



DEPARTMENT FOR COMMUNITY SUSTAINABILITY  
Planning Zoning Historic Preservation Division  
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Lake Worth Beach, FL 33461  
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DATE: May 6, 2020

TO: Members of the Historic Resources Preservation Board and Planning and Zoning Board

FROM: William Waters, AIA, NCARB, LEED, AP BD+C, ID SEED, Director for Community Sustainability

SUBJECT: **PZB/HRPB 20-00400001**: City-initiated request to amend the Future Land Use Element of the Lake Worth Beach Comprehensive Plan relating to the Mixed Use East, Transit Oriented Development, and Downtown Mixed Use Future Land Use (FLU) designations, including modifications to the FLU development requirements, limitations, and general location descriptions.

Meeting Dates: May 13, 2010 and May 20, 2020

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**BACKGROUND:**

The subject City-initiated proposed amendments to Future Land Use Element Policies 1.1.1.1, 1.1.1.7, 1.1.1.8, and 1.1.2.10 that relate to the Mixed Use East, Transit Oriented Development, and Downtown Mixed Use Future Land Use (FLU) designations, including modifications to the FLU development requirements, density limitations, and general location descriptions.

The data and analysis section in the staff report was prepared in accordance with the requirement of F.S. 163.3177 and provides relevant and appropriate data based the City's community goals and vision and consistency with level of service requirements. The amendments reflect market driven conditions for economic development by providing the type of development desired in prime locations that are in close proximity to the existing Tri Rail train station and the Federal Highway mixed use corridor while optimizing the maximum residential development potential for these locations. Furthermore, the amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission transmit the text amendments (PZB/HRPB 20-00400001) to the Florida Department Economic Opportunity (DEO) for expedited review.

**DATA & ANALYSIS**

The following represents the five (5) proposed text amendments in ~~strikethrough~~ (proposed deleted provisions) and underline (proposed new provisions) format.

**1) Future Land Use Element Policy 1.1.1.1 Table 1 Mixed- Use East Federal Highway (MU-E FH) Zoning District**

Policy 1.1.1.1: **\*\*\*Portion of Policy 1.1.1.1 Text Omitted for Brevity\*\*\***

Table 1 depicts maximum densities for each residential and mixed use designation, building heights, sustainable incentive bonus program height allocations, ratios of residential and non-residential uses for each mixed use designation, and Floor Area Ration (FAR) intensities for all Future Land Uses.

**Table 1**

**\*\*\*Residential Portion of Table 1 Omitted for Brevity\*\*\***

	Land Use	Zoning District	Density Allowed by Zoning District	Building Height	Height w/ Sustainable Incentive Bonus Program Allocation(1)	Allowable Mix of Uses per District	Floor Area Ratio
<b>Mixed Use</b>	Mixed Use East (MU-E) 45' Max.	MU-DH	30 du/acre	30 feet (max 2 stories)	plus 15 feet (max 4 stories)	75% residential/ 25% non-residential	<b>1.55</b>
		MU-FH	<del>320</del> du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MU-E	30 du/acre	30 feet (max 2 stories)	plus 15 feet (max 4 stories)		
	Mixed Use West (MU-W) 65' Max.	MU-W	30 du/acre	30 feet (max 2 stories)	plus 35 feet (max 6 stories)	75% residential/ 25% non-residential	<b>3.0</b>
	Downtown Mixed Use (DMU) 45' – 65' Max.	DT	40 du/acre	30 feet (max 2 stories)	plus 35 feet (max 6 stories—east of FH)	75% residential/ 25% non-residential	<b>2.45</b>
		MU-E	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MF-20	20 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MF-30	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		

**\*\*\*Remaining Land Use Designations in Table 1 Omitted for brevity\*\*\***

**JUSTIFICATION:**

The proposed amendment allows for 30 du/acre in the Mixed Use - Federal Highway (MU-FH) Zoning District consistent with the Mixed Use East (MU-E) Future Land Use Designation maximum development potential.

The maximum density for the MU-E FLU pursuant to FLU Policy 1.1.1.5 is 30 du/acre. The amendment allows 30 du/acre in the corresponding MU-FH Zoning District consistent with the other corresponding Zoning districts of MU-DH and MU-E. The increase in density for the Zoning District from 20 du/acre to 30 du/acre will allow for a maximum range of multifamily unit sizes and is consistent with the existing maximum development potential of the MU-E Future Land Use Designation.

