



**INFILL REDEVELOPMENT (IR) SUBCOMMITTEE - SPECIAL MEETING  
WEDNESDAY, SEPTEMBER 16, 2009, 2:00PM – 4:00PM  
2300 NORTH JOG ROAD, WEST PALM BEACH  
2ND FLOOR CONFERENCE ROOM (VC-2E-12)**

**AGENDA**

**A. CALL TO ORDER**

1. Roll Call
2. Amendments to the Agenda
3. Motion to Adopt the Agenda
4. Adoption of Prior Meeting Minutes:
  - August 5, 2009 Meeting Minutes (*EXHIBIT A*)
  - August 19, 2009 Meeting Minutes (*EXHIBIT B*)
  - September 2, 2009 Meeting Minutes (*EXHIBIT C*)

**B. REVIEW OF IRO DRAFT - CONT'D (*EXHIBIT D*)**

1. Use Regulation Examples (*EXHIBIT E*)

**C. NEXT MEETING TOPICS (OCTOBER 7, 2009)**

**D. ADJOURN**



## EXHIBIT A

### INFILL/REDEVELOPMENT SUBCOMMITTEE A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MINUTES OF THE AUGUST 5, 2009 SUBCOMMITTEE MEETING

PREPARED BY EILEEN PLATTS, ZONING SECRETARY

On Wednesday, August 5, 2009 at 2:00 p.m. the Infill/Redevelopment Subcommittee met in the Second Floor Conference Room (VC-2E-12), at 2300 North Jog Road, West Palm Beach, Florida.

#### A. CALL TO ORDER

##### 1) **Roll Call**

Maryann Kwok, Chief Planner of Zoning called the meeting to order at 2:04 p.m., Eileen Platts, Zoning Secretary, called the roll.

##### **Members Present - 7**

Wendy Tuma – Chair  
Joni Brinkman – Vice Chair  
David Carpenter – LDRAB/BCC Dist. 2  
Jim Knight – LDRAB/BCC Dist. 4  
Ron Last – LDRAB/FES  
Ray Puzzitiello – LDRAB/GCBA  
Bradley Miller – Planner

##### **Zoning Staff Present:**

Maryann Kwok (Zoning)  
William Cross (Zoning)  
Eileen Platts (Zoning)

##### **Other Staff:**

Joanne Koerner (Land Development)  
Bryan Davis (Planning)  
Edward Nessenthaler (Planning)  
Stephanie Gregory (Planning)  
Rebecca Caldwell (Building)  
Allan Ennis (Traffic)

##### **Members Absent - 12**

Joanne Davis – LDRAB/BCC Dist. 1  
Barbara Katz – LDRAB/BCC Dist. 3  
Jeff Brophy – ASLA  
Jose' Jaramillo – LDRAB/AIA  
Edward Wronsky – AIA  
Katharine Murray – LUAB  
Steven Dewhurst – LDRAB/AGCA  
Wes Blackman – LDRAB/PBC Plan Cong.  
Ken Tuma – Engineer  
Chris Roog – Gold Coast Builders Assoc.  
Nancy Lodise – Interested Citizen  
Rick Gonzalez – Architect

##### **Other:**

Dodi Glas – GHO  
Thuy Shutt – WCRA  
Dana Little – TCRPC

##### 2) **Amendment & Motion to Adopt Agenda**

Wendy Tuma asked if anyone had any Amendments to the Agenda. Jim Knight made the motion to adopt the August 5, 2009 Agenda, Ray Puzzitiello seconded the motion. The motion passed unanimously (7-0).

##### 3) **Adoption of June 3, 2009 Minutes – (EXHIBIT A)**

Wendy Tuma asked if anyone had any Amendments to the June 3, 2009 Minutes. There were no amendments. Joni Brinkman made the motion to adopt the June 3, 2009 Minutes, Jim Knight seconded the motion. The motion passed unanimously (7-0).

#### B. REVIEW OF IRO DRAFT – (EXHIBIT B)

Maryann Kwok explained to the Subcommittee Members that the first hour of this meeting is going to focus on the IRO code; and the second hour will focus solely on the URA. She then suggested that the IRO code be reviewed page by page and that Staff will answer any questions they may have throughout the review.

## EXHIBIT A

### **Section 1 of the IRO Draft**

Much discussion was on **goal 5**, which talks about promoting opportunities for walking, cycling and mass transit. Focus was on Palm Tran, how they need to expand their facility to accommodate more bikes and other larger items such as surfboards etc. (additional bike racks and overhead bins), how inefficient the bus shelters are (hot and steamy) and are not designed for the South Florida climate. Staff will invite Gerry Gawaldo from the Traffic Division to respond to Members ideas/questions.

### **How to use this code page 1**

Maryann Kwok advised the Members that Jon MacGillis requested that the “How to use this code” page remain in the code, at least for the first phase of this project, and that it will be moved back to the back of the code as an Appendix. She also stated that Staff has started drafting flow charts that will be used as handouts for applicants so they know what the process is and to assist them in pre-application meetings.

### **Section 2 Applicability page 2**

Subcommittee has questions on the Overlays, how the IRO could apply to sites which are in an Overlay already.

They also said it should state PRA and not the URA since only the PRA code has been drafted. Zoning staff agreed to that change.

Bryan Davis also said the PRA Phase 2 encompassed LWRCCO; and that overlay will need to be eliminated.

### **FLU designations pages 2-3**

Discussion ensued amongst Staff and Members on FLU designations and Zoning Districts. Bill Cross explained that the IR could be an overlay *or* a Zoning District. He then explained that any Zoning District could be consistent with any Commercial FLU designation with a use that is lesser than the parcel’s FLU, i.e. if you have a CL-O with CL-O FLU designation, the site shall be regulated by using the FLU.

### **Pre-application Conference page 3**

MMK explained the concept of the Pre-application Conference (PAC), and indicated that it is proposed for the LCC, and provides intent of PAC. The Subcommittee likes the idea.

### **Transect Zones Page 4**

Subcommittee Members questioned the transects and the difference between the Floating Regulating Plan (FRP) and the Site Specific Regulating Plan (SSRP). Bill Cross explained that the FRP is really on the surrounding context of the subject site and the overall built environment, whereas the SSRP shows the Transect Zones. He also indicated that if a project has to go through BCC then only a “bubble” plan has to be presented to BCC, no details at this stage. The Subcommittee Members stated that the County used to do use this process (showing only bubble plan to BCC) but over the years the plan got more complicated due to more details required to be shown at BCC. Wendy Tuma suggested that Staff bring some graphic examples to the next meeting. Staff agreed and will do research to have them for the next meeting.

Bill Cross then went on to explain the Core, general, edge and open space.

### **Table IRO TZ Standards page 4**

The Members questioned the 2-acre lot size, and asked why do staff need to regulate size since the CG requirement is only 1 acre? The Members provided these ideas on the acreage: site is a legal lot of record; and keeps to minimum size of the zoning district. Maryann Kwok indicated that the LCC allows/gives the Zoning Director (ZD) the authority to waive certain deviations, and that is why the PAC is mandatory. She stated that there will be standards that the ZD can use and determine whether the waivers can be granted. Engineering staff indicated there is a glitch in this table, i.e. to allow it on local commercial street, currently it states NA, should be “allowed”.

A lot of discussions focused on the Notes of this table:

Note 1 - should be reworded to state...abutting by arterials, collectors, and commercial or industrial parcels ~~up to a depth of 300 ft. from the property line~~. The Members do not want the 300 feet included in the note, Bill explained there may be long narrow parcels that are less than 300 feet.

## EXHIBIT A

### **FLU Consistency, density and intensity (FAR) page 5**

Subcommittee asked why only density may be transferred from one portion of the project and NOT intensity. TCRPC indicated there is way too many safeguards in density and intensity/use, and defeats the purpose of FBC, let the form dictate the use, and address compatibility. Bill and Bryan tried to explain the current code language/policy 2.2.2-f.6. If you are partially built, and applicant contemplates in a retrofit, how is intensity/density being handled? Bryan indicated the 100% of intensity/density could be used and provided an example - if 70% of the FAR is proposed, then the remainder of the 30% for residential, and that is what that formula means a = 100 percent – U. Bill provided a quick summary of the rest of code, and asked IR subcommittee to provide written or email comments.

At 3:15pm, Wendy Tuma recommended that the IRO portion be stopped, and asked to proceed on with the URA.

URA portion started at 3:25pm.

### **C. URA UPDATES**

Bryan Davis began by stating that the Priority Redevelopment Area (PRA) is an Overlay and will be placed in Art. 3.B Overlays of the ULDC. He went on to explain that the idea of this Overlay is that if you do what the permitted uses are you get to come through on a staff level, and go through the DRO without having to go through Public Hearing process. If the use is not permitted the application will have to go through the Public Hearing Process. Discussion ensued among Planning staff and Members on the workability of the set backs and frontage roads and how it's going to be accomplished being a piecemeal project. Barbara Alterman reminded the Members that this is not a project that will be completed in a week or a month this is an ongoing project. Results may not be seen for years yet but we have to start the groundwork now or the vision will never happen. Bryan Davis requested the Members to advise him or his staff on any input they may have on the URA code.

### **D. ULDC AMENDMENT ROUND 2009-02 SCHEDULE**

1. August 26, 2009 LDRAB: URA Amendments
2. September 23, 2009 LDRAB: LCC Amendments
3. October 21, 2009 LDRAB: IRO Amendments
4. BCC Request for Permission to Advertise – December 3, 2009

### **E. NEXT MEETING TOPICS**

Wendy recommended the following dates to continue with both code discussions:

URA subcommittee meeting – August 19 (to be scheduled)  
First LDRAB – August 26 (scheduled)  
Second LDRAB – Sept 23 (to be added on)

IR Subcommittee meeting – Sept 2 (scheduled)  
2<sup>nd</sup> IR Subcommittee meeting – Sept 16 (to be scheduled)  
First LDRAB – October 21 (scheduled)

### **F. ADJOURNMENT**

Wendy Tuma asked if there was a motion to adjourn the meeting, Joni Brinkman made the motion to adjourn, and Jim Knight seconded the motion. The motion passed unanimously **(7-0)**.

The Infill/Redevelopment Subcommittee meeting adjourned at 4:10pm.

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## EXHIBIT B

### INFILL/REDEVELOPMENT SUBCOMMITTEE A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MINUTES OF THE AUGUST 19, 2009 SUBCOMMITTEE MEETING

PREPARED BY **BUFFY SULLIVAN, PLANNING SECRETARY**

On Wednesday, August 19, 2009 at 2:00 p.m. the Infill/Redevelopment Subcommittee met in the Second Floor Conference Room (VC-2E-12), at 2300 North Jog Road, West Palm Beach, Florida.

#### **A. CALL TO ORDER**

##### **Roll Call**

Wendy Tuma, Chairperson called the meeting to order at 2:10 p.m., Eileen Platts, Zoning Secretary, called the roll.

##### **Members Present - 3**

Wendy Tuma – Chair  
Jeff Brophy – ASLA  
Joni Brinkman – Vice Chair

##### **Zoning Staff Present:**

Maryann Kwok (Zoning)  
William Cross (Zoning)  
Eileen Platts (Zoning)

##### **Other Staff:**

Joanne Koerner (Land Development)  
Edward Nessenthaler (Planning)  
Eric McClellan (FDCO)  
Rebecca Caldwell (Building)  
Bryan Davis (Planning)  
Stephanie Gregory (Planning)

##### **Members Absent – 17**

Barbara Katz – LDRAB/BCC Dist. 3  
Ron Last – LDRAB/FES  
Raymond Puzzitiello – LDRAB/GCBA  
Edward Wronsky – AIA  
Chris Roog – Gold Coast Builders Assoc.  
Joanne Davis – LDRAB/BCC Dist. 1  
David Carpenter – LDRAB/BCC Dist. 2  
Jose Jaramillo – LDRAB/AIA  
Jim Knight – LDRAB/BCC Dist. 4  
Steven Dewhurst – LDRAB/AGCA  
Wes Blackman – LDRAB/PBC Plan Cong.  
Bradley Miller – Planner  
Ken Tuma – Engineer  
Katharine Murray – Local Planning Agency  
Nancy Lodise – Interested Citizen  
Rick Gonzalez - Architect

##### **Other:**

Thuy Shutt (WCRAO)

#### **B. PRA DRAFT CODE**

Bryan Davis of the Planning Division gave a presentation of the Urban Redevelopment Area and the form-based code for the Priority Redevelopment Areas (PRAs). Wendy Tuma asked if a property does not fall within the PRA but is within the URA what regulations do they follow. Bryan Davis responded that properties not within the PRA will fall under the current code (ULDC). He also explained that the PRAs have extended beyond Military and Congress to also include Lake Worth Road and a node at Florida Mango and 10<sup>th</sup> Avenue. Joni Brinkman asked if the Supervisor of Elections changed their future land use. Bryan Davis responded that they "opted out." Wendy Tuma asked if the maps located in the packet were part of the PRA Code or if they are located in the Comprehensive Plan. Bryan Davis responded that one of the maps is in the Comp Plan (Map LU 9.1) but staff is still exploring if the Frontage Classifications or Transect Sub-Zones map stays in or outside of the Code. Wendy Tuma further asked if a line needs to be moved on the Sub-Zone map, would a Comp Plan amendment be necessary or could it be worked out with staff. Bryan Davis responded that it is best if the maps are located outside of the ULDC so that if changes are necessary they do not have to go through the code amendment process. The maps should be

## EXHIBIT B

considered regulating plans and would become part of the record during the BCC adoption (pending further discussion with the County Attorney's office). Wendy Tuma asked if row houses are allowed to be front loading and if not could it receive a variance. Bryan Davis responded no to both questions as it is not allowed in the Comprehensive Plan. The subcommittee also discussed the block regulations and specifically if there is a minimum requirement for the creation of a block. Joni Brinkman voiced concern over the redundancy of standards throughout the code. Wendy Tuma asked if the maximum of each floor for a building type can be more clearly provided, rather than just the overall maximum height for the building. Bryan Davis responded that this issue can be resolved. The subcommittee then discussed the Green Building Incentive Program. Issues discussed included creating performance standards utilizing green principles, how other municipalities are implementing these types of regulations, how it relates to TDR's, how an applicant proves that the LEED standards have been met, and other possible green design standards such as Florida Green Building Coalition that could be used to attain the bonus height. During the discussion regarding the landscaping standards, Jeff Brophy and Wendy Tuma expressed concern regarding planting standards, utility easement overlaps, and species selection, as well as interest in helping staff tweak those standards. The discussion then turned to uses and the use matrix. Jeff Brophy asked questions regarding the Specialized District uses and how those relate to the approval process. He suggested that staff add specialized language to make it more clear on how the Specialized District uses work. During the discussion on public art, the subcommittee suggested that staff make the standards as simple as possible. Thuy Shutt gave examples about how Westgate and Palm Beach Gardens wrote their standards. Eric McClellan asked where the overlay applies as the term PRA is geographically tied. Finally, the subcommittee identified the following issues that need to be resolved: (1) Use Matrix's reference to supplementary notes, (2) Landscaping standards, (3) Further clarifying LEED option, (4) 10 foot Utility Easement, (5) Maximum height for each floor and (6) PRA terminology.

### C. ADJOURNMENT

Joni Brinkman made the motion to adjourn, and Jeff Brophy seconded the motion. The motion passed unanimously (3-0).



## EXHIBIT C

### INFILL/REDEVELOPMENT SUBCOMMITTEE A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MINUTES OF THE SEPTEMBER 2, 2009 SUBCOMMITTEE MEETING

PREPARED BY ZONA CASE, ZONING TECHNICIAN

On Wednesday, September 2, 2009 at 2:00 p.m. the Infill/Redevelopment Subcommittee met in the Second Floor Conference Room (VC-2E-12), at 2300 North Jog Road, West Palm Beach, Florida.

#### A. CALL TO ORDER

##### 1) **Roll Call**

Maryann Kwok, Chief Planner of Zoning called the meeting to order at 2:04 p.m., and called the roll.

##### **Members Present - 4**

Wendy Tuma – Chair  
Joni Brinkman – Vice Chair  
Chris Roog – Gold Coast Builders Assoc.  
Bradley Miller – Planner

##### **Zoning Staff Present:**

Maryann Kwok (Zoning)  
William Cross (Zoning)  
Wendy Hernandez (Zoning)

##### **Other Staff:**

Edward Nessenthaler (Planning)  
Houston Tate (OCR)  
Gerry Gawaldo (Palm Tran)

##### **Members Absent - 14**

Joanne Davis – LDRAB/BCC Dist. 1  
David Carpenter – LDRAB/BCC Dist. 2  
Barbara Katz – LDRAB/BCC Dist. 3  
Jim Knight – LDRAB/BCC Dist. 4  
Jeff Brophy – ASLA  
Jose' Jaramillo – LDRAB/AIA  
Edward Wronsky – AIA  
Katharine Murray – LUAB  
Steven Dewhurst – LDRAB/AGCA  
Wes Blackman – LDRAB/PBC Plan Cong.  
Ken Tuma – Engineer  
Rick Gonzalez – Architect  
Nancy Lodise – Interested Citizen  
Jim Knight – LDRAB/BCC Dist.

##### **Other:**

Thuy Shutt – WCRA  
Anthea Gianniotis – TCRPC

##### 2) **Amendment & Motion to Adopt Agenda**

There were no Amendments to the Agenda and Wendy Tuma made the motion to adopt the September 2, 2009 Agenda, Joni Brinkman seconded the motion. The motion passed unanimously **(4-0)**.

##### 3) **Adoption of the August 5, 2009 and August 19, 2009 Minutes (EXHIBIT A)**

Maryann Kwok advised that the minutes of the prior meetings will be presented at the September 16, 2009 meeting.

#### B. IRO UPDATES (EXHIBIT B)

Maryann Kwok convened the meeting and expressed appreciation for the time and effort that the Subcommittee Members have contributed to this project. She said that Bill Cross and her were doing their best to make the language clearer and more user-friendly and requested that members review pages 1 through 5 again. She hoped that they would complete review of pages 6 through 20 at this meeting.

Maryann Kwok informed members that the date for the 2<sup>nd</sup> workshop with the BCC was changed from September 29<sup>th</sup> to September 22, 2009, at 2:00 pm. This is a follow-up to the March 24<sup>th</sup> workshop. The venue will be 301 N. Olive Avenue.

