



AGENDA
CITY OF LAKE WORTH BEACH
SPECIAL CITY COMMISSION MEETING - LDRS & COMP PLAN
BY TELECONFERENCE
TUESDAY, JULY 28, 2020
IMMEDIATELY FOLLOWING THE ELECTRIC UTILITY MEETING

ROLL CALL:

PUBLIC HEARING:

- A. [Ordinance No. 2020-05 – Second Reading - Amend Future Land Use Element \(FLUE\) of the City's Comprehensive Plan](#)
- B. [Ordinance No. 2020-06 – Second Reading - Amend Future Land Use Map \(FLUM\) of the City's Comprehensive Plan](#)

NEW BUSINESS:

- A. [Ordinance No. 2020-11 – First Reading - Amend the City's Code of Ordinances Chapter 23 Land Development Regulations](#)
- B. [Ordinance No. 2020-12 – First Reading - Amend the City's Code of Ordinances Chapter 23 Land Development Regulations](#)

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)

EXECUTIVE BRIEF SPECIAL MEETING

AGENDA DATE: July 28, 2020

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2020-05 – Second Reading - Amend Future Land Use Element (FLUE) of the City's Comprehensive Plan

SUMMARY:

Ordinance 2020-05 provides for several amendments to the Future Land Use Element of the City's Comprehensive Plan including language in the Downtown Mixed Use and Transit Oriented Development sections as well as the future land use Table 1 to allow for a base maximum density in the Mixed Use Federal Highway zoning district of 30 units per acre and for a base maximum density in the Transit Oriented Development zoning districts of 60 units per acre.

BACKGROUND AND JUSTIFICATION:

In reviewing the evolving development patterns in South Florida and across the region, staff has received a great deal of input related to a desire for increased densities due to growing interest in smaller unit sizes and development projects with amenities. In response, staff reviewed the feasibility of changing the based density allowances for the Transit Oriented Development areas and the Federal Highway area as well as clarifying language in the Downtown Mixed-Use and Transit Oriented Development sections.

At their May meetings, both the Planning & Zoning Board and Historic Preservation Resources Review Board had lengthy discussions and received public input regarding the proposed changes. Both boards voiced concerns regarding the changing of the base maximum density for the Mixed-Use Federal Highway zoning district from 20 units an acre to 30 units an acre to be consistent with other zoning districts in the Mixed Use East Future Land Use designation. The other changes including an increase of the base maximum density of 50 units an acre to 60 units an acre for the Transit Oriented Development land use designation received support. As such, both boards recommended denial to the City Commission of the Future Land Use Element changes as submitted.

Following the City Commission's approval of this ordinance on first reading the amendment was transmitted to the Florida Department of Economic Opportunity. The agency provided no comments and found the amendment in compliance.

MOTION:

Move to approve/disapprove Ordinance 2020-05 on second reading – amending the Future Land Use Element (FLUE) of the City's Comprehensive Plan.

ATTACHMENT(S):

Ordinance 2020-05 with Exhibit A
PZB/HRPB Staff Reports - DEO Transmittal

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ORDINANCE NO. 2020-05 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING POLICIES IN THE FUTURE LAND USE ELEMENT OF THE CITY’S COMPREHENSIVE PLAN RELATING TO DOWNTOWN MIXED USE, AND TRANSIT ORIENTED DEVELOPMENT FUTURE LAND USE (FLU) DESIGNATIONS, INCLUDING MODIFICATIONS TO THE FLU DEVELOPMENT REQUIREMENTS, LIMITATIONS, AND GENERAL LOCATION DESCRIPTIONS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Local Government Comprehensive Planning and Land Development Regulation Act, section 163.3220, *et seq.*, Florida Statutes, requires each municipality to adopt a comprehensive plan and authorizes amendments to an adopted comprehensive plan; and

WHEREAS, the City has a previously adopted Evaluation and Appraisal Report (EAR) Comprehensive Plan, dated June 1, 2018; and

WHEREAS, the City has identified the need to revise the Future Land Use Element portion of the Comprehensive Plan in order to further advance the goal of well-planned and orderly development; and

WHEREAS, the amendments further the City’s Strategic Plan that is committed to building a vibrant and diverse economy, planning thoughtfully for the future, and supporting the Plan’s Strategic Pillars, including to be a competitive viable location of choice, strengthening Lake Worth Beach as a “Community of Neighborhoods”, and navigating towards a sustainable community; and

WHEREAS, City staff has prepared amendments to the Comprehensive Plan that modify Future Land Use Element Policies 1.1.1.7, 1.1.1.8, and 1.1.2.10; and

WHEREAS, on May 13, 2020, the City Historic Resources Preservation Board, sitting as the duly constituted Local Planning Agency for the City, held a public hearing to consider the comprehensive plan amendments and forwarded a recommendation of approval to the City Commission; and

WHEREAS, on May 20, 2020, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, held a public hearing to consider the comprehensive plan amendments and forwarded a recommendation of approval to the City Commission; and

WHEREAS, the City Commission desires to amend its Comprehensive Plan to adopt the amendments; and

49 WHEREAS, the City Commission finds that the subject text amendment that is
50 eligible for the State Expedited Review Process for the Adoption of Comprehensive Plan
51 Amendments and that it has been processed in a manner consistent with Sections
52 163.3184 Florida Statutes;

53
54 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
55 CITY OF LAKE WORTH BEACH, FLORIDA, that:

56
57 Section 1. The foregoing recitals are true and accurate and are expressly incorporated
58 herein by reference and made a part hereof.

59
60 Section 2. The Elements to the City Comprehensive Plan are hereby amended as set
61 forth in **Exhibit A** which is attached hereto and made part hereof as if fully set forth herein.

62
63 Section 3. The City Manager or designee is hereby directed to ensure that this ordinance
64 and all other necessary documents are forwarded to the Florida Department of Economic
65 Opportunity and other review agencies in accordance with section 163.3184(3), Florida
66 Statutes.

67
68 Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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70 Section 5. If any provision of this ordinance or the application thereof to any person or
71 circumstances is held invalid, such invalidity shall not affect other provisions or
72 applications of this ordinance which can be given effect without the invalid provision or
73 application, and to this end the provisions of this Ordinance are declared to be severable.

74
75 Section 6. Pursuant to section 163.318(3)(c)4, Florida Statutes, this plan amendment
76 does not become effective until 31 days after the Department of Economic Opportunity
77 notifies the City that the plan amendment package is complete. If timely challenged, this
78 amendment does not become effective until the Department of Economic Opportunity or
79 the Administration Commission enters a final order determining the adopted amendment
80 to be in compliance.

81
82 The passage of all parts of Ordinance 2020-05 that did not pertain to South Federal
83 Highway was moved by Commissioner Hardy, seconded by Commissioner Robinson,
84 and upon being put to a vote, the vote was as follows:

85		
86	Mayor Pam Triolo	AYE
87	Vice Mayor Andy Amoroso	AYE
88	Commissioner Scott Maxwell	AYE
89	Commissioner Omari Hardy	NAY
90	Commissioner Herman Robinson	AYE

91
92
93 The Mayor thereupon declared this ordinance duly passed on first reading on the
94 2nd day of June, 2020.

95

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

- 99
- 100 Mayor Pam Triolo
- 101 Vice Mayor Andy Amoroso
- 102 Commissioner Scott Maxell
- 103 Commissioner Omari Hardy
- 104 Commissioner Herman Robinson

105
106 The Mayor thereupon declared this ordinance duly passed on the __ day of _____,
107 2020.

108
109 LAKE WORTH BEACH CITY COMMISSION

110
111
112 By: _____
113 Pam Triolo, Mayor

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115 ATTEST:

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118 _____
119 Deborah Andrea, CMC, City Clerk

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EXHIBIT A
FUTURE LAND USE ELEMENT TEXT AMENDMENTS

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The following represents the four (4) proposed text amendments in ~~strikethrough~~ (proposed deleted provisions) and underline (proposed new provisions) format.

1) Future Land Use Element Policy 1.1.1.8 Transit-Oriented Development (TOD):

Policy 1.1.1.8: Transit-Oriented Development, maximum 650/du acre

The Transit-Oriented Development land use category is established to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The maximum density of permitted residential development is 650/ dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The implementing zoning districts for this category are TOD-E, TOD-W, SFR, MF-30, MU-DH MF-20, MU-W, P, PROS, and AI.

2) Future Land Use Element Policy 1.1.1.1 Table 1 Transit-Oriented Development (TOD):

TABLE 1 Cont'd.
 Omitted for brevity

	Land Use	Zoning District	Density Allowed by Zoning District	Building Height	Height w/ Sustainable Incentive Bonus Program Allocation (1)	Allowable Mix of Uses per District	Floor Area Ratio
Transit-Oriented Development	Transit-Oriented Development (TOD) 45' – 55' Max.	TOD-E	<u>650</u> du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)	75% residential/ 25% non-res.	2.65
		TOD-W	<u>650</u> du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)		
		SFR	7 du/acre	30 feet (max 2 stories)	N/A		
		MF-30	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MU-DH	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		AI	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		

Omitted for brevity

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3) Future Land Use Element Policy 1.1.2.10 Transit-Oriented Development (TOD):

Policy 1.1.2.10: Locational Criteria for the Transit Oriented Development Designation

The Transit Oriented Development designation is intended for mapping in the following locations:

1. TOD-W includes the area just south of Lake Worth Road, north-east of Lake Osborne, and west of I-95 and railway tracks; and the area from Lake Worth Road north to 2nd Avenue North, and from Boutwell Road east to I-95 and the railway tracks.
2. TOD-E includes the area between Lucerne Avenue and 4th Avenue South flanking both sides of the FEC railway tracks; the area between 7th Avenue North and 11th Avenue North flanking both sides of the FEC railway tracks; and the area between 7th Avenue South and 10th Avenue South flanking both sides of the FEC railway tracks; and the area from Lake Worth Road north to 2nd Avenue North, and from I-95 and the railway tracks east to North A Street. The TOD-E locations have potential for future rail stations. The TOD-E district between Lucerne Avenue and 4th Avenue South is also envisioned to encourage arts, entertainment and cultural activities in the City.

The TOD designation shall provide an alternative mixed-use development pattern within a one-quarter mile radius of rail or light rail transit nodes. This pattern is an alternative to piecemeal, parcel-based development, and shall allow for a wide range of commercial and institutional uses, functionally integrated with residential uses, and shall include a concentrated area for retail, professional offices and services, cultural, and housing opportunities.

4) Future Land Use Element Policy 1.1.1.7 Downtown Mixed Use (DMU):

Policy 1.1.1.7: Downtown Mixed Use, maximum 40 du/acre

The Downtown Mixed Use land use category is intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, ~~including higher intensity commercial~~, and some residential within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed Use category because they would be detrimental to the shopping or office functions of the area. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.

Omitted for brevity



DATE: June 4, 2020

SUBJECT: **PZB/HRPB 20-00400001**: City-initiated request to amend the Future Land Use Element of the Lake Worth Beach Comprehensive Plan relating to the Mixed Use East, Transit Oriented Development, and Downtown Mixed Use Future Land Use (FLU) designations, including modifications to the FLU development requirements, limitations, and general location descriptions.

LPA Meeting Dates: May 13, 2020 and May 20, 2020

BACKGROUND:

The subject City-initiated proposed amendments to Future Land Use Element Policies 1.1.1.7, 1.1.1.8, and 1.1.2.10 that relate to the Transit Oriented Development, and Downtown Mixed Use Future Land Use (FLU) designations, including modifications to the FLU development requirements, density limitations, and general location descriptions.

