

## PLANNING AND ZONING BOARD REPORT

**PZB Project Number 25-01400018:** A Major Site Plan and Conditional Use Permit (CUP) request for the development of a two-story, 12-unit multifamily residential building located at 901 South H Street. The property is zoned Transit Oriented Development East (TOD-E) and has a Transit Oriented Development (TOD) future land use (FLU) designation.

Location Map

**Meeting Date:** April 1, 2026

**Property Owner:** London Grey Builders LLC

**Applicant:** Abhi Kanthan | Kanthan Design Corp

**Address:** 901 South H Street

**PCN:** 38-43-44-21-15-257-0070

**Size:** 0.34 acres (14,810 sf)

**General Location:** The corner of South East Coast Street and South H Street

**Existing Land Use:** Vacant

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

**Zoning District:** Transit Oriented Development East (TOD-E)



## 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 are consistent with the Comprehensive Plan, Strategic Plan, and LDRs, as conditioned, and, therefore, a **recommendation of approval with conditions** is provided to the Planning and Zoning Board. The conditions are located on pages 7-9 of this report.

## PROJECT DESCRIPTION

The applicant, Abhi Kanthan of Kanthan Design Corp, seeks approval for a:

- **Major Site Plan** to construct a residential development with more than 7,500 square feet.
- **Conditional Use** to establish a residential use greater than 7,500 square feet.

The applicant proposes a two-story, 12-unit multifamily development on a 0.34-acre triangular parcel located at the corner of South H Street and South East Coast Street, with South H Street serving as the primary frontage. The site also abuts the FEC Railroad along South East Coast Street. The unit types include (8) one-bedroom units, (2) two-bedroom units, and (2) three-bedroom units. The proposal includes site improvements such as new landscaping and site enhancements that will improve the condition of the currently vacant parcel while introducing additional housing opportunities.

The project is consistent with the anticipated development pattern for the area. The development complies with applicable Land Development Regulations and is designed to function efficiently within the constraints of the site. No variances, waivers, incentives, or additional entitlements are requested by the applicant.

## 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:** There are no active code cases on the subject site.

## ANALYSIS

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

The subject site has a Future Land Use (FLU) designation of Transit-Oriented Development (TOD). Per Policy 1.1.1.8, the TOD FLU is intended to *promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The maximum density of permitted residential development is 60 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts.*

**Analysis:** The proposed residential use is consistent with the TOD Future Land Use designation and represents appropriate development for the site. The project involves constructing a 12-unit multifamily building on an irregularly shaped parcel, facilitating the infill of currently vacant land within the city.

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. Pillars II.A & II.D and Pillar IV.E of the Strategic Plan state that the City shall diversify housing options while preserving the

character of existing neighborhoods and ensure that the development anticipates and embraces the future. The proposed site development for a 12-unit multi-family building will add to the housing stock within the city, which will contribute towards the City's tax base and sustain or increase jobs as recommended under Pillar II.A & II.D and Pillar IV.E.

Based on the analysis above, the proposed Major Site Plan and Conditional Use requests are 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 **Transit Oriented Development East (TOD-E)** district is designed for the areas around the FEC railroad tracks and desired future locations for intra-city, light rail transit, specifically Lake Avenue, Lucerne Avenue, 1st Avenue South, 10th Avenue North and 9th Avenue South. The TOD-E district is intended to promote compact, mixed-use development, including multiple-family residential, office and retail, near proposed or existing transportation infrastructure. The TOD-E district is also intended to encourage arts, entertainment and cultural activities in the city.

**Analysis:** The multi-family proposal is consistent with the intent of the TOD-E zoning district as conditioned. The analysis for both the major site plan and the conditional use permit is provided in this section below and as consistent with the review criteria located in Attachments A & B.

