



PLANNING AND ZONING BOARD REPORT

PZB Project Number 24-00500013: A Conditional Use Permit request for a medium intensity (less than 7,500 square feet) Minor Vehicular Service and Repair (vehicle wrapping) and Assembly excluding retail display and sales uses as provided for in LDR Section 23.3-6 located at 3694 23rd Avenue South, Suite 1. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

Meeting Date: March 5, 2025

Property Owner: Daniel W. Hiatt

Applicant: Chris Campbell – Saddle Creek Graphics DBA Fastsigns

Address: 3694 23rd Avenue South, Suite 1

PCN: 38-43-44-20-19-000-0100

Size: 0.9867 ac Lot /±15,200 square feet existing structures (use area is ±1,200 square feet)

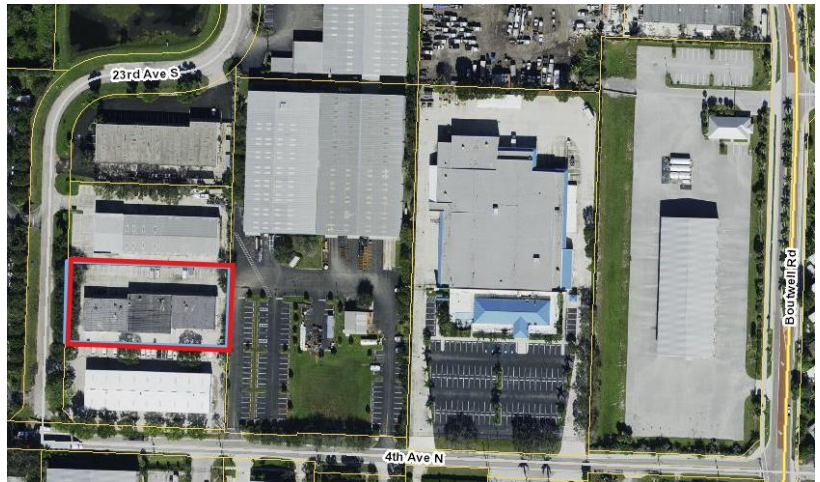
General Location: Northeast corner of 23rd Avenue South and 4th Avenue North

Existing Land Use: Industrial

Current Future Land Use Designation: Industrial (I)

Zoning District: Industrial Park of Commerce (I-POC)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan and Strategic Plan. Staff recommends that the Planning and Zoning Board approve the proposed Conditional Use Permit (CUP); conditions of approval have been provided on pages 5 and 6 of this report.

PROJECT DESCRIPTION

The applicant, Chris Campbell on behalf of Saddle Creek Graphics DBA Fastsigns, is requesting a Conditional Use Permit (CUP) to establish a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use ($\pm 1,200$ square feet) in the Industrial Park of Commerce (IPOC) zoning district located at 3694 23rd Avenue South, Suite 1.

According to the applicant's justification statement, the services provided will include wrapping and applying graphics to customer vehicles, assembling signs for customers, and indoor storage of materials. The City identifies the installation of vehicle wrapping as a Minor Vehicular Service and Repair use, similar to window tinting. All vehicle-related activities will take place inside the suite. The proposed use does not include traditional Minor Vehicular Service and Repair uses such as brake repairs, tire repair and installation, muffler replacement, and oil changes. Therefore, the only vehicular use reviewed by staff is vehicle wrapping services. The I-POC zoning district allows medium intensity Assembly uses to be reviewed administratively by staff through an Administrative Use Permit (AUP); the use will be reviewed through the Conditional Use Permit request. Further, the use area will also include Indoor Storage use which is permitted by right in the I-POC zoning district. The hours of operation will be from 8:00 AM to 5:00 PM, Monday through Friday. The subject site is located at the northeast corner of 23rd Avenue South and 4th Avenue North.

COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application.

BACKGROUND

Below is a summary of the property based on Palm Beach Property Appraiser's records and City records:

Construction: The $\pm 15,200$ square foot structure was constructed in 1987. The proposed business is located in Suite 1 of the building, which is $\pm 1,200$ square feet.