The data and analysis section in the staff report was prepared in accordance with the requirement of F.S. 163.3177 and provides relevant and appropriate data based the City's community goals and vision and consistency with level of service requirements. The amendments reflect market driven conditions for economic development by providing the type of development desired in prime locations that are in close proximity to the existing Tri Rail train station and the Federal Highway mixed use corridor while optimizing the maximum residential development potential for these locations. Furthermore, the amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission transmit the text amendments (PZB/HRPB 20-00400001) to the Florida Department Economic Opportunity (DEO) for expedited review.

DATA & ANALYSIS

The following represents the five (5) proposed text amendments in ~~striketrough~~ (proposed deleted provisions) and underline (proposed new provisions) format.

1) Future Land Use Element Policy 1.1.1.8 Transit-Oriented Development (TOD) Land Use Designation

Policy 1.1.1.8: Transit-Oriented Development, maximum 650/du acre

The Transit-Oriented Development land use category is established to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The maximum density of permitted residential development is 650/ dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The implementing zoning districts for this category are TOD-E, TOD-W, SFR, MF-30, MU-DH MF-20, MU-W, P, PROS, and AI.

JUSTIFICATION

The proposed amendment allows an additional 10 du/acre (max 60 du/acre) in the Transit Oriented Development (TOD) Future Land Use designation and lists all corresponding implementing zoning districts currently located within the TOD areas.

The TOD designation provides an alternative mixed-use development pattern within a one-quarter mile radius of rail or light rail transit nodes. TOD uses, design, and desired lifestyle lend itself to integrating high density residential enabling various unit types and sizes. The amendment provides densities reflective of market driven opportunities for TOD in prime transit locations.

Level of Service Analysis

Pursuant to Chapter 163 of the Florida Statutes, any amendment increasing maximum development potential (densities or intensities) must be evaluated to determine if the proposed amendment will have a significant impact on the long range level of service (LOS) for public facilities (i.e. drainage, potable water, wastewater, solid waste, parks, schools, and traffic) that service the property and the surrounding area. The LOS for public facilities is analyzed based on the increase in maximum FLU designation development potential, and whether or not each public facility has capacity to accommodate any additional demands.

Analysis of the proposed amendment increased density (50 du/acre to 60 du/acre= 10 du/acre) on the long range Level of Service (LOS) impacts concluded community facilities and services are available in the area to sustain the future increased demands and long range LOS can be met with current and planned system capacities. Specifically, the additional 10 du/acre for the approximately 85.81 acres currently with a TOD FLU generates an increase of 858 dwelling units or 2,171 persons (at an average household size of 2.53 people per household per Comprehensive Plan Future Land Use Data and Analysis). The following table provides a LOS summary.

FLUM AMENDMENT LOS SUMMARY TABLE

Type of Facility	Existing 50 du/acre	Proposed 60 du/acre
Drainage	3-year, 1-hour storm duration, as recorded in the FDOT Drainage Manual IDF curves, current edition and fully contained onsite.	3-year, 1-hour storm duration Both FLU designations meet the 3 yr. – 1 hr. drainage LOS requirements. Site improvements will be required for development to provide drainage collection and conveyance systems to positive outfall.
Potable Water	105 gpcd (gallons per capita per day). 105 gpcd x 50 du/acre x 2.53 pph =13,285 gpcd	105 gpcd x 60 du/acre x 2.53 pph =15,939 Increase of 2,654 gpcd The City has available capacity to accommodate the additional demand.
Sanitary Sewer	Collection and treatment of 100 gallons per capita per day at secondary treatment level, or 250 gallons per ERU per day. 100 gpcd x 50 du/acre x 2.53 pph =12,650 gpcd	100 gpcd x 60 du/acre x 2.53 pph =15,180 gpcd Increase of 2,530 gpcd The City has available capacity to accommodate the additional demand.
Solid Waste	Collection and disposal of 6.5 pounds of solid waste per capita per day. 6.5 lbs/pcd x 30 du/acre x 2.53 pph x 365 days/year / 2,000 = 90 Tons/year	6.5 lbs/pcd x 60 du/acre x 2.53 pph x 365 days/year / 2,000 = 180 Tons/year Increase of 90 Tons/year The Solid Waste Authority has available capacity to accommodate the additional demand.
Parks	2.5 acres of community parks for every 1,000 persons and 2.0 acres of neighborhood parks for every 1,000 persons. 85.81 acre x 50 du/acre = 4,291 du/acre x 2.53 pph/du= 10,855 persons	85.81 acre x 60 du/acre = 5,149 du/acre x 2.53 pph/du= 13,026 persons Increase of 2,171 persons 5 acres Community Park and 4 acres Neighborhood Park demand The City has available capacity with over 330 acres in Public Rec and Open Space to accommodate the additional demand.
Schools	85.81 acres x 50du/acre= 4,291 du	85.81 x 60du/acre= 5,149 du Increase of 858 du School District to determine impact of additional 858 units; School Capacity Availability Determination (SCAD).
Traffic	85.81 acres x 50 du/acre = 4,291 du 4,291 du x 5.44 daily trips* = 23,343 daily trips	85.81 acres x 60 du/acre = 5,149 du 5,149 du x 5.44 daily trips* = 28,008 daily trips Increase of 858 daily trips

	* ITE 10th Edition Trip Generation Rate	Capacity is available to accommodate the additional demand.
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Traffic: The proposed amendment could result in an additional 858 daily trips. However, the number of trips will likely be less given mitigating circumstances. These areas, with a 2040 LOS at LOS D, are served by multi-modal transportation options and are located on primary arterial streets in close proximity to I-95 which is a ten (10) lane Urban Principal Arterial facility. Additionally, half of the area is within the urbanized traffic concurrency exemption area. Lake Worth Road, Lake Avenue, Lucerne Avenue, 10th Avenue North and 6th Avenue South impacted. Dixie Highway is also within close proximity and serves as a major north south connector for these streets. Additionally, unit sizes are anticipated to be smaller than average based on current development trends which would generate less daily trips as the per household rate would be less than the calculated 2.53 rate.

3) Future Land Use Element Policy 1.1.1.1 Table 1 TOD-East and TOD-W Zoning Districts.

Policy 1.1.1.1: ***Portion of Policy 1.1.1.1 Text Omitted for Brevity***
 Table 1 depicts maximum densities for each residential and mixed use designation, building heights, sustainable incentive bonus program height allocations, ratios of residential and non-residential uses for each mixed use designation, and Floor Area Ration (FAR) intensities for all Future Land Uses.

Table 1

Residential & Mixed Use Portion of Table 1 Omitted for Brevity

	Land Use	Zoning District	Density Allowed by Zoning District	Building Height	Height w/ Sustainable Incentive Bonus Program Allocation (1)	Allowable Mix of Uses per District	Floor Area Ratio
Transit-Oriented Development	Transit-Oriented Development (TOD) 45' – 55' Max.	TOD-E	650 du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)	75% residential/ 25% non-res.	2.65
		TOD-W	650 du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)		
		SFR	7 du/acre	30 feet (max 2 stories)	N/A		
		MF-30	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MU-DH	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		AI	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		

Remaining Land Use Designations in Table 1 Omitted for brevity

JUSTIFICATION:

The proposed amendment, consistent with previous amendment 2, allows 60 du/acre in the TOD-E and TOD-W Zoning districts. These Zoning Districts are consistent with the TOD FLU and are located in prime TOD areas within

a one-quarter mile radius of rail or light rail transit nodes. The amendment provides densities reflective of market driven opportunities for TOD in prime transit locations.

4) Future Land Use Element Policy 1.1.2.10 TOD Future Land Use designation locations

Policy 1.1.2.10: Locational Criteria for the Transit Oriented Development Designation

The Transit Oriented Development designation is intended for mapping in the following locations:

1. TOD-W includes the area just south of Lake Worth Road, north-east of Lake Osborne, and west of I-95 and railway tracks and the area from Lake Worth Road north to 2nd Avenue North from Boutwell Road east of I-95 and the railway tracks.
2. TOD-E includes the area between Lucerne Avenue and 4th Avenue South flanking both sides of the FEC railway tracks; the area between 7th Avenue North and 11th Avenue North flanking both sides of the FEC railway tracks; and the area between 7th Avenue South and 10th Avenue South flanking both sides of the FEC railway tracks, and the area from Lake Worth Road north to 2nd Avenue North east of I-95 and the railway tracks to North A Street. The TOD-E locations have potential for future rail stations. The TOD-E district between Lucerne Avenue and 4th Avenue South is also envisioned to encourage arts, entertainment and cultural activities in the City.

Omitted for brevity

JUSTIFICATION:

The proposed amendment expands the location of the TOD boundaries in close proximity to the existing TOD/Tri Rail train station to include Lake Worth Road north to 2nd Avenue North, east of Boutwell Road to North A Street. The addition of these locations is important to the expansion of desired TOD and reflects the City's desire to capitalize on existing infrastructure to serve TOD expansion.

5) Future Land Use Element Policy 1.1.1.7 Downtown Mixed Use (DMU):

Policy 1.1.1.7: Downtown Mixed Use, maximum 40 du/acre

The Downtown Mixed Use land use category is intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, ~~including higher intensity commercial~~, and some residential within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed Use category because they would be detrimental to the shopping or office functions of the area. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.

Omitted for brevity

JUSTIFICATION:

The proposed amendment removes specific reference to “higher intensity commercial” use within the DMU FLU as it is redundant since the policy references that commercial uses are allowed within the DMU FLU. The zoning code provides for the development regulations specific to the types and intensity of commercial uses allowed.

COMPREHENSIVE PLAN AND STRATEGIC PLAN ANALYSIS:**Consistency with the Comprehensive Plan**

The proposed text amendments are consistent and in support of the following associated Objectives and Policies of the City of Lake Worth Beach’s Comprehensive Plan. The underlined text emphasizes key concepts, strategies and objectives within these objectives and policies that are furthered by the subject amendments.

1. FUTURE LAND USE ELEMENT

Objective 1.2.2: **The City shall facilitate a compact, sustainable urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services, and to reduce dependence on the automobile. This can be accomplished by concentrating more intensive growth within the City’s mixed use, high density residential and transit oriented development (TOD) areas.**

Policy 1.2.2.1: The City shall continue to promote compact developments within the mixed use high density residential and TOD areas while providing adequate public services for each development in the most cost effective manner possible.

Policy 1.2.2.2: The City shall require all future development and redevelopment to incorporate a functional mix of uses that promote walkable and interconnected uses with a mix of densities and intensities and access to transit, bicycle, pedestrian and other modes of transportation.

Policy 1.2.2.3: Investigate additional uses and opportunities to promote a more sustainable and resilient community.

Policy 1.7.1.13: The City shall consider creating a “Commerce Park Village” incorporating the current LWPOC with the Mixed-Use West and TOD areas west of I-95.

2. TRANSPORTATION ELEMENT

Policy 2.1.1.6: The City shall encourage local businesses and encourage transit friendly development in the Land Development Regulations for all land uses to maximize the use of the public transit system.

Policy 2.1.1.16: The City shall coordinate with South Florida Regional Transportation Authority, the Palm Beach MPO, and the Florida East Coast Railway to establish a commuter rail station serving Tri-Rail Coastal Link service and to encourage transit opportunities to the future station.

