



PLANNING AND ZONING BOARD REPORT

PZB Project Numbers 23-01400022 and 23-00500020: A major site plan and conditional use permit to construct a multi-family development containing 9 dwelling units. The subject site is zoned Mixed Use – East (MU-E) and has a future land use designation of Mixed Use – East (MU-E).

Meeting Date: January 17, 2024

Property Owner: JENS PROPERTY 923 NORTH E ST LLC

Applicant: Nestor Rivera

Address: 923 North E Street

PCN: 38-43-44-21-15-268-0090

Size: ±0.3099 acres/13,500 sf

General Location: On the southwest corner of North E Street and 10th Avenue North

Existing Land Use: Vacant

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

Zoning District: Mixed Use – East (MU-E)

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 **Major Site Plan and Conditional Use Permit (CUP)** requests are consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned. Therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on pages 7 and 8 of this report.

PROJECT DESCRIPTION

The applicant, Nestor Rivera, is requesting approval of the multi-family development at 923 North E Street:

- A **Major Site Plan** for the development of a multi-family building and additional site improvements.
- A **Conditional Use Permit (CUP)** to establish a multi-family use greater than 7,500 square feet.

The applicant is proposing a 2-story, 9-unit multi-family development on a 0.3099-acre lot with a total building area of 7,680 square feet. The building is designed with 5 units on the ground floor and 4 units on the second floor. Parking is located at the rear of the building with ingress from North E Street and egress from the alley.

The proposed development will be compatible with the surrounding residential uses. The building is designed in a contemporary architectural style, with an asymmetrical façade fronting 10th Avenue North, large vertically-proportioned windows as well as sliding glass doors, a smooth stucco exterior finish, glass railings, flat roof, and eyebrow details.

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:

Use: The property is currently vacant.

Code Compliance: The subject site does not have any open code compliance cases.

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). Per policy 1.1.1.5, The Mixed Use – East category 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.*

Analysis: The proposed residential use is appropriate and intended in the MU-E FLU designation. The project would allow for the infill of a vacant property along of the City's Major Thoroughfares with an architecturally appropriate and attractive design. 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 II and Pillar IV of the Strategic Plan state that the City shall strengthen Lake Worth Beach as a community of neighborhoods and navigate towards a sustainable community. Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan state that the City shall diversify housing options; continue crime reduction and prevention in achieving a safe, livable and friendly community; achieve financial sustainability and stable tax base; and ensure facility placement, construction and development that anticipates and embraces the future. The proposed building and associated site improvements will contribute towards the City's Pillars II.A, II.B, IV.A, and IV.E of the Strategic Plan.

Based on the analysis above, the proposed development 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 Land Development Regulations

The **MU-E mixed use east district** is geared toward the commercial gateways and thoroughfares that are adjacent to the central commercial core of the city. The intent of MU-E district is to encourage the establishment and expansion of a broad range of office, commercial, hotel/motel and medium-density multiple-family residential development as well as to facilitate redevelopment within these areas that achieves a mix of residential and professional office land uses. It also strives to create a place of common vision and physical predictability for all new construction, renovations, and redevelopment. Certain commercial uses are not permitted along some thoroughfares because they will be detrimental to the adjacent residential neighborhoods. The district implements in part the mixed use land use category of the Lake Worth Comprehensive Plan.

Per LDR Section 23.3-13(b): In mixed use (MU) districts, projects that are all residential are allowed and can follow the height, setback, FAR and building lot coverage of the mixed use district versus the multi-family district.

The table and topic area analysis below evaluate the proposed site features and the project's compliance with the Code:

Development Standard		Base Zoning District Mixed Use – East (MU-E)	Provided
Lot Size (min) In square feet (sf)		5,000 sf	13,500 sf
Lot Width (min) East side of Dixie Hwy		50'-0"	100'
Setbacks	Front (min build-to line)	10' minimum not to exceed 22'	10'-9"
	Rear (min)	10'-0"	13'-9"
	Street Side (min)	10'-0"	10'-0"
	Side Interior (min)	0'	49'-8"
Impermeable Surface Coverage (maximum)		65%	64.64% (8,740 sf)
Structure Coverage (max)		55%	28.44% (3,840 sf)
Density (max)		30 du/acre (9 units)	9 units
Building Height (max)		30' (max. 2 stories)	29'-4"
Maximum Wall Height at Side Setback		30'	29'-4"
Floor Area Ratio (FAR) (max)		0.90	0.57