## EXHIBIT C

Maryann Kwok gave an update to the committee on the last meeting. She said there were four unanswered questions. One related to the context of the IRO and whether this is too large an area. But, she continued, this is an optional code and District 1 does not have a large commercial area. There is a high concentration of commercial corridors in Districts 2 and 3. She further stated that the question on parking can be solved by using the Westgate code with the allocation of 1.5 space per unit for residential. There are a lot of uses that go through the Administrative approval and DRO systems and the list could be expanded and small steps taken, highlighting certain uses and following the form based code.

Maryann Kwok went on to report that staff had already met with and discussed the IRO with some Commissioners, namely Santa Maria, Vana, Taylor, and Abrams. The reactions of those Commissioners with whom they had met were overall positive and encouraging. Meetings with Commissioners Marcus and Aaronson are going to be scheduled in the near future.

Christopher Roog inquired whether the Commissioners had expressed concerns about density. Maryann Kwok said that there has always been concern that we give away too much density and worry about the impact, but that the nature of the comments were general and not negative.

### **C. REVIEW OF IRO DRAFT**

Bill Cross welcomed everyone to the meeting and began review of the IRO draft by advising that there were no major changes to the section on Purpose and Intent. He further advised that there was a minor change to the section on Applicability, which was done to make the language clearer.

He directed the committee's attention to Table 3.B.16.C, IRO FAR Increase, and noted that the FAR for an IRO project with a CH or CL FLU may now be increased up to 1.0. There were questions on the definition of "Non-Retail" in the note in the Table, and after a brief discussion by members, Bill Cross said that "Non-Retail" could be interpreted as offices, personal services, etc. but he would get an interpretation from Planning as this term is used in their Comprehensive Plan.

Responding to questions on "Green" in the Table, Bill Cross explained that this terminology ties in with Architectural amendments to the Code that are currently being processed in Round 1 Amendments and using the terminology will be an incentive to do "Green". Maryann Kwok was of the opinion that a reference to Article 5.C, Architectural Guidelines, should be made.

Referring to the section on Pre-Application Conference, Bill Cross stated that IRO and LCC projects will be mandated to have a pre-application conference at which applicants are informed about the types of plans and what information is required to be shown on them. Maryann Kwok said that when the Code is revised, Article 2, Plan Requirements, will clearly state what plans are required for LCC and IRO. The committee discussed at length, the new list of requirements for plans and the different types of plans and Bradley Miller questioned the purpose of the Final Master Plan. He said that under the present system two types of plans are being reviewed at different times and suggested that it would be a much simpler process whereby once the BCC approves the Master Plan then the site plan can be done. Bill Cross and Maryann Kwok agreed with Bradley Miller that this would be a good step in simplifying the process.

The Regulating Plan requirements were discussed and Joni Brinkman expressed confusion about the requirement of a Master Sign Plan. She asked under what circumstances this would be required. Bill Cross said that if a project is required under Article 8, Signage, to have a Master Sign Plan then the project cannot be exempt. The matter was discussed and Joni Brinkman suggested that the words "if applicable" be added to "Master Sign Plan".

Building placement, as a requirement in the pre-application conference, was discussed and Bill Cross said that it is important to know where a building will be located in relation to street, parking area in relation to the street, loading and service functions.

Bill Cross referred the committee to page 25 of the Exhibit that had a Table, "LCC Waivers" that was blank. He explained that the Zoning Director, Jon MacGillis held the view that there should be a Waiver process



## EXHIBIT C

that would lessen the necessity for so many variances. He requested input from the members as to other development standards which could be addressed through a Waiver process.

Turning to General Standards – Transect Zones, Bill Cross directed attention to Table 3.B.16.E, IRO TZ Standards, and pointed out that the Table shows a minimum setback from abutting residential of 300' but this will be reduced to 200'. He also said that a provision had been made for exception if you are less than 1 acre surround by commercial uses. He expressed the opinion that this will encourage joint projects.

Bill advised that there were no major changes to the Street Classification section.

With regard to Building Placement Maryann Kwok referred to Table 3.B.16.E Building Placement. She said that building placement depends on the type of R-O-W. Wendy Tuma stated that setbacks are also in Table 3.B.16.G and questioned how one would know which of the two Tables would be applicable. She recommended that the minimum setback, Item D "Between rear parking and alley" be changed from 3ft to 4ft.

The committee discussed the Table and Anthea Gianniotis expressed the view that some clarification was needed as there was some confusion. Maryann Kwok said that consideration could be given to taking out the Chapter on Placement and extracting the necessary parts and placing them in the Transect Chapters. In responding, Bill Cross said he did not wish to lose the language on Building Placement. He went on to say that it is critical that that information be on the Preliminary Master Plan because that plan is presented to the BCC. Gerry Gawaldo speaking on behalf of Palm Tran said that a 5ft setback poses a problem as it would never be possible to have a bus stop if there is only a 5ft setback.

### **Street Classification**

Wendy Tuma questioned the necessity for the stipulations in the section on "Secondary Entrance". Bill Cross said that it was not desirable to have a large main entrance facing a parking lot or other area and a small entrance at the front of the building. He was of the opinion that the main entrance should be at the street.

Anthea Gianniotis proposed a change in the section on Block Structures, namely to reduce from >5 to >4 the acreage criterion for new blocks. She said she wished to have "Perimeter intersections" explained and Bill Cross offered an explanation.

With reference to the Table - General Building Configuration PDRs, Wendy Tuma asked how many units are in the 32ft listed under "Individual Building Length". Bill replied that there are two units to the 32ft length. Anthea Gianniotis inquired about the 30ft requirement for a Courtyard building and expressed the view that there should be more flexibility as long as it meets minimum requirements. Bill Cross responded by saying that 30ft qualifies the building as a "Courtyard Building" and anything less would be just a building that has a courtyard.

In discussing Building Height and Use, Wendy Tuma said she was not clear about building height requirements. Bill explained that the heights listed refer to the first floor only and there are no height restrictions above the first floor. Wendy Tuma suggested that it be spelled out in the Code.

With regard to the Table - "Townhouse Building Height and Use" Bill Cross explained that civic buildings are not allowed in the core but civic uses are. Wendy Tuma suggested that "Core" be taken out of this Table.

Bradley Miller referred to the IRO Permitted Use Schedule and suggested that IRO uses be added to the existing Use Matrix so that there is one set of tables. Bill Cross and Maryann Kwok promised to look at the possibility of doing it.

Bill Cross advised that the IRO will be reviewed at LDRAB in October and that the revised draft of the URA will be sent on November 4 to members of the committee for review. Members inquired about the next meeting and expressed the desire to have presentations in paper form and not PowerPoint presentations.

## EXHIBIT C

Bill Cross and Maryann concurred and said they would convey this to the Planning Staff and advise them that all tables and naming conventions should be consistent.

### **D. URA UPDATES**

Bill updated the members on the following meeting dates:

- LDRAB – November 18, 2009 (backup for IRO and WFH)
- 2<sup>nd</sup> Subcommittee meeting – November 4, 2009 (to be scheduled)
- LDRAB – December 9, 2009 – (URA) - This will also convene as LDRC.

### **E. ULDC AMENDMENT ROUND 2009-02 SCHEDULE**

- LDRAB – November 18, 2009 (backup for IRO and WFH)
- 2<sup>nd</sup> Subcommittee meeting – November 4, 2009 (to be scheduled)
- LDRAB – December 9, 2009 – (URA) - This will also convene as LDRC.

### **F. NEXT MEETING TOPICS**

The Members agreed to start the review at the section on Streetscape, Landscape and Usable Open Space Standard at the next Infill Redevelopment Overlay meeting.

- Next IR Subcommittee meeting – October 7, 2009
- 2<sup>nd</sup> IR Subcommittee Special meeting – Sept 16, 2009 (scheduled)
- First LDRAB – October 21, 2009 (scheduled)

### **G. ADJOURNMENT**

The Infill/Redevelopment Subcommittee meeting adjourned at 4:15pm.

**EXHIBIT D**  
**ARTICLE 5 – OVERLAYS**  
**SUMMARY OF AMENDMENTS**  
**DRAFT (Updated 08/26/09) DRAFT**

Part 1. ULDC, Art. 5, Overlays (page of ), is hereby amended as follows:

**Reason for amendment:** [Zoning] Adopt new Art. 3.B.16, Infill Redevelopment Overlay. See attached White Paper.

**CHAPTER B OVERLAYS**

**SECTION 16 INFILL REDEVELOPMENT OVERLAY (IRO)**

**A PURPOSE AND INTENT (WCross)**

The purpose and intent of the Infill Redevelopment Overlay (IRO), is as follows:

1. Establish **optional** development regulations to facilitate revitalization of commercially designated lands in the Urban/Suburban Tier, by incrementally retrofitting commercial corridors and isolated land uses with sustainable development that creates a sense of place, improved streetscapes and integration into the surrounding community;
2. Offer property development incentives that will encourage developers, property or business owners to utilize the IRO (e.g. reduced setbacks and parking ratios, increased FAR, and flexible landscaping regulations to maximize the efficient use of property);
3. Implement the Goals, Objectives and Policies of the Comprehensive Plan that mandate sustainable, walkable urban/suburban redevelopment;
4. Utilize Smart Growth and Form Based Coding principles to establish standards that create a predictable built form that improves the streetscape and relates to the pedestrian realm (e.g. storefronts, street trees, sidewalks, and other public use areas and amenities);
5. Advocate, whenever possible, walking, cycling and mass transit as viable alternatives to automobile use;
6. Promote interconnectivity between uses;
7. Promote sustainability by integrating the social, economic and ecological needs of the community with overall regional, state and national policy advocating management of resources for future generations;
8. Mitigate adverse impacts of commercial development to surrounding residential uses and the community as a whole;
9. Promote non-residential and residential mixed use;
10. Respect market realities, industry trends, and property rights;
11. Address multi-disciplinary regulatory and development review processes; and,
12. Establish expedited review process.

**B. APPLICABILITY (WCross)**

The provisions of the IRO are optional, with the proviso that when selected all new development will be in compliance with this Chapter, with exception to any permitted waivers. An applicant may elect to use the IRO regulations for parcels that meet the following criteria:

**1. BOUNDARIES**

Parcels shall be located in the U/S Tier, defined as that area being located within the USA, as depicted on [Map LU 2.1 Service Areas](#), of the Plan.

**2. OTHER OVERLAYS**

Where applicable, the IRO may be used in conjunction with the following overlays: GAO, LOSTO, NEO, PBIAO, TAPO, WCRAO-UH subarea, and URA where a parcel does not have a PRA FLU designation. Where there is a conflict between the provisions of the IRO and any of the above overlays, the specific provisions of the other overlay shall be retained and prevail.

**3. FLU DESIGNATION**

Eligible parcels shall have a CL-O, CL, CH-O or CH FLU designation. An IRO project may have multiple FLU designations.

**4. ZONING DISTRICT REQUIREMENTS**

Use of the IRO shall require rezoning to the IR district, unless exempted otherwise herein. Any IRO project that requires Public Hearing approval, excluding a Development Order Abandonment (ABN), shall submit a concurrent application to rezone the subject property to the IR district.

**a. IR Rezoning Alternative**

To assist in expediting IRO projects that do not require any Public Hearing approvals, including requests for requested use approval, a rezoning shall not be required subject to the following:

**1) Eligible Districts**

Eligible parcels shall have a CN, CL-O, CC, CH-O, CH or MUPD Zoning district, or combination thereof. MUPD may also include applicable prior approvals identified in Art. 3.E.3.A.2, Applicability [Related to MUPD].

**2) Intensity Limits**

**Comment [mmk1]:** Somehow this has not be touched upon throughout the ordinance.

**Comment [mmk2]:** Mention once applicant make choices to use IRO standards, they must comply with the regulations, and some deviations may allow via the ZD's waiver process.

**Comment [w3]:** Insert graphic per Jon's sketch? See MK – what sketch?

**Notes:**

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Application of IRO standards shall be made based upon the lesser of either the actual FLU designation for the site, or the Zoning district equivalent as identified in the table below:

ZONING DISTRICT(S) OF SUBJECT SITE	MAXIMUM FLU DESIGNATION APPLICABLE			
	CL-O	CH-O	CL	CH
CL-O	✓			
CH-O		✓		
CN			✓	
CC			✓	
CG				✓
MUPD	(1)	(1)	(1)	(1)

[Ord. 2010-...]

**NOTES:**

1. Not applicable, apply FLU designation(s) for subject site.

**EXAMPLES**

Actual Zoning	(Zoning/FLU Equivalent)	Actual FLU	Apply	Least Intense
CN	(CL)	CH	=	CL
CLO	(CLO)	CHO	=	CLO
CG	(CH)	CL	=	CL
MUPD	(N/A)	CL	=	CL

**Comment [w4]:** Removed comment and added examples to actual table.

**5. CONFLICTS**

If a conflict exists, the provisions of this Section shall apply to the extent of the conflict, unless stated otherwise herein.

**C. FUTURE LAND USES AND DENSITY/INTENSITY (WCROSS)**

Unless noted otherwise herein, density and intensity shall be in accordance with the FLU designation or related Zoning PDRs for the subject site.

**1. IRO PROJECTS SPLIT BY FLU DESIGNATIONS**

Uses allowed, PDRs, density and intensity shall be determined by the land use designation on the affected area. Density may be transferred from one portion of the project to another.

**2. DENSITY**

There are no minimum density requirements. The maximum allowable density shall be in accordance with Table 2.1-1 of the Plan and related Policies, and article 5.G, Density Bonus Programs.

**3. INTENSITY BONUS INCENTIVE (FAR INCREASES)**

The maximum allowable FAR for an IRO project with a CL or CH FLU designation may be increased up to 1.0 in accordance with Table 5.X.2.D, IRO FAR Increase. The maximum permissible increase is limited to those subject sites having sufficient land area to allow for establishment of the Core TZ, so as to encourage the assembly of smaller parcels.

**Comment [mmk5]:** Add sentence to state the max. density/intensity is based on applicant's commitments to provide some green site designs. (DONE BC)

**TABLE 3.B.16.C – IRO FAR INCREASE**

TRANSECT ZONE	MAXIMUM FAR			
	CL	CL GREEN	CH	CH GREEN
GENERAL	.25 <sup>1</sup>	.35 <sup>1</sup>	.50	.75
CORE	.35 <sup>1</sup>	.50	.75	1.0

[Ord. 2010-...]

**NOTES**

1. May be increased up to .50 for non-retail projects.

2.

**Comment [mmk6]:** BC/MMK discussed this and decided that more intensity will be rewarded if the applicant does choose to use Green Architecture (JM) and Green Site Design Principles (MMK). (DONE BC)

**4. MULTIPLE USE PROJECTS**

In accordance with FLUE Policy 2.2.2-f.6, a multiple use project may be allowed to utilize up to 100 percent of the combination of a site's residential density and commercial intensity equivalent: Additional density or intensity is equivalent to the corresponding amount of non-utilized density or intensity (where A = percent of additional density or intensity, U = percent of utilized density or intensity: A = 100 percent – U).

**5. MIXED USE PROJECTS**

In accordance with FLUE Policy 2.2.2-f.7, a mixed use project that vertically integrates 20 percent of allowed residential units with non-residential uses shall be allowed to utilize up to 100% of both a site's residential density and commercial intensity.

**D. APPLICATION REQUIREMENTS (WCROSS)**

**1. PRE-APPLICATION CONFERENCE (PAC)**

All applications for an IR rezoning or an IRO project shall require a mandatory PAC pursuant to procedures in Art.2.A.1.E, Pre-Application Conference.

**2. PRELIMINARY MASTER PLAN**

**a. Applicability**

**Comment [mmk7]:** Even though we are not writing a code to address the economic climate; however, if we encourage developers to use the IRO regulations, we must provide flexibility – benefits and burden. It would be an incentive to build in flexibility for the required mixed use, if there is a lot of residential uses in the neighborhoods, give them a break on the mixed use, and let them phase out the mixed use for a longer period of time. Bill and MMK discussed - We can amend the code in our phase 2 or phase 3 to address requirements in mixed use as the residential market starts to pick up. We need to fix Art.2.E to add in IRO incentive phasing.

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- 1 The BCC shall approve a preliminary master plan for a rezoning to the IR district.
- 2 **b. Effect of BCC Approval**
- 3 BCC approval of a preliminary master plan, or any other plans submitted voluntarily by
- 4 the applicant, shall be binding upon the landowners subject to the development order,
- 5 their successors or assignees, and shall constitute the development regulations for the
- 6 land.
- 7 **c. Minimum Requirements**
- 8 The preliminary master plan shall comply with the DRO Technical Requirements Manual,
- 9 and include the following:
- 10 1) Proposed intensity or density;
- 11 2) Vehicular and pedestrian circulation plan, to include location of access points and
- 12 interconnectivity to adjacent parcels, perimeter streets, internal street network or
- 13 blocks, including alleys;
- 14 3) Building placement or type, including any tenants 65,000 square feet or larger, and
- 15 any streetscape configuration for perimeter street frontages;
- 16 4) Any proposed or required mix of uses, including live/work or residential units,
- 17 identifying whether or not such is horizontally or vertically integrated;
- 18 5) Location of any requested uses, and outdoor uses such as restaurant or bank drive
- 19 through facilities, gasoline pumps and related queuing areas, outdoor dining areas,
- 20 and required outdoor day car areas, among others. Where applicable, additional
- 21 detail shall be required to demonstrate how such uses will be located behind
- 22 buildings, or shielded from adjacent residential uses or perimeter streets;
- 23 6) Parking placement;
- 24 7) Any proposed or required public open space or usable open space; and,
- 25 8) Location of transect zones.
- 26 **d. Final Master Plan**
- 27 The DRO shall approve a final master plan.
- 28 **e. Modifications**
- 29 Modifications to a final master plan, or any related final subdivision or final site plans,
- 30 shall be permitted in accordance with Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals.
- 31 **3. FINAL SUBDIVISION OR FINAL SITE PLANS**
- 32 All land shown on a final master plan shall be shown on either a final site plan or final
- 33 subdivision plan and submitted for DRO approval.
- 34 **4. OTHER PLANS**
- 35 **a. Regulating Plan**
- 36 The DRO shall approve a regulating plan or alternative design guidelines that complies
- 37 with DRO Technical Manual requirements, to include the following:
- 38 1) Street cross sections, including sidewalks, bike lanes, street trees, on street parking
- 39 and lighting;
- 40 2) Typical lot layout for any townhouse lots;
- 41 3) Landscape buffer details (plan view and cross section);
- 42 4) Median landscape detail, if applicable;
- 43 5) Bus shelter detail, if applicable;
- 44 6) Master sign plan;
- 45 7) Phasing plan, if applicable; and,
- 46 8) Public amenities.
- 47 **b. Master Sign Plan**
- 48 A master sign plan shall not be required for any BCC approval if there are no
- 49 freestanding signs proposed, excepting for directional signage.
- 50 **c. Alternative Landscape Plan**
- 51 An alternative landscape plan shall be required where interior parking landscape options
- 52 allowed by this section are utilized, or where normally required otherwise.
- 53 **d. Architectural Elevations**
- 54 Shall be in accordance with Art. 5.C, Design Standards.
- 55 **5. ZONING DIRECTOR WAIVERS**
- 56 An applicant may apply for a Zoning Director waiver from the dimensional and design
- 57 requirements as indicated in Table 3.B.16..... , IRO Waivers. An application for a waiver
- 58 shall be submitted in a form specified by the Zoning Director.
- 59 **a. Standards**
- 60 When considering a waiver request, the Zoning Director shall consider the following
- 61 standards to approve, approve with conditions, or deny a waiver:
- 62 1) The proposed waiver is not creating further conflict with any portion of this Section,
- 63 and is consistent with the stated purpose and intent, transect zones, placement
- 64 standards and development standards of this Chapter;
- 65 2) The proposed waiver is a result of an action to satisfy a requirement or a restriction
- 66 from another Government Agency;

**Comment [mmk8]:** This is added to address waivers, allow some deviations from regulations, consistent with LCC.  
DOES IT GO HERE?

