

PLANNING AND ZONING BOARD REPORT

PZB Project Number 23-01500003: Consideration of a waiver to allow a new ground changeable copy sign for an institutional use at 1901 12th Avenue South. The property is zoned Single-Family Residential (SF-R) and has a Single-Family Residential (SF-R) future land use designation.

Meeting Date: June 28, 2023

Property Owners: Lakeside United Methodist Church Inc.

Project Manager: Denise Williams on behalf of Art Sign Company

Address: 1901 12th Avenue South

PCN: 38-43-44-33-00-000-3050

Size: 3.2056-acre lot / ±8,862 square feet of existing structures

General Location: Bounded to the north by 12th Avenue South, to the south by Cochran Drive, to the west by Lake Osborne Drive, and to the east by the railway

Existing Land Use: Religious/Institutional

Current Future Land Use Designation: Single-Family Residential (SF-R)

Zoning District: Single-Family Residential (SF-R)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan and Strategic Plan. The proposed waiver request is consistent with the waiver criteria in the LDRs. Therefore, staff is recommending approval of the subject waiver application.

PROJECT DESCRIPTION

The project manager, Denise Williams on behalf of Art Sign Company, is requesting a waiver to allow a new changeable copy sign for an institutional use at 1901 12th Avenue South. As defined in LDR Section 23.1-12, a changeable copy sign is any freestanding, ground sign or wall sign or portion thereof comprised of letters, illustrations or symbols which are replaced automatically, digitally and/or manually and which indicate the names of persons associated with or events conducted upon, or products or services offered on the premises where the sign is maintained. The property is bounded to the north by 12th Avenue South, to the south by Cochran Drive, to the west by Lake Osborne Drive, and to the east by the railway. The property is zoned Single-Family Residential (SF-R). If the waiver is approved, it would allow the installation of a new changeable copy sign, whereas the LDRs only allow this signage type along the City's Major Thoroughfares. The subject site is surrounded by other properties to the north, south, east, and west that are also zoned Single-Family Residential (SF-R).

COMMUNITY OUTREACH

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

BACKGROUND

The subject site is a 3.2056-acre institutional lot. Below is a timeline summary of the property based on the City records:

- On November 3, 2022 – A building permit (22-4062) was submitted to install a new freestanding LED sign. On November 15, 2022, and March 1, 2023, the request was denied by zoning due to the dimensions of the sign and because changeable copy signs are not allowed outside of the City's Major Thoroughfares.
- On April 20, 2023 – A relief request was submitted to allow the changeable message sign.
- On May 3, 2023 – The Planning and Zoning Board (PZB) recommended approval of Ordinance 2023-06 which creates a waiver review process for changeable copy signage for public and institutional uses outside of the City's Major Thoroughfares.
- On May 31, 2023 – The relief request is deemed complete.
- June 14, 2023 – A search of the City's database shows that there are no active code cases associated with this property.

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The subject site has a Future Land Use (FLU) designation of Single Family Residential (SFR). Per Policy 1.1.1.2, the SFR future land use area *is intended primarily to permit development of single-family structures at a maximum of 7 dwelling units per acre. Single-family structures are designed for occupancy by one family or household. Single-family homes do not include accessory apartments or other facilities that permit occupancy by more than one family or household. Residential units may be site-built (conventional) dwellings, mobile homes or modular units. Implementing zoning districts are SF-7, MH-7 and NC. Zoning regulations shall protect single-family residential development from the encroachment of incompatible land uses. At the same time, **provision may be made for a limited number of nonresidential uses for the convenience of residents. These nonresidential uses shall be compatible by reason of their nature and limited frequency of occurrence with an overall single-family residential character.** Zoning regulations may provide for compatible nonresidential uses either through special zoning districts that may be mapped within areas designated single-family residential or through conditional use permit provisions incorporated within single-family*

residential districts. Mobile home parks should accommodate mobile home single-family units, not travel trailers, motor homes, or similar recreational vehicles. **Academic schools that are determined to be compatible with the surrounding neighborhood shall be a conditionally permitted use within this land use category.** There is currently a church and school academy on the subject property. These uses are permitted in the SF-R zoning district through an administrative use permit (AUP) and conditional use permit (CUP), respectively. The waiver being sought does not change the uses of the property. Therefore, the proposal is generally consistent with Policy 1.1.1.2 of the Comprehensive Plan. The subject waiver is associated with the installation of a new sign that will result in a minor change to the property’s appearance. As such, review of the strategic plan is not applicable to an improvement of this scale.

Consistency with the City’s Land Development Regulations

Staff Analysis: On May 3, 2023, the Planning and Zoning Board (PZB) recommended approval of Ordinance 2023-06 which creates a waiver review process for changeable message signage for public and institutional uses outside of the City’s Major Thoroughfares. Per the draft language in Section 23.2-27(c), a waiver of limited land development regulations relating to site development requirements only, and excluding use regulations, may be requested to certain sections or subsections of Chapter 23 – Land Development Regulations where it is expressly stated in that section or subsection that a waiver may be requested to specify provisions for approval by the applicable review board. The draft language in Section 23.5-1(e)(16)(i), notes that changeable copy signs may also be allowed on roadways with lower functional classifications for institutional and public uses only with a waiver per Section 23.2-27.c. if approved by the applicable review board. The Department of Community Sustainability is tasked in the Code to review waiver applications for consistency with the City’s LDRs, for compliance with the findings for granting waivers (analyzed in the next section), and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

An upgraded ground changeable copy sign is proposed at the subject property. It shall comply with all applicable signage regulations in Section 23.5-1.

