, a service fee ~~of thirty five dollars (\$35.00)~~ as established by resolution in the City's adopted fee schedule shall be charged for each request. Each request must be submitted in writing, with the required fee, at least seven (7) business days before the city's response.

Sec. 2-10.3. - Historic status confirmation fees.

Whenever the city receives a request for historic status confirmation or information about the historic status of a particular property, a service fee ~~of thirty five dollars (\$35.00)~~ as established by resolution in the City's adopted fee schedule shall be charged for each request. Each request must be submitted in writing, with the required fee, at least seven (7) business days before the city's response.

EXHIBIT B

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 "GENERAL PROVISIONS"

Article 1, "General Provisions," Division 1, "Generally"

Sec. 23.1-5. - Comprehensive plan and future land use map.

The comprehensive plan and future land use map "FLUM" of the City of Lake Worth are the official statements of policy of the city with regard to the use and development of land within the city. All use or development of land undertaken pursuant to these regulations shall be consistent with the comprehensive plan and the future land use map.

a) FLUM adoption procedure and policy. The boundaries of the future land use designations including any duly enacted amendments are set forth and administered in a digital data format within a geographic information system (GIS) under the direction of the Development Review Official (DRO) or designee that together with all explanatory matter and data therein shall constitute the City's official FLUM. The FLUM shall be available for viewing by the public upon the City's webpage. The City Clerk or designee shall certify, upon validation by the DRO or designee, a signed paper copy of official FLUM from time to time and upon request as consistent with Comprehensive Plan Policy 1.1.2.1. The digital GIS data shall supersede any paper map copies in the event of a conflict. The City's development review official (DRO) or designee shall have the authority to correct errors in the map data if they are discovered. No other changes of any nature shall be made to the official FLUM or matters shown thereon except in conformity with the procedures set forth in these LDRs and the City's Comprehensive Plan.

Sec. 23.1-6. - Official zoning map.

The official zoning map is established and incorporated into these regulations by this reference. The official zoning map designates the boundaries of all zoning districts as adopted by the city commission pursuant to the procedures of these regulations. The official zoning map, as amended from time to time, shall be maintained in accordance with the provisions of Sec. 23.3-2. - Official zoning map. ~~kept on file and made available for public reference in the office of the city clerk.~~ See also Article 3, Zoning Districts.

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EXHIBIT C

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 "GENERAL PROVISIONS"

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

Sec. 23.1-12. - Definitions.

Building lot coverage: The area of a lot covered by the impervious surface associated with the footprint(s) of all buildings on a particular lot. Exceptions: Structured parking garages are exempt from building lot coverage- calculations unless habitable space is provided above or on top of the structured parking, then that portion of the parking garage would be included in the calculation.

* * *

Impermeable / impervious surface: All surfaces on a lot incapable of being penetrated by water under normal circumstances, wherein moisture runs off the surface instead of penetrating the material to be absorbed in the underlying soil. Impermeable materials include, but are not limited to, asphalt, concrete, pavers and compacted shell rock and roofs. Impermeable surfaces shall have a minimum of a one (1) foot setback from the side property line and rear property lines.

* * *

Landscaping: Any of the following or combination thereof: materials such as, but not limited to, grass, living ground covers, shrubs, vines, hedges, trees or palms. A landscape area shall contain a maximum of 50% mulch or rock in planting beds.

* * *

Landscape screen (or "landscape hedge"): A line, ~~or~~ row, or group of plant material ~~planted~~ installed and maintained at a minimum height of 24" so as to form a continuous buffer acting as a visual screen that may include shrub hedging or decorative landscaping. ~~to adjacent property.~~

* * *

Lot coverage: That area of the lot area covered by the impervious surfaces associated with the footprint(s) of all buildings and improved surfaces on a particular lot, ~~inclusive of~~ including structured parking garages, driveways, walkways, patios, pool decks, screen enclosures, equipment pads, hardscapes and including or other impervious surfaces any surface covered by impervious or semi-pervious materials. Exception: Swimming pools are exempt from lot coverage calculations. For semi-pervious surfaces, two (2) square feet of semi-pervious surface shall be equivalent to one (1) square foot of impervious surface for the purpose of calculating lot coverage.

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317 Maximum lot coverage: The total area of a particular lot covered with an impervious
318 or semi-pervious surface material. Includes but is not limited to building footprints,
319 structures, driveways, screen enclosures, terraces, patios and pavement. For semi-
320 pervious surfaces, two (2) square feet of semi-pervious surface shall be equivalent to one
321 (1) square foot of impervious surface for the purpose of calculating development
322 regulation requirements for permitted, administrative or conditional uses.

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325 Open space: That area of a lot which is unencumbered by buildings, other structures,
326 areas defined as impermeable/impervious surface, driveways, or automobile parking
327 areas, except for garden walls and fences and recreational equipment as provided herein.
328 Such space is to be generally maintained in a natural or cultural living landscape and shall
329 include the water surface area of swimming pools. Open space shall be considered
330 pervious in the lot coverage and maximum lot coverage calculations, and shall not be
331 included in the calculation of impervious area for the purposes of maximum lot coverage.

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335 Pervious / permeable surface: Any surface that is capable of being penetrated by
336 water, with a percolation rate that is generally equivalent to the ground percolation rate.
337 ~~For semi-pervious surface materials, two (2) square feet of semi-pervious surface shall~~
338 ~~be equivalent to one (1) square foot of impervious surface for the purpose of calculating~~
339 ~~development regulation requirements for permitted, administrative or conditional uses.~~
340 ~~Percolation (perc) rate of the semi-pervious material must be fifty (50) percent relative to~~
341 ~~the ground perc rate. Semi-pervious material may include but is not limited to pervious~~
342 ~~pavers, pervious concrete, grasscrete and substantially similar materials. [Note: Deleted~~
343 ~~text moved to definition for semi-pervious surface.]~~

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347 Permeable paving materials: Paving materials with a percolation rate of at least fifty
348 (50) percent relative to the ground percolation rate that are specifically designed to be
349 semi-pervious and also provide a stable surface. Permeable paving materials include but
350 are not limited to pervious pavers, pervious concrete, porous asphalt, grasscrete and
351 substantially similar materials.

* * *

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354 Semi-pervious surface: A surface covered by materials with a percolation rate of at
355 least fifty (50) percent relative to the ground percolation rate. Semi-pervious surface may
356 include but are not limited to permeable paving material and other semi-pervious
357 materials such as gravel, small stone, and other substantially similar materials. For semi-

358 pervious surfaces, two (2) square feet of semi-pervious surface shall be equivalent to one
359 (1) square foot of impervious surface for the purpose of calculating development
360 regulations. The semi-pervious surface credit shall not reduce the required open space
361 and landscape area requirements.

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365 *Swimming pools:* Any pool which is constructed, used or maintained to provide
366 recreational facilities for swimming, bathing or wading and which is capable of containing
367 water to a depth greater than eighteen (18) inches and ~~all buildings, equipment, and~~
368 ~~appurtenances thereto, and~~ The water surface area of a swimming pool shall not be
369 included in the calculation of impervious area for the purposes of maximum lot coverage.

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EXHIBIT D

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 2 “ADMINISTRATION”

381 *Article 2, “Administration” Division 3. “Permits”*

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384 **Sec. 23.2-30. – Site plan review**

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

- 391 1. Construction of all new structures, except principal and accessory structures
392 associated with the use of a lot or parcel for single-family detached or two-family
393 dwelling units.
- 394 2. Modification of existing structures, except principal and accessory structures
395 associated with the use of a lot or parcel for single-family detached or two-family
396 dwelling units.
- 397 3. Occupancy of an existing structure, where a change of occupancy requires
398 additional parking, a site plan shall be required. Where a change of use does not
399 require additional parking, an application so stating and signed by the
400 development review official must be attached to the certificate of occupancy
401 application file prior to the issuance of a certificate of occupancy.
- 402 4. Modifications to parking, landscaping, open space, and impervious area that
403 impact greater than five percent (5%) of the site, except principal and accessory
404 structures associated with the use of a lot or parcel for single-family detached or
405 two-family dwelling units.
- 406 5. Reconfiguration or modification of on-site circulation, except principal and
407 accessory structures associated with the use of a lot or parcel for single-family
408 detached or two-family dwelling units.

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

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

416 c) *Determination of type of site plan review procedure application.* Applications shall be
417 submitted to the department for community sustainability. The development review

418 official shall review development applications to determine if they require site plan
419 review or approval as minor or major developments. If the application constitutes a
420 major development, notice of the review by the appropriate board shall be given by
421 publication, posting and courtesy mailing in accordance with the notice provision of
422 this article. ~~The development review official's determination shall be based on the~~
423 ~~following criteria:~~

424 1. Major development shall include one or more of the following:

- 425 a. All development including new structure(s) or use area having more than
426 seven thousand five hundred (7,500) square feet of floor area.
- 427 b. An increase of more than twenty-five (25%) percent of existing or approved
428 parking spaces, or more than ten (ten) parking spaces.
- 429 c. Amendments to existing development or site plans, previously approved as a
430 minor development, where the combined total of all site development (existing
431 and proposed) meets or exceeds the thresholds for review as a major
432 development.
- 433 d. Amendments to existing development or site plans, previously approved as a
434 major development, that change a phasing plan or developer control that
435 would substantially impact the approval.
- 436 e. Amendments to existing development or site plans, previously approved as a
437 major development, that significantly change the approved building design as
438 determined by the development review official, increase the building height of
439 a structure by one or more stories, or modify the approved site plan by more
440 than ten percent (10%) for one or more of the following:
 - 441 1) density,
 - 442 2) intensity (FAR)
 - 443 3) impervious surface or parking area, or
 - 444 4) landscape area.

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447 2.1. Minor development shall include all development that is not determined to be
448 major development, which may include but is not limited to the following:

- 449 a. Addition of awnings, canopies or ornamental structures; addition or
450 modification of pool location or size; ~~redesign and different location of pools;~~
451 addition or modification of landscape areas or impervious areas; parking
452 spaces and drives and driveways; modifications in stairs or elevations of
453 decks, porches, terraces and fencing; or similar types of improvements;
- 454 b. ~~Addition of up to twenty (20) parking spaces~~ An increase of up to twenty-five
455 (25%) percent of existing or approved parking spaces, or more than ten (10)
456 parking spaces;
- 457 c. ~~Attached or detached additions to buildings which do not increase the floor~~
458 area by more than five thousand (5,000) square feet; and
- 459 ed. ~~New structures having less than seven thousand five hundred (7,500) square~~
460 feet of floor area.

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c. All development including new structure(s) or use area less than seven thousand five hundred (7,500) square feet in total, which are not determined to be major development by the development review official because it does not have the potential to negatively impact the surrounding neighborhood.