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3) The alternative design option, if granted, will not adversely impact users of an IR project and adjacent properties.

**b. Appeal**

An appeal on any Zoning Director's decision shall be made to the Zoning Commission pursuant to Art. 2.A.1.S.1, Non-Judicial Relief.

**E. GENERAL STANDARDS (WCross/MKwok)**

**1. TRANSECT ZONES (WCross)**

Transect Zones (TZ) establish distinct categories to organize uses and the built environment in a continuum of intensity ranging from the most urban to the least urban. The IRO requires the application of one or more of the following four transect zones: Core, General, Edge and Open Space. The primary intent is to facilitate the development of urban forms while providing for gradual transitions rather than harsh distinctions.

Overall parcel size, dimensions, R-O-W frontages, and other abutting parcel uses or FLU designations dictate the type and location of allowable TZs, with the most intense being located along commercial corridors or where adjacent to similar IRO projects, commercial or industrial uses, transitioning to the least intense where needed to address the context of adjacent uses.

The following describes the four TZ types:

**a. Core**

The most intense zone of all the TZs, and is typically comprised of larger interconnected commercial or mixed use buildings that create a continuous façade along one or more streetscapes. A Core TZ may require the use of the General or Edge zone where the overall parcel is adjacent to residential uses or parcels with a residential FLU designation.

**b. General**

A moderately intense zone and is typically comprised of a wide range of building types including smaller interconnected commercial, mixed use or multi-family buildings that may be used as a transition between the Core TZ and less intense zones or abutting uses, or for smaller parcels with size constraints.

**c. Edge**

A low intensity zone comprised of residential or work live uses that are compatible with or similar in scale with adjoining neighborhoods, that may be used as a transition between the Core or General TZ and abutting residential uses.

**d. Open Space**

A passive zone typically located within other zones, or used as a transition or buffer between the General TZ and abutting parcels. Typical uses include passive civic, recreation or other public open spaces such as plazas and squares, or drainage retention areas, environmental preservation, or perimeter landscape buffers.

**2. TZ STANDARDS (WCross)**

The following table establishes minimum standards for each of the four TZs:

**TABLE 3.B.16.E. – IRO TZ STANDARDS**

PARCEL STANDARDS	TRANSECT ZONE			
	CORE	GENERAL	EDGE	OPEN SPACE
MINIMUM OVERALL PARCEL SIZE	1 acre	N/A	N/A	N/A
MAXIMUM PERCENTAGE OF OVERALL PARCEL	50% <sup>1</sup>	N/A	N/A	N/A
MINIMUM PERCENTAGE OF OVERALL PARCEL	N/A	25%	N/A	N/A <sup>2</sup>
MINIMUM SETBACK FROM ABUTTING RESIDENTIAL	300 ft.	10 ft.	N/A	N/A
<b>REQUIRED FRONTAGE</b>				
ARTERIAL OR COLLECTOR	✓	✓ <sup>3</sup>	N/A	N/A
LOCAL COMMERCIAL STREET <sup>5</sup>	✓	✓ <sup>3</sup>	N/A	N/A
LOCAL RESIDENTIAL STREET <sup>5</sup>	N/A	N/A	✓	N/A
<b>PERMITTED SIDE STREET OR OTHER FRONTAGES</b>				
EXPRESSWAY	✓	✓	✓	✓
LOCAL COMMERCIAL STREET <sup>5</sup>	✓	✓	✓	✓
LOCAL RESIDENTIAL STREET <sup>5</sup>	N/A	✓	✓	✓
RESIDENTIAL ACCESS <sup>5</sup>	N/A	✓ <sup>4</sup>	✓	✓
ALLEYS (INTERNAL) <sup>5</sup>	✓	✓	✓	✓
<b>(ORD. 2010-...)</b>				
<b>NOTES:</b>				
✓ Means applicable or permitted.				
1. Maximum Core TZ may be increased up to 95%, and minimum General TZ may be reduced commensurately, where parcel is abutting on all sides by arterials, collectors, and commercial or industrial parcels up to a depth of a minimum of 200 ft. from the property line.				
2. See Article 5.X.8, for minimum "Usable Open Space" requirements.				
3. General TZ shall be exempt from Arterial or Collector requirement when a Core TZ is used, or where an eligible parcel only fronts on a Local Commercial Street.				
4. General TZ frontage only permitted for parcels less than 2 acres in size.				
5. Includes any access way meeting IRO street standards.				

**Comment [w9]:** Define – most intense reserved for parcels 2 acres or more so as to encourage lot recombination – applying concept of Graduated Density to Intensity (see January 2009 Zoning Practice Issue #1 circulated by Jon).

**Comment [w10]:** Define – pretty basic and still allowed relatively close to adjacent uses, with minor allowance for increase in intensity.

**Comment [w11]:** Define – fairly limited. To be used for horizontal mixed use or where residential, work/live or similar multi-family is needed to provide more of a buffer from more intense Core/General TZ's to adjacent residential (e.g. Transition).

**Comment [w12]:** Define – simplistic and wide ranging (internal and perimeter depending on need).

**Comment [w13]:** Changes resulting from IR subcommittee discussions on August 5, 2009. Reduced from 2 to 1 acre.

**Comment [w14]:** Changes resulting from IR subcommittee discussions on August 5, 2009. Reduced from 300' to 200'.

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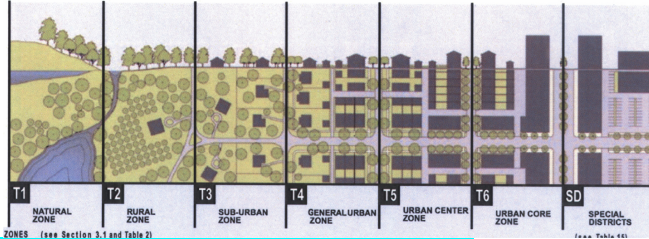
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TABLE 3.B.16.E. – TZ ILLUSTRATION



Note: Temporary graphic, edit and insert JM's graphic.

2. STREET CLASSIFICATIONS (WCross)

A majority of IRO parcels are located in commercial corridors or have frontages on major streets such as arterials and collectors, this code addresses the context of such roadways and establishes related standards to ensure that pedestrian amenities and walkways, buildings and other improvements are properly or safely situated. All perimeter streets, and newly proposed internal streets, are defined by type, which serves as a guideline to applying related standards.

a. General

Unless stated otherwise herein, any frontage on a perimeter R-O-W shall be classified by the width of the ultimate R-O-W. All streets shall be classified as indicated in Table 5.X.3.C, Street Classification.

Table 3.B.16.E. – Street Classifications

STREET CLASSIFICATION	ULTIMATE R-O-W WIDTH		
	< 60 Ft.	≥ 60 AND < 80 Ft.	≥ 80 Ft.
Type I R-O-W	✓		
Type II R-O-W <sup>1</sup>		✓	
Type III R-O-W <sup>1</sup>			✓
[Ord. 2010-...]			
Notes:			
✓ Means applicable or permitted.			

b. Exceptions

In limited instances, the ultimate ROW of a roadway may not be a true indicator of actual traffic intensity. Subsequently, where one or more of the following standards below reflects that the street has a lower intensity, a lesser roadway type may be used to apply the standards of this code:

- a. Significantly lower ADTs with a minimum of 80 percent of roadway frontage developed or occupied; or
- b. Limited number of travel lanes with large medians or other non-vehicular use areas; or
- c. Where official posted speed limits are less than 35 mph, a Type II R-O-W may be applied, or where less than 30 mph, a Type I R-O-W may be applied.

3. PLACEMENT ASSIGNMENT (MKwok)

The Placement Standards establish dimensional and location criteria for creating effective placement of buildings and outdoor uses, and other site elements such as usable open space, sidewalks, parking, service areas, drainage areas and corresponding alley systems to achieve the design principles of the form-based code. Placement standards are tools created to implement the principles of TZ for each parcel in order to address compatibility issues. Once the TZ boundaries are identified, the placements of site improvements such as: buildings, access points, parking areas, usable open spaces, outdoor uses, landscaping, retention areas and any other site improvements, where applicable, shall be layout within each TZ and in compliance with the standards listed below.

a. Building Placement

Minimum setbacks or maximum build to line where applicable, are based upon width of abutting R-O-W type (corresponds to similar streetscape requirements); existing uses, or anticipated uses based on FLU designation, as follows:

This space left blank intentionally.

Comment [w15]: Consolidate into one table – define factors to allow for predictable result (e.g. addresses wide streets with multiple lanes and medians that do not carry heavy traffic and as such, should be regulated less intensely allowing narrower pedestrian realms and build to lines.

Comment [w16]: Need to be sure we redefine frontage as being the lot side with the most intense perimeter R-O-W frontage (e.g. tracing the definitions of Art. 1 indicates that frontage is tied to ingress/egress, this had to be tweaked for WCRAO to allow for rear or side access limitations – same here. May be able to piggyback. SECONDLY – how to define frontage for any new internal blocks? BC/MMK will need to discuss MAIN STREET concept. This is used in the TMD and LCC.

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TABLE 3.B.16.E. – BUILDING PLACEMENT **INSERT DIAGRAM**

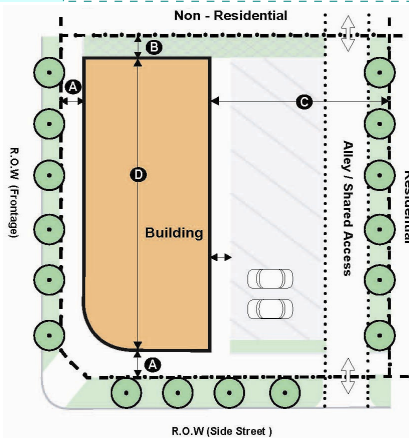
BUILDING PLACEMENT		SETBACK/BUILD TO LINE <sup>1</sup>	
		MIN.	MAX. <sup>2</sup>
A	Type I ROW	10 ft.	15 ft.
	Type II ROW	10 ft.	20 ft.
	Type III ROW	15 ft.	25 ft.
B	Non-Residential	10 ft. <sup>3</sup>	N/A <sup>5</sup>
C	Residential (IRO Project)	10 ft. <sup>4</sup>	N/A <sup>5</sup>
	Residential (standard, PDD or TDD)	30 ft.	N/A <sup>5</sup>
D	Between rear parking and alley	3 ft. <sup>6</sup>	-

[Ord. 2010-...]

**NOTES:**

1. Setback measured from building façade to property line. This may be the front and side setbacks.
2. Maximum building setback may be increased where necessary to accommodate utility easements, suburban landscape buffer, slip street, safe sight lines, corner clips, or other similar need as may be required by the County Engineer.
3. Side setback may be reduced to 0 ft. subject to compliance with Building Standard limitations for reduced setbacks.
4. Side setback may be reduced to 0 ft. where proposed buildings are residential and of similar design and bulk to the adjacent IRO residential use, subject to compliance Building Standard limitations for reduced setbacks.
5. Maximum setback may vary depending on compliance with Building Standards.
6. D - is the only dimension not measured between façade and property line.

FIGURE 3.B.16.E - ILLUSTRATION 1 – PLAN VIEW



**NOTE: TEMPORARY GRAPHIC DELINEATING GENERAL LOCATION OF FIGURES A – D. PENDING EDIT.**

**Comment [w17]:** Relocate all building placement provisions from Building Standards – both table data and figures. BC/MMK discussed – placement is regulated by TRANSECTS and street types, calibrate.

b. Vehicular Access

1) Perimeter Frontage Access Points

Vehicular access points to perimeter frontages shall only be permitted where new internal streets, slip streets or rear alleyways are introduced, unless permitted otherwise herein. Minimum separation between access points shall be in accordance with block standards, unless required otherwise to comply with traffic performance standards.

2) Lots with Alley

Parking, drop-off, delivery and other service related activities shall be accessed from either the rear of the lot, a side street or an alley, unless permitted otherwise herein.

3) Lots without Alleys

Parking, drop-off, delivery and other service related activities shall be accessed from either the side street or from the side of the building.

4) Exception

For all previously approved projects or any lots with site constraints where the above requirements cannot be applied, and vehicular traffic can only be accessed from the front of the lot, the access, parking and service layouts shall be evaluated and requirements under this Section of the Code shall be applied to the greatest extent possible based on the DRO comments provided at the PAC.

c. Parking

Parking placement shall be limited to permitted street parking spaces, or parking lots located behind buildings. Limited parking may be permitted on the side of buildings abutting perimeter or internal street frontages, subject to additional buffering from

**Comment [w18]:** Added this section – intent is not to limit access, subject to compliance with application of frontage streets or minimum block dimensions.

**Comment [w19]:** Edited to summarize general parking placement and limitations.

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perimeter frontages and pedestrian walkways and sidewalks. When designing the layout of parking lots, the applicant shall reference Section 10, Parking Standards.

**d. Outdoor Use Placement (NOT COMPLETE)**

A principal or accessory use with outdoor operations such as a gas canopy with fueling stations; carwash drying area; drive thru of restaurants/financial institution where vehicular circulation are conventionally being placed in area with a large amount of asphalt visible from street front; outdoor eating area of a restaurant; and outdoor play area of a daycare center.

Projects with an IRO for uses with outdoor operations shall be compliance with the following regulations: By pass lane queuing distance in Art.6

**Comment [w20]:** Awaiting submittal of text from TCRPC for suggested Riviera Beach standards – should work here?

**Comment [mmk21]:** I need help to complete "E". Maybe use the same LCC language that this type of uses could only be allowed on outparcels or where drive-thrus are placed underneath a building canopy (Like the one in PGA Commons) or at the rear of the building.

TABLE 3.B.16.E. – DRIVE THRU CANOPY SETBACKS		
PROPERTY LINE	SETBACKS	
	AT GRADE	STRUCTURE (MIN.)
Front		ft.
Side (street)		
Side (non-residential, interior)		
Rear (residential)		
Rear (alley)		

**4. BUILDING TYPES (Wcross)**

There are six general building types permitted in the IRO: block, pedestal, liner, courtyard, civic and townhouse.

**a. Block**

A type of building with little or no substantial deviations in any facades typically used to accommodate single floor uses of up to 65,000 square foot per floor.

**b. Pedestal**

A type of building designed to accommodate the tallest permissible building whose primary facades must be stepped back to reduce apparent bulk when viewed from an adjacent sidewalk.

**c. Liner**

A specialized type of building, also known as a Texas Donut, used to conceal parking garages, large footprint building (large scale development or multi-tenant) in excess of 65,000 square feet in size, and may also include green spaces, plazas or squares. Liner buildings may be attached to, or have rear alley access separating the use to be concealed, and shall be the same height as the use to be concealed.

**d. Courtyard**

A type of building arranged around a courtyard, such as gardens, patios, plazas or squares that are open to the sky, and dedicated for common use.

**e. Civic**

A type of building used to accommodate public or civic uses. Deviations from IRO property development regulations may be permitted, where stated, when a public plaza, square or other passive open space area is incorporated into the site. Public and private civic buildings shall be designed to reflect their public purpose and are intended to be landmarks within the community. In order to allow a building and site design that achieve this intention, the minimum and maximum setbacks, the minimum building frontage percentages set forth in the site's Zoning District may be adjusted during the approval process.

**f. Townhouse**

A type of building primarily intended for residential use that may also be used as a work/live space or unit. While a townhouse building is intended to be developed using individual lots and party walls, it may also be developed as a multi-family condominium if developed consistent with all townhouse requirements. A townhouse building shall comply with Art. 3.D.2.A, Townhouse and all other related ULDC provisions, unless expressly stated otherwise herein.

**g. Outdoor Use Structures**

This category is intended to regulate a broad range of accessory structures and improvements intended to support outdoor recreational or commercial uses, but shall not include any permitted pedestrian shade structures required or permitted as part of a building type listed above.

*PENDING – Very short simple section – outdoor uses are regulated by placement standards – this should only address height, and where drive thru openings may be allowed to front a street, etc.*

**Comment [w22]:** TCRPC suggestion – must define standards and limitations – what adjustments will be permitted – without being "arbitrary and capricious". In other words – what deviations may be permitted in exchange for a building that truly complies with the expectation that such will be a "landmark" within the community.

**Comment [w23]:** Simplify and reconcile pending MK finalizing Placement Standards for outdoor uses.

**Comment [w24]:** Prior notes acknowledging expected Placement Standards.

**F. BLOCK STRUCTURE STANDARDS (Wcross)**

This section establishes the standards for creating walkable blocks using interconnected streets and alleys. Individually, there are substantial benefits to be realized by applying these standards to new development. However, the primary purpose is to incrementally achieve the retrofiting of

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existing sprawling, strip commercial development into a series of interlinked mixed-use developments comprised of a network of walkable blocks and streetscapes.

