



## COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 20-A2

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DEO TRANSMITTAL, FEBRUARY 5, 2020

### I. General Data

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**Project Name:** Non-Residential Future Land Use  
**Element:** Future Land Use Element  
**Project Manager:** Lisa Amara, Principal Planner  
**Staff Recommendation:** Staff recommends *approval* based on the findings and conclusions presented in this report.

### II. Item Summary

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**Summary:** This proposed County Initiated amendment would revise the Future Land Use Element to modify policies and provisions related to non-residential future land use designations. Specifically, this amendment proposes to:

- Establish a table in the Plan identifying the consistent future land use and zoning for non-residential future land use designations;
- Revise the floor area ratio (FAR) for commercial future land use designations in the Urban Suburban Tier;
- Allow self-storage and light industrial uses in all of the commercial future land use designations; and
- Modify policies related to mixed and multiple future land use designations and zoning by revising the Multiple Land Use designation, allowing the Multiple Use Zoning district on sites with urban residential designations when developing as a mixed or multiple use, and eliminating the Mixed Use Planned Development District.

**Assessment:** This amendment proposes to revise policies and regulations within the Future Land Use Element of the Comprehensive Plan that affect the non-residential future land use designations. These changes will promote infill development within the Urban Suburban Tier and will not negatively impact the affected parcels. Each change either eliminates restrictions or adds flexibility for uses or intensity within the non-residential future land use designations.

This amendment will require implementing revisions to the ULDC as detailed within this staff report.

### III. Hearing History

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**Local Planning Agency: *Approval***, motion by Dagmar Brahs, seconded by Evan Rosenberg, passed in a 14 to 0 vote at the January 10, 2020 public hearing. There was minimal discussion and no public comment.

**Board of County Commissioners Transmittal Public Hearing: *Transmit***, motion by Commissioner Weiss, seconded by Commissioner McKinlay, passed in a 7 to 0 vote at the February 5, 2020 public hearing. Under discussion, Board members discussed the intent of the amendment to reduce urban sprawl by utilizing non-residential and commercial lands more efficiently. One member of the public spoke in opposition.

**State Review Agency Comments:**

**Board of County Commissioners Adoption Public Hearing:**

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## IV. Intent

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The intent of this amendment is to revise the Future Land Use Element to modify policies and provisions related to non-residential future land use designations. Specifically, this amendment proposes to:

- Establish a table in the Plan identifying the consistent future land use and zoning for non-residential future land use designations;
- Revise the FAR for commercial future land use designations within the Urban Suburban Tier;
- Allow self-storage and light industrial uses in all of the commercial future land use designations;
- Modify policies related to mixed and multiple future land use and zoning by:
  - Revising the Multiple Land Use designation,
  - Allowing the Multiple Use Zoning district on sites with urban residential designations when developing as a mixed or multiple use, and
  - Eliminating the Mixed Use Planned Development District.

## V. Data and Analysis

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This section provides background information regarding residential uses and density in the County, the issues that have led to this amendment, the proposed changes to the Plan, and consistency of the proposed changes with the Comprehensive Plan.

### A. Proposed Amendment

This amendment is comprised of several interconnected components, each of which is discussed separately below and corresponds with the specific strike out and underline changes to the Comprehensive Plan shown in **Exhibit 1** and with corresponding Data and Analysis for each item provided in **Exhibit 2**.

#### 1. Future Land Use Designation and Zoning District Consistency

In Exhibit 1, Section A, this amendment proposes to add an anchoring policy, and associated table, to establish the Future Land Use and Zoning Consistency Table into the Comprehensive Plan. This table has existed in the Unified Land Development Code (ULDC) for many years, and a portion establishing residential FLU/Zoning consistency was added to the Comprehensive Plan in 2015. Typically local governments establish FLU / Zoning consistency in the Comprehensive Plan, and the County had initially established this table with the 1980 Comprehensive Plan. The intent is to establish the table in the Plan with the same FLU/Zoning consistency with one exception. This amendment proposes to allow Commercial General (CG) and Commercial Services (CS) zoning to be consistent with Commercial Low (CL) future land use for sites located within the Urban Suburban Tier which were granted the Commercial Low (CL) category after already being approved for CG zoning. Currently, CG and CS zoning is inconsistent with CL, thereby requiring these sites to either rezone or pursue a future land use amendment to Commercial High. There are approximately 969 acres of CL future land use in unincorporated County, of which 636 acres are located within the Urban Suburban Tier.

As shown in Exhibit 2, approximately 77.39 acres of the CL land in the Urban Suburban Tier which currently have a CG or CS zoning district. All of these sites have had the CG or CS district for over 30 years. From 1989 through 2008, the Comprehensive Plan required that commercially designated sites be assigned a commercial “Low” category if the underlying density or surrounding designations was 5 units per acre or less. However, this requirement has been removed from the Plan, and these properties can currently apply through the future land use amendment process for the commercial “High” future land use designation. The proposed amendment will alleviate the current inconsistency and allow the current uses on these properties to continue and/or redevelop without requiring a rezoning or a future land use change.

## 2. **Non-Residential Intensity & Commercial Future Land Use.**

In Exhibit 1, Section B, this amendment proposes revisions to Table III.C.2, Maximum Floor Area Ratios (FARs) for Non-residential Future Land Use Categories and Non-Residential Uses. This table was established in the Plan as part of the adoption of the Managed Growth Tier System in 1999. In addition, this amendment proposes to revise language listing the allowable uses in the commercial future land use designations. Specific changes are summarized below.

