

## PLANNING AND ZONING BOARD REPORT

**PZB 23-01000001 (Ordinance Numbers 2023-17 and 2023-18):** Privately-initiated small-scale Future Land Use Map (FLUM) amendment and Zoning Map amendment (rezoning) for the project known as “Madison Terrace” located at 821 South Dixie Highway requesting:

- A FLUM amendment from the Mixed Use – East (MU-E) future land use to Transit Oriented Development (TOD) future land use
- A Rezoning from the Mixed Use – Dixie Highway (MU-DH) zoning district to the Transit Oriented Development – East (TOD-E) zoning district

**Transmittal Date:** July 26, 2023

**Meeting Date:** August 2, 2023

**Property Owner:** BUYERS CHOICE AUTO SALES

**Address:** 821 South Dixie Highway

**PCN:** 38-43-44-21-15-253-0110

**Size:** 0.9298 acres

**General Location:** Northwest corner of South Dixie Highway and 9<sup>th</sup> Avenue South

**Existing Land Use:** Auto Sales

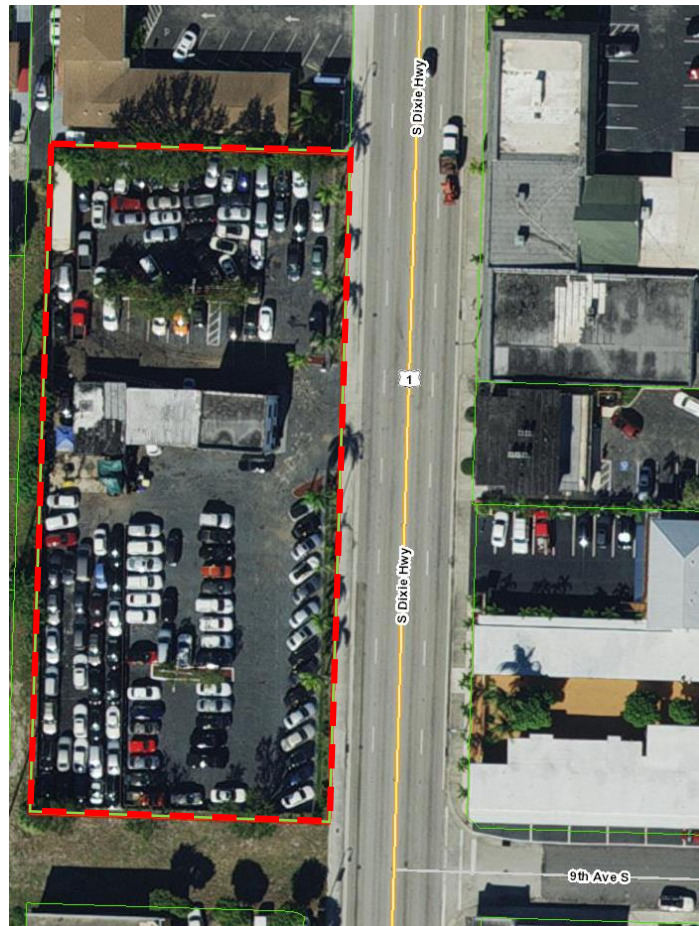
**Current Future Land Use Designation:** Mixed Use – East (MU-E)

**Proposed Future Land Use Designation:** Transit Oriented Development (TOD)

**Current Zoning District:** Mixed Use – Dixie Highway (MU-DH)

**Proposed Concurrent Zoning District:** Transit Oriented Development – East (TOD-E)

Location Map



## RECOMMENDATION

The data and analysis in support of the proposed FLUM amendment was prepared in accordance with F.S. 163.3177. The proposed FLUM amendment is consistent with the purpose, intent, and requirements of the Comprehensive Plan, including the level of service requirements and the Strategic Plan, and would facilitate the provision of affordable housing within the City. Therefore, staff recommends that the Planning and Zoning Board recommend to the City Commission to adopt the proposed small-scale FLUM amendment (**Ordinance 2023-18**).