Zoning Analysis		
Development Standard Ground Signs	Sign Regulations (LDR Section 23.5-1)	Provided
Frontage Minimum	50’	±364’ Lake Osborne Drive Frontage
Maximum Sign Area	150 sf (Frontage 301-400’)	136 sf
Setback	3’	10’
Changeable Copy Area	25% of Sign Face	34 sf (25%)
Number of Signs	One (1) for corner properties	One (1)
Landscaping	Required Landscaping at the base of the sign	Existing Planter Base

Waiver Request		
LDR Citation	Required	Proposed
Section 23.5-1(e)(16)(i)	Changeable copy shall be allowed for the following uses along the major thoroughfares of the city. 1. Hotels and motels 2. Institutional uses 3. Gas and service stations 4. Movie theaters and playhouses 5. Menu board signs for restaurants	Changeable copy signage on the corner of Lake Osborne Drive and 12 th Avenue South (Not listed as Major Thoroughfares in LDR Section 23.1-12)

The data and analysis below review the application against the regular findings for approval of all waiver requests:

Section 23.2-26(b) Regular findings of approval

The land development regulations require waiver requests to be analyzed for consistency with Section 23.2-27(c). Staff has reviewed the application against this section and the analysis is outlined as follows:

1. The waiver requested is the smallest or minimum modification necessary.

Staff Analysis: Per LDR Section 23.1-12, the City's Major Thoroughfares are the following streets and roadways:

- a. Lake and Lucerne Avenues from the Intracoastal to Interstate 95 and within the Old Town Historic District.
- b. Lake Worth Road.
- c. 6th Avenue South from Dixie Highway west to the West City Limit.
- d. 10th Avenue North from Dixie Highway west to the West City Limit.
- e. Federal Highway from the South City Limit to the South Boundary of College Park.
- f. Dixie Highway from the South City Limit to the North City Limit.

The property is bounded to the north by 12th Avenue South, to the south by Cochran Drive, to the west by Lake Osborne Drive, and to the east by the railway. The abutting rights-of-way are not classified as Major Thoroughfares. Therefore, due to the property's location, the subject waiver is the minimum necessary to allow installation of a new ground changeable copy sign for an institutional use. **Meets criterion.**

2. The waiver request shall not negatively impact adjacent property owners or protected land uses as described in Section 23.1-12.

Staff Analysis: Per LDR Section 23.1-12, protected land uses means school (public or private, including pre-k through 12th grade), house of worship, child care facility, residential zoning district (including a mixed use district containing a residential component); cemetery, columbarium or mausoleum; public (P) district; Public Recreation and Open Space (PROS) district, Conservation (C) district and Beach and Casino district (BAC) except where the subject property is a preserved natural area not accessible to the general public that was legally established prior to the establishment of the applicable zoning district. The subject site is surrounded by other properties to the north, south, east, and west that are also zoned Single-Family Residential (SF-R) with single-family residences. As conditioned, a new ground changeable copy sign that adheres to the requirements Section of 23.5-1(e)(16)(ii) will not negatively impact adjacent property owners.

Meets criterion.

3. The applicable review board has determined that the waiver is appropriate in massing, scale, visual impact and does not create noise, light or other impacts greater than similar improvements permitted in the immediate area.

Staff Analysis: There is currently a church and school academy on the subject property. These uses are permitted in the SF-R zoning district through an administrative use permit (AUP) and conditional use permit (CUP), respectively. As signage technology has evolved, many institutional uses such as churches and schools have upgraded their message boards with changeable copy (LED) signs. Staff is providing a recommendation of approval because this signage type is common for the subject uses which were envisioned by the SF-R zoning district to provide services for nearby residences.

Meets criterion.

4. The waiver request supports the goals, objectives and policies of the City's Comprehensive Plan.

Staff Analysis: Policy 1.1.1.2 of the City's Comprehensive Plan, indicates that "a limited number of nonresidential uses for the convenience of residents" were expected in the SF-R FLUM. Therefore, the waiver allows upgrades to the existing signage that support uses that are convenient for the neighborhood. **Meets criterion.**

5. The waiver request is supportive of currently permitted uses, and shall not create or increase a nonconformity with regards to use as described in Section 23.5-3.

Staff Analysis: Not applicable, the proposed sign waiver will not impact uses of land or existing buildings. The upgraded ground sign with a changeable copy area (LED) shall comply with all applicable signage regulations. **Criterion not applicable.**

CONCLUSION AND CONDITIONS

Based on staff's analysis, the waiver request complies with all the waiver criteria outlined above. Therefore, staff is recommending approval of this application with conditions:

1. The full zoning review of the proposed signage shall take place at permitting.
2. The signage shall comply with all applicable regulations in Section 23.5-1, to be reviewed at permitting, including the following restrictions (Section 23.5-1(e)(16)(ii)):
 - a. Digital copy shall have a minimum dwell time cycle of sixty (60) seconds.
 - b. Digital copy shall be limited to one (1) message related to one (1) type of use per cycle
 - c. Digital copy shall be limited to three (3) individual total cycles
 - d. Changeable copy shall relate only to the principal use on a property
 - e. Individual changeable copy messages may only be changed once in a four (4) hour period
3. The signage shall comply with site visibility requirements, to be reviewed at permitting.
4. The landscaping at the base of the signage shall be reviewed at permitting by the City's Horticulturalist.

BOARD POTENTIAL MOTION:

I MOVE TO APPROVE PZB PROJECT NUMBER 23-01500003 with staff recommended conditions for a **waiver** allow a new changeable copy sign for an institutional use not along one of the City's Major Thoroughfares at 1901 12th Avenue South. The application meets the waiver criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 23-01500003 for a **waiver** to allow a new changeable copy sign for an institutional use not along one of the City's Major Thoroughfares at 1901 12th Avenue South. The project does not meet the waiver criteria for the following reasons [Board member please state reasons.]

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

ATTACHMENTS

- A. Application Package (survey & supporting documents)