MEMORANDUM

To: Council Members

From: Staff

Date: September 19, 2014 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the City of West Palm Beach Comprehensive Plan
Amendment No. 14-2ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. TCRPC comments are limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any local government within the Region. TCRPC must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the State Land Planning Agency.

The amendment package from the City of West Palm Beach contains a text amendment to the Future Land Use (FLU) Element of the comprehensive plan. This report includes a summary of the proposed amendment and TCRPC comments.

Summary of Proposed Amendment

The proposed amendment is to revise policies in the FLU Element of the comprehensive plan regarding Mixed Use Districts (MUDs) and the Currie Mixed Use District (CMUD). The proposed modifications are designed to: 1) add Mixed-Use District general policies and objectives to support the intent of the MUDs, and 2) modify specific criteria for the Currie Mixed-Use District. The proposed revisions are summarized below:

- Revise Policy 1.7.2.1 to specify the elements required in a neighborhood master plan and provide for the development regulations for each district to include a regulatory framework.
- Revise policy 1.7.2.1a: Regulatory Framework. This policy is revised to replace existing text with new language that specifies the items to be included in the regulating plans and/or diagrams for each mixed-use district.

- Revise Policy 1.7.2.1b: Incentive Programs. This policy is revised to indicate that incentive programs to accomplish the city’s goals and objectives are to be applied to Mixed Use District with a Mixed Use Future Land Use rather than a neighborhood plan.

- Add Policy 1.7.2.1c: Pre-design Workshop. This policy is added to encourage all applicants with development proposals in the Mixed Use Districts to attend a pre-design workshop with the Community Redevelopment Agency and city staff prior to the submittal of a site plan or master plan for official review.

- Add Policy 1.7.2.1d: Design Principles and Procedures. This policy specifies the design principles and procedures that apply to all development and redevelopment within the boundaries of a mixed-use district.

- Revise Policy 1.7.2.3. This policy is revised to provide an updated description of the CMUD and specify that the maximum allowable height within the CMUD shall not exceed 15 stories.

The city staff report indicated that the proposed changes are the result of recent master planning efforts involving a visioning workshop and considerable community input. The proposed changes related to MUDs address compatibility between the existing single family residential neighborhoods and new development, connectivity, expected public benefits, and sustainability. The proposed changes to the CMUD address the desire to increase the allowable heights within the district to encourage development, and to provide flexibility of uses within the district to allow compatible non-residential uses along Flagler Drive in order to encourage a walkable pedestrian-oriented environment and the activation of Currie Park. The projected CMUD development densities and intensities are not changing as a result of the proposed amendment.

**Extrajurisdictional Impacts**

The proposed amendment was circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on July 16, 2014. No extrajurisdictional impacts have been identified.

**Regional Impacts**

No adverse effects on significant regional resources and facilities have been identified.

**Conclusion**

The proposed amendment is consistent with the SRPP.
Recommendation

Council should approve this report and authorize its transmittal to the City of West Palm Beach and the Florida Department of Economic Opportunity.

Attachments
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Exhibit 1
General Location Map

City of West Palm Beach
Exhibit 2
Ordinance No. 4521-14 - Text Amendments
Showing Strikethrough and Underline

ORDINANCE NO. 4521-14

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO AMEND THE FUTURE LAND USE ELEMENT, MIXED USE POLICIES 1.7.2.1 AND 1.7.2.1A-D TO REFLECT CHANGES TO THE MIXED USE DISTRICT; TO REVISE CURRIE CORRIDOR MIXED USE DISTRICT (CMUD) POLICY 1.7.2.3 IN ORDER TO IMPLEMENT NEW ZONING REGULATIONS; DECLARING THE PROPOSED AMENDMENTS TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the City Commission adopted the City of West Palm Beach Comprehensive Plan by Ordinance No. 2295-89 on November 20, 1989; and

WHEREAS, Chapter 163, Part II, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for the growth and development in the City; and

WHEREAS, Redevelopment Management Associates (RMA) on behalf of the City Community Redevelopment Agency (CRA) conducted a seven (7) day public visioning workshop in March of 2014 to develop a strategy and consensus for the redevelopment of the entire City North End Community Redevelopment Area and adjacent neighborhoods; and

