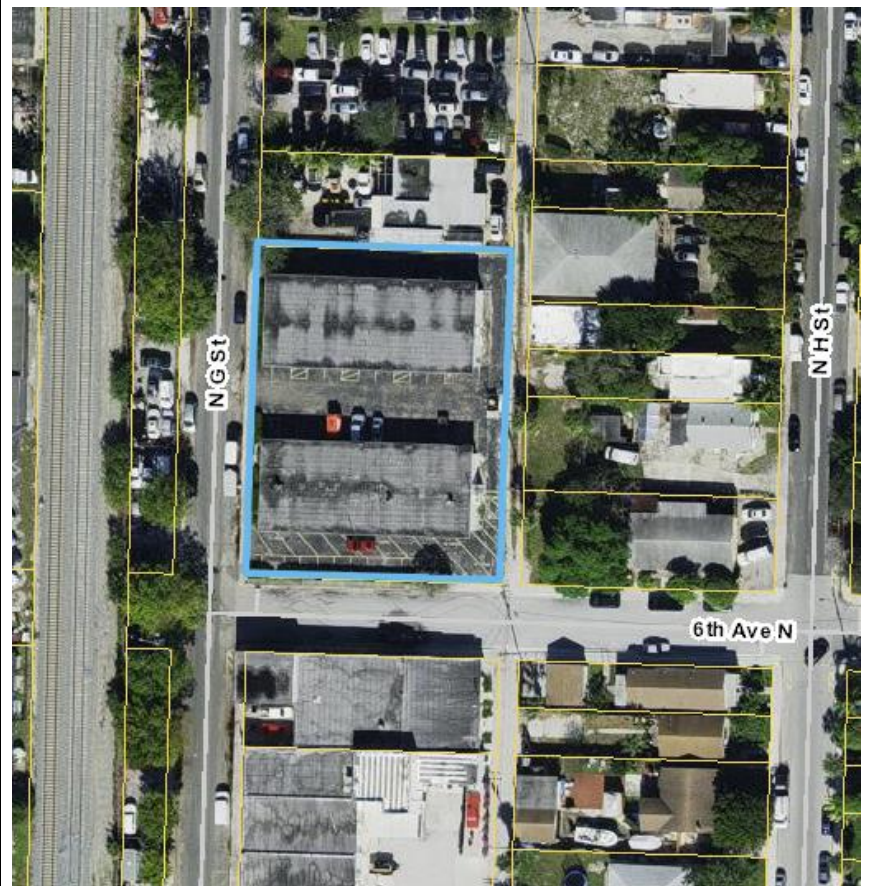


## PLANNING AND ZONING BOARD REPORT

**PZB Project Number 24-00500014:** A Blanket Conditional Use Permit request for multiple conditional uses as provided for in LDR Section 23.3-6 for Eire LW G5 LLC, located at 604 North G Street. The subject site is zoned Artisanal Industrial (AI) and has a future land use designation of Artisanal Mixed Use (AMU).

**Location Map**



**Meeting Date:** February 5, 2025

**Property Owner:** Eire LW G5 LLC

**Project Manager:** Dylan Brandenburg –  
Brandenburg Legal, P.A.

**Address:** 604 North G Street

**PCN:** 38-43-44-21-15-184-0010

**Size:** 0.542-acre lot / ±8,806 total square  
feet of existing structures

**General Location:** Northeast corner of 6<sup>th</sup>  
Avenue North and North G Street

**Existing Land Use:** Multitenant  
Commercial/Warehouse

**Current Future Land Use Designation:**  
Artisanal Mixed Use (AMU)

**Zoning District:** Artisanal Industrial (AI)

## 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 Blanket Conditional Use request is 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 7-11 of this report.

## PROJECT DESCRIPTION

The applicant, Dylan Brandenburg, on behalf of Eire LW G5 LLC, is seeking a Blanket Conditional Use Permit (CUP) to allow various low (use area less than 2,500 square feet), medium (use area less than 7,500 square feet), and high intensity (use area greater than 7,500 square feet) uses within two (2) existing commercial/warehouse structures totaling ±8,806 square feet, as follows:

### Low Intensity (use area less than 2,500 square feet)

- Governmental Administrative Office
- Dry Cleaning
- Laundry Establishment
- Building and Construction Trades/Contractors Manufacturing without outdoor storage
- Contractor without outdoor storage
- Medical and Dental Laboratories
- Repair and Maintenance – Minor
- Bakery, Retail
- Ceramics or Pottery w/ Kiln
- Sculpture Studio w/Kiln

