

## PLANNING AND ZONING BOARD REPORT

**PZB Project Number 25-00500007:** A Conditional Use Permit request to operate a Medium-Intensity Bar with Live Entertainment use and an Alcohol Beverage Distance Waiver to allow on-site consumption for the property located at 1230 North Dixie Highway. The property is zoned Mixed-Use Dixie Highway (MU-DH) and has a Mixed-Use East (MU-E) Future Land Use (FLU) designation.

**Meeting Date:** February 4, 2026

**Property Owner:** 1230 N DIXIE LLC

**Applicant:** Eric Sessions – Locals Only  
Neighborhood Bar

**Address:** 1230 North Dixie Highway

**PCN:** 38-43-44-21-15-376-0080

**Size:** 0.14 Acre Lot/±1,587 square feet of  
existing building area

**General Location:** The Northeast corner of  
Dixie Highway and 13<sup>th</sup> Avenue North

**Existing Land Use:** Commercial Retail

**Current Future Land Use Designation:** Mixed  
Use East (MU-E).

**Zoning District:** Mixed Use – Dixie Highway  
(MU-DH)

**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. The proposed Conditional Use Permit request is consistent with the Comprehensive Plan, Strategic Plan, and LDRs as conditioned. However, staff recommends that the Planning and Zoning Board reviews this information to determine if the proposed alcohol beverage distance waiver meets the criteria of the Comprehensive Plan and LDRs. If the Planning and Zoning Board approves the request, conditions of approval have been provided on pages 6 and 7 of this report.

## PROJECT DESCRIPTION

The applicant, Eric Sessions on behalf of Locals Only Neighborhood Bar, is requesting:

- A **Conditional Use Permit (CUP)** for the establishment of a Medium-Intensity Bar with Live Entertainment use
- An **Alcohol Distance Waiver for On-Site Consumption** to allow on-site alcohol consumption

The applicant proposes to operate Locals Only Neighborhood Bar, a sports-oriented bar featuring live sports programming displayed on ten screens. The establishment will function as a full-service bar and host game-day viewings and private watch parties. The establishment may also occasionally feature a professional disc jockey (DJ) for entertainment purposes in connection with special events or occasions. The applicant also proposed accessory activities which will consist of up to two pool tables, various board games, and weekly trivia nights.

Free gaming items, including but not limited to pool tables, board games, and trivia, may be classified as accessory indoor recreation uses when they are secondary to the primary bar use. Charging a fee for such activities would establish revenue-generating use, elevating the activity to a principal indoor recreation use, defined as a game room. Pursuant to Section 14-73(b)(2), game rooms are not permitted in conjunction with on-premise alcohol consumption. Therefore, indoor recreational activities at the subject establishment must remain free of charge in order to be considered accessory and permitted at the subject site.

The business will operate within the existing ±1,587-square-foot building and is expected to employ approximately 30 staff members. Proposed hours of operation are Monday through Thursday from 4:00 p.m. to 1:00 a.m., Friday and Saturday from 2:00 p.m. to 2:00 a.m., and Sunday from 2:00 p.m. to 1:00 a.m.

## COMMUNITY OUTREACH

Staff has not received letters of support or opposition from adjacent or nearby neighbors.

## 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 1959.

**Use:** There are currently no active business licenses, however the site was previously used for retail.

**Code Compliance:** The property has two (2) active code compliance cases (25-2065 & 25-2601). The violations are related to signage and parking lot improvements without permits, repairs needed on vents and electrical switches, walkway obstructions, and needing a business license for Locals Only Neighborhood Bar or registering the site as vacant on the City vacant registry program. Staff have added a condition of approval to resolve all code violations prior to the issuance of a business license.

## ANALYSIS

### *Consistency with the Comprehensive Plan and Strategic Plan*

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

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, IV.D, and V.E 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 proposal will allow the establishment of a business that will contribute towards the City's tax base and sustain or increase jobs, it is consistent with Pillar IV.A, Pillar IV.D, and Pillar V.E.

Based on the analysis above, the proposed Conditional Use Permit and Alcohol Distance Waiver, as conditioned, are consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan and Strategic Plan.

### *Consistency with the Land Development Regulations*

The **MU-DH mixed use – Dixie Highway** district is designed for Dixie Highway, Lake Worth's commercial spine. The MU-DH district is intended to provide the establishment and expansion of a broad range of office and commercial uses, including higher density residential use. Certain commercial uses are not permitted in the district because they will be detrimental to the shopping or office functions of the area. The establishment of certain uses is subject to conditional use review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors. The district implements in part the downtown mixed use land use category of the Lake Worth Comprehensive Plan.