~~2. Major development shall include all development which is not determined to be minor development or that has the potential to negatively impact the surrounding neighborhood by the development review official.~~

EXHIBIT E

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Sec. 23.3-2. - Official zoning map.

a) *Adoption procedure and policy.* ~~The boundaries of each of the hereinafter designated zoning districts are set forth and shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of these LDRs. The boundaries of the designated zoning districts are set forth and administered in a digital data format within a geographic information system (GIS) under the direction of the Development Review Official (DRO) or designee that together with all explanatory matter and data therein shall constitute the City's official zoning map. The zoning map shall be available for viewing by the public upon the City's webpage. The City Clerk or designee may certify, upon validation by the DRO or designee, a paper copy of official zoning map or portions of the map as a true and accurate copy of the official zoning map.~~

~~The official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and bearing the seal of the city under the following words:-~~

~~"This is to certify that this is the Official Zoning Map as referred to in Chapter 23 of the City of Lake Worth Code of Ordinances."~~

~~If, in accordance with the provisions of these LDRs and applicable Florida Statutes, changes are made in district boundaries or other matters portrayed on the official zoning map, such changes shall be made to on the official zoning map data promptly after the amendment has been approved by the city commission, together with an entry on the official zoning map as follows:~~

~~"On the date shown on the revision table, located below the following change(s) was made on the Official Zoning Map," (by official action of the City Commission)."~~

~~Such entry shall be signed by the mayor and attested by the city clerk. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered upon the official zoning map. No amendment to these LDRs which involves matters portrayed on the official zoning map shall become effective until after such change and entry has been made on said map. The City Clerk shall keep records on file which identify the official action by which zoning map amendments are made, including the adopting ordinance. The DRO or designee shall have the authority to correct errors in the map data if they are discovered. No other changes of any nature shall be made on the official zoning map or matters shown thereon except in conformity with the procedures set forth in these LDRs. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of these LDRs and punishable as provided under section 1-6 of the Lake Worth Code of Ordinances.~~

~~Regardless of the existence of purported copies of the official zoning map which may, from time to time, be made or published, the official zoning map which shall be located in a safe deposit vault in the office of the city clerk shall be final authority as to the current zoning status of land and water areas, buildings, and other structures in the city.~~

519 b) *Replacement of official zoning map.* The data that comprises the official zoning map
520 shall be protected in a manner consistent with City policies and best practices for data
521 protection. In the unlikely event that the official zoning map data becomes damaged,
522 or destroyed and is not recoverable, lost or difficult to interpret because of the nature
523 or number of changes and additions, the city commission may by resolution adopt a
524 new official digital zoning map which shall supersede the prior official zoning map.
525 ~~The new official zoning map shall be identified by the signature of the mayor attested~~
526 ~~by the city clerk, and bearing the seal of the city under the following words:~~

527 ~~"This is to certify that this Official Zoning Map supersedes and replaces the Official~~
528 ~~Zoning Map adopted on August 20, 1990, as part of Chapter 23 of the City of Lake~~
529 ~~Worth Code of Ordinances."~~

530 Unless the prior official zoning map data has been lost, or has been totally destroyed,
531 the prior map or any significant parts thereof remaining, including official copies
532 certified by the City Clerk, shall be preserved, ~~together~~ with all available records
533 pertaining to its adoption or amendment to reconstruct the map data.

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EXHIBIT F

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 “DEVELOPMENT STANDARDS”

Sec. 23.4-4 – Fences, walls and gates.

a) *General provisions.* For the purpose of this section, fences, walls, and gates shall be constructed to meet the requirements and standards contained in this section.

b) *Design.* All fences, gates and/or walls adjacent to a major thoroughfare shall be designed in a manner that complements, supports and harmonizes with the proposed and/or existing architecture. For sites with a mix of uses, the most restrictive requirements shall apply.

~~c)~~ *Materials.* Except as may be otherwise provided in these LDRs, walls or fences may be constructed of the following; stone; brick, coral rock; flagstone; concrete block or reinforced concrete stuccoed on both sides; precast concrete; ornamental or architectural concrete block; cedar; bamboo; cypress or redwood; treated wood (not on walls); chain link (black or dark green vinyl coated); aluminum; wrought iron; galvanized steel; glass block; porcelain or glass tile; and, vinyl, fiberglass or similar material. Use of materials that are not specifically mentioned require the approval of the zoning administrator or designee but shall not be limited to those listed above unless otherwise prohibited in these LDRs. The following uses and materials shall be expressly prohibited in all zoning districts:

1. No fence or wall shall be electrically charged.
2. Barbed wire, razor wire, chicken wire, sharp or protruding objects shall not be permitted on any fence or wall for any residential use or in any residential district or in any mixed use district.
3. No materials intended for temporary use are permitted for permanent use.
4. The following shall be prohibited from use on any wall: rubble, concrete test cylinders, scrap metal of any kind, broken glass, or any other sharp particles.
5. Chain link that is not vinyl coated (black or dark green) and/or with barbs.

~~d)~~ *Single-family and two-family residential uses.*

1. *Height limitations.*
 - A. On the front property line and on that portion of the side property line from the front property line to the front building setback line, a fence or wall shall have a maximum height of four (4) feet from the natural grade of the lot. (See definitions.)
 - B. On the rear property line adjacent to an alley, a fence or wall shall have a maximum height of eight (8) feet from the natural grade of the lot.

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- C. On the rear property line (not adjacent to an alley) and on that portion of the side property line from the rear property line to the front building setback line, a fence or wall shall have a maximum height of six (6) feet from the natural grade of the lot.

- D. Along side and rear property lines adjacent to roadways (except alleys) a fence shall have a maximum height of six (6) feet and must be set back a minimum of thirty (30) inches from the property line providing a landscape screen maintained at a minimum height of 24" (see definitions). Walls along side and rear property lines adjacent to roadways (except alleys) shall have a maximum height of six (6) feet and must be set back a minimum of five (5) feet from the property line providing a landscape screen. (See definitions.)

- E. Decorative accents, such as column caps or finials, may extend an additional six (6) inches above the allowable wall or fence height.

2. *Wall construction.* Regulations in these LDRs which apply to fences regarding height, location and appearance shall apply to wall construction unless otherwise noted in these LDRs.

3. *Fences.*

- A. All fences unless otherwise provided herein, shall be symmetrical in appearance and conforming to a definite pattern and uniform design. The same shall be kept in good repair. The finished side of all fences shall be constructed to face toward the adjacent property, street, or alley. All fences shall comply with height limitations and follow the slope of the natural grade.

- B. Chain link fences are not permitted in front of the front building setback line or on portions of a property abutting public rights-of-way except alleys. Replacement of existing chain link fences shall comply with current standards.

- C. ~~Chain link fences shall be coated in black or dark green vinyl and shall not have any exposed metal barbs.~~

- D. ~~All fencing must meet historical guidelines within the historic districts.~~

4. *Gates and gateposts.*

- A. Gates and gateposts shall not exceed a height of two (2) feet above the allowable fence height for the location.

- B. Gateposts not exceeding three (3) feet in any horizontal dimension may be erected or constructed in connection with the erection or construction of a wall, fence, or in connection with an existing or proposed hedge.

- C. Electronic security gates and keypad/call boxes shall be located a minimum of 25 feet from the property line/right-of-way to prevent stacking of automobiles into the public right-of-way. The minimum stacking distance may be increased in the event the city engineer determines traffic safety so requires. Such increase shall be based on a gate queuing analysis performed by a certified traffic engineer to be provided by the applicant.

622 D. Gated complexes/communities shall provide for separate resident and visitor
623 entries, where feasible, to allow efficient movement of automobiles from the
624 public right-of-way onto the premises.

625 5. *Waterfront setback.* No solid opaque fencing of any type shall be erected within
626 fifteen (15) feet of the bulkhead or mean high water line of any properties adjacent
627 to waterfronts.

628 6. *Entrance arbor, trellis, pergola, or arch.*

629 A. One (1) entrance arbor, trellis, pergola or arch shall be allowed at the front of
630 a property or two (2) shall be allowed for dual frontage properties.

631 B. Overall height of any entrance feature shall not exceed eight (8) feet in height.

632 C. Overall width of entrance feature shall not exceed ten (10) percent of the
633 overall width of the property frontage or ten (10) feet, whichever is less.

634 ~~ee~~ *Multi-family residential uses.*

635 1. *Height limitations.*

636 A. On the front property line and on that portion of the side property line from
637 the front property line to the front building setback line, a fence or wall shall
638 have a maximum height of six (6) feet from the natural grade of the lot. (See
639 definitions.)

640 B. On the rear property line and on that portion of the side property line from the
641 rear property line to the front building setback line, a fence or wall shall have
642 a maximum height of six (6) feet from the natural grade of the lot.

643 C. Along side and rear property lines adjacent to roadways (except alleys) a
644 fence shall have a maximum height of six (6) feet and must be set back a
645 minimum of thirty (30) inches from the property line providing a landscape
646 screen maintained at a minimum height of 24" (see definitions). Walls along
647 side and rear property lines adjacent to roadways (except alleys) shall have
648 a maximum height of six (6) feet and must be set back a minimum of five (5)
649 feet from the property line providing a landscape screen. (See definitions.)

650 D. Decorative accents, such as column caps or finials, may extend an additional
651 six (6) inches above the allowable wall or fence height.

652 2. *Wall construction.* Regulations in these LDRs which apply to fences regarding
653 height, location and appearance shall apply to wall construction unless otherwise
654 noted in these LDRs.

655 3. *Fences.*

656 A. All fences unless otherwise provided herein, shall be symmetrical in
657 appearance and conforming to a definite pattern and uniform design. The
658 same shall be kept in good repair. The finished side of all fences shall be
659 constructed to face toward the adjacent property, street, or alley. All fences
660 shall comply with height limitations and follow the slope of the natural grade.

661 B. Chain link fences are not permitted in front of the front building setback line
662 or on portions of a property abutting public rights-of-way except alleys.
663 Replacement of existing chain link fences shall comply with current
664 standards. Chain link fences or portion thereof visible from a right-of-way

665 including alleys shall require a landscape screen of shrub hedging or other
666 continuous decorative landscaping on the side of the fence facing the public
667 right-of-way that is a minimum height of 24" at installation and shall be
668 maintained at no less than ¾ of the total height of the fence.

669 C. ~~Chain link fences shall be coated in black or dark green vinyl and shall not~~
670 ~~have any exposed metal barbs.~~

671 D. ~~All fencing must meet historical guidelines within the historic districts.~~

672 4. *Gates and gateposts.*

673 A. Gates and gateposts shall not exceed a height of two (2) feet above the
674 allowable fence height for the location.

675 B. Gateposts not exceeding three (3) feet in any horizontal dimension may be
676 erected or constructed in connection with the erection or construction of a
677 wall, fence, or in connection with an existing or proposed hedge.

678 C. Electronic security gates and keypad/call boxes shall be located a minimum
679 of 25 feet sufficiently back from the property line/right-of-way ~~so as to not~~
680 ~~cause to prevent~~ stacking of automobiles in the public right-of-way. The
681 minimum queuing distance may be increased in the event the city engineer
682 determines traffic safety so requires. Such increase shall be based on a gate
683 queuing analysis from a certified traffic consultant to be provided by the
684 applicant.

685 D. Gated complexes/communities should provide for separate resident and
686 visitor entries, where feasible, to allow efficient movement of automobiles ~~off~~
687 ~~of from~~ the public right-of-way and onto the premises.