The proposed rezoning is consistent with the Comprehensive Plan, Strategic Plan, and the guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs). Therefore, staff recommends that the Planning and Zoning Board recommend to the City Commission to approve the proposed rezoning request (**Ordinance 2023-17**).

## PROJECT DESCRIPTION

The proposed privately-initiated FLUM amendment would amend the FLU designation for approximately 0.9298 acres at 821 South Dixie Highway from the Mixed Use – East (MU-E) FLU to the Transit Oriented Development (TOD) FLU. The proposed concurrent rezoning request would amend the zoning district on the subject property from the Mixed Use – Dixie Highway (MU-DH) district to the Transit Oriented Development – East (TOD-E) district. The subject map amendments comprise a portion of the concurrently proposed Madison Terrace Planned Development, which would allow for the redevelopment of a total of 1.8134 acres with 176 affordable units that are income restricted. According to the applicant's justification statement, the project will be financed with low-income housing tax credits provided by the federal government. The project will be required to remain affordable housing for a period of at least 50 years. The rental rates are based on 80% of the Area Median Income (AMI). At least 10% of the units have "Extremely Low Income" ELI rental rates based on a maximum of 30% of the AMI. The average rental rate for all apartment units cannot exceed 60% of AMI. Furthermore, the amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the respective Comprehensive Plan and Strategic Plan Analysis sections of this report for each request.

The data and analysis section of this staff report for the FLUM amendment was prepared in accordance with the requirements of F.S. 163.3177 and provides relevant and appropriate data based on the City's community goals and vision and consistency with the level of service requirements. The proposed FLUM amendment is eligible for processing as a small-scale future land use map amendment per F.S.163.3187. If adopted, the proposed amendment would be sent to the Florida Department of Economic Opportunity (DEO) upon adoption and become effective 31 days after adoption if not challenged within 30 days.

The data and analysis section of this staff report for the concurrent Zoning Map amendment analyzes the proposed request for consistency with the City's Comprehensive Plan, Strategic Plan, and LDR Section 23.2-36(4): Review Criteria for the Rezoning of Land.

## COMMUNITY OUTREACH

Staff has not received any letters of support or opposition for this application. Per LDR Section 23.2-20, Public Neighborhood Meeting, *a public neighborhood meeting shall be required for all Planned Developments, Developments of Significant Impact, and Lake Worth Beach Community Redevelopment Agency sponsored new construction projects along the City's major thoroughfares as well as those utilizing the City's Sustainable Bonus Incentive Program, Transfer of Development Rights Program and/or Economic Investment Incentives.*

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On June 28, 2023, the applicant held a meeting with neighborhood residents at 1121 Lucerne Avenue. Notices were mailed to all property owners within 400 ft of the project on June 9, 2023, and signs were placed on the property on June 9, 2023. There were twelve (12) attendees at the meeting. Residents asked questions about the project’s security features, site design, parking, the sustainable features of the project, and general questions about the units and how the property will be managed. The applicant also created a project webpage: <http://www.madisonterraceseniors.com/>

**BACKGROUND**

Although the proposed FLUM and Zoning Map amendments include only one (1) parcel, it will be unified with four (4) other parcels on South H Street (832 South H Street, 826 South H Street, 824 South H Street, 818 South Street) to create a residential planned development. The parcels on South H Street already have a Transit Oriented Development (TOD) FLU and Transit Oriented Development – East (TOD-E) zoning district designation. The combined project area will be 1.8134 acres, including approximately 0.1274 of abandoned rights-of-way. The residential planned development will propose 176 affordable dwelling units within the two (2), six (6)-story buildings. The project known as “Madison Terrace” will offer affordable age-restricted rentals. This residential planned development is being proposed concurrently with the FLU and rezoning requests. The project is also located within the boundaries of the Lake Worth Beach CRA.