Living Area (minimum)	1-bedroom: 600 sf 2-bedroom: 750 sf	1-bedroom: 512 sf* 2-bedroom: 824 sf
Parking	1-bedroom: 1.5 spaces per unit 2-bedroom: 1.75 spaces per unit	Required: 16 spaces Provided: 18 spaces (see full parking analysis on page 4)
Is property in flood plain or Wellfield Zone? Yes/No	Wellfield Zone 4	

*** See planning and zoning conditions of approval: The two (2), one (1) bedroom units shall be modified to be studios/efficiencies that comply with minimum living area requirements.**

Section 12-7, Dumpster Requirements: The location of all dumpsters shall be approved by the public services director or his designee and/or the building official or his designee. All dumpsters shall meet the requirements set forth in this section and all other ordinances, rules, regulations and policies adopted by the city.

Analysis: A dumpster enclosure is proposed on southwest corner of the property. The enclosure will have a textured stucco finish and louvered aluminum gates that are compatible with the design of the residential building. A landscape area between the dumpster enclosure and North E Street will provide additional screening.

Section 23.4-3, Exterior Lighting: All outdoor lighting shall be installed in conformance with the provisions of this chapter, applicable electrical and energy codes, and applicable sections of the building code.

Analysis: Staff has included a condition of approval that a revised photometric plan shall be submitted in a Minor Site Plan to demonstrate compliance with the exterior lighting requirements in Section 23.4-3. In particular, the foot candles shall be depicted beyond the property lines to demonstrate compliance with the maximum illumination standards. A recommended condition of approval has been provided requiring the proposed lighting to comply with Dark Skies lighting recommendations. The proposed fixtures shall be required to have a warm tone setting of 3000K or less. The proposed fixtures may be substituted with similar fully shielded light fixtures at building permit to achieve a warm LED light tone of 3000K or less if the proposed fixture cannot be set to provide the required light tone.

Section 23.4-10. - Off-street parking: This section provides general provisions for off-street parking. The standards “apply to all parking spaces required for new buildings, new uses, additions, enlargements, or changes.”

Analysis: The required parking for the multi-family proposal is 16 spaces. The parking spaces were calculated at the following rates:

- 1.25 spaces/unit for the multi-family 1-bedroom unit proposal (3 spaces for 2 units)
- 1.75 spaces/unit for the multi-family 2-bedroom unit proposal (13 spaces for 7 units)

The project exceeds the minimum required parking with a mix of off-street (13 spaces including 1 ADA space), on-street (2 spaces), bicycle racks (4 spaces that count as 1 parking space), motorcycle spaces (4 spaces that count as 2 parking spaces).

Section 23.5-1- Signage: Signage is required to comply with the size and design requirements in the Land Development Regulations. The 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” consistent with this section including a landscape strip ten (10) feet in depth.

Analysis: The development proposal provides perimeter landscaping and shade trees. The proposed landscaping is not consistent with the City’s landscape regulations and the Major Thoroughfare Design Guidelines; therefore, conditions of approval have been included to ensure compliance. Tree species include a mix of Gumbo Limbo, Silver Buttonwood, Simpson’s Stopper, Pigeon Plum trees with multiple native shrubs, grasses and groundcovers for the perimeter and interior plantings. There are no existing trees on the development site therefore tree mitigation and replacement are not required.

A minor site plan amendment shall be required to address the following items:

- The proposed landscape does not comply with the City’s Major Thoroughfare Design Guidelines. Use the plant palette located on page 89 of design guidelines to select trees adjacent to 10th Ave North
- Solitaire palms and single Royal Palms do not qualify as perimeter shade trees.
- Palms shall contribute no more than 20 percent of the required trees. Provide a table showing that this requirement has been met.
- Eagleston Holly trees are not native to south Florida. Choose south Florida native trees.
- 75 percent of all other plants including groundcovers must be native to south Florida. *Clusia guttifera* is not native to south Florida.
- Additional trees are required along the south property line.
- Additional shrubs are required in the landscape area adjacent to North E Street.
- An exterior landscape screen of shrub hedging or other continuous decorative landscaping that is a minimum height of twenty-four (24) inches at installation is required on the east side of the dumpster enclosure.
- Provide the locations of all existing and proposed easements. Root barriers are required for all plantings that are within five (5) feet of a utility easement or any other underground utility. Show the locations of the required root barriers.
- Concrete car stops are required for the angled parking spaces. See Public Services detail number 15.