**Analysis:** The applicant is requesting a Conditional Use Permit for medium-intensity bar use (use area less than 7,500 square feet), with live entertainment, as required by LDR Section 23.3-6. The proposed business, Locals Only Neighborhood Bar, is a sports-oriented establishment that will operate within an existing ±1,587-square-foot building. The use will include live sports programming, up to two pool tables, board games, weekly trivia nights and a disc jockey DJ for entertainment during special occasions. Free gaming items, including but not limited to pool tables, board games, and trivia, may be classified as accessory indoor recreation uses when they are secondary to the primary bar use. Charging a fee establishes a revenue-generating activity that elevates the use to a principal indoor recreation use, which is considered a game room. Per Section 14-73(b)(2), game rooms are not permitted in conjunction with on premise alcohol consumption; therefore, indoor recreation uses at the bar must remain free to use in order to be considered accessory.

Proposed hours of operation are Monday through Thursday from 4:00 p.m. to 1:00 a.m., Friday and Saturday from 2:00 p.m. to 2:00 a.m., and Sunday from 2:00 p.m. to 1:00 a.m.

Based on the information submitted by the applicant and staff analysis, the proposed conditional use is not anticipated to have a greater impact on the surrounding area than uses permitted by right within the MU-DH district. However, staff has included conditions of approval requiring compliance with the City's Noise Ordinance, as set forth in Section 15-24. Additionally, staff has included a condition allowing for the revocation of the business license and Conditional Use Permit should the property be declared a chronic nuisance as a result of, or related to, the operations of the approved use.

Further, the proposed use will be served by existing municipal services, including water, sewer, solid waste, fire protection, and police services. The site is located along North Dixie Highway, a major roadway, and therefore no additional public expenditures are anticipated to be necessary to accommodate the proposed use.

The analysis for the conditional use permit is provided in the section below and is consistent as conditioned with the review criteria located in Attachment A.

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 of approval by the development review official is provided on page 2 of this report.

**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.*

**Analysis:** The structure on the property was constructed in 1959. The existing site conditions do not conform to the current LDRs; therefore, the nonconformities section of the land development regulations, LDR Section 23.5-3 is applicable. The existing nonconformities include not meeting the minimum lot width size, not meeting the build-to-line requirement, exceeding impermeable surface coverage allowance, and landscape deficiencies. The existing nonconformities are not proposed to be increased or negatively impacted by the subject Conditional Use request. However, staff has added a condition of approval to apply for a landscape permit to add living ground cover and landscape hedging at the northwest corner of the property. **As conditioned, the proposed Conditional Use is consistent with the City's LDRs 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.*

**Analysis:** LDR Section 23.4-10 states that additional parking is not required for changes in use or occupancy or the remodeling of existing buildings which does not increase floor area or the number of existing dwelling units. Therefore,

no additional parking is required. The existing site has ±1,587 square feet of existing building area. There are approximately 10 parking spaces on the surface parking lot.

**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:** *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”.*

**Analysis:** Due to existing site conditions and physical constraints, there is limited opportunity for the property to fully conform to current landscape requirements. However, to enhance the visual appearance of the site and improve compliance with the intent of the Landscape Regulations, staff has included a condition of approval requiring the applicant to obtain a landscape permit and install additional landscaping, including living ground cover and landscape hedging, at the northwest corner of the property. This condition will help improve site aesthetics while recognizing the limitations of the existing development.

#### **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.j) General findings relating to harmony with LDRs and protection of public interest.**

**Analysis:** The proposed Conditional Use Permit is in general in harmony with the surrounding area and consistent with the established development pattern along the North Dixie Highway corridor. The proposed use will not result in less public benefit, nor will it result in more intensive development than anticipated in the zoning district in the comprehensive plan.

While the site is located along a commercial corridor, residential properties are located to the rear (east) of the property. To ensure compatibility with nearby residential properties and protection of the public interest, staff has included conditions of approval requiring compliance with the City’s Noise Ordinance, as set forth in Section 15-24. Additionally, staff has included a condition allowing for the revocation of the business license and Conditional Use Permit should the property be declared a chronic nuisance as a result of, or related to, the operations of the approved use.

#### **Section 23.2-29.k) Specific findings for all conditional uses.**

**Analysis:** The proposed Conditional Use Permit is not anticipated to impact the surrounding area greater than uses allowed on the property and within the zoning district. The building is already served by municipal services, including water, sewer, refuse, fire and police. No additional public expenditures are required to service the proposed use. The site is located on a major road (North Dixie Highway), and as such traffic flow and movements related to the proposed use is not anticipated to negatively impact the street greater than a use permitted by right. The proposed use will not change the existing on-site traffic circulation. The use is also not expected to generate air emissions, noise, lighting, or service demands beyond those typical of permitted uses. Compliance with the City’s Noise Ordinance is required to ensure compatibility with nearby residential properties.