- **Relocation and Anchoring Policy.** This amendment proposes to add an anchoring policy to the existing Table which is proposed to be relocated to Objective 2.2, Future Land Use Provisions - General. This table was added to the Plan with the adoption of the Managed Growth Tier System in 1999. Previously, the only maximum FAR in the Plan had been .35 FAR for the Commercial Low future land use designation. The new policy states that the maximum FAR for individual properties can be reduced through the development review process for specific sites to account for the particular attributes of the subject site and surrounding properties. With the addition of this language, the ‘range’ provided for some of the future land uses in the Urban Suburban Tier is not necessary and proposed to be deleted. The policy language also clarifies that the maximum FAR applies to non-residential uses in residential and non-residential future land use designations and does not apply to residential uses.
- **Eliminate the FAR restriction for straight zoning.** This amendment will eliminate the requirement that commercial sites be a planned development district to achieve maximum intensity. The policies and regulations adopted in the 1989 Plan were intended to promote the development of residential uses in the Planned Unit Development (PUD) pattern, and in 1999 this PUD incentive was adopted for commercial designations. The PUD form is ideal for large tracts of residential land that were available for development. In the establishing 1999 staff report, and through the implementation of this language over the past 20 years, there has been no demonstrated benefit from restricting FAR in straight zoning districts and allowing additional FAR in planned development districts. As the County’s Urban Suburban Tier becomes more built out, there is a benefit to making more efficient use of the land designated as commercial rather than fostering the conversion of residential and other lands. In addition, commercial sites containing one story development typically contain around a .22 FAR due to parking, building coverage and other development parameters contained in the Unified Land Development Code (ULDC), and therefore, a reduced FAR limits properties from developing second and third stories. The types of uses typically found above the first floor (office and self-storage) are typically less intense than retail uses considering attributes such as traffic impacts, hours of operation, and overall activity on the sites.

- Providing for infill development.** This change will promote infill by allowing smaller properties to be developed at the higher FAR that do not meet the minimum planned development district (PDD) acres and/or do not meet other requirements such as the 200 feet of frontage on a collector or arterial roadway. This ensures smart growth, by preventing urban sprawl and providing for the efficient use of land while balancing land uses. The minimum size to develop as a planned development is 3 acres for the commercial low designations and 5 acres for the commercial high designations. Further, by eliminating the PDD restriction, the maximum FAR for Commercial High will be .85, and Note 3 associated with the FAR Table allowing additional FAR for 'infill development' is no longer necessary and is, therefore, proposed to be deleted. Several projects have sought this additional FAR over the past several years through the development review process, but implementation has been problematic due to the lack of parameters and criteria to consider in establishing whether a site is 'infill development'.
- Uses in Commercial.** This amendment proposes language to establish that light industrial uses, such as warehousing and self-storage, are allowed in all commercial future land use designations. Currently the ULDC limits these uses to the commercial retail designations (Commercial Low and Commercial High). Modern self-storage buildings contain a higher FAR since they are often multiple stories in height, yet are typically a lower impact type of development with relatively low traffic generation rates. Over the past several years the County has approved several privately initiated site specific future land use amendments for sites seeking self-storage uses in the Urban Suburban Tier. The commercial retail designations have specific location criteria requiring their location at intersections in order to prevent strip commercial development. However, the commercial office and industrial designations do not have intersection requirements. The sites requesting self-storage uses over the past several years did not qualify for commercial retail designations and applied for the industrial designation which is allowed on collector or arterial roadways at a higher FAR (up to .85). The industrial designation allows a much more intense range of uses than the proposed self-storage use, some of which may not be appropriate on particular sites. Modern limited access self-storage uses are low traffic generators, low impact uses that typically have the outward appearance of an office use, but with less significant impacts. Therefore, allowing self-storage, and other similar uses, is appropriate in the commercial office designations. Changes to this language also eliminate obsolete wording regarding residential uses in commercial designations. This language is no longer necessary as the prior sentence provides a higher amount of density.

### 3. **Mixed & Multiple Future Land Use Designations & Districts**

In Exhibit 1, Section C, this amendment proposes to revise mixed & multiple future land use designations & Districts as detailed below.

- Residential Future Land Use with MUPD.** In Exhibit 1, Section C.1, this amendment proposes to revise existing Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency. This amendment proposes to add notes to this table to allow residential designations in the Urban Suburban Tier to be approved for the Multiple Use Planned Development (MUPD) district if part of a mixed or multiple use project. In 2016 the County added language to allow residential uses in MUPD Zoning. This language follows through with that concept by allowing projects with 'split' future land use (having

two future land use designations) to develop together as an MUPD. This option will allow infill sites with development constraints, such as meeting access requirements, to be able to pursue development options.

- **Multiple Land Use Future Land Use Designation.** This amendment proposes to significantly revise the Multiple Land Use future land use designation. This designation was initially adopted into the Comprehensive Plan as the “Large Scale Multiple Use” designation for what became the Wellington Green Mall in the 1990s. Subsequently the County has revised the designation on several occasions. The current language remains complicated and largely difficult to implement. The proposed changes will require a concurrent zoning application and eliminate the complex features of this designation including the ‘umbrella’ nature, land use matrix, range of intensities/densities, and conceptual plan. Language is proposed to clarify the maximum density allowed and whether additional density is allowable after the MLU is adopted. The usable open space requirement will be retained but eliminates the ability for sites to apply civic and recreation requirements while reducing the percentage from 10% to 5%. The intent being to ensure that the usable open space serves as a linkage between the non-residential and residential uses while allowing recreation requirements for the residents to remain private.
- **Mixed Use Planned Development.** This amendment proposes to eliminate the Mixed Use Planned Development (MXPDP) language from the Comprehensive Plan. This planned development district exists in the ULDC, but since the County has now allowed residential uses within the MUPD zoning district, there is no longer a need for MXPDP.

#### **D. Consistency with the Comprehensive Plan**

This proposed amendment will further several provisions in the Future Land Use Element (FLUE) of the Comprehensive Plan, including the items listed below. Unrelated language is omitted for brevity.

