

MUPD Zoning Text Amendment

STAFF REPORT

Petition No: 2023-0002-ZTA

Ordinance No: 2023-14

Applicant: Lotis Wellington 2 LLC
 2300 Glades Rd., Suite 202E
 Boca Raton, FL 33431

Agent: Insite Studio, Inc.
 8144 Okeechobee Blvd.
 Suite A
 West Palm Beach, FL 33411
Brianterr@insitestudio.com
 561.249.0940

Request:

To amend Sections 6.5.6 of Wellington’s Land Development Regulations (LDR) by modifying regulations related to Multiple Use Planned Development Zoning District to include conservation as a permitted use, and to amend the maximum percentage allowed for a single use.

Boards, Committees, and Council:

	Date	Vote
PZAB	9/28/2023	6 – 0
Council (1 st)	11/7/2023	5 – 0
Council (2 nd)	12/5/2023	Pending

Project Manager:

Damian Newell, Senior Planner
dnewell@wellingtonfl.gov
 (561) 753-2577

Wellington Vision:

A Great Hometown: Great Neighborhoods, Great Schools, and Great Parks.

Wellington Mission:

To provide high-quality services that create economic, environmental, and social sustainability for residents.

Wellington Goals:

- Economic Development
- Neighborhood Renaissance
- Protecting Our Investment
- Respecting the Environment
- Responsive Government

Background:

Wellington’s Land Development Regulations (LDR) was amended in 2019, requiring a maximum percentage for each use proposed within a project. The applicant is currently proposing a mixed-use project that has one (1) of the proposed use type (residential) exceeding the maximum percentage allowed (30% for project’s more than 30 acres). After working with staff, the applicant is proposed an amendment that will remove the incremental approach for the maximum percentage a proposed use is allowed as it relates to the project’s acreage. The proposed amendment will allow up to a maximum 60% for a single use if approved by Council. The applicant is currently in the review

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process for the Lotis Wellington 2 (Lotis 2) mixed-use project that includes over 56% of the project’s land area allocated to residential use (100 DU for single-family and 72 DU for multi-family), and remaining land area for daycare, miniature golf, lake/open space and conservation. If the proposed ZTA is approved as requested the Lotis 2 Master Plan with the current use allocations will be at a future public hearing.

Analysis:

As stated above, the request is to amend Land Development Regulations (LDR) Section 6.5.6, to include conservation as a permitted use. Thought-out Section 6.5.6 conservation is listed, but in Section 6.5.6.B it’s not listed as one (1) of the uses. The applicant is requesting to include conservation as one (1) of the permitted uses as listed in Section 6.5.6.B (Ordinance No. 2023-14 Exhibit A).

The other amendment relates to the maximum percentage a proposed single use is allowed. Below is LDR the current acreage, number of use types and maximum percentage of a single use required for projects with a Multiple Use Planned Development (MUPD) Zoning designation.

Gross Acreage	Required Number of Use Types	Maximum Percentage of a Single Use for the District
5—10 acres	2	60%
11—20 acres	3	50%
21—30 acres	4	40%
More than 30 acres	5	30%

The incremental approach to the maximum percentage of a single use as it relates to the project’s acreage increases was added with the 2019 LDR updates. This was intended to ensure that no single use would have a significant land area allocation and will have multiple uses for the mixed-use project. In coordination with staff, the applicant is proposing language to remove the incremental percentage (last column of above table) of a single use as currently required by the LDR, and instead allow a maximum 60% for a single use with a list of factors that Council will consider when approving the percentage allocation of each use type per the project design and use of the land. The maximum 60% for a single use was a requirement of the previous LDR and Comprehensive Plan standards for mixed-use projects. With the minimum number of use types (see above and below tables) still required for a proposed project and Council approval of the percentage of each use type allocation with the project’s master plan consideration, this will help ensure multiple uses are provided within a proposed mixed-use project.

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Ordinance No. 2023-14 Exhibit A is the proposed changes to the LDR, with formatting of text to be deleted in ~~strikethrough~~ format, and new text in underline. Below are the changes as it relates to percentage of a single use and factors Council will consider when approving the percentage of a project's use type allocation.

LDR Sec. 6.5.6.H. The following development regulations regarding use types shall apply to all MUPD:

<i>Gross Acreage</i>	<i>Required Number of Use Types</i>	<i>Maximum Percentage of a Single Use for the District</i>
<i>5—10 acres</i>	<i>2</i>	<i>60%</i>
<i>11—20 acres</i>	<i>3</i>	<i>50%</i>
<i>21—30 acres</i>	<i>4</i>	<i>40%</i>
<i>More than 30 acres</i>	<i>5</i>	<i>30%</i>

- 1. Council shall approve with the project master plan the percentage allocation of each use type based on the project design and efficient use of land, with a maximum percentage allocation for a single use not to exceed 60% of the total MUPD acreage with the project master plan. In consideration of the percentage allocation of uses, Council shall consider the following factors:*
 - i. A market study provided by the applicant/developer, showing the current demand of the use proposed for the project. The project should include one (1) or more uses that is needed in the area as determined by Wellington.*
 - ii. Further the intent of a mixed-use district and encourages development of mixed-use adjacent to other mixed-use developments, while providing enhanced inter-connectivity of both residential and non-residential uses within the project and with adjacent development(s), that is above any minimum required.*
 - iii. Provides community benefit(s), open to the public, within the project or off-site on Wellington property that is above any minimum required. Council approval is required for the community benefit(s) as part of the master plan consideration.*
 - iv. The project includes at least two (2) facets of sustainable development, that are above any minimum required, such as a renewable energy source (solar/wind power); at least five percent (5%) of the required non-residential and residential common area on-site parking is dedicated to electric vehicle (EV) charging stations (Level 2 or Direct-current fast charger); green building design; utilization of recycled materials and/or eco-friendly materials for site and/or vertical construction; water conservation; waste reduction/recycling; etc.*

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Summary:

The Planning and Zoning Division recommends approval of Ordinance No. 2023-14, to amend Wellington’s LDR modifying regulations to include conservation as a permitted use, and to amend the maximum percentage allowed for a single use for projects within a MUPD Zoning District.

List of Exhibits:

Exhibit A: Applicant Justification Statement