### Medium Intensity (use area less than 7,500 square feet)

- Contractor – Showroom
- Printing Services
- Kitchen/Millwork Design Studio
- Interior Design Studio w/sales
- Administrative/Professional Services
- Dry Cleaning
- Laundry Establishment
- Vehicle or Boat Broker without outdoor storage
- Vehicle Service and Repair Minor
- Cleaning and Maintenance Services
- Contractors without outdoor storage
- Disinfecting and Exterminating Services
- Fabrication Services/Manufacturing/Processing/Assembly excluding retail display
- Import/Export Business
- Landscaping Contractors
- Lawn Garden and Tree Maintenance Services
- Mail Delivery Services
- Medical/Biotech/Pharmaceutical Manufacturing & Distribution
- Repair and Maintenance – Minor
- Steam and Pressure Cleaning
- Storage—Indoor
- Social Service Center

- Art or Photography Gallery
- Artisan or Art Studio
- Arts and Crafts Studio
- Artisanal Foods
- Artisanal Manufacturing
- Bakery, Commercial
- Bakery, Retail
- Book Binding
- Ceramics or Pottery Studio without Kiln
- Ceramics or Pottery Studio with Kiln
- Commissary Kitchen
- Culinary Arts
- Perfumery
- Photography Studio
- Recording Studio
- Sculpture Studio w/ Kiln
- Sculpture Studio w/o Kiln
- Stationery/Engraver

**High Intensity (use area greater than 7,500 square feet)**

- Cold Storage
- Contractor—Showroom
- Dead Storage Facilities
- Mini-Warehouses
- Printing Services
- Storage – Specialty
- Warehouse Facilities
- Administrative/Professional Services
- Vehicle Broker
- Building and Construction Trades/Contractors manufacturing
- Food Manufacturing/Processing
- Garment/Clothing/Apparel Manufacturing
- Import/Export Business
- Jobsite Preparation
- Repair and Maintenance – Major
- Repair and Maintenance – Minor
- Storage – Indoor
- Art or Photography Gallery
- Art Studio
- Artisanal Foods
- Artisanal Manufacturing
- Bakery
- Ceramics
- Commissary Kitchen
- Culinary Arts
- Film Studio
- Indoor Motion Picture
- Performing Arts Theater

- Radio Broadcasting Station
- Recording Studio
- Sculpture Studio with or without kiln
- Television Production Studios

The applicant initially requested numerous low, medium, and high intensity uses that are not permitted and/or do not meet supplemental standards within LDR Section 23.4-13. Staff also removed additional use requests that appear to be too intense to include in the blanket conditional use request and/or would cause parking/traffic issues.

## COMMUNITY OUTREACH

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

## BACKGROUND

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

**Construction:** The property was developed in 1977 as a warehouse. The property contains two (2) buildings (604 & 610) with a combined square footage of  $\pm 8,806$ . The 604 building is approximately 4,401 square feet with 12 units ( $\pm 367$  square feet each). The 610 Building is approximately 4,405 square feet with 8 units ( $\pm 550$  square feet each).

**Use:** There are no active business licenses at the site. There are several pending business licenses that have received zoning approval but have not passed a Use and Occupancy (U&O) inspection.

**Code Compliance:** The site has a history of numerous code cases and currently has six (6) open liens. Five (5) out of six (6) liens have complied with the violations and remain open due to outstanding fines. The remaining lien has an unresolved violation for tenants operating without a business license.

Staff has included a condition of approval to require that all outstanding code enforcement violations and liens are resolved prior to the issuance of any business license.

## ANALYSIS

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

The subject site has a Future Land Use (FLU) designation of Artisanal Mixed Use (AMU). The Artisanal Mixed Use land use category is intended to provide for the establishment and enlargement of office, retail and industrial uses related to the arts, other low intensity industrial uses, and medium density residential opportunities. The maximum density of permitted residential development is 30 dwelling units per acre. The preferred mix of uses area-wide is 50% non-residential and 50% residential. The implementing zoning district is AI. The proposed request is seeking to allow multiple uses in the existing commercial/warehouse buildings with a combined square footage of  $\pm 8,806$  sf.

The City's Strategic Plan focuses on fostering safer neighborhoods, encouraging community pride, building a vibrant and diverse economy, planning for the future, and enhancing the natural, historic, and cultural environment of the City. Pillar IV.A and Pillar IV.D of the Strategic Plan state that the City shall achieve economic and financial sustainability through a versatile and stable tax base and influence the supply and expansion of jobs. Because the proposed Blanket Conditional Use will allow for the establishment of several low, medium, and high intensity uses that will contribute towards the City's tax base and sustain or increase jobs, the proposal is consistent with Pillar IV.A and Pillar IV.D.