**FUTURE LAND USE MAP (FLUM) AMENDMENT ANALYSIS**

The proposed Transit Oriented Development (TOD) FLU for the subject property is compatible with the Mixed Use – East and Transit Oriented Development FLU designations of surrounding properties. The following outlines the FLU designations for the adjacent areas:

- Future Land Use Map amendment for approximately 0.9298 acres from Mixed Use – East (MU-E) to Transit Oriented Development (TOD):

Subject Property FLU	Adjacent Direction	Adjacent Future Land Use	Existing Use
Existing: Mixed Use - East	North	Mixed Use - East	Motel
	South Across 9 <sup>th</sup> Ave S	Mixed Use - East	Auto Sales
Proposed: Transit Oriented Development	East Across S Dixie Hwy	Mixed Use - East	Motel, office, and store
	West Across alleyway	Transit Oriented Development	Vacant and single-family residential

The Transit Oriented Development FLU designation was 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 amendment will facilitate the site’s redevelopment as a residential planned development. Four (4) Palm Tran bus stops are located within 500 feet of the site. The use of this site as described will help the City of Lake Worth Beach achieve residential development near transit stops as envisioned in its Comprehensive Plan.

**Consistency with the Comprehensive Plan**

The proposed FLUM 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 1.1.2.10: Locational Criteria for the Transit Oriented Development Designations**

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

**Objective 1.3.4: To coordinate future land uses with availability of facilities and services.**

**3. HOUSING AND NEIGHBORHOODS ELEMENT**

**GOAL 3.1: To achieve a supply of housing that offers a variety of residential unit types and prices for current and anticipated homeowners and renters in all household income levels by the creation and/or preservation of a full range of quality housing units.**

**Objective 3.1.1: To upgrade the quality of existing housing and assure that new construction is of the highest possible quality while supporting the position that the city’s housing supply will be principally provided by the private sector.**

**Policy 3.1.2.1:** Amendments to the zoning ordinance and other development regulations shall retain principles and criteria for guiding the location of adult congregate living facilities, group homes, housing for low and moderate income households, mobile homes, and foster homes in a manner consistent with State laws and more explicitly in conformity with Florida Statutes.

**4. 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.

**Consistency with the Strategic Plan**

The proposed amendments further the City’s Strategic Plan which 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 consistent with the following Strategic Plan Pillars:

**Pillar II: Strengthening Lake Worth Beach as a ‘Community of Neighborhoods’**

A: Diversify housing options.

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

D: Influence the supply and expansion of jobs.

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

Level of Service Analysis

Pursuant to Chapter 163 of the Florida Statutes, any FLU amendment must be evaluated to determine if the proposed future land use 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 maximum development potential for the existing and proposed FLU, and whether or not each public facility has capacity to accommodate any additional demands.

According to the City’s Comprehensive Plan, the maximum development potential change is for the existing Mixed Use – East FLU at 30 du/acre to the proposed Transit Oriented Development FLU at 60 du/acre resulting in an increase of 30 du/acre. The TOD FLU generates more service demands than the MU-E FLU. Analysis of the increased density (30 du/acre to 60 du/acre = 30 du/acre increase) on the long-range Level of Service (LOS) impacts concluded community facilities and services are available in the area to sustain the future demands and long-range LOS can be met with current and planned system capacities. However, it is important to note that the Live Local Act would allow for an increase in density to 45 units an acre without a Future Land Use Map amendment. The following table provides a LOS summary.

**FLUM AMENDMENT LOS SUMMARY TABLE**

Type of Facility:	Existing FLU Designations: (at 30 du/acre for Mixed Use - East)	Proposed FLU Designations: (at 60 du/acre for Transit Oriented Development)
<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 to provide drainage collection and conveyance systems to positive outfall.
<b>Potable Water</b>	105 gpcpd (gallons per capita per day).  105 gpcpd x 30 du/acre x 2.53 pph =7,969.5 gpcpd	105 gpcpd x 60 du/acre x 2.53 pph = 15,939 gpcpd Increase of 7,969.5 gpcpd  The City facilities have available capacity to accommodate the increased demand.

