



**PETITION DESCRIPTION**

**PETITION NUMBER:** CPA-2022-01 (Pod C-2) Ordinance 2022-10

**OWNER:** Minto PBLH, LLC

**APPLICANT:** Cotleur & Hearing

**ADDRESS:** Southeast corner of Persimmon Blvd E and Ilex Way

**PCN:** 77-40-43-12-00-000-1010

**REQUEST:** The applicant is proposing a small scale future land use map amendment to change the future land use designation on a 9.13-acre site from Civic to Downtown Mixed Use designation. The site is located at the southwest corner of Persimmon Blvd and Ilex Way.

**SUMMARY**

The applicant is proposing a Small-Scale Future Land Use Map (FLUM) amendment to change the future land use designation on a 9.137 acre site from Civic to Downtown Mixed Use designation. The amendment will change the development potential on the site from civic use to a wide range of non-residential and residential uses. The applicant is also requesting a concurrent application to rezone the subject site from the Civic (C) district to the Mixed Use (MU) zoning district. No site plan has been submitted as part of this application. Once the City receives a site plan application for the subject site it will be reviewed for compliance with the development regulations under Chapter 3 Zoning Districts and Standards, and will need to be approved by the City Council.

This application is consistent with the provisions of Chapter 163.3184 and 163.3187 F.S concerning the processing of a Small-Scale Future Land Use Map (FLUM) amendment to the Comprehensive Plan, as well as providing all applicable data and analysis to support the amendment.

**STAFF RECOMMENDATION**

Based upon the facts and findings contained herein, the **Planning & Zoning Department** recommends approval of the subject application.

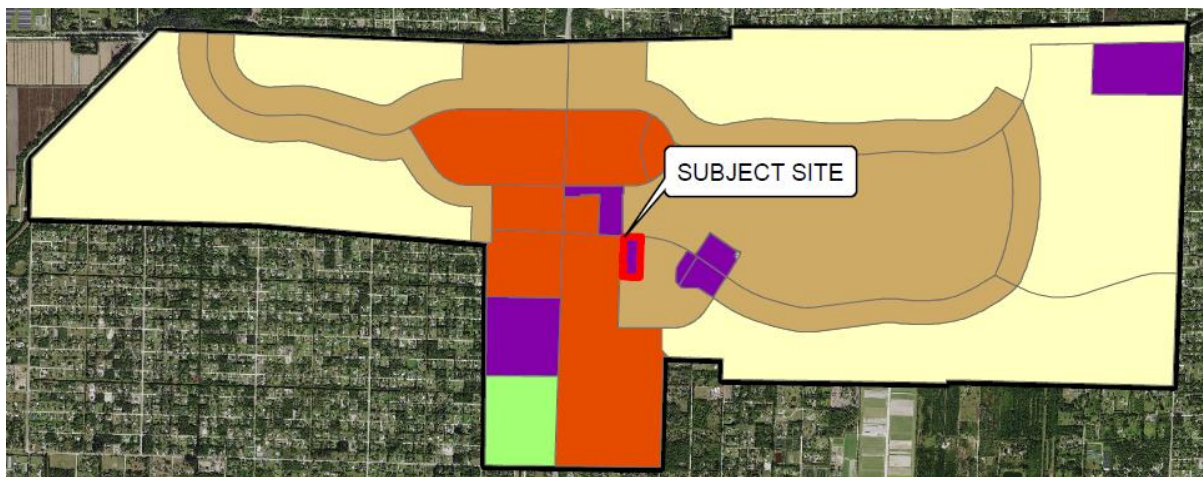
**PETITION FACTS**

- a. Total Gross Site Area: 9.137 acres
- b. Land Use and Zoning
  - Existing Land Use: Vacant
  - Existing Future Land Use: Civic
  - Proposed Future Land Use: Downtown Mixed Use
  - Existing Zoning: Civic (C)
  - Proposed Zoning: Mixed Use (MU)

	FUTURE LAND USE	ZONING
<b>SUBJECT PROPERTY</b>	Civic	Civic
<b>NORTH</b>	Residential-2	Residential-2
<b>SOUTH</b>	Residential-2	Residential-2
<b>EAST</b>	Residential-2	Residential-2
<b>WEST</b>	Mixed Use	Medical District



**Current Land Use Map**



## **BACKGROUND**

On June 20, 2016, the City of Westlake became the 39<sup>th</sup> municipality in Palm Beach County. On March 12, 2018, Ordinance No. 2017-05 approved the adoption of the City of Westlake Comprehensive Plan and Future Land Use Map. On September 23, 2019, Ordinance No. 2019-09 established Chapter 3 “Zoning Districts and Standards” and adopting of the Zoning Map. The subject application is the first future land use map amendment processed by the City.

According to the F.S. 163.3187 Process for adoption of small scale comprehensive plan amendment.

*(1) A small scale development amendment may be adopted under the following conditions:*

*(a) The proposed amendment involves a use of 50 acres or fewer and:*

*(b) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government’s comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible under this section.*

*(c) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1).*

*(2) Small scale development amendments adopted pursuant to this section require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(11).*

## **STAFF ANALYSIS**

This small-scale future land use map amendment process is required in order to replace the existing future land use designation of Civic to the Downtown Mixed Use designation.

The current Civic designation included in the Comprehensive Plan includes the following policies and allowable uses:

### Policy FLU 1.1.14 Civic Future Land Use Category

The Civic future land use category will provide areas for the uses provided for below. The Civic future land use category may be applied to publicly or privately owned lands.