Use: The property's use is industrial. There is a total of eleven (11) suites; Suites 3-11 have active business licenses. There are two (2) suites without an active business license, including Suite 1 which is currently occupied by the applicant.

Code Compliance: There are no active code cases associated with this property.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Industrial (I). The I FLU is intended to provide for the establishment and enlargement of office, manufacturing and light to moderate industrial uses that would be incompatible in other areas of the city due to increased traffic generation. The implementing zoning district is I-POC. The proposed request is seeking to open a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use in the existing building with a use area of $\pm 1,200$ square feet.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar IV.A and Pillar IV.D of the Strategic Plan state that the City shall achieve economic and financial sustainability through a versatile and stable tax base, and influence the supply and expansion of jobs. Because the proposed Conditional Use

will allow the establishment of a new Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use that will contribute towards the City's tax base and sustain or increase jobs, the proposal is consistent with Pillar IV.A and Pillar IV.D.

Based on the analysis above, the proposed Conditional Use Permit request is consistent with the goals, objectives, and policies of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

Consistency with the City's Land Development Regulations

The **Industrial Park of Commerce zoning district** *is intended to provide for the establishment and enlargement of office, manufacturing and light industrial uses without restriction on traffic generating characteristics. The industrial park of commerce district is also intended to permit the establishment of certain other uses which are compatible with industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The industrial park of commerce district implements the industrial land use category of the Lake Worth Comprehensive Plan.*

Analysis: The applicant is requesting a Conditional Use Permit for a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use. Based on the data and analysis provided by the applicant, the proposed conditional use is not anticipated to impact the surrounding area greater than multiple uses permitted by right. The building is already served by municipal services, including water, sewer, refuse, fire and police. The site is located on a local roadway. Therefore, no additional public expenditures are required to service the proposed use.

Per the City Use Table (Section 23.3-6), a medium intensity Minor Vehicular Service and Repair use requires a Conditional Use Permit. The proposed use is also subject to additional supplemental regulations per LDR Section 23.4-13(c)4, *Vehicular services and repair facilities – Major or minor, or repair and maintenance services – Major*. The use is consistent with the intent of the I-POC zoning district and supplemental regulations for vehicular services as conditioned. The analysis for the conditional use permit in the section below is consistent with the review criteria located in Attachment A. The Minor Vehicular Service and Repair use is also consistent with the additional supplemental regulations located in Attachment B.

The Department of Community Sustainability is tasked in the LDRs to review conditional use applications for consistency with the City's LDRs (Section 23.2-29(i)), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

Section 23.2-29(a), Conditional Use Permits: *Conditional uses are defined as generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of pertinent conditions to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area.*

Section 23.2-29(b), Approval Authority: *The planning and zoning board, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions, or deny an application for a development permit for a conditional use permit after review and recommendation by the development review official.*

Analysis: A recommendation by the development review official is provided on page 2 of this report, under Recommendation.

Section 23.2-29(c), General Procedures: *The department for community sustainability shall review the application in accordance with these LDRs and prepare a report that summarizes the application and the effect of the proposed conditional use, including whether the application complies with each of the findings for granting conditional uses stated*

below and provide a recommendation for whether the application should be approved, approved with conditions, or denied.

Staff Analysis: The structure on the property completed construction in the late 1980s. The building and site currently do not conform to the current LDRs related to the landscaping and impermeable surface; therefore, the nonconformities section of the land development regulations, LDR Section 23.5-3, is applicable. The existing nonconformities are not proposed to be increased or negatively impacted by the subject Conditional Use request. **The proposed conditional use is consistent with the City's LDRs as conditioned based on the following data and analysis:**

Per LDRs Section 23.4-10.f)2.A., Exceptions (Off-street Parking). *Parking is not required for changes in use or occupancy or remodeling of existing buildings which do not increase floor area or number of overall existing dwelling units, located outside of the single-family residential SF-R zoning district.*

Staff Analysis: Generally, when a request for conditional use is made without increasing the existing building floor area, additional parking is not required per LDR Section 23.4-10.f)2.A., Exceptions (Off-street Parking). However, the supplemental regulations for Minor Vehicular Service and Repair uses require that sufficient parking be provided to serve the needs of customers (LDR Section 23.4-13.c.1.A.4.).