Section 23.2-31 - Site Design Qualitative Standards (Attachment A)

Site Design Qualitative Standards are intended to *“promote safety and minimize negative impacts of development on its neighbors by establishing qualitative requirements for the arrangements of buildings, structures, parking areas, landscaping and other site improvements. The qualitative standards are designed to ensure that site improvements are arranged in ways which cannot be otherwise accomplished with quantitative standards.”* These qualitative standards are applicable to site plan applications as well as all conditional uses. The Major Thoroughfare Design Guidelines are an adopted component of these Site Design Qualitative Standards as per Section 23.2-31(j), which are applicable to properties adjacent to the City’s major thoroughfares inclusive of the subject site. Compliance determination with the applicable standards in Section 23.2-31 is provided in Attachment A. **The following analysis of the site, building, vehicular use area and appearance support the compliance findings for the applicable standards listed in Attachment A and in the Major Thoroughfare Design Guidelines.**

Site Design Qualitative Standards Analysis (including vehicular use areas) and Major Thoroughfare Design Guidelines: The proposed improvements to the site are generally consistent with the Major Thoroughfare Design Guidelines. The character of the proposed development is consistent with the vision for the Major Thoroughfare Design Guidelines, providing for vibrant, diverse, safe, inviting, and sustainable features. The applicant is proposing a 2-story, 9-unit multi-family development on a 0.3099-acre lot with a total building area of 7,680 square feet. The building is designed with 5 units on the ground floor and 4 units on the second floor. Parking is located at the rear of the building with ingress from North E Street and egress from the alley.

The proposed development will be compatible with the surrounding residential uses. The proposed improvements to the site are harmonious as a whole, will improve the aesthetics of the site, and will be an asset to the

neighborhood. However, the façade fronting 10th Avenue North does not meet the 25% glazing requirement per page 56 of the City’s Major Thoroughfare Design Guidelines. Staff has added a condition of approval, that the glazing be increased at minor site plan to ensure this requirement is satisfied.

The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North Across 10 th Ave N	Mixed Use – East (MU-E)	Mixed Use – East (MU-E)	Single-family residential
South	Mixed Use – East (MU-E)	Mixed Use – East (MU-E)	Single-family residential
East Across alley	Mixed Use – East (MU-E)	Mixed Use – East (MU-E)	Single-family and multi-family residential
West Across N E St	Mixed Use – East (MU-E)	Mixed Use – East (MU-E)	Single-family

The proposed uses and site improvements will not negatively affect the existing surrounding properties and uses. The proposed changes are harmonious and compatible with the existing residential area.

Community Appearance Criteria:

The proposed multi-family development project includes new construction, new landscaping, and associated site improvements that represent an enhancement in the general appearance of the property over the existing vacant lot. The proposed contemporary architectural style of the building is appropriate and in harmony with the surrounding residential area. Consistent with the chosen architectural style, an asymmetrical façade fronting 10th Avenue North is proposed with large vertically-proportioned windows as well as sliding glass doors, a smooth stucco exterior finish, glass railings, flat roof, and eyebrow details. Overall, the proposed project represents a substantial improvement in the visual appearance over the existing property and is consistent with the Comprehensive Plan, Major Thoroughfare Design Guidelines, and the City’s Land Development Regulations (LDRs). The project is in conformity with the principals of good design and quality and is in harmony with the City and the surrounding area as conditioned.