## 2) Future Land Use Element Policy 1.1.1.8 Transit-Oriented Development (TOD) Land Use Designation

Policy 1.1.1.8: Transit-Oriented Development, maximum 650/du acre

The Transit-Oriented Development land use category is established to promote compact, mixed-use development near proposed or existing transportation infrastructure to encourage diversity in the way people live, work and commute. The maximum density of permitted residential development is 650/ dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. All buildings are required to provide transitional buffering and design features to mitigate impact of the TOD sites adjacent to residential zoning districts. The implementing zoning districts for this category are TOD-E, TOD-W, SFR, MF-30, MU-DH MF-20, MU-W, P, PROS, and AI.

### **JUSTIFICATION**

The proposed amendment allows an additional 10 du/acre (max 60 du/acre) in the Transit Oriented Development (TOD) Future Land Use designation and lists all corresponding implementing zoning districts currently located within the TOD areas.

The TOD designation provides an alternative mixed-use development pattern within a one-quarter mile radius of rail or light rail transit nodes. TOD uses, design, and desired lifestyle lend itself to integrating high density residential enabling various unit types and sizes. The amendment provides densities reflective of market driven opportunities for TOD in prime transit locations.

### **Level of Service Analysis**

Pursuant to Chapter 163 of the Florida Statutes, any amendment increasing maximum development potential (densities or intensities) must be evaluated to determine if the proposed amendment will have a significant impact on the long range level of service (LOS) for public facilities (i.e. drainage, potable water, wastewater, solid waste, parks, schools, and traffic) that service the property and the surrounding area. The LOS for public facilities is analyzed based on the increase in maximum FLU designation development potential, and whether or not each public facility has capacity to accommodate any additional demands.

Analysis of the proposed amendment increased density (50 du/acre to 60 du/acre= 10 du/acre) on the long range Level of Service (LOS) impacts concluded community facilities and services are available in the area to sustain the future increased demands and long range LOS can be met with current and planned system capacities. Specifically, the additional 10 du/acre for the approximately 85.81 acres currently with a TOD FLU generates an increase of 858 dwelling units or 2,171 persons (at an average household size of 2.53 people per household per Comprehensive Plan Future Land Use Data and Analysis). The following table provides a LOS summary.

### FLUM AMENDMENT LOS SUMMARY TABLE

Type of Facility	Existing 50 du/acre	Proposed 60 du/acre
<b>Drainage</b>	3-year, 1-hour storm duration, as recorded in the FDOT Drainage Manual IDF curves, current edition and fully contained onsite.	3-year, 1-hour storm duration  Both FLU designations meet the 3 yr. – 1 hr. drainage LOS requirements. Site improvements will be required for development to provide drainage collection and conveyance systems to positive outfall.
<b>Potable Water</b>	105 gpcd (gallons per capita per day).  105 gpcd x 50 du/acre x 2.53 pph =13,285 gpcd	105 gpcd x 60 du/acre x 2.53 pph =15,939 Increase of 2,654 gpcd  The City has available capacity to accommodate the additional demand.
<b>Sanitary Sewer</b>	Collection and treatment of 100 gallons per capita per day at secondary treatment level, or 250 gallons per ERU per day.  100 gpcd x 50 du/acre x 2.53 pph =12,650 gpcd	100 gpcd x 60 du/acre x 2.53 pph =15,180 gpcd Increase of 2,530 gpcd  The City has available capacity to accommodate the additional demand.
<b>Solid Waste</b>	Collection and disposal of 6.5 pounds of solid waste per capita per day.  6.5 lbs/pcd x 30 du/acre x 2.53 pph x 365 days/year / 2,000 = 90 Tons/year	6.5 lbs/pcd x 60 du/acre x 2.53 pph x 365 days/year / 2,000 = 180 Tons/year  Increase of 90 Tons/year  The Solid Waste Authority has available capacity to accommodate the additional demand.
<b>Parks</b>	2.5 acres of community parks for every 1,000 persons and 2.0 acres of neighborhood parks for every 1,000 persons.  85.81 acre x 50 du/acre = 4,291 du/acre x 2.53 pph/du= 10,855 persons	85.81 acre x 60 du/acre = 5,149 du/acre x 2.53 pph/du= 13,026 persons  Increase of 2,171 persons 5 acres Community Park and 4 acres Neighborhood Park demand  The City has available capacity with over 330 acres in Public Rec and Open Space to accommodate the additional demand.
<b>Schools</b>	85.81 acres x 50du/acre= 4,291 du	85.81 x 60du/acre= 5,149 du Increase of 858 du School District to determine impact of additional 858 units; School Capacity Availability Determination (SCAD).
<b>Traffic</b>	85.81 acres x 50 du/acre = 4,291 du 4,291 du x 5.44 daily trips* = 23,343 daily trips  * ITE 10th Edition Trip Generation Rate	85.81 acres x 60 du/acre = 5,149 du 5,149 du x 5.44 daily trips* = 28,008 daily trips Increase of 858 daily trips Capacity is available to accommodate the additional demand.