3. HOUSING AND NEIGHBORHOODS ELEMENT

Objective 3.1.8: **Encourage construction of workforce housing units and market- rate housing to alleviate the excessive concentration of affordable units in the City and to contribute to the Goal of providing a full range of quality residential unit types and prices for current and anticipated homeowners and renters in all household income levels.**

Policy 3.1.8.1: Establish an effective housing program to alleviate the excessive concentration of affordable units in the City and to provide a full range of quality residential unit types and prices

Policy 3.1.8.2: Promote the construction of market-rate housing in redevelopment areas and mixed-use corridors to contribute to achieve a full range of housing supply.

Policy 3.3.1.7: Strengthen the positive attributes and distinctive character of each neighborhood to help sustain Lake Worth as a healthy, vital City.

- Strengthen the sense of place in each neighborhood with adequate and well-designed, public facilities such as libraries, schools, recreation centers, fire stations and streetscapes.
- Continue to support public art and historic preservation as a focus for neighborhood identity and pride.
- Recognize that every neighborhood has assets that identify that neighborhood and contribute to the well-being of the people who live there. Understand what those are and look for opportunities to enhance them and leverage them for neighborhood improvement. Assets include trees, large yards, schools, people and independent businesses.

- The physical layout of a neighborhood should encourage walking, bicycling and transit use, be safe, family friendly, usable by people of all ages, encourage interaction between people and be a sense of pride.
- Recognize that there are different development patterns. They have been defined generally as: urban, traditional, suburban, contemporary and rural. Each has sustainability standards that must be used.
- Accommodate the City's existing and future housing needs through maintenance of existing residential neighborhoods and the creation of new residential neighborhoods.
- Relate new buildings to the context of the neighborhood and community.
- Where a fine-grained development pattern exists, build within the existing street, block, and lot configuration of the neighborhood.

11. ECONOMIC DEVELOPMENT ELEMENT

- Policy 11.1.2.3: The City shall allocate adequate commercial, industrial, and residential acreage through mechanisms such as zoning and land use plans to meet future needs of a diversified economy.
- Policy 11.1.2.11: The City shall foster the redevelopment of commercial corridors by preparing individual corridor redevelopment plans for key economic corridors located in existing mixed-use corridors and areas.
- Policy 11.1.2.12: The City shall establish and maintain land uses and zoning regulations that will facilitate telecommuting, home based occupations, mixed-use centers, Transit-Oriented Development (TOD) areas, and other components that are helpful to job creation and retention, including the targeted industries.
- Policy 11.1.2.16: The City shall maintain its unique urban character and charm by preserving historic sites and districts within the City as much as possible, and direct economic development projects to existing mixed-use corridors and sites as well as to the Lake Worth Park of Commerce.

Consistency with the Strategic Plan

The proposed amendments further the City's Strategic Plan that is committed to building a vibrant and diverse economy, planning thoughtfully for the future, and support the Strategic Pillars of Positioning Lake Worth Beach to be a competitive viable location of choice, Strengthening Lake Worth Beach as a "Community of Neighborhoods", and Navigating towards a sustainable community.

Specifically, the proposed amendments are compatible with the following Pillars:

Pillar I: Positioning Lake Worth Beach to be a competitive viable location of choice

A: Ensure effective economic development incentives and zones

E: Provide superior public amenities and services to retain existing and entice new residents and businesses

Pillar II: Strengthening Lake Worth Beach as a 'Community of Neighborhoods'

A: Diversify housing options

Pillar IV: Navigating Towards a Sustainable Community

A: Achieve economic and financial sustainability through a versatile and stable tax base.

D: Influence the supply and expansion of jobs.

E: Ensure facility placement, construction and development that anticipates and embraces the future.

CONCLUSION:

Staff **recommends approval of the draft City initiated text amendments**, as:

- The amendments reflect market driven conditions for economic development by providing the type of development desired in prime locations that are in close proximity to the existing Tri Rail train station and the Federal Highway mixed use corridor while optimizing the maximum residential development potential for these locations.
- The amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report; and
- The amendments are supported by data and analysis prepared in accordance with the requirement of F.S. 163.3177 that provides relevant and appropriate data based on the City's community goals and vision and consistency with level of service requirements.

EXECUTIVE BRIEF SPECIAL MEETING

AGENDA DATE: July 28, 2020

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2020-06 – Second Reading - Amend Future Land Use Map (FLUM) of the City's Comprehensive Plan

SUMMARY:

Ordinance 2020-06 provides for a Future Land Use Map amendment to change the designations of parcels between North A Street and Boutwell Road along the north side of Lake Worth Road from Mixed-Use East and Mixed-Use West to Transit Oriented Development respectively.

BACKGROUND AND JUSTIFICATION:

In reviewing the evolving development patterns in South Florida and across the region, staff has received a great deal of input related to a desire for increased density near the city's transit locations and additional land area designate for transit-oriented development. In response, staff evaluated the feasibility of changing the future land use designation of the parcels along the north side of Lake Worth Road between North A Street and Boutwell Road. All parcels are within one quarter mile of the City's Tri-Rail Station and are appropriately located to support increased density and development intensity.

At their May meetings, both the Planning & Zoning Board and Historic Preservation Resources Review Board discussed the proposed Future Land Use Map changes and recommended approval to the City Commission.

Following the City Commission's approval of this ordinance on first reading the amendment was transmitted to the Florida Department of Economic Opportunity. The agency provided no comments and found the amendment in compliance.

MOTION:

Move to approve/disapprove Ordinance 2020-06 on second reading – amending the Future Land Use Map (FLUM) of the City's Comprehensive Plan.

ATTACHMENT(S):

Ordinance 2020-06
Future Land Use Map Existing and Proposed
PZB/HRPB Staff Reports – DEO Transmittal

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ORDINANCE NO. 2020-06 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY’S COMPREHENSIVE PLAN FUTURE LAND USE MAP THROUGH A LARGE SCALE MAP AMENDMENT FROM THE FUTURE LAND USE (FLU) DESIGNATIONS OF MIXED USE EAST AND MIXED USE-WEST TO THE TRANSIT ORIENTED DEVELOPMENT FLU DESIGNATION ON PROPERTY GENERALLY LOCATED ALONG THE LAKE WORTH ROAD CORRIDOR BETWEEN BOUTWELL ROAD AND NORTH A STREET AND MORE FULLY DESCRIBED IN EXHIBIT A; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Local Government Comprehensive Planning and Land Development Regulation Act, section 163.3220, *et seq.*, Florida Statutes, requires each municipality to adopt a comprehensive plan, including a future land use map and authorizes amendments to an adopted comprehensive plan; and

WHEREAS, this is a City-initiated request for the properties described in Exhibit A (the “Property”) for a large scale map amendment to change the future land use designation of the property; and

WHEREAS, City staff has prepared and reviewed an amendment to the Future Land Use Map of the City’s Comprehensive Plan to change the land use designations of the property described below from a City of Lake Worth future land use designation of Mixed Use East (MU-E) and Mixed Use West (MU-W) to a City future land use designation of Transit Oriented Development (TOD); and

WHEREAS, on May 13, 2020, the City Historic Resources Preservation Board, sitting as the duly constituted Local Planning Agency for the City, held a public hearing to consider the comprehensive plan amendments and forwarded a recommendation of approval to the City Commission; and

WHEREAS, on May 20, 2020, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, recommended approval of the Future Land Use Map Amendment to the Comprehensive Plan of the City; and

WHEREAS, the amendment qualifies and meets the criteria to be reviewed and approved as a large scale map amendment in accordance with Florida Statutes; and

WHEREAS, the City Commission finds that the Future Land Use Map Amendment that is eligible for the State Expedited Review Process for the Adoption of Comprehensive Plan Amendments and has been processed in a manner consistent with Sections 163.3184 Florida Statutes; and

48 WHEREAS, the City Commission acknowledges that this Future Land Use Map
49 Amendment is subject to the provisions of Section 163.3184(9), and 163.3189, Florida
50 Statutes, and that the City shall maintain compliance with all provisions thereof; and

51
52 WHEREAS, the City has received public input and participation through hearings
53 before the Local Planning Agency and the City Commission in accordance with Section
54 163.3181, Florida Statutes; and

55
56 WHEREAS, the City Commission has determined that the adoption of this
57 Ordinance is in the best interest of the citizens and residents of the City of Lake Worth
58 Beach.

59
60 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
61 CITY OF LAKE WORTH BEACH, FLORIDA, that:

62
63 Section 1. The foregoing recitals are hereby affirmed and ratified.

64
65 Section 2. The parcel of land more particularly described in **Exhibit A** is hereby
66 designated Transit Oriented Development (TOD) on the City's Future Land Use Map.

67
68 Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

69
70 Section 4. If any provision of this ordinance, or the application thereof to any person or
71 circumstance is held invalid, the invalidity shall not affect other provisions or applications
72 of the ordinance which can be given effect without the invalid provision or application, and
73 to this end the provisions of this ordinance are declared severable,

74
75 Section 5. The effective date of this large scale map amendment shall be thirty-one (31)
76 days after the Department of Economic Opportunity notifies the City that the plan
77 amendment package is complete. If timely challenged, this amendment does not become
78 effective until the Department of Economic Opportunity or the Administration Commission
79 enters a final order determining the adopted amendment to be in compliance.

80
81 The passage of this ordinance was moved by Commissioner Maxwell, seconded
82 by Vice Mayor Amoroso, and upon being put to a vote, the vote was as follows:

83		
84	Mayor Pam Triolo	AYE
85	Vice Mayor Andy Amoroso	AYE
86	Commissioner Scott Maxwell	AYE
87	Commissioner Omari Hardy	AYE
88	Commissioner Herman Robinson	AYE
89		

90 The Mayor thereupon declared this ordinance duly passed on first reading on the
91 2nd of June, 2020.

92
93

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

- 97
98 Mayor Pam Triolo
99 Vice Mayor Andy Amoroso
100 Commissioner Scott Maxwell
101 Commissioner Omari Hardy
102 Commissioner Herman Robinson

103
104 The Mayor thereupon declared this ordinance duly passed on the __ day of _____,
105 2020.