#### **Section 23.2-29.m) Additional requirements.**

**Staff Analysis:** The subject property currently has two active Code Compliance cases (25-2065 and 25-2601) related to unpermitted signage and parking lot improvements, maintenance items including vents and electrical switches, walkway obstructions, and the need to obtain a business license for Locals Only Neighborhood Bar or alternatively register the site under the City's vacant property registry program. To ensure compliance with all applicable City codes and regulations, staff has included a condition of approval requiring that all outstanding code violations be fully resolved prior to the issuance of a business license for the proposed use.

### **Section 5.5(d) – Standards for Review/Decision**

A decision on a request for the waivers shall be guided by the following factors:

- 1) Whether approval of the waiver will result in two (2) or more alcoholic beverage establishments having a license within five hundred (500) feet of a protected land use or each other, or within five hundred (500) feet of a property zoned for residential use;

**Analysis:** Pursuant to LDR Section 5.5(a)(2), protected land uses include churches, public or private schools, parks, and libraries. Staff review indicates that no protected land uses are located within five hundred (500) feet of the subject parcel. However, residential zoned properties are located directly to the rear (east) of the site and are within five hundred (500) feet of the proposed use. In addition, a convenience store with an alcoholic beverage license is located directly north of the property, also within five hundred (500) feet of the proposed on-site consumption of alcoholic beverages. As a result, approval of the request would result in more than one alcoholic beverage establishment being located within five hundred (500) feet of properties zoned for residential use. Therefore, an alcohol distance waiver is required.

- 2) Whether the license is being added to or is a license upgrade of an existing use or to an establishment which is relocating to the subject location;

**Analysis:** The proposed onsite consumption of alcohol will be a new use for the subject location. If approved, staff has added a condition of approval that the Applicant shall apply for a City of Lake Worth Beach Business License to legally operate the sales of alcoholic beverages.

- 3) If the property contains a structure which is on the National Register of Historic Places or otherwise has been designated by the city as having historic architectural significance, whether the structure will be preserved or developed so as to retain its architectural and historic character; and

**Analysis:** The subject property is does not contain a designated historic property, therefore this criterion is not applicable.

- 4) Whether the waiver promotes the health, safety and welfare of the neighborhood and the public.

**Analysis:** The waiver is necessary to allow on-site consumption of alcohol beverages at the subject property. Staff has added several conditions of approval so that the business operates within the allowed hours of sale to ensure the proposed use is not detrimental to the health, safety, and welfare and surrounding community.

## **CONCLUSION AND CONDITIONS**

The MU-DH zoning district is intended to accommodate a broad range of office and commercial uses, as well as higher-density residential development. Based on the information and analysis contained in this report, and the materials submitted by the applicant, the proposed use, as conditioned, is not anticipated to negatively impact adjacent properties

and is compatible with surrounding uses along the North Dixie Highway corridor. Accordingly, staff recommends that the Planning and Zoning Board consider the request, including whether to approve the waiver of the prohibition on alcoholic beverage sales within five hundred (500) feet of other alcoholic beverage establishments and residential properties. If approved, staff recommend the following conditions of approval:

### **Planning, Zoning, & Landscape**

1. Prior to the issuance of a business license, a landscape permit is required to add living ground cover and landscape hedging at the northwest corner of the property.
2. No person shall sell, deliver, consume or permit the sale, delivery, service or consumption of alcoholic beverages on the premises except for the following hours where a business holds a legal alcohol license: The hours of sale of alcoholic beverages of more than one (1) percent of alcohol by weight shall be from 12:00 a.m. (midnight) to 2:00 a.m., and 7:00 a.m. to 11:59 p.m., each day.
2. All uses shall meet all the requirements and stipulations set forth in City Code Section 15-24, Noise control.
3. Per City Code Section 14-32 and LDR Section 23.2-23, the occupant must obtain and maintain the required Business License.
4. 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 either the requested uses.
5. All uses shall comply with the use occupancy requirements for each tenant space as required by the Florida Building Code.
6. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.
7. Accessory indoor recreation uses, including but not limited to pool tables, board games, and trivia nights, shall be provided at no cost to patrons.
8. All code compliance violations not related to the subject business, shall be resolved prior to the issuance of a business license for the subject business. Any and all outstanding code enforcement fees and fines related to the project site have been paid to the city.