688 5. *Piers.*

689 A. Piers shall not exceed a height of two (2) feet above the allowable fence
690 height for the location.

691 B. The total width of all piers along a property frontage shall not exceed twenty
692 (20) percent of the overall length of the property frontage.

693 6. *Entrance arbor, trellis, pergola, or arch.*

694 A. One (1) entrance arbor, trellis, pergola or arch shall be allowed at the front of
695 a property or two (2) shall be allowed for dual frontage properties.

696 B. Overall height of any entrance feature shall not exceed eight (8) feet in height.

697 C. Overall width of entrance feature shall not exceed ten (10) percent of the
698 overall width of the property frontage or ten (10) feet, whichever is less.

699 7. *Waterfront setback.* No solid opaque fencing of any type shall be erected within
700 fifteen (15) feet of the bulkhead or mean high water line of any properties adjacent
701 to waterfronts.

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f) e) *Commercial / Vehicular / Non-residential uses*

1. All fences, walls, and hedges shall have a maximum height of six (6) feet. Except as otherwise provided herein, all fences and walls shall be set back to the minimum building setback line on the front of the lot for traffic vision purposes and hedges within the front setback area shall be a maximum of thirty (30) inches in height from the edge of the street or alley surface.

2. Where outdoor storage areas are permitted, they shall be screened and visually shielded from a street, alley, or abutting property by a masonry wall, opaque ornamental fence, or dense hedge of at least six (6) feet, but no more than eight (8) feet in height, except for that portion thereof located in the visibility triangle, in which case the provisions of subsection mg, visibility triangle, shall apply. All screening material is subject to approval by the building official and shall be installed in a professional manner.

3. Chain link fences are not permitted in front of the front building setback line or on a portion of a property abutting public rights-of-way except alleys. Replacement of existing chain link fences shall comply with current standards. Chain link fences or portion thereof visible from a right-of-way including alleys shall require a landscape screen of shrub hedging or other continuous decorative landscaping on the side of the fence facing the public right-of-way that is a minimum height of 24" or 1/3 of the height of the fence at installation whichever is greater and shall be maintained at no less than 3/4 of the total height of the fence.

5. Electronic security gates and keypad/call boxes shall be located a minimum of 25 feet from the property line/right-of-way to prevent stacking of automobiles in the public right-of-way. The minimum queuing distance may be increased in the event the city engineer determines traffic safety so requires. Such increase shall be based on a gate queuing analysis performed by a certified traffic consultant to be provided by the applicant.

6. Gated complexes/communities shall provide for separate resident and visitor entries, where feasible, to allow efficient movement of automobiles from the public right-of-way onto the premises.

g) f) *Industrial uses*

1. Chain link fences are not permitted in front of the front building setback line or on property abutting public rights-of-way except alleys. Replacement of existing chain link fences shall comply with current standards. Chain link fences or portion thereof visible from rights-of-way including alleys shall require a landscape screen of shrub hedging on the side of the fence facing the public right-of-way that is a minimum height of 24" or 1/2 of the height of the fence at installation whichever is greater and shall be maintained at a height equal to the height of the fence.

2. Any area in the industrial district used as open storage shall be completely enclosed by an opaque fence or wall so as to protect surrounding property from debris damage caused by wind or storm. The above required fences or walls shall be at least six (6) feet, but no more than eight (8) feet in height and shall be set back to the minimum building setback line on the front of the lot for traffic vision purposes. All screening material is subject to approval by the ~~zoning administrator~~

748 development review official or designee and shall be installed in a professional
749 manner.

750 3. Electronic security gates and keypad/call boxes shall be located a minimum of 25
751 feet from the property line/right-of-way to prevent stacking of automobiles in the
752 public right-of-way. The minimum stacking distance may be increased at the City's
753 discretion. Such increase shall be based on a gate queuing analysis performed by
754 a certified traffic consultant to be provided by the applicant.

755 4. Specialty uses that require additional screening may utilize the industrial fence
756 provisions as approved through an administrative adjustment process based on
757 consistency with the City's design guidelines as applicable and balancing the need
758 for screening uses from public rights-of-way, creating attractive and safe
759 pedestrian corridors and site security requirements.

761 h) Park / Public recreation / School (Elementary/Intermediate/Secondary)

762 1. All fences, walls, and hedges shall have a maximum height of six (6) feet. All
763 fences and walls shall be set back to the minimum building setback line on the
764 front of the lot. Hedges within the front setback area shall be a maximum of thirty
765 (30) inches in height from the edge of the street or alley surface. Exception: as
766 otherwise provided herein.

767 2. Where outdoor storage areas are permitted, they shall be screened and visually
768 shielded from a street, alley, or abutting property by a masonry wall, opaque
769 ornamental fence, or dense hedge of at least six (6) feet, but no more than eight
770 (8) feet in height, except for that portion thereof located in the visibility triangle, in
771 which case the provisions of subsection g, visibility triangle, shall apply. All
772 screening material is subject to approval by the building official and shall be
773 installed in a professional manner.

774 3. Chain link fences are not permitted in front of the front building setback line or on
775 the portion of the property abutting public rights-of-way except alleys.
776 Replacement of existing chain link fences shall comply with current standards.

777 4. Maximum fence height for tennis courts, playing fields, playgrounds, or
778 substantially similar uses shall be 10 feet. The development review official may
779 approve additional height for these uses if necessary to ensure the safety of
780 participants and spectators. Chain link fencing shall be permitted next to rights-
781 of-way for fencing described in this sub-section only.

782 5. The development review official may approve an increase in height and a
783 modification to the required set-back for fencing through the site plan review
784 process provided that appropriate landscaping to maintain an attractive visual
785 corridor is provided.

786

787 i) Visibility triangle. With respect to fences, walls and hedges, and other landscaping,
788 including trees, shrubs, ornaments and decorations, a visibility triangle shall be
789 provided at all street intersections and street-alley intersections. Within said visibility
790 triangle, landscaping shall be maintained to provide clear vision without obstruction
791 from the adjoining public ways from elevation thirty (30) inches to elevation eight (8)

792 feet above the average elevation of the intersection. Trees and palms shall be
 793 permitted in said triangle provided they are trimmed to allow visibility at the levels
 794 indicated above, and further provided they are not located so as to create a traffic
 795 hazard.

796 1. *Definitions.*

797 a. *Major / collector or arterial roads.* For the purposes of this section major roads
 798 are streets or roads with a speed limit of thirty (30) mph or greater, and/or
 799 high volume, and/or a ROW width of sixty (60) feet or greater.

800 b. *Minor / local roads.* For the purposes of this section, minor roads are streets
 801 or roads with a speed limit below thirty (30) mph, and/or low volume, and/or
 802 a ROW width less than sixty (60) feet.

803 c. *Alley.* For the purposes of this section, any right-of-way that is approximately
 804 between ten (10) feet and sixteen (16) feet in width and affords a secondary
 805 means of access and is not intended for general circulation.

806 2. *Intersection of a major road.* At an intersection that includes at least one (1) major
 807 road, the visibility triangle shall have twenty -foot sides measured along the street
 808 right-of-way line from the corner of the intersection, the third side of the triangle
 809 to be the line connecting the ends of the aforesaid lines.

810 3. *Intersection of a minor road.* At the intersection of two (2) or more minor roads,
 811 the visibility triangle shall have a minimum of ten-foot sides, measured along the
 812 street right-of-way line from the corner of the intersection, the third side of the
 813 triangle to be the line connecting the ends of the aforesaid lines.

814 4. *Intersection of an alley.* At minor road street-alley intersections and alley-alley
 815 intersections, two (2) sides of the visibility triangle shall be ~~ten (10)~~ seven (7) feet
 816 in length. Exception: Alleys located along the rear of property fronting major roads
 817 shall have a visibility triangle with sides that are ten (10) feet in length. A greater
 818 distance may be required in the event the city engineer determines traffic safety
 819 so requires. The third side of the triangle shall be the line connecting the ends of
 820 the other two (2) lines.

821 5. Exception. Additional sight visibility may be required in situations where the city
 822 engineer determines that the additional distance is needed to improve traffic
 823 safety.
 824

825 **i)** ~~h)~~ *Temporary construction fencing.*

826 1. Screening details shall be submitted with the temporary construction fence permit
 827 application. Wind screening shall be substantial enough to avoid rips or tears due
 828 to wind or sun, and shall have no less than eighty-five (85) percent opacity.
 829 Screening shall be maintained in good condition at all times. Screening graphics
 830 shall be approved with a permit pursuant to the provisions of section 23.5-1,
 831 signs, of the zoning and land development regulations of this Code.

832 2. Temporary construction fencing must be associated with an active building permit
 833 unless approved by the development review official in lieu of a permit. The
 834 development review official may require the removal of a temporary fence in
 835 absence of an active permit or for safety issues.

836 3. Acceptable materials include screened chain link and any other permitted
837 materials identified in Sec. 23.4-4(c).

838 (Ord. No. 2015-04, § 5(Exh. D), 8-4-15; Ord. No. 2018-10, § 10(Exh. I), 7-17-18)

EXHIBIT G

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 “DEVELOPMENT STANDARDS”

Section 23.4-10 – Off-street parking.

d) Material. Each parking space shall be surfaced with a hard impermeable dustless material, either solid in area or in individual concrete strips or other approved materials, including but not limited to impervious materials and permeable paving materials in accordance with City of Lake Worth Beach standards. Required off-street parking for single family and two family dwelling units may also utilize ~~permeable materials~~ semi-pervious surface materials including such as permeable pavers, gravel, and other small stone material stone, and shell rock, and turf block, in lieu of impermeable or permeable paving material as long as it meets the following criteria:

- 1.-Appropriate stabilization method ~~must~~ shall be established to keep small stone like permeable materials out of the ROW, alley, and storm water systems.
2. All semi permeable driveway and parking surfaces shall be maintained to ensure permeable qualities and to prevent ponding of water.

e) Drainage. All off-street parking facilities shall be drained so as not to cause any nuisance to adjacent private or public property. Paved parking surfaces, including but not limited to driveways and parking lots, shall have a one (1) foot setback from the side property line and rear property if not alley accessed.

EXHIBIT H

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

Sec. 23.4-19. - Outdoor storage.

a) Outdoor storage in residential districts. Outdoor storage in residential districts for residential purposes shall be limited to domestic equipment and normal supplies necessary for residents. Storage shall not be permitted in any front yard.

b) Outdoor storage in industrial districts. Outdoor storage in industrial districts shall be permitted only as accessory to an approved principal use. All such storage shall be completely screened from all public rights-of-way and any adjacent property that is zoned for residential or mixed use. Outdoor storage of equipment, vehicles, boats, parts, materials, or chemicals are required to be stored on an impervious paved surfaces to reduce pollutants in storm water runoff.

EXHIBIT I

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 6 "ENVIRONMENTAL REGULATIONS"

Section 23.6-1(c)(3) Landscape regulations.

h. All dumpster and refuse areas ~~and all ground level mechanical equipment shall be screened with shrubbery or with~~ opaque fencing or walls with an exterior landscape screen of shrub hedging or other continuous decorative landscaping that is a minimum height of 24" at installation and shall be maintained at no less than 3/4 of the total height of the enclosure, where visible from public rights-of-way. All ground level mechanical equipment shall be screened with shrub hedging or opaque fencing or walls. Chain link or similar type open fencing shall not be permitted.

