



PLANNING & ZONING STAFF REPORT

I. DESCRIPTION

Petition: Ordinance No. 2019-14
Article 6 – Zoning Districts

Applicant: Village of Wellington (Planning and Zoning Department)

Project Manager: Cory Lyn Cramer, AICP

Request: Approval of Ordinance No. 2019-14 to repeal and replace Article 6, Zoning District, of Wellington's Land Development Regulations (LDR).

II. BACKGROUND

Wellington incorporated in 1995 and became operational in 1996. The Village Charter provided that Wellington would adopt the Palm Beach County Unified Land Development Code (ULDC) as the first set of LDR. The first Comprehensive Plan was adopted in 1999. The Comprehensive Plan requires that LDR be established to implement the Goals, Objectives and Policies of the Comprehensive Plan. The Village began to process modifications to the LDR, as needed, to address local community needs and those needs specific to Wellington that differed from Palm Beach County. This reactive approach was the catalyst to the Village's determination that the entire LDR needed to be re-written to continue to be effective and to address the current and future growth and redevelopment of Wellington as we approach build-out. To date, Council has adopted a new Article 5 (Development Review Process) and a Development Review Manual. Council has also approved the first reading of Articles 1 (General Provisions), Article 2 (Concurrency Management), Article 7, (Site Development Standards), Article 8 (Subdivision, Platting and Physical improvements) and Article 9 (Traffic Performance Standards).

Article 6 establishes zoning districts and regulations to ensure that each use is compatible with surrounding uses, served by adequate public facilities, sensitive to natural resources and consistent with the Comprehensive Plan. Article 6 has been updated as follows under the Summary and Analysis section of this report.

Article 3 (Definitions) will shortly follow in the final steps of the re-write. The definitions cannot, and should not, be finalized until the rest of the LDR is drafted.

SUMMARY AND ANALYSIS

Article 6, as proposed, has been written to simplify the text, remove duplications, and provide the regulations in an order and flow that follows the typical zoning district hierarchy that is the industry standard and providing requirements for each zoning districts or district

type. Currently, Article 6 is approximately 300 pages. The proposed Article is under 100 pages. Various citations throughout Article 6 to statutes, LDR sections, titles of agencies or officials, etc. were updated or corrected as needed.

Wellington adopted the County code when it was incorporated in 1996. There were many zoning districts within the code that did not exist in Wellington but did exist in the County. The zoning districts in Chapter 1 have been updated, reorganized and match Wellington's current zoning map.

In the existing code, there were three (3) use table schedules that were located in different chapters throughout Article 6. This made it difficult to navigate and often created conflicts. The three (3) use tables were combined into one (1), located in Chapter 2, and reorganized based on types of uses (residential, retail, office, etc.). The uses were simplified to more general categories resulting in a clean and clear use matrix. Staff reviewed the supplementary standards that related to the uses and updated them as well. The supplementary standards are now grouped by principal use, accessory use and temporary use. No significant contextual changes were made to the regulations.

Chapter 3 relates to Property Development Regulations. As previously stated, there were various zoning districts mentioned in the code that did not exist. This stood true for the tables within Chapter 3 that provided minimum lot requirements and setbacks for districts that were not on Wellington's Official Zoning Map. Staff removed those districts and included only those that were relevant. An easier to read setback diagram replaced the existing diagram. Exceptions to property development regulations were combined into one section and placed in a table for better organization.

Chapter 4 includes Development and Design Standards and is now its own chapter, where before it was part of the Property Development Regulations. This chapter merged different sections together including fencing, accessory structures, and district specific design standards providing a better-organized location for staff and property owners to find and review the criteria. The Big Box Ordinance was adopted years ago as part of the design criteria. The intent was to regulate the aesthetics and design of larger commercial, single tenant, uses. This section was also removed because as we reach a stage of reinvestment, some of the standards that once protected the community will now discourage reinvestment and redevelopment. In some cases, the old standards even make it impossible to meet the criteria. Staff did incorporate portions of the requirements of the Big Box Ordinance for non-residential properties Village-wide, as it is recognized that some of the criteria would still benefit the community.

Chapter 5 provides regulations for Planned Development Districts (PDD). These districts include Planned Unit Developments (PUD), Multiple Use Planned Developments (MUPD), and Medical Commercial Planned Developments (MCPD). You will see a reference to Mixed Use Planned Development (MXPD); however, this district and regulations are merging with the MUPD regulations. This merger will be further explained in the next section.

The first section of Chapter 5 provides general regulations that apply to all planned developments (PD), regardless of which PD type is designated to a subject parcel or area. A PUD is predominantly residential in nature and may have some non-residential pods to support the residential units. A PUD may be made up of different housing types, such as single-family, zero lot lines, townhouses, and multi-family varieties. MUPD allows for a

variety of non-residential uses. The design standards encourage innovation and creativity. MXPDP allows for a mixture of all use types, residential and non-residential. Currently, Wellington has both MUPD and MXPDP properties and all subject properties contain residential and non-residential uses. This was historically approved through the county and Wellington in this manner. For this reason, in an effort to eliminate any unintended nonconformity and to simplify the regulations into one district, all MXPDP and MUPD properties will eventually transition to MUPD. It is important to note, the this change will not give entitlements to MUPD that they do not currently have and it will not take away entitlements from MXPDP properties as a result. These districts are one in the same and will be identified as such. MCPD focuses on the medical component of the hospital and the ancillary uses that support the hospital. These regulations have not contextually changed, they were simplified and cleaned up.

Chapter 6 is reserved for Development Redevelopment Incentives and is not included in this re-write. We will be working over the next several months to develop these incentives and will bring them back for your review upon completion.

The Flex Zoning district regulations can be found in Chapter 7. These regulations currently apply to the Commerce Park and Commerce Park East.

The Equestrian Overlay Zoning District (Chapter 8), Little Ranches Overlay Zoning District (Chapter 9) and Rustic Ranches Overlay Zoning District (Chapter 10) were reviewed by the Equestrian Preserve Committee (EPC). The use table was removed and merged into the Use Schedule in Chapter 2. All supplementary standards related to the uses only permitted with the Equestrian Preserve Area are included in the respective equestrian chapters. Staff worked with the EPC to create requirements for Minor and Major Equestrian Venues, as they did not exist in the past. No other substantial changes were made to these chapters except reorganization and reformatting the tables within the sections.

The objective is to move this article through the public hearing process up to the first reading by Council. Then the article will be placed on hold until Article 3 is heard by PZAB and Council. Once all articles are ready for second reading and adoption, a Council date will be set.

III. PUBLIC HEARINGS

Planning Zoning and Adjustment Board (PZAB):

Newspaper: October 28, 2019

Meeting Date: November 13, 2018

Village Council – First Reading (Tentative):

Newspaper: November 25, 2019

Meeting Date: December 10, 2018

IV. STAFF RECOMMENDATION

Staff recommends approval of Ordinance No. 2019-14 to repeal and replace Article 6, Zoning Districts, of Wellington's LDR in its entirety.