#### a) Allowable Uses:

Civic uses

Religious uses

Meeting halls, exhibition and conference centers, and fairgrounds

Educational uses

Recreational uses

Conservation uses

Accessory uses

#### b) Non Residential Intensity:

A maximum of a 1.5 FAR

The subject application is requesting change to the Downtown Mixed Use category, which includes the following policies and allowable uses:

Policy FLU 1.1.15

The Downtown Mixed-Use future land use category accommodates an active, pedestrian-friendly area of commercial, residential, and civic uses that provide substantial opportunities for employment, shopping, civic, and recreation activities accessible by mass transit.

Allowable Uses:

Commercial uses

Residential uses may include:

- Single family attached dwellings
- Multi-family dwellings
- Accessory dwelling units

Light industrial uses

Institutional uses

Assisted living facilities

Continuing care facilities

All uses allowed in the Civic future land use category

Accessory uses

Commercial recreation uses

Residential Density:

The minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre. Bonus densities may be granted up to 8 additional units per acre for senior, workforce, and/or affordable housing consistent with Policy FLU 1.2.4.

Non Residential Intensity:

Maximum of a 3.0 FAR.

Mix of Uses:

The table below identifies the mix of uses applied to the total area of the Downtown Mixed-Use future land use category within the City. The mix of uses is not required on a parcel-by-parcel basis. Not all of the land uses have to be developed at the same time, nor is one land use a prerequisite to another land use.

<b><u>Allowed -Land Uses</u></b>	<b>Minimum %</b>	<b>Maximum %</b>
<b>Residential `</b>	5%	25%
<b>Commercial and commercial recreation</b>	10%	70%
<b>Civic</b>	2%	30%
<b>Light industrial</b>	5%	25%
<b>Institutional and continuing care facilities</b>	0%	10%

***Compatibility:***

The adjacent existing land uses shows that the proposed land use is compatible with the adjacent properties. To the north, south and east are single-family residences with City future land use designations of Residential-2 (R-2). To the west is Wellington Medical Center with City future land use designation of Downtown Mixed Use. The existing development and future land use designations of the surrounding properties show that the proposed Downtown Mixed Use designation is compatible with the surrounding area since the designation is a continuation of the FLU designation of the property to the west, as well as consistent with the developed character of the area.

***Level of Service (LOS)***

The subject future land use map change is small scale amendment, and in the future any proposed development plan shall comply with the following adopted level of services:

Portable Water

Policy INF 1.1.3

The potable water LOS standard for residential uses shall be 110 gallons per capita per day.

Policy INF 1.1.4

The potable water LOS standards for non-residential uses shall be 150 gallons per 1,000 sq. ft. per day with the following exceptions: schools shall have a LOS standard of 18 gpd per student; hotels shall have a LOS standard of 100 gpd per room; and parks shall have a LOS standard of 10 gpd per visitor.

Wastewater and Resuse Water

Policy INF 1.3.3

The wastewater LOS standard for residential uses shall be 100 gallons of wastewater per capita per day.

Policy INF 1.3.4

The wastewater LOS standard for non-residential uses shall be 150 gallons of wastewater per 1,000 sq. ft. per day with the following exceptions: schools shall have a LOS standard of 18 gpd per student; hotels shall have a LOS standard of 100 gpd per room; and parks have a LOS standard of 10 gpd per visitor.

Solid Waste

Policy INF 1.5.2

The solid waste LOS standard shall be 7.02 pounds of solid waste per person per day.

Drainage

Policy INF 1.6.6

The City shall coordinate with SID to maximize the use of existing drainage facilities.

***Consistency with the Comprehensive Plan:***

The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

Objective FLU 1.6: Ensure compatibility among various future land uses while promoting mixed use, economic development and multi-modal transportation.

Policy 1.6.1: Establish land use patterns that promote walking, biking, and mass transit to access goods, services, education, employment, and recreation, thereby reducing automobile dependency, vehicle miles traveled, and vehicle emissions.

Policy: 1.6.2: All allowable uses within a future land use category are deemed compatible with one another for purposes of the Plan and the Land Development Regulations.

Policy HE 1.2.1

Allow for and support commercial and light industrial development, which will provide employment opportunities within the City to enable the purchase or rent of affordable housing.

Policy FLU 1.6.1

Establish land use patterns that promote walking, biking, and mass transit to access goods, services, education, employment, and recreation, thereby reducing automobile dependency, vehicle miles traveled, and vehicle emissions.

Policy 1.6.5

Development abutting a different future land use category shall comply with the following minimum compatibility requirements. The City may adopt additional buffer requirements in the Land Development Regulations.

Policy 1.6.7

A public road, shared use path, or water feature at least 30 feet wide can be designated in lieu of a buffer.

Policy 1.6.8

Alternative compatibility techniques, including but not limited to one or a combination of the following: architectural features, building placement, setbacks, berms, and landscaping, that have the same effect as a buffer and promote mixed use and walkability, may be used in lieu of the compatibility requirements in Policies 1.6.5, 1.6.6 and 1.6.7.

***Consistency with Chapter 163, Florida Statutes:***

The amendment is consistent with the provisions of Chapter 163.3184 and 163.3187 F.S concerning the processing of a small-scale future land use amendment to the Comprehensive Plan, as well as providing all applicable data and analysis to support the amendment.

This small-scale future land use amendment to the Comprehensive Plan is compatible with adjacent land uses, adequately address concurrency issues, and is consistent with the City's Comprehensive Plan, and Chapter 163, F.S.

**STAFF RECOMMENDATION**

Please see page 1 for staff recommendation.