1. Existing non-conformities

a. Where the development review official determines that a literal enforcement of this section will result in a reduction of the number of required parking spaces or the modification of impervious and landscape areas, the development review official may approve an administrative adjustment of the number of required parking spaces by no more than one (1) parking space, and/or no more than 10% of the impervious area and landscape area.



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

DATE: July 1, 2020 & July 9, 2020

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

FROM: William Waters, Director Community Sustainability

MEETING: July 8, 2020 and July 15, 2020

SUBJECT: **PZB / HRPB Project Number 20-00400003**: Consideration of an ordinance to amend Chapter 23 “Land Development Regulations” that includes changes to add new uses and to consolidate and clarify existing uses, including modifications to definitions, use tables, and development standards.

BACKGROUND/ PROPOSAL:

On March 5, 2020, the City Commission held a workshop on the prioritization of amendments to the City’s Land Development Regulations (LDR) that were previously identified by staff and the Commission. The subject LDR amendments address a second series of prioritized items identified at the March meeting. These proposed amendments are all focused on uses, performance standard for uses, and the permitted use table overhaul. The proposed amendments to the Land Development Regulations have been reviewed by staff for consistency with the City’s Comprehensive Plan. A summary of each component in the draft ordinance is also provided.

The proposed LDR amendments for Chapter 23 will modify the following sections of the City’s Code of Ordinances:

- Article 1- Section 23.1-12 – Definitions
- Article 3 - Section 23.3-6 – Use Tables
- Article 4 - Section 23.4-13 – Administrative Uses and Conditional Uses

Definitions: The proposed amendments provide clarity and with regard to numerous use types, intensity of uses, and new uses.

Use Tables: The proposed amendments provide for a major overhaul of the current permitted use tables including consolidation of uses, clarifying level of review, adding several new uses, and deleting redundant or unnecessary uses.

Administrative Uses and Conditional Uses: The proposed amendments provide additional performance standards for vehicular and industrial uses as well as new standards for specialty storage, money business services, and breweries, distilleries, micro-breweries, micro-distilleries, specialty breweries and specialty distilleries.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission to adopt the proposed LDR text amendments included in PZB/HRPB Project Number 20-00400003

POTENTIAL MOTION:

I move to RECOMMEND/NOT RECOMMEND TO THE CITY COMMISSION **TO ADOPT** the proposed LDR text amendments included in PZB / HRPB Project Number 20-00400003 (Ordinance 2020-12).

Attachments

- A. Draft Ordinance 2020-12

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2
3 **ORDINANCE 2020-12 - AN ORDINANCE OF THE CITY OF LAKE**
4 **WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND**
5 **DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1**
6 **“GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION**
7 **23.1-12 - DEFINITIONS; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1,**
8 **“GENERALLY,” SECTION 23.3-6 – USE TABLES; AND ARTICLE 4**
9 **“DEVELOPMENT STANDARDS,” SECTION 23.4-12 –**
10 **ADMINISTRATIVE USES AND CONDITIONAL USES OF THE CITY’S**
11 **CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE**
12 **REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE**
13 **DATE.**
14

15
16 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
17 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
18 “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary
19 powers necessary to conduct municipal government, perform municipal functions, and
20 render municipal services, and may exercise any power for municipal purposes, except
21 as expressly prohibited by law; and
22

23 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
24 body of each municipality in the state has the power to enact legislation concerning any
25 subject matter upon which the state legislature may act, except when expressly prohibited
26 by law; and
27

28 **WHEREAS**, the City wishes to amend the Definitions section of its Land
29 Development Regulations to address inconsistencies and conflicts; and
30

31 **WHEREAS**, the City wishes to amend the Site Design Qualitative Standards for
32 vehicle repair and maintenance service facilities, create a minimum use area for industrial
33 manufacturing and production, and create new standards for repair and maintenance
34 services – major, storage –specialty, and brewery / distillery including specialty and micro;
35 and
36

37 **WHEREAS**, the City wishes to amend the Use Table section to provide clarity and
38 consistency and add new uses to the table; and
39

40 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning
41 agency, considered the proposed amendments at a duly advertised public hearing; and
42

43 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
44 planning agency, considered the proposed amendments at a duly advertised public
45 hearing; and
46

47 **WHEREAS**, the City Commission has reviewed the proposed amendments and
48 has determined that it is in the best interest of the public health, safety, and general
49 welfare of the City to adopt this ordinance.

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

52
53 **Section 1.** The foregoing “WHEREAS” clauses are ratified and confirmed as
54 being true and correct and are made a specific part of this Ordinance as if set forth herein.

55
56 **Section 2.** Chapter 23 “Land Development Regulations,” Article 1, “General
57 Provisions,” Division 2, “Definitions”, Sec. 23.1-12. – Definitions of the City’s Code of
58 Ordinances, is hereby amended by adding the words shown in underlined type and
59 deleting the words struck through as indicated in **Exhibit A.**

60
61 **Section 3.** Chapter 23 “Land Development Regulations,” Article 3, “Zoning
62 Districts,” Division 1 “Generally,” Sec. 23-3.6 – Use Tables is hereby amended by adding
63 the words shown in underlined type and deleting the words struck through as indicated in
64 **Exhibit B.**

65
66 **Section 4.** Chapter 23 “Land Development Regulations,” Article 4,
67 “Development Standards,” Sec. 23.4-13. – Administrative Uses and Conditional Uses is
68 hereby amended by adding the words shown in underlined type and deleting the words
69 struck through as indicated in **Exhibit C.**

70
71 **Section 5.** Severability. If any section, subsection, sentence, clause, phrase or
72 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
73 competent jurisdiction, such portion shall be deemed a separate, distinct, and
74 independent provision, and such holding shall not affect the validity of the remaining
75 portions thereof.

76
77 **Section 6.** Repeal of Laws in Conflict. All ordinances or parts of ordinances in
78 conflict herewith are hereby repealed to the extent of such conflict.

79
80 **Section 7.** Codification. The sections of the ordinance may be made a part of
81 the City Code of Laws and ordinances and may be re-numbered or re-lettered to
82 accomplish such, and the word “ordinance” may be changed to “section”, “division”, or
83 any other appropriate word.

84
85 **Section 8.** Effective Date. This ordinance shall become effective 10 days after
86 passage.

87
88 The passage of this ordinance on first reading was moved by
89 _____, seconded by _____, and upon
90 being put to a vote, the vote was as follows:

91
92 Mayor Pam Triolo
93 Vice Mayor Andy Amoroso
94 Commissioner Scott Maxwell
95 Commissioner Omari Hardy
96 Commissioner Herman Robinson
97

98 The Mayor thereupon declared this ordinance duly passed on first reading on the
99 _____ day of _____, 2020.

100
101
102 The passage of this ordinance on second reading was moved by
103 _____, seconded by _____, and upon being put to a vote,
104 the vote was as follows:

- 105
- 106 Mayor Pam Triolo
- 107 Vice Mayor Andy Amoroso
- 108 Commissioner Scott Maxwell
- 109 Commissioner Omari Hardy
- 110 Commissioner Herman Robinson

111
112
113 The Mayor thereupon declared this ordinance duly passed on the _____ day of
114 _____, 2020.

LAKE WORTH BEACH CITY COMMISSION

115
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119 By: _____
120 Pam Triolo, Mayor

121
122 ATTEST:

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125 _____
126 Deborah Andrea, CMC, City Clerk
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EXHIBIT A

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 “GENERAL PROVISIONS”

Article 1, “General Provisions,” Division 2, “Definitions”

Sec. 23.1-12. - Definitions.

The following defined terms are arranged in alphabetical order and should be referenced by this subsection and specific term.

* * *

Artisanal: Refers to small batch manufacturing and productions of food and goods. Artisanal uses are typically less than 7,500 square feet of use area and have less use impacts than typical manufacturing and production processes. **[New Use Definition]**

* * *

Brewery or Distillery – Specialty: An indoor establishment engaged in the production and packaging of alcohol for distribution, wholesale or retail, on or off premise consumption, and limited to a maximum of 7,500 square feet of use area with a tasting or tap room for the purchase or consumption of alcoholic beverage produced on-site. Specialty brewery or distillery shall be accessory to or located in the same building as a full service restaurant, or shall require approval as bar. **[New Use Definition]**

* * *

Brewery or Distillery – Micro: An indoor establishment engaged in the production and packaging of alcohol for distribution, wholesale or retail, on or off premise consumption, and limited to 30,000 square feet of use area with a tasting or tap room for the purchase or consumption of alcoholic beverage produced on-site. Food service may be permitted as accessory to micro-brewery or micro-distillery. **[New Use Definition]**

* * *

Contractor: Each A business or person who engaged contracts or subcontracts to construct, alter, repair, dismantle, or demolish buildings, roads, bridges, viaducts, sewers, water and gas mains or engages in the business of construction, alteration, repairing, dismantling or demolition of buildings, roads, bridges, viaducts, sewers, water and gas mains. For zoning purposes, the business office of a contractor with no retail or accessory outdoor storage may be permitted as a professional services office. Each contractor that

177 maintains a business location within the municipal limits must obtain a license as a
178 contractor through the Department of Community Sustainability., ~~that maintains a~~
179 ~~business location within the municipal limits.~~

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182
183 Contractor, ~~specialty: described as: acoustical ceiling contractor, aluminum~~
184 ~~specialty, burglar alarm, communication and sound systems, concrete forming and~~
185 ~~placing, decorative metal, demolition, dredging and landfill, drywall, fabric awnings, fence,~~
186 ~~glass and glazing, gunite, high pressure gas pipeline, insulation, irrigation and sprinkler,~~
187 ~~marine, masonry paver brick and paver brick systems, commercial paving, residential~~
188 ~~paving, plastering, prestressed precast concrete erections, reinforcing steel, residential~~
189 ~~window and door installation, roof deck, septic tank, sign contractor electrical, sign~~
190 ~~contractor nonelectrical, structural steel erection, swimming pool construction, swimming~~
191 ~~pool repair contractor, swimming pool plastering contractor, tennis court contractor, tile,~~
192 ~~terrazzo and marble installer, T.V. antenna and satellite dish installer,~~
193 ~~underground/overhead transmission lines and underground utilities.~~

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196
197 Contractor – Showroom: A showroom where no manufacturing, assembly,
198 processing or any other industrial uses are located. A contractor showroom greater than
199 2,500 square feet is not permitted in the DT districts. Outdoor or Indoor storage uses are
200 not permitted as accessory to a contractor showroom outside of industrial districts. The
201 business office of a contractor and a contractor showroom may occur within the same
202 structure. [New Use Definition]

203 * * *

204
205
206 Financial Institution: An establishment engaged in deposit banking which may include
207 but is not limited commercial banks, savings institutions, and credit unions, but excludes
208 money business services. [New Use Definition]

209 * * *

210
211
212 High-intensity uses: Those uses that have the potential of generating high levels of
213 vehicular or pedestrian traffic, noise or other adverse impacts based on the nature of the
214 activity, hours of operation, extent of use or size. For the purposes of this Code, uses with
215 similar high-intensity impacts and that are typically, projects involving more than seven
216 thousand five hundred (7,500) square feet or more are considered high intensity and are
217 generally approved as conditional land uses. In addition, any use allowed under the high-
218 intensity use level may be assumed to be allowed at the medium intensity use level if it
219 meets the square foot threshold for medium-intensity use and may be generally approved
220 as an administrative land use or conditional land use as determined by the development
221 review official. In addition, the DRO may allow a use permitted under the high-intensity
222 use level to be reviewed as a medium-intensity use requiring either a conditional use or
223 administrative use approval if the use is less than seven thousand five hundred (7,500)

224 square feet, has impacts similar to medium-intensity uses, and is not otherwise regulated
225 as a separate specified use.

