

Modification of Table LU&CD 1-1

STAFF REPORT

Petition Numbers/Types:

Comprehensive Plan Amendment (CPA)
 Petition 2024-0003-CPA
 Ordinance No. 2024-21

Applicant: Village of Wellington
 Planning and Zoning Division

Requests:

To amend the Table LU&CD 1-1 Land Use Designations: Density and Intensity of the Land Use & Community Design Element of Wellington's Comprehensive Plan, along with certain policies related to data in the table.

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

Boards and Council	Meeting Date	Vote
PZAB	11/20/2024	7-0
Council (1 st)	12/10/2024	TBD
Council (2 nd)	1/14/2025	TBD

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Background:

Wellington is seeking to amend Table LU&CD 1-1 "Land Use Designations: Density and Intensity" of the Land Use & Community Design Element of Wellington's Comprehensive Plan. This table corresponds to Policy LU&CD 1.1.2 of the Land Use & Community Design Element which requires the provision of land use designations and their corresponding description, density, or intensity.

The amendment does not change the intent of the Land Use & Community Design Element. This amendment addresses consistency with Wellington's Land Development Regulations (LDR) and includes density changes for mixed-use land use that is more appropriate for the housing types associated with these projects.

The proposed amendment includes the following:

- Change the term "Bonus" to "PD Max"
- Change the term "Reinvestment Bonus Residential Density" to "Reinvestment Incentive: Residential Density"
- Correct the Equestrian Commercial Recreation (ECR) land use type Standard Floor Area Ratio (FAR) to be consistent with the LDR.
- Amend the maximum Residential density [dwelling units per acre (du/ac)] for the Mixed-Use and Large-Scale Mixed-Use land use type.
- Include a Reinvestment Incentive: Residential Density for LSMU.
- Correct the Flex land use type Standard FAR.
- Correct the numerical value of Policy LU&CD 1.3.3 consistent with the Table.
- Correct the numerical value of Policy LU&CD 1.4.1 consistent with the Table.
- Correct the use and numerical value of Policy LU&CD 1.4.2 consistent with the Table.

Analysis:

In 2019, the LDR was completely updated. After the adoption of the LDR, the Comprehensive Plan was updated. Under Florida Statutes, both documents must be internally consistent and must be consistent with each other. The Comprehensive Plan update was adopted in August 2021. Unfortunately, several of the numerical values in Table LU&CD 1-1 were not consistent with the recently adopted LDR. This amendment amends and corrects the table, and corresponding policies, in the Comprehensive Plan so that it is consistent with the LDR while addressing needed changes for mixed-use land use.

The Planning and Zoning Division is requesting a Comprehensive Plan Amendment to amend Table LU&CD 1-1 of the Land Use & Community Design Element of the Comprehensive Plan as provided below in strikethrough and underlined format.

Please note that the proposed changes highlighted in yellow were all reviewed by PZAB. The proposed changes highlighted in green were generated after PZAB in response to suggestions on clarifying the intent of what use types are included in the overall FAR calculation.

Land Use Type	Land Use	Residential Density (max du/ac)		Non-Residential Intensity (max FAR)		Reinvestment Incentive: Residential Bonus Density**
		Standard	Bonus PD Max*	Standard	Bonus PD Max**	
Residential						
Low Density	A	0.1	--	--	--	N/A
	B	0.1	1	--	--	N/A
	C	1	3	--	--	N/A
Medium Density	D	2	5	--	--	10
	E	3	8	--	--	16
	F	5	12	--	--	24
High Density	G	5	18	--	--	30
	H	5	22	--	--	30
Commercial						
	Commercial (C)	--	--	0.4	0.8	N/A
	Equestrian Commercial Recreation (ECR)	--	--	0.1 0.45	--	N/A
	Open Space Recreation (OSR)	--	--	0.1	--	N/A
Mixed-Use***						
	Mixed-Use (MU) < 60 AC	5	-- 10	0.5	0.8	22
	Large-Scale Mixed-Use > 60 AC	6	-- 15	0.4	0.8	N/A 22
Flex						
	Flex (FLX)	--	--	0.45	--	N/A
Community Facility						
	Community Facility (CF)	--	--	0.35	--	N/A
Parks & Preserves						

Land Use Type	Land Use	Residential Density (max du/ac)		Non-Residential Intensity (max FAR)		Reinvestment Incentive: Residential Bonus Density**
		Standard	Bonus PD Max*	Standard	Bonus PD Max**	
	Parks (PK)	--	--	0.25	--	N/A
	Conservation (CN)	--	--	0.05	--	N/A

Note:

*Maximum Residential Density or Non-Residential Intensity bonus is allowed for planned unit developments maximum density and may be limited by the Land Development Regulations or by Wellington's Council.