Vehicle service and repair facilities require three (3) parking spaces for each service bay, plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in Section 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 twenty-four-hour period.

Therefore, the proposed Minor Vehicular Service and Repair use requires a minimum of 4 parking spaces available for staff and customers. The applicant states the parking lot is shared by all tenants and that the lease for the suite does not dedicate a specific number of parking spaces to each unit. City records indicate the site has a total of 27 parking spaces. Staff have added a condition of approval that will require the applicant to provide documentation at the time of business license that a minimum of three (3) parking spaces for each service bay plus one parking space for each three hundred (300) square feet of non-service enclosed area will be provided.

Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. Any proposed signage will be reviewed at building permit for consistency with these requirements.

Section 23.6-1. - Landscape regulations and Section 23.4-13.c.1.A.4.b.iv – Landscape requirements: *The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the city. Per Section 23.6-1(c)(2), "on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping" consistent with this section including a landscape strip ten (10) feet in depth. The site must also be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.*

Analysis: The existing nonconforming property is lacking required landscaping and is not meeting the intent of LDR Section 23.6-1, *Landscape regulations*. The site has existing constraints, including impermeable surfaces designed to accommodate site and vehicular circulation, leaving little room for sufficient landscaping. In 2022, the site received an Administrative Use Permit (PZ # 23-02100022) that included a condition of approval to reduce nonconformities in so far as feasible by installing new hedges on the north property line and along the west side of the structure. The site has since received an approved landscape permit (24-610) to install approximately 260 linear feet of Clusia Hedges. A site

visit conducted by staff indicates the landscaping was installed, however the landscape permit remains open. Staff have included a condition of approval to provide documentation of compliance with the supplemental landscape regulations as part of the business license application and to finalize the opened landscape permit prior to business license issuance.

Findings for Granting Conditional Uses

Prior to approving any conditional use permit, the decision-making authority shall find based on competent and substantial evidence that the following criteria related to conditional uses are met:

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

Staff Analysis: The proposed conditional use, as conditioned, is in general harmony with the surrounding area as the proposed conditions would limit business hours of operation and would require activities to remain indoors. The Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use is an anticipated use in the Industrial Park of Commerce (IPOC) zoning district. The proposed use will not result in less public benefit, nor will it result in more intensive development than anticipated the zoning district in the comprehensive plan.

Section 23.2-29.e) Specific findings for all conditional uses.

Staff Analysis: The proposed conditional use is not anticipated to impact the surrounding area greater than uses permitted by right. According to the applicant, the services provided will include wrapping and applying graphics to customer vehicles, as well as assembling signs for customers. All vehicle-related activities will take place inside the suite. The hours of operation will be from 8:00 AM to 5:00 PM, Monday through Friday. The building is already served by municipal services, including water, sewer, refuse, fire and police. The site is located on a local roadway. Therefore, no additional public expenditures are required to service the proposed use.

Section 23.2-29.g) Additional requirements.

Staff Analysis: As of the date of this report transmittal, there is no active code compliance case for the subject property.

CONCLUSION AND CONDITIONS

The Industrial – Park of Commerce (I-POC) zoning district is intended to provide for the establishment and enlargement of office, manufacturing, and light industrial uses without restriction on traffic generating characteristics. The industrial park of commerce district is also intended to permit the establishment of certain other uses which are compatible with industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The industrial park of commerce district implements the industrial land use category of the Lake Worth Comprehensive Plan. Based on the data and analysis in this report, the use requested is not anticipated to negatively impact adjacent properties. Further, the proposed conditional use will be compatible with the neighboring uses. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

Planning & Zoning, and Landscaping:

1. The use approval is for 3694 23rd Avenue South, Suite 1 only and includes vehicle wrapping and sign assembly only. Any expansion in vehicular services provided, an expansion of use area, or relocation shall require a new use approval.
2. No on-street or outdoor parking of vehicles being serviced is permitted.
3. The vehicular use shall comply with the following supplemental regulations per LDR Section 23.4-13(c)4. The property owner/tenant shall provide documentation of compliance with the supplemental regulations as part of the business license application:
 - a. Hours. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.