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

### Consistency with the Land Development Regulations

The **Artisanal Industrial (AI) zoning district** is intended to provide for the establishment and enlargement of office and industrial uses related to the arts without restriction on traffic generating characteristics. The artisanal industrial district is also intended to permit establishment of certain other uses which are compatible with artisanal industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The industrial district implements the industrial land use category of the Lake Worth Comprehensive Plan.

**Analysis:** The applicant is requesting a Blanket Conditional Use Permit (CUP) to allow for several low (use area less than 2,500 square feet), medium (use area less than 7,500 square feet), and high intensity (use area greater than 7,500 square feet) uses that could occur within the ±8,806 square-foot warehouse buildings. The request is intended to allow the site to be more marketable and to address tenant occupancy issues. A Blanket CUP will help streamline potential tenant approval processes and may minimize tenant occupancy issues.

The request will capture limited retail, commercial, office, personal service, vehicular, industrial, institutional, and artisanal use classifications. The majority of the requested uses will capture commercial, industrial, and artisanal arts use classifications. The request generally focuses on low and medium intensity uses based on the existing unit sizes (use areas) located at the site. However, several high intensity industrial and artisanal uses are proposed that align with the intent of the Artisanal Industrial (AI) zoning district.

A majority of the uses requested, as conditioned, will have low impacts to the adjacent properties. The proposed conditional uses are not anticipated to impact the surrounding area greater than multiple uses permitted by right. The building is already served by municipal services, including water, sewer, refuse, fire and police. The site is located on a local roadway. Therefore, no additional public expenditures are required to service the proposed use. The analysis for the Blanket CUP is provided in the section below and is consistent with the review criteria located in Attachment A. The Department of Community Sustainability is also tasked in the LDRs to review conditional use applications for consistency with the City's LDRs (Section 23.2-29(i)), for compliance with the following findings for granting conditional uses and to provide a recommendation on the proposed project.

There are proposed uses that require additional review subject to LDR Section 23.4-13, Administrative uses and conditional uses: vehicular related services, manufacturing/processing/fabrication facilities, mini warehouses, and specialty storage. The uses, as conditioned, are consistent with the intent of the AI zoning district and the review criteria located in Attachment B.

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

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

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

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



**Staff Analysis:** The buildings on the property were constructed in the late 1970s. The existing site conditions do not conform to the current LDRs; therefore, the nonconformities section of the land development regulations (LDR Section 23.5-3) is applicable. The existing nonconformities related to impermeable surface coverage, setbacks, and landscaping are not proposed to be increased or negatively impacted by the subject Conditional Use request. **The proposed Conditional Use is consistent with the City's LDRs based on the following data and analysis:**

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

**Staff Analysis:** The request is for administrative and conditional uses without increasing the existing building floor area; therefore, additional parking spaces are not required. However, there are certain proposed uses that require additional review per LDR Section 23.4-13, *Administrative uses and conditional uses*. Similarly, certain uses also may require an additional parking evaluation based on the intensity or the function of the new use per LDR Section 23.4-10.i), *Change of use or occupancy*. Staff is proposing a general condition for each tenant to provide evidence of adequate parking prior to issuance of a business license.

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

**Section 23.6-1. - Landscape regulations and Section 23.4-13.c).A.1.4.b.iv., – Landscape requirements:** *The objective of this section is to provide minimum standards for the installation and maintenance of landscaping within the city. Per Section 23.6-1(c)(2), "on the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, shall require landscaping."* Further, per LDR Section 23.4-13(c)(1)(A)(4)(b)(iv), the site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.

**Analysis:** The existing condition of the landscaping does not comply with Section 23.6-1. Based on the 1976 landscape plan in City's property file, the existing landscape areas were originally approved with perimeter shrubs and trees. The perimeter shrubs have been maintained however, eight (8) trees have been removed or died over time.

Vehicle service and repair facilities are also subject to additional supplemental landscape standards, including the requirement that the site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center.

Therefore, staff has recommended a condition of approval requiring the replacement of missing or dead landscaping, as feasible, in accordance with the 1976 landscape plan. Due to site constraints such as added fencing on the north side and an added shared mailbox on the west side of the 604 building, it appears only five (5) trees can be replaced: two (2) on the south side (adjacent to 6th Avenue North), one (1) on the west side of building 604, and two (2) on the west side of building 610 (adjacent to North G Street).

Additionally, the existing dumpster enclosure lacks the required landscape screening. Staff has also recommended adding landscape screening on the north and south sides of the enclosure. These improvements will help bring the property closer into compliance, to the extent feasible.