Type of Facility:	Existing FLU Designations: (at 30 du/acre for Mixed Use - East)	Proposed FLU Designations: (at 60 du/acre for Transit Oriented Development)
<b>Sanitary Sewer</b>	<p>Collection and treatment of 100 gallons per capita per day at secondary treatment level, or 250 gallons per ERU per day.</p> <p>100 gpcd x 30 du/acre x 2.53 pph = 7,590 gpcpd</p>	<p>100 gpcd x 60 du/acre x 2.53 pph = 15,180 gpcpd Increase of 7,590 gpcpd</p> <p>The City facilities have available capacity to accommodate the increased demand.</p>
<b>Solid Waste</b>	<p>Collection and disposal of 6.5 pounds of solid waste per capita per day.</p> <p>6.5 lbs/pcd x 30 du/acre x 2.53 pph x 365 days/year/ 2,000 = 90 Tons/year</p>	<p>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</p> <p>Solid waste pickup will be located on the property.</p> <p>The Solid Waste Authority has available capacity to accommodate the demand of the proposed facility.</p>
<b>Parks</b>	<p>2.5 acres of community parks for every 1,000 persons and 2.0 acres of neighborhood parks for every 1,000 persons</p> <p>0.9298 acres x 30 du/ac = 27.894 du/ac x 2.53 pph/du = 70.57 persons</p>	<p>0.9298 acres x 60 du/ac = 55.788 du/ac x 2.53 pph/du = 141.14 persons Increase of 27.894 du = Increase of 70.57 persons</p> <p>The proposed increase is not anticipated to have a significant impact on the parks within the City. Further, the City is planning to pursue a parks master plan in the next fiscal year.</p>
<b>Schools</b>	<p>30 du/acre x 0.9298 ac = 27.894 du</p>	<p>Reduction in impact to LOS for local schools</p> <p>School District has requested a condition of approval requiring a covenant for the proposed age restricted (55+) community.</p>
<b>Traffic</b>	<p>Roadway Level of Service (LOS)</p>	<p>All developments in PBC require review by the PBC Traffic Division for conformance with the PBC Traffic Performance Standards (TPS), which was enacted by the Board of County Commissioners (BCC) in 1990. Per the applicant's traffic study for the larger Madison Terrace planned development area, "A review of the links within the project's radius of development influence reveals that capacity is available to support the project and the project meets the requirements of the Palm Beach County Traffic Performance Standards."</p>

## ZONING MAP AMENDMENT ANALYSIS

### Consistency with the Comprehensive Plan and Strategic Plan

The subject property currently has a Future Land Use (FLU) designation of Mixed Use – East (MU-E). Per **Comprehensive Plan Future Land Use Element Policy 1.1.1.5**, the MU-E land use category “is intended to provide for a mixture of residential, office, service and commercial retail uses within specific areas east of I-95, near or adjacent to the central commercial core and major thoroughfares of the City. The maximum density of permitted residential development is 30 dwelling units per acre.” The implementing zoning districts of the MU-E FLU are Mixed Use – Dixie Highway (MU-DH), Mixed Use – Federal Highway (MU-FH), and Mixed Use – East (MU-E). The intent is to change the zoning district of the property from Mixed Use – Dixie Highway (MU-DH) to Transit Oriented Development – East (TOD-E) with a concurrent FLUM change from the current Mixed Use – East (MU-E) future land use to Transit Oriented Development (TOD) future land use (FLU) to facilitate the redevelopment of the site. Approval of the rezoning request would allow the project known as “Madison Terrace” to construct a 176 dwelling unit multi-family development through a residential planned development. This use is consistent with the intent of the requested zoning district and future land use designation.