***FLUE, C. County Directions.*** *The Future Land Use Element was created and has been updated based on input from the public and other agencies through citizen advisory committees, public meetings, interdepartmental reviews, and the Board of County Commissioners. All contributed to the generation of the long-term planning directions, which provide the basis for the Goals, Objectives and Policies of the Future Land Use Element. These directions reflect the kind of community the residents of Palm Beach County desire.*

1. ***Livable Communities.*** *Promote the enhancement, creation, and maintenance of livable communities throughout Palm Beach County, recognizing the unique and diverse characteristics of each community. Important elements for a livable community include a balance of land uses and organized open space, preservation of natural features, incorporation of distinct community design elements unique to a given region, personal security, provision of services and alternative transportation modes at levels appropriate to the character of the community, and opportunities for education, employment, health facilities, active and passive recreation, and cultural enrichment.*
2. ***Growth Management.*** *Provide for sustainable communities and lifestyle choices by: (a) directing the location, type, intensity, timing and phasing, and form of development that respects the characteristics of a particular geographical area; (b) requiring the transfer of development rights as the method for most density increases; (c) ensuring smart growth,*

by protecting natural resources, preventing urban sprawl, providing for the efficient use of land, balancing land uses; and, (d) providing for facilities and services in a cost efficient timely manner.

3. **Infill, Redevelopment and Revitalization.** Address the needs of developed urban areas that lack basic services, and encourage revitalization, redevelopment, and infill development in urban areas to increase efficient use of land and existing public facilities and services.
4. **Land Use Compatibility.** Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.

**Staff Assessment:** This proposed amendment will further the County Directions shown above by promoting infill development within the Urban Suburban Tier. These are areas of the County where infrastructure and mass transit are in place; infill development will promote the efficient use of land within the urban and suburban areas of the County and maximize the utilization of services.

#### **FLUE, Objective 1.1, OBJECTIVE 1.2      Urban/Suburban Tier– Urban Service Area**

**General:** This tier is expected to accommodate the bulk of the population and its need for employment, goods and services, cultural opportunities, and recreation. It supports a variety of lifestyle choices, ranging from urban to residential estate; however, the predominant development form in the unincorporated area is suburban in character. The older, communities are primarily in municipalities, within approximately 2 miles of the Atlantic Ocean. Most of the neighborhoods within the tier are stable and support viable communities. However, due to the period in which many of the coastal communities were built and the County's efforts to keep pace with rapid growth in its western areas, some of the eastern areas did not receive a full complement of urban services. If the County is to meet its primary goal to create and maintain liveable communities, balance growth throughout the County, protect natural resources and provide a variety of lifestyle choices beyond the long term planning horizon, it is imperative that land, services and facilities be used efficiently and effectively.

**Objective:** Palm Beach County shall plan to accommodate approximately 90% of the County's existing and projected population through the long-range planning horizon within the Urban/Suburban Tier. The Urban/Suburban Tier shall include all land within the Urban Service Area, as depicted on the Service Areas Map in the Map Series. These areas have a development pattern generally characterized as urban or suburban, considering the intensity and/or density of development. The Urban/Suburban Tier shall be afforded urban levels of service.

**Staff Assessment:** This proposed amendment will further this objective by promoting the efficient use of non-residential land within existing developed areas within the Urban Suburban Tier.

**Policy 1.2-a:** Within the Urban/Suburban Tier, Palm Beach County shall protect the character of its urban and suburban communities by:

1. Allowing services and facilities consistent with the needs of urban and suburban development;
2. Providing for affordable housing and employment opportunities;
3. Providing for open space and recreational opportunities;
4. Protecting historic, and cultural resources;

5. *Preserving and enhancing natural resources and environmental systems; and,*
6. *Ensuring development is compatible with the scale, mass, intensity of use, height, and character of urban or suburban communities.*

**Policy 1.2-b:** *Palm Beach County shall encourage and support sustainable urban development, including restoration, infill and adaptive reuse.*

**Staff Assessment:** This proposed amendment will further these policies by promoting the efficient use of non-residential land within the Urban Suburban Tier which will support sustainable development while ensuring that this development is compatible and consistent with existing densities.

This amendment will support the above referenced provisions in the Comprehensive Plan. There are no inconsistencies with the policies in the Comprehensive Plan.

## **E. ULDC Implications**

This proposed amendment will result in revisions to the ULDC to implement the changes as summarized below:

- **FLU/Zoning Consistency Table.** With the addition of this table into the Comprehensive Plan, the existing table in the ULDC is no longer necessary. If retained, notes will need to be added to the ULDC version of the table for consistency with the Plan table.
- **FAR Table.** The floor area ratios are not in the ULDC, and the revisions to this table will not result in any ULDC revisions.
- **Mixed & Multiple Uses.** Article 3 will need to be revised to reflect the ability for multiple use projects with split residential/commercial future land use to utilize MUPD zoning. There are no changes to the ULDC necessary to implement the revisions to the MLU designation. The MXPB district can now be deleted from the ULDC, but this change is not mandatory.
- **Uses in Commercial.** This amendment will require the following:
  - Revise Article 4 to allow additional light industrial uses in the Commercial Low Office, Commercial Low, and Commercial High Office designations including self-storage, multi-media production, laboratories, and research and development.
  - Revise Article 4 to eliminate commercial retail uses from the Commercial Recreation future land use designation. During the review of this amendment, it was identified that many retail uses are allowed in the Commercial Recreation future land use designation that were well beyond the scope intended by the Comprehensive Plan. The Commercial Recreation designations should not allow any retail use other than ancillary to a major recreation, entertainment, or attraction based use.

## VI. Public and Municipal Review

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**Intergovernmental Plan Amendment Review Committee (IPARC):** Notification was sent to the County’s Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments, on December 18, 2019. At the time of the printing of the Planning Commission report, no objections to the amendment had been received.