The table below shows the proposed site features and its compliance with the LDRs, as applicable:

Development Standard		Base Zoning District Transit Oriented Development – East (TOD-E)	Provided
Lot Size (min) In square feet (sf)		13,000 sf	14,810 sf
Density (max)		40 du/ac x 0.3267 ac = 13 du	12 du
Setbacks	Front – East (min build-to line)	10' build-to-line	10'
	Rear (min)	15 ft. or 10% of lot depth when next to residential zoning district. 10 ft. in general. (10')	10'
	Side – North (min)	Minimum interior side setback: None (0)	20'
	Side – South (min)	Street side build-to line: Ten ft (10')	±70 *
Impermeable Surface Coverage (maximum)		65% (9,627 sf)	65% (9,596 sf)
Structure Coverage (max)		50%	39% (5,706 sf)
Building Height (max)		30' (2 stories)	30' (2 Stories)
Maximum Wall Height at Side Setback		30'-0" wall height at setback	20' wall height *
Floor Area Ratio (FAR) (max)		1.10	0.78 *
Living Area (minimum)		1-bedroom: 600 sf 2-bedroom: 750 sf 3-bedroom: 900 sf	(8) 600 sf – 1-bedroom (2) 750 sf – 2-bedroom (2) 900 sf – 3-bedroom

Parking	1-bedroom: 1.5 spaces per unit = 12 spaces required 2-bedroom: 1.75 spaces per unit = 3.5 spaces required 3-bedroom: 2 spaces per unit = 4 spaces required <b>Total required: 20 spaces *</b>	<b>Provided: 27 spaces</b> (19 – off-street standard spaces 4 – on-street spaces 1 – ADA space 3 – Bicycle Spaces) (see full parking analysis on <b>page 4</b> )
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\*Missing/incorrect data; staff has added a condition of approval to add/correct information on site data table.

**Section 23.3-19(d)(11), Required garbage storage rooms:**

*Buildings shall have garbage storage rooms which are integral to the building, but are directly accessible through outside doors to municipal garbage and trash collection crews.*

**Analysis:** The garbage storage room is integrated into the building design and is located at the northwest corner of the property. The enclosure includes a garage-style overhead door on the west side which opens directly in front of South East Coast Street. The garbage storage room also has a standard access door on the north side. The facility is designed to accommodate roll-out containers serving residents of the property. The Public Works Department has confirmed that the location is sufficient for municipal garbage pick-up.

**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:** A photometric plan was provided depicting compliance with the exterior lighting requirements in Section 23.4-3, including that light does not trespass upon neighboring residential properties more than 12.57 lumens. A recommended condition of approval has been provided requiring the proposed lighting to comply with Dark Sky lighting recommendations. The proposed fixtures shall be required to have a warm tone setting of 3000 K or less and product specifications shall be included at the time of building permit submittal.

**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:** Pursuant to Section 23.4-10(f)(1)(A), off-street parking requirements for multifamily development are based on unit type: one-bedroom units require 1.5 spaces per unit, two-bedroom units require 1.75 spaces per unit, and three-bedroom units require 2 spaces per unit. The proposed development includes (8) one-bedroom units, (2) two-bedroom units, and (3) three-bedroom units, resulting in a minimum parking requirement of 20 spaces.

The submitted site data table incorrectly identifies the number of parking spaces required per unit type, resulting in a total requirement of 15 parking spaces. Staff review has determined that the project actually requires 20 parking spaces. Despite this discrepancy, the project meets the parking requirement by providing a total of 27 spaces, including 19 standard on-site spaces, 1 ADA-accessible space, 4 on-street spaces, and 12 bicycle rack spaces, which are credited as 3 additional parking spaces.

To address the inconsistency in the site data table, staff has included a condition of approval requiring the applicant to submit a minor site plan modification during building permit review to correct the parking calculation.

Further, the project proposes using semi-pervious material for two parking spaces. For semi-pervious surfaces, two (2) square feet of semi-pervious surface shall be equivalent to one (1) square foot of impervious surface for the purpose of calculating development regulations. Staff has added a condition of approval to provide a percolation test with the product specifications at the time of building permit to ensure the proposed surface meets the City definition of a semi-pervious surface.

Staff also identified that a walkway on the west side encroaches into a parking space. A condition of approval has been added requiring the applicant to revise the walkway to eliminate the encroachment. This correction shall be addressed at the time of building permit review through a concurrent minor site plan modification.

**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:** The proposed development demonstrates compliance with the intent and applicable standards of Section 23.6-1. The proposed landscape plan provides a comprehensive and well-distributed perimeter planting schedule that effectively buffers the site. A total of 31 new trees are proposed, including a diverse mix of canopy and ornamental species such as Verawood, Green Buttonwood, Silver Buttonwood, Bridal Veil, and Orange Geiger.