Traffic: The proposed amendment could result in an additional 858 daily trips. However, the number of trips will likely be less given mitigating circumstances. These areas, with a 2040 LOS at LOS D, are served by multi-modal transportation options and are located on primary arterial streets in close proximity to I-95 which is a ten (10) lane Urban Principal Arterial facility. Additionally, half of the area is within the urbanized traffic concurrency exemption area. Lake Worth Road, Lake Avenue, Lucerne Avenue, 10<sup>th</sup> Avenue North and 6<sup>th</sup> Avenue South impacted. Dixie Highway is also within close proximity and serves as a major north south connector for these streets. Additionally, unit sizes are anticipated to be smaller than average based on current development trends which would generate less daily trips as the per household rate would be less than the calculated 2.53 rate.

**3) Future Land Use Element Policy 1.1.1.1 Table 1 TOD-East and TOD–W Zoning Districts.**

Policy 1.1.1.1: **\*\*\*Portion of Policy 1.1.1.1 Text Omitted for Brevity\*\*\***  
 Table 1 depicts maximum densities for each residential and mixed use designation, building heights, sustainable incentive bonus program height allocations, ratios of residential and non-residential uses for each mixed use designation, and Floor Area Ration (FAR) intensities for all Future Land Uses.

**Table 1**

**\*\*\*Residential & Mixed Use Portion of Table 1 Omitted for Brevity\*\*\***

	Land Use	Zoning District	Density Allowed by Zoning District	Building Height	Height w/ Sustainable Incentive Bonus Program Allocation (1)	Allowable Mix of Uses per District	Floor Area Ratio
<b>Transit-Oriented Development</b>	Transit-Oriented Development (TOD) 45' – 55' Max.	TOD-E	650 du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)	75% residential/ 25% non-res.	2.65
		TOD-W	650 du/acre	30 feet (max 2 stories)	plus 25 feet (max 5 stories – train station.)		
		SFR	7 du/acre	30 feet (max 2 stories)	N/A		
		MF-30	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		MU-DH	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		
		AI	30 du/acre	30 feet (max 2 stories)	plus 5 feet (max 3 stories)		

**\*\*\*Remaining Land Use Designations in Table 1 Omitted for brevity\*\*\***

**JUSTIFICATION:**

The proposed amendment, consistent with previous amendment 2, allows 60 du/acre in the TOD-E and TOD-W Zoning districts. These Zoning Districts are consistent with the TOD FLU and are located in prime TOD areas within a one-quarter mile radius of rail or light rail transit nodes. The amendment provides densities reflective of market driven opportunities for TOD in prime transit locations.