### **Public Works**

1. The issuance of any permits shall comply with all provisions of the Lake Worth Municipal Code and all other applicable standards including but not limited to the Florida Department of Transportation (FDOT), Manual on Uniform Traffic Control Devices (MUTCD), and City of Lake Worth Public Works Construction Standards and Policy and Procedure Manual.
2. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied under the jurisdiction of the Department of Public Works.
3. Prior to the issuance of a building permit, contact the Lake Worth Drainage (LWDD) District's Engineering Department and obtain any required permit(s), if necessary, and furnish to the City. Prior to the issuance of a building permit, contact the South Florida Water Management District's (SFWMD) Engineering Department and obtain any required permit(s), if necessary.
4. Prior to issuance of a certificate of occupancy, construct a new 5-foot wide sidewalk along 13th Ave N to replace any broken sidewalk in compliance with the Public Works Department's specifications and Policy and Procedure Manual.
5. Prior to issuance of a certificate of occupancy, install new Type F curb (or Type D curb, Type E curb, drop curb, valley gutter) along 13th Ave N along new sidewalk area in compliance with the Public Works Department's specifications.
6. Prior to issuance of a Certificate of Occupancy, (should the construction of off-site improvements not be feasible due to timing, future City planning, etc.) contribute to the City's Construction Fund for the associated costs of those improvements to the associated right of way.

7. Prior to the issuance of a Certificate of Occupancy, the existing stormwater system that is being tied into is to be cleaned thoroughly the entire limit of the property.
8. Prior to the issuance of a certificate of occupancy, alleyway improvements consisting of new base, asphalt and header curbs shall be constructed from 13th Ave N to end of property line, in compliance with the Public Works Construction Standards and Policy and Procedures Manual.
9. Prior to the issuance of a certificate of occupancy, alleyway improvements consisting of a new alley driveway turnout shall be constructed at the intersection of 13th Ave N and alleyway, in compliance with the Public Works Construction Standards and Policy and Procedures Manual.
10. Prior to the issuance of a certificate of occupancy, ensure the entire surrounding off-site infrastructure inclusive of the roadway, sidewalk, curbing, stormwater system piping and structures, valve boxes, manholes, landscaping, striping, signage, and other improvements are in the same condition as prior to construction. A pre-construction video of the entire perimeter shall be performed and submitted to the City.
11. Contact Public Works Solid Waste and Recycling Division and meet with a representative to agree on garbage bin storage location and screening, garbage bin pickup location, and number of bins required. Solid Waste and Recycling can be contacted by email at [PublicServicesPermit@lakeworthbeachfl.gov](mailto:PublicServicesPermit@lakeworthbeachfl.gov). The agreed upon refuse location and enclosure (if applicable) shall be depicted on the site plan.
12. Prior to issuance of a building permit, a location shall be designated on the site plan for the storage of refuse carts and/or dumpsters on non-collection days. Plans shall also indicate how the refuse carts/dumpsters will be screened from public view on non-collection days.
13. Prior to the issuance of a building permit, submit an Erosion Control plan (SWPPP) and indicate the BMP's and NPDES compliance practices.
14. Prior to the issuance of a Certificate of Occupancy, fine grade and sod all disturbed areas with Bahia sod.
15. Prior to the issuance of a Certificate of Occupancy, broom sweep all areas of the affected right of way and remove of all silt and debris collected as a result of construction activity.
16. Prior to performing work in the City Right-of-Way (ROW), apply for and receive issuance of a "Right of Way/Utility Permit" application.

### Building

1. An accessible path and entrance will be required from the ADA parking spot to the entrance. All other comments pending permit documents being submitted.

### Community Redevelopment Agency (CRA)

1. Any changes to the exterior or addition of new exterior signage, must adhere to the City of Lake Worth Beach Major Thoroughfare Guidelines prior to obtaining permits.

### BOARD POTENTIAL MOTION:

I move to **APPROVE WITH CONDITIONS** the request for PZB Project Number 25-00500007, a Conditional Use Permit for the establishment of a Medium-Intensity Bar with Live Entertainment use and an alcohol beverage distance waiver to allow on-site consumption 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** the request for PZB Project Number 25-00500007 for a Conditional Use Permit for the establishment of a Medium-Intensity Bar with Live Entertainment use and an alcohol beverage distance waiver to allow on-site consumption. 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 Granting Conditional Uses
- B. Application Package

**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>	<b>In compliance, as conditioned</b>
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>	<b>In compliance, as conditioned</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>

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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>
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>	<b>In compliance</b>

- 6. *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.* **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, as conditioned**
  
- 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**