Conditional Use Findings (Attachment B)

Conditional uses are those uses that are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, structure, configuration, density and intensity of use, and may require the imposition of conditions pertinent thereto in order to ensure the appropriateness and compatibility of the use at a particular location and to prevent or minimize potential adverse impacts to the surrounding area. **The project proposal includes a conditional use request to establish a residential development greater than 7,500 square feet.**

Analysis: The proposed conditional use is not anticipated to impact the surrounding area greater than uses permitted by right. The applicant is proposing multi-family development will be served by existing municipal services, including water, sewer, refuse, fire and police. The proposed associated site improvements would provide new landscaping and an improved condition of the parcel while providing new housing options.

CONCLUSION AND CONDITIONS

The Mixed Use – East (MU-E) zoning district is geared toward the commercial gateways and thoroughfares that are adjacent to the central commercial core of the city. The intent of **MU-E district is to encourage the establishment and expansion of** a broad range of office, commercial, hotel/motel and medium-density **multiple-family residential development** as well as to facilitate redevelopment within these areas that achieves a mix of residential and professional office land uses. It also strives to **create a place of common vision and physical predictability for all new construction**, renovations, and redevelopment.

Based on the data and analysis in this report and the supporting materials by the applicant, the proposed site plan, building design, landscaping, and site circulation are appropriate and consistent (as conditioned) with the City's Comprehensive Plan, Strategic Plan, Major Thoroughfare Design Guidelines, and Land Development Regulations. The proposed site circulation, parking, and refuse are anticipated to minimize and/or mitigate any impacts of the multi-family use proposal on the adjacent and proximate uses. Therefore, a recommendation of approval is provided to the PZB for the Major Site Plan and Conditional Use Permit (CUP), subject to conditions of approval.

Planning, Zoning, and Landscape Services

1. Prior to the issuance of building permit, a Minor Site Plan shall be submitted to implement the following:
 - a. The two (2), one (1) bedroom units shall be modified to be studios/efficiencies that comply with minimum living area requirements. Revise the parking calculations accordingly.
 - b. The proposed façade fronting 10th Avenue North does not comply with the City's Major Thoroughfare Design Guidelines. Glazing shall be increased to meet the 25% minimum.
 - c. Remove any references in the plans that incorrectly note the project as having 3 stories.
 - d. The proposed landscape does not comply with the City's Major Thoroughfare Design Guidelines. Use the plant palette located on page 89 of design guidelines to select trees adjacent to 10th Ave North
 - e. Solitaire palms and single Royal Palms do not qualify as perimeter shade trees.
 - f. Palms shall contribute no more than 20 percent of the required trees. Provide a table showing that this requirement has been met.
 - g. Eagleston Holly trees are not native to south Florida. Chose south Florida native trees.
 - h. 75 percent of all other plants including groundcovers must be native to south Florida. Clusia guttifera is not native to south Florida.
 - i. Additional trees are required along the south property line.
 - j. Additional shrubs are required in the landscape area adjacent to North E Street.
 - k. An exterior landscape screen of shrub hedging or other continuous decorative landscaping that is a minimum height of twenty-four (24) inches at installation is required on the east side of the dumpster enclosure.
 - l. Provide the locations of all existing and proposed easements. Root barriers are required for all plantings that are within five (5) feet of a utility easement or any other underground utility. Show the locations of the required root barriers.
 - m. Concrete car stops are required for the angled parking spaces. See Public Services detail number 15.
 - n. A revised photometric plan shall be submitted. All lighting shall comply with lighting code regulations in LDR Section 23.4-3. In particular, the foot candles shall be depicted beyond the property lines to demonstrate compliance with the maximum illumination standards. Further, lighting fixtures shall comply with dark skies fixture recommendations, including a 3000K light tone or less for LED lighting, and shall be consistent with the architectural style of the project as determined by the Development Review Official.
 - o. If applicable, depict the proposed easements (as may be required by the utilities departments).
 - p. Add crown of road measurements to the elevations to substantiate the listed building height.
 - q. Provide dimensioned visibility triangles for the road and alley/road intersections.
 - r. Incorporate any plan changes based on the conditions of approval from other departments.
2. Prior to the issuance of a certificate of occupancy, documentation shall be submitted to the Department of Community Sustainability that the project qualifies at a minimum as a National Green Building Standard

(NGSB) silver certification or equivalent certification to fulfill the City's project performance standards listed in LDR Section 23.2-31.