## VII. Assessment and Conclusions

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This amendment proposes to revise policies and regulations within the Future Land Use Element of the Comprehensive Plan that affect the non-residential future land use designations. These changes will promote infill development within the Urban Suburban Tier and will not negatively impact the affected parcels. Each change either eliminates restrictions or adds flexibility for uses or intensity within the non-residential future land use designations. This amendment will require implementing revisions to the ULDC as detailed within this staff report.

### Attachments

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Exhibit 1 – Proposed revisions in <del>strike-out</del> and <u>underline</u> format	E-1
Exhibit 2 – Commercial Low Parcels with CG or CS Zoning	E-9

## Exhibit 1

**A. Future Land Use Element, Future Land Use and Zoning Consistency**

**REVISIONS:** Establish the future land use and zoning consistency table. The added text is underlined, and the deleted text ~~struck out~~.

**A.1. NEW Policy 2.2-f:** Table 2.2-f.1 establishes the consistent non-residential zoning and planned development districts for the Non-Residential Future Land Use Designations.

**Table 2.2-f.1**  
**Non-Residential Future Land Use - Zoning Consistency<sup>1,2</sup>**

<b><u>Future Land Use Designation</u></b>	<b><u>Consistent Zoning</u></b>	
	<b><u>Zoning District</u></b>	<b><u>Planned Development</u></b>
<u>Agricultural Reserve</u>	<u>AGR</u>	<u>AGR-PUD</u>
<u>Special Agriculture</u>	<u>AR, AGR</u>	<u>---</u>
<u>Agricultural Production</u>	<u>AR, AP</u>	<u>---</u>
<u>Multiple Land Use<sup>3</sup></u>	<u>---</u>	<u>MUPD, PIPD, PUD</u>
<u>Commercial Low-Office</u>	<u>CLO</u>	<u>MUPD</u>
<u>Commercial Low<sup>4</sup></u>	<u>CLO, CN, CC</u>	<u>MUPD</u>
<u>Commercial High-Office</u>	<u>CLO, CHO</u>	<u>MUPD</u>
<u>Commercial High<sup>3</sup></u>	<u>CLO, CHO, CN, CC, CG</u>	<u>MUPD</u>
<u>Industrial</u>	<u>IL, IG</u>	<u>MUPD, PIPD</u>
<u>Economic Dev. Center</u>	<u>IL</u>	<u>MUPD, PIPD</u>
<u>Commercial Recreation</u>	<u>CRE</u>	<u>MUPD, RVPD</u>
<u>Parks &amp; Recreation</u>	<u>IPF</u>	<u>==</u>
<u>Conservation</u>	<u>PC</u>	<u>==</u>
<u>Institutional &amp; Public Facilities</u>	<u>IPF</u>	<u>MUPD</u>
<u>Utilities &amp; Transportation</u>	<u>IPF</u>	<u>==</u>
<u>Conservation</u>	<u>PC</u>	<u>==</u>

**Notes:**

1. The Public Ownership (PO) zoning district is allowed in all future land use designations.
2. Within the Glades Tier, the AP and AR districts are consistent with all future land use designations, excluding Conservation. Within all Tiers, AR is consistent with all non-residential future land use designations, excluding Conservation.
3. The Mixed Use Planned Development (MXPDP) zoning district is allowed in the MLU and CH future land use designations.
4. The Commercial General (CG) and Commercial Special (CS) zoning districts are consistent with the Commercial Low future land use designation on sites located within the Urban Suburban Tier which were granted these zoning districts prior to the assignment of the CL designation on the Future Land Use Atlas.

**B. Future Land Use Element, Non-Residential Intensity and Commercial Future Land Use**

**REVISIONS:** To revise FAR and Commercial FAR and uses and relocate Table III.C.2 to the Objective 2.2. The added text is underlined, and the deleted text ~~struck out~~.

**B.1. NEW Policy 2.2-e: Intensity.** The County shall establish and maintain maximum floor area ratios (FAR) specific to each future land use designation in order to establish the maximum non-residential intensity of development, as specified in Table 2.2-e.1. The allowable intensity on a specific parcel may be reduced through the development review process in order to account for the attributes of the subject site, the scale of adjoining properties, and the character of the area. The maximum FAR applies to non-residential uses within these designations; for residential uses, the maximum FAR does not apply. Residential density is assigned by Table 2.2.1-g.1.

**TABLE III.C.2 – 2.2-e.1  
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses**

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
<i>Unaltered rows omitted for brevity</i>						
Commercial Low (Neighborhood Commercial)	CL-O	<del>.35-.50</del> <sup>1</sup>	.20	.20	.20 w/MUPD <sup>4</sup>	.20
	CL	<del>.20 w/o PDD</del> <sup>1,3</sup> <del>.25 w/ PDD</del> <sup>1,3</sup> <u>.50</u> <sup>1</sup>	.10 1.0 w/ TMD	.10 1.0 w/ TMD	.10 <sup>5</sup> .20 w/MUPD <sup>4</sup> .40 w/ TMD <sup>4</sup>	.10
Commercial High (Community or Regional Commercial)	CH-O	<del>.35 w/o PDD</del> <del>.50-.85 w/ PDD</del> <sup>2</sup> <u>.85</u>	not allowed	not allowed	not allowed	not allowed
	CH	<del>.35 w/o PDD</del> <sup>4</sup> <del>.50-.85 w/ PDD</del> <sup>2</sup> <del>.85-1.0</del> <sup>3</sup> <u>.85</u> <sup>3</sup>	not allowed	not allowed	not allowed	not allowed
Commercial Recreation		<del>.40-</del> .50	not allowed	.05	.05	.05
Parks & Recreation		<del>.40-</del> .45	.10	.10	.10	.10
Institutional & Public Facilities <sup>8</sup>		<del>.4-</del> .45	.20	.10	.15 .35 <sup>6</sup>	.10
Transportation & Utilities		<del>.40-</del> .45	.10	.05	.05 .15 <sup>7</sup>	.05