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* * *

229 *Intensity of use:*

230 ~~Low: Less than two thousand five hundred (2,500) square feet~~

231

232 ~~Medium: Between two thousand five hundred (2,500) square feet and seven~~
233 ~~thousand five hundred (7,500) square feet of use area.~~

234

235 ~~High: Seven thousand five hundred (7,500) or more square feet of use area.~~

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* * *

238 *Low-intensity uses.* Those uses that have the potential of generating low levels of
239 vehicular or pedestrian traffic, noise or other adverse impacts based on the nature of the
240 activity, hours of operation, extent of use, or size. For the purposes of these LDRs,
241 ~~projects uses with similar low-intensity impacts and involving less than two thousand five~~
242 ~~hundred (2,500) square feet are considered low intensity and are generally approved by~~
243 ~~the development review official DRO or as administrative land uses.~~

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247 *Medium-intensity uses.* Those uses that have the potential of generating moderate
248 levels of vehicular or pedestrian traffic, noise or other adverse impacts based on the
249 nature of the activity, hours of operation, extent of use or size. For the purposes of this
250 Code, ~~uses with similar medium-intensity impacts and projects involving less than seven~~
251 ~~thousand five hundred (7,500) square feet and more than two thousand four hundred~~
252 ~~ninety-nine (2,499) square feet are considered medium intensity and are generally~~
253 ~~approved as administrative land uses or as conditional land uses. In addition, any use~~
254 ~~allowed under the medium-intensity use level may be assumed to be allowed at the low-~~
255 ~~intensity use level if it meets the square foot threshold for low-intensity use and may be~~
256 ~~generally approved by the development review official or as an administrative land use~~
257 ~~as determined by the development review official.~~

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* * *

261 ~~Retail-type business services: Establishments providing services or entertainment,~~
262 ~~as opposed to products, to the general public for personal or household use, including~~
263 ~~eating and drinking places, hotels and motels, finance, real estate and insurance,~~
264 ~~personal service, motion pictures, amusement and recreation services, health, education~~
265 ~~and social services and those that are substantially similar or related. For the purposes~~
266 ~~of these LDRs, retail use activities shall be divided into low intensity or less than two~~
267 ~~thousand five hundred (2,500) square feet, medium intensity or between two thousand~~
268 ~~five hundred (2,500) square feet and seven thousand five hundred (7,500) square feet or~~
269 ~~high intensity or seven thousand five hundred (7,500) or more square feet~~

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Personal Grooming Services & Day Spa: An establishment engaged in the provision of recurrent services of a personal nature related to the grooming of people. Personal Services may include but are not limited to beauty salon, barbershops, nail salon, licensed therapeutic massage studios, day spa, diet and weight reducing centers, and tanning salons. [New Use Definition]

* * *

Repair and Maintenance Services – Major: An establishment engaged in the repair, maintenance and customization of recreational vehicles, boats, personal watercraft; the repair and maintenance of commercial appliances, heavy equipment or machinery, commercial vehicles or trailers, marine vessels, or similar; or media blasting, paint stripping, and paint or body work. Major repair and maintenance services are an industrial use that may include vehicle upholstery, machine shops, welding, paint and body, and other equipment and processes associated with major alteration or customization of vehicle or boat structures and interiors. [New Use Definition]

* * *

Repair and Maintenance Services – Minor: An indoor commercial and industrial establishment engaged in the minor repair or maintenance of lawn mowers, major household appliances, or household furniture such as upholstery or restoration, washers and dryers, refrigerators, stoves and dishwashers. Outdoor storage and activities are prohibited. [New Use Definition]

* * *

Repair and Maintenance Services - Specialty: An indoor personal services establishment that provides limited repair services of personal or small household items including but not limited to jewelry repair, clock and watch repair, phone or computer repair, bicycle repair, shoe repair, apparel repair and alterations, and excluding the repair of large household items and appliances. For zoning purposes this use may be allowed as principal or accessory use, including as accessory to specialty retail uses or single-destination commercial uses. [New Use Definition]

* * *

Restaurant: Every building or part thereof and all accessory buildings used in connection there with or any place or location kept, used, or held out to the public to be a place where meals or foodstuffs are prepared and served to the general public. Restaurants may have catering and/or bakery as an accessory use.

~~Restaurant, low intensity/turnover: Low turnover restaurants shall have table service for all tables and bar seats within the establishment. Average turnover time for each customer's meal shall be one (1) hour or greater.~~

318 ~~Restaurant, medium intensity/turnover: Medium turnover restaurants shall have~~
319 ~~table service for seventy (70) percent or more of all table and bar seats. Average turnover~~
320 ~~time for each customer's meal may be less than one (1) hour but greater than thirty (30)~~
321 ~~minutes.~~

322

323 ~~Restaurant, high intensity/turnover: High turnover restaurants need not have any~~
324 ~~table service for seats at tables or bar. Average turnover time shall be less than thirty (30)~~
325 ~~minutes.~~

326

327 *Single-destination commercial uses: A commercial establishment offering a wide*
328 *array of commercial activity and services open to the general public that typically also*
329 *contains a combination of uses, including but not limited to retail, service or business*
330 *office. The following commercial uses are categorized as single destination for zoning*
331 *district purposes and those that are have substantially similar or related use impacts:*

332

333 *Auction rooms or on-line auction services, accessory only.*

334 *~~Automobile insurance claims services.~~*

335 *Appliance or equipment sales, retail.*

336 *~~Bait shops.~~*

337 *~~Bar and restaurant equipment sales.~~*

338 *~~Bicycle sales and service stores.~~*

339 *Building material or trade supply establishments, retail.*

340 *~~Catering establishments, as accessory to restaurants, but not direct selling~~*
341 *~~establishments as listed in SIC 5963.~~*

342 *Contractor with a retail component and excluding outdoor storage and warehouse.*

343 *~~Electrical supply stores.~~*

344 *~~Food storage lockers.~~*

345 *~~Funeral homes and mortuaries.~~*

346 *~~Furniture and domestic equipment rental establishments.~~*

347 *~~Furniture refinishing.~~*

348 *~~Greenhouses and nurseries.~~*

349 *~~Janitorial equipment and supply establishments.~~*

350 *~~Locksmith establishments.~~*

351 *~~Medical and dental supply sales and rental sales.~~*

352 *~~Monument sales establishments.~~*

353 *Pool supply stores.*

354 *~~Motion picture studios.~~*

355 *~~Newspaper distributing agencies.~~*

356 *~~Nurseries, retail, for the sale of plant materials grown off the premises.~~*

357 *~~Plumbing supply stores.~~*

358 *~~Related office temporary help service.~~*

359 *~~Repair shops for household appliances, furniture, small motors and machines and~~*
360 *~~other small mechanical and electrical equipment.~~*

361 *Single-destination retail or stand alone retail establishment that includes other*
362 *services as part of the same building or business, including but not limited to*

363 money business services, optical services, banking or contracting services, which
364 may include big-box stores.

365 Taxidermists.

366 Trade schools not involving industrial, motor vehicles, or other heavy equipment.

367 ~~Upholstering, cloth and canvas products fabrication, including the fabrication of~~
368 ~~clothing, slipcovers, awnings and similar products.~~

369 ~~Veterinary establishments, but not kennels.~~

370

371 * * *

372 Single-destination retail uses: Retail establishment providing a wide array of retail
373 items that are complimentary and similar in nature that are offered in a singular location.
374 For zoning purposes, these uses have substantially similar or related use impacts and
375 include but are not limited to the following: convenience stores, beauty supply, sundry
376 shop, grocery/food stores including accessory pharmacy, retail hardware stores,
377 antique shops, sports equipment, retail furniture stores, discount stores and hobby
378 shops.

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381

382 Specialty retail uses: Small retail establishments less than 7,500 square feet
383 providing specialty retail and gift items that have a similar nature, region or product type
384 offered in a singular location. For zoning purposes, these uses have substantially similar
385 or related use impacts and include but are not limited to the following: specialty food
386 stores, bike or sport specific equipment shops, boutique apparel shops, specialized
387 vintage or antique shops, tobacco shops, and gift stores. Retail establishments greater
388 than 7,500 square feet shall be considered single-destination retail or stand alone retail
389 uses. [New Use Definition]

390

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393

394 Storage – Indoor: A warehouse or other building used for the storage of raw materials,
395 equipment, or products. Typical uses include moving companies, cold storage, and dead
396 storage facilities, but excludes specialty storage and mini-warehouse uses. [New Use
397 Definition]

398

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400

401 Storage -Mini-warehouse: A building or group of buildings that contain individual stalls
402 or lockers for the storage of customers' items and goods. A mini-warehouse may be a
403 building with small multi-compartments or bays, which do not have electrical receptacles,
404 for the long term storage of goods.

405

406 * * *

407

408 Storage – Outdoor: The storage of construction material, mechanical equipment, and
409 commercial vehicles used by building trades and services or associated with other
410 permitted industrial uses. Outdoor storage is only allowed as accessory to a permitted

411 principal use and shall be appropriately screened from adjacent properties and all rights-
412 of-way. **[New Use Definition]**

413 * * *

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415
416 Storage – Specialty: A limited access climate controlled indoor facility consisting of
417 individual, self-contained units that are leased for the storage of business, household, or
418 other personal goods. This use shall only be permitted in mixed use districts and shall
419 have a retail, office and/or commercial use that activates the street frontage. **[New Use**
420 **Definition]**

421
422 * * *

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424
425 Use Impacts: Effects of development on adjacent property owners or within a
426 neighborhood which may include but not limited to noise, odor, dust, pollution, effluent,
427 traffic, number of employees, hours of operation and customer turnover. For the purposes
428 of this code, permitted uses are categorized by the intensity of their impacts as well as by
429 the size of the use area into the following categories: low intensity, medium intensity and
430 high intensity. **[New Definition]**

431 * * *

432 Vehicle ~~fueling/charging filling~~-stations: An automobile ~~filling~~ fueling/charging station
433 is an establishment whose principal business is the retail dispensing of fuels and
434 energy ~~automobile fuels~~, but whose business may include the following:

- 435 (1) Provision of air for tires;
- 436 (2) Sales of cold drinks, candies, tobacco products and similar goods for service
437 station customers, but only as accessory and incidental to the principal business
438 operation with a total retail area of less than 250 square feet. A full convenience
439 store use is considered a single destination retail use;
- 440 (3) Provision of road maps and other informational material for customers;
- 441 (4) Provision of restroom facilities.