3. At building permit, documentation shall be submitted to demonstrate that the material utilized for the semi-pervious parking areas has a percolation rate of at least fifty (50) percent relative to the ground percolation rate.
4. A video security system shall be required for the property.
5. Prior to building permit application, an address application shall be required to be submitted prior to application for building permit.

Public Works

Utilities – Electric

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram. The location of the pad-mount transformers for the buildings shall be indicated. The transformer locations must be accessible to our vehicles, and must have 10-ft minimum clearance in front of them and 4-ft clearance to the side or rear, including landscaping. They also must not be under or inside any structure.
2. Before the issuance of a Building permit, a 10-ft wide utility easement shall be required for the underground electric, transformers and other equipment that will need to be installed to provide power to this project.
3. Before the issuance of a Building permit, the utility easement must be recorded.
4. Before the issuance of a Building permit, any other services that will be needed for the project such as irrigation, lift station, lighting, gates, etc., shall be indicated and where these services will be.
5. Developer to show the location of the meter center on the site plan.
6. Developer will be responsible for installing their own lightning for the parking areas.
7. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
8. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.

Utilities – Water & Sewer

1. The following comments are conditions of the site plan approval, which shall be addressed at building permit submittal:
 - a. Provide geotechnical information for the determination of the hydraulic conductivity of the soil and groundwater elevation to support exfiltration calculations.
 - b. Silt fence looks to be installed in the right-of-way on the west side access road and is blocking right-of-way access to the road and resident parking to the existing properties to the west.
 - c. Show water & sewer services, drainage structures, and storm mains on landscape plan. Confirm minimum spacing between landscape and services per Public Services Detail 23, Typical Tree with Root Barrier.
2. The following are advisory comments for building permit submittal:
 - a. Provide complete water and sewer plans showing proposed pipe sizes, materials, crossing and structure sizes and elevations, hydrants, manholes, as well as all pertinent site elevations.
 - b. Commercial properties require an RPZ backflow device on the potable service line. Additionally, residential units three stories or higher require an RPZ. Multifamily units that are master metered (one meter serving multiple units) require an RPZ.
 - c. Sewer lateral cleanouts are required at the property line per the City standard details.
 - d. All meter boxes, risers to DDCA & meter, and fire hydrants should be situated as close to the property line as possible in order to minimize the amount of easement dedication necessary.

BOARD POTENTIAL MOTION:

I move to **approve with conditions** the request for the Major Site Plan and Conditional Use Permit (CUP) requests for the project located at 923 North E Street 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 the Major Site Plan and Conditional Use Permit (CUP) requests for the project located at 923 North E Street. 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 may be appealed to the City Commission as set forth in LDR Section 23.2-17.*

ATTACHMENTS

- A. Qualitative Development Standards
- B. Conditional Use Findings
- C. Application Package (survey, site plan, architectural plans & supporting documents)

ATTACHMENT A – Qualitative Development Standards

Section 23.2-31(c) – Qualitative Development Standards	Analysis
<p>1. Harmonious and efficient organization. <i>All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as to not impede the normal and orderly development or improvement of surrounding property for uses permitted in these LDRs.</i></p>	In compliance
<p>2. Preservation of natural conditions. <i>The natural (refer to landscape code, article 6 of these LDRs) landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal and by such other site planning approaches as are appropriate. Terrain and vegetation shall not be disturbed in a manner likely to significantly increase either wind or water erosion within or adjacent to a development site. Natural detention areas and other means of natural vegetative filtration of stormwater runoff shall be used to minimize ground and surface water pollution, particularly adjacent to major waterbodies as specified in chapter 12, health and sanitation, article V, fertilizer friendly use regulations. Fertilizer/pesticide conditions may be attached to development adjacent to waterbodies. Marinas shall be permitted only in water with a mean low tide depth of four (4) feet or more.</i></p>	Not Applicable
<p>3. Screening and buffering. <i>Fences, walls or vegetative screening shall be provided where needed and practical to protect residents and users from undesirable views, lighting, noise, odors or other adverse off-site effects, and to protect residents and users of off-site development from on-site adverse effects. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less.</i></p>	In compliance
<p>4. Enhancement of residential privacy. <i>The site plan shall provide reasonable, visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walks, barriers and</i></p>	In compliance

vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.