**Reinvestment Incentive: Bonus Residential Density is in addition to the PUD maximum density and may be limited by allowed as part of a program established in the Land Development Regulations or by Wellington's Council as an incentive for reinvestment in defined areas.

***For MU and LDMU the FAR calculations shall include both residential and non-residential uses for the overall project.

All parcels with previously issued development orders shall be governed by the specific densities within the respective development orders.

All changes above are explained with the corresponding policy changes and the following information. For the Flex (FLX) Land Use Standard FAR, a scrivener's error occurred during the Comprehensive Plan update and the "5" was left off the 0.45 FAR. The LDR, adopted before the update of the Comprehensive Plan, indicated the FAR for the Flex Zoning District is 0.45.

As mentioned above, the proposed amendment to table LU&CD 1-1 requires a minor (numerical value) modification to two (2) policies within the element to make the policies consistent with the Table LU&CD 1-1 and with the related regulations with the Land Development Regulations.

Proposed Policy Amendment:

Policy LU&CD 1.3.3

Equestrian Commercial Recreation Land Use

Apply the Equestrian Commercial Recreation (ECR) land use designation to accommodate commercially-oriented uses, such as arenas/stadiums, show ring facilities, and commercial stables, and equestrian-oriented commercial uses, such as veterinary clinics, feed stores, and tack shops. Equestrian Commercial Recreation land use is limited to the Equestrian Preserve Area, located with frontage on an arterial or collector roadway, and limited to a maximum intensity of 0.4045 FAR.

The proposed change corrects the maximum Floor Area Ratio (FAR) of the Equestrian Commercial Recreation (ECR) land use designation from 0.1 to 0.45. The amendments in the table and policy are consistent with Section 6.3.1 within Table 6.3-1 General Property Development Regulations of the LDR. To provide background on this correction, when Commercial Recreation (CR) was converted to Equestrian Commercial Recreation (ECR) in the Equestrian Overlay Zoning District (EOZD), the analysis indicated that the majority of the ECR properties contained equestrian venues or equestrian facilities, such as Wellington International, International Polo Club, Grand Champions Polo, and Palm Beach Equine. The existing development orders, and development or use of the sites, did not comply with the 0.1 FAR originally adopted for CR when the PBC ULDC was implemented at the time of incorporation, therefore it was proposed at 0.45. The CR properties outside of the EOZD were properly designated as Open Space (based on the original Wellington PUD) and maintained the 0.10 FAR. This change was recommended for approval by EPC and PZAB and approved by Council. The figure below illustrates the current related LDR table for reference.

Figure 1: Table 6.3-1 General Property Development Regulations

Zoning Districts	Minimum Lot			Maximum FAR	Maximum Building Coverage	Minimum Setbacks			
	Size	Width	Depth			Front	Side	Corner	Rear
RS ⁽¹⁾	6,000 sf	65 ft	75 ft	-	40%	25 ft	7.5 ft	15 ft	15 ft
RM ⁽²⁾	-	65 ft	75 ft	-	35%	25 ft	15 ft	25 ft	15 ft
RH ⁽²⁾	-	65 ft	75 ft	-	40%	25 ft	15 ft	25 ft	15 ft
CC	1 acre	100 ft	200 ft	0.35	25%	30 ft	30 ft	30 ft	30 ft
CF ⁽³⁾	-	-	-	-	-	-	-	-	-
FLEX	1 acre	100 ft	200 ft	0.45	45%	40 ft	15 ft	25 ft	20 ft
PUD ⁽¹⁾	10 acres	Determined by Approved Development Order			45%	Determined by Approved Development Order			
MUPD	5 acres				45%				
MCPD	20 acres				45%				
ER	10 acres	300 ft	300 ft	-	20%	100 ft	50 ft	50 ft	100 ft
ECR	3 acres	200 ft	300 ft	0.45	45%	80 ft	50 ft	80 ft	50 ft
Overlay Districts									
EOZD ⁽⁴⁾	Determined based on ER or ECR Zoning Districts, Subarea, or Approved Development Order			0.20	20%	Determined based on ER or ECR Zoning Districts, Subarea, or Approved Development Order			
LROZD ⁽⁴⁾				0.20	20%				
RROZD ⁽⁴⁾				0.20	20%				

Proposed Policy Amendment:

**Policy LU&CD 1.4.1
 Regional Commercial/Large-Scale Mixed-Use Land Use**

Apply the Regional Commercial/Large-Scale Mixed-Use (LSMU) to accommodate a wide range of commercial and residential uses for properties at least 60 acres in size. The uses are intended to service a regional market and further the objectives of balancing land use within Wellington. The allowable land uses within the LSMU may comprise commercial, residential, conservation, public facilities, and parks, and the specific development program shall be as stated in the approved development order, but in no case shall exceed the LSMU maximums. The maximum FAR and density are measured for the gross LSMU acreage. The maximum FAR for ~~all uses, including residential, commercial development, including hotels,~~ is 0.40, and shall. The non-residential development shall comprise no less than 60% of the total land area. The maximum density for residential is 6-22 dwelling units per acre. The allowable land uses may be allocated anywhere within the subject site in accordance with the approved master development plan.