442 * * *

443
444 Vehicle fueling/charging service station: For zoning purposes, a vehicle
445 fueling/charging service station use shall be reviewed as a combination of vehicle
446 fueling/charging station and a vehicle service and repair, minor; the most restrictive
447 requirements herein shall apply. ~~A vehicle fueling/charging service station is an~~
448 establishment whose principal business is the retail dispensing of fuels and energy for
449 vehicles, but whose business may also include the selling and installation of oil, grease,
450 batteries, tires and other vehicle accessories. ~~The following services may be rendered~~
451 and sales made, and no other:

- 452 (1) ~~Fuel, energy, oil and grease sales;~~
- 453 (2) ~~Sales and servicing related to spark plugs, batteries, distributors and distributor~~
454 ~~parts;~~
- 455 (3) ~~Tire sales;~~
- 456 (4) ~~Tire servicing and repair, but not recapping or regrooving;~~

- 457 ~~(5) Replacement of water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats,~~
 458 ~~wiper blades, grease retainers, wheel bearings, mufflers, shock absorbers, mirrors~~
 459 ~~and the like;~~
 460 ~~(6) Provision of water and supplements for radiator fluids, and the like;~~
 461 ~~(7) Washing and polishing, limited to facilities for washing one (1) vehicle car at a~~
 462 ~~time, and sale of vehicle washing and polishing materials, but not the operation of~~
 463 ~~vehicle washing establishments;~~
 464 ~~(8) Providing and preparing fuel pumps and lines;~~
 465 ~~(9) Minor servicing and repair of carburetors;~~
 466 ~~(10) Minor servicing of air conditioners;~~
 467 ~~(11) Vehicular wiring repairs;~~
 468 ~~(12) Brake repair;~~
 469 ~~(13) Motor repairs not involved in removal of the motor from the vehicle;~~
 470 ~~(14) Greasing and lubrication;~~
 471 ~~(15) Provision of air for tires;~~
 472 ~~(16) Sales of cold drinks, candies, tobacco products and similar goods for service~~
 473 ~~station customers, but only as accessory and incidental to the principal business~~
 474 ~~operation;~~
 475 ~~(17) Provision of road maps and other informational material for customers;~~
 476 ~~(18) Provision of restroom facilities. [Codification Note: the definition was~~
 477 ~~previously amended and in Ord 2020-007 and is now being deleted]~~
 478
 479

480 *Vehicle service and repair, major:* A business providing any repair or service beyond
 481 basic standard maintenance to motor vehicles, including repairs that require the removal
 482 of the engine or other major vehicle components, that are not included in general
 483 maintenance such as painting and body work, frame repair, upholstery, engine,
 484 transmissions, air conditioning systems, electrical systems, operational systems, drive
 485 trains, and other major general repairs.
 486

487 *Vehicle service and repair, minor:* A business providing brake repairs, tire repair and
 488 installation, ~~air conditioning service,~~ muffler replacement, and oil changes ~~and~~
 489 ~~transmission repair~~ not including repairs to the drive train or requiring the removal of the
 490 engine block, drive train or other major engine components. This includes establishments
 491 engaged in the installation, maintenance and repair of motor vehicle parts or systems that
 492 require basic standard maintenance and shall include but not be limited to: air
 493 conditioning systems, audio systems, brakes, ~~cooling systems, electrical systems,~~
 494 ~~exhaust systems, fuel systems,~~ oil and fluid changes, shock absorbers, tune-ups, window
 495 tinting, washing and detailing, ~~upholstery,~~ and wheel alignment and balancing for
 496 automobiles, trucks, and motorcycles. Any minor vehicle service and repair use that
 497 requires outdoor storage or activities and overnight parking of vehicles being serviced will
 498 be considered a major vehicle service and repair use.
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EXHIBIT B

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 “ZONING DISTRICTS”

Division 1 “Generally”

Sec. 23-3.6 – Use Tables.

[See Use Tables under separate cover]

EXHIBIT C

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 “DEVELOPMENT STANDARDS”

Sec. 23.4-13. – Administrative Uses and Conditional Uses

c) Standards.

(3) Vehicle rental facilities. ~~Reserved.~~ Refer to vehicle sales standards for administrative and conditional uses as applicable.

(4) Vehicle service and repair facilities – major or minor, or repair and maintenance services – major.

(b) Design and performance standards.

i. Minimum lot frontage. Seventy-five (75) feet.

ii. Minimum site.

Major - Site: Twenty thousand (20,000) square feet; Minimum area per business / tenant on a multiple tenant / business site: two thousand five hundred (2,500) square feet.

Minor – Site: Ten thousand (10,000) square feet; Minimum area per business / tenant on a multiple tenant / business site: one thousand (1,000) square feet.

vi. Minimum parking requirements. Three (3) parking spaces for each service bay (if applicable) plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in Sec. 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one 24-hour period.

560
561 viii. Outdoor storage may be permitted as accessory to vehicle service and repair-major
562 and repair and maintenance services-major in I-POC only, provided the outdoor
563 storage area is fully screened from any public rights-of-way and adjacent properties
564 as consistent with Sec. 23.4-19 Outdoor Storage, and all equipment, parts and
565 vehicles are stored on an impermeable paved surface.
566

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568 ***

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570
571 7. Industrial/Manufacturing/processing/fabrication facilities.

572 ***

573 B. Design and performance standards.
574 (7) Minimum area per business / tenant on a multiple tenant / business site shall not be
575 less than eight hundred (800) square feet for manufacturing or processing and five
576 hundred (500) square feet for fabrication services.
577

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581
582 17. Storage - Specialty.

583
584 A. Purpose. It is the purpose of this section to provide regulations and standards for the
585 establishment of Storage - specialty within designated zoning districts. Specialty storage
586 facilities are intended to accommodate the dead storage needs of families and small
587 businesses in interior air-conditioned environment. They are not intended to
588 accommodate any office, retail, service, manufacturing or other similar activity within the
589 storage area. They are also not intended to be used for the storage of hazardous
590 compounds or chemicals, explosives, or other dangerous content that could pose a threat
591 to the immediate neighborhood. Specialty storage shall be approved through the
592 appropriate regulatory board by conditional use procedures.
593

594 B. Use and development regulations.

- 595
596 (1) All use activity shall be conducted entirely within the building.
597
598 (2) Along major thoroughfares the use shall not front directly onto the ROW and shall
599 be developed with an office, retail, or commercial component that activate the
600 street frontage.
601
602 (3) Loading areas shall not be visible from any of the City’s major thoroughfare rights-
603 of-way.
604
605 (4) There shall be no plumbing or electrical service or equipment, other than that
606 required for lighting and fire suppression, which could make the facility in any way

607 able to accommodate any office, retail, service, manufacturing or other similar
608 activity within designated storage area.

609
610 (5) No business, hobby or other activity unrelated to the purpose of the use may be
611 operated from within.

612
613
614 D. Lighting. Supplementary lighting shall be shielded in accordance with the provisions of
615 section 23.4-3.

616
617 E. Parking lot regulations.

618
619 (1) Rental of required parking spaces prohibited. Required parking spaces shall not
620 be rented to customers for the purpose of parking or storing vehicles or for any
621 other purpose.

622
623 F. Circulation and loading.

624
625 (1) Configuration of circulation and loading areas. Circulation and loading areas shall
626 be arranged and sized to permit customer and emergency vehicles to circulate
627 unobstructed by the loading or unloading of vehicles at individual storage stalls
628 and shall not be visible from any of the City's major thoroughfares. Areas where
629 vehicles may be placed for loading and unloading shall be distinguished from
630 circulation routes by clear pavement markings. The width of circulation routes and
631 the dimensions of loading areas shall be subject to the approval of the
632 development review official or designee based on the criteria of this section.

633
634 G. Outdoor storage regulated. Outdoor storage is prohibited.

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638
639 18. Breweries, Distilleries, Micro-breweries, Micro-Distilleries, Specialty Breweries and
640 Specialty Distilleries.

641 A. Purpose. It is the purpose of this section to provide regulations and standards
642 for all types of brewery and distillery establishments within designated zoning
643 districts. These uses shall be approved through the appropriate decision-making
644 authority.

645 B. Design and performance standards.

646 (1) Minimum site area: Seventy-five hundred (7,500) square feet.

647 (2) Minimum lot width: Seventy-five (75) feet.

648 (3) Minimum distances. All such uses shall be located a minimum of five
649 hundred (500) feet from each other. Distance shall be measured from
650 property line to property line, without regard to intervening structures or
651 objects.

- 652 (4) Landscape requirements. The site must be provided with a minimum five-
653 foot-wide perimeter planting area when adjacent to residential uses. Site
654 landscaping shall comply with adopted landscape regulations.
- 655 (5) Buffering. A fence or wall shall be erected at a height of not less than six (6)
656 feet when the parking area(s) or other common area(s) is within twenty-five
657 (25) feet of a residential district, in addition to the landscaping requirements
658 outlined in subsection (5), above. All fences and walls shall be constructed
659 of concrete, masonry or metal. Metal fences shall be open weave chain link,
660 vinyl coated type combined with a shrub hedge or ornamental in nature.
661 Walls shall be finished with a graffiti-resistant paint.
- 662 (6) Variances for minimum site area shall not be granted.
- 663 (7) Specialty breweries and specialty distilleries must front one of the city's
664 major thoroughfares.
- 665 (8) Outdoor display of any items is strictly prohibited.
- 666 (9) Establishments must have at least twenty-five (25) percent clear glazing
667 and fenestration along frontages with entrances clearly identifiable.
- 668 (10) Display windows must have engaging and pedestrian friendly vignettes.
669 Covering of display windows with posters, paper, advertisements, written
670 signs and similar shall be strictly prohibited. Vacant buildings shall have
671 approved vignettes covering windows until an active business is
672 established and operating.
- 673 (11) All sales transactions, except during city approved special events, shall
674 take place within the building.
- 675 (12) Walk up sales windows shall not be allowed.
- 676 (13) All storage, production, shipping and receiving associated with use must
677 be confined within an approved building or structure.
- 678 (14) All deliveries and distribution activities shall take place between the hours
679 of 8 am and 6 pm Monday through Saturday, except when located within
680 an industrial zoning district.
- 681 (15) Each facility shall abide by the following restrictions on production capacity.
- 682 (a) Breweries and Distilleries shall have capacity limited only by size of
683 property and square footage of building and/or structure.
- 684 (b) Micro-breweries and Micro-distilleries shall have a production capacity
685 of no more than 750,000 proof gallons on an annual basis, or two
686 million, nineteen thousand (2,019,000), 750 ml bottles production per
687 year.
- 688 (c) Specialty breweries and specialty distilleries shall have a production
689 capacity of no more than 325,000 proof gallons on an annual basis, or
690 one million, ninety-five hundred (1,009,500), 750 ml bottles production
691 per year.

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(16) Each facility shall abide by the following restrictions on deliveries.

(a) Breweries and Distilleries shall have unlimited commercial truck deliveries for shipping, receiving and distribution, except no deliveries on Sunday.