Additionally, the proposed changes to the property’s Zoning District and FLU Designation is consistent with **Future Land Use Element Policy 1.1.2.10 (Locational Criteria for the Transit Oriented Development Designations)** as this site is located near potential for sites for future rail stations. **Future Land Use Element Objective 1.2.2 states:** “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.” Approval of the rezoning request would allow for the redevelopment of the site as compact residential development with access to Palm Tran stations and would be in keeping with the intent of **Objective 1.2.2**.

**The City’s Strategic Plan** sets goals and ideals for the City’s future vision and lays out methods to achieve them. Pillar Two, Section A seeks to “Diversify housing options.” Approval of the rezoning will result in the construction of age-restricted affordable housing for senior-aged residents. Therefore, housing options in Lake Worth Beach will be further diversified. Additionally, the proposal, if approved, would be consistent with **Strategic Plan Pillar IV. D and E** influencing the supply and expansion of jobs, and ensuring facilities that anticipate and embrace the future.

### Consistency with the City’s Land Development Regulations

Rezoning of the subject site will allow the expansion of the abutting Transit Oriented Development – East (TOD) zoning district. As a result, the property will be redevelopment with a multi-family project that offers access to Palm Tran bus stops within walking distance which is consistent with the intent of the TOD-E zoning district. The property is adjacent to a motel to the north, an auto-sales establishment to the south across South Dixie Highway, to motel, office, store uses to the east across South Dixie Highway, to single-family residential uses to the west across the alleyway.

The LDRs also require all rezoning requests with a concurrent Future Land Use Map (FLUM) Amendment be analyzed for consistency with the review criteria in Section 23.2-36(4). Staff’s full analysis of the review criteria is provided below. The analysis demonstrates that the proposed rezoning complies with the review criteria and that the required findings can be made in support of the rezoning.

### Section 23.2-36(4): Review Criteria for the Rezoning of Land

The Department of Community Sustainability is tasked in the Code to review rezoning applications for consistency with the findings for granting rezoning applications in LDR Section 23.2-36 and to provide a recommendation for whether the application should be approved, approved with conditions, or denied.

At the hearing on the application, the Planning and Zoning Board or Historic Resources Preservation Board shall consider the rezoning/FLUM amendment application and request, the staff report including recommendations of staff, and shall receive testimony and information from the petitioner, the owner, city staff, and public comment. At the conclusion of the hearing, the Board shall make a recommendation on the rezoning/FLUM amendment request to the City Commission.

The land development regulations require all rezoning requests with a concurrent FLUM Amendment be analyzed for consistency with **Section 23.2-36(4)**. Staff has reviewed the rezoning against this section and has determined that the rezoning complies with the following review criteria:

**a. Consistency:** Whether the proposed rezoning amendment would be consistent with the purpose and intent of the applicable comprehensive plan policies, redevelopment plans, and land development regulations. Approvals of a request to rezone to a planned zoning district may include limitations or requirements imposed on the master plan in order to maintain such consistency.

**Analysis:** If the FLUM amendment and the rezoning are approved, the new TOD-E zoning district would be consistent with the purpose and intent of the TOD FLU designation. The rezoning request furthers the implementation of the City’s Comprehensive Plan with the proposed adoption of a zoning district that is consistent with the Transit Oriented Development future land use (FLU) designation on the subject site. Additionally, the proposed age-restricted multi-family development is consistent with both the TOD FLU designation and TOD-E zoning district. **Meets Criterion.**

**b. Land use pattern.** Whether the proposed FLUM amendment would be contrary to the established land use pattern, or would create an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM amendments that would result in more desirable and sustainable growth for the community.