The applicant proposes the removal of one Florida Slash Pine tree with a documented condition rating of 30%. In accordance with code requirements for trees with a condition rating below 50%, mitigation is required on a tree-for-tree basis. The submitted tree disposition plan satisfies this requirement through the replacement with one Bridal Veil tree. A condition of approval has been included requiring the applicant to obtain a tree removal permit prior to removal, consistent with Section 23.6-1(m)(5).

In addition to canopy trees, the plan incorporates hedges and shrubs which include Cocoplum, Golden Creeper, Simpson's Stopper, and Dwarf Fakahatchee, along with a combination of St. Augustine grass, Perennial Peanut, and Liriope groundcover.

Further, the northern portion of the property is encumbered by a 40-foot-wide utility easement, with 20 feet located within the subject site, and contains an existing water main. While the principal structure is appropriately setback 20 feet from the north property line, the proposed improvements within this area include mechanical equipment (based on the landscape plan), associated screening, and a 5-foot landscape buffer consisting of trees and hedging. Due to the presence of critical infrastructure, a condition of approval has been incorporated requiring the property owner to assume financial responsibility for the removal, relocation, and reinstallation of any improvements within the easement area if access is required for utility maintenance or operations. A condition of approval has also been added to require the installation of root barriers for all plantings located within five feet of any utility easement or underground infrastructure. A root barrier detail must be included on the final landscape plans at the time of permitting. As conditioned, the proposed landscaping plan meets the minimum requirements of the City's landscape regulations and fulfills the intent of providing effective screening, aesthetic enhancement, and compatibility with the site.

#### **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. Compliance determinations with the applicable standards in Section 23.2-31 are 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.**

**Site Design Qualitative Standards Analysis (including vehicular use areas):** The subject site consists of approximately 0.34 acres and is irregularly triangular, with frontage along South H Street and South East Coast Street. Despite the site's constraints, the applicant has designed an infill development that effectively complies with applicable Land Development Regulations, including setbacks, structural and impervious coverage, parking requirements, and perimeter landscaping, while accommodating 12 residential units.

The site plan demonstrates functional and efficient internal circulation, supporting both vehicular and pedestrian access. The scale and design of the proposed development are compatible with the surrounding residential context. Overall, the project presents a cohesive and well-integrated design that enhances the visual character of the property and is expected to contribute positively to the surrounding neighborhood.

The existing uses in the surrounding area are as follows:

Direction	Future Land Use	Zoning District	Existing Use
North	Transit Oriented Development (TOD)	Transit Oriented Development East (TOD-E)	Two-Family Residential
South (narrowest vertex of the triangle)	Transit Oriented Development (TOD), Corner of South H Street & South East Coast Street, and FEC Railroad	Transit Oriented Development East (TOD-E)	Public Right-of-Way and FEC Railroad
East	Transit Oriented Development (TOD)	Transit Oriented Development East (TOD-E)	Single-Family and Two-Family Residential
West (across the FEC railroad)	Transit Oriented Development (TOD)	Transit Oriented Development East (TOD-E)	Multi-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 project is suitable and compatible with the surrounding zoning districts and is an anticipated form of development in the Transit Oriented Development East (TOD-E) zoning district. The proposed multi-family building and concurrent site improvements will provide new construction in an architecturally appropriate style with perimeter and site landscaping. The proposal also provides adequate on-site and off-site site vehicle and pedestrian circulation. The proposed architecture of the building is appropriate and in harmony with the surrounding residential uses.

**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.**

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

## CONCLUSION AND CONDITIONS

The Transit Oriented Development East (TOD-E) zoning district is intended to be designed for the areas around the FEC railroad tracks and desired future locations for intra-city, light rail transit, specifically Lake Avenue, Lucerne Avenue, 1st Avenue South, 10th Avenue North and 9th Avenue South. The TOD-E district is intended to promote compact, mixed-use development, including multiple-family residential, office and retail, near proposed or existing transportation infrastructure. The TOD-E district is also intended to encourage arts, entertainment and cultural activities in the city. Uses identified as conditional uses are subject to additional review to ensure they will not have a negative impact on nearby residential uses or on the commercial viability of their neighbors. Based on the data and analysis in this report and the supporting materials by the applicant, the use requested is not anticipated to negatively impact adjacent properties. Further, the proposed 12-unit multi-family development and associated site improvements will be compatible with the neighboring uses. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