106
107 LAKE WORTH BEACH CITY COMMISSION

108
109
110 By: _____
111 Pam Triolo, Mayor

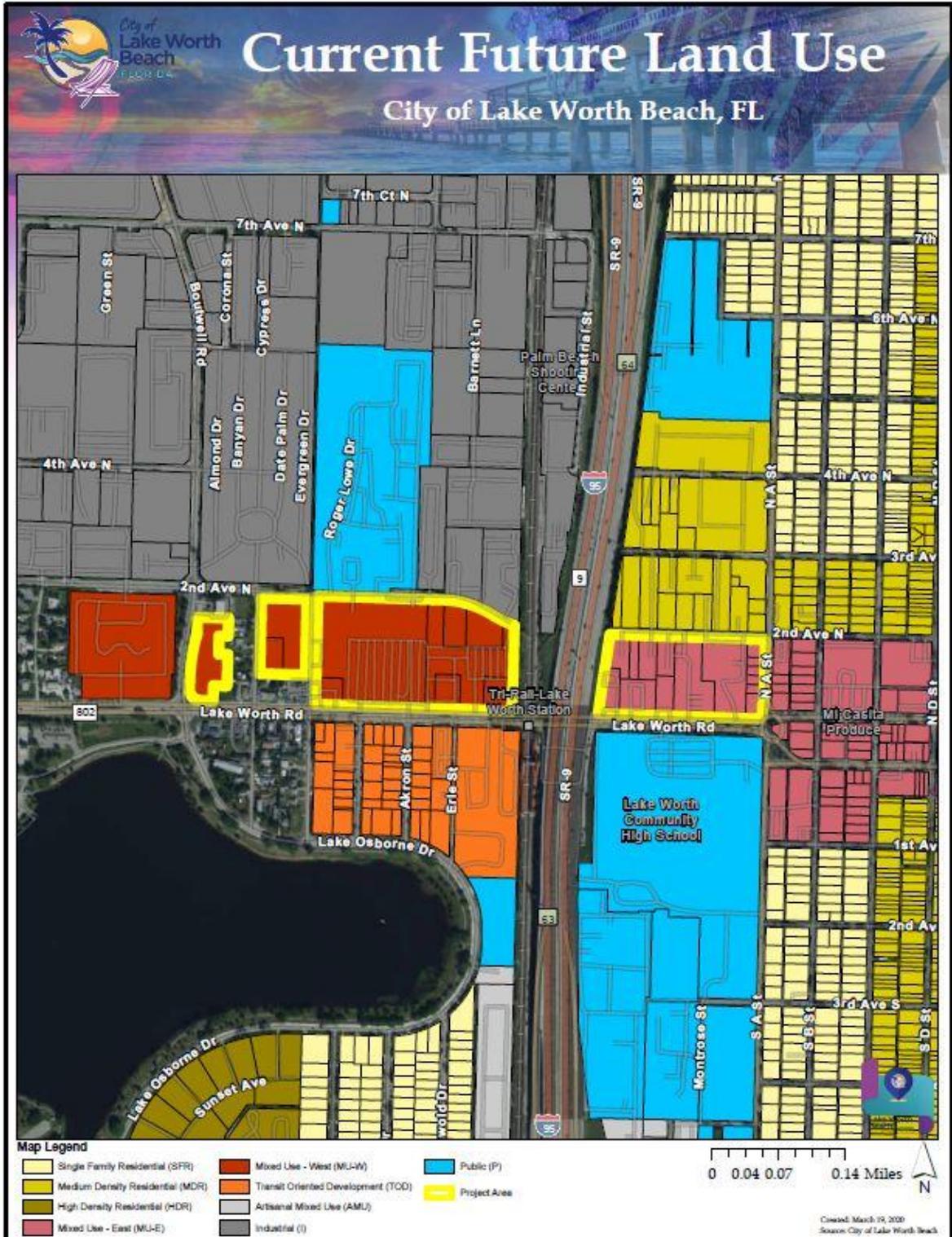
112
113 ATTEST:

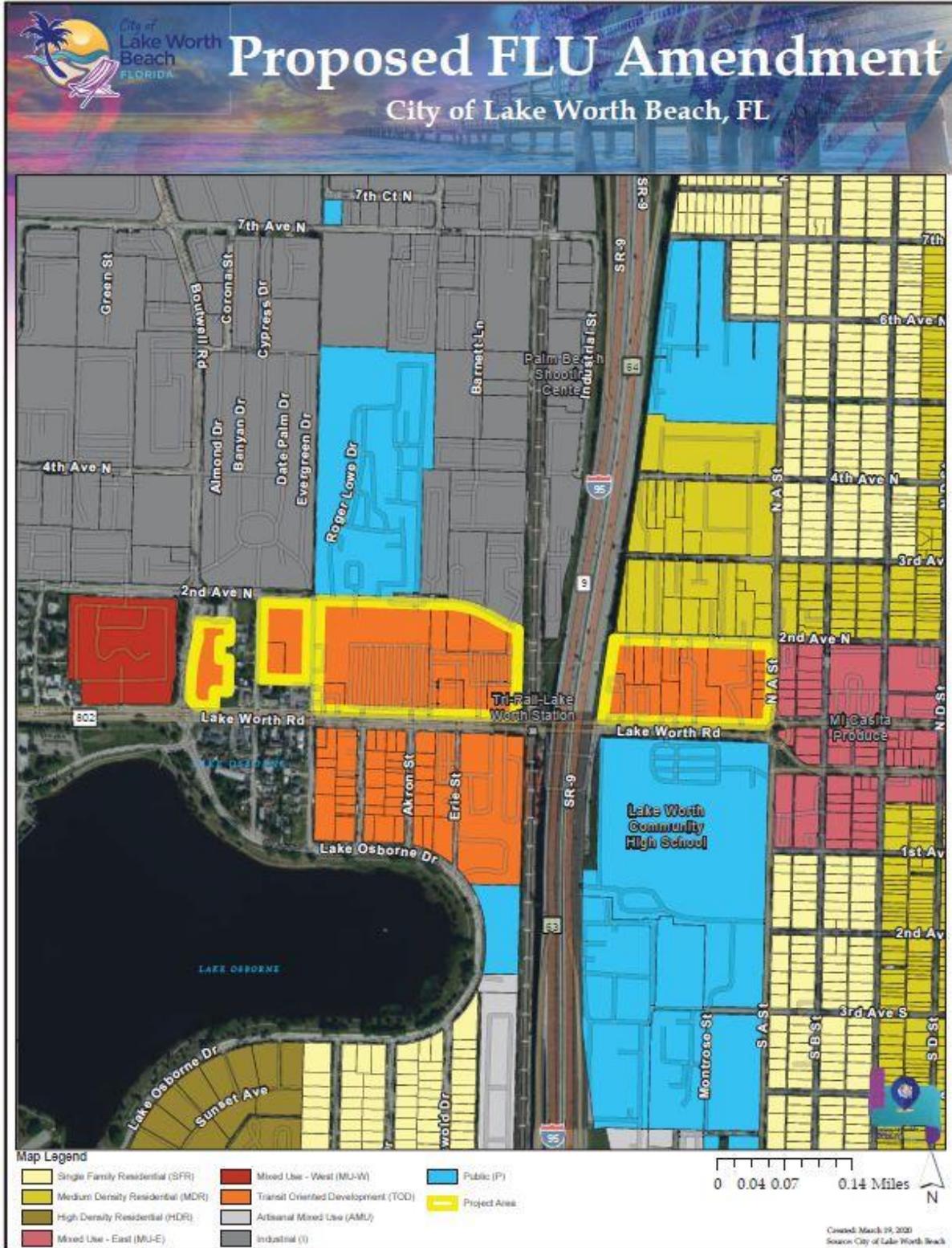
114
115
116 _____
117 Deborah M. Andrea, CMC, City Clerk
118

EXHIBIT A
FUTURE LAND USE MAP AMENDMENT

Two (2) Future Land Use Map Amendments to extend the Transit-Oriented Development boundaries as follows:

- a) Future Land Use Map amendment for approximately 7.11 acres from Mixed Use–East (MU-E) to TOD from Lake Worth Road north to 2nd Avenue, North A Street west to I-95 and the CSX Railroad Tracks; and
- b) Future Land Use Map amendment for approximately 19.56 acres from Mixed Use–West (MU-W) to TOD from Lake Worth Road north to 2nd Avenue, Boutwell Road east to I-95 and the CSX Railroad Tracks.







DATE: June 4, 2020

SUBJECT: **PZB/HRPB 20-00200001**: City-initiated request to amend the Future Land Use Map of Lake Worth Beach through a large scale map amendment from the Future Land Use (FLU) designations of Mixed Use East and Mixed Use West to the Transit Oriented Development FLU designation on property generally located on the north side of the Lake Worth Road corridor from between Boutwell Road and North A Street and more fully described in Exhibit A of the attached ordinance..

LPA Meeting Dates: **May 13, 2020 and May 20, 2020**

BACKGROUND:

The subject City-initiated proposed amendments to the Future Land Use Map provide prime locations for Transit-Oriented Development (TOD) that are in close proximity to the existing Tri Rail train station/I-95 corridor and respond to market driven conditions for economic development by providing the desired TOD FLU designations. Furthermore, the amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report.

The two (2) proposed Future Land Use Map amendments to expand the TOD boundaries are described as follows:

- Future Land Use Map amendment for approximately 7.11 acres (24 properties) from Mixed Use East (MU-E) to TOD from Lake Worth Road north to 2nd Avenue, North A Street west to I-95 and the CSX Railroad Tracks; and
- Future Land Use Map amendment for approximately 19.56 acres (10 properties) from Mixed Use West (MU-W) to TOD from Lake Worth Road north to 2nd Avenue, Boutwell Road east to I-95 and the CSX Railroad Tracks.

The current FLU and proposed FLU maps are included as Exhibit A in the attached proposed Ordinance. The data and analysis section in the staff report was prepared in accordance with the requirement of F.S. 163.3177 and provides relevant and appropriate data based the City's community goals and vision and consistency with level of service requirements.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission transmit the City initiated future land use map amendments (**PZB/HRPB 20-00200001**) to the Florida Department Economic Opportunity (DEO) for expedited review.

DATA & ANALYSIS:

The proposed TOD Future Land Use for the subject properties is compatible with the Future Land Use designations of surrounding properties. The following outlines the Future Land Use designations for the adjacent areas:

- Future Land Use Map amendment for approximately 7.11 acres (24 properties) from Mixed Use East (MU-E) to TOD from Lake Worth Road north to 2nd Avenue, North A Street west to I-95 and the CSX Railroad Tracks

Current FLU	Adjacent Direction	Future Land Use
Mixed Use East	North	Medium Density Residential
Mixed Use East	South	Public
Mixed Use East	East	Mixed Use East
Mixed Use East	West	Mixed Use West

- Future Land Use Map amendment for approximately 19.56 acres (10 properties) from Mixed Use West (MU-W) to TOD from Lake Worth Road north to 2nd Avenue, Boutwell Road east to I-95 and the CSX Railroad Tracks.

Current FLU	Adjacent Direction	Future Land Use Designations
Mixed Use West	North	Industrial and Public
Mixed Use West	South	Transit Oriented Development
Mixed Use West	East	Mixed Use East
Mixed Use West	West	Mixed Use West

JUSTIFICATION:

The TOD FLU designation provides an alternative mixed-use development pattern within a one-quarter mile radius of the existing Tri Rail Station, CSX railway, and I-95 transit nodes. Currently, the adjacent property to the south of Lake Worth Road and west of I-95 has a TOD FLU. Expansion of the TOD boundaries will enable a greater TOD area to serve the desired TOD uses, design, and lifestyle all within one-quarter mile of the existing Tri Rail train station/I-95 corridor and within close proximity to the Lake Worth Road Park of Commerce. The amendment provides market driven opportunities for TOD in prime transit locations positioning Lake Worth Beach to be a competitive viable location of choice.

COMPREHENSIVE PLAN AND STRATEGIC PLAN ANALYSIS:

Consistency with the Comprehensive Plan

The proposed FLUM amendments are consistent and in support of the following associated Objectives and Policies of the City of Lake Worth Beach's Comprehensive Plan. The underlined text emphasizes key concepts, strategies and objectives within these objectives and policies that are furthered by the subject amendments.

1. FUTURE LAND USE ELEMENT

Objective 1.2.2: The City shall facilitate a compact, sustainable urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services, and to reduce dependence on the automobile. This can be accomplished by concentrating more intensive growth within the City's mixed use, high density residential and transit oriented development (TOD) areas.

Policy 1.2.2.1: The City shall continue to promote compact developments within the mixed use high density residential and TOD areas while providing adequate public services for each development in the most cost effective manner possible.

Policy 1.2.2.2: The City shall require all future development and redevelopment to incorporate a functional mix of uses that promote walkable and interconnected uses with a mix of densities and intensities and access to transit, bicycle, pedestrian and other modes of transportation.

Policy 1.2.2.3: Investigate additional uses and opportunities to promote a more sustainable and resilient community.

Policy 1.7.1.13: The City shall consider creating a "Commerce Park Village" incorporating the current LWPOC with the Mixed-Use West and TOD areas west of I-95.