- b. Location of equipment, facilities and services. All pits and hydraulic hoist shall be located entirely within a building.
 - c. Landscape requirements. The site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.
 - d. 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 section 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 twenty-four-hour period.
4. The property owner/tenant shall provide documentation at the time of business license that a minimum of three (3) parking spaces for each service bay plus one parking space for each three hundred (300) square feet of non-service enclosed area will be provided.
 5. Outdoor storage is not part of this approval.
 6. Prior to the issuance of a new City of Lake Worth Beach Business License, all landscape permits shall be finalized and closed out.
 7. Coordinate with Public Works on the location and screening of the refuse area. The location of the screened refuse area shall comply with LDR requirements and be approved by the Public Works Department.
 8. The use, handling, production and storage of regulated substances in wellfield zones as defined in the PBC Unified Land Development Code shall be prohibited as provided for in the requirements of the PBC Wellfield Ordinance (ULDC, Article 14, Chapter B).
 9. Prior to the issuance of a business license, the business shall contact the City Engineer's office to confirm if additional pollution prevention or other utility requirements are required. A copy of the PBCERM Affidavit shall be provided.
 10. All uses shall meet all the requirements and stipulations set forth in City Code Section 15-24, Noise control.
 11. Per City Code Section 14-32 and LDR Section 23.2-23, the occupant must obtain and maintain the required Business License.
 12. The City shall revoke the business license and the approval of the conditional use permit if the property is declared a chronic nuisance as result of or related to the operations of the requested uses.
 13. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.

Electric Utility

1. If any changes will be required to the electric service at this location, the electric utility will require voltage and load calculations at the time of application for a building permit.

Water

1. Provide the City Engineer's office a survey identifying the location and the size of the existing backflow preventer.

BOARD POTENTIAL MOTION:

I move to **approve** PZB Project Number 24-00500013 with staff recommended conditions for a **Conditional Use Permit** request to establish a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** PZB Project Number 24-00500013 for a **Conditional Use Permit** request to establish a Minor Vehicular Service and Repair (vehicle wrapping) and Assembly use. The project does not meet the conditional use criteria for the following reasons [Board member please state reasons.].

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

ATTACHMENTS

- A. Findings for Conditional Uses
- B. Supplemental Regulations
- C. Application Package (Survey & Justification Statement)

ATTACHMENT A - Findings for Granting Conditional Uses

Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.	Analysis
1. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.</i>	In compliance as conditioned
2. <i>The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.</i>	In compliance
3. <i>The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.</i>	In compliance
4. <i>The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.</i>	In compliance
Section 23.2-29(e) Specific findings for all conditional uses.	Analysis
1. <i>The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.</i>	In compliance
2. <i>The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets</i>	In compliance
3. <i>The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.</i>	In compliance
4. <i>The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
5. <i>The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.</i>	In compliance
6. <i>The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.</i>	In compliance

7. *The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.* **In compliance**
8. *The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.* **In compliance**

ATTACHMENT B – Supplemental Regulations

Sec. 23.4-13.(c)4. - Administrative uses and conditional uses/Standards/ Vehicle service and repair facilities—Major or minor, or repair and maintenance services—Major	Analysis
1. <i>Minimum lot frontage. Seventy-five (75) feet.</i>	In compliance
2. <i>Minimum site.</i> <i>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.</i>	In compliance
3. <i>Location of equipment, facilities and services. All pits and hydraulic hoist shall be located entirely within a building. Lubrication, washing, repairs and service shall be conducted within the building.</i>	In compliance
4. <i>Landscape requirements. The site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.</i>	In compliance as conditioned
5. <i>Buffering/screening. A masonry wall shall be erected to a height of not less than six (6) feet where the proposed site is within twenty-five (25) feet of a residential district, in addition to the landscaping requirements outlined above. Said wall shall be finished with a graffiti-resistant paint.</i>	Not applicable
6. <i>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 section 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 twenty-four-hour period.</i>	In compliance as conditioned
7. <i>Hours. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.</i>	In compliance as conditioned
8. <i>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 section 23.4-19, outdoor storage, and all equipment, parts and vehicles are stored on an impermeable paved surface.</i>	In compliance as conditioned