Agenda Item #: 2:00 p.m.

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 22, 2009 [ ] **Consent** [ ] **Regular**
[X] **Workshop** [ ] **Public Hearing**

Department: Planning, Zoning & Building

Submitted By: Zoning Division

Submitted For: Zoning Division

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I. EXECUTIVE BRIEF

Title: Infill Redevelopment Overlay (IRO).

Summary: On March 24, 2009, Zoning Division staff conducted a workshop with the BCC to outline the proposed IRO project. Summarily, staff outlined proposed amendments to the Unified Land Development Code (ULDC) in Round 2009-02 that would establish alternative land development regulations and related development processes. It is the intent that these new regulations would encourage and facilitate predictable and sustainable commercial/mixed use redevelopment in the Urban Suburban Tier of the County. At the March 24, 2009 workshop, the BCC directed staff to further research and respond to several key issues raised by several Commissioners, including: clarification of use approval processes; parking standards; the context of proposed IRO development forms as relates to existing development; and the effects of SB 360, with emphasis on traffic concurrency requirements.

This workshop serves to respond to BCC direction, while also providing additional updates and related information on the current status of the project. Unincorporated (LB)

Background and Policy Issues: The IRO project seeks to establish Unified Land Development Code (ULDC) Regulations and related processes to encourage and facilitate predictable and sustainable redevelopment in the **commercial corridors of the Urban/Suburban Tier** (see Attachment 2 maps). This project is mandated by FLUE Policy 4.3-o (formerly 1.2-l) of the Comprehensive Plan among others. The primary focus is to develop solutions to impediments to redevelopment of non-conformities, and establish a long-term strategic vision that will serve as a blueprint for creating pedestrian-oriented, mixed use and sustainable development to better serve the needs of residents. The preferred method for attaining this is to utilize form based coding principles that assign preference to the built environment rather than by more traditional Euclidean separation of uses.

Attachments:
Attachment 1 – Executive Summary
Attachment 2 – Maps of Eligible IRO Parcels.
Attachment 3 – Summary of Recommended Uses and Approval Processes.
Attachment 4 – White Paper - Infill Redevelopment Overlay Project.

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Recommended by: _____ 9-11-09
Executive Director **Date**

Approved By: _____ 9/15/09
Deputy County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	2009	2010	2011	2012	2013
Capital Expenditures					
Operating Costs	16,000	34,000			
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included In Current Budget? Yes X No ___
Budget Account No.: Fund 0001 Department 600 Unit 6105 Object 3401
Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact: The fiscal impact associated with ULDC regulation is the cost of TCRPC contract not to exceed Fifty Thousand Dollars. Fifty Thousand was allocated in FY2009 budget to cover the cost for TCRPC to assist in the development of regulations. Due to unforeseen circumstances the study will not be completed in FY2009. Therefore, only Sixteen Thousand of the allocated will be utilized in FY2009 and the balance of contract Thirty Four Thousand is encumbered and will carry forward into FY2010 for completion of study. TCRPC was contracted via an Interlocal agreement in July 2008.

The existing Zoning staff will assume any additional responsibilities for enforcing these new regulations by combining into existing processes.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

9/16/09
OFMB 9/14/09 CW 9/14/09

9/16/09
Contract Dev. and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

Attachment 1 – Executive Summary

The March 24, 2009 presentation included a summary discussion of the affected area and scope of the project, utilization of Form Based Codes to regulate development form, and subsequent expedited approval processes for some types of uses, among others.

The maps provided in Attachment 2 depict parcels that would be eligible for IRO consideration. Eligible parcels would be determined by the following:

- Unincorporated areas only.
- Urban/Suburban Tier only.
- Commercial Future Land Use (FLU) designation of: Commercial Low (CL), Commercial Low Office (CLO Commercial High (CH), and Commercial High Office (CHO).
- Commercial Zoning district.
- Limitations where located in other Overlays.

This workshop serves to provide responses to the following:

- **Use approvals:** Additional clarification was requested to detail what types of uses would be permitted in the IR, and more specifically, which uses previously requiring BCC approval would be recommended for administrative approval (Development Review Officer). Staff has prepared Attachment 2, which will be used to outline what uses are proposed to be permitted in the IR-O, and the corresponding approval process for each.
- **Parking:** Staff will present material to clarify proposed parking ratios, and other design alternatives that are proposed for parking location and related landscaping.
- **Context and Relationship to Surrounding Development:** Staff will present how the IRO establishes standards that will ensure compatibility with adjacent uses, development patterns and neighborhoods, including limits on uses, intensity, and height restrictions, and the use of incompatibility buffers where applicable.
- **Concurrency:** At the time of the first presentation, SB 360 was being proposed, and the BCC requested additional information as to how such would affect IRO projects. Pursuant to the adoption of SB 360, it has been determined that at this time there should be no significant changes to current traffic performance standards and related concurrency provisions. Unincorporated (RB)

The following are the remaining critical dates for meetings/public hearings for the IR Subcommittee, LDRAB and BCC to review/approve IRO code amendments:

- October 7, 2009: Final IR Subcommittee meeting.
- October 21, 2009: First LDRAB meeting (November 18, 2009 continuation, if applicable)
- November 5, 2009: Zoning Commission presentation.
- December 8, 2009: BCC - Request for Permission to Advertise.
- January 7, 2010: BCC Public Hearing – 1st Reading.
- January 28, 2010: BCC Public Hearing – 2nd Reading/Adoption.