**Analysis:** The rezoning request will not be contrary or incompatible to the established land pattern, nor will it create an isolated zoning district unrelated to the adjacent and nearby classifications or constitute a grant of special privilege to the petitioner as contrasted with the protection of the public welfare. The proposed Transit Oriented Development - East zoning district is consistent with the proposed multi-family use of the property. Below is a table outlining the existing zoning and future land use designations of adjacent properties. **Meets Criterion.**

Subject Property FLU	Adjacent Direction	Adjacent Future Land Use Designations	Adjacent Zoning Districts	Existing Use
Existing: Mixed Use - East	North	Mixed Use - East	Mixed Use – Dixie Highway	Motel
	South Across 9 <sup>th</sup> Ave S	Mixed Use - East	Mixed Use – Dixie Highway	Auto Sales
Proposed: Transit Oriented Development	East Across S Dixie Hwy	Mixed Use - East	Mixed Use – Dixie Highway	Motel, office, and store
	West Across alleyway	Transit Oriented Development	Transit Oriented Development - East	Vacant and single-family residential

**c. Sustainability:** Whether the proposed rezoning would support the integration of a mix of land uses consistent with smart growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.



**Analysis:** The rezoning request supports the integration of a mix of land uses consistent with smart growth and sustainability initiatives with an emphasis on complementary land uses. Approval of the rezoning request would facilitate the property's redevelopment into a multi-family site with access to transit stops. Further, the proposed rezoning would allow the City to benefit from increased efficiency and the proximity of residential uses to commercial properties. The uses immediately surrounding the properties are commercial and residential. Multi-family uses are considered complementary in function and nature to these uses. **Meets Criterion.**

**d. Availability of public services/infrastructure:** Requests for rezoning to planned zoning districts shall be subject to review pursuant to section 23.5-2.

**Analysis:** As outlined in the Level of Service (LOS) Analysis provided in this report, community facilities and services are available in the area to sustain the future demands and long-range LOS can be met with current and planned system capacities. **Meets Criterion.**

**e. Compatibility:** The application shall consider the following compatibility factors:

1. Whether the proposed FLUM amendment would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties.

**Analysis:** The proposed Transit Oriented Development (TOD) FLU for the subject property is compatible with the Mixed Use – East (MU-E) and Transit Oriented Development (TOD) FLU designations of surrounding properties and will not affect the property values of the neighborhoods. Rezoning of the subject site and the land use change will be consistent with the proposed multi-family redevelopment of the site that is complimentary to the area and surrounding uses. **Meets Criterion.**

**f. Direct community sustainability and economic development benefits:** For rezoning involving rezoning to a planned zoning district, the review shall consider the economic benefits of the proposed amendment, specifically, whether the proposal would:

1. Further implementation of the city's economic development (CED) program;
2. Contribute to the enhancement and diversification of the city's tax base;
3. Respond to the current market demand or community needs or provide services or retail choices not locally available;
4. Create new employment opportunities for the residents, with pay at or above the county average hourly wage;
5. Represent innovative methods/technologies, especially those promoting sustainability;
6. Support more efficient and sustainable use of land resources in furtherance of overall community health, safety and general welfare;
7. Be complementary to existing uses, thus fostering synergy effects; and
8. Alleviate blight/economic obsolescence of the subject area.

**Analysis:** The project known as "Madison Terrace" will have several economic benefits for the community. Approval of the FLUM and rezoning requests would allow for the redevelopment of the site as compact residential development with access to Palm Tran stations. The proposed residential planned development will also result in the construction of age-restricted affordable housing for senior-aged residents. Therefore, housing options in Lake Worth Beach will be further diversified. **Meets Criterion.**

**g. Economic development impact determination for conventional zoning districts:** For rezoning to a conventional zoning district, the review shall consider whether the proposal would further the economic development program, and also determine whether the proposal would:

- A. Represent a potential decrease in the possible intensity of development, given the uses permitted in the proposed land use category; and
- B. Represent a potential decrease in the number of uses with high probable economic development benefits.