(b) Micro-breweries and micro-distilleries shall have no more than 12 commercial truck deliveries for shipping, receiving and distribution each week and no deliveries on Sunday.

(c) Specialty breweries and specialty distilleries shall have no more than 6 commercial truck deliveries for shipping, receiving and distribution each week and no deliveries or distribution on Sunday. All deliveries must take place on site and off public rights of way.

(17) All micro-breweries, micro-distilleries, specialty breweries and specialty distilleries shall be required to have a retail sales component and a consumption on premises component. For micro-breweries, micro-distilleries, specialty breweries and specialty distilleries in mixed-use districts, no more than seventy (70%) percent of the use area shall be used for brewery or distillery manufacturing or production, including packaging with the balance consisting of office, retail sales and taprooms / tasting areas.

(18) For micro-breweries, micro-distilleries, specialty breweries and specialty distilleries, guest taps may be allowed in conjunction with a tap or tasting room not to exceed 30 percent of the number of taps or on-site production unless as part of a restaurant with bar or bar use approval.

(19) All spoils generated as the result of the fermentation and production shall be disposed in an appropriate manner meeting all requisite health and safety standards.

(20) Other appropriate conditions may be placed on the use approval depending on location, building/structure and orientation to ensure nuisance type of activities including but not limited to noise, dust, pollutants, odors, and waste by products and other use impacts do not occur.

19. Money business services

A. Purpose. It is the purpose of this section to provide regulations and standards for money business services such as payment instrument seller, foreign currency exchanger, check casher, or money transmitter. These uses shall be approved through the appropriate decision-making authority. Principal uses shall be reviewed through the conditional use permit process. These uses may also occur as accessory to single destination commercial only provided the development standards are met for both the principal and accessory use.

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B. Design and performance standards.

1) Separation Distance:

- (a) A minimum separation distance of four hundred (400) feet for accessory uses.
- (b) A minimum separation distance of one thousand (1,000) feet for principal uses.

2) Operational Standards:

- (a) Hours of operation shall be limited to 8 am to 9 pm on Monday through Saturday and 9 am to 6 pm on Sunday.
- (b) No temporary or promotional signage shall be permitted on windows or doors except as expressly permitted in Sec. 23.5-1 Signs.
- (c) Interior and exterior video surveillance for security purposes is required and surveillance recordings shall be maintained for a minimum of fourteen (14) days.
- (d) The site shall meet appropriate Crime Prevention through Environmental Design (CPTED) standards as feasible.

RESIDENTIAL																										
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	FEG-[Delete Column]	Hotel-[Delete Column]
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 A		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				

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RETAIL																											
High Intensity Retail Uses - Building Use area Greater than 7,500 sq. ft and/or high intensity impact uses.	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-[Delete Column]	Hotel-[Delete Column]	
Drive Through Facilities													C	C													
Grocery Store							G		G		G		G	G	G	G											
Home Improvement Center													C	C													
Liquor Store							C			C	C		C	C		C											
Merchant Retail Stock (Reference Ordinance Chapter 14)							C			C	C		C	C	C	C											
Pharmacy/Drug Store													C	C	C	C											
Produce Market							G			G	G		G	G	G	G											
Single Destination Retail							C	G	C	C	C		C	C	C	C				C							
Stand Alone Retail													C	C													
Medium Intensity Retail Uses - Less than Building Use area less than 7,500 sq. ft and/or medium intensity impact uses.	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-[Delete Column]	Hotel-[Delete Column]	
Convenience Stores							G						G	G													
Drive Through Facilities													C	C													
Grocery Store							A			A			A	A	A	A											
Home Improvement Center										G			A	A													
Liquor Store							C			C	C		C	C		C											
Pharmacy/Drug Store													C	C	C	C											
Produce Market							A			A	A		A	A	A	A											
Single Destination Retail							P A	P C	P A	P A	P A		P A	P A	P A	P A				P A							
Specialty Retail							A	A	A			C	P	P	P	P		C	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							
Low Intensity Retail Uses - Building Use area Less than 2,500 sq. ft and low intensity impact uses.	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-[Delete Column]	Hotel-[Delete Column]	
Convenience Stores							A						A	A													
Gift Boutiques							P	P	P	P	P		P	P	P	P			P	P							
Grocery Store-Neighborhood							A			A			A	A	A	A											
Hobby Shops							P	P	P	P	P		P	P	P	P					P						
Pharmacy Accessory										C	C	G	C	C	C	C											
Produce Market							A			A	A		A	A	A	A						A					
Single Destination Retail							P	P A	P A	P A	P A		P	P	P	P				P A							
Specialty Food Product Stores							P	P	P	P	P		P	P	P	P				P							
Specialty Retail							P	A	P	A	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							

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COMMERCIAL																											
High Intensity Commercial Uses - Building Use area greater than 7,500 sq. ft and/or high intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Bars/ Clubs with or without live entertainment											C		C	C	C	C				C							
Cold Storage																				C	C						
Contractor (Office with no outdoor storage yard)							C							E	E					E	E						
Contractor (Office with outdoor storage yard)																					E						
Outdoor Commercial Recreation, Outdoor (See Indoor Commercial Recreation)														C						C	C						
Contractor - Showroom														C	C					A C	C						
Dead Storage Facilities														C						C	C						
Drive Through Facilities									C	C			C	C													
Extended Stay Hotel or Motel Lodging Facility											C		C	C	C	C				C							
Financial Institution with Drive Through									C	C	C		C	C	C	C											
Financial Institution without Drive Through							C			C	C	C	C	C	C	C											
Hotels Lodging Facility							C	C	C	C	C	C	C	C	C	C											E
Indoor Commercial Recreation, Indoor (Reference Ordinance Chapter 14)														C	C					C	C						
Printing Services							C			C	C		C	C	C	C				C	C						
Mini-Warehouses														E	C					C	C					E	
Motels							E	E	E	E	E	E	E	E	E	E				E							
Motel or Hotel, extended stay											E		E	E	E	E				E							
Restaurants Accessory to Hotel or Motel							E		E	E	E	E	E	E	E	E											
Restaurants with Drive Through							C		C	C			C	C						C							
Restaurants - With Bar							C		C	C	C		C	C	C	C			C	C							
Restaurants - Take Out							C	C	C	C			C	C	C	C			C	C		C					
Restaurants							C	C	C	C	C		C	C	C	C			C	C		C					
Storage - Specialty														C	C					C							
Single Destination Commercial										E	E		C	C	E	C				C							
Truck/Van Rentals														C													
Veterinary Offices, with or without Kennels														C						C	C						
Warehouse Facilities																				C	C						
Wholesale and Distribution Facilities [Moved to industrial]																E				E	E						
Medium Intensity Commercial Uses - Less than Building Use area less than 7,500 sq. ft and/or medium intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Bars/ Clubs with or without live entertainment											C		C	C	C	C				C							
Bed and Breakfast Inns	C	C		C	C	C	C	C	C	C	C	C	C	A	A	A				C							
Catering/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)																						E					
Contractor - Showroom										C			A	A	A	A				A	C						
Drive Through Facilities									C	C			C	C													
Extended Stay Lodging Facility											C		C	C	C	C				C							
Financial Institution with Drive Through									C	C	C		C	C	C	C											
Financial Institution without Drive Through							A C	A C	A C	A C	A C		A C	A C	A C	A C											
Financial Management Services							A	A	A	A	A		A	A	A	A											
Funeral Home/ Crematory							C	C						C													
Hotels Lodging Facility							A	A	A	A	A	A	A	A	A	A											
Indoor Commercial Recreation (Reference Ordinance Chapter 14)							A			A		A	A	A						A	A						
Motels							A		A		A	A	A	A	A	A				A							
Motel or Hotel Extended Stay											E		E	E	E	E				E							
Money Business Services														C	C												
Printing Services							A		A		A		A	A	A	A				A	A						
Restaurants with Drive Through							C		C				C	C						C							
Restaurants - With Bar							E		E	E	E		E	E	E	E			A	E							
Restaurants - Take Out							A	A	A	A	A		A	A	A	A			A	P	A		P				
Restaurants							A	A	A	A	A		A	A	A	A			A	P	A		P				
Single Destination Commercial							A C			A C			A C	A C	A C	A C					A C						
Social Service Centers [Moved to Institutional]							A	A	A	A			A	A	A	A					A						
Storage Lockers														A	A	A	A										
Storage - Specialty														C	C					C							
Veterinary Offices, without Kennels										A			A	A	P A	P A				A	A						
Veterinary Offices, with Kennels														C	C					C	C						
Warehouse Facilities															A					A	A						

COMMERCIAL																											
Wholesale and Distribution Facilities (Moved to industrial)																											
	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 [Delete Column]	Hotel [Delete Column]	
Coffee Shop / Ice Cream Shop							P	P	P	P	P		P	P	P	P	P	P	P	P		P					
Contractor (Office only - no outdoor storage yard) - [Professional Office Use]							P	P	P	P	P	P		P	P	P				P	P						
Contractor (Office with outdoor storage yard) - [Moved to Industrial use]																					G						
Financial Management Services [Professional Office Use]							P	P	P	P	P		P	P	P	P				P							
Printing Services							P		P	P	P		P	P	P	P				P							
Restaurants with Drive Through							C		C				C	C						C							
Restaurants - With Bar							A		A	A	A		A	A	A	A		A	A								
Restaurants - Take Out							PA	PA	PA	PA			PA	PA	PA	PA	PA	PA	PA	PA		P					
Restaurants							P	P	P	P	P		P	P	P	P	P	P	P	P		P					
Single Destination Commercial							PA	P	P	PA	P		PA	PA	PA	PA	PA			PA							
Wholesale and Distribution Facilities															P					P	P						

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OFFICE																											
High Intensity Office Uses - Building- Use area G greater than 7,500 sq. ft and/or high intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
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 only--no outdoor storage yard)							G						G	G						G	G						
Contractor (Office with outdoor storage yard)																					G						
Governmental Administrative Office							C			C			C	C	C	C				C	C			C			
Health Clinics/Urgent Care													C	C	C	C								C			
Out Patient Clinics Medical Offices										C	C	C	C	C										C			
Medium Intensity Office Uses - Less than Building- Use area less than 7,500 sq. ft and/or medium intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
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)																						G					
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						
Out Patient Clinics/Medical Office										C	C	C	C	C	C	C											
Low Intensity Office Uses - Building- Use area L less than 2,500 sq. ft and low intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
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)																						G					
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					