#### **Findings for Granting Conditional Uses**

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

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

**Staff Analysis:** The proposed conditional uses are in general harmony with the surrounding area and consistent with the development of the corridor as conditioned. The requested uses are anticipated uses in the Artisanal Industrial (AI) zoning district. The proposed uses will not result in less public benefit, nor will it result in more intensive development than anticipated in the zoning district in the comprehensive plan.

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

**Staff Analysis:** The proposed conditional uses are not anticipated to impact the surrounding area greater than uses allowed on the property and within the zoning district. The buildings are already served by municipal services, including water, sewer, refuse, fire and police. The site is located on a local roadway. Therefore, no additional public expenditure is required to service the proposed uses. The proposed uses will not impact traffic circulation on the site and staff will condition additional landscaping provisions to ensure adequate screening is continuously provided.

**Section 23.2-29.g) Additional requirements.**

**Staff Analysis:** There are six (6) open liens for the subject property. Staff has added conditions of approval to the subject Blanket Conditional Use Permit to ensure the open lien is resolved prior to the issuance of any business licenses.

**Section 23.4-13 Administrative Uses and Conditional Uses**

*The following use(s) have been determined to carry the potential for substantial adverse impacts on neighboring properties and, therefore, are subject to development standards and regulations in addition to those required for the zoning district.*

**Staff Analysis:** As previously noted, several uses require additional review subject to LDR Section 23.4-13, administrative uses and conditional uses. Staff is proposing conditions to ensure that all uses with supplemental requirements, per this section, shall provide evidence of compliance with the relevant supplemental standards at the time of business license application.

**CONCLUSION AND CONDITIONS**

The Artisanal Industrial (AI) zoning district is intended to provide for the establishment and enlargement of office and industrial uses related to the arts without restriction on traffic generating characteristics. The artisanal industrial district is also intended to permit establishment of certain other uses which are compatible with artisanal industrial operations. Development in the industrial land use category should be guided to minimize negative impacts on nearby residential areas. The industrial district implements the industrial land use category of the Lake Worth Comprehensive Plan. Based on the data and analysis in this report, the uses requested, as conditioned, are not anticipated to negatively impact adjacent properties. Therefore, a recommendation of approval is provided to the PZB with the following conditions:

**Planning & Zoning**

1. The Blanket Conditional Use Permit (CUP) includes the following uses within the ±8,806 square foot warehouse/industrial buildings subject to all applicable conditions of approval and business license approval:

**Low Intensity**

- Governmental Administrative Office
- Dry Cleaning
- Laundry Establishment
- Building and Construction Trades/Contractors Manufacturing without outdoor storage
- Contractor without outdoor storage

- Medical and Dental Laboratories
- Repair and Maintenance – Minor
- Bakery, Retail
- Ceramics or Pottery w/ Kiln
- Sculpture Studio w/Kiln

### **Medium Intensity**

- Contractor – Showroom
- Printing Services
- Kitchen/Millwork Design Studio
- Interior Design Studio w/sales
- Administrative/Professional Services
- Dry Cleaning
- Laundry Establishment
- Vehicle or Boat Broker without outdoor storage
- Vehicle Service and Repair Minor
- Cleaning and Maintenance Services
- Contractors without outdoor storage
- Disinfecting and Exterminating Services
- Fabrication Services/Manufacturing/Processing/Assembly excluding retail display
- Import/Export Business
- Landscaping Contractors
- Lawn Garden and Tree Maintenance Services
- Mail Delivery Services

### **High Intensity**

- Cold Storage
- Commercial Recreation, Indoor
- Commercial Recreation, Outdoor
- Contractor—Showroom
- Dead Storage Facilities
- Mini-Warehouses
- Printing Services
- Storage – Specialty
- Warehouse Facilities
- Administrative/Professional Services
- Vehicle Broker
- Building and Construction Trades/Contractors manufacturing
- Food Manufacturing/Processing
- Garment/Clothing/Apparel Manufacturing
- Import/Export Business
- Jobsite Preparation
- Repair and Maintenance – Major
- Repair and Maintenance – Minor
- Storage – Indoor
- Art or Photography Gallery
- Art Studio
- Artisanal Foods