**Analysis:** The proposed rezoning to the TOD-E zoning district will not result in a decrease in development intensity of a public amenity for the neighborhood. The TOD-E zoning district offers an increase in density from the MU-DH zoning and will facilitate the City's goal of providing a variety of housing options. **Meets Criterion.**

**h. Commercial and industrial land supply.** The review shall consider whether the proposed FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:

1. The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or
2. The proposed FLUM amendment provides substantiated evidence of satisfying at least four (4) of the direct economic development benefits listed in subparagraph "f" above; and
3. The proposed FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation.

**Analysis:** If approved, the proposed rezoning will not result in a reduction of land available for commercial development although a multi-family residential project is proposed. The proposed multi-family development will lead to job creation and economic benefits. Therefore, the change from MU-DH to TOD-E zoning district would maintain the opportunity for commercial development. **Meets Criterion.**

**i. Alternative sites.** Whether there are sites available elsewhere in the city in zoning districts which already allow the desired use.

**Analysis:** The purpose of the rezoning request is to enable sustainable compact development near transit stops. As such the proposed TOD-E rezoning is appropriate for the subject property. **Meets Criterion.**

**j. A Master plan and site plan compliance with land development regulations.** When master plan and site plan review are required pursuant to section 2.D.1.e. above, both shall comply with the requirements of the respective zoning district regulations of article III and the site development standards of section 23.2-32.

**Analysis:** The zoning analysis for the residential planned development was provided in a separate report. Based on the data and analysis in this report and the supporting materials by the applicant, the use is not anticipated to negatively impact adjacent residential property or have a negative impact on the commercial viability of neighboring commercial businesses. Further, the proposed site improvements are consistent with the City's LDR requirements. **Meets Criterion.**

The analysis has shown that the required findings can be made in support of the rezoning. Therefore, the proposed rezoning is consistent with the review criteria for rezoning as outlined in LDR Section 23.2-36.

## CONCLUSION

The proposed FLUM amendment request is consistent with the purpose, intent, and requirements of the Comprehensive Plan. The proposed rezoning is also consistent with the purpose, intent, and requirements of the Comprehensive Plan and LDRs. Therefore, staff recommends that the Board recommend approval to the City Commission of both the FLUM

amendment and the Zoning Map amendment based on the data and analysis in this report and the findings summarized below:

- The amendments are consistent with the City's goals to encourage the location and development of compact sustainable residential units near transit stops.
- The amendments are consistent with the Strategic Plan's goals of diversifying housing options and the expansion of jobs.
- The amendments are supported by and are consistent with the Comprehensive Plan and City Strategic Plan as described in the respective Comprehensive Plan and Strategic Plan Analysis sections of this report; and
- The FLUM amendment is 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.
- The Zoning Map amendment is consistent with the proposed FLUM amendment.

#### BOARD POTENTIAL MOTION:

I MOVE TO RECOMMEND APPROVAL OF PZB PROJECT NUMBER PZB 23-01000001 (Ordinance Numbers 2023-17 and 2023-18) of the proposed amendments to the Future Land Use Map and the Zoning Map based on the data and analysis in the staff report and the testimony at the public hearing.