WHEREAS, on April 15th, 2014, the CRA staff presented the results of the visioning workshop and community input to the CRA board. The board supported the recommendations presented by the CRA staff and instructed RMA to draft the amendments to the Comprehensive Plan and Zoning regulations for the individual districts; and

WHEREAS, a detailed master plan was developed for each of the mixed use districts to address specific issues related to building height, building placement, building use, public open space and street and pedestrian connectivity. The recommendations focused on providing design objectives, redevelopment strategies to achieve those objectives and necessary changes to the Comprehensive Plan and subsequently to the zoning regulations to encourage and facilitate the redevelopment; and

WHEREAS, the proposed amendments reflect future desires and outcomes derived from the recent master planning update; an

WHEREAS, because of current development pressures within the Currie Mixed Use District (CMUD) the board requested that this area be addressed first; and
WHEREAS, in CMUD, the main objectives of the proposed changes are to establish a physical and visual connection between the Currie Park and Intracoastal Waterway on the east and the Northwood District on the west and to encourage development on the vast amount of vacant property across from Currie Park along Flagler Drive; and

WHEREAS, the proposed changes to the Comprehensive Plan and CMUD regulations will address the need to increase height while establishing a proper transition of intensities and expected public benefits (i.e. public open spaces, greenways etc.) all supporting the vision plan that was created for the CMUD.

WHEREAS, the increased height does not result in an increase of the maximum allowable residential density and commercial intensity currently permitted in the Comprehensive Plan; and

WHEREAS, the Planning Board recommended approval (6-0) of this request to the City Commission after a Public Hearing on July 15, 2014; and

WHEREAS, the public hearing was advertised in the Palm Beach Post. Proof of publication is housed in the Planning and Zoning Department records. Additionally, the Planning and Zoning Department records evidence that individual notices of the public hearing were mailed to all property owners and residents of the CMUD and to all property owners within 400 feet of the CMUD.

WHEREAS, the City Commission accepts data and analysis of the Round 14-2 Comprehensive Plan Text and Map Amendments Staff Report;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission hereby amends the Future Land Use Element regarding Mixed Use Districts (MUDs) and the Currie Mixed Use District (CMUD) by amending Policy 1.7.2.1, Policy 1.7.2.1a-d, Policy 1.7.2.3 to now read as shown on EXHIBIT A.

SECTION 2: The City Commission hereby finds and determines that the amendments contained in this Ordinance comply with the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes.

SECTION 3: The City Commission hereby finds and determines that the amendments contained in this Ordinance are consistent with the remainder of the Comprehensive Plan of the City.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.
SECTION 5: Should any section or provision of this Ordinance or any portion, paragraph, sentence or word thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 6: The amendments shall be submitted to the State Land Planning Agency in accordance with and satisfying the requirements of Chapter 163 Florida Statutes and the Florida Administrative Code.

SECTION 7: The effective date of this plan amendment shall be in accordance with Chapter 163, Florida Statutes.

FIRST READING THIS 4th DAY OF AUGUST, 2014.

SECOND READING AND PASSAGE THIS _____ DAY OF ___________, 2014.
EXHIBIT A

Future Land Use Element

Revisions are shown as strike through for deletions and underline for additions.

Policy 1.7.2.1: A neighborhood master plan, including specific standards for the density or intensity of use, must be created and approved by the City Commission prior to the adoption of a Mixed Use future land use designation. The neighborhood master plan will specify building height, building placement, and building use in the form of the building type model utilized in the Downtown Master Plan Area, public open space and street and pedestrian connectivity. The development regulations for each district shall include a regulatory framework that may include regulating plans, building placement diagrams, building typologies and other similar types of standards that address building height, building placement, building use, parking standards, street standards and open space requirements.

Policy 1.7.2.1a: The City may accomplish the goals and objectives of a neighborhood master plan through the use of incentive programs such as additional stories, additional density, additional Floor Area Ratios, air rights easements over arcades on public rights of way, public private partnerships, shared parking agreements for mixed uses, encouraging the Community Redevelopment Authority (CRA) to use its powers, and similar incentives. “Limited Duration” means up to four (4) years or such longer period which is determined by the City Commission to be necessary to further the goals of the neighborhood master plan. Such incentive programs shall be consistent with the spirit and intent of the specific neighborhood master plan. City shall adopt effective enabling land development regulations to effectuate such residential incentive programs.