**Notes:**

*unaltered notes omitted for brevity*

1. For Commercial Low Office (CL-O) and Commercial Low (CL) and Commercial High (CH), the maximum allowable FAR for ~~medical or professional offices and self-storage use projects~~ is up to .85 ~~.50~~.
2. For ~~Commercial High (CH) and Commercial High Office (CH-O)~~, the maximum allowable FAR is ~~.50 for MUPD, and .85 for MXPDP, as defined in the ULDC.~~
3. For Commercial High (CH), the maximum allowable FAR is up to 1.0 for ~~A maximum FAR up to 1.0 may be permitted to allow for: infill development; mixed-use development (MXPDP); Traditional Neighborhood Development (TND); and Traditional Market Place Development (TMD); or Lifestyle Commercial Centers (LCC).~~

**B.2. REVISE Policy 2.2.4-b:** In order to encourage a broad range of employment opportunities, the County shall implement the following in the ULDC and within projects as deemed through the development review process:

1. Allow certain uses that demonstrate Light Industrial characteristics, limited to Offices of an Industrial Nature (as defined by the Introduction and Administration Element), self-storage, multi-media production, data/information processing, laboratories, and research/development within all four Commercial future land use designations.
2. Allow within the Commercial High (CH) future land use designation a broader range of uses that demonstrate Light Industrial characteristics including, but not limited to, Manufacturing and Processing, Warehouse, and Flex Space.

**B.3. REVISE Commercial Uses, Future Land Use Regulation Section**

**General.** ~~The~~ In addition to commercial uses, the uses listed below are allowable within the Commercial Low Office, Commercial Low, Commercial High Office, and Commercial High future land use designations, where permitted by the Unified Land Development Code.

1. Parks and Recreation;
2. Conservation;
3. Institutional and Public Facilities;
4. Transportation and Utility Facilities;
5. Communication Facilities;
6. ~~Non-residential~~ Agricultural uses as provided by the Unified Land Development Code;
7. Mining and excavation, subject to the limitations;
8. Residential uses utilizing the underlying residential future land use designation to calculate the maximum number of dwelling units.
9. Mixed or multiple use planned developments may utilize up to 100% of the underlying residential density and the commercial intensity the subject to the requirements of this Element ~~or the following;~~
  - a) ~~Multiple use projects may be allowed to utilize up to 100% of the combination of a site's residential density and its commercial intensity equivalent. (Additional density or intensity is equivalent to the corresponding amount of non-utilized existing density or intensity.) (A=percent of additional density or intensity, U=percent of utilized density or intensity. A=100 - U);~~
10. Light Industrial uses per 2.2.4-b;
11. Caretaker's quarters; and
- 12-44. Uses and structures accessory to permitted uses.

**C. Future Land Use Element, Mixed & Multiple Future Land Use and Districts**

**REVISIONS:** To revise mixed & multiple future land use and zoning. The added text is underlined, and the deleted text ~~struck out~~.

**C.1. REVISE Table 2.2.1-j.1, Residential Future Land Use - Zoning Consistency<sup>1</sup>**

Future Land Use Designation	Consistent Zoning	
	Zoning District	Planned Development
Agricultural Reserve	AGR	AGR-PUD
Rural Residential	AR, RE	RR-PUD, MHPD, RVPD
Western Communities Residential	AR	PUD
Low Residential	RE, RT, RTS, RS	PUD, TND, MHPD, <u>MUPD<sup>4</sup></u>
Medium Residential	RE, RT, RS, RTU, RM/RH <sup>2</sup>	PUD, TND, MHPD, <u>MUPD<sup>4</sup></u>
High Residential	RE, RT, RS, RM, RH	PUD, TND, MHPD, <u>MUPD<sup>4</sup></u>
Congregate Living Residential	RM	PUD, TND, TMD, MUPD, MXPD <sup>3</sup>

**Notes:**

1. *through 3 omitted for brevity*

4. The Multiple Use Planned Development (MUPD) zoning is consistent with the residential future land use designations within the Urban/Suburban Tier for sites that have and utilize a non-residential future land use designation on a portion of the MUPD.

**4.4.2 Multiple Land Use**

**C.2 REVISE Policy 4.4.2-a:** The Multiple Land Use (MLU) future land use designation is established for multiple and mixed use projects proposed through the amendment process. may be applied for through the Future Land Use Atlas amendment process. The MLU is project specific and is limited to projects that demonstrate a functional integration and mix of land uses is subject to the following: ~~which exceeds minimum zoning code requirements.~~

**1. Uses, Intensity, and Density.** The application for a proposed future land use amendment to MLU shall identify the proposed uses, maximum intensity, and maximum density which shall be affixed in the adopting ordinance. The use of the Workforce Housing Program and/or Transfer of Development Rights program is required as part of the concurrent zoning application for proposed MLU amendments seeking an increase in density. The MLU adopting ordinance shall include conditions of approval identifying whether the site may also utilize these programs following adoption for additional density, or whether the site is prohibited from future density increases.

**2. Concurrent Zoning Application.** The proposed amendment for an MLU requires the processing and adoption with a concurrent zoning application. The zoning application shall include a site plan or master plan depicting the functional integration of the proposed uses, and the maximum intensities and densities. The

MLU adopting ordinance shall include conditions of approval as necessary to reflect the concurrent zoning application and may include the adoption of a conceptual site plan depicting the location of the various land uses, open space, and linkages which functionally integrate the different land use categories.

