

PLANNING AND ZONING BOARD REPORT

PZB Project Number 23-0000021: Request by the City of Lake Worth Beach Leisure Services for the approval of a two (2) murals located on the south and east façades of the Palm Beach County Fire Rescue (PBCFR) Station 91 at 1020 Lucerne Avenue. The subject site is zoned Public (P) and has a future land use designation of Transit Oriented Development (TOD).

Meeting Date: December 6, 2023

Property Owner: City of Lake Worth Beach

Applicant: Rudolph R. Galindo, Assistant Director, City of Lake Worth Beach Leisure Services

Address: 1020 Lucerne Ave

PCN: 38-43-44-21-15-014-0010

General Location: Frontage on Lucerne Avenue, North G Street, and North H Street

Existing Land Use: Municipal

Current Future Land Use Designation: Transit Oriented Development (TOD)

Zoning District: Public (P)

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 reviews this information to determine the appropriateness of the proposed murals. If the Planning and Zoning Board approves the request, conditions of approval have been provided on page 4 of this report.

A rendering of the murals is included as **Attachment A**. Additional information including the mural specifications and artist credentials are included as **Attachment B**.

PROJECT DESCRIPTION

The City of Lake Worth Beach Leisure Services Department is requesting approval for two (2) new murals on the south and east façade of the PBCFR Station 91 at 1020 Lucerne Avenue. The south façade, fronting Lucerne Avenue, will contain a mural that will depict a scene with an American flag, a historic fire department, firefighters, and lettering that signifies the fire station. The east façade, fronting North H Street, will contain mural lettering that identifies the battalion and fire trucks. The subject property has frontage on Lucerne Avenue, North G Street, and North H Street.

According to the applicant, the mural on the south façade pays homage to the first Lake Worth Fire Department crew. It also shows the transition from the past to the present of the City's fire department.

PUBLIC COMMENT

At the time of publication of the agenda, staff has not received written public comment.

BACKGROUND

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

Construction: The existing structure was constructed in 1972.

Use: Municipal.

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

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The City's Comprehensive Plan, including in both the Future Land Use Element and the Economic Development Element, has multiple goals, objectives and policies encouraging the arts and economic development through arts and cultural activities. The City's Strategic Plan Pillar III.D is to "Inspire arts and culture through City through events and programs." Murals in general are consistent with both the Comprehensive Plan and Strategic Plan.

Consistency with the City's Land Development Regulations

Per LDR Section 23.1-12, a mural is defined as, "*Any picture or graphic design painted on or otherwise applied to the exterior of a building or structure, or to a window.*"

LDR Section 23.5-1(e)(13) provides standards and requirements for mural installation within the City. With regard to placement and location of murals, generally:

- *Murals shall be permitted in commercial and industrial districts.*
- *Murals shall not be permitted on the fronts of buildings or structures facing Lake Worth Road, Lake Avenue, Lucerne Avenue, Dixie Highway and Federal Highway, except as may be approved by the appropriate Board.*
- *Murals may co-exist with all types of on premises signs. If printed commercial messages are included in a mural, the entire mural shall be considered part of the overall allowable signage permitted by code.*

Analysis: The Planning and Zoning Board is tasked in LDR Section 23.5-1(e)(13) with determining the appropriateness of the mural. As proposed, one of the murals will be painted on the side façade of the building which fronts Lucerne Avenue. Staff recommends that the Planning and Zoning Board determine if this location is visually compatible. The applicant confirmed that the mural on the south façade will not cover existing windows. Furthermore, the fire station lettering is not deemed commercial messaging and is therefore considered to satisfy the requirements in LDR Section 23.5-1(e)(13). The LDRs also require that the design of the mural be consistent with the requirements of Section 23.2-31(l), which specifies community appearance review criteria. The criteria are listed below and include staff's analysis.

Lake Worth Beach Code of Ordinances, Land Development Regulations Section 23.2-31(l); Community Appearance criteria:

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

Analysis: The mural installations appears to be of good taste and good design. The mural on the south façade illustrates a scene with an American flag, a historic fire department, firefighters, and lettering. The mural on the east façade contains lettering that identifies the battalion and fire trucks. The murals are consistent with the intent of the City's Comprehensive Strategic Plan to enhance the character of Lake Worth Beach and to inspire arts and culture throughout the City.

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

Analysis: The proposed murals will be painted by graffiti artist Bulk Styles. The proposed murals appear to be of a high quality, and will not cause harm to the local environment.

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

Analysis: The surrounding area of the subject property includes a mix of commercial and retail buildings, and the mural installation generally appears to be in harmony with murals that exist elsewhere in the City.

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

Analysis: The subject property, 1020 Lucerne Avenue, is not applying for a Conditional Use Permit. Therefore, this criterion is not applicable.

CONCLUSION AND CONDITIONS

The proposed murals conform with good taste and design; and are in harmony with the area as required by and consistent with the City's Land Development Regulations. Staff recommends that the Planning and Zoning Board reviews

this information to determine the appropriateness of the proposed murals. If the Planning and Zoning Board approves the request, conditions of approval have been provided below:

Planning and Zoning

1. The applicant shall apply for a City of Lake Worth Beach building permit for the installation of the murals.
2. This approval does not include any physical alterations to the building's exterior aside from mural installation. Windows shall not be painted.
3. Prior to the approval of the building permit, a mural removal agreement shall be entered between the applicant and the City of Lake Worth. This removal agreement shall be recorded with The Clerk and Comptroller of Palm Beach County by the applicant.

BOARD POTENTIAL MOTION:

I MOVE TO APPROVE PZB PROJECT NUMBER 23-00000021 for two (2) **mural** installations for the structure located at **1020 Lucerne Avenue**. The application meets the mural criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 23-00000021 for two (2) **mural** installations for the structure located at **1020 Lucerne Avenue**. The project does not meet the mural criteria for the following reasons [Board member please state reasons.]

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

ATTACHMENTS

- A. Proposed Mural
- B. Additional Information