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

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

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

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

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

10. Design of on-site public right-of-way (ROW). On-site public street and rights-of-way shall be designed for maximum efficiency. They shall occupy no more land than is required to provide access, nor shall they unnecessarily fragment development into small blocks. Large developments containing extensive public rights-of-way shall have said rights-of-way arranged in a hierarchy with local streets providing direct access to parcels and other streets providing no or limited direct access to parcels. **Not applicable**

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

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

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

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

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

Section 23.2-31(d) - Qualitative Buildings, generally	Analysis
<p>1. Buildings or structures which are part of a present or future group or complex shall have a unity of character, style, integrity and design. Their architectural style(s) shall be clearly expressed and detailed appropriately to vocabulary of the style(s) and be of high quality in terms of materials, craftsmanship and articulation. The relationship of building forms through the use, texture and color of material(s) shall be such as to create one (1) harmonious whole. When the area involved forms an integral part of, is immediately adjacent to, or otherwise clearly affects the future of any established section of the city, the design, scale, height, setback, massing and location on the site shall enhance rather than detract from the character, value and attractiveness of the surroundings. Harmonious does not mean or require that the buildings be the same.</p>	In compliance
<p>2. Buildings or structures located along strips of land or on a single site, and not a part of a unified multi-building complex shall achieve as much visual harmony and compatibility with the surroundings as is possible under the circumstances. The overall building fenestration, orientation, rhythm, height, setback, mass and bulk of an existing streetscape shall be respected. If a building is built in an undeveloped area, nine (9) primary requirements shall be met, including honest design construction, proper design concepts, appropriate use of high-quality materials, compatibility with the overall character of the city, appreciation of location, respectful transition, activation of the streetscape, building form(s) following proposed function(s) and overall sustainability.</p>	In compliance
<p>3. All façades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear foreign to the rest of the building. Facades shall have visual breaks every 75 feet at a minimum. The breaks shall be setbacks of either eight (8) inches or twelve (12) inches or more to create reveal lines or step backs on the façade and to add rhythm. Buildings in Lake Worth Beach typically have facades arranged in twenty-five-foot or fifty-foot increments. Breaks in facades also may be achieved through the use of differing but complementary and harmonious architectural styles. The massing elements of each façade shall have a height to width ratio approximating the golden ratio of 1.618, either vertically or horizontally.</p>	In compliance
<p>4. The concept of harmony shall not infer that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, floor to floor height, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression.</p>	In compliance
<p>5. Look-alike buildings shall not be allowed unless, in the opinion of the reviewing entity, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit the duplication of floor plans and exterior treatment in a planned development where, in the opinion of the reviewing entity, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.</p>	In compliance
<p>6. Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the reviewing entity. Symbols attached to the buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building, project and neighborhood.</p>	In compliance

7. Exterior lighting may be used to illuminate a building and its grounds for safety purposes, but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if, in the opinion of the board, the overall effect will be detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional as well as aesthetic value. **In compliance**
8. Building surfaces, walls, fenestration and roofs shall be compatible and in harmony with the neighborhood. **In compliance**
9. "Take-out" or "pick-up" windows of retail or wholesale establishments shall not be located on a building façade that faces a public right-of-way, unless they are designed in such a manner as to constitute an aesthetic asset to the building and neighborhood. **Not applicable**
10. All exterior forms, attached to buildings, shall be in conformity to and secondary to the building. They shall be an asset to the aesthetics of the site and to the neighborhood. **In compliance**
11. All telephones, vending machines, or any facility dispensing merchandise, or a service on private property, shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building, and where appropriate and feasible, should not be readily visible from off-premises. **Not applicable**
12. Buildings of a style or style-type foreign to south Florida or its climate will not be allowed. It is also to be understood that buildings which do not conform to the existing or to the evolving atmosphere of the city, even though possessing historical significance to south Florida, may not be approved. **In compliance**
13. No advertising will be allowed on any exposed amenity or facility such as benches and trash containers. **In compliance**
14. Light spillage restriction. The applicant shall make adequate provision to ensure that light spillage onto adjacent residential properties is minimized. **In compliance as conditioned**
15. All buildings shall address both the public right-of-way and improve the overall pedestrian experience through the inclusion of the following components:
- a. Clearly articulated entrances,
 - b. Expanses of fenestration at the ground level,
 - c. Provision of shade through porches, awnings, galleries, arcades and/or loggias as well as other appropriate forms to the chosen architectural style(s),
 - d. Integrated signage,
 - e. Pedestrian scaled lighting,
 - f. Buildings that define at least fifty (50) percent of the street frontage, and
 - g. Openings that approximate a golden ratio of 1.618.
16. All new buildings of seven thousand five hundred (7,500) gross square feet or larger shall incorporate design principles, practices and performance standards to achieve the following through a project proforma description and analysis prepared by the developer and verified by an independent third party: **In compliance as conditioned**