Policy 1.7.2.1a: Regulatory Framework. In order to support the vision of the neighborhood master plan the development regulations for each mixed-use district shall provide a series of controlling regulating plans and/or diagrams. The regulating plans and/or diagrams demonstrate development standards in both words and images, and include maps designating the locations where the various standards apply. The regulating plans and/or diagrams for each mixed-use district shall include the following when applicable:

1. The Sub-areas Regulating Plan, which divides the mixed use district into Sub-areas. The purpose of the Sub-areas Regulating Plan is to establish a proper transition of intensities particularly where the mixed use district is adjacent to existing single family residential. The highest densities and intensities within the mixed use districts shall be allocated to the sub-areas which are more removed from single family residential uses. The densities and intensities shall then gradually decrease to the sub-areas which are closer to single family residential.
2. The Building Heights Regulating Plan, which establishes the maximum building height within each sub-area. The purpose of the Building Heights Regulating Plan is also to establish a proper transition of intensities particularly where the mixed use district is adjacent to existing single family residential.

3. The Building Typology and Placement Regulating Diagrams, which provide a schematic representation of the various building typologies permitted in each mixed-use district. The purpose of the diagrams is to demonstrate the required lot standards and profiles of structures in order to ensure a pedestrian oriented environment.

4. The Designated Open Spaces and Greenway Systems Regulating Plan, which designates public open spaces and a greenway system within the mixed use district. The purpose of the Designated Open Spaces and Greenway Systems Regulating Plan is to ensure the proper allocation and connectivity of public open spaces and greenways in order to achieve a balance between the built and the natural environment.

5. The Street Network Connectivity Regulating Plan, which shows the location of existing and new streets needed to create the prescribed network of streets within the mixed use districts. This Plan also establishes the hierarchy of the streets.

6. The Street Vistas Regulating Plan, which shows the location of important terminating vistas. The purpose of the Street Vistas Regulating Plan is to denote areas within the mixed-use district that should provide significant architectural features and/or enhancements. The Street Vistas Regulating Plan may also denote areas where additional height is granted.

Policy 1.7.2.1ab: Incentive Programs. The City may accomplish the goals and objectives of a neighborhood master plan Mixed Use District with a Mixed Use Future Land Use through the use of incentive programs such as additional stories, additional density, additional Floor Area Ratios, air rights easements over arcades on public rights-of-way, public-private partnerships, shared parking agreements for mixed uses, encouraging the Community Redevelopment Authority (CRA) to use its powers, and similar incentives. “Limited Duration” means up to four (4) years or such longer period which is determined by the City Commission to be necessary to further the goals of the neighborhood master plan Mixed Use District. Such incentive programs shall be consistent with the spirit and intent of the specific neighborhood master plan and shall not exceed the maximum allowable densities and intensities provided in the Mixed Use District policies. City shall adopt effective enabling land development regulations to effectuate such residential incentive programs.

Policy 1.7.2.1c: Pre-design Workshop. All Applicants with development proposals in the Mixed Use Districts shall be encouraged to attend a pre-design workshop with the CRA and City’s staff prior to Site Plan or Master Plan submittal for official review. Ensuring compatibility with adjacent properties in regard to both zoning designation and existing development will be the focus of the preliminary design meeting. In all
cases, the best approach to respecting and designing for the existing context and optimizing compatibility with adjacent properties will be identified.

**Policy 1.7.2.1d: Design Principles and Procedures.** The development regulations for each district in the Mixed Use areas shall promote an urban form which creates well integrated land use combinations, balances intensity and density, promotes the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement, enhances the public realm (publicly owned or accessible spaces), protects the existing historic resources and promotes sustainability. The following design principles and procedures shall apply to all development and redevelopment within the boundaries of a Mixed-use district:

**Land Use Compatibility:**
- Complement and support adjacent existing land uses and/or adopted Future Land Use Plan designations through the effective use of density, massing, building setbacks, height standards and other design elements that increase compatibility between proposed and existing development.
- Compatibility of adjacent uses by incorporating landscape buffers, fences, walls or other appropriate edge treatments along with building design elements that respect existing development.
- Service areas that do not impact adjacent residential development.
- All land uses, including institutional and utility uses, must be designed to be compatible with adjacent properties.