### Planning, Zoning, and Landscape

1. Prior to the issuance of a building permit, the applicant shall submit a minor site plan modification application to address the following:
  - a. Site data table:
    - i. Revise parking calculations to accurately reflect compliance with Section 23.4-10.
    - ii. Include wall height at setback.
    - iii. Add south side setback measurement.
    - iv. Correct Floor Area Ratio (F.A.R.) calculation.
  - b. Ensure west side walkway does not encroach into the parking space.
  - c. Identify mechanical equipment location.
  - d. Update landscape plan to include root barrier detail.
2. Prior to issuance of a building permit, documentation shall be submitted to the Department of Community Sustainability and verified by an independent third party specifying how the City's project performance standards listed in LDR Section 23.2-31 will be met.
3. Prior to the issuance of a certificate of occupancy, documentation shall be submitted to the Department of Community Sustainability and verified by an independent third party confirming that the project fulfills the City's project performance standards listed in LDR Section 23.2-31.
4. At permit, provide a percolation test done by either a Professional Engineer or Geotechnical firm. The percolation test must include an evaluation of the site soils and shall calculate the hydraulic conductivity. The hydraulic conductivity values should be calculated based on the South Florida Water Management District's Usual Open Hole Constant Head percolation test procedure as shown on the "Equations in SFWMD Permit Information Manual, Volume IV". The percolation test should be submitted under the same cover of the Semi-Pervious Surface specification submittal.
5. All lighting fixtures shall be fully shielded, have a warm LED light tone of 3000K or less, and be Dark Sky compliant. At the time of building permit, provide product specifications of the proposed exterior lighting.
6. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.
7. A video security system shall be required for the property.
8. The applicant shall submit the final School District Availability Determination (SCAD) from the PBC School District at building permit and shall pay all applicable fees to the PBC School District prior to the issuance of a building permit.
9. On-street parking spaces shall not be reserved, temporarily or permanently, for any given use.
10. Proposed tree removal will require a stand-alone tree removal permit.
11. Root barriers shall be used for all plantings that are within 5 feet of a utility easement or any other underground utility. Include a root barrier detail and indicate the root barrier locations on the landscape plan.

### 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 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.
4. Contact Public Works Solid Waste and Recycling Division and meet with a representative to agree on garbage bin storage location and screening, garbage bid pickup location, and number of bins required. Solid Waste and Recycling can be contacted by email at [SolidWasteInfo@lakeworthbeachfl.gov](mailto:SolidWasteInfo@lakeworthbeachfl.gov). The agreed upon refuse location and enclosure (if applicable) shall be depicted on the site plan.
5. 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.
6. Prior to the issuance of a Building Permit, the dumpster enclosure design shall meet the specifications of the Public Works Dept for size, type and material.
7. 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.
8. Prior to performing work in the City Right-of-Way (ROW), apply for and receive issuance of a "Right of Way/Utility Permit" application for construction of the sidewalk east of the property on H St which is the responsibility of the applicant.

#### **Utilities (Water, Sewer & Stormwater)**

1. In the landscape set (L-2), several of the proposed trees on the north end of the property still appear to be located in close proximity to the existing drainage pipe in the easement. Minimum separation from the pipe and root barriers need to be provided in accordance with Public Services Detail 23 (Typical Tree with Root Barrier). Please also include the detail in the drawings.
2. Due to the proximity of the mechanical equipment to the existing utility easement located along the north side of the property, the property owner shall be solely responsible, at the property owner's sole cost and expense, for the removal, relocation, and reinstallation of such mechanical equipment if and when access to or use of the easement area is required for the inspection, maintenance, repair, replacement, or operation of the water main or other utilities within the easement area.
3. Prior to the entitlement, please pay the site plan review major fees in full for the water, sewer, and storm.
4. The following comment can be addressed at the time of Building Permit:
  - a. Please identify all the utility crossings/conflicts and show the conflict elevations for each of them.

#### **Electric Utilities**

1. Before or at the time of application for a Building Permit, Developer must provide the load calculation, voltage requirements and riser diagram.
2. Before the issuance of a Certificate of Occupancy, the utility easement must be recorded.
3. Developer to show the location of the meter center on the site plan.
4. Developer will be responsible for installing their own lightning for the parking areas.
5. Developer will be responsible for the cost of Lake Worth Beach's materials and labor for this project.
6. Before the issuance of a Certificate of Occupancy (CO) a final electrical inspection must be done.
7. The connection point must be at the primary pole located west of the development on the alley. The transformer locations must be accessible to our vehicles, and must have 8-ft minimum clearance in front of them and 3-foot clearance to the side and rear, including landscaping.
8. Electric Utility distribution system only has one (1) phase on this location. If the customer/developer needs three phase service to this location, all costs and labor associated to the changes to the distribution system will be the customer/developer financial responsibility.