The amendment to this policy is proposed to be consistent with Table LU&CD 1-1. The Reinvestment Bonus Density (proposed as Reinvestment Incentive: Residential density) was originally indicated at “N/A” because the only LSMU site was, and is the Wellington Green Mall. Over the last four years, Wellington has been working with the Treasure Coast Regional Planning Council to evaluate the market feasibility of certain development at the Wellington Green Mall and along the State Road 7 corridor. This effort resulted in the adoption of the Wellington Green Redevelopment Guidelines. The Guidelines include development standards for block size, building form, and also include a mix of potential uses including residential. Based on the market analysis and the guidelines, it was recommended that the maximum density for this mixed-use land use be increased to 15 dwelling units per acre and include a reinvestment density of 22 units per acre. These maximum densities fall within the high residential density land uses typical for mixed-use developments.

Further review of the table indicated since the update of the LDR, which merged the Mixed Use Planned Development (MXPD) and Multiple Use Planned Development (MUPD) Zoning designations, Table LU&CD 1-1 needed to provide a maximum density for Mixed Use (MU). The two (2) Zoning designations were merged for two reasons. First, the only difference was that MXPD allowed residential uses and MUPD did not. The second reason was that the majority of the MUPDs had residential uses, contrary to the LDR and Comprehensive Plan. The maximum density proposed is 10 dwelling units per acre (du/ac). This maximum density falls within the medium residential density land uses typical for mixed-use developments.

At the November 20, 2024 PZAB meeting, the board discussed and suggested a clarification be added to the table notes indicating the FAR calculation includes both residential and non-residential uses. This change then required a minor additional amendment to Policy 1.4.1 and a new proposed amendment to Policy 1.4.2.

Proposed Policy Amendment:

Policy LU&CD 1.4.2 Mixed-Use Land Use

Apply the Mixed-Use (MU) Land Use designation to new development or redevelopment of existing sites to accommodate a wide range of commercial and residential uses that are interconnected with a complementary mix of uses which are sensitive to the surrounding uses and to the natural environment, create neighborhoods with character, promote a walkable built environment, foster improved social and economic sustainability, and reduce infrastructure costs. Maximum commercial FAR all uses shall not exceed 0.50 and residential density shall not exceed 22 units per acre. The maximum FAR and density are measured for the gross MU acreage.

The above additional policy amendment is necessary to clarify that the FAR for all types of mixed-use developments will include all use types.

Summary

In summary, the proposed amendments include:

- Amending the term “Bonus” to “PD Max”
- Amending the term “Reinvestment Bonus Residential Density” to “Reinvestment Incentive: Residential Density”
- Correcting the ECR standard FAR from 0.1 to 0.45 under the Commercial Use types
- Amending the maximum Residential density for Mixed-Use land use types as a part of planned developments to 10 du/ac
- Amending the Reinvestment Incentive: Residential Density for LSMU from N/A to 22
- Correcting the Flex land use type Standard FAR from 0.4 to 0.45
- Amending the Table notes as required for consistency.

The proposed changes to the Land Use & Community Design Element policies are as follows:

- Policy LU&CD 1.3.3 amends the maximum intensity FAR from 0.1 to 0.45.
- Policy LU&CD 1.4.1 amends the maximum “Reinvestment Bonus Density” from 6 to 22 dwelling units per acre for Large-Scale Mixed-Use land uses.
- Policy LU&CD 1.4.2 amends the maximum FAR from all commercial uses to all uses.

A memorandum was provided to the Equestrian Preserve Committee at their November 6, 2024, meeting regarding the correction to the Equestrian Commercial Recreation Standard Floor Area Ratio. This proposed amendment was not presented to the EPC for a recommendation as it is a correction of a scrivener's error.

The Planning, Zoning and Adjustment Board has reviewed the proposed ordinance and made a recommendation for approval with a 7-0 vote at the November 20, 2024 meeting.

FINDINGS OF FACT/ACTION

The staff report provides the justification for the proposed amendments. The Findings of Fact indicate that the amendment brings the Comprehensive Plan and LDR into compliance with each other and amends the Mixed-Use Land Use designations to be consistent with recent planning efforts and direction. The findings recommend the approval of Ordinance No. 2024-21 to amend Table LU&CD 1-1 and Policies LU&CD 1.3.3, 1.4.1, and 1.4.2 of the Comprehensive Plan.