**3. Usable Open Space.** At a minimum, 5-10% of the property must be committed to usable open space (as defined by the Introduction and Administration Element). Open space must functionally integrate the project's land uses and may *not* be applied to the recreation and/or parks requirements or other required civic dedication of land during the development review/re-zoning process, excluding right of way dedication. Water retention, lakes, drainage, and canals shall not be considered usable open space. The usable open space requirement is not required for projects for which the residential use is limited to a congregate living facility.

**4. Applicability.** Proposed amendments for multiple and mixed use projects requesting an increase in residential density and a non-residential future land use in the Urban Suburban Tier are required to apply for the MLU designation. Exceptions to this requirement are proposed amendments described as follows:

- a. Amendments seeking a traditional development designation;
- b. Amendments for which the residential use limited to a congregate living facility.

**C.3 DELETE Policy 4.4.2-b:** ~~The following minimum standards shall apply to proposed MLU designations during the amendment review process and will be affixed to the approved MLU project in the adopting ordinance:~~

~~1. Underlying Land Use Designations: The MLU is an umbrella category which requires a minimum of two different future land use designations at least one of which shall be residential. The project shall have minimum and maximum intensities/densities for each land use. The following criteria shall apply towards the land use designations:~~

- ~~a) Residential Density: The maximum number of units for the parcel shall be calculated by multiplying the total acreage of the parcel by the density permitted through the residential designation. Additional density may be allowed, through the Transfer of Development Rights program, the Workforce Housing Program, or the Affordable Housing Program following an approval of an MLU project.~~
- ~~b) Non-residential Intensity: The maximum intensity for each proposed non-residential use shall be calculated by assigning all non-residential uses a percentage of the total site area, not to exceed 100%. The maximum intensity for each of the projects non-residential land use designations may be reduced by the County, during the review process considering the extent of integration of uses within the project.~~

~~2. Conceptual Master Plan: The project shall include a conceptual master plan, which depicts (in a generalized or conceptual map format) the location of the various land uses, specifically including the location of open spaces and linkages~~

which functionally integrate the different land use categories. The conceptual master plan shall comply with the following criteria:

- a) ~~Land Use Integration: The project must demonstrate functional integration between the project's land uses in the master plan. To facilitate integration, the placement of an interconnected system of streets within both the residential and non-residential components is required.~~
  - b) ~~Open Space: At a minimum, 10% of the property must be committed to usable open space (as defined by the Introduction and Administration Element). Open space must functionally integrate the project's land uses and may be applied to the recreation and/or parks requirements or other required civic dedication of land during the development review/re-zoning process, excluding right of way dedication. Water retention, lakes, drainage, and canals shall not be considered usable open space.~~
  - c) ~~Pedestrian Oriented/Non-vehicular Pathways: The master plan must include a pedestrian/non-vehicular circulation system that integrates the project's land uses and open spaces. All rights-of-way or parking access drives must have shaded pedestrian pathways.~~
  - d) ~~Mass Transit: The project and master plan must provide for mass transit and/or public transportation facilities.~~
3. ~~Exceeding Code Requirements: The project must demonstrate that it exceeds minimum requirements in the ULDC and may concurrently submit an application for the Zoning review process for the entire site. In the event of a conflict between the project's development standards or design guidelines and the existing ULDC requirements, the more restrictive requirement shall prevail.~~
4. ~~Design Guidelines: To ensure that the project exceeds minimum Code requirements, the project may include design guidelines to identify built form and site design requirements, which may include:~~
- a) ~~Vehicular and pedestrian circulation system, lighting, signage, recreation/open space/public amenities, buffering, landscaping requirements;~~
  - b) ~~Conceptual landscape plans and streets cross-sections; and~~
  - c) ~~Architectural features and use limitations may also be included.~~
5. ~~Unity of Control: The non-residential portions of an MLU project shall be required to be the subject of a Unity of Control at the time of rezoning to ensure a consistent and cohesive project.~~

**C.4 DELETE Policy 4.4.2-c:** ~~The County may impose mitigation measures on a proposed MLU during the amendment review process. Mitigation measures may include, but are not limited to, the following:—~~

1. ~~The requested intensity and/or density of the project may be altered.~~
2. ~~The mix of land uses may be restricted to ensure that an efficient and appropriate land use balance is achieved within the project.~~
3. ~~Conditions may be imposed to ensure that environmentally sensitive portions of the property are protected and/or to ensure preservation of existing native vegetation.~~

4. ~~Timing criteria may be imposed on a proposed MLU designation when deemed essential to assure that necessary and appropriate land uses are developed in a timely manner and to assure reasonable and appropriate development opportunities for other property owners. Failure to comply with imposed timing criteria may result in the County's initiation of a FLUA amendment to remove the MLU designation and replace it with the site's original land use designation.~~

**C.5 DELETE Policy 4.4.2-d:** ~~In order to allow for flexibility in future site planning of specific MLUs, related uses (commercial, office, commercial recreation, etc.) can be shifted between the designated areas, as long as the minimum and maximum acreages and densities/intensities are adhered to in the ordinance. Any substantial changes to the adopted master plan, as determined by the Planning Director, during the development review process, will result in the MLU designation being remanded back to the Local Planning Agency and the Board of County Commissioners for public hearings during the next applicable amendment round. Substantial change shall consist of:~~

1. ~~Changes which affect 20% or more of the land area; and/or~~
2. ~~Changes which result in the project no longer meeting the intent of the MLU language (i.e. changes which reduce the connectivity or the integration between the land uses, changes in location of open space, or other changes which raise compatibility issues.)~~

~~If an MLU designation is remanded back, during the next applicable amendment round, Planning staff and the Local Planning Agency shall review the original application and the proposed changes, and make recommendations to the BCC. The BCC will re-evaluate and, if necessary may revoke the MLU designation.~~