**BOARD POTENTIAL MOTION:**

I move to **approve with conditions** the request for PZB Project Number 25-01400018, a Major Site Plan and Conditional Use Permit (CUP) requests for the project located at 901 South H Street based 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 25-01400018, a Major Site Plan and Conditional Use Permit (CUP) requests for the project located at 901 South H 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 will be final decision for the Major Site Plan and Conditional Use Permit requests. The Applicant may appeal the Board's decision to the City Commission.*

**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><b>1. Harmonious and efficient organization.</b> 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.</p>	<b>In compliance</b>
<p><b>2. Preservation of natural conditions.</b> 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. 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 feet or more.</p>	<b>In compliance</b>
<p><b>3. Screening and buffering.</b> 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.</p>	<b>In compliance</b>
<p><b>4. Enhancement of residential privacy.</b> The site plan shall provide reasonable, visual and acoustical privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers and vegetation shall be arranged for the protection and enhancement of property and to enhance the privacy of the occupants.</p>	<b>In compliance</b>
<p><b>5. Emergency access.</b> 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.</p>	<b>In compliance</b>
<p><b>6. Access to public ways.</b> 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.</p>	<b>In compliance</b>
<p><b>7. Pedestrian circulation.</b> There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.</p>	<b>In compliance</b>
<p><b>8. Design of ingress and egress drives.</b> 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.</p>	<b>In compliance</b>
<p><b>9. Coordination of on-site circulation with off-site circulation.</b> The arrangement of public or common ways for vehicular and pedestrian circulation shall be coordinated with the pattern of</p>	<b>In compliance</b>

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.

**10. Design of on-site public right-of-way (ROW).** On-site public street and rights-of-way shall be designed to 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 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 transition between districts. Building exteriors shall complement other buildings in the vicinity in size, scale, mass, bulk, rhythm of openings and character. 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. **Not applicable**

**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**

<b>Section 23.2-31(d) - Qualitative Buildings, generally</b>	<b>Analysis</b>
<p>1. Buildings or structures which are part of a present or future group or complex shall have a unity of character and design. The relationship of forms of the use, texture and color of material 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 and location of 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>	<b>In compliance</b>
<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 with the surroundings as is possible under the circumstances. If a building is built in an undeveloped area, three (3) primary requirements shall be met, including honest design construction, proper design concepts, and appropriateness to the city.</p>	<b>In compliance</b>
<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.</p>	<b>In compliance</b>
<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 scale, mass, bulk, proportion, height,</p>	<b>In compliance</b>

*orientation, site planning, landscaping, materials, rhythm of solids to voids and architectural components including but not limited to porches, roof types, fenestration, orientation and stylistic expression.*

5. *Look-alike buildings shall not be allowed unless, in the opinion of the board, 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 board, the aesthetics or the development depend upon, or are enhanced by the look-alike buildings and their relationship to each other.* **In compliance**
6. *Buildings, which are of symbolic design for reasons of advertising, unless otherwise compatible with the criteria herein, will not be approved by the board. 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.* **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 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**

<b>Section 23.2-31(h) – Criteria for parking lots and vehicular use areas</b>	<b>Analysis</b>
<p>1. <i>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.</i></p>	<b>In compliance</b>
<p>2. <i>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.</i></p>	<b>In compliance</b>
<p>3. <i>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 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.</i></p>	<b>In compliance</b>
<p>4. <i>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.</i></p>	<b>In compliance</b>

<b>Section 23.2-31(l) – Community Appearance Criteria</b>	<b>Analysis</b>
<p>1. <i>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.</i></p>	<b>In compliance</b>
<p>2. <i>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.</i></p>	<b>In compliance</b>
<p>3. <i>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.</i></p>	<b>In compliance</b>
<p>4. <i>The proposed structure or project is in compliance with this section and 23.2-29, Conditional Use Permits (CUP), as applicable.</i></p>	<b>In compliance</b>

### 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. <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</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</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 as conditioned</b>
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>	<b>In compliance</b>

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**