1. THRESHOLDS

The standards of this section shall apply to all IRO developments, whether a site is to be subdivided or held in common ownership. Due to the range of variations in size, shape, frontage, interconnectivity, and access, among other factors, there is an infinite assortment of parcel types in the IRO, resulting in differing levels of applicability. As such, applicability shall be determined by a review of the following thresholds for each site:

- a. Greater than or equal to five (≥ 5) acres in size – shall introduce new blocks;
b. Exceeds maximum allowable perimeter or block lengths – shall introduce new blocks;
c. Adjacent to a site with a commercial FLU designation – shall provide for interconnectivity by use of a street or parallel alley;
d. Adjacent to a site with any other FLU designation – interconnectivity is encouraged;
e. Greater than or equal to five (≥ 5) acres in size – shall provide for interconnectivity by the use of streets. An exception shall be allowed where a parallel alley is required on the adjacent site;
f. Access from lot frontage – shall comply with street standards, unless exempted herein;
g. Access from side street lot frontage – shall comply with street standards, unless exempted herein;
h. Internal buildings – shall have building frontage on a main street, unless exempted herein;
i. Subdivision – shall introduce new blocks or lots.

2. BLOCK REQUIREMENTS

A block shall be an area of land entirely bounded by streets. Any new blocks, whether required or voluntary, shall comply with the following dimensional requirements:

TABLE 3.B.16.F - BLOCK DIMENSION REQUIREMENTS INSERT DIAGRAM

Table with 3 columns: BLOCK PERIMETER (TOTAL), MINIMUM, MAXIMUM. Rows include A (No Pedestrian Pass Through), B (With Pedestrian Pass Through), C (No Pedestrian Pass Through, single side), and D (With Pedestrian Pass Through).

Insert Image

In some sites, due to parcel size, location of existing streets or the adjacent development pattern, establishment of part of a block may be permitted. Part of a block may be used when a street layout:

- a. Completes the formation of a block by interconnecting new streets to existing streets on an adjacent parcel;
b. Locates an alley along a property line to provide an appropriate transition to the adjacent parcel; and,
c. In the above cases, the blocks shall meet the maximum block length on a single side, and temporary stub connections shall provide for future completion of the block and vehicular circulation.

3. STREETS AND ALLEYS

All new streets and alleys shall be designed in compliance with the IRO Street and Alley Standards Chapter of the Land Development Guidelines Manual. This shall include all public and private R-O-W, access ways or other provisions for vehicular travel.

a. General

Streets and alleys are required for all IRO projects, unless exempted herein. Streets are used to establish blocks and provide frontage for buildings that are not located on a street. Alleys provide links between adjacent parcels along the rear of lots, behind buildings. The minimum standard of connectivity for a parcel on a commercial corridor is the provision of a parallel alley system.

b. Access Requirements

Access shall be limited externally and internally so as to minimize curb cuts to streets, or other areas so as not to conflict with pedestrian walkways.

1) External

No more than one access point shall be permitted for each 160 linear feet of street frontage, or as allowed by the County Engineer.

2) Internal

No more than one access point, excluding alley ways, shall be permitted for each block side to allow for access to parking lots, drive through uses, loading areas, or other similar uses. Projects not required to comply with block standards are highly encouraged to comply where feasible.

c. Interconnectivity

Notes:

Underlined language indicates proposed new language.
Language crossed out indicates language proposed to be deleted.
.... (ellipses) indicates language not amended which has been omitted to save space.
Relocated language is shown as italicized with reference in [brackets].

Comment [mmk25]: Allow minor deviations via ZD if throughout the design they use the green site design or the green architecture principles. BC/MMK discussed that it MAY mess up the IRO process; therefore may use a similar deviation process but more restrictive than the LCC's.

Comment [w26]: Suggested language from TCRPC; however, references to platting and Engineering approval have been removed for instances where entire site is retained/controlled by master developer and no subdivision or public/private streets are incorporated – rather streets are access ways designed to street standards.

Comment [mmk27]: Need a diagram to illustrate 2a. 2b. BC brought up a good point to minimize curb cuts so as to have a safe vehicular circulation, and to allow more opportunity for parking on "main streets".

Comment [mmk28]: Add some limitations.

EXHIBIT D

ARTICLE 5 – OVERLAYS  
SUMMARY OF AMENDMENTS  
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Any site abutting a parcel with a commercial FLU designation, or any other vacant parcel, shall provide irrevocable cross access to such parcels. Cross access to non-commercial parcels is highly encouraged. Interconnectivity shall be located as follows:

1) **Block Intersections**

Where a site is required to create new blocks, interconnectivity shall be provided from any perimeter intersections, and where applicable, in accordance with parallel alley requirements.

2) **Parallel Alley**

Where a site is located on a commercial corridor, cross access shall be provided to connect through the parcel to an adjacent parcel or to a street. Alleys may be incorporated as drive aisles within parking lots.

3) **Alignment**

To provide for an efficient means of relieving traffic from external roadways while minimizing impact to adjacent residential parcels, the following shall be required:

a) Connectivity shall run parallel to the corridor, or along a curvilinear path with no significant turning movements. Stop signs and other traffic calming measures may be permitted if allowed by the County Engineer.

b) INSERT – Language to ensure 10' LBE is provided for – and either transition to alley or street....

d. **Street Requirements**

Can define – or defer to LD Guidelines – pending meeting with Ken/Allan/Joanne/Nick.

e. **Alley Requirements**

Can define – or defer to LD Guidelines – pending meeting with Ken/Allan/Joanne/Nick.

4. **SUBDIVISION**

Any subdivision of land shall comply with all lot dimensions for the applicable Zoning district with exception to minimum acreage. There shall be no minimum acreage requirement for new lots in an IRO project.

**Comment [mmk29]:** Via what legal procedure. An easement, established when ? and paved up to, and be done by... BC explained that BC/MMK met with Lenny/Ken Rogers to establish some kind of forms.

**Comment [mmk30]:** I understand, but needs to define what is perimeter intersection.

**Comment [mmk31]:** BC/MMK want to clarify on this. Pending on what ENG staff provided us, if not clear, Zoning will need to tie loose ends and make this clearer.

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**Notes:**

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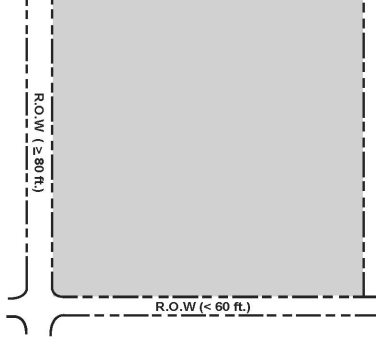
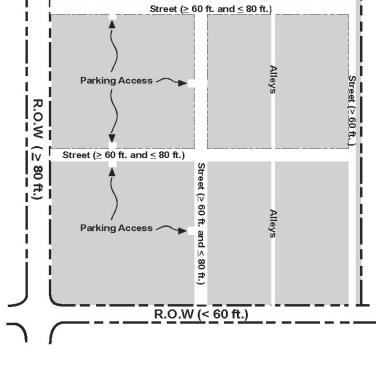
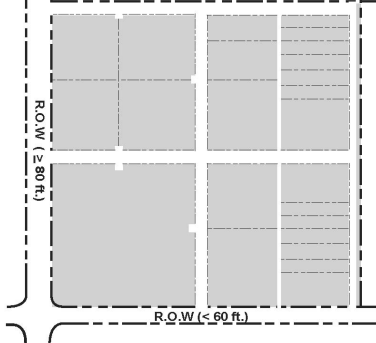
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EXHIBIT D

ARTICLE 5 – OVERLAYS  
SUMMARY OF AMENDMENTS  
DRAFT (Updated 08/26/09) DRAFT

Incorporate standards above into table/figure format?

Figure 3.B.16.E. – IRO Subdivision

PROJECTS ≥ FIVE ACRES	Non - Residential
<p>IRO projects that are comprised of one or more parcels totaling five acres or more in size shall:</p> <p><u>Establish blocks by introducing new streets:</u> Where parcel perimeter R-O-W frontage (a + b) exceeds maximum allowable block length, shall introduce new streets that reduce the block length to the size permitted.</p> <p>Projects less than five acres in size shall not be required to introduce blocks, but may opt to do so.</p>	
INTRODUCE STREETS, ALLEYS AND PARKING ACCESS	Non - Residential
<p>Where required, blocks shall be defined by introducing streets that comply with the minimum IRO street standards to include:</p> <p>On-street parking, street trees and sidewalks pursuant to Section 8, Streetscape, Landscape and Usable Open Space Standards, and the Land Development Design Guidelines Manual.</p> <p>Alleys shall be limited to the interior of the blocks, with an exception permitted for the outermost perimeter of a project where alleys may be used instead of streets when adjacent development back onto the property line. Alley connections may be established using interconnected parking lots and coordinated access points.</p> <p>Where streets are required on smaller sites not subject to block standards, such shall be required to connect with a rear alley if located in a commercial corridor.</p>	
INTRODUCE LOTS	Non - Residential
<p>Individual lots are not required but are encouraged. IRO projects in an MUPD may opt to establish outparcels but shall not be exempt from block standards, and any requisite streets or alleys. Lots shall be exempt from the minimum acreage requirements of the district, but shall comply with minimum frontage and lot dimensions, including townhouse lots where applicable.</p>	
[Ord. 2010-...]	
<p>NOTES:</p> <ol style="list-style-type: none"> <li></li> <li></li> </ol>	

Comment [w32]: If more specific standards are not moved from text above into this text/figure format – then the “introduce lots” figure can be consolidated with the introduce streets figures above...

G. BUILDING STANDARDS (WCross)

The provisions of this section shall be applied in conjunction with any other applicable ULDC standards or limitations for buildings where not expressly stated herein.

1. BUILDING REGULATIONS

IRO buildings shall comply with the following general standards:

a. Primary Entrances

The primary entrance for all 1st floor tenants must directly face a public street, or a courtyard, plaza, square or other form of usable open space fronting a street. Access for tenants located on upper floors shall provide similar entrances, but may be permitted to deviate from this requirement on sites less than one acre in size. In either situation, street access may be in the form of common lobbies, elevators, stairwells, or other form

Comment [w33]: Reluctant to introduce too much complexity here – e.g. breaks, specifications for dining areas, minimum number of entrances for specified distance, shade requirements, etc. Keep it Simple?!?!?!?

Comment [w34]: This would not be correct where new internal streets are private access ways designed as streets – let street be key definition here.

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- 1 of consolidated access. There are no limits on the allowable number of primary
- 2 entrances.
- 3 **b. Secondary Entrances**
- 4 Each tenant may be permitted to have additional entrances located at side or rear
- 5 facades facing a parking lot or other area, subject to the following limitations:
- 6 1) Shall not exceed 75 percent of the size of the smallest primary entrance. This shall
- 7 apply to door openings, and any entrance related architectural features such as
- 8 banding, porticos, or other similar features.
- 9 2) Shall not exceed the number of primary entrances.
- 10 3) Limitations shall not apply to service access or emergency exits.
- 11 **c. Windows on Facades Facing Streets**
- 12 Building facades facing streets or civic open spaces must have transparent windows
- 13 covering between 20 to 75 percent of the wall area of each story as measured between
- 14 finished floors to allow transmission of visible daylight.
- 15 **d. Additional Building Placement Standards**
- 16 In addition to the Building Placement standards indicated above, all building types
- 17 excluding outdoor uses and related structures, shall comply with the following:
- 18 1) **Corners**
- 19 Where a parcel is located at the intersection of two streets, at least one building shall
- 20 be placed so as to meet the build-to-lines for both streets. This shall not preclude the
- 21 use of multiple buildings.
- 22

**Comment [mmk35]:** LCC regulations do not include min. glazing, let it be part of the green architecture, which should be an integral component of the exterior façade and how lights are being designed internally for the building. Leave out window glazing, reference back to Art 5.C.

TABLE 3.B.16.E. – TYPICAL EXAMPLE OF CORNER BUILDING WITH SIDE/REAR PARKING



[ORD. 2010-...]

- 23
- 24 2) **Building Hierarchy**
- 25 Building placement shall follow an established order, with initial buildings required to
- 26 meet minimum placement and frontage requirements along the most intense
- 27 perimeter streets. Additional buildings may be located on interior main streets, but
- 28 shall be ordered so as to create a consistent streetscape.
- 29 3) **Building Frontage**
- 30 Building frontage is the percentage of the total width of a lot which is required to be
- 31 occupied by the primary façade of a building. The primary façade shall be parallel to
- 32 a street, located in accordance with the build-to-line requirements of the street type.
- 33 Frontage requirements must be addressed for the most intense perimeter streets
- 34 first. Once the frontage requirement has been addressed for the most intense
- 35 perimeter street, exceptions for other perimeter streets shall be permitted where
- 36 insufficient building intensity is proposed or for less intense side streets. The location
- 37 of the primary faced is not changed by architectural elements such as cornices, bay
- 38 windows, awnings, porches, balconies, stoops, colonnades, arcades or forecourts.
- 39

**Comment [w36]:** Incorporated most TCRPC comments; however, retained perimeter frontage requirement, did not add reference to R-O-W as some internal streets may be access ways, and removed primary entrance language as address above. May need to reorder below?

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**ARTICLE 5 – OVERLAYS**  
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**TABLE 3.B.16.E. – TYPICAL EXAMPLE OF PRIMARY FRONTAGE WITH SIDE PARKING**



[ORD. 2010-...]

**4) Liner Building**

Where required, a liner shall be provided on any side that fronts a perimeter street, slip-street, internal main-street, any usable open space, or similar environment.

**2. BUILDING TYPE BY TRANSECT ZONE**

The implementation of the transect zones includes identifying the placement of buildings by type so as to allow for the proper location of higher intensity uses while ensuring consistency with the context of less intensive neighboring uses, where applicable.

**Comment [mmk37]:** So the first IRO project establishes the transects plan for that corridor?  
 Bill: No, each site applies SSRP standards to determine what zones are permitted (basically dictated by adjacent FLU or uses, and property size [i.e. core is not allowed on smaller sites – to encourage consolidation of parcels]).

**TABLE 3.B.16.G. – BUILDING TYPE BY TRANSECT ZONE**

BUILDING TYPE	TRANSECT ZONES			
	CORE	GENERAL	EDGE	OPEN SPACE
BLOCK	✓	✓		
PEDESTAL	✓	(1)		
LINER	✓	(1)		
COURTYARD		✓	✓	
CIVIC		✓	✓	
TOWNHOUSE		✓	✓	
[ORD. 2010-...]				
NOTES:				
✓ Means applicable or permitted.				
1. Building type may be permitted where located a minimum of 500 feet from adjacent parcels with residential FLU designation or uses.				

**3. BUILDING CONFIGURATION**

All allowable building types shall comply with Art. 5.X.6, Placement Standards and the property development regulations of Table 5.X.7.E, General Building Configuration PDRs.

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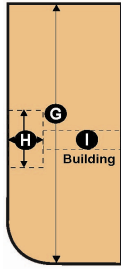
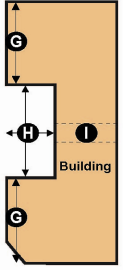
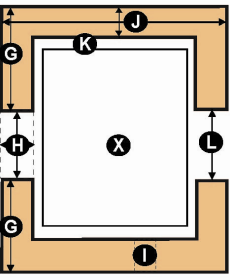
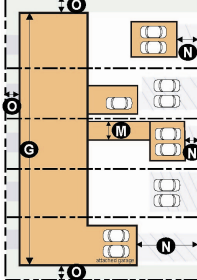
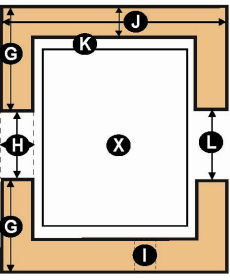
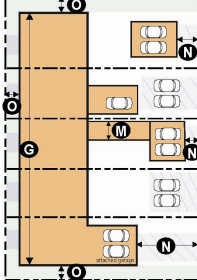
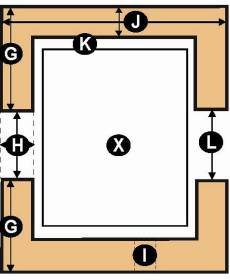
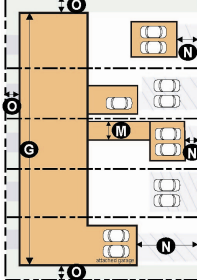
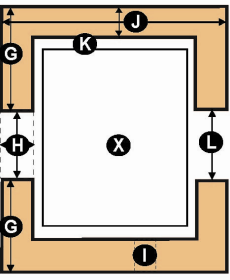
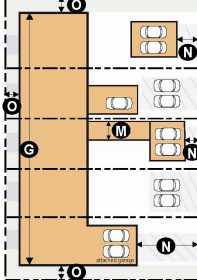
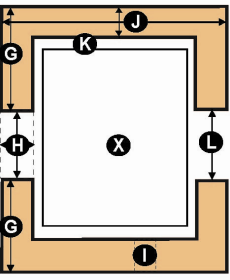
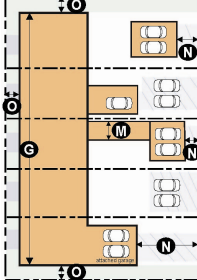
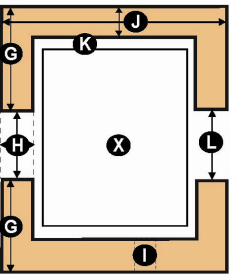
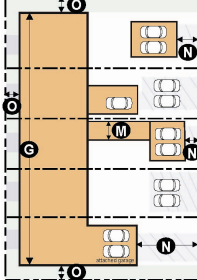
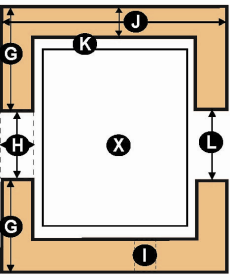
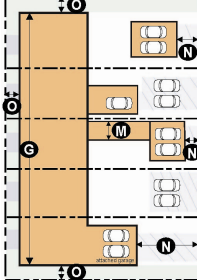
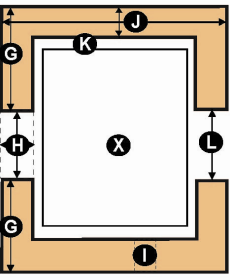
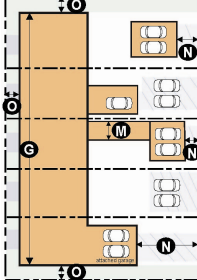
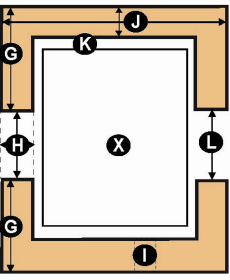
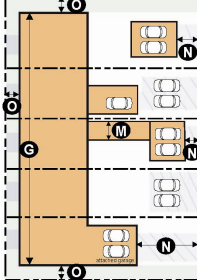
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TABLE 3.B.16.G. – GENERAL BUILDING CONFIGURATION PDRS<sup>1</sup>

BUILDING FRONTAGE % <sup>2</sup>			PEDESTAL AND BLOCK BUILDING <sup>2</sup>		COURTYARD BUILDING <sup>2</sup>	
	MIN.	MAX.				
G.	Block	50%				
	Pedestal	50%				
	Liner	60%				
	Courtyard	60%				
	Townhouse	90%				
INDIVIDUAL BUILDING LENGTH			LINER BUILDING		TOWNHOUSE BUILDING	
	MIN.	MAX.				
G.	Block	N/A				
	Pedestal	N/A				
	Liner	200 ft.				
	Courtyard	N/A				
	Townhouse	32 ft.				
COURTYARD % OF FOOTPRINT			LINER BUILDING		TOWNHOUSE BUILDING	
	MIN.	MAX.				
H.	Block, Pedestal, Liner	N/A				
	Courtyard	10%				
COURTYARD DIMENSIONS			LINER BUILDING		TOWNHOUSE BUILDING	
	MIN.	MAX.				
H.	Block, Pedestal, Liner	15 ft.				
	Courtyard	30 ft.				
PEDESTRIAN PASS THRU <sup>3,4</sup>			LINER BUILDING		TOWNHOUSE BUILDING	
	MIN.	MAX.				
I.	Separation <sup>4</sup>	100 ft.				
	Width	10 ft.				
LINER BUILDING			LINER BUILDING		TOWNHOUSE BUILDING	
	MIN.	MAX.				
J. <sup>5</sup>	Depth	30 ft.				
	Length	75 %				
K.	Separation	N/A				
L.	Parking Access	N/A				
X.	Texas Donut	N/A				
TOWNHOUSE BUILDING <sup>6</sup>			LINER BUILDING		TOWNHOUSE BUILDING	
	MIN.	MAX.				
M.	Wing Width	N/A				
N.	Rear Setback to Alley	5 ft.				
O.	Front/End Setbacks	5 ft.				