This project is mandated by FLUE, Policy 4.3-o (formerly 1.2-l) of the Comprehensive Plan, among others

The Unified Land Development Code shall be amended to require that new development or redevelopment of non-residential uses within the Urban/Suburban Tier, and to strengthen the relationship among buildings and their relationship to the street, where appropriate.

This shall be accomplished to increase transit accessibility, pedestrian orientation, and promote creation of community spaces through consideration of the elements listed below.

1. *Utilize building mass, placement, and orientation, build-to-lines and setbacks to increase walkability, provide spatial definition along streets, and create squares or greens at a human scale;*
2. *Create distinct sense of identity and delineate the pedestrian system within and along public spaces and streets thereby encouraging pedestrians to walk between stores and other uses. This may be accomplished by placing human-scaled elements, such as light fixtures, casual seating,*

gathering spaces, water features, statuary, and landscaping;

3. *Link the commercial center to adjacent land uses, provide convenient access to transit stops and off-site pedestrian and bicycle systems; and,*
4. *For new commercial areas, the amount of parking in the front of the building shall be limited to strengthen the relationship of the building to the street; provide for the dispersal of parking shared between adjacent businesses; and reduce the number of curb cuts and expansive surface parking areas.*

The IR-O ordinance will also serve to implement other Plan policies that encourage higher intensities in mixed use developments, and to implement policies that recommend redevelopment of vacant or underutilized commercial parcels.

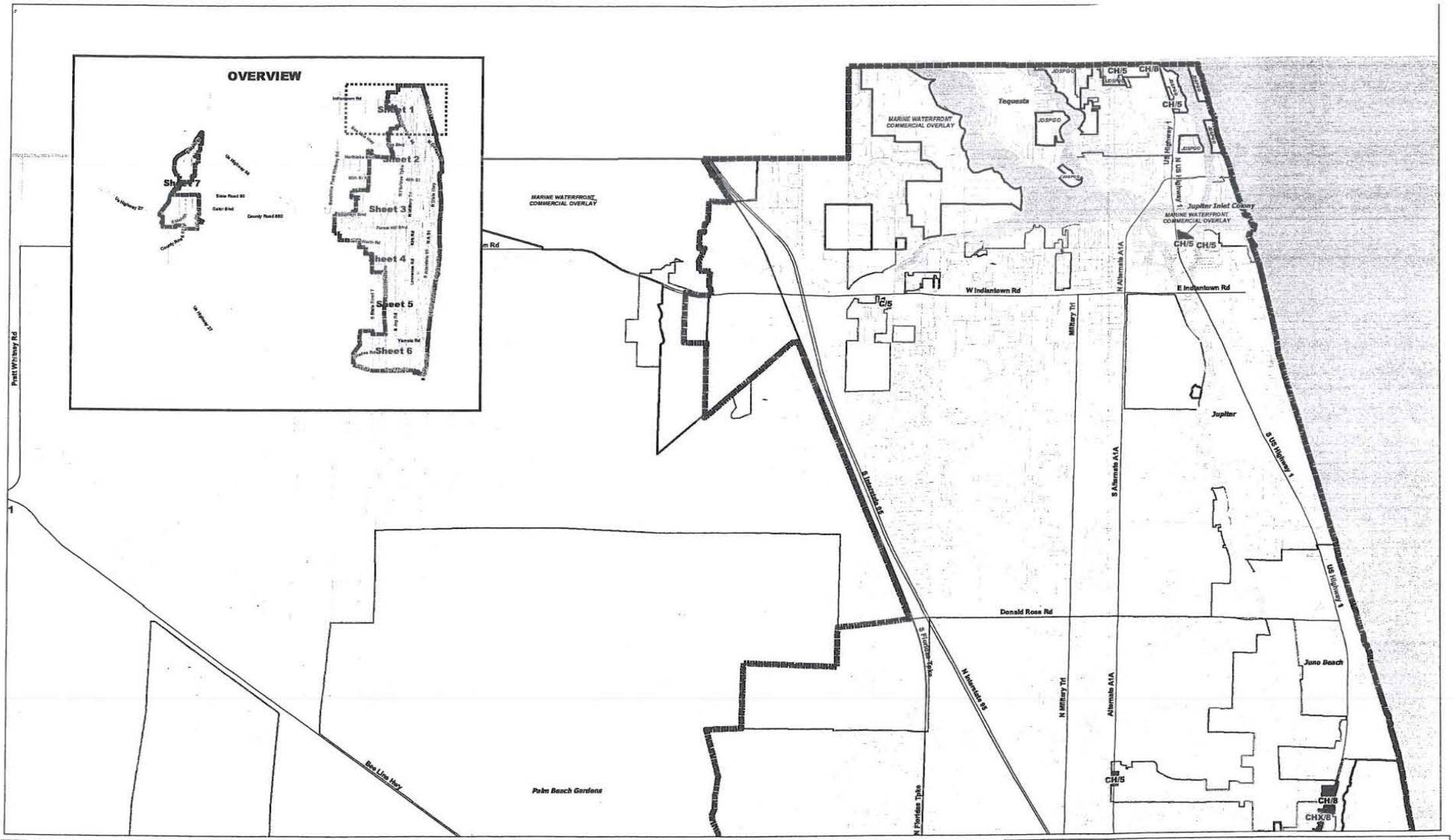
The proposed phasing of the IR-O code project is as follows:

1. Phase 1 [2009] (Revise Article 1, Create Article 3.F.17 Infill Redevelopment Overlay);
2. Phase 2 [2010] (Reorganize Article 3 to include Westgate Community Redevelopment Area Overlay, Urban Redevelopment Area, and similar mixed use Zoning Districts such as Multiple Use Planned Development, Mixed Use Planned Development and Traditional Marketplace Development Districts); and,
3. Phase 3 [2011] (Revise other Articles, as needed).

In February 2008, the Land Development Regulation Advisory Board (LDRAB) approved a request to establish the Infill Redevelopment (IR) subcommittee. TCRPC was also contracted via an Interlocal agreement in July 2008 to provide technical assistance to the Zoning Division to process data collection, prepare an illustrative/floating regulating plan that helps to truth the new ordinances, and participate in meetings/discussions with Board members, interested parties, and the development industry representatives.

Meetings with the IR subcommittee have been conducted on an average of once a month. Meeting agenda's, materials and minutes are located on the Zoning Division webpage at: http://www.pbcgov.com/pzb/Zoning/LDRAB/subs/subcom_meetings.htm. Zoning staff will provide a cursory review of these web pages during the workshop.

See Attachment 4, White Paper for additional backup and information.



Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 1

Future Land Use Designations: CL CH CH-O CL-O

Other Items: Urban/Suburban Tier Municipal Areas

Planning, Zoning and Building Department - GIS
2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

0 0.5 1 Miles

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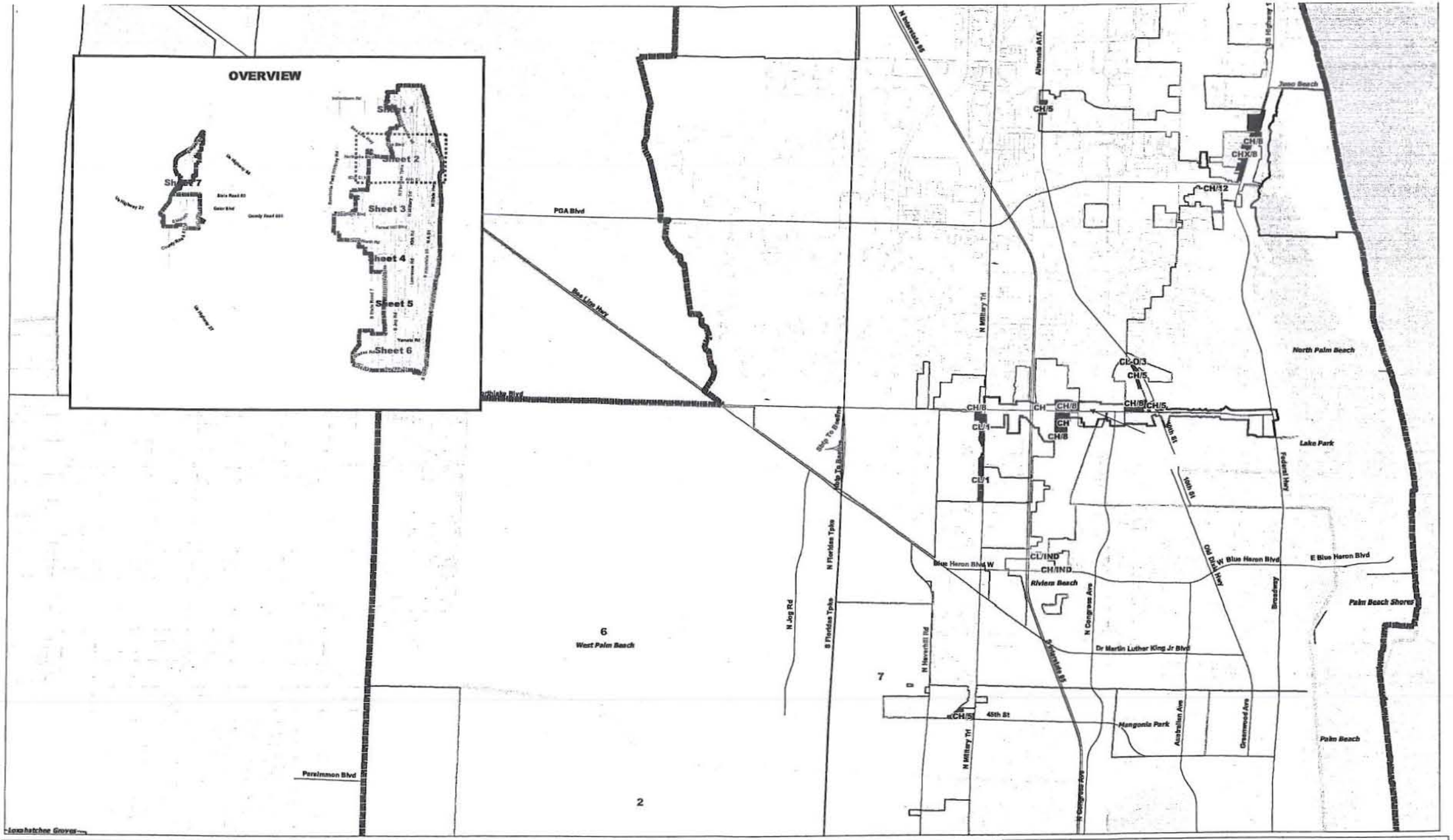


Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 2

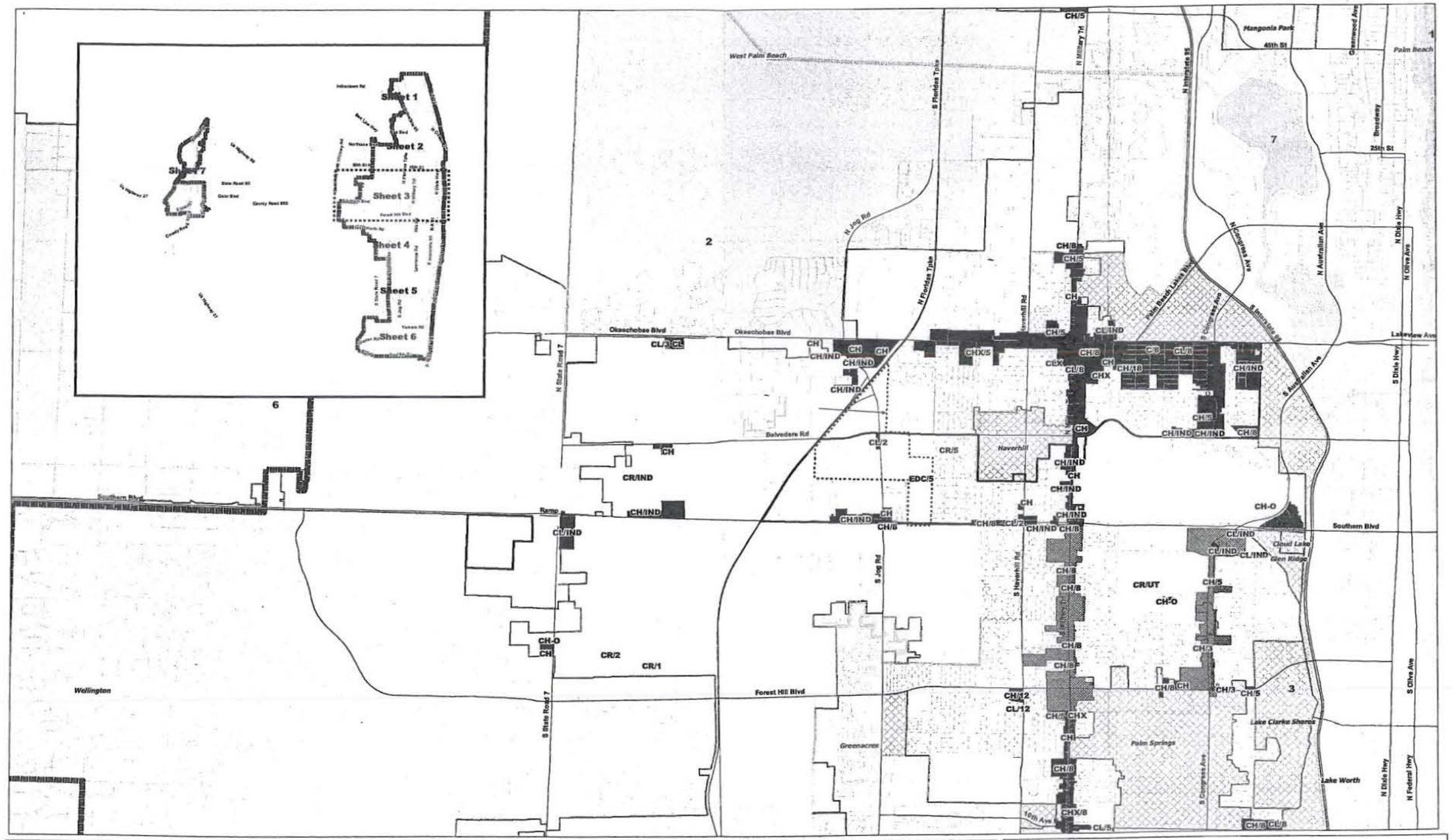
Future Land Use Designations: CL CH CH-O CL-O