2. TRANSPORTATION ELEMENT

Policy 2.1.1.6: The City shall encourage local businesses and encourage transit friendly development in the Land Development Regulations for all land uses to maximize the use of the public transit system.

Policy 2.1.1.16: The City shall coordinate with South Florida Regional Transportation Authority, the Palm Beach MPO, and the Florida East Coast Railway to establish a commuter rail station serving Tri-Rail Coastal Link service and to encourage transit opportunities to the future station.

3. HOUSING AND NEIGHBORHOODS ELEMENT

Objective 3.1.8: Encourage construction of workforce housing units and market- rate housing to alleviate the excessive concentration of affordable units in the City and to contribute to the Goal of providing a full range of quality residential unit types

and prices for current and anticipated homeowners and renters in all household income levels.

Policy 3.1.8.1: Establish an effective housing program to alleviate the excessive concentration of affordable units in the City and to provide a full range of quality residential unit types and prices.

Policy 3.1.8.2: Promote the construction of market-rate housing in redevelopment areas and mixed-use corridors to contribute to achieve a full range of housing supply.

Policy 3.3.1.7: Strengthen the positive attributes and distinctive character of each neighborhood to help sustain Lake Worth as a healthy, vital City.

- Strengthen the sense of place in each neighborhood with adequate and well-designed, public facilities such as libraries, schools, recreation centers, fire stations and streetscapes.
- Continue to support public art and historic preservation as a focus for neighborhood identity and pride.
- Recognize that every neighborhood has assets that identify that neighborhood and contribute to the well-being of the people who live there. Understand what those are and look for opportunities to enhance them and leverage them for neighborhood improvement. Assets include trees, large yards, schools, people and independent businesses.
- The physical layout of a neighborhood should encourage walking, bicycling and transit use, be safe, family friendly, usable by people of all ages, encourage interaction between people and be a sense of pride.
- Recognize that there are different development patterns. They have been defined generally as: urban, traditional, suburban, contemporary and rural. Each has sustainability standards that must be used.
- Accommodate the City's existing and future housing needs through maintenance of existing residential neighborhoods and the creation of new residential neighborhoods.
- Relate new buildings to the context of the neighborhood and community.
- Where a fine-grained development pattern exists, build within the existing street, block, and lot configuration of the neighborhood.

11. ECONOMIC DEVELOPMENT ELEMENT

- Policy 11.1.2.3: The City shall allocate adequate commercial, industrial, and residential acreage through mechanisms such as zoning and land use plans to meet future needs of a diversified economy.
- Policy 11.1.2.11: The City shall foster the redevelopment of commercial corridors by preparing individual corridor redevelopment plans for key economic corridors located in existing mixed-use corridors and areas.
- Policy 11.1.2.12: The City shall establish and maintain land uses and zoning regulations that will facilitate telecommuting, home based occupations, mixed-use centers, Transit-Oriented Development (TOD) areas, and other components that are helpful to job creation and retention, including the targeted industries.
- Policy 11.1.2.16: The City shall maintain its unique urban character and charm by preserving historic sites and districts within the City as much as possible, and direct economic development projects to existing mixed-use corridors and sites as well as to the Lake Worth Park of Commerce.

Consistency with the Strategic Plan

The proposed amendments further the City's Strategic Plan that is committed to building a vibrant and diverse economy, planning thoughtfully for the future, and support the Strategic Pillars of Positioning Lake Worth Beach to be a competitive viable location of choice, Strengthening Lake Worth Beach as a "Community of Neighborhoods", and Navigating towards a sustainable community.

Specifically, the proposed amendments are consistency with the following Strategic Plan Pillars:

Pillar I: Positioning Lake Worth Beach to be a competitive viable location of choice

A: Ensure effective economic development incentives and zones

E: Provide superior public amenities and services to retain existing and entice new residents and businesses

Pillar II: Strengthening Lake Worth Beach as a 'Community of Neighborhoods'

A: Diversify housing options

Pillar IV: Navigating Towards a Sustainable Community

A: Achieve economic and financial sustainability through a versatile and stable tax base.

D: Influence the supply and expansion of jobs.

E: Ensure facility placement, construction and development that anticipates and embraces the future.

Level of Service Analysis

Pursuant to Chapter 163 of the Florida Statutes, any FLU amendment must be evaluated to determine if the proposed future land use will have a significant impact on the long range level of service (LOS) for public facilities (i.e. drainage, potable water, wastewater, solid waste, parks, schools, and traffic) that service the property and the surrounding area. The LOS for public facilities is analyzed based on the maximum development potential for the existing and proposed FLU, and whether or not each public facility has capacity to accommodate any additional

demands. According to the City's Comprehensive Plan, the maximum development potential change is for the existing Mixed Use FLU at 30 du/acre to the proposed TOD FLU at 60 du/acre resulting in an increase of 30 du/acre.

Analysis of the increased density (30 du/acre to 60 du/acre= 30 du/acre) on the long range Level of Service (LOS) impacts concluded community facilities and services are available in the area to sustain the future increased demands and long range LOS can be met with current and planned system capacities. Specifically, the additional 30 du/acre for the proposed TOD area of approximately 26.67 acres generates an increase of 800 dwelling units or 2,024 persons (at an average household size of 2.53 people per household per Comprehensive Plan Future Land Use Data and Analysis). The following table provides a LOS summary.

FLUM AMENDMENT LOS SUMMARY TABLE

Type of Facility:	Existing FLU Designations: (at 30 du/acre for Mixed Use)	Proposed FLU Designations: (at 60 du/acre for TOD)
Drainage	3-year, 1-hour storm duration, as recorded in the FDOT Drainage Manual IDF curves, current edition and fully contained onsite.	3-year, 1-hour storm duration Both FLU designations meet the 3 yr. – 1 hr. drainage LOS requirements. Site improvements will be required to provide drainage collection and conveyance systems to positive outfall.
Potable Water	105 GPCD (gallons per capita per day. 105 gpcd x 30 du/acre x 2.53 pph =7,970	105 gpcd x 60 du/acre x 2.53 pph =15,939 Increase of 7,970 gpcd The City facilities have available capacity to accommodate the additional demand.
Sanitary Sewer	Collection and treatment of 100 gallons per capita per day at secondary treatment level, or 250 gallons per ERU per day. 100 gpcd x 30 du/acre x 2.53 pph =7,590	100 gpcd x 60 du/acre x 2.53 pph =15,180 Increase of 7,590 gpcd The City facilities have available capacity to accommodate the additional demand.
Solid Waste	Collection and disposal of 6.5 pounds of solid waste per capita per day. 6.5 lbs/pcd x 30 du/acre x 2.53 pph x 365 days/year / 2,000 = 90 Tons/year	6.5 lbs/pcd x 60 du/acre x 2.53 pph x 365 days/year / 2,000 = 180 Tons/year Increase of 90 Tons/year The Solid Waste Authority has available capacity to accommodate the additional demand.
Parks	2.5 acres of community parks for every 1,000 persons and 2.0 acres of neighborhood parks for every 1,000 persons. 26.67 acre x 30 du/acre = 800 du/acre x 2.53 pph/du= 2,024 persons	26.67 acre x 60 du/acre = 1,600 du/acre x 2.53 pph/du= 4,048 persons Increase of 2,024 persons The City has available capacity with over 330 acres in Public Rec and Open Space to accommodate the additional demand.

<p>Schools</p>	<p>800 dwelling units</p>	<p>1600 dwelling units Increase of 800 du School District to determine impact of additional 800 units; School Capacity Availability Determination (SCAD).</p>
<p>Traffic</p>	<p>26.67 acre x 30 du/acre = 800 du 800 du x 5.44 daily trips* = 4,356 Daily Trips * ITE 10th Edition Trip Generation Rates</p>	<p>26.67 acre x 60 du/acre = 1,600 du 1,600 du x 5.44 daily trips = 8,705 daily trips Increase of 858 daily trips Capacity is available to accommodate the additional demand.</p>

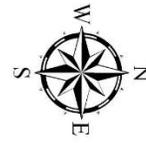
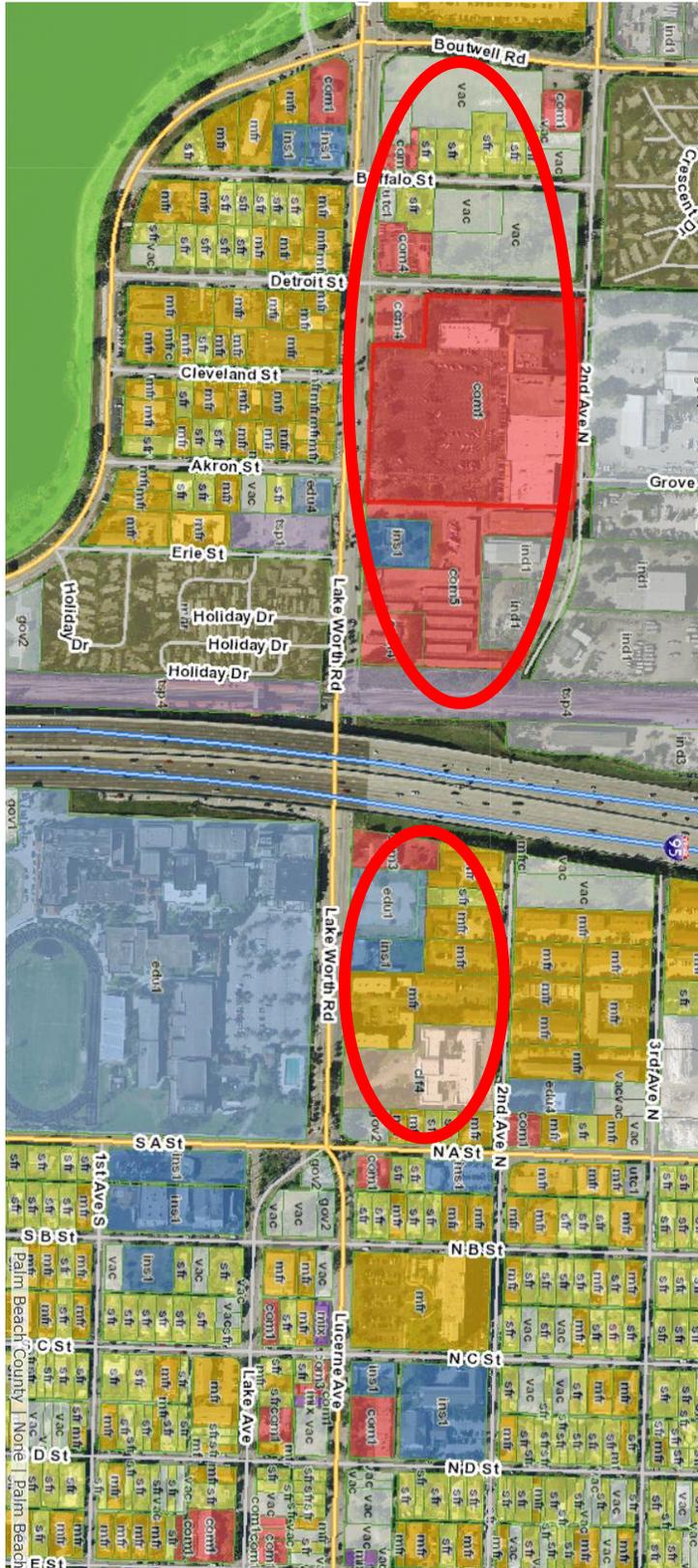
Traffic: The proposed amendment could result in an additional 4,356 daily trips. However, the number of trips will likely be less given mitigating circumstances. These areas, with a 2040 LOS at LOS D, are served by multi-modal transportation options and are located on primary arterial streets in close proximity to I-95 which is a ten (10) lane Urban Principal Arterial facility. Additionally, half of the area is within the urbanized traffic concurrency exemption area. Lake Worth Road, Lake Avenue, Lucerne Avenue, 10th Avenue North and 6th Avenue South impacted. Dixie Highway is also within close proximity and serves as a major north south connector for these streets. Additionally, unit sizes are anticipated to be smaller than average based on current development trends which would generate less daily trips as the per household rate would be less than the calculated 2.53 rate.