**Comment [w38]:** Define and provide illustration in Art. 1.1.2, Definitions. Cannot properly regulate a Liner Building without addressing interior building, garage, or other uses.

**Comment [w39]:** 1) See Rebecca C. to clarify desired "firewall" language; and, 2) This note actually addresses a loophole in the current TH regulations – whereas, only 50% of TH wall has to be attached to another TH – but there are no setbacks, openings or attachment standards for remaining 50%? Would rather correct now – rather than have become a Building Permit issue (e.g. FBC requirement for fire separation).

[Ord. 2010-...] NOTES

1. A civic building may apply any combination of the above, or apply for additional deviations in accordance with the standards for civic buildings indicated in this Section.
2. Percentage shall be based upon length of applicable property line. Where multiple buildings are proposed, the applicable length shall be result of the overall length divided by the number buildings.
3. Does not apply to Townhouse Building.
4. Maximum pedestrian pass thru requirement does not apply for buildings with a length of 300 ft. or less.
5. Liner dimensions apply to all sides required to have a liner.
6. Townhouse, including wings, garages or accessory dwellings shall comply with minimum common wall requirements unless set back from the side PL a minimum of five feet; and, shall comply with Art. 3.D.2.C.7, Prohibited Openings and Attachments except for any first floor that is set back a minimum of ten feet from the PL.

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4. BUILDING ELEVATIONS, HEIGHT AND USE BY FLOOR

TABLE 3.B.16.G. – PEDESTAL, LINER, BLOCK, COURTYARD AND CIVIC BUILDING HEIGHT AND USE

BUILDING HEIGHT		MAX.						
P.	Edge TZ or Townhouse Building	35 ft. (3 stories)						
	General TZ	48 ft. (4 stories) <sup>1,2</sup>						
	Core TZ	60 ft. (5 stories) <sup>1,2</sup>						
INTERIOR HEIGHT		MIN.	MAX.					
Q.	Finished Floor - Residential	1.5 ft.	N/A					
	Finished Floor - Other	0.5 ft.	N/A					
R.	Residential	9 ft.	N/A					
	Other	12 ft.	N/A					
ENCROACHMENT		MIN.	MAX.					
S.	Stoop <sup>3</sup>	-	5 ft.					
	Gallery <sup>3,4</sup>	10 ft.	12 ft.					
	Gallery Height	10 ft.	15 ft.					
T.	Balcony	-	6 ft.					
USES BY TRANSECT/FLOOR								
TRANSECT	USES							
	R	C	O	W	CV	RC	U	I
U.	Edge	✓			✓			
	General	✓	✓	✓	✓	✓		
	Core	✓	✓	✓	✓	✓		✓
V.	Edge	✓			✓			
	General	✓		✓	✓			
	Core	✓	✓	✓	✓	✓		✓
W.	Edge	✓			✓			
	General	✓		✓	✓			
	Core	✓		✓	✓	✓		✓
X.	Liner building interior, same uses as allowed in TZ.							

[Ord. 2010-...]

**USE CLASSIFICATION KEY (REFER TO ART. 5.X.3, USE STANDARDS)**

R = Residential	C = Commercial, Other	O = Commercial, Office	W = Work/Live
CV = Public and Civic	RC = Recreation	U = Utilities and Excavation	I = Industrial

**NOTES**

✓ Means applicable or permitted.

- Shall be exempt from Art. 3.D.1.E.2 where adjacent to a R-O-W greater than 50 feet in width, or an IRO compliant street (excluding alleys).
- One additional story and 12 feet in height permitted for Green Building.
- The required sidewalk zone may be accommodated within a gallery.
- Encroachment for stoop or gallery (including uses therein such as outdoor dining, benches, or displays) shall not impede required sidewalk zone or be located within five feet of the tree zone.

3

TABLE 3.B.16.G. – TOWNHOUSE BUILDING HEIGHT AND USE

BUILDING HEIGHT		MAX.	
P.	Edge	35 ft. (3 stories)	
	General		
	Core		
INTERIOR HEIGHT		MIN.	MAX.
Q.	Finished Floor - Residential	1.5 ft.	N/A
	Finished Floor - Other	1.5 ft.	N/A
R.	Ceiling - Residential	9 ft.	N/A
	Ceiling - Other	12 ft.	N/A
ENCROACHMENT <sup>1</sup>		MIN.	MAX.
S.	Stoop	N/A	5 ft.
	Front Porch	N/A	8 ft.
	Front Porch Height	N/A	15 ft.
T.	Balcony	-	6 ft.
USES BY TRANSECT/FLOOR			
TRANSECT	USES		
	RESIDENTIAL	WORK/LIVE SPACE/UNIT	
U.	Edge	✓	
	General	✓	
	Core	N/A	
V.	Edge	✓	
	General	✓	
	Core	✓	

[Ord. 2010-...]

**NOTES**

✓ Means applicable or permitted.

- Encroachment for stoop or front porch shall not impede required sidewalk zone or be located within five feet of the tree zone.

Notes:

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**EXHIBIT D**

**ARTICLE 5 – OVERLAYS  
SUMMARY OF AMENDMENTS  
DRAFT (Updated 08/26/09) DRAFT**

**H. USE STANDARDS (WCROSS)**

The standards of the IRO allow for additional uses to be permitted by right; however, only those uses that have been indicated on a DRO approved FSP or FSBP shall be eligible to apply for building permits or a business tax receipt (BTR). Where permitted, uses may also be further restricted by TZ, building type and number of floors, as specified in Art. 5.X.7, Building Standards.

**1. PERMITTED USES**

Table 5.X.3, IRO Permitted Use Schedule identifies the permitted and requested uses allowed for an IRO project. Permitted uses are based upon FLU designation as defined under Art. 5.X.2, Applicability.

**TABLE 5.X.3 – IRO PERMITTED USE SCHEDULE**

USE TYPE	LAND USE				NOTE
	C L	C H	C L O	C H O	
<b>RESIDENTIAL USES</b>					
Townhouse	P	P	P	P	132
Multi-family	P	P	P	P	87
Accessory Dwelling	P	P	P	P	1
CLF, Type I	P	P	P	P	34
CLF, Type II	P	P	P	P	34
CLF, Type III	A	P	A	P	34
Garage Sale	P	P	P	P	60
Guest Cottage	P	P	P	P	66
Home Occupation	P	P	P	P	70
Nursing Facility	P	P	P	P	90
Security or Caretakers Quarters	P	P	P	P	119
<b>COMMERCIAL USES</b>					
Adult Entertainment		S			2
Auction, Enclosed		P			16
Auto Paint or Body Shop		A			17
Auto Service Station		P			18
Broadcast Studio	P	P	P	P	21
Building Supplies	P	P			22
Car Wash	P	P			25
Catering Service	P	P			26
Convenience Store	P	P			36
Convenience Store with Gas Sales	P	P			37
Day Labor and Employment Service		P			41
Dispatching Office		P			42
Dog Daycare	P	P	L	L	43
Financial Institution	P	P	P	P	55
Flea Market, Enclosed		P			57
Funeral Home or Crematory		A			59
<b>COMMERCIAL USES (CONTINUED)</b>					
Green Market	P	P	L	L	64
Hotel, Motel, SRO, Rooming And Boarding	A	P			72
Kennel, Type III (Enclosed)	P	P			74-2
Kiosk	P	P	P	P	75
Laundry Services	P	P			78
Lounge, Cocktail	P				79
Office, Medical or Dental	P	P			83
Office, Business or Professional	P	P	P	P	91
Parking Garage, Commercial	P	P			95
Parking Lot, Commercial	P	P			96
Pawnshop	A	P			97
Personal Services	P	P			98
Printing and Copying	P	P	P	P	100
Repair and Maintenance, General	A				107
Repair Services, Limited	P	P			108
Restaurant, Type I	P	P			109
Restaurant, Type II	P	P			111
Retail Sales, Auto Parts	P	P			113
Retail Sales, General	P	P			114
Retail Sales, Mobile or Temporary	P	P			115
Self Service Storage	P	P			120
Theater, Indoor	P	P			128
Vehicle Sales and Rental	A	P			135
Veterinary Clinic	P	P			136
Vocational School	P	P	P	P	137
Work/Live Space	P	P	P	P	141
[Ord. 2010- ]					
<b>KEY</b>					
P	Permitted by right, where indicated on a DRO approved IRO Final Subdivision or Site Plan.				
L	Permitted only where accessory to a permitted use.				
S	Permitted subject to Special Permit approval.				
A	Permitted subject to Board of County Commission Approval.				
◆	May be permitted under limited circumstances – see specific Use Regulations.				

This space intentionally left blank.

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TABLE 5.X.3 – IRO PERMITTED USE SCHEDULE (CONTINUED)

USE TYPE	LAND USE				NOTE
	C L	C H	C L O	C H O	
<b>PUBLIC AND CIVIC USES</b>					
Assembly, Non-profit Institutional	P	P			14
Assembly, Non-profit Membership	P	P			15
Place of Worship	P	P	A	A	29
College or University	P	P			30
Day Camp	P	P			39
Dare Care, General	P	P			40
School, Elementary or Secondary	P	P	P	P	118
Day Care, Limited	P	P	P	P	40
Government Services	P	P	P	P	63
Helipad	A	A	A	A	10
Hospital or Medical Center	P	P		P	71
<b>RECREATION USES</b>					
Entertainment, Indoor	P	P			45
Fitness Center	P	P			56
Gun Club, Enclosed		P			67
Marine Facility	P	P			82
Park, Passive	P	P	P	P	93
Park, Public	P	P	P	P	94
Park, Neighborhood	P	P	P	P	92
Special Event	S	S	S	S	124
[Ord. 2010- ]					
<b>KEY</b>					
P Permitted by right, where indicated on a DRO approved IRO Final Subdivision or Site Plan.					
L Permitted by right, subject to accessory use limitations.					
S Permitted subject to Special Permit approval.					
A Permitted subject to Board of County Commission Approval.					
◆ May be permitted under limited circumstances – see specific Use Regulations.					

2. ACCESSORY USES

Accessory uses shall be permitted in accordance with Art. 5.B, Accessory and Temporary Uses. Any proposed use that exceeds the limitations of an accessory use shall only be permitted if allowed above and where in compliance with the requirements of this code.

I. STREETScape, LANDSCAPE AND USABLE OPEN SPACE STANDARDS (MKwok)

This section establishes alternative design standards for the following: streetscape, landscape, and usable open space.

The IRO establishes a predictable spatial framework to create a pedestrian-friendly environment supportive of infill redevelopment and multi-modal transportation options. These standards ensure the area between building facades and the vehicular lanes of a street are designed to create a superior pedestrian environment that improves the overall visual appearance and use of a street. For the purpose of this Chapter, the area between the site's property line and the building façade is defined as the Streetscape or Pedestrian realm, and standards are contained in Section 9.B of this Chapter.

The Landscape Standards provide an alternative to the conventional code requirements for perimeter buffers and interior landscaping. The IRO utilizes the Placement Standards in Section 7 to provide a predictable built environment for each site element to regulate uses, and thereby eliminating the need of oversized buffers to address potential incompatibilities between non-residential uses on the site and its adjacent residential uses. The Landscape Standards are contained in Section 9.C of this Chapter.

The Usable Open Space Standards provide a design alternative to establish a balance of built forms and open area within a site. The other objective is to establish, overtime, a network of usable open spaces, which could form an integral component of the pedestrian circulation system within blocks of the U/S Tier commercial corridors. The Open Space Standards are contained in Section 9.D of this Chapter.

1. STREETScape OR PEDESTRIAN REALM DESIGN STANDARDS

As described in Section 7, Placement Standards, building placement for an IRO project is determined by the width of the right-of-way on which the site is located. The width of the street establishes the dimensional requirement for building setback. Once the placement of building(s) is established, it defines the pedestrian realm as the area between building(s) and the property lines bordering a street. The standards for the pedestrian realm are intended to expand and enhance any existing public improvements, such as sidewalks and plantings, to establish a cohesive, superior streetscape.

The IRO establishes 3 streetscape configurations: Enhanced Sidewalk, Buffered Sidewalk, and Slip Street. The applicant may choose one of the streetscape configurations to use;

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Comment [w40]: Good – original or sourced elsewhere? I did, and Anthea helped me to phrase the sentence better.

Comment [mmk41]: Need definition for this IRO code and Article 1.E and 1.F

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however, the streetscape design should be consistent with the surrounding character, and shall maintain or enhance connectivity between adjacent parcels. In the event that the Zoning Director determines a proposed streetscape design is inconsistent with the surrounding area or lacks connectivity, the proposed streetscape by the applicant shall be subject to a BCC approval through the Class A Conditional Use process.

[Note: need to define what is consistent because the IR code is definitely different or inconsistent with the conventional code development layout].

a. Enhanced Sidewalk

The Enhanced Sidewalk streetscape option establishes a wide, continuous, paved pedestrian path with regularly spaced shade trees along the street. The following table shows dimensional standards of Enhanced Sidewalk based on the width of the site's street right-of-way.

TABLE 5.X.8.C – ENHANCED SIDEWALK DIMENSIONAL STANDARDS

Table with 2 columns: WIDTH OF R.O.W. and PEDESTRIAN PATH MEASURED FROM BUILDING FAÇADE AND SITE'S PROPERTY LINE. Rows include Street R.O.W. < 60 ft. (15 ft. min.), Street R.O.W. > 60 <80ft. (25 ft. min.), and a Notes section with item 1: Min. path width = Max. building setback.

1) Pedestrian Path

- a) A paved path with width ranging from 15 to 25 feet shall be installed at the time of site development. Where an existing public sidewalk adjoins the property line, the paved areas of the public sidewalk and the pedestrian path shall connect, thereby expanding the perceived width of the public sidewalk. (See Illustration 1)
b) On streets constructed to the ultimate right-of-way dimension, an existing, adjoining public sidewalk may be counted toward the minimum pedestrian sidewalk requirement, provided the total paved pedestrian area (sidewalks) meet the dimensional requirement in the above table.

FIGURE 5.X.8.C - INSERT ILLUSTRATION 1 (CROSS SECTION)

Show how public sidewalk and pedestrian path connects. <60 feet

FIGURE 5.X.8.C - INSERT ILLUSTRATION 2 (PLAN VIEW)

Enhanced Sidewalk – Combined Pedestrian Path and Public Sidewalk >60 feet <80 feet

- c) All paving materials for the pedestrian path shall be compliant with ADA accessibility standards, and shall be constructed of concrete acceptable to the Engineering Department;
d) Consistency in paving pattern and materials for the pedestrian path shall be established within a block, if applicable. The first application for an IRO of a commercial corridor or a block shall establish the paving pattern. Subsequent IRO projects shall follow the approved paving pattern of the first application to ensure consistency in design pattern within the corridor or block (See Section 6).
e) For a development that is subject to public sidewalk provision requirements by the Engineering Department, the applicant may choose to locate the required public sidewalk within the site subject to a sidewalk easement agreement approved by the Engineering Department. The relocated sidewalk shall meet the above width and paving requirements for a pedestrian path; (see Illustration 2)
f) Where a sidewalk or a path crosses curb cuts at ingress/egress points and internal drives, the pedestrian crossing shall be paved with a material that provides a different texture or a color contrast with the vehicular surface, but preferably consistent with the paving material of the path.

2) Street Trees

Street trees are intended to provide a shaded environment for the pedestrian, provide a physical separation between the pedestrian and vehicles, and improve the overall visual appearance of the street.

- a) Street trees shall be planted at the time of development. Street trees shall be installed in the pedestrian path along the curb-side spaced uniformly at 25 feet on center. Spacing of trees may only exceed 25 feet in order to accommodate curb cuts, fire hydrants, utilities and other infrastructure elements. Variation of tree spacing shall be subject to an Alternative Landscape Plan pursuant to Art.7, and shall be subject to the addition of planter, shrub or architectural shade device requirements listed below in b.4) to fulfill the intent of providing shade or visual quality.