Other Items: Urban/Suburban Tier Municipal Areas

Planning, Zoning and Building Department - GIS
2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

0 0.5 1 Miles

Date: 06/25/08 Filename: N:\GIS Workspace\Zoning\IntSt_Redevelopment\IntSt_Redevelopment_CH20.mxd\sk



Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 3

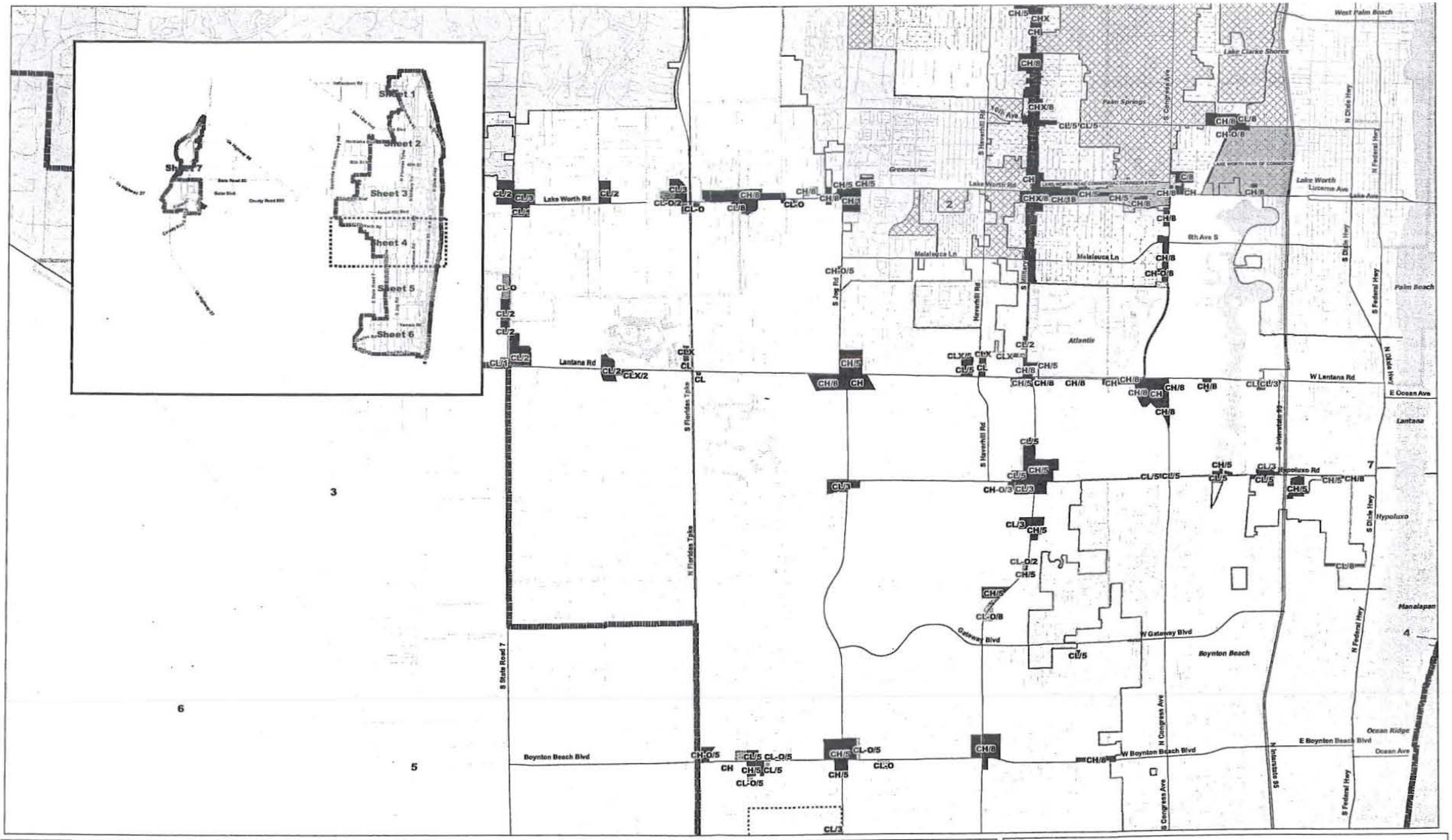
Future Land Use Designations: CL CH CH-O CL-O CR