**C.6 DELETE 4.4.6 Mixed-use Planned Development**

**C.7 DELETE Policy 4.4.6-a:** ~~The Mixed-use Planned Development (MXPDP) provides for an integrated mix of uses including residential, open space, commercial, and institutional. At a minimum, 51% of the development shall be comprised of residential. Uses may be integrated vertically or horizontally. Horizontal integration shall be planned in such a way that a variety of uses front onto and share common areas designed to provide an amenity to all uses within the development. The MXPDP is allowed within the Urban Suburban Tier in the Commercial High and Multiple Land Use future land use designations. The Multiple Land Use future land use designation is exempt from the ULDC's MXPDP internal trip capture requirements, and the ULDC shall be revised to reduce or eliminate internal trip capture requirements for all MXPDPs.~~

**C.8 DELETE Policy 4.4.6-b: MXPDP Design Standards** ~~The standards for an MXPDP shall establish the character and promote design with an integrated mix of uses to achieve compatibility, and a pedestrian oriented livable community. Compatibility with adjacent land uses and ability to fit into the community shall be given primary consideration in the design of the development. Site development standards for an MXPDP shall be reviewed to ensure that, at a minimum, the following general design guidelines are addressed:~~

1. ~~Utilization of building mass, placement, orientation and build-to lines/setbacks, where feasible and appropriate, to provide spatial definition along streets and to create squares and greens;~~

2. ~~Use of building design standards to include, but not be limited to, massing, scale, pattern, rhythm, material and color;~~
3. ~~Creation of strong pedestrian and open space systems. This shall be accomplished by designing for pedestrian comfort and by placing human-scaled elements along these spaces which include, but are not limited to, light fixtures, seating, gathering spaces, water features, statuary, landscaping;~~
4. ~~Creation of linkages to adjacent land uses;~~
5. ~~Provisions for parking including minimums and maximum parking space requirements. These requirements shall be based on density/intensity, use, proximity to other land uses in the market area and availability of non-automotive modes of transportation such as transit; and~~
6. ~~Creation of an interconnected circulation system which provides on-street parking, and provides convenient access to transit stops and off-site pedestrian and bicycle systems.~~

**C.9** ~~DELETE Policy 4.4.6-c:~~ The Mixed-use Planned Development (MXPDP) shall provide a model for compatible, balanced, integrated land uses. The MXPDP development standards shall allow a variety of uses including residential, commercial, office and civic uses to create opportunities for living, working and entertainment in a pedestrian-oriented community. In an MXPDP, multi-purpose buildings that permit a mixture of compatible uses are required. The MXPDP development standards shall clearly require integration of uses within buildings or among buildings, which will be accomplished as follows:

1. ~~Use of vertical integration such as residential uses over office or retail uses, office uses over retail uses, or other compatible combinations of uses may be allowed;~~
2. ~~Use of horizontal integration may be permitted if building are placed and oriented to front on well designed, useable public spaces; and/or~~
3. ~~Use of shared space creating live-work space within a single unit in a building.~~

**C.10** ~~DELETE Policy 4.4.6-d:~~ MXPDP projects shall be reviewed to ensure that provisions for transition areas are established. These provisions shall address how the development is treated at the periphery, adjacent to less-intense residential neighborhoods or natural areas. In place of landscape buffers, spatial transitions should include lower intensity and density uses, and building height and design comparable to the adjacent district. These transitions will integrate new development into the community and provide strong pedestrian and bicycle linkages and access. Buffers should be limited to situations where there is a substantial difference in the intensity or density of development. Buffers should not be used as the sole factor in establishing land use compatibility.

**Exhibit 2**  
**Commercial Low Parcels with CG or CS Zoning**

Site-ID	PCN	Site Address	Map Acres	FLU	Zoning
037-001	00424224010000190	8755 N MILITARY TRL	2.35	CL/1	CG
037-002	00424224010000210	8735 N MILITARY TRL	1.19	CL/1	CG
037-009	00424224010000882	8091 N MILITARY TRL	0.71	CL/1	CG
037-010	00424224010000883	8031 N MILITARY TRL	2.22	CL/1	CG
056-001	00424329100011140	1975 SANSBURYS WAY 14	0.03	CL/3	CG
056-001	00424329100021150	1975 SANSBURYS WAY 15	0.07	CL/3	CG
056-001	00424329100011090	1975 SANSBURYS WAY 9	0.03	CL/3	CG
056-001	00424329100011120	1975 SANSBURYS WAY 12	0.03	CL/3	CG
056-001	00424329100011050	1975 SANSBURYS WAY 5	0.03	CL/3	CG
056-001	00424329100011080	1975 SANSBURYS WAY 8	0.03	CL/3	CG
056-001	00424329100011030	1975 SANSBURYS WAY 3	0.03	CL/3	CG
056-001	00424329100000022	SANSBURYS WAY	1.44	CL/3	CG
056-001	00424329100160000		0.15	CL/3	CG
056-001	00424329100021160	1975 SANSBURYS WAY 16	0.07	CL/3	CG
056-001	00424329100120020		0.02	CL/3	CG
056-001	00424329100000010	1991 SANSBURYS WAY	0.84	CL/3	CG
056-001	00424329100011060	1975 SANSBURYS WAY 6	0.03	CL/3	CG
056-001	00424329100011020	1975 SANSBURYS WAY 2	0.03	CL/3	CG
056-001	00424329100011040	1975 SANSBURYS WAY 4	0.03	CL/3	CG
056-001	00424329100011070	1975 SANSBURYS WAY 7	0.03	CL/3	CG
056-001	00424329100011130	1975 SANSBURYS WAY 13	0.03	CL/3	CG
056-001	00424329100000021		0.29	CL/3	CG
056-001	00424329100011010	1975 SANSBURYS WAY 1	0.03	CL/3	CG
056-001	00424329100011110	1975 SANSBURYS WAY 11	0.03	CL/3	CG
056-001	00424329100011100	1975 SANSBURYS WAY 10	0.03	CL/3	CG
056-001	00424329100120010		0.13	CL/3	CG
057-001	00424324010000262	2101 SCOTT AVE	0.48	CL/IND	CG
057-001	00424324010000441	2060 SCOTT AVE	0.16	CL/IND	CG
057-001	00424324000005048	2061 INDIAN RD	0.49	CL/IND	CG
057-001	00424324010000050	2045 SPAFFORD AVE	0.32	CL/IND	CG
057-001	00424324010000070	2097 SPAFFORD AVE	0.32	CL/IND	CG
057-001	00424324010000350	2234 SCOTT AVE	0.30	CL/IND	CG
057-001	00424324000005042	2048 INDIAN RD	0.31	CL/IND	CG
057-001	00424324010000252	2069 SCOTT AVE	0.16	CL/IND	CG
057-001	00424324000005045	2060 INDIAN RD	0.15	CL/IND	CG
057-001	00424324010000420	2070 SCOTT AVE	0.63	CL/IND	CG
057-001	00424324010000442	2050 SCOTT AVE	0.16	CL/IND	CG