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- 1 b) Street trees shall be planted in **planters** or **grates**;
- 2 c) Street trees shall be of canopy species pursuant to **Art.7, Appendix A- PBC's**
- 3 **Preferred Species List**. Consistency in street tree species shall be established
- 4 within a block, if applicable, and shall be reflective of the character of the
- 5 surrounding area. The first application for an IRO of a commercial corridor or a
- 6 block shall establish the species. Palm varieties may be used at corners,
- 7 crosswalks, or to accent building entrances.
- 8 d) In the event that obstacles such as utility easements prevent the installation of
- 9 required street trees, removable planters of small palms and small shrubs, vines
- 10 or seasonal flowers shall be installed. In addition, the building shall provide
- 11 devices such as awnings or roof overhangs to establish a shaded pedestrian
- 12 environment.
- 13 e) The Street Trees requirements are contingent upon whether the setback area is
- 14 encumbered by an existing or a required utility easement. Easement
- 15 encroachments into the pedestrian path shall be permitted, and may use tree
- 16 planters to achieve the design standard.

**b. Buffered Sidewalk**

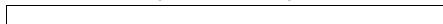
The Buffered Sidewalk streetscape option utilizes a wide, continuous planting area to separate the pedestrian route from fast-moving vehicular travel lanes. The Buffered Sidewalk is composed of two components: the Pedestrian Area and the Planting Area. The Pedestrian Area is intended for pedestrian circulation and is located between the building façade and the Planting Area. The Planting Area is dedicated primarily for street tree planting, and is located between the Pedestrian Area and the property line of the site. The Buffered Sidewalk streetscape is generally appropriate on thoroughfares with rights-of-way dimensions greater than 60 feet. The following table shows dimensional standards for Planting and Pedestrian Areas based on the width of the site's street right-of-way.

**TABLE 3.B.16.I. – BUFFERED SIDEWALK DIMENSIONAL STANDARDS**

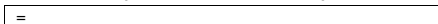
WIDTH OF R.O.W.	BUILDING SETBACK MEASURED FROM PROPERTY LINE	PLANTING AREA	PEDESTRIAN PATH
Street R.O.W. >60-80ft.	25 ft. max.	8 ft. min.	12 ft. min.
Street R.O.W. >80ft.	40 ft. max.	10 ft. min.	20 ft. min.
[Ord. 2010-...]			
<b>Notes:</b>			

- 29 **1) Planting Area**
- 30 a) The Planting Area shall not be paved, except that paved access shall be
- 31 provided to cross-walks and transit stops.
- 32 b) One canopy tree for each 25 feet of the property's frontage shall be provided.
- 33 Trees may be installed in a formal, uniform spacing or may be arranged within
- 34 the Planting Area in informal clusters so long the required quantity is satisfied.
- 35 c) In addition to the required canopy trees, flowering trees, palms, shrub layers,
- 36 grass, groundcovers shall be required to provide design variations and colors.
- 37 Quantity of plant materials shall be established depending on the width of the
- 38 Planting Area, and shall be calculated in compliance with Art.7.
- 39 d) Grass shall be permitted; however, groundcover shall be encouraged as a
- 40 substitute for grass for water conservation and maintenance purposes.
- 41 e) Berms shall only be permitted in order to create a streetscape with an informal,
- 42 naturalistic design.
- 43 f) The Planting Area requirements are contingent upon whether the setback area is
- 44 encumbered by an existing or a required utility easement. Easement
- 45 encroachments into the planting area shall be permitted, and may use tree
- 46 planters to achieve the design standard.
- 47 **2) Pedestrian Path**
- 48 a) A paved area with width ranging from 15 to 25 feet, pursuant to Table 5.X.9.C.3
- 49 Buffered Sidewalk Dimensional Standards. The applicant is required to install
- 50 the pavement at the time of site development.
- 51 b) All other requirements shall be in compliance with Enhanced Sidewalk,
- 52 Pedestrian Path, 1.a.3) through 1.a.6).
- 53
- 54

**FIGURE 3.B.16.I. - INSERT ILLUSTRATION 3  
(STREETSCAPE)**



**FIGURE 3.B.16.I. - INSERT ILLUSTRATION 4  
(BUFFERED SIDEWALK)**



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- c. Slip Street [need help from Staff and Subcommittee on the X dimensions]
The Slip Street streetscape option is intended for sites with at least X feet of frontage along a commercial corridor. This streetscape condition establishes a parallel route to the street that accommodates pedestrians, parking opportunities, and slow-moving vehicular circulation. The streetscape is intended to establish an environment consistent with traditional main streets, while relieving the existing street of vehicular trips. This streetscape condition is required for lots X feet in width along streets with rights-of-way greater than 60 feet in width. Building Placement requirements in Section 7 do not apply to buildings with the Slip Street streetscape; buildings shall be placed in accordance with the requirements contained herein.
1) Planting Area
The Planting Area shall extend from the property line at a range from 10 to 15 feet.
a) The Planting Area shall be in compliance with Buffered Sidewalk, Planting Area requirements, 2.a.1) through 2.a.5).
2) Vehicular Circulation
a) A lane accommodating one-way vehicular travel, at a range from 10 to 12 feet in width, shall be installed adjacent to the Planting Area.
b) A parallel parking lane, at a range from seven to eight feet in width, shall be installed between the vehicular travel lane and the required Pedestrian Path (See Illustrations 5 and 6 below). The parking lane shall include a curb profile approved by the Engineering Department along the sidewalk.
3) Building Placement and Sidewalk/Pedestrian Path Requirements
a) Buildings shall be setback from the parallel parking lane a minimum of 15 feet, and no more than 25 feet to establish the location of the front facades of buildings on the Slip Street streetscape.
b) A paved pedestrian path, at a range from 15 to 25 feet in width, shall be installed between the parallel parking lane and the front building facade(s).
c) All other requirements shall be in compliance with Enhanced Sidewalk, Pedestrian Path, and 1.a.3) through 1.a.6).
d) The Planting Area requirements are contingent upon whether the setback area is encumbered by an existing or a required utility easement. Easement encroachments into planting area shall be permitted for a maximum of five feet.

FIGURE 3.B.16.I. - INSERT ILLUSTRATION 5 (PLAN OF SLIP STREET)

FIGURE 3.B.16.I. - INSERT ILLUSTRATION 6 (SECTION OF SLIP STREET)



2. LANDSCAPE STANDARDS

The Landscape Standards establish alternative requirements for perimeter compatibility and incompatibility buffers, foundation planting and interior planting.

a. Compatibility Buffer

Table Building Placement 3 of Section 7, Building Placement establishes a range of setback from zero to five feet between compatible uses for projects with an IRO. The applicant may choose to install a five foot buffer between the site and its adjacent non-residential use. Required plant materials shall be in compliance with Art.7, Compatibility Buffer Standards [which is one tree at 25 lineal feet and a 3-foot high hedge/shrubs].

1) Exception

Buffers may not be required, if:

- a) The adjacent compatible use has an existing buffer that meets the code requirements; or
b) The site abuts an existing or approved compatible use; or
c) The site development has a proposed zero setback adjacent to an existing or approved but unbuilt compatible use.

b. Incompatibility Buffer

Table Building Placement 3 of Section 7, Building Placement establishes a minimum setback of ten feet between projects with an IRO and its adjacent incompatible uses. The applicant is required to install a ten-foot wide buffer with an eight-foot high concrete panel wall. Required canopy trees shall be spaced at 20 lineal feet alternating on the exterior and interior side of the wall.

1) Shrubs

A single row of medium shrubs, perpetually maintained at a minimum height of 3 feet shall be provided on the exterior side of the wall.

2) Wall Requirement and Exception

- a) The required wall shall be constructed of materials and with a design consistent with the principal building of the IRO, and shall have the same finished architectural finish treatment and color on both sides of the wall.

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b) The required wall may be allowed to locate at the common property line and shall be exempt from Art.7.F.3.B, Location of Planting to provide flexibility for installation of plant materials. Relocation of wall shall be subject to a written agreement between applicant and adjacent property owners.

c. Interior Planting

Interior Planting Standards are established for terminal islands, interior islands, divider medians, and landscape diamonds. For an IRO project, the applicant may choose to comply with all of the Standards of **Art.7, Chapter G, Off-Street Parking Requirements**; and seek deviations through an ALP where site restrictions prohibit the design from meeting code requirements.

In determining whether the Zoning Director shall support the proposed deviations through an ALP, the ALP shall be submitted at time of application, and the Zoning Director shall consider the standards in the IRO Required Findings to approve or deny the ALP.

1) Terminal Island

Terminal island shall have a minimum length of 15 feet and width of eight feet excluding curbs, and shall have one canopy tree per island. For projects that are two acres or less, terminal islands without a sidewalk may allow to be reduced to five feet if it is adjacent to a ten-foot wide incompatibility buffer and may be reduced down to three feet if it is adjacent to a perimeter compatibility buffer. The terminal island and the buffer shall be combined to provide an expanded width of the planting areas.

2) Interior Island

Interior island shall comply with the same dimensional standards of the terminal island as indicated in 3.a. One island shall be provided for every ten parking spaces with a maximum of 100 feet separation. One canopy tree shall be installed at every 20 feet on center. For projects that are two acres or less, interior island may be exempt and shall be replaced by Landscape Diamonds pursuant to Art.7.G.2.D.

*[D. Landscape Diamonds Art.7.G.2.D*

*Landscape diamonds containing one tree and appropriate ground cover may be distributed throughout the interior of an off-street parking area as an alternative to median islands. Grade level tree planting areas shall be located only at the common intersection of four parking spaces and spaced a maximum of four parking spaces apart. The minimum tree planting area shall be 25 square feet with minimum dimension of five feet by five feet.]*

3) Sidewalk in Terminal or Interior Island

If a sidewalk or utilities are included in the terminal island, the width shall be expanded to the minimum width necessary to accommodate the sidewalk or utilities. As an option, the required tree may be relocated in the vicinity of the parking area to maximize the provision of shade.

4) Divider Median

Divider median shall be in compliance with Art.7.G.2.C. For projects that are two acres or less, divider median shall be replaced by **Landscape Diamonds** pursuant to **Art.7.G.2.D.**

d. Foundation Planting

1) Foundation planting for front facades and located in the Pedestrian Area shall not be required. However, an applicant may choose to provide planting if the Pedestrian Area exceeds the minimum width requirement. Any foundation planting installed shall be provided in compliance with Art.7.

2) Foundation planting for side facades shall be provided in compliance with **Table 7.C.3-1, Minimum Tier Requirements**. Foundation planting shall be a minimum of 40% of the length or width of the façade.

a) Exemption

- Foundation planting shall not be required, if:
  - (1) If the side of the building has a five foot or less setback;
  - (2) If the side of the building abuts a landscape buffer; or
  - (3) If window boxes or planters are placed at the side of the building.

3) Deviations

a) If foundation planting is required to be provided along the side facades of a building, and has been determined that none of the above exemptions are applicable, then the required percentage may be transferred to the rear façade if the rear façade has a pedestrian walkway connecting the rear parking lot to and from the building(s). Transfer of the percentage is subject to the approval of an ALP pursuant to **Art.7.B.3.**

b) Deviation may also be in compliance with Art.7.D.11.B.

c) The width of side foundation planting areas may be reduced from eight to five feet in width for buildings with a ten-foot side setback if the overall volume of reduced planting area is relocated on site or the required landscaping within the foundation planting area, at installation, be increased in height by 25 percent.

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- d) Side foundation planting may be eliminated for buildings using a zero side setback.
- e) Side foundation planting may be relocated on site or the equivalent required landscaping within the site, be increased in height by 25 percent if the applicant can demonstrate that proposed building heights will adversely limit sunlight and viability of planting area.

3. USABLE OPEN SPACE

In addition to the planting area and pedestrian path, usable open space is encouraged to be incorporated within the public realm or interior of the site to provide a variety of outdoor uses and increase the options for pedestrian activities. Well defined and easily accessible usable open spaces could be the visual focal point in the public realm. For the purpose of this Chapter, usable open space is defined as square, plaza, courtyard, surface or roof top green areas with passive recreational features of which the design layout and location maximize access, visibility and safety for pedestrian activities or recreation.

The Usable Open Space standards establish an alternative for pervious areas that are previously required under Art.7. These standards promote "green" design principles by requiring specific location, orientation, and choice of construction materials for these open spaces. These standards also incorporate CPTED principles to ensure a healthy and safe environment is being provided to the users.

a. Size and Dimensions

Usable Open Space shall be a minimum of 10% of the building square feet.

The usable open space shall have a minimum 25 linear feet along a street for lots less than 100 feet in width and 30 linear feet along lots wider than 100 feet. Open space shall be no deeper than 2.5 times the frontage width, and the width shall be no greater than 5 times the depth. [WPB Code]

b. Exception

For lots that are 2 acres or less in size, an architectural colonnade or arcade located in the public realm area may be counted towards the required percentage of usable open space. The path leading to the usable open space may be counted towards the percentage provided the path is paved with materials of high Solar Reflectance Index (SRI) and of porous materials that would assist in the drainage of the hard surfaced areas.

\* For buildings that are designed with individual balconies and patios, then these features may counted towards the usable open space requirements. [private, save this for incentives].

c. Location, Visibility and Orientation

Usable open space shall be bordered by a street on at least one side, and shall be accessible from the sidewalk. Buildings bordering useable open space shall provide facades of at least 25% of the wall in transparent windows or doors. Building entrances providing direct access to the usable open space are encouraged. A minimum 75% of a usable open space shall be visible from the street frontage perimeter. If there is more than one usable open space proposed, the minimum size shall be 1,500 square feet; otherwise, the required amount must be consolidated into one space. One shade tree shall be installed for every 30 feet of perimeter of the Usable Open Space. Trees shall be arranged to provide a shaded environment for pedestrians and benches. Trees may be installed in either a formal arrangement, using regular spacing along the perimeter and pathways, or may be arranged in informal clusters. At least two benches shall be installed within a shaded area. Bicycle racks with no less than two (four?) spaces shall be installed. The applicant shall determine the Adequate lighting shall be provided pursuant to Art.5.E.4.E, Outdoor Lighting. If the Usable Open Space is a recreational area for children, fences no greater than 4 feet in height may be used to contain areas with play equipment. Vehicular traffic shall not be permitted within any public open space.

4. INTERNAL ROADWAY

Landscaping for internal roadway and access tract shall be consistent with the Urban Design (or Type 1?) standard.

5. UTILITIES AND EASEMENT

For new development, utilities shall be installed underground or may be relocated to an alley, subject to the approval buy the Utilities companies.

J. PARKING STANDARDS (MMK)

The required number of parking spaces shall correspond to broad uses and not to a specific use, and shall be responsive to the long term transition of tenants within a non-residential or mixed use development. These standards provide flexibility in dimensional and layout requirements to address site restrictions, and provide for reductions in the number of required off-street parking spaces for sites that are located in close proximity to public transit, or have a potential for inter-connectivity and shared parking areas between contiguous developments.

Notes:

Underlined language indicates proposed new language.  
Language ~~crossed out~~ indicates language proposed to be deleted.  
.... (ellipses) indicates language not amended which has been omitted to save space.  
Relocated language is shown as *italicized* with reference in **[brackets]**.

Comment [w42]: N/A – Exempt for all streetscapes - foundation plantings are not required for streetscape frontages.

Comment [w43]: Minimum pervious to be deleted in 09-01.

**EXHIBIT D**

**ARTICLE 5 – OVERLAYS  
SUMMARY OF AMENDMENTS  
DRAFT (Updated 08/26/09) DRAFT**

In addition to the above, this Section also establishes **Green Design Principles** for an applicant to consider when preparing for the design layout and choice of materials utilized for the construction of the parking and loading areas. The Green Design Principles are established to enable an IRO project to achieve sufficient points for development incentives as referenced in Section 12, Incentives.

**1. PARKING STANDARDS**

Off street parking spaces shall be accommodated in parking lots or parking structures for non-residential uses, or in attached/detached garages for residential uses. Approved on-street parking, whether located on internal or adjacent perimeter streets, shall also be counted towards required or overall parking provided.

**a. At Grade Parking**

A majority of vehicular parking spaces or areas shall be located to the rear of buildings. Parking in front of buildings shall be limited to on-street parking only. Parking on the side of buildings shall be limited to on-street parking, with any additional permitted spaces located in parking courts.

**TABLE 3.B.16.J. – AT GRADE PARKING PLACEMENT**

PARKING LOCATION	MAXIMUM % OF PARKING PROVIDED
Rear	100%
Side	25% <sup>1 3</sup>
Front	10% <sup>2 3</sup>
<b>[Ord. 2010-...]</b>	
<b>NOTE:</b>	
1. On-street parking only, with additional located in parking courts.	
2. On-street parking only, including slip streets where applicable.	
3. Exceptions may be permitted for parking courts located internal to a development where all building placement standards have been addressed.	

**Comment [w44]:** Have not seen this yet? MMK response: I want to combine this with LCC waiver/Green Architecture/Green Site Design Principles.

**Comment [w45]:** Might be easier to exclude streets with on-street parking and use this table to refer to parking lots or structures.

**b. Parking Structures**

Parking structures shall only be permitted when designed as a Liner Building. When the parking structure abuts a street front, the ground floor of the structure shall be designed with storefronts on the first level with architectural features that are consistent with the principal building.

**TABLE 3.B.16.J. – PARKING AREA STRUCTURE SETBACKS**

PROPERTY LINE	SETBACKS	
	AT GRADE	STRUCTURE (MIN.)
Front	Min. 40% of lot depth	0 ft.
Side (street)	10 ft. max.	0 ft.
Side (non-residential, interior)	0-10 ft. max.	0 ft.
Rear (residential)	10 ft. min.	10 ft. min.
Rear (alley)	3 ft. min.	3 ft. min.

**Comment [mmk46]:** TCRPC asked whether it needs to be lined with uses on the ground floor, and don't understand this table, and whether parking structures are allowed in the EDGE TZ.

**Comment [w47]:** Not applicable if only allowed as part of a Liner Building.

**2. ACCESS TO OFF-STREET PARKING**

**a. Alley**

Alleys, when provided, shall be the primary source of access to off-street parking. Alleys shall be a minimum width of 20 feet, and may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the alley shall be maintained.

**b. Side Street**

When alleys are not provided, primary access to the off-street parking area shall be from a side street.

**c. Front**

When neither an alley nor a side street is present as in a midblock site, the primary source of access to off-street parking areas may be from the front, utilizing a driveway that passes either to the side or through the building. In the instance that access constraints necessitate front access, and the dimensional requirements for access require a reduction in the minimum building frontage percentage contained in **Section 8, Building Placement**, the Zoning Director may approve the deviation request based on the Standards for Deviations and the applicant's commitment to achieve a minimum of X points through the **Green Design Principles, Section 12**.