#### 4) Future Land Use Element Policy 1.1.2.10 TOD Future Land Use designation locations

Policy 1.1.2.10: Locational Criteria for the Transit Oriented Development Designation

The Transit Oriented Development designation is intended for mapping in the following locations:

1. TOD-W includes the area just south of Lake Worth Road, north-east of Lake Osborne, and west of I-95 and railway tracks and the area from Lake Worth Road north to 2<sup>nd</sup> Avenue North from Boutwell Road east of I-95 and the railway tracks.
2. TOD-E includes the area between Lucerne Avenue and 4<sup>th</sup> Avenue South flanking both sides of the FEC railway tracks; the area between 7<sup>th</sup> Avenue North and 11<sup>th</sup> Avenue North flanking both sides of the FEC railway tracks; and the area between 7<sup>th</sup> Avenue South and 10<sup>th</sup> Avenue South flanking both sides of the FEC railway tracks, and the area from Lake Worth Road north to 2<sup>nd</sup> Ave North east of I-95 and the railway tracks to North A Street. The TOD-E locations have potential for future rail stations. The TOD-E district between Lucerne Avenue and 4<sup>th</sup> Avenue South is also envisioned to encourage arts, entertainment and cultural activities in the City.

\*\*\*Omitted for brevity\*\*\*

#### **JUSTIFICATION:**

The proposed amendment expands the location of the TOD boundaries in close proximity to the existing TOD/Tri Rail train station to include Lake Worth Road north to 2nd Avenue North, east of Boutwell Road to North A Street. The addition of these locations is important to the expansion of desired TOD and reflects the City's desire to capitalize on existing infrastructure to serve TOD expansion.

#### 5) Future Land Use Element Policy 1.1.1.7 Downtown Mixed Use (DMU):

Policy 1.1.1.7: Downtown Mixed Use, maximum 40 du/acre

The Downtown Mixed Use land use category is intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, ~~including higher intensity commercial~~, and some residential within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed Use category because they would be detrimental to the shopping or office functions of the area. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.

\*\*\*Omitted for brevity\*\*\*

**JUSTIFICATION:**

The proposed amendment removes specific reference to “higher intensity commercial” use within the DMU FLU as it is redundant since the policy references that commercial uses are allowed within the DMU FLU. The zoning code provides for the development regulations specific to the types and intensity of commercial uses allowed.

**COMPREHENSIVE PLAN AND STRATEGIC PLAN ANALYSIS:****Consistency with the Comprehensive Plan**

The proposed text amendments are consistent and in support of the following associated Objectives and Policies of the City of Lake Worth Beach’s Comprehensive Plan. The underlined text emphasizes key concepts, strategies and objectives within these objectives and policies that are furthered by the subject amendments.

**1. FUTURE LAND USE ELEMENT**

**Objective 1.2.2:**        **The City shall facilitate a compact, sustainable urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services, and to reduce dependence on the automobile. This can be accomplished by concentrating more intensive growth within the City’s mixed use, high density residential and transit oriented development (TOD) areas.**

Policy 1.2.2.1:        The City shall continue to promote compact developments within the mixed use high density residential and TOD areas while providing adequate public services for each development in the most cost effective manner possible.

Policy 1.2.2.2:        The City shall require all future development and redevelopment to incorporate a functional mix of uses that promote walkable and interconnected uses with a mix of densities and intensities and access to transit, bicycle, pedestrian and other modes of transportation.

Policy 1.2.2.3:        Investigate additional uses and opportunities to promote a more sustainable and resilient community.

Policy 1.7.1.13:        The City shall consider creating a “Commerce Park Village” incorporating the current LWPOC with the Mixed-Use West and TOD areas west of I-95.

**2. TRANSPORTATION ELEMENT**

Policy 2.1.1.6:        The City shall encourage local businesses and encourage transit friendly development in the Land Development Regulations for all land uses to maximize the use of the public transit system.

Policy 2.1.1.16:        The City shall coordinate with South Florida Regional Transportation Authority, the Palm Beach MPO, and the Florida East Coast Railway to establish a commuter rail station serving Tri-Rail Coastal Link service and to encourage transit opportunities to the future station.

### 3. HOUSING AND NEIGHBORHOODS ELEMENT

**Objective 3.1.8:** **Encourage construction of workforce housing units and market-rate housing to alleviate the excessive concentration of affordable units in the City and to contribute to the Goal of providing a full range of quality residential unit types and prices for current and anticipated homeowners and renters in all household income levels.**

Policy 3.1.8.1: Establish an effective housing program to alleviate the excessive concentration of affordable units in the City and to provide a full range of quality residential unit types and prices

Policy 3.1.8.2: Promote the construction of market-rate housing in redevelopment areas and mixed-use corridors to contribute to achieve a full range of housing supply.