- Artisanal Manufacturing
  - Bakery
  - Ceramics
  - Commissary Kitchen
  - Culinary Arts
  - Film Studio
  - Indoor Motion Picture
  - Performing Arts Theater
  - Radio Broadcasting Station
  - Recording Studio
  - Sculpture Studio with or without kiln
  - Television Production Studios
2. A landscape permit must be applied for prior to the issuance of any new business license and shall be installed within one (1) year of this approval for the installation of:
    - a. Two (2) native trees on the south side (adjacent to 6th Avenue North)
    - b. One (1) native tree on the west side of building 604
    - c. Two (2) native trees on the west side of building 610
    - d. Native landscape hedging on the north and south side of the dumpster enclosure
  3. Prior to the issuance of a City of Lake Worth Beach business license, the open liens and any code violations shall be resolved.
  4. Prior to business license issuance, the property owner/tenant shall provide evidence of adequate parking for each tenant.
  5. Accessory outdoor storage uses shall require a minor site plan application and approval prior to business license.
  6. Commercial vehicle parking (FHA Class 3 Vehicles or less) may be permitted on the site subject to site plan approval and as consistent with LDR Section 23.4-22(b).
  7. Future site improvements shall include parking improvements through a minor site plan approval.
  8. At business license application, wholesale operations and industrial operations shall provide a site plan demonstrating sufficient loading space (not necessarily a full berth) so as not to hinder the free movements of vehicles and pedestrians over a sidewalk, street or alley per LDR Section 23.4-9.
  9. At business license application, tenants shall provide evidence of compliance with all applicable use-specific development standards and regulations, per LDR Section 23.4-13.
  10. Vehicle service and repair facilities—Major or minor, or repair and maintenance services—Major uses shall comply with the following supplemental regulations per LDR Section 23.4-13(c)1:
    - a. Minimum lot frontage. Seventy-five (75) feet.
    - b. Minimum site.
      - 1)Major - Site: Twenty thousand (20,000) square feet; minimum area per business/tenant on a multiple tenant/business site: Two thousand five hundred (2,500) square feet.
      - 2)Minor - Site: Ten thousand (10,000) square feet; minimum area per business/tenant on a multiple tenant/business site: One thousand (1,000) square feet.
    - c. Location of equipment, facilities and services. All pits and hydraulic hoist shall be located entirely within a building. Lubrication, washing, repairs and service shall be conducted within the building.
    - d. Landscape requirements. The site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.
    - e. Minimum parking requirements. Three (3) parking spaces for each service bay (if applicable) plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in section 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary

- customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one twenty-four-hour period.
- f. Hours. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.
  - g. Outdoor storage may be permitted as accessory to vehicle service and repair-major and repair and maintenance services-major in I-POC only, provided the outdoor storage area is fully screened from any public rights-of-way and adjacent properties as consistent with section 23.4-19, outdoor storage, and all equipment, parts and vehicles are stored on an impermeable paved surface.
11. Fabrication Services/Manufacturing/Processing excluding retail display and sales shall comply with the following supplemental regulations per LDR Section 23.4-13(c)7:
- a. Outdoor storage: Outdoor storage, commercial vehicle parking, display and sale of products shall be shielded from all public rights-of-way. See section 23.4-19 for additional outdoor storage regulations.
  - b. All production and processing shall be restricted to an enclosed building.
  - c. Buffering requirements shall apply as required by existing ordinances, but may be increased based on a site-specific review basis.
  - d. Minimum area per business/tenant on a multiple tenant/business site shall not be less than eight hundred (800) square feet for manufacturing or processing and five hundred (500) square feet for fabrication services.
12. Mini warehouse uses shall comply with the following supplemental regulations per LDR Section 23.4-13(c)8: *Use and development regulations.*
- a. All business activity except rental of storage space prohibited.
  - b. The conduct of garage-type sales by any individual or business entity is prohibited.
  - c. All stalls and lockers which are rented to customers shall be arranged so as to be directly accessible to the customer without the need for loading, unloading or retrieval services.
  - d. There shall be no plumbing or electrical service or equipment, other than that required for lighting and fire suppression, which could make the facility in any way able to accommodate any office, retail, service, manufacturing or other similar activity.
  - e. No business or hobby may be operated from within.
  - f. Lighting. All outdoor areas within fifty (50) feet of any door providing access to a rentable storage area shall be lighted during all non-daylight hours with a minimum of five (5) foot candles of illumination. Lighting shall be shielded in accordance with the provisions of section 23.4-3.
  - g. Parking lot regulations.
    - i. Rental of required parking spaces prohibited. Required parking spaces shall not be rented to customers for the purpose of parking or storing vehicles or for any other purpose.
    - ii. Location of required parking spaces. Required customer parking spaces shall be located in close proximity of the resident manager's office.
    - iii. Refer to section 23.4-10 for parking requirements.
  - h. Circulation and loading.
    - i. Configuration of circulation and loading areas. Circulation and loading areas shall be arranged and sized to permit customer and fire fighting vehicles to circulate unobstructed by the loading or unloading of vehicles at individual storage stalls. Areas where vehicles may be placed for loading and unloading shall be distinguished from circulation routes by clear pavement markings. Such loading areas shall be adequate to accommodate one (1) one-ton or smaller vehicle at each storage stall door. The width of circulation routes and the dimensions of loading areas shall be subject to the approval of the special land use review authority based on the criteria of this section.
    - ii. Paving and drainage of circulation and loading areas. Circulation and loading areas shall be paved with concrete or asphalt and shall be provided with drainage in accordance with specifications approved by the city engineer.