**d. Cross Access**

Access between parking lots across property lines is required, and shall be accommodated within the site layout. Refer to Art.6.XX, Access Connections for requirements.

**Comment [w48]:** Good concept for waivers – but could make automatic as the minimum to permit reasonable access without having to go thru a detailed waiver process?

**Comment [w49]:** May be redundant to block standards.

**3. PARKING AREA**

**a. Allowable Side Parking**

**Notes:**

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EXHIBIT D

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Where parking is located on the side of a structure is permitted, parking shall be accommodated using approved on-street parking, as follows:
1. Parking areas shall provide a minimum five foot wide landscape planting area abutting any sidewalk, perimeter frontage, or adjacent parcel;
2. Landscape planting area shall include a 30 inch-high hedge. A 30 inch high wall shall also be required where abutting any sidewalk or perimeter street. Location of hedge or wall shall not block the safe sight distance of the drivers; and,
3. Landscape planting area shall include one canopy tree per 30 lineal feet.

Figure 3.B.16.J. - Insert Illustration 2 (Cross Section)

show parking on the side situation with wall/hedge.

b. Parking in the Front

No deviations in the IRO streetscape options shall be allowed to accommodate parking in the front of buildings.

5. MINIMUM OFF STREET PARKING AND LOADING REQUIREMENTS

The applicant may choose from the following parking requirements:

- a. Range of parking for PDD with an IRO portion from 3/1000 to 5/1000 for commercial or mixed use projects with commonly shared parking spaces;
b. Three spaces per 1,000 square feet for non-residential use(s) for standard zoning district; or
c. 1.5 spaces per residential unit.

6. PARKING DIMENSIONS

Reductions for minimum parking dimensions required in Article 6, Parkign, shall be permitted for on-street parking as indicated in the Land Development Design Guidelines Manual.

7. SCREENING

a. Bay Doors

Bay doors shall be located and oriented away from residential property lines or setback a minimum of 50 feet and screened from view.

b. Loading Areas

Loading areas, which may include loading spaces, docks and associated maneuvering areas that are: [Ord. 2008-037]

- a. within 100 feet of a parcel with a residential FLU, zoning district or use; or [Ord. 2008-037]
b. visible from a street R-O-W; shall be screened by an opaque wall architecturally compatible with the adjacent structure, unless exempted pursuant to Art. 6.B.1.F.4 below. The wall shall be of a height necessary to screen vehicles from view. Foundation planting shall be provided on the exterior side of the wall. [Ord. 2008-037]

8. STRATEGIES FOR GREEN DESIGN

The infrastructure required to support vehicle circulation such as parking and roadway surfaces increase the consumption of land and nonrenewable resources, it may alter storm water flow, absorb heat energy, and increasing the heat island effect.

The following are provisions strategies and design principles for consideration in achieving green design principles:

- a. Provide shade in parking areas by installing covered parking areas, parking structures. Covered parking shall utilize materials with appropriate solar reflectance index (SRI) depending on the pitch of the roof of the structure. Trellises and other exterior structures that can support vegetation to shade parking areas, walkways to parking/building.
b. Paving materials (coatings and colorants over asphalt pavement) that have light color or have a SRI of at least 29 to improve solar reflectance;
c. Minimize paved areas of parking area layout, may utilize tree diamonds instead of interior islands to reduce aisle areas and heat island effect;
d. For sites 2 acres or less, may consider combining loading or service areas with aisle areas;
e. Utilize a parking deck to reduce parking area footprint for at least 50%;
f. Reduce dimensions of parking space, aisle for compact vehicles. Locate parking spaces for compact vehicles and hybrid fuel vehicles closest to the building entrance; also provide preferred parking spaces (i.e. spaces closest to the building entrance);
g. Pave parking areas with porous materials subject to the approval by Land Development Division; or
h. Provide bicycle racks 1 rack per X vehicular spaces.

K. STANDARDS FOR DEVIATIONS

(may put this in General under a different Section, need this for when front access requires a reduction in the minimum 65% Building Frontage due to site constraints only).

Comment [w50]: Need to do more to reduce required loading areas and allow for more diversity – e.g. less intense non-retail type uses should be able to load/unload from an internal street.

Comment [w51]: Suggest using range as approved for WCRAO – as Jon seems comfortable with it...

Comment [w52]: Is this any different than standard code? If not – delete. Do agree we need to create some architectural improvement for bay doors that face interior parking courts (see Jupiter/Military Trail site as an example).

Comment [mmk53]: Should I put this in a separate Section along with all the other Green design principles

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EXHIBIT D

ARTICLE 5 – OVERLAYS  
SUMMARY OF AMENDMENTS  
DRAFT (Updated 08/26/09) DRAFT

RELATED AMENDMENTS

Amend/Verify consistency with any amendments in Round 2009-01.

Part 1. ULDC, Art. 1.I, Definitions and Acronyms (page 44 of 155), is hereby amended as follows:

Reason for amendment: (Zoning) Add definitions and acronyms related to the Infill Redevelopment Overlay.

CHAPTER I DEFINITIONS & ACRONYMS

SECTION 2 DEFINITIONS

- ....
- C. Terms defined herein or referenced in this Article shall have the following meanings:
  - Commercial Corridor (IRO) -
- ....
- F. Terms defined herein or referenced in this Article shall have the following meanings:
  - Form Based Code - A method of regulating the physical form of the built environment to achieve a predictable urban form, public realm, and sense of place.
- ....
- P. Terms defined herein or referenced in this Article shall have the following meanings:
  - Public Realm (IRO) – Publically or privately owned streets, sidewalks, rights-of-way, parks, and other publically accessible open spaces, and public and civic buildings and facilities.
- ....
- R. Terms defined herein or referenced in this Article shall have the following meanings:
  - Floating Regulating Plan (IRO) – A type of development concept plan required for all IRO projects that identifies transect zones, blocks, streets and alleys, and building types to identify the context and character of the development.
- ....
- S. Terms defined herein or referenced in this Article shall have the following meanings:
  - Sustainability – The integration of social, economic and ecological needs of the community with policies advocating management of resources for future generations.
- ....
- T. Terms defined herein or referenced in this Article shall have the following meanings:
  - Transect Zones (IRO) – A distinct category of physical form ranging from the most urban to the least urban. The IRO requires the application of one or more of four transect zones: Core, General, Edge and Open Space.
  - Transect Zone, Core 1 (IRO) – The most intense zone, typically comprised of larger interconnected buildings that create a continuous façade along one or more streetscapes. May front arterials, collectors, local commercial streets, and internal streets, but are discouraged from abutting local residential streets or other similar access-ways, and abutting residential uses unless density, intensity and built form are consistent.
  - Transect Zone, General 2 (IRO) – A moderately intense zone, typically comprised of smaller interconnected buildings, and used as a transition between the Core Transect Zone and less intense zones or abutting uses, or for smaller parcels with size constraints. May front arterials, collectors, local commercial streets, and internal streets, and local residential streets or other similar access-ways, but are discouraged from abutting local residential streets or other similar access-ways, and abutting residential uses unless density, intensity and built form are consistent
  - Transect Zone, Edge 3 (IRO) – A low intensity zone comprised of residential or work live uses that are compatible with or similar in scale with adjoining neighborhoods.
  - Transect Zone, Open Space 4 (IRO) – A passive zone typically located within other zones, or used as a transition or buffer between abutting uses. Typical uses include passive civic, recreation or other public open spaces such as plazas and squares, or drainage retention areas, environmental preservation, or landscape buffers.
- ....

SECTION 3 ABBREVIATIONS AND ACRONYMS

- ....
- ABN            Development Order Abandonment
- ....
- CC              Commercial Corridor (IRO)
- ....
- FBC            Florida Building Code or Florida Building Commission

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Underlined language indicates proposed new language.  
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EXHIBIT D

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- FBSDC Form Based Code
- ....
- FRP Floating Regulating Plan
- ....
- SSRP Site Specific Regulating Plan (SSRP)
- ....
- TZ Transect Zones (IRO)
- ....

1  
2  
3 Part . ULDC, Art. 2.D.1.B, Application Types [Related to Administrative Processes and  
4 Development Review Officer] (page 25 of 53), and is hereby amended as follows:  
5

Reason for amendment: (Zoning) Add requirement that all IRO projects obtain DRO approval.

6 CHAPTER D ADMINISTRATIVE PROCESS  
7 SECTION 1 DEVELOPMENT REVIEW OFFICER

8 A. PURPOSE

9 The purpose of this Section is to establish a review process for all developments requiring  
10 approval by the DRO based upon comments and recommendations from appropriate PBC  
11 departments, PBC divisions and other local government agencies to establish standards for  
12 review, standards for approval, to set limits on the administrative authority of the DRO to modify  
13 BCC or ZC approvals, and an appeal process.

14 B. APPLICATION TYPES

- 15 1. The following types of development shall require approval of a master plan, site plan or  
16 subdivision plan by the DRO prior to the issuance of a building permit, commencement of any  
17 related land development activity, utilization of any use or approval granted by the BCC or  
18 ZC, or utilization of any use requiring approval by the DRO:  
19 a. Conditional Use/Requested Use;  
20 b. All development in a PDD or TDD;  
21 c. All development electing to utilize the provisions of the IRO:  
22 [Renumber Accordingly.]  
23  
24

25 Part . ULDC, Art. 2.D.1.G, Administrative Review [Related to Administrative Processes and  
26 Development Review Officer] (page 25 of 53), and is hereby amended as follows:  
27

Reason for amendment: (Zoning) Expand DRO authority to amend prior BCC/ZC approvals to include IRO projects, only where there are no conflicts with conditions of approval. IRO projects that cannot comply with the provisions of the IRO, any ZC/BCC conditions of approval, or testimony given at Public Hearings, shall be required to submit an application for a DOA to remedy any conflicts.

28 CHAPTER D ADMINISTRATIVE PROCESS  
29 SECTION 1 DEVELOPMENT REVIEW OFFICER

30 G. ADMINISTRATIVE REVIEW

31 The DRO may approve ~~minor~~ amendments to master plans, site plans and subdivision plans, and  
32 approve new site plans, in accordance with the following procedures. [Ord. 2007-001] [Ord.  
33 2008-003]

34 1. AMENDMENTS TO BCC/ZC APPROVALS

35 The DRO shall have the authority to approve ~~minor~~ modifications to a development order  
36 approved by the BCC or ZC. An application for an amendment shall be submitted in  
37 accordance with Article 2.A.1, Applicability, and reviewed in accordance with the standards in  
38 Article 2.D.1.C, Review Procedures. Applications must be submitted on deadlines  
39 established on an Annual Zoning Calendar. The authority of the DRO to modify a BCC or ZC  
40 approved plan shall be limited to the following: [Ord. 2008-003]

- 41  
42 h. The modification shall not result in any substantial increase in traffic or access, as  
43 determined by PBC; ~~and~~ [Ord. 2008-003]  
44 i. Requested uses shall remain in the location approved by the BCC, unless a condition of  
45 approval allows relocation; ~~and~~ - [Ord. 2008-003]  
46 j. Modification to an IRO Final Master Plan, provided that there are no conflicts with prior  
47 conditions of approval, any improvement or amenity used to garner support for a project,  
48 or testimony from Public Hearing(s). The use of variance relief from IRO requirements  
49 shall not be used to circumvent any such limitations.

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**EXHIBIT D**

**ARTICLE 5 – OVERLAYS  
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**Part . ULDC, Table 3.C.1.A, Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts (page 52 of 155), and is hereby amended as follows:**

**Reason for amendment:** (Zoning)

**TABLE 3.C.1.A FUTURE LAND USE (FLU) DESIGNATION AND CORRESPONDING STANDARD ZONING DISTRICTS <sup>1</sup>**

FLU Designation	Zoning District <sup>2</sup>					
<b>Agriculture/Conservation</b>						
AP	AP					
AGR	AGR					
CON	PC					
SA	AR <sup>3</sup>	AGR <sup>3</sup>				
<b>Residential</b>						
RR-20	AR					
RR-10	AR	CRE <sup>4</sup>				
RR-5	AR					
RR-2.5	AR	RE				
LR-1	AR <sup>3</sup>	RE	RT	AP		
LR-2	AR <sup>3</sup>	RE <sup>3</sup>	RT			
LR-3	AR <sup>3</sup>	RE <sup>3</sup>	RT			
MR-5	AR <sup>3</sup>	RE <sup>3</sup>	RT <sup>3</sup>	RS	RM	
HR-8	AR <sup>3</sup>	RE <sup>3</sup>	RT <sup>3</sup>	RS	RM	
HR-12	AR <sup>3</sup>	RE <sup>3</sup>	RT <sup>3</sup>	RS <sup>3</sup>	RM	
HR-18	AR <sup>3</sup>	RE <sup>3</sup>	RT <sup>3</sup>	RS <sup>3</sup>	RM	
<b>Commercial</b>						
CL-O	CLO	IR				
CL	CN	CC	CLO	IR		
CH-O	CLO	CHO	IR			
CH	CN	CC	CLO	CHO	CG	IR
CR	CRE					
<b>Industrial</b>						
IND	IL	IG	CRE			
EDC	IL	IG				
<b>Institutional/Civic</b>						
INST	IPF					
PARK	IPF					
U/T	PO					
[Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-...]						
<b>Notes:</b>						
1. Unless exempted otherwise by Art. 3.C.1.B, Standard District Exceptions and Limitations, or where a parcel is rezoned to a PDD or TDD, all new development such as any application for a rezoning, conditional use or subdivision of property shall require the subject site be rezoned to a shaded district.						
2. Typical Example of a "shaded district." <span style="border: 1px dashed red; padding: 2px;"> </span>						
3. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with Art. 3.C.1.B.1.						

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**Part . ULDC, Art. 3.C.1.C, Previous Zoning Districts (page 53 of 155), and is hereby amended as follows:**

**Reason for amendment:** (Zoning) Clarification of validity of previous districts and corresponding districts where consistent with FLU designation, to include requirement for concurrent rezoning application where any other BCC application is proposed.

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**CHAPTER C STANDARD DISTRICTS**

**SECTION 1 FUTURE LAND USE (FLU) DESIGNATION AND CORRESPONDING DISTRICTS**

**C. PREVIOUS ZONING DISTRICTS**

1. The following previously established zoning districts correspond to the current districts:
  - a. The Specialized Agriculture (SA) District shall correspond to the AP District in the Glades Tier, the AGR District in the AGR Tier, and the AR District in the Rural Tier.
  - b. Rural Services (RSE) District shall correspond to the AR District.
  - c. Residential Transitional Suburban (RTS) District shall correspond to the RT District.
  - d. Residential Transitional Urban (RTU) District shall correspond to the RS District.
  - e. Multifamily Residential High Density (RH) District shall correspond to the RM District.
  - f. Specialized Commercial High (CSH) and Specialized Commercial (CS) District shall correspond to the Commercial High Office District (CHO) District.

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EXHIBIT D

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2. Where the corresponding district for a parcel is consistent with its FLU designation, a rezoning shall not be required, provided that any development is consistent with the requirements of the corresponding district. Any application that requires Public Hearing approval shall be accompanied by an application to a current Zoning district.

Part . ULDC, Art. 3.C.1.G, Commercial Districts (page 55 of 155), and is hereby amended as follows:

Reason for amendment: (Zoning)

CHAPTER C STANDARD DISTRICTS

SECTION 1 FUTURE LAND USE (FLU) DESIGNATION AND CORRESPONDING DISTRICTS

G. COMMERCIAL DISTRICTS

....

7. IR, INFILL REDEVELOPMENT DISTRICT

The IR district is to encourage infill and redevelopment in the U/S Tier, with all new development subject to the requirements of the IRO, including provisions requiring BCC approval of a Preliminary Master Plan. To further encourage the partial conversion of larger existing commercial developments, previously developed uses, buildings and improvements may be retained where information is clearly shown on prior approvals, provided that any future development be in accordance with the IRO. In granting approval of a rezoning to the IR district, the BCC may adopt conditions of approval; or, including carrying forward conditions of approval related to prior approvals, under the premise that such conditions shall be phased out upon conversion to an IRO development.

Part . ULDC, Art. 7.A.1.B, Landscape Design Principles (page), and is hereby amended as follows:

Reason for amendment: (Zoning) Update Landscape Design Principles to incorporate IR streetscape and other pedestrian oriented design provisions.

CHAPTER A GENERAL

SECTION 1 LANDSCAPE AND BUFFERING

B. LANDSCAPE DESIGN PRINCIPLES

The standards established in this Article are to be considered the minimum requirements for landscape design. It is the intent of this Article to encourage creativity in landscape design while providing general direction and criteria for the evaluation of landscape plans, planting plans and alternative landscape plans. The following design principles are general standards to be used by County staff and DRO in evaluating whether landscape plans conform to the requirements of this Article:

....

10. QUALITY PEDESTRIAN ENVIRONMENT

In the U/S Tier, as well as pedestrian-oriented development types such as TDD's, landscape designs should give special attention to ensuring a safe and attractive pedestrian environment. In high activity areas, such as commercial and workplace areas, benches, kiosks, artwork, and other streetscape elements should be incorporated into landscape designs. Pedestrian access to sidewalks or buildings should be considered in all landscape designs. Landscaping shall not obstruct pedestrian sightlines, especially at crosswalks.

Notes:

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EXHIBIT D

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Photo 7.A.1.B-10 - Visual Interest for Pedestrian and Automobile Traffic



Meandering sidewalks flanked by well composed curvilinear landscaping can add visual interest for pedestrian and automobile traffic.

Photo 7.A.1.B-11 - Streetscape Elements



Effective use of landscaping to frame the sidewalk and buffer the pedestrians from the street. Streetscape elements such as benches and potted plants enhance the pedestrian experience.

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Part . ULDC, Art. 7.A.1.C, Applicability [Related to Landscaping] (page), and is hereby amended as follows:

Reason for amendment: (Zoning) Update Landscape Applicability to reference IRO provisions

CHAPTER A GENERAL

SECTION 1 LANDSCAPE AND BUFFERING

C. APPLICABILITY

The provisions of this Article shall be considered minimum standards and shall apply to all new development except development exempted in [Art. 7.A.1.F, Exemptions](#), and deviations allowed by [Art. 7.A.1.E, Deviations](#). For previously approved development orders, refer to [Art. 1.F, NONCONFORMITIES](#).

....