CONCLUSION:

Staff **recommends approval of the draft City initiated site-specific amendments**, as:

- The amendments are consistent the City’s goals of housing diversity and economic development by allowing for mixed use transit oriented development desired in close proximity to the existing Tri Rail train station that optimizes the maximum residential development potential for these locations.
- The amendments area supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report; and
- The amendments are supported by data and analysis prepared in accordance with the requirement of F.S. 163.3177 that provides relevant and appropriate data based the City’s community goals and vision and consistency with level of service requirements.

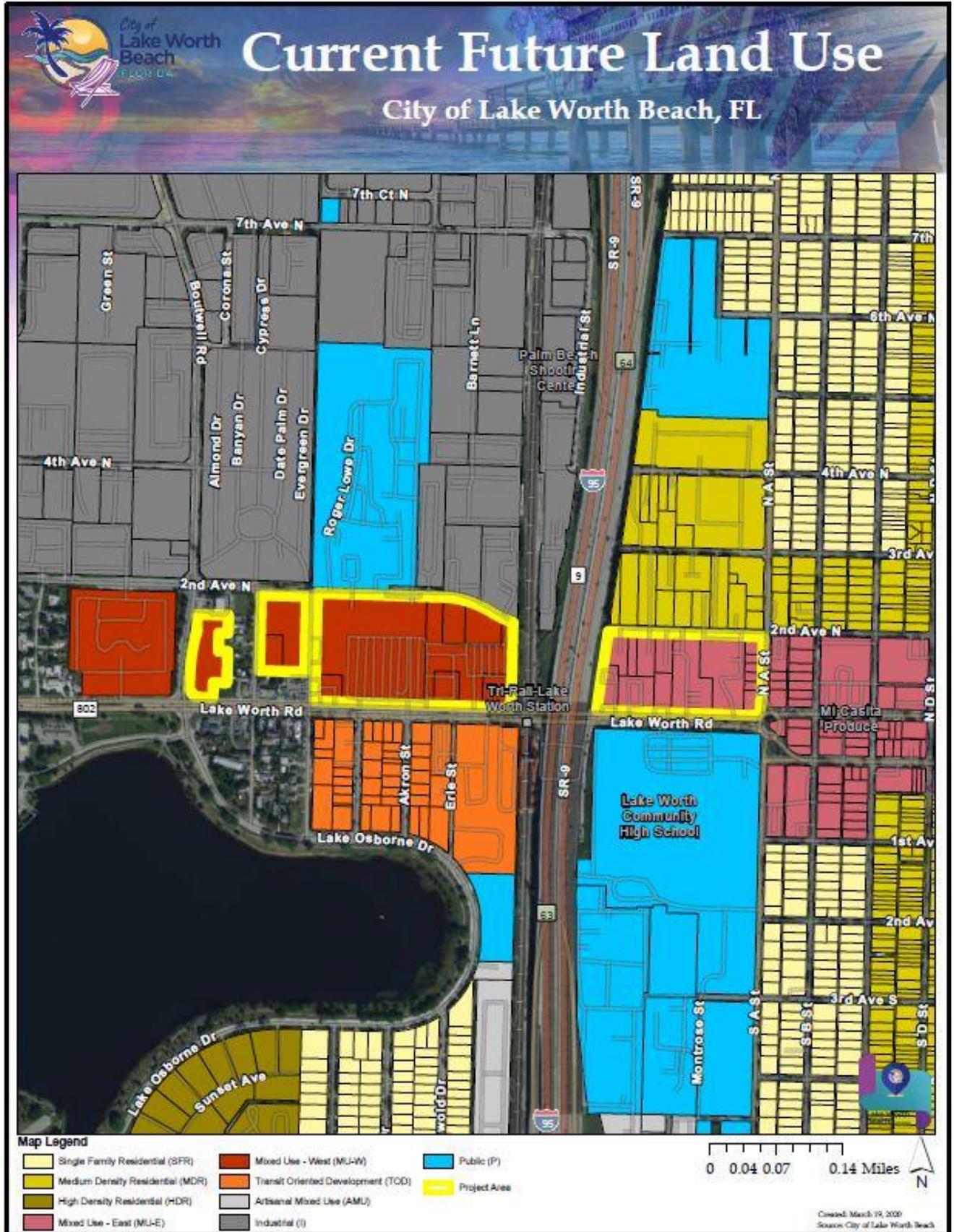
Existing Land Uses in the vicinity of the subject amendment. General amendment area indicated by red oval shapes.

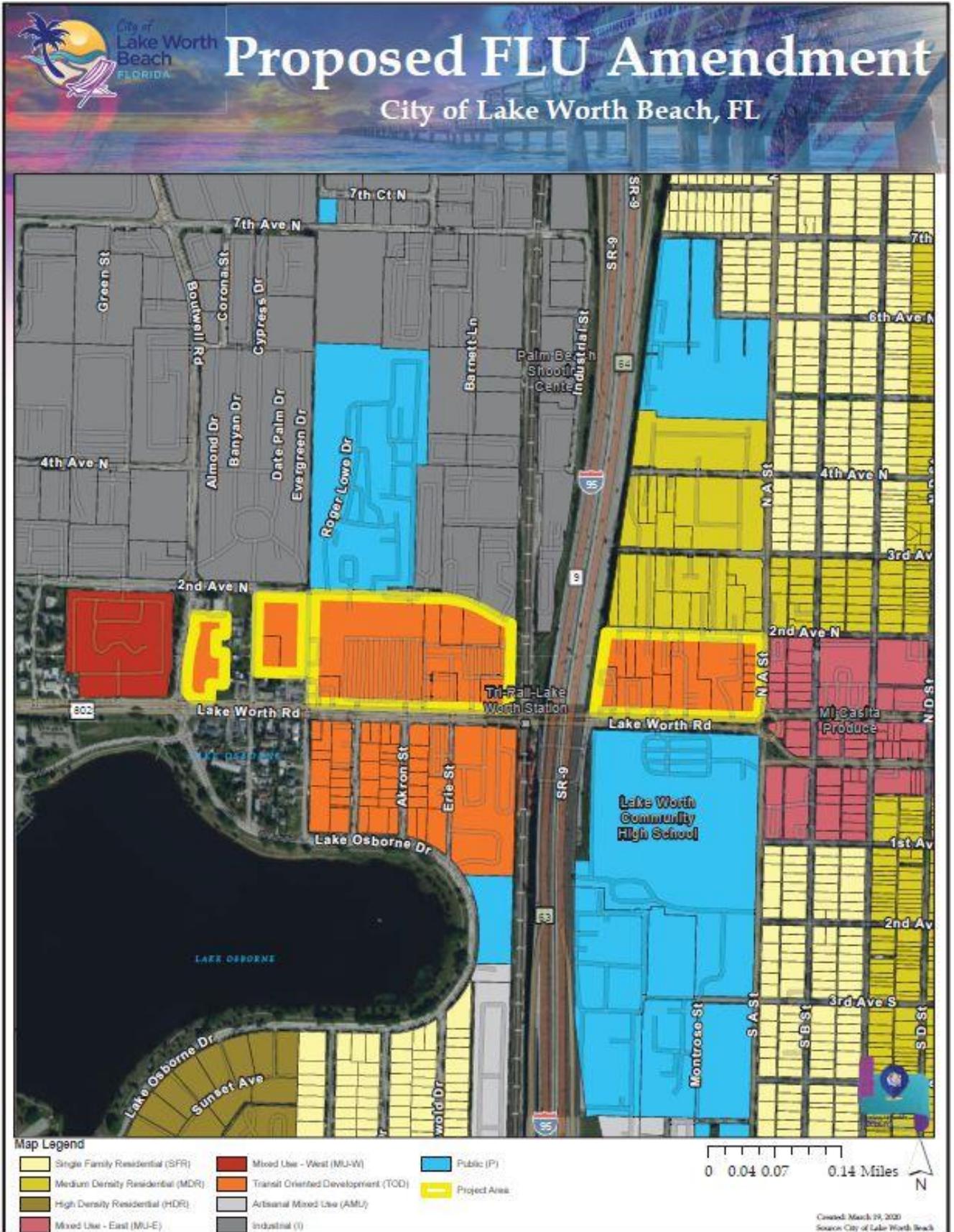


FUTURE LAND USE MAP AMENDMENTS

Two (2) Future Land Use Map Amendments to extend the Transit-Oriented Development boundaries as follows:

- a) Future Land Use Map amendment for approximately 7.11 acres from Mixed Use–East (MU-E) to TOD from Lake Worth Road north to 2nd Avenue, North A Street west to I-95 and the CSX Railroad Tracks; and
- b) Future Land Use Map amendment for approximately 19.56 acres from Mixed Use–West (MU-W) to TOD from Lake Worth Road north to 2nd Avenue, Boutwell Road east to I-95 and the CSX Railroad Tracks.





EXECUTIVE BRIEF SPECIAL MEETING

AGENDA DATE: July 28, 2020

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2020-11 – Amend the City’s Code of Ordinances Chapter 23 Land Development Regulations

SUMMARY:

Ordinance 2020-11 provides for a series of amendments to Chapter 23 Land Development Regulations of the City’s Code of Ordinances related to Article I - General Provisions, Division 1 - Generally and Division 2 - Definitions; Article II - Administration, Division 3 - Permits; Article III - Zoning Districts, Division 2 - Official Zoning Map; Article IV – Development Standards – Division 4 - Fence, Walls and Gates, Division 10 – Off Street Parking and Division 19 – Outdoor Storage; and Article VI – Environmental Regulations, Division 1 – Landscape Regulations.

BACKGROUND AND JUSTIFICATION:

Ordinance 2020-11 provides for a series of updates, clarifications, corrections and additions to the City’s Land Development Regulations (LDRs). Back at its workshop on March 3, 2020, Staff presented a series of priorities for the LDRs to the Commission. The changes provided here are of the highest priority and include the following:

1. Clarifying and updating how the City’s Comprehensive Plan and Future Land Use Map are changed and amended including fees.
2. Clarifying additional definitions
3. Clarifying parameters for minor site plan and major site plan approvals and amendments
4. Establishing provisions so that the City’s Official Zoning Map and Future Land Use Map can be maintained virtually and digitally
5. Clarification of requirements for fences, walls and gates
6. Clarification of standards for off street parking, outdoor storage and dumpsters

At its meetings in July, both the Planning & Zoning Board and Historic Resources Preservation Board discussed the amendments and both recommended unanimously for the City Commission to approve the proposed amendments.

MOTION:

Move to approve/disapprove Ordinance No. 2020-11 on first reading and schedule the second reading and public hearing for August 18, 2020.