- i. Storage of fuel-driven motors and vehicles regulated. Fuel-driven vehicles and motors shall only be stored out-of-doors or in storage stalls which are completely and individually separated from other stalls by walls with a one-hour fire rating. No more than three (3) such vehicles shall be stored in any one (1) stall. Such vehicles and motors shall have their fuel tanks drained. No storage of fuel of any kind shall be permitted.
- 13. Storage specialty shall comply with the following supplemental regulations per LDR Section 23.4-13(c)17:
  - Use and development regulations.*
    - a. All use activity shall be conducted entirely within the building.
    - b. Along major thoroughfares the use shall not front directly onto the ROW and shall be developed with an office, retail, or commercial component that activate the street frontage.
    - c. Loading areas shall not be visible from any of the city's major thoroughfare rights-of-way.
    - d. There shall be no plumbing or electrical service or equipment, other than that required for lighting and fire suppression, which could make the facility in any way able to accommodate any office, retail, service, manufacturing or other similar activity within designated storage area.
    - e. No business, hobby or other activity unrelated to the purpose of the use may be operated from within.
    - f. *Lighting.* Supplementary lighting shall be shielded in accordance with the provisions of Section 23.4-3.
- 14. Prior to issuance for each business license, the subject tenant shall submit a PBC Wellfield Permit affidavit of notification to PBC Environmental Resources Management.
- 15. The use, handling, production and storage of regulated substances in wellfield zones as defined in the PBC Unified Land Development Code shall be prohibited as provided for in the requirements of the PBC Wellfield Ordinance (ULDC, Article 14, Chapter B).
- 16. Prior to the issuance of a business license for each tenant, the subject tenant shall contact the Public Works Solid Waste and Recycling Division to confirm the existing dumpster will meet the demand of the property and that it is compatible with the requirements of the Department of Public Works. Solid Waste and Recycling Division contact is 561-533-7344/[solidwasteinfo@lakeworthbeachfl.gov](mailto:solidwasteinfo@lakeworthbeachfl.gov).
- 17. The proposed conditional uses 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.
- 18. Per City Code Section 14-32 and LDR Section 23.2-23, the occupants must obtain and maintain the required Business Licenses for the businesses.
- 19. The City shall revoke the business licenses and the approval of the conditional use permit if the property is declared a chronic nuisance as result of or related to the operations of any of the requested uses.
- 20. All uses shall comply with the use and occupancy requirements for each tenant space as required by the Florida Building Code.
- 21. Signage shall be reviewed through the building permit process for consistency with the requirements of the Land Development Regulations.

#### Electric

- 1. If electrical load is to be increased, applicant must provide the calculations and voltage requirements at the time of building permit.

#### BOARD POTENTIAL MOTION:

I move to **approve with conditions** the request for PZB Project Number 24-00500014 Blanket Conditional Use Permit based on upon the competent and substantial evidence provided in the staff report and in the testimony at the public hearing.

I move to **disapprove** the request for PZB Project Number 24-00500014 Blanket Conditional Use Permit. 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 Blanket Conditional Use Permit. The Applicant may appeal the Board's decision to the City Commission.*

## ATTACHMENTS

- A. Conditional Use Findings
- B. Administrative and Conditional Use Standards
- C. Application Package (Justification statement, floor plan, and supporting documents)