CHAPTER B TYPES OF PLANS

SECTION 4 STREET PLANTING PLAN

Plans for landscaping within streets shall be provided for new subdivisions in accordance with Article 11.B.3.B.3, Construction Plans and Supplemental Engineering Reports.

CHAPTER C MGTS TIER COMPLIANCE

Landscape design shall comply with the relevant MGTS characteristics in both plant material selection and overall landscape composition.

SECTION 1 U/S TIER

Landscaping in the U/S Tier should have a higher level of detail and more structure, such as pedestrian accents, formal arrangements in perimeter landscape and buffers, street tree plantings, and inter-connections between pedestrian and vehicular areas. The Revitalization and Redevelopment Overlay is located with the U/S Tier and recognizes the unique opportunities and restrictions often encountered in development of infill parcels. Greater flexibility and alternative landscape solutions are available to promote development within the boundaries of these areas. However, it also recognizes the unique opportunities and restrictions that may be encountered in infill and redevelopment parcels, and recommends allowing greater flexibility and alternative landscape solutions to be made available to these types of projects.

....

U:\Zoning\CODEREV\Research - Central\INFILL REDEVELOPMENT PROJECT (2008-09)\2 Drafts\00 MAIN DRAFT\MAIN WORKING DRAFT - CURRENT 8-24-09 WC MMK[1].doc

Notes:  
Underlined language indicates proposed new language.  
Language ~~crossed out~~ indicates language proposed to be deleted.  
.... (ellipses) indicates language not amended which has been omitted to save space.  
Relocated language is shown as *italicized* with reference in **[brackets]**.

## EXHIBIT E

### Infill Redevelopment Overlay (IRO) Summary Discussion Handout For IRO Recommended Uses and Approval Processes

Infill Redevelopment Overlay (IRO) Key for Notations of Proposed IRO Uses and Approval Processes	
<b>Yellow</b>	Highlights applicable Future Land Use designations (Zoning Districts); Highlights uses allowed in IRO; and, Highlights existing allowed uses and approval processes with no changes.
<b>Green</b>	Indicates new uses with no adverse impacts anticipated
<b>Aqua</b>	Highlights new uses or change to administrative approval process, with potential impacts to be mitigated by design limitations (e.g. building placement).
<b>Orange</b>	Highlights previously allowed uses that will now require more intense review process.
<b>Underline</b>	Indicates new approval process.

### Summary of Existing Unified Land Development Code (ULDC) Approval Process Acronyms

#### A. Standard Use Matrix

Table 4.A.3.A-1, Use Matrix, applies as follows:

##### 1. Permitted by Right

Uses identified with a "P" are permitted by right in the district, subject to the supplementary use standards indicated in the "Note" column and the other requirements of this Code.

##### 2. DRO

Uses identified with a "D" or exceeding the thresholds of Table 4.A.3.A-2, Threshold for Projects Requiring DRO Approval are permitted subject to approval by the DRO in accordance with Art. 2.D, Administrative Processes. **[Ord. 2005 – 002]**

##### 3. Special Permit

Uses identified with an "S" are permitted in the district only if approved by the Zoning Director in accordance with Article 2.D.2, Special Permit.

##### 4. Class B Conditional Use

Uses identified with a "B" are permitted in the district only if approved by the ZC in accordance with Article 2.B, PUBLIC HEARING PROCEDURES - Class B conditional uses.

##### 5. Class A Conditional

Uses identified with an "A" are permitted in the district only if approved by the BCC in accordance with Article 2.B, PUBLIC HEARING PROCEDURES - Class A conditional uses.

##### 6. Prohibited Uses

Uses not identified in a district column as permitted by right, by a Special Permit, or as a Conditional Use are not allowed in the District, unless otherwise expressly permitted by this Code.

##### 7. Supplementary Use Standards

A number in the "Note" column refers to supplementary use standards applicable to the use. The referenced standards appear in Article 4.B, SUPPLEMENTARY USE STANDARDS, for example, note 53 refers to Article 4.B.1.A.53, Farrier.



**EXHIBIT E**

**Table 4.A.3.A-1-Use Matrix**

Use Type	Zoning District/Overlay															N O T E				
	Agriculture/ Conservation			Residential					Commercial					Industry/Public						
	P C R	A G R	A P	AR		R E	R T	R S	R M	C N	C L	C C	C H	C G	C R		I L	I G	P O	I P
				R	U															
<b>Residential Uses</b>																				
Single Family			P		P	P	P	P	P	P									A	122
Zero Lot Line Home										D	D								A	142
Townhouse										D	D	D	D	D					A	132
Multi-Family												P	D	D	D	D	D		A	87
Mobile Home Dwelling			S	S	S															85
Accessory Dwelling			S	P	P	P	P	P	P	P	P	P	D	D	D	D	D			1
Congregate Living Facility, Type 1					P	P	P	P	P	P	P	D	D	D	D	D			P	34
Congregate Living facility, Type 2					A	A				A	B	B	D	D	B	D	D		B	34
Congregate Living Facility, Type 3										A	A	A	A	A	D	A	D		A	34
Estate Kitchen			P	P	P	P	P	P	P	P										48
Farm Residence			P	P																50
Farm Workers Quarters			D	D																51
Garage Sale			P		P	P	P	P	P	P										60
Guest Cottage			P		P	P	P	P	P	P	P	D	D	D	D	D				66
Home Occupation			P	P	P	P	P	P	P	P	P	D	D	D	D	D				70
Kennel, Type 1 (Private)			P	P	P	P	P	D	D	D										73
Nursing Convalescent Facility										A	A	A		A		A	D			90
Security or Caretaker Quarters			S	S	S	S	S	S	S	S	S	S	D	S	D	S	D	S	S	119
[Ord. 2005-002] [Ord. 2005-041] [Ord. 2007-001] [Ord. 2008-037]																				
<b>Key:</b>																				
P Permitted by right																				
D Permitted subject to DRO approval																				
S Permitted subject to Special Permit approval																				
B Permitted subject to Zoning Commission approval																				
A Permitted subject to Board of County Commission approval																				
△ May be permitted under limited circumstances – see specific Use Regulations																				

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**EXHIBIT E**

**Table 4.A.3.A-1-Use Matrix**

Use Type	Zoning District/Overlay															N O T E				
	Agriculture/ Conservation			Residential				Commercial					Industry/Public							
	P C R	A G R	A P	AR		R E	R T	R S	R M	C N	C L	C C	C H	C G	C R		I L	I G	P O	I P
				R	U															
<b>Commercial Uses</b>																				
Adult Entertainment														S		S	S			2
Auction, Enclosed	P										B			D	D					16
Auction, Outdoor	P													A	A	A	B			16
Auto Paint or Body Shop														A		P	P			17
Auto Service Station											A		AD		B	D				18
Bed and Breakfast				S	S	S	S	S	S						S					20
Broadcast Studio											BD	D	D		P					21
Building Supplies											AD		BD		D	P				22
Butcher Shop, Wholesale														A	P	P				23
Car Wash											AD		BD		D					25
Catering Service										P	P	PD	P	PD	P	P	P			26
Contractor Storage Yard															D	P				35
Convenience Store										A		BD		P						36
Convenience Store with Gas Sales											AD		AD							37
Day Labor Employment Service														A		D	P			41
Dispatching Office														BD		P	P			42
Dog Daycare											D		AD		P					43
Financial Institution										D	D	AD	AD	AD						55
Flea Market, Enclosed														BA						57
Flea Market, Open														A	A	B				58
Funeral Home or Crematory												A		A		D				59
Green Market	P									SD		SD		SD						64
Hotel, Motel, SRO, Rooming and Boarding								A				A	B	BD	D					72
Kennel, Type II (Commercial)	B													B		B	B			74-1
Kennel, Type III (Commercial Enclosed)												A		BD		B	D			74-2
Kiosk										PD	PD	PD	PD	PD	P	P	P			75

[Ord. 2005-002] [Ord. 2006-036] [Ord. 2007-001] [Ord. 2008-037]

**Key:**  
P Permitted by right  
D Permitted subject to DRO approval  
S Permitted subject to Special Permit approval  
B Permitted subject to Zoning Commission approval  
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Δ May be permitted under limited circumstances – see specific Use Regulations

**EXHIBIT E**

**Table 4.A.3.A-1-Use Matrix**

Use Type	Zoning District/Overlay														N O T E													
	Agriculture/ Conservation			Residential				Commercial					Industry/Public															
	P C R	A G S A	A P	AR		R E	R T	R S	R M	C N	C L	C C O	C H	C G		C R E	I L	I G	P O	I P F								
				R	U																							
<b>Commercial Uses</b>																												
Landscape Service			D			A								B			B		P	P					77			
Laundry Services														P-D	P	P-D	P-D	P-D	P-D		P	P					78	
Lounge, Cocktail														A	A	A	A	P	A								79	
Medical or Dental Office														D	A-D	P-D	D	P-D				P	D					83
Monument Sales Retail																	A		P		P						86	
Office, Business or Professional														P-D	P-D	P-D	P-D	P-D										91
Parking Garage, Commercial																			A		P						95	
Parking Lot, Commercial														D		B-D	B-D	D	P	P		P					96	
Pawnshop																			A								97	
Personal Services														P-D	P-D	P-D	P-D	P-D		P							98	
Printing and Copying Services														P-D	P-D	P-D	P-D	P-D		P							100	
Real Estates Sales Model, Non-PDD																											102	
Repair and Maintenance, General																	A		A		P	P	P					107
Repair Services, Limited														P-D	P-D	P-D	P-D	P-D		P	P	P					108	
Restaurant, Type I														A		A-D	A	A-D	A								109	
Restaurant, Type II														A-D	A	D	A	D	A								111	
Retail Sales, Auto														P-D		P-D		P-D									113	
Retail Sales, General														P-D		P-D		P-D									114	
Retail Sales, Mobile or Temporary			S											S	S	S	S	S	S	S	S	S					115	
Self-Service Storage																A-D		A-D		D	D						120	
Theater, Drive-In																			A	D							128	
Theater, Indoor														A-D		B-D		D	P								129	
Towing Service and Storage																				P	P					130		
Vehicle Sales and Rental																	A		A-D		A						135	
Veterinary Clinic			D			B	B							A	A	B-D	B-D	P-D		P							136	
Vocational School																A-D	P-D	P-D		P	P	P	A				137	
Work/Live Space																											141	
Live/Work Space														D	D	D	D	D										

[Ord. 2005-002] [Ord. 2006-004] [Ord. 2006-036] [Ord. 2007-001]

**Key:**  
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EXHIBIT E

Table 4.A.3.A-1-Use Matrix

Use Type	Zoning District/Overlay														N O T E						
	Agriculture/ Conservation			Residential				Commercial					Industry/Public								
	P	A	A	AR		R	R	R	R	C	C	C	C	C		C	I	I	P	I	
				R	U																E
<b>Public and Civic Uses</b>																					
Airport															A			A	A	10	
Assembly, Nonprofit Institutional	A			A				A	A	A								P	A	14	
Assembly, Nonprofit Membership				A						A	A-D	A-D	A-D						A	15	
Cemetery				A	A	A	A	A	A			B		B				B	A	27	
Place of Worship	A			A	A	A	A	A	A	A-P	A-P	A-P	A-P	A-P	A				A	29	
College or University												A	A	A				P	A	30	
Day Camp												A		A	D			P	D	39	
Day Care, General	B			A	A	A	A	A	A	A	A	A-D	B-D	B-D	D	B	B	D	B	40	
Day Care, Limited	D			A	A	A	A	A	B	B-A	B-A	D	D	D	D	D	D	D	D	40	
Government Services	D	A		A	A	A	A	A	A	D	D	D	D	D	D	P	P	P	D	63	
Kennel, Type IV (Animal Shelter)												A		A		A	D	A	A	74-3	
Helipad	B	B		A	A	A			A				B-A	B-A	D	D	D	P	D	10	
Hospital or Medical Center												A-D	A-D	A-D				P	A	71	
Landing Strip	B	B		B											B		B		B	10	
School, Elementary or Secondary	A			A	A	A	A	A	A	A	A	A	A	A		A		P	A	118	
<b>Recreation Uses</b>																					
Arena, Auditorium or Stadium															A	A			D	A	12
Campground	D		D												D			P	D	24	
Entertainment, Indoor										A-D		A-D		B-D	D	D		P	D	45	
Entertainment, Outdoor												A		A	D	D		P		46	
Fitness Center								A		B-D		A-D	A-D	A-D	P	P		P		56	
Golf Course					A	A	A	A				A		B	D	D		B	B	62	
Gun Club, Enclosed														B-D	P	D	P	D		67	
Gun Club, Open															A			B		67	
Gun Range, Private			D	A														P		68	
Marine Facility														B-D	B-D	B	P	P	D	82	
Park, Passive	P	P	P	D	D	D	D	D	D	D	P-D	P-D	P-D	P-D	P	P	P	P	P	93	
Park, Public	D			B	B	A	A	A	B	B-D		D		D	D	D	D	P	D	94	
Park, Neighborhood	P			P	P	P	P	P	P	P-D		P-D		P-D	P	P	P	P	P	92	
Special Event			S	S	S					S	S	S	S	S	S	S		S	S	124	
Zoo				A											B	D		P	B	143	
[Ord. 2005 – 002] [Ord. 2006-013][Ord. 2008-037]																					
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# EXHIBIT E

## Table 4.A.3.A-1-Use Matrix

Use Type	Zoning District/Overlay																N O T E			
	Agriculture/ Conservation		Residential						Commercial					Industry/Public						
	P C R	A G R	AR		R E S A	R T S A	R S M	R M	C N O	C L O	C C O	C H O	C G O	C R E	I L G A	I G O		P O F	I P F	
			R	U																
<b>Agricultural Uses</b>																				
Agriculture, Bona Fide		P	P	P	A	A	A	A	A	A	A	A	A	A	A	A	A	P	A	3
Agriculture, Light Manufacturing		D	D	A												P	P			4
Agriculture, Packing Plant		D	D	A										A		D	D			5
Agriculture, Research/Development		D	D													P	P	P	B	3.1
Agriculture, Sales and Service		B										A-D		P-D						6
Agriculture, Storage		P	P	P	P	D	D	D	D	P		P		P		P	P	P	P	7
Agriculture, Transshipment		D	D													D	P			8
Aviculture		P	P	P	A															19
Community Vegetable Garden		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	32
Equestrian Arena, Commercial		D		B	B	B				A	A	B	B	B	P	B	B	D	D	47
Farmers Market		D		D						P-D		P-D		P-D		P	P	P	D	52
Farrier		P	P	P	P					P		P		P						53
Groom's Quarters		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	65
Nursery, Retail		P		B	A	A	A	A	A	P		P		P		B	B			88
Nursery, Wholesale		P	P	D	B	B	B	B	B	B		P		P	P	P	P	P		89
Potting Soil Manufacturing		D	D													B	D	P		99
Produce Stand		S	S	S	S	A	A	A	A	S	S	S	S	S	S	S	S	S	S	101
Shadehouse		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	121
Stable, Commercial		D	D	D	D	A	A	A	A	B	B	D	D	D	P	D	D	D	D	125
Stable, Private		P	P	P	P	P	B	B	B											126
Sugar Mill Or Refinery			P														A			127
[Ord. 2006-036] [Ord, 2008-037]																				
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**EXHIBIT E**

**Table 4.A.3.A-1-Use Matrix**

Use Type	Zoning District/Overlay														N O T E					
	Agriculture/ Conservation			Residential					Commercial					Industry/Public						
	P C R	A G R	A P	AR		R E	R T	R S	R M	C N	C L	C C	C H	C G		C R	I L	I G	P O	I P
				R S A	U S A															
<b>Utilities &amp; Excavation</b>																				
Air Curtain Incinerator			A													A	A	A		9
Air Stripper, Remedial		P	P							<u>P-D</u>	<u>P-D</u>	<u>P-D</u>	<u>P-D</u>	<u>P-D</u>	P	P	P	P	P	11
Chipping and Mulching		D	B												B	D	D			28
Communication Cell Sites on Wheels (COW) Tower, Mobile	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	31
Communication Panels, or Antennas, Commercial		D	P	B	B	B	B	B	D	D	D	D	D	D	D	P	P	P	B	31
Communication Tower, Commercial	A	A	D	A	A	A	A	A	A	A	A	<u>B-A</u>	<u>B-A</u>	<u>B-A</u>	B	D	D	D	A	31
Composting Facility		D	D												D	D	D			33
Electric Power Facility			A							A	A	A	A	A	A	A	A	P	A	44-1
Electric Transmission Facility		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	A	44-2
Excavation, Agriculture		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	P	D	49
Excavation, Type I		P	P	P	P	P	P	P	P										P	49
Excavation, Type II		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	49
Excavation, Type III A			A	A										A	A	A	A	A		49
Excavation, Type III B			A	A										A	A	A	A	A		49
Recycling Center										A		B		D		P	P	P		103
Recycling Collection Station										D	D	D	D	D		D	D	D	D	106
Recycling Drop Off Bin			D							D	D	D	D	D	D	D	D	D	D	104
Recycling Plant															B	D	P			105
Sanitary Landfill or Incinerator																		P		117
Solid Waste Transfer Station			A	A	A									A		A	B	P	A	123
Utility, Minor		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	P	D	134
Water or Treatment Plant			A	A	A	A	A	A	A	A	A	A	A	A	A	D	D	P	A	139
Ord. 2006-004] [Ord. 2007-001]																				
<b>Key:</b>																				
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## EXHIBIT E

### Table 4.A.3.A-1-Use Matrix

Use Type	Zoning District/Overlay														N O T E					
	Agriculture/ Conservation			Residential				Commercial				Industry/Public								
	P	A	A	AR		R	R	R	R	C	C	C	C	C		C	I	I	P	I
				R	U															
<b>Industrial Uses</b>																				
Asphalt or Concrete Plant															A	B			13	
Data Information Processing									D	D	P-D	P-D			P	P			38	
Film Production Studio											D	D	A		P	P	P	A	54	
Gas and Fuel, Wholesale															A	B	P		61	
Heavy Industry															A	D			69	
Laboratory, Industrial Research											D	D			B	P			76	
Machine or Welding Shop															P	P			80	
Manufacturing And Processing															P	P			81	
Medical or Dental Laboratory											B-D	P-D			P				84	
Salvage or Junk Yard																A			116	
Transportation Facility													B		D	D	P	B	133	
Truck Stop															A	A			131	
Warehouse															P	P			138	
Wholesaling, General															P	P			140	
<b>Key:</b>																				
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