Policy 3.3.1.7: Strengthen the positive attributes and distinctive character of each neighborhood to help sustain Lake Worth as a healthy, vital City.

- Strengthen the sense of place in each neighborhood with adequate and well-designed, public facilities such as libraries, schools, recreation centers, fire stations and streetscapes.
- Continue to support public art and historic preservation as a focus for neighborhood identity and pride.
- Recognize that every neighborhood has assets that identify that neighborhood and contribute to the well-being of the people who live there. Understand what those are and look for opportunities to enhance them and leverage them for neighborhood improvement. Assets include trees, large yards, schools, people and independent businesses.
- The physical layout of a neighborhood should encourage walking, bicycling and transit use, be safe, family friendly, usable by people of all ages, encourage interaction between people and be a sense of pride.
- Recognize that there are different development patterns. They have been defined generally as: urban, traditional, suburban, contemporary and rural. Each has sustainability standards that must be used.
- Accommodate the City's existing and future housing needs through maintenance of existing residential neighborhoods and the creation of new residential neighborhoods.
- Relate new buildings to the context of the neighborhood and community.
- Where a fine-grained development pattern exists, build within the existing street, block, and lot configuration of the neighborhood.



## 11. ECONOMIC DEVELOPMENT ELEMENT

- Policy 11.1.2.3: The City shall allocate adequate commercial, industrial, and residential acreage through mechanisms such as zoning and land use plans to meet future needs of a diversified economy.
- Policy 11.1.2.11: The City shall foster the redevelopment of commercial corridors by preparing individual corridor redevelopment plans for key economic corridors located in existing mixed-use corridors and areas.
- Policy 11.1.2.12: The City shall establish and maintain land uses and zoning regulations that will facilitate telecommuting, home based occupations, mixed-use centers, Transit-Oriented Development (TOD) areas, and other components that are helpful to job creation and retention, including the targeted industries.
- Policy 11.1.2.16: The City shall maintain its unique urban character and charm by preserving historic sites and districts within the City as much as possible, and direct economic development projects to existing mixed-use corridors and sites as well as to the Lake Worth Park of Commerce.

### **Consistency with the Strategic Plan**

The proposed amendments further the City's Strategic Plan that is committed to building a vibrant and diverse economy, planning thoughtfully for the future, and support the Strategic Pillars of Positioning Lake Worth Beach to be a competitive viable location of choice, Strengthening Lake Worth Beach as a "Community of Neighborhoods", and Navigating towards a sustainable community.

Specifically, the proposed amendments are compatible with the following Pillars:

#### **Pillar I: Positioning Lake Worth Beach to be a competitive viable location of choice**

A: Ensure effective economic development incentives and zones

E: Provide superior public amenities and services to retain existing and entice new residents and businesses

#### **Pillar II: Strengthening Lake Worth Beach as a 'Community of Neighborhoods'**

A: Diversify housing options

#### **Pillar IV: Navigating Towards a Sustainable Community**

A: Achieve economic and financial sustainability through a versatile and stable tax base.

D: Influence the supply and expansion of jobs.

E: Ensure facility placement, construction and development that anticipates and embraces the future.

**CONCLUSION:**

Staff **recommends approval of the draft City initiated text amendments**, as:

- The amendments reflect market driven conditions for economic development by providing the type of development desired in prime locations that are in close proximity to the existing Tri Rail train station and the Federal Highway mixed use corridor while optimizing the maximum residential development potential for these locations.
- The amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the Comprehensive Plan and Strategic Plan Analysis section of this report; and
- The amendments are supported by data and analysis prepared in accordance with the requirement of F.S. 163.3177 that provides relevant and appropriate data based the City's community goals and vision and consistency with level of service requirements.

**POTENTIAL MOTIONS:**

I MOVE TO RECOMMEND/NOT RECOMMEND PZB PROJECT NUMBER 20-xxxxxx: Proposed amendments to the Future Land Use Element of the Lake Worth Beach Comprehensive Plan, Policies 1.1.1.1, 1.1.1.7, 1.1.1.8, and 1.1.2.10.

**Attachments:**

Proposed Ordinance No. 20-XX Amendments to the Comprehensive Plan  
Comprehensive Plan proposed text amendments are in ~~Strikethrough~~ and Underline format.