### ATTACHMENT A - Findings for Granting Conditional Uses

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

**ATTACHMENT B – Conditional Use Standards**

<b>Section 23.4-13(c)(1)(A)(4)(b) Vehicle service and repair facilities—Major or minor, or repair and maintenance services—Major – Design and Performance Standards</b>	<b>Analysis</b>
1. <i>Minimum lot frontage. Seventy-five (75) feet.</i>	<b>In compliance</b>
2. <i>Minimum site.</i> <ul style="list-style-type: none"> <li>a) <i>Major Site: Twenty thousand (20,000) square feet; minimum area per business/tenant on a multiple tenant/business site: Two thousand five hundred (2,500) square feet.</i></li> <li>b) <i>Minor Site: Ten thousand (10,000) square feet; minimum area per business/tenant on a multiple tenant/business site: One thousand (1,000) square feet.</i></li> </ul>	<b>In compliance, as conditioned</b>
3. <i>Location of equipment, facilities and services. All pits and hydraulic hoist shall be located entirely within a building. Lubrication, washing, repairs and service shall be conducted within the building.</i>	<b>In compliance, as conditioned</b>
4. <i>Landscape requirements. The site must be provided with a five-foot wide perimeter planting area with shade trees planted every twenty-five (25) linear feet on center. A hedge must also be maintained within the required planting area.</i>	<b>In compliance, as conditioned</b>
5. <i>Buffering/screening. A masonry wall shall be erected to a height of not less than six (6) feet where the proposed site is within twenty-five (25) feet of a residential district, in addition to the landscaping requirements outlined above. Said wall shall be finished with a graffiti-resistant paint.</i>	<b>Not applicable</b>
6. <i>Minimum parking requirements. Three (3) parking spaces for each service bay (if applicable) plus one parking space for each three hundred (300) square feet of non-service enclosed area. Applicable parking requirements in section 23.4-10 apply to all other use areas. All vehicles shall be parked in designated storage areas, except for vehicles dropped off by customers or placed for temporary customer pick-up in parking spaces designated on an approved site plan not visible from the public right-of-way. These vehicles may be temporarily parked in these designated parking spaces, not to exceed a maximum of one twenty-four-hour period.</i>	<b>In compliance, as conditioned</b>
7. <i>Hours. No automobile service work shall be performed before 7:00 a.m. or after 8:00 p.m.</i>	<b>In compliance, as conditioned</b>
8. <i>Outdoor storage may be permitted as accessory to vehicle service and repair-major and repair and maintenance services-major in I-POC only, provided the outdoor storage area is fully screened from any public rights-of-way and adjacent properties as consistent with section 23.4-</i>	<b>Not applicable</b>



19, outdoor storage, and all equipment, parts and vehicles are stored on an impermeable paved surface.

Section 23.4-13(c)(7)(B) Manufacturing/Processing/Fabrication Facilities – Design and Performance Standards	Analysis
1. <i>Height: Maximum height of any industrial/manufacturing structure excluding office not to exceed thirty-five (35) feet including silos or building façades.</i>	In compliance
2. <i>Silos: The number of silos shall not exceed four (4) within the site area and shall be effectively screened.</i>	Not applicable
3. <i>Outdoor storage: Outdoor storage, commercial vehicle parking, display and sale of products shall be shielded from all public rights-of-way. See section 23.4-19 for additional outdoor storage regulations.</i>	Not applicable
4. <i>All production and processing shall be restricted to an enclosed building.</i>	In compliance, as conditioned
5. <i>Buffering requirements shall apply as required by existing ordinances, but may be increased based on a site-specific review basis.</i>	In compliance, as conditioned
6. <i>Noise levels shall not be in excess of sixty-five (65) decibels measured from the property line adjacent to residential uses.</i>	In compliance, as conditioned
7. <i>Minimum area per business/tenant on a multiple tenant/business site shall not be less than eight hundred (800) square feet for manufacturing or processing and five hundred (500) square feet for fabrication services.</i>	In compliance, as conditioned

Section 23.4-13(c)(8)(B-H) Mini warehouses	Analysis
1. <i>All business activity except rental of storage space prohibited.</i>	In compliance, as conditioned
2. <i>The conduct of garage-type sales by any individual or business entity is prohibited.</i>	In compliance, as conditioned
3. <i>All stalls and lockers which are rented to customers shall be arranged so as to be directly accessible to the customer without the need for loading, unloading or retrieval services.</i>	In compliance, as conditioned
4. <i>There shall be no plumbing or electrical service or equipment, other than that required for lighting and fire suppression, which could make the facility in any way able to accommodate any office, retail, service, manufacturing or other similar activity.</i>	In compliance, as conditioned
5. <i>No business or hobby may be operated from within.</i>	In compliance, as conditioned
6. <i>Accommodations for resident manager. Residential accommodations for a resident manager and the resident manager's family shall be permitted on a zoning lot which contains a mini-warehouse that has more than thirty thousand (30,000) square feet of rentable area. Such facilities shall be considered to be accessory to the mini-warehouse and shall thereby be permitted regardless of any provisions prohibiting residential uses from the district in which</i>	Not applicable

*the mini-warehouse is located. Mini-warehouse facilities which have more than forty thousand (40,000) square feet of rentable storage area or which have doors to individual storage stalls or lockers which are not visible from a public right-of-way shall be required to have a full-time resident manager who lives on the site.*