ATTACHMENT(S):

Ordinance No. 2020-11
PZB/HRPB Staff Report

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

24
25
26 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
27 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
28 “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary
29 powers necessary to conduct municipal government, perform municipal functions, and
30 render municipal services, and may exercise any power for municipal purposes, except
31 as expressly prohibited by law; and
32

33 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
34 body of each municipality in the state has the power to enact legislation concerning any
35 subject matter upon which the state legislature may act, except when expressly prohibited
36 by law; and
37

38 **WHEREAS**, the City wishes to amend Chapter 2, Division 1 “In General,” Sections
39 2-4, 2-7, 2-10.2 and 2-11.3 addressing application fees to provide clarity and address a
40 conflict; and
41

42 **WHEREAS**, the City wishes to amend Chapter 23, Division 1 “Generally,” Sections
43 23.1-5 and 23.1-6, and Article 3, “Zoning Districts” SEC. 23.3-2. –Official Zoning Map to
44 adopt a digital Future Land Use Map and Zoning District Map; and
45

46 **WHEREAS**, the City wishes to amend the definitions and landscape sections of
47 Chapter 23 of its land development regulations to address inconsistencies and conflicts
48 related lot coverage type and pervious and impervious surfaces; and
49

50 **WHEREAS**, the City wishes to amend Chapter 23, Article 2 “General Provisions,”
51 Division 3, “Permits,” Section 23.2-30. Site Plan Review to provide clarity and consistency
52 regarding major development and minor development site plan processing; and
53

54 **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development
55 Standards,” Sections 23.4-4 regarding fences, walls and gates section to provide clarity
56 and consistency; and
57

58 **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development
59 Standards, Section 23.4-19 regarding outdoor storage to provide clarity and consistency
60 on where outdoor storage may occur and storm water pollution requirements; and
61

62 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning
63 agency, considered the proposed amendments at a duly advertised public hearing; and
64

65 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
66 planning agency, considered the proposed amendments at a duly advertised public
67 hearing; and
68

69 **WHEREAS**, the City Commission has reviewed the proposed amendments and
70 has determined that it is in the best interest of the public health, safety, and general
71 welfare of the City to adopt this ordinance.
72

73 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
74 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**
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76 **Section 1:** The foregoing “WHEREAS” clauses are ratified and confirmed as
77 being true and correct and are made a specific part of this Ordinance as if set forth herein.
78

79 **Section 2:** Chapter 2 “Administration,” Division 1, “In-General,” Sections 2-4, 2-
80 7, 2-10.2 AND 2-11.3 related to application fees of the City’s Code of Ordinances, is
81 hereby amended by adding the words shown in underlined type and deleting the words
82 struck through as indicated in **Exhibit A**.
83

84 **Section 3:** Chapter 23 Land Development Regulations,” Article 1, “*General*
85 *Provisions*,” Division 1 “Generally,” Sections 23.1-5 AND 13.1-6 related to official maps is
86 hereby amended by adding the words shown in underlined type and deleting the words
87 struck through as indicated in **Exhibit B**.
88

89 **Section 4:** Chapter 23 Land Development Regulations,” Article 1, “*General*
90 *Provisions*,” Division 2 “Definitions,” Section 23.1-12 - Definitions is hereby amended by
91 adding the words shown in underlined type and deleting the words struck through as
92 indicated in **Exhibit C**.
93

94 **Section 5:** Chapter 23 Land Development Regulations,” Article 2,
95 “*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**.

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

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

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

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

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

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

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

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

Section 14. Effective Date. This ordinance shall become effective 10 days after 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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Maximum lot coverage: The total area of a particular lot covered with an impervious or semi-pervious surface material. Includes but is not limited to building footprints, structures, driveways, screen enclosures, terraces, patios and pavement. 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 development regulation requirements for permitted, administrative or conditional uses.

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

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

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

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

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

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363 *Swimming pools:* Any pool which is constructed, used or maintained to provide
364 recreational facilities for swimming, bathing or wading and which is capable of containing
365 water to a depth greater than eighteen (18) inches and ~~all buildings, equipment, and~~
366 ~~appurtenances thereto, and~~ The water surface area of a swimming pool shall not be
367 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”

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

Sec. 23.2-30. – Site plan review

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

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

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

- b) *Determination if site plan review required.* Prior to issuance of a building permit or a certificate of occupancy, the development review official shall determine if site plan review pursuant to the provisions of this section is required. If site plan review is required, the development review official shall notify the applicant of this determination.
- c) *Determination of type of site plan review procedure application.* Applications shall be submitted to the department for community sustainability. The development review

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

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

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

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445 2.4. Minor development shall include all development that is not determined to be
446 major development, which may include but is not limited to the following:

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

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

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

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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.~~

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

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

528 Unless the prior official zoning map data has been lost, or has been totally destroyed,
529 the prior map or any significant parts thereof remaining, including official copies
530 certified by the City Clerk, shall be preserved, ~~together~~ with all available records
531 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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578 C. On the rear property line (not adjacent to an alley) and on that portion of the
579 side property line from the rear property line to the front building setback line,
580 a fence or wall shall have a maximum height of six (6) feet from the natural
581 grade of the lot.

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

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

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

595 3. *Fences.*

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

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

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

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

608 4. *Gates and gateposts.*

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

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

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

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

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

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

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

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

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

632 ed)Multi-family residential uses.

633 1. *Height limitations.*

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

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

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

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

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

653 3. *Fences.*

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

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

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

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

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

670 4. *Gates and gateposts.*

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

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

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

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

686 5. *Piers.*

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

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

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

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

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

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

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

701

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

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

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

715 3. Chain link fences are not permitted in front of the front building setback line or on
716 a portion of a property abutting public rights-of-way except alleys. Replacement
717 of existing chain link fences shall comply with current standards. Chain link
718 fences or portion thereof visible from a right-of-way including alleys shall require
719 a landscape screen of shrub hedging or other continuous decorative landscaping
720 on the side of the fence facing the public right-of-way that is a minimum height of
721 24" or 1/3 of the height of the fence at installation whichever is greater and shall
722 be maintained at no less than 3/4 of the total height of the fence.

723 5. Electronic security gates and keypad/call boxes shall be located a minimum of
724 25 feet from the property line/right-of-way to prevent stacking of automobiles in
725 the public right-of-way. The minimum queuing distance may be increased in the
726 event the city engineer determines traffic safety so requires. Such increase shall
727 be based on a gate queuing analysis performed by a certified traffic consultant
728 to be provided by the applicant.

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

732 **g) f) Industrial uses**

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

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

746 development review official or designee and shall be installed in a professional
747 manner.

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

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

758
759 h) Park / Public recreation / School (Elementary/Intermediate/Secondary)

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

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

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

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

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

784

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

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

794 1. *Definitions.*

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

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

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

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

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

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

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

822
823 i) h) *Temporary construction fencing.*

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

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

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

836 (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 industrial districts. Outdoor storage in the I-POC 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 20-03100003**: 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

EXECUTIVE BRIEF SPECIAL MEETING

AGENDA DATE: July 28, 2020

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2020-12 – Amend the City’s Code of Ordinances Chapter 23 Land Development Regulations

SUMMARY:

Ordinance provides for a series of amendments to Chapter 23 Land Development Regulations of the City’s Code of Ordinances related to Article I – General Provisions, Division 2 - Definitions; Article III – Zoning Districts - Division 1, Generally, Section 6 - Use Tables; Article IV - Development Standards, Section 13 - Administrative Uses and Conditional Uses

BACKGROUND AND JUSTIFICATION:

Ordinance provides for a series of updates, clarifications, corrections and additions to the City’s Land Development Regulations (LDRs). Back at its workshop on March 3, 2020, Staff presented a series of priorities for the LDRs to the Commission. The changes provided here are of the second series of highest priority and include the following:

1. Clarifying and adding definitions
2. Updating, revising and clarifying the City’s Use Tables
3. Additional expansion and clarification of performance standards for Administrative Uses and Conditional Uses including new sections for Breweries and Distilleries, Specialty Storage and Money Business Services

At its meetings in July, both the Planning & Zoning Board and Historic Resources Preservation Board discussed the amendments and both recommended unanimously for the City Commission to approve the proposed amendments.

MOTION:

Move to approve/disapprove Ordinance No. 2020-12 on first reading and to schedule the second reading and public hearing for August 18, 2020.

ATTACHMENT(S):

Ordinance No. 2020-12
Use Table
PZB/HRPB Staff Report

1
2
3
4 **ORDINANCE 2020-12 - AN ORDINANCE OF THE CITY OF LAKE**
5 **WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND**
6 **DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1**
7 **“GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION**
8 **23.1-12 - DEFINITIONS; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1,**
9 **“GENERALLY,” SECTION 23.3-6 – USE TABLES; AND ARTICLE 4**
10 **“DEVELOPMENT STANDARDS,” SECTION 23.4-12 –**
11 **ADMINISTRATIVE USES AND CONDITIONAL USES OF THE CITY’S**
12 **CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE**
13 **REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE**
14 **DATE.**
15

16
17 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
18 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
19 “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary
20 powers necessary to conduct municipal government, perform municipal functions, and
21 render municipal services, and may exercise any power for municipal purposes, except
22 as expressly prohibited by law; and
23

24 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
25 body of each municipality in the state has the power to enact legislation concerning any
26 subject matter upon which the state legislature may act, except when expressly prohibited
27 by law; and
28

29 **WHEREAS**, the City wishes to amend the Definitions section of its Land
30 Development Regulations to address inconsistencies and conflicts; and
31

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

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

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

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

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

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

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

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

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

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

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

92
93 Mayor Pam Triolo
94 Vice Mayor Andy Amoroso

Commissioner Scott Maxwell
Commissioner Omari Hardy
Commissioner Herman Robinson

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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

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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

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

181 * * *

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

195 * * *

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

204 * * *

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

210 * * *

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

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

227
228 * * *

229
230 *Intensity of use:*

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

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

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

237
238 * * *

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

245
246 * * *

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

259
260 * * *

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

271

* * *

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.~~

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

323

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

327

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

333

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

335 *~~Automobile insurance claims services.~~*

336 *Appliance or equipment sales, retail.*

337 *~~Bait shops.~~*

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

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

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

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

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

344 *~~Electrical supply stores.~~*

345 *~~Food storage lockers.~~*

346 *~~Funeral homes and mortuaries.~~*

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

348 *~~Furniture refinishing.~~*

349 *~~Greenhouses and nurseries.~~*

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

351 *~~Locksmith establishments.~~*

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

353 *~~Monument sales establishments.~~*

354 *Pool supply stores.*

355 *~~Motion picture studios.~~*

356 *~~Newspaper distributing agencies.~~*

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

358 *~~Plumbing supply stores.~~*

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

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

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

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

366 Taxidermists.

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

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

370 Veterinary establishments, but not kennels.

371

* * *

372

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

380

* * *

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382

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

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394

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

399

* * *

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

406

* * *

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408

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

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

414 * * *

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

422 * * *

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

432 * * *

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

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

443 * * *

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

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

- 458 ~~(5) Replacement of water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats,~~
 459 ~~wiper blades, grease retainers, wheel bearings, mufflers, shock absorbers, mirrors~~
 460 ~~and the like;~~
 461 ~~(6) Provision of water and supplements for radiator fluids, and the like;~~
 462 ~~(7) Washing and polishing, limited to facilities for washing one (1) vehicle car at a~~
 463 ~~time, and sale of vehicle washing and polishing materials, but not the operation of~~
 464 ~~vehicle washing establishments;~~
 465 ~~(8) Providing and preparing fuel pumps and lines;~~
 466 ~~(9) Minor servicing and repair of carburetors;~~
 467 ~~(10) Minor servicing of air conditioners;~~
 468 ~~(11) Vehicular wiring repairs;~~
 469 ~~(12) Brake repair;~~
 470 ~~(13) Motor repairs not involved in removal of the motor from the vehicle;~~
 471 ~~(14) Greasing and lubrication;~~
 472 ~~(15) Provision of air for tires;~~
 473 ~~(16) Sales of cold drinks, candies, tobacco products and similar goods for service~~
 474 ~~station customers, but only as accessory and incidental to the principal business~~
 475 ~~operation;~~
 476 ~~(17) Provision of road maps and other informational material for customers;~~
 477 ~~(18) Provision of restroom facilities. [Codification Note: the definition was~~
 478 ~~previously amended and in Ord 2020-007 and is now being deleted]~~
 479
 480