- a. Overall ten (10) percent reduction in greenhouse emissions over the life of the building as compared to industry standards,
- b. Overall ten (10) percent reduction in carbon footprint during construction and operation of the building as compared to industry standards,
- c. Overall twenty (20) percent reduction in refuse stream during construction and operation of the building as compared to industry standards,
- d. Overall utilization of at least twenty (20) percent recycled materials and/or materials that are recyclable,
- e. Overall twenty (20) percent reduction in water usage during operation of the building as compared to industry standards,
- f. Efficient use of natural resources through use reduction, reuse, reclamation, and recycling,
- g. Incorporation of design features and uses that support multi-modal transportation options,
- h. Incorporation of appropriate safety features to ensure the security and comfort of both occupants and visitors,
- i. Incorporation of amenities that are conducive to enhancing community pride and social interaction, and

17. In addition to the items enumerated above, all new planned developments shall strive to incorporate design elements, performance standards and/or specifications to enhance the public's awareness and appreciation of the community's commitment to the preservation and enhancement of the following sustainability qualities, values and principles: **Not applicable**
- a. Cultural resources,
 - b. Historical resources,
 - c. Ecological/natural resources,
 - d. Diversity and inclusion,
 - e. Social justice,
 - f. Economic investment,
 - g. Neighborhood vitality,
 - h. Sense of place,
 - i. Education, and
 - j. Recreation.

Section 23.2-31(h) – Criteria for parking lots and vehicular use areas	Analysis
1. Parking lots and other vehicular use areas are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve. A parking lot is to be considered an outside space; a transitional space that is located between access areas (such as roads) and the building, group of buildings or other outside spaces which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.	In compliance
2. Parking lots, vehicular use areas, and vehicles parked therein are to be effectively screened from the public view and from adjacent property in a manner that is attractive and compatible with safety, the neighborhood and the facility served.	In compliance
3. The responsibility for beautification and design of a parking lot is the same as that which a homeowner has to his residential lot. The atmosphere within a parking lot or vehicular use area is to be as pleasant and park-like as possible, rather than a harsh stand of paving. Trees are of primary importance to the landscape and are not to be minimized in either height or quantity. Trees impart a sense of three-dimensional space in a relatively flat area. Trees cast shadows that help to reduce	In compliance

the monotony of an expanse of paving and create a refuge from the tropical sun. Signs designating entrances, exits and regulations are to be of a tasteful design and shall be subject to review by the board. Consideration may be given to use of pavement which is varied in texture or color to designate lanes for automobile traffic, pedestrian walks and parking spaces. Brightly colored pavement is to be used with restraint. In order to create a pleasant atmosphere, it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrance and exit areas of the lot. Trash, refuse and unaesthetic storage and mechanical equipment shall be screened from the parking lot.

4. Lighting is to be designed for visual effects as well as safety and resistance to vandalism. Care should be taken not to create a nuisance to the neighborhood from brightness or glare. Low lights in modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected for functional value and aesthetic quality. Fixtures should be regarded as "furniture of the parking lot" which are visible both day and night. **In compliance as conditioned**

Section 23.2-31(l) – Community Appearance Criteria	Analysis
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.	In compliance
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.	In compliance
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.	In compliance
4. The proposed structure or project complies with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.	In compliance

ATTACHMENT B - 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.	Analysis
1. The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.	In compliance
2. The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.	In compliance
3. The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.	In compliance

4. *The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.* **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. <i>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.</i>	In compliance
8. <i>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.</i>	In compliance as conditioned