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| 7.  | <i>All outdoor areas within fifty (50) feet of any door providing access to a rentable storage area shall be lighted during all non-daylight hours with a minimum of five (5) foot candles of illumination. Lighting shall be shielded in accordance with the provisions of <a href="#">section 23.4-3</a>.</i>  | <b>In compliance, as conditioned</b> |
| 8.  | <i>Rental of required parking spaces prohibited. Required parking spaces shall not be rented to customers for the purpose of parking or storing vehicles or for any other purpose.</i>   | <b>In compliance, as conditioned</b> |
| 9.  | <i>Location of required parking spaces. Required customer parking spaces shall be located in close proximity of the resident manager's office.</i>   | <b>Not applicable</b>                |
| 10. | <i>Refer to <a href="#">section 23.4-10</a> for parking requirements.</i>  | <b>In compliance, as conditioned</b> |
| 11. | <i>Configuration of circulation and loading areas. Circulation and loading areas shall be arranged and sized to permit customer and fire fighting vehicles to circulate unobstructed by the loading or unloading of vehicles at individual storage stalls. Areas where vehicles may be placed for loading and unloading shall be distinguished from circulation routes by clear pavement markings. Such loading areas shall be adequate to accommodate one (1) one-ton or smaller vehicle at each storage stall door. The width of circulation routes and the dimensions of loading areas shall be subject to the approval of the special land use review authority based on the criteria of this section.</i> | <b>In compliance, as conditioned</b> |
| 12. | <i>Paving and drainage of circulation and loading areas. Circulation and loading areas shall be paved with concrete or asphalt and shall be provided with drainage in accordance with specifications approved by the city engineer.</i>  | <b>In compliance, as conditioned</b> |
| 13. | <i>Storage of fuel-driven motors and vehicles regulated. Fuel-driven vehicles and motors shall only be stored out-of-doors or in storage stalls which are completely and individually separated from other stalls by walls with a one-hour fire rating. No more than three (3) such vehicles shall be stored in any one (1) stall. Such vehicles and motors shall have their fuel tanks drained. No storage of fuel of any kind shall be permitted.</i>  | <b>In compliance, as conditioned</b> |
| 14. | <i>Outdoor storage regulated. Outdoor storage shall be permitted only attendant to mini-warehouse facilities which have a full-time resident manager. Outdoor storage areas shall be completely screened from surrounding public rights-of-way and adjacent property by mini-warehouse buildings or by solid masonry walls constructed to a height of six (6) feet above grade, but such outdoor storage areas shall be fully visible from the quarters of the resident manager, either directly or by closed circuit television. See <a href="#">section 23.4-19</a> for additional outdoor storage regulations.</i>  | <b>Not applicable</b>                |

<b>Section 23.4-13(c)(17)(B-F) Storage specialty –</b>	<b>Analysis</b>
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| 1. | <i>All use activity shall be conducted entirely within the building.</i>   | <b>In compliance, as conditioned</b> |
| 2. | <i>Along major thoroughfares the use shall not front directly onto the ROW and shall be developed with an office, retail, or commercial component that activate the street frontage.</i> | <b>Not applicable</b>                |

3. *Loading areas shall not be visible from any of the city's major thoroughfare rights-of-way.* **In compliance, as conditioned**
4. *There shall be no plumbing or electrical service or equipment, other than that required for lighting and fire suppression, which could make the facility in any way able to accommodate any office, retail, service, manufacturing or other similar activity within designated storage area.* **In compliance, as conditioned**
5. *No business, hobby or other activity unrelated to the purpose of the use may be operated from within.* **In compliance, as conditioned**
6. *Lighting. Supplementary lighting shall be shielded in accordance with the provisions of section 23.4-3.* **Not applicable**
7. *Rental of required parking spaces prohibited. Required parking spaces shall not be rented to customers for the purpose of parking or storing vehicles or for any other purpose.* **In compliance, as conditioned**
8. *Configuration of circulation and loading areas. Circulation and loading areas shall be arranged and sized to permit customer and emergency vehicles to circulate unobstructed by the loading or unloading of vehicles at individual storage stalls and shall not be visible from any of the city's major thoroughfares. Areas where vehicles may be placed for loading and unloading shall be distinguished from circulation routes by clear pavement markings. The width of circulation routes and the dimensions of loading areas shall be subject to the approval of the development review official or designee based on the criteria of this section.* **In compliance, as conditioned**
9. *Outdoor storage regulated. Outdoor storage is prohibited.* **In compliance, as conditioned**