481 *Vehicle service and repair, major:* A business providing any repair or service beyond
 482 basic standard maintenance to motor vehicles, including repairs that require the removal
 483 of the engine or other major vehicle components, that are not included in general
 484 maintenance such as painting and body work, frame repair, upholstery, engine,
 485 transmissions, air conditioning systems, electrical systems, operational systems, drive
 486 trains, and other major general repairs.
 487

488 *Vehicle service and repair, minor:* A business providing brake repairs, tire repair and
 489 installation, ~~air conditioning service,~~ muffler replacement, and oil changes and
 490 transmission repair not including repairs to the drive train or requiring the removal of the
 491 engine block, drive train or other major engine components. This includes establishments
 492 engaged in the installation, maintenance and repair of motor vehicle parts or systems that
 493 require basic standard maintenance and shall include but not be limited to: air
 494 conditioning systems, audio systems, brakes, ~~cooling systems,~~ electrical systems,
 495 ~~exhaust systems, fuel systems,~~ oil and fluid changes, shock absorbers, tune-ups, window
 496 tinting, washing and detailing, ~~upholstery,~~ and wheel alignment and balancing for
 497 automobiles, trucks, and motorcycles. Any minor vehicle service and repair use that
 498 requires outdoor storage or activities and overnight parking of vehicles being serviced will
 499 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.

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

7. Industrial/Manufacturing/processing/fabrication facilities.

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

17. Storage - Specialty.

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

B. Use and development regulations.

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

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

610

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

613

614

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

617

618 E. Parking lot regulations.

619

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

623

624 F. Circulation and loading.

625

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

634

635 G. Outdoor storage regulated. Outdoor storage is prohibited.

636

637

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

640

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.

644

645 B. Design and performance standards.

646

- 647 (1) Minimum site area: Seventy-five hundred (7,500) square feet.
- 648 (2) Minimum lot width: Seventy-five (75) feet.
- 649 (3) Minimum distances. All such uses shall be located a minimum of five
650 hundred (500) feet from each other. Distance shall be measured from
651 property line to property line, without regard to intervening structures or
652 objects.
- 653 (4) Landscape requirements. The site must be provided with a minimum five-
654 foot-wide perimeter planting area when adjacent to residential uses. Site
655 landscaping shall comply with adopted landscape regulations.

- 654 (5) Buffering. A fence or wall shall be erected at a height of not less than six (6)
655 feet when the parking area(s) or other common area(s) is within twenty-five
656 (25) feet of a residential district, in addition to the landscaping requirements
657 outlined in subsection (5), above. All fences and walls shall be constructed
658 of concrete, masonry or metal. Metal fences shall be open weave chain link,
659 vinyl coated type combined with a shrub hedge or ornamental in nature.
660 Walls shall be finished with a graffiti-resistant paint.
- 661 (6) Variances for minimum site area shall not be granted.
- 662 (7) Specialty breweries and specialty distilleries must front one of the city's
663 major thoroughfares.
- 664 (8) Outdoor display of any items is strictly prohibited.
- 665 (9) Establishments must have at least twenty-five (25) percent clear glazing
666 and fenestration along frontages with entrances clearly identifiable.
- 667 (10) Display windows must have engaging and pedestrian friendly vignettes.
668 Covering of display windows with posters, paper, advertisements, written
669 signs and similar shall be strictly prohibited. Vacant buildings shall have
670 approved vignettes covering windows until an active business is
671 established and operating.
- 672 (11) All sales transactions, except during city approved special events, shall
673 take place within the building.
- 674 (12) Walk up sales windows shall not be allowed.
- 675 (13) All storage, production, shipping and receiving associated with use must
676 be confined within an approved building or structure.
- 677 (14) All deliveries and distribution activities shall take place between the hours
678 of 8 am and 6 pm Monday through Saturday, except when located within
679 an industrial zoning district.
- 680 (15) Each facility shall abide by the following restrictions on production capacity.
- 681 (a) Breweries and Distilleries shall have capacity limited only by size of
682 property and square footage of building and/or structure.
- 683 (b) Micro-breweries and Micro-distilleries shall have a production capacity
684 of no more than 750,000 proof gallons on an annual basis, or two
685 million, nineteen thousand (2,019,000), 750 ml bottles production per
686 year.
- 687 (c) Specialty breweries and specialty distilleries shall have a production
688 capacity of no more than 325,000 proof gallons on an annual basis, or
689 one million, ninety-five hundred (1,009,500), 750 ml bottles production
690 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	FEC [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	P			C		P					
Mobile Home Park			P																							
Townhouses		CA		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 - <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]		
Drive Through Facilities													C	C														
Grocery Store							C		C		C		C	C	C	C												
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							C			C	C		C	C	C	C												
Single Destination Retail							C	C	C	C	C		C	C	C	C				C								
Stand Alone Retail													C	C														
Medium Intensity Retail Uses - <u>Less than Building Use area 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]		
Convenience Stores							C						C	C														
Drive Through Facilities													C	C														
Grocery Store							A			A			A	A	A	A												
Home Improvement Center										C			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			P A	C	P	P	P			P	P								
Stand Alone Retail							A		A	A			A	A	A	A					A							
Specialty Food Product Stores							A		A	A			A	A	A	A												
Sundry Shop							A		A	A	A		A	A	A	A			A	P	A							
Low Intensity Retail 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]		
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	C	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							C						C	C						
Contractor (Office with outdoor storage yard)																				C	C						
Outdoor Commercial Recreation, Outdoor (See Indoor Commercial Recreation)														C						C	C						
Contractor - Showroom														C	C		C			A	C	C					
Dead Storage Facilities																				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											C
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														C	C					C	C						C
Motels							C	C	C	C	C	C	C	C	C	C				C							
Motel or Hotel, extended stay											C			C	C					C							
Restaurants Accessory to Hotel or Motel							C		C	C	C	C	C	C	C	C											
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		C					
Restaurants							C	C	C	C	C			C	C	C	C	C	C	C		C					
Storage - Specialty														C	C					C							
Single Destination Commercial										C	C			C	C	C				C							
Truck/Van Rentals														C							C						
Veterinary Offices, with or without Kennels														C	C					C	C						
Warehouse Facilities																				C	C						
Wholesale and Distribution Facilities [Moved to industrial]																				C	C						
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							
Bed and Breakfast Inns	C	C		C	C	C	C	C	C	C	C	C	C							C							
Catering/Caterer							A							A	A	A				A							
Contractor (Office only - no outdoor storage yard)							A	A	A	A	A	A	A	A	A	A				A	A						
Contractor (Office with outdoor storage yard)																											C
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	A	C	A	C										
Financial Management Services							A	A	A	A	A			A	A	A											
Funeral Home/ Crematory							C	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											C			C	C					C							
Money Business Services														C	C												
Printing Services							A		C		A			A	A	A				A	A						
Restaurants with Drive Through							C		C					C	C					C							
Restaurants - With Bar							C		C	C	C			C	C	C	C		A	C							
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						
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			A	A						
Veterinary Offices, with Kennels														C	C					C	C						
Warehouse Facilities																				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			PA						
Wholesale and Distribution Facilities															P					P	P						

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OFFICE																											
High Intensity Office 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]	
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)							C							C	C					C	C						
Contractor (Office with outdoor storage yard)																					C						
Governmental Administrative Office							C			C			C	C	C	C				C	C			C			
Health Clinics/Urgent Care													C	C	C	C								C			
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	A					
Contractor (Office with outdoor storage yard)																						C					
Governmental Administrative Office							A			A			A	A	A	A				A	A			A			
Health Clinics/Urgent Care													C	C	C	C								C			
Interior Design Studio w/ Sales							A		A		A		A	A	A	A				A							
Kitchen/Millwork Design Studio							A	A	A	A	A		A	A	A	A				A	A						
Out Patient Clinics/Medical Office										C	C	C	C	C	C	C											
Low Intensity Office 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]	
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	P					
Contractor (Office with outdoor storage yard)																						C					
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		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		P					
Beauty Parlor/Shop/Salon/Esthetician/Make-up Artist/-							P	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		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			P			
Holistic Health Care Facility							P	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		P							
Nail Salon							P	P	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			P			
Music/Dance Studio							P	P	P	P	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	P		P	P			P			
Personal Training Gyms/Studio							P	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		P					
Pet Grooming							P	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		P							
Tailor/Dressmaking							P	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		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		P							

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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						C						
School of the Arts														C						C			C					
School for Modeling or Booking Agency														C						C			C					
School of Instruction (for artisan, workers, etc.)														C						C			C					
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																											
Artisanal Foods																											
Artisanal Manufacturing																											
Bakery, Commercial																											
Ceramics Studio with Kiln																											
Ceramics or Pottery Studio with or without Kiln																											
Commissary Kitchen																											
Culinary Arts																											
Film Studio																											
Indoor Motion Pictures (more than three (3) Screens)																											
Performing Arts Theatre (more than 250 seats)																											
Radio Broadcasting Studio																											
Recording Studio																											
Sculpture Studio with or without Kiln																											
Sculpture Studio without Kiln																											
Television Production Studio																											
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																											
Artisanal Manufacturing																											
Artisan or Art Studio																											
Arts and Crafts Studio																											
Art or Photography Gallery																											
Bakery, Retail																											
Bakery, Commercial																											
Book Binding																											
Ceramics or Pottery Studio with Kiln																											
Ceramics or Pottery Studio without Kiln																											
Commissary Kitchen																											
Culinary Arts																											
Custom Jewelry Studio																											
Indoor Motion Pictures (more than three (3) Screens)																											
Performing Arts Theater (less than 250 seats)																											
Perfumery																											
Photography Studio																											
Pottery Shop/Studio																											
Recording Studio																											
Sculpture Studio with Kiln																											
Sculpture Studio without Kiln																											
Stationery/Engraver																											
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																											
Arts and Crafts Studio																											
Art or Photography Gallery																											
Bakery, Retail																											
Ceramics or Pottery Studio with Kiln																											
Ceramics or Pottery Studio without Kiln																											
Commissary Kitchen																											
Craft Gallery																											
Custom Jewelry Fabrication/Studio																											
Photography Studio																											
Photography gallery (including picture framing)																											
Pottery Shop/Studio																											
Recording Studio																											
Sculpture Studio with Kiln																											
Sculpture Studio w/o Kiln																											
Stained Glass Studio																											

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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		€
Recreation Public (Indoor) with Team Sports Facilities														C				P				C	C			
Recreation Public (Indoor) w/o Team Sports Facilities														€				P				C	C			
Recreation Public (Outdoor) with Team Sports Facilities																						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		€
Recreation Public (Indoor) with Team Sports Facilities														C				P				C	C			
Recreation Public (Indoor) w/o Team Sports Facilities														€				P				C	C			
Recreation Public (Outdoor) with Team Sports Facilities																						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	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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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