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PERSONAL SERVICES																												
High Intensity Personal Services Uses - Building-Use area Greater than 7,500 sq. ft and/or high intensity impact uses.	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	Cultural Arts	FEC [Delete Column]	Hotel [Delete Column]	
Ballroom, Banquet and Meeting Rooms							C		C	C	C		C	C	C	C		P	C			C	C				C	
Cryogenic Frozen Storage & Laboratory																					C							
Gymnastics Studios/Training Facilities													C	C						C	C			C				
Gyms/Studio, Fitness or Dance													C	C		C				C								
Large Household Appliance Repair													C	C						C								
Medium Intensity Personal Services Uses - Less than Building Use area less than 7,500 sq. ft and/or medium intensity impact uses.	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	Cultural Arts	FEC [Delete Column]	Hotel [Delete Column]	
Ballroom, Banquet and Meeting Rooms							C		C	C	C		C	C	C	C		P	C			C	C					C
Barber Shop							A	A	A	A	A	A	A	A	A	A				A								
Beauty Parlor/Shop/Salon/Esthetician/Make-up Artist/							A	A	A	A	A	A	A	A	A	A				A								
Personal Grooming Services & Day Spa							A	A	A	A	A	A	A	A	A	A				A								
Dry Cleaning Establishment without on-site cleaning							A	A		A			A	A	A	A				A								
Exercise Gyms/Studio, Fitness or Dance							A	A	A	A	A	A	A	A	A	A				A	A			A				
Gymnastics Studios/Training Facility							A	A	A	A			A	A	A	A				A	A			A				
Holistic Health Care Facility							A	A	A	A	A	A	A	A	A	A	A			A								
Large Household Appliance Repair													A	A						A	A							
Laundry Establishment							C	C		C			C	C	C	C				C								
Small Household Appliance Repair													A	A						A								
Martial Arts Studio							A	A	A	A			A	A	A	A				A	A			A				
Music/Dance Studio							A	A	A	A			A	A	A	A				A	A			A				
Pet Grooming with boarding													C	C		C												
Personal Training Gyms/Studio							A	A	A	A	A	A	A	A	A	A				A	A			A				
Physical Fitness Studio/Facilities (group, multi-client services)							A	A	A	A			A	A	A	A				A								
Social Service Center							A	A	A	A			A	A	A	A				A								
Tattoo Studio/Body Art/Piercing											A		A							A								
Low Intensity Personal Services Uses - Building-Use area Less than 2,500 sq. ft and low intensity impact uses.	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	Cultural Arts	FEC [Delete Column]	Hotel [Delete Column]	
Ballroom, Banquet and Meeting Rooms							A		A	A	A		A	A	A	A		P	A			A	A					A
Barber 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								
Dry Cleaning Establishment without on-site cleaning							A	A		A			A	A	A	A				A								
Educational or Tutoring Business (excluding trade schools), indoor only and including music and supplementary academic programs.							A		A	A		A	A	A	A	A	A											
Exercise Gyms/Studio, Fitness or Dance							P	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								
Large Household Appliance Repair													P	P						P	P							
Laundry Establishment							A	A		A			A	A	A	A				A								
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			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				
Personal Grooming Services & Day Spa							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								
Repair and Maintenance Services - Specialty							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								

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Transitional or Temporary Parking Facilities		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	A	
Truck/Van Rentals																											
Used Automobile Vehicular or Boat Sales and Rentals																											
Used Boat Sales and Rentals																											
Vehicle or Boat Broker without Outdoor Storage																											
Vehicle Fueling & Charging Station																											
Vehicle Fueling & Charging Station - Accessory Only																											
Vehicle Service and Repair-Major																										P	
Vehicle Service and Repair-Minor																										P	
Automobile Vehicle Washing & Waxing Establishments, Attended / Unattended																											
Walking tours Downtown/Historic guided-on-site parking																											
Low Intensity Vehicular Uses - Building Use area less than 2,500 sq. ft and low intensity impact uses.	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	FEG [Delete Column]	Hotel [Delete Column]	
Automobile Charging Station (accessory to primary use)													P	P						P	P						
Automobile Body Shops																				G	G						
Automobile Service and Repair-Major													G	G													
Automobile Service and Repair-Minor													A	A						A	A						
Automobile Upholstery Establishments													A	A						A	A						
Automobile Waxing and Polishing Establishments													A	A						A	A						
Automobile Window Tinting Establishments													A	A						A	A						
Automotive Parts Sales													P	P						P	P						
Motorcycle/Motor-scooter-Rental-Mopeds/Motorscooter/Golfcarts, rentals & sales, Indoor only													PA	PA	PA	PA											
Special-Interest Automobile Dealership													P							P	PA						
Tire/Rim Sales and Service													A	A						A	A						
Tourism-related trades-No Storage yard without Outdoor Storage													PA	PA	PA	PA						P	P	P			
Used Automobile Sales and Rentals														A													
Used Boat Sales and Rentals														A													
Vehicle Broker													P							P	PA						
Automobile Washing Establishments, Attended / Unattended- [Relocated to Medium Intensity]													G	G													

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INSTITUTIONAL																											
High Intensity Institutional Uses - Building- Use area greater than 7,500 sq. ft and/or high intensity impact uses.	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	Cultural Arts	FEC [Delete Column]	Hotel [Delete Column]
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			
Places of Worship	C	C		C	C	C	C	C	C	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)													C	C	C	C											
School of the Arts														C									C				
School for Modeling or Booking Agency														C									C				
School of Instruction (for artisan, workers, etc.)														C									C				
Medium Intensity Institutional Uses - Less than Building- Use area less than 7,500 sq. ft and/or medium intensity impact uses.	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	Cultural Arts	FEC [Delete Column]	Hotel [Delete Column]
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											
Social Service Center (Relocated from Personal Services)							A	A	A	A			A	A	A	A				A							
Welcome Centers											A				A	A							A	A	A		
Low Intensity Institutional Uses - Building- Use area less than 2,500 sq. ft and low intensity impact uses.	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	Cultural Arts	FEC [Delete Column]	Hotel [Delete Column]
Environmental Nature Centers																							C	C	C		
Museum											P									P			P	A	A		

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CULTURAL & ARTISANAL ARTS																											
High Intensity Artisanal Uses - Building-Use area greater than 7,500 sq. ft. and/or high intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Artisan or Art Studio																				C	C						
Artisanal Foods																				C	C						
Artisanal Manufacturing																				C	C						
Bakery, Commercial																				C	C						
Ceramics or Pottery Studio with or without Kiln							C		C	C										C	C						
Commissary Kitchen							C		C	C										C	C						
Culinary Arts							C		C	C										C	C						
Film Studio																				C	C						
Indoor Motion Pictures (more than three (3) Screens)																				C	C						
Performing Arts Theatre (more than 250 seats)																				C	C						
Radio Broadcasting Studio																				C	C		C				
Recording Studio											C				C	C				C	C						
Sculpture Studio with or without Kiln																				C	C						
Sculpture Studio without Kiln																				C	C						
Television Production Studio													C		C					C	C		C				
Medium Intensity Artisanal Uses - Less than Building-Use area less than 7,500 sq. ft. and/or medium intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Artisanal Foods											A			A						A	A						
Artisanal Manufacturing																				A	A						
Artisan or Art Studio							A	A	A	A	A	A	A	A	A	A				A	A						
Arts and Crafts Studio																				A	A						
Art or Photography Gallery							A	A	A		A		A		A	A				A	A						
Bakery, Retail							C				A		A	A	A	A				A	A						
Bakery, Commercial																				A	A						
Book Binding																				A	A						
Ceramics or Pottery Studio with Kiln																				A	A						
Ceramics or Pottery Studio without Kiln							A		A	A										A	A						
Commissary Kitchen																				A	A						
Culinary Arts							A													A	A						
Custom Jewelry Studio							A													A	A						
Indoor Motion Pictures (more than three (3) Screens)																				A	A						
Performing Arts Theater (less than 250 seats)											A									A	A		A	A	A		
Perfumery											A									A	A						
Photography Studio							A													A	A						
Pottery Shop/Studio																				A	A						
Recording Studio											A				A	A				A	A						
Sculpture Studio with Kiln																				A	A						
Sculpture Studio without Kiln																				A	A						
Stationery/Engraver							A				A									A	A						
Low Intensity Artisanal Uses - Building-Use area less than 2,500 sq. ft. and low intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Artisan or Art Studio							P			P				P						P							
Arts and Crafts Studio							P	P			P			P						P							
Art or Photography Gallery							P	P	P	P	P			P	P	P				P							
Bakery, Retail							P	P	P	P	P	P	P	P	P	P				P	P	P					
Ceramics or Pottery Studio with Kiln							A		A	A										A							
Ceramics or Pottery Studio without Kiln							P		P	P										P							
Commissary Kitchen																				P	P						
Craft Gallery											P			P	P					P							
Custom Jewelry Fabrication/Studio							P	P	P	P				P	P	P				P							
Photography Studio							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					P							
Sculpture Studio with Kiln							A	A						A	A					A							
Sculpture Studio w/o Kiln							P	P						P	P					P							
Stained Glass Studio							P	P						P	P					P							

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PUBLIC																											
High Intensity Public Uses - Building Use area greater than 7,500 sq. ft and/or high intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Amphitheaters - 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	€	€
Recreation Public (Indoor) with Team Sports Facilities														C					P		C		C	C			
Recreation Public (Indoor) w/o Team Sports Facilities														€					P				C	C			
Recreation Public (Outdoor) with Team Sports Facilities																					C		C	C	C		
Recreation Public (Outdoor) w/o Team Sports Facilities	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C			P				C	C	C		
Recreation Park (Active) with Team Sports Facilities																							C	C	C		
Sports Arenas														C									C				
Medium Intensity Public Uses - Active - Less than Building Use area less than 7,500 sq. ft and/or medium intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
Amphitheaters - 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	€	€
Recreation Public (Indoor) with Team Sports Facilities														C					P		C		C	C			
Recreation Public (Indoor) w/o Team Sports Facilities														€					P				C	C			
Recreation Public (Outdoor) with Team Sports Facilities																					C		C	C	C		
Recreation Public (Outdoor) w/o Team Sports Facilities	C	C		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		C	C	C	C	C	C	C	C	C	C	C	C	C			P				C	C	C		
Low Intensity Public Uses - Passive - Building Use area Less than 2,500 sq. ft and low intensity impact uses.	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 [Delete Column]	Hotel [Delete Column]	
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	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		

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SPECIALTY																												
High Intensity Specialty Uses - <u>Building Use area greater than 7,500 sq. ft and/or high intensity impact uses.</u>	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-[Delete Column]	Hotel-[Delete Column]		
Adult Establishments																					C							
Flea Market							C	C	C	C	C	C	C	C	C	C					C		C					
Outdoor Farmer's Market																					C		C					
Mobile food vending courts																					C		C					
Passenger Railroads/Transit															C	C							C					
Private Club									C				C	C									C					
Power Plants																						C		C				
Public Safety Facilities																							C					
Radio and Television Broadcasting Studios w/ Communication Towers														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					
Medium Intensity Specialty Uses - <u>Less than Building Use less than 7,500 sq. ft and/or medium intensity impact uses.</u>	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-[Delete Column]	Hotel-[Delete Column]		
Adult Establishments																						C						
Cemetery/Mausoleum(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							A			A	A		A	A	A	A					A	A		C				
Special Interest 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					
Flea Market																							C					
Mobile food vending courts																							C					
Low Intensity Specialty Uses - <u>Building Use area less than 2,500 sq. ft and low intensity impact uses.</u>	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-[Delete Column]	Hotel-[Delete Column]		
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	P														
Special Interest Automobile Dealership													P								P	P						
Water Conservation Areas	P	P	P	P																				P	P	P		

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