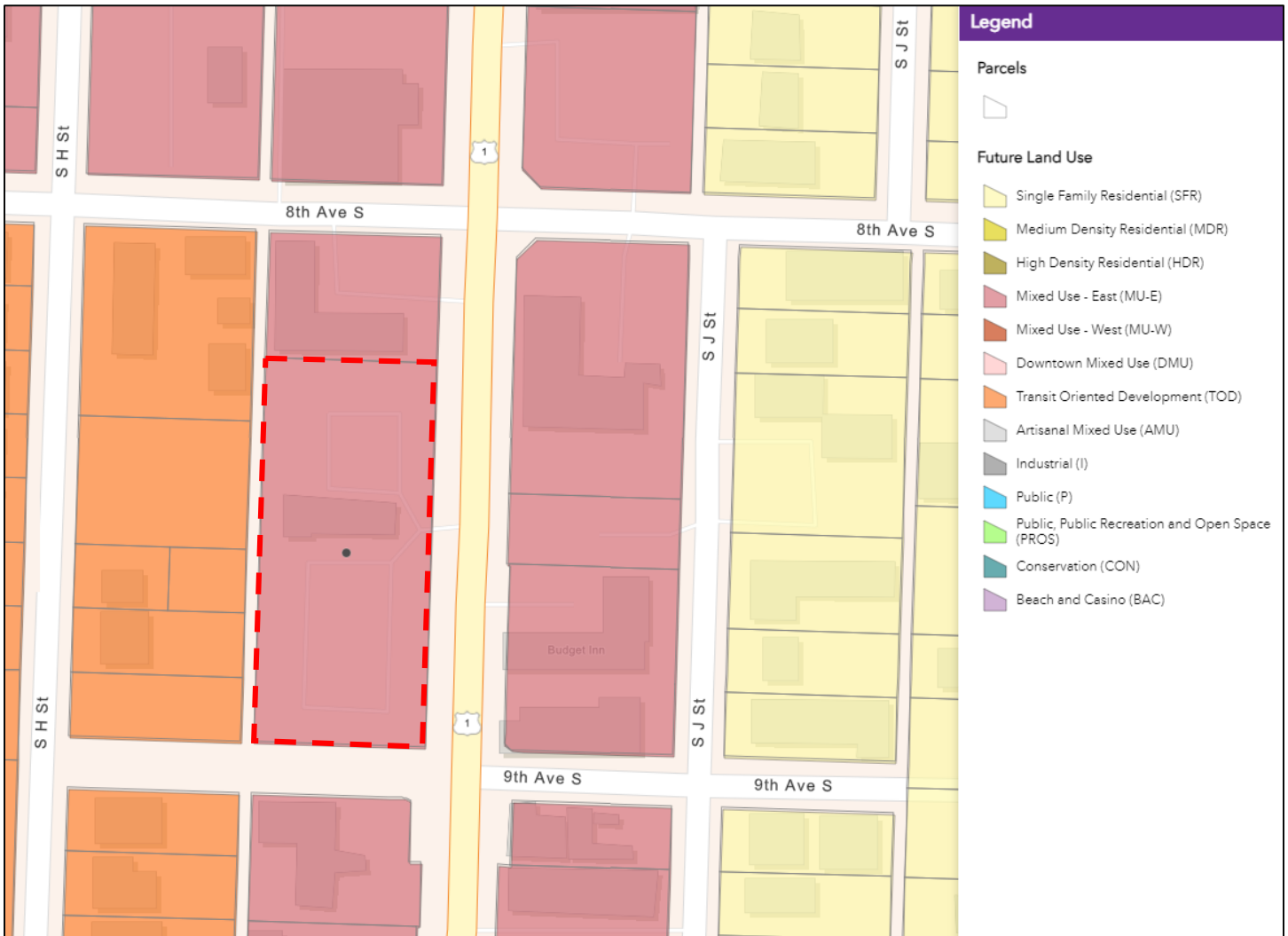
I MOVE TO NOT RECOMMEND APPROVAL OF PZB PROJECT NUMBER PZB 23-01000001 (Ordinance Numbers 2023-17 and 2023-18) of the proposed amendments to the Future Land Use Map and Zoning Map as the proposal is not consistent with the City's Comprehensive Plan and Strategic Plan for the following reasons [Board member please state reasons.]

**Consequent Action:** The Planning and Zoning Board will be making a recommendation to the City Commission on the FLUM and Zoning Map amendment requests.

#### ATTACHMENTS

- A. Current FLU Map of property located at 821 South Dixie Highway
- B. Current Zoning Map of property located at 821 South Dixie Highway

### ATTACHMENT A Current FLU Map of Subject Property



### ATTACHMENT B CURRENT ZONING MAP