Site-ID	PCN	Site Address	Map Acres	FLU	Zoning
057-001	0042432400005044	2080 INDIAN RD	0.31	CL/IND	CG
057-001	0042432400005300	INDIAN RD	0.33	CL/IND	CG
057-001	00424324010000251	2059 SCOTT AVE	0.16	CL/IND	CG
057-001	0042432400005272	2215 INDIAN RD	0.36	CL/IND	CG
057-001	00424324010000290	2151 SCOTT AVE	0.64	CL/IND	CG
057-001	0042432400005040	2051 INDIAN RD	0.20	CL/IND	CG
057-001	00424324010000280		0.32	CL/IND	CG
057-001	0042432400005310	2191 INDIAN RD	0.20	CL/IND	CG
057-001	00424324010000041	2042 SCOTT AVE	0.19	CL/IND	CG
057-001	0042432400005046	2120 INDIAN RD	0.51	CL/IND	CG
057-001	00424324010000360	SCOTT AVE	0.32	CL/IND	CG
057-001	0042432400005270	2233 INDIAN RD	0.45	CL/IND	CG
057-001	0042432400005043	2040 INDIAN RD	0.19	CL/IND	CG
057-001	00424324010000060	2083 SPAFFORD AVE	0.32	CL/IND	CG
057-001	00424324010000261	2075 SCOTT AVE	0.16	CL/IND	CG
057-001	00424324010000390	2140 SCOTT AVE	0.95	CL/IND	CG
057-002	00424325000003110		0.36	CL/8	CG
058-001	00434330030110310	900 OSCEOLA DR	1.87	CL/8	CG
076-004	00424428010000010	8100 LAKE WORTH RD	0.86	CL/3	CG
076-007	00424430100000042	9897 LAKE WORTH RD	0.29	CL/3	CG
076-007	00424430050030010	9855 LAKE WORTH RD	13.64	CL/3	CG
076-007	00424430050030020	3890 S STATE ROAD 7	1.09	CL/3	CG
076-007	00424430100000043	9859 LAKE WORTH RD	0.54	CL/3	CG
076-007	00424430050020000	9935 LAKE WORTH RD	1.08	CL/3	CG
076-007	00424430050030030	9863 LAKE WORTH RD	1.20	CL/3	CG
076-007	00424430050010000	3900 S STATE ROAD 7	0.97	CL/3	CG
076-007	00424430100000060	9811 LAKE WORTH RD	0.61	CL/3	CG
076-007	00424430100000041	9945 LAKE WORTH RD	0.43	CL/3	CG
076-007	00424430050030040	LAKE WORTH RD	0.57	CL/3	CG
077-001	00424424010000410	4100 10TH AVE N	0.79	CL/5	CG
080-001	00424327050350091	5301 S STATE ROAD 7	2.61	CL/2	CG
083-004	00434505010030010	2519 HYPOLUXO RD	0.25	CL/5	CG
083-004	00434505010030100	6980 EASTVIEW DR	0.25	CL/5	CG
083-005	00434505010030020	2899 HYPOLUXO RD	0.25	CL/5	CG
083-008	00434505010030030	2481 HYPOLUXO RD	0.76	CL/5	CG
086-001	00424510090010000	7030 S JOG RD	1.36	CL/3	CG
086-003	00424510140010000	6400 HYPOLUXO RD	0.79	CL/3	CG
086-003	00424510140030000	6380 HYPOLUXO RD	1.65	CL/3	CG
086-003	00424510140020000		0.05	CL/3	CG
109-001	00414713040000018	20465 S STATE ROAD 7	0.45	CL/3	CG
118-001	00424734260010000	6061 SW 18TH ST	2.49	CL/8	CG

Site-ID	PCN	Site Address	Map Acres	FLU	Zoning
087-001	00434508000020020	7030 THOMPSON RD	1.27	CL/5	CG
081-005	00424441000410044	8880 LANTANA RD	1.68	CL/2	CG
037-013	0042422407		1.19	CL/1	CG
037-004	00424224010000290	8335 N MILITARY TRL	1.19	CL/1	CS
037-005	00424224010000300	8295 N MILITARY TRL	1.19	CL/1	CS
037-016	00424224190000010	8895 N MILITARY TRL	6.06	CL/1	CS
087-004	00434509000001020	7031 WASHINGTON AVE	0.70	CL/5	CS
114-001	00424719280020000	21040 S STATE ROAD 7	2.26	CL/3	CS
114-001	00424719280010000	21020 S STATE ROAD 7	5.29	CL/3	CS
037-012	0042422406		1.19	CL/1	CS
037-016	0042422420		1.19	CL/1	CS
		<b>Total Acres</b>	<b>77.39</b>		