



TOWN OF HIGHLAND BEACH MEMORANDUM

MEETING TYPE: Town Commission

MEETING DATE: March 7, 2023

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: Discussion on “zoning district density review” initiative

SUMMARY:

At the October 18, 2022 Town Commission meeting, the Commission considered an introduction to a zoning district density review initiative (see attached Commission memorandum). Note that the attached October 18, 2022 Commission memorandum provides an introductory review and analysis of this initiative. The consensus from the Commission was to have the Planning Board consider what approaches to take in processing and analyzing this initiative. Discussion among the Commission included the following:

- Need sufficient residential input.
- Retain current character of Town.
- Don't lose value of property (i.e., if a property currently has 3 units, the property owner should be able to rebuild those 3 units).
- Consider the Town not as a “whole” but as zones, districts or neighborhoods (i.e., the needs of Russell Drive may be different from those of Bel Air Drive).
- Consider there is currently no incentive to replace existing structures.
- Consider “lot coverage” requirement for Single-family zoning districts.
- Emphasize that the process for the Planning Board's consideration of this initiative not be rushed.

In addition, the Commission discussed defining density. Both the Town Zoning Map and Future Land Use Map provide density thresholds which are provided below. The Town's zoning districts that are provided in the Zoning Map are described in Section 30-62 of the Town Code of Ordinances (“Town Code”) as follows:

(a) *Residential Single-Family Estate Zoning District (RE)*—*Purpose.* It is the purpose of this district to provide for areas of the town that shall be exclusively used for single-family homes.

(b) *Residential Single-Family Zoning District (RS)—Purpose.* It is the purpose of this district to provide for areas of the town that shall be exclusively used for single-family homes.

(c) *Residential Multiple-Family Low-Density Zoning District (RML)—Purpose.* It is the purpose of this residential zoning district to encourage alternative housing styles, such as townhouses and patio house, at low densities and to allow compatible special exception uses.

(d) *Residential Multiple-Family Medium-Density Zoning District (RMM)—Purpose.* It is the purpose of this residential district to promote the development of multiple-family structures to medium densities and to allow compatible special exception uses.

(e) *Residential Multiple-Family High-Density Zoning District (RMH)—Purpose.* It is the purpose of this residential district to promote the development of multiple-family structures at high densities and to allow compatible special exception uses.

(f) *Government Service Zoning District (GSD)—Purpose.* It is the purpose of this zoning district to provide for public service areas and to protect the special nature of public services and activities.

Zoning District densities
(As provided in Section 30-64 of the Town Code)

ZONING DISTRICT	Residential Estate (RE)	Residential Single-Family (RS)	Multiple-Family Low Density (RML)	Multiple-Family Medium Density (RMM)	Multiple-Family High Density (RMH)	Government Service District (GSD)
Maximum Density	1.45 units/acre	4.35 units/acre	6.0 units/acre	12 units/acre	16 units/acre	N/A

Future Land Use Map densities
(As provided in the Future Land Use Element of the Comprehensive Plan)

Residential Land Use Classification	Density Standard
Single Family	Up to 4 dwelling units per acre
Multiple Family (Low)	Up to 6 dwelling units per acre
Multiple Family (Medium)	6.1-12 dwelling units per acre
Multiple Family (High)	12.1-16 dwelling units per acre

Planning Board Discussion:

At the February 9, 2023 Planning Board meeting, the Board discussed the item and was provided the above-referenced information. The Board was also advised that given Commission's direction to not rush the process, the item would be a continuing item of discussion on the Board's meeting agendas during an approximate 8-12 month timeframe.

As a first step in analyzing the density issue, staff suggested to the Board to consider, at minimum, the following:

-Are the current densities found along Russell Drive, Bel Aire Drive and Highland Beach Drive suitable or not for the short-term and long-term?

-Are the current high-rise densities found along State Road A1A suitable or not for the short-term and long-term?

After some discussion, the Board's consensus was to have public input on the initiative. The Board made a motion to conduct two (2) Planning Board meetings with a public hearing component to discuss possible revisions to the Code, including but not limited to, changes in zoning district density and changing grandfathered nonconforming uses. The Planning Board meetings will be held at the regularly scheduled April 13th Planning Board and a special Planning Board evening meeting to be determined in March 2023. Staff to prepare a notice inviting the public as soon as the March evening meeting is scheduled (motion carried 7-0).

Upon discussion with the Town Manager after the Planning Board meeting, staff suggested that this initiative follow the public input format of the proposed Accessory Marine Facilities and seawall amendment concepts whereby actual proposed "amendment concepts" are drafted prior to public input meetings. Subsequently, such amendment concepts would be presented at advertised public input meetings.

At the February 21, 2023 Town Commission Meeting, the Town Manager provided an update to the Commission on this initiative including having digestible concepts for the public to consider verses a big picture of "zoning density." The Commission's consensus was to have the item come back to them so that they can provide further guidance on goals and approach including possible Commission sponsorship of the initiative.

ATTACHMENTS

October 18, 2022 Town Commission Memorandum – Introduction to Zoning District density review.

October 18, 2022 Town Commission Minutes.

Town Zoning Map

Town Future Land Use Map

RECOMMENDATION

At the discretion of the Town Commission.