**Connectivity:**
- A circulation system designed to strengthen vehicular, bicycle and pedestrian connectivity to all areas of the site/district, including recreation areas, parks, adjacent uses, transit facilities and activity nodes.
- Pedestrian connectivity which results in sidewalks that connect to an adjacent sidewalk or street crosswalk and do not dead-end at property lines.

**Public Realm (publicly owned or accessible spaces):**
- Integration of the public realm through open space or urban public plazas and/or recreational areas.
- Promote connectivity of open spaces, pedestrian and other non-motorized networks and landscaped streetscapes.
- Promote accessibility and connectivity for the general public to waterfronts.

**Historic Resources:**
- Protection of designated historic resources including buildings and historic and specimen trees.

**Sustainability:**
- Incorporate designs which are environmentally sensitive (i.e., reduction of impervious surfaces, alternative material for spillover parking).
- Vehicle parking strategies which lessen conflicts with bicycles and pedestrians, promote transit usage and help create a sustainable environment (i.e., parking structures, off-site parking, reduced parking ratios, shared parking facilities and parking which does not front the street).
Policy 1.7.2.3: The Currie Corridor Mixed Use District (CMUD) is a compact, pedestrian-oriented, mixed-use district located between Currie Park (to the east), and the Northwood Business District (to the west). This mixed-use District provides for urban types of development regulations concerning setbacks, parking requirements and location, height limitations, and permitted uses.

The intent of the CMUD is to create a predictable, urban neighborhood that adds vitality and additional local users to the adjacent Currie Park and the Northwood Business District. Development Regulations shall be accommodated provided in the Zoning and Land Development Regulations Code consistent with this intent and that encourage a physical and visual connection between Currie Park and the Northwood Business District through specific requirements, such as greenways and/or public open spaces that are interconnected and therefore establish a pedestrian oriented environment by the following regulatory framework:

The Regulating Plan: a graphic document that maps the location of the Building Types and the public green, as defined in the CMUD Development Regulations.

The CMUD Development Regulations: define the Building Types and regulate their uses, placement on the lot, parking requirements, and heights. The following building types are envisioned in the CMUD area:

CMUD Building Type I: a two to four story mixed use building. Pursuant to a limited duration residential incentive program adopted according to Policy 1.7.2.1.a, a limited duration residential incentive affecting properties with a frontage line on Flagler Drive and on the public green allowing properties to build to a maximum of six stories extending from the frontage line to 100 feet in depth or to the alley, whichever is less.

CMUD Building Type II: a two to four story building mixed use building. Properties with a frontage line on Dixie Highway that incorporate a neighborhood scale grocer shall be permitted a building height of one to four stories provided that the scale and use are compatible with the surrounding uses.

CMUD Building Type III: a two to three story mixed use building serving as a transitional type between the adjacent single family homes and the CMUD.

Public Green: an open space designation only allowing park related uses serving the general public.

Locations of Civic Importance: Prominent locations identified on the Regulating Plan, that shall provide buildings that respond appropriately to terminate vistas and provide architectural features of enhanced character and visibility. Such sites are
eligible for additional height with approval by the City Commission and shall adhere to all Building Type regulations.

Per the regulatory framework above Zoning and Land Development Regulations established for the District and the available land area in the district, the build-out of the CMUD will not exceed a maximum of 2.3 million square feet of retail/commercial use and 4,065 residential units, under the base zoning. Under the limited duration residential incentive zoning, the maximum number of residential units increases to 4,580 based upon an average unit size of 1,000 square feet. Additionally, in no case shall the maximum allowable height within the CMUD exceed 15 stories.
Exhibit 3
Mixed Use District Future Land Use Map

Mixed Use Districts
Future Land Use Designation

Legend
- Broadway Mixed Use Area
- Currie Mixed Use Area
- Northwood Mixed Use Area
- Ctr. Limits

Document Path: F:\GIS_SAliefFink\Maps\140709_CMCUD_District140709_Cur_Corr_MUD_District_6X11_FLU.mxd
Exhibit 4
Currie Mixed Use District Future Land Use Map
Exhibit 5
Proposed Maximum Building Heights Map