Other Items: Urban/Suburban Tier Municipal Areas

Planning, Zoning and Building Department - GIS
2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

Miles
0 0.5 1

Date: 06/25/08 Filename: N:\GIS Workspace\Zoning\Infill_Redevelopment\Infill_Redevelopment_CH20.mxd\kk



Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 4

Future Land Use Designations: CL, CH, CH-O, CL-O, CR

Other Items: Urban/Suburban Tier, Municipal Areas

Planning, Zoning and Building Department - GIS

2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

Miles
0 0.5 1

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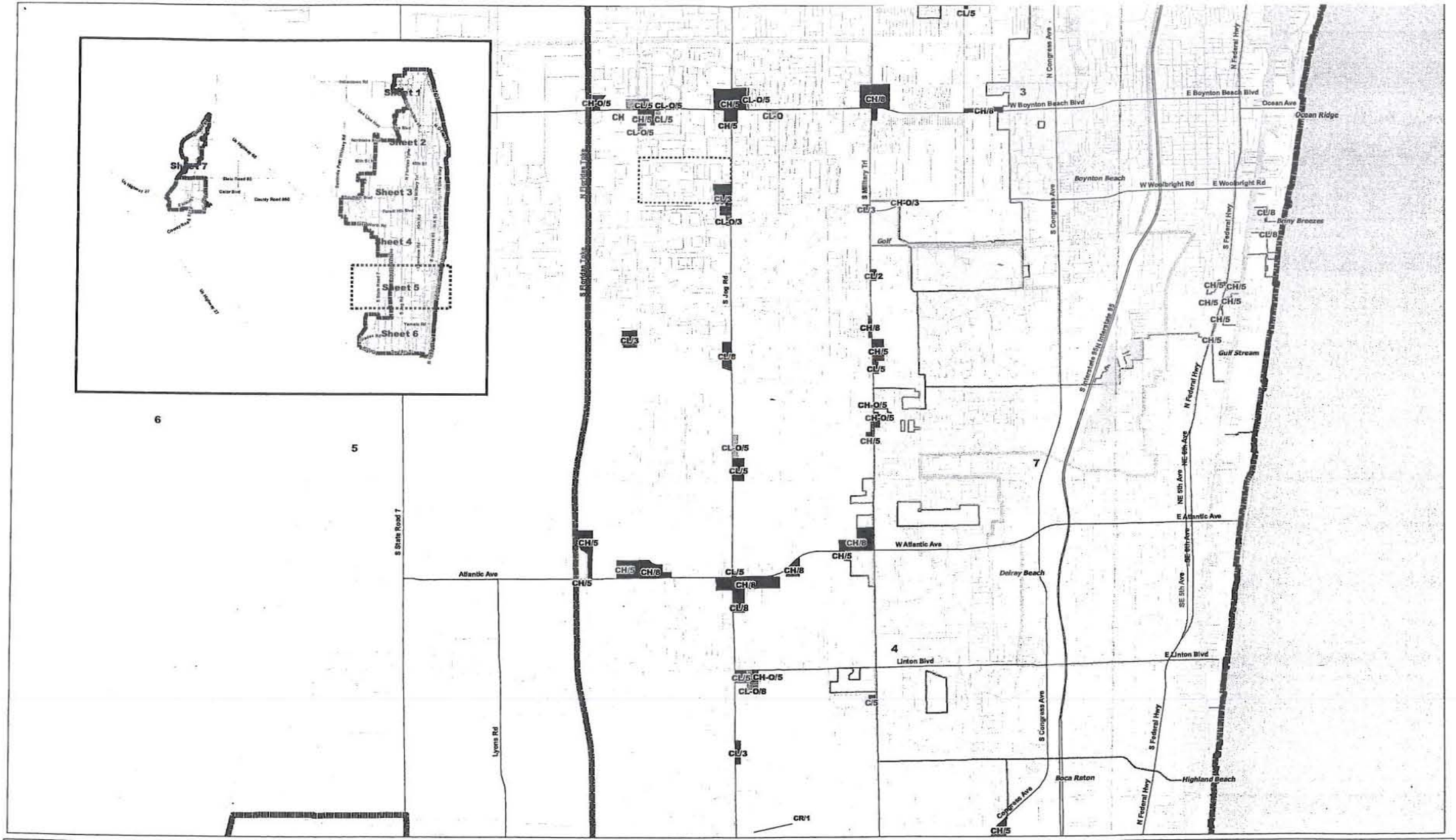


Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 5

Future Land Use Designations: CL CH CH-O CL-O CR

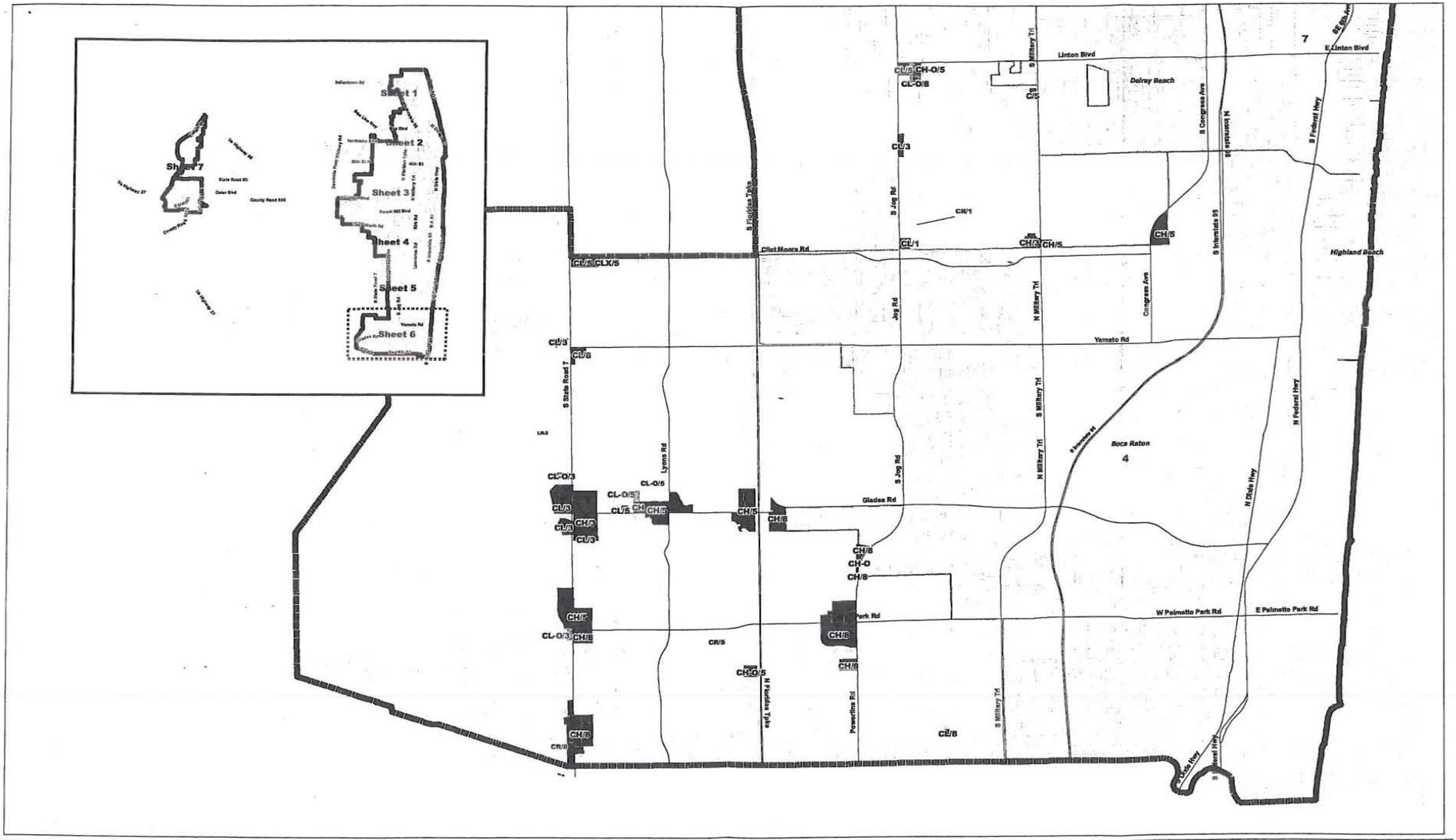
Other Items: Urban/Suburban Tier Municipal Areas

Planning, Zoning and Building Department - GIS

2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

Miles 0 0.5 1

Date: 06/25/08 Filename: N:\GIS Workspace\Zoning\Infill_Redevelopment\Infill_Redevelopment_CH20.mxd/sk



Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 6

Future Land Use Designations: CL CH CH-O CL-O

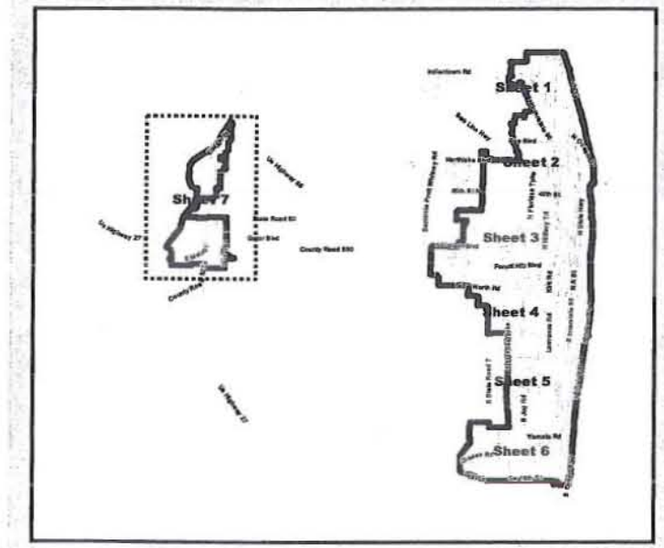
Other Items: Urban/Suburban Tier; Municipal Areas

Planning, Zoning and Building Department - GIS

2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

0 0.4 0.8 1.2 Miles

Date: 06/25/08 Filename: N:\GIS Workspace\Zoning\Infill_Redevelopment\Infill_Redevelopment_CH20.mxd/sk



6

CH/12
CH/12
CH/12
Pahokee
E 7th St
C/8
C/8
C/5
CH/8
US Highway 441
State Road 715
CH
C/2
CH/IND
State Road 15
Belle Glade
US Highway 27 N
SW 14th St
State Road 715
Main St
CH/8
CH/8
South Bay
US Highway 27

Eligible IRO Parcels within Urban Suburban Tier - Unincorporated Area
Having the following Future Land Use Designations
SHEET 7

Future Land Use Designations: CL CH CH-O CL-O

Other Items: Urban/Suburban Tier Municipal Areas

Planning, Zoning and Building Department - GIS
2300 N. Jog Road
West Palm Beach, FL 33411
(561) 233-5000
pzbmap@pbcgov.com
www.pbcgov.com/pzb

Miles
0 0.75 1.5
2.25 Date: 06/25/08 Filename: N:\GIS Workspace\Zoning\Infill_Redevelopment\Infill_Redevelopment_CH20.mxd/sk

ATTACHMENT 3

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	
Yellow	Highlights applicable Future Land Use designations (Zoning Districts); Highlights uses allowed in IRO; and, Highlights existing allowed uses and approval processes with no changes.
Aqua	Indicates new uses with no adverse impacts anticipated
Orange	Highlights new uses or change to administrative approval process, with potential impacts to be mitigated by design limitations (e.g. building placement).
Underline	Highlights previously allowed uses that will now require more intense review process.
	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.

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

Use Type	Zoning District/Overlay																				NOTE
	Agriculture/ Conservation			Residential						Commercial						Industry/Public					
	PC	AGR	AP	ARSA	ARUSA	RE	RT	RS	RM	CN	CLO	CC	CHO	CG	CRE	IL	IG	PO	IPF		
Residential Uses																					
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	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	D	D	D	D	D							1
Congregate Living Facility, Type 1				P	P	P	P	P	P	D	D	D	D	D					P		34
Congregate Living facility, Type 2				A	A			A	B	BD	D	BD	D	D					B		34
Congregate Living Facility, Type 3								A	A	A	A	A	D	AD					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	D	D	D	D	D							66
Home Occupation		P	P	P	P	P	P	P	P	D	D	D	D	D							70
Kennel, Type I (Private)		P	P	P	P	P	D	D	D												73
Nursing Convalescent Facility								A	A	A		A		AD							90
Security or Caretaker Quarters		S	S	S	S	S	S	S	S	SD	SD	SD	SD	SD	S	S	S	S	S		119

[Ord. 2005-002] [Ord. 2005-041] [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
A Permitted subject to Board of County Commission approval
Δ May be permitted under limited circumstances – see specific Use Regulations

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

Use Type	Zoning District/Overlay																				NOTE
	Agriculture/ Conservation			Residential						Commercial						Industry/Public					
	PC	AGR	AP	ARSA	ARUSA	RE	RT	RS	RM	CN	CL O	CC	CH O	CG	CRE	IL	IG	PO	IPF		
Commercial Uses																					
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		A D		B	D				18
Bed and Breakfast				S	S	S	S	S	S						S						20
Broadcast Studio												B D	D	D		P					21
Building Supplies												A D		B D		D	P				22
Butcher Shop, Wholesale														A		P	P				23
Car Wash												A D		B D		D					25
Catering Service										P	P	P D	P	P D	P	P	P				26
Contractor Storage Yard																D	P				35
Convenience Store										A		S D		P							36
Convenience Store with Gas Sales												A D		A D							37
Day Labor Employment Service														A		D	P				41
Dispatching Office														B D		P	P				42
Dog Daycare												D		A D		P					43
Financial Institution										D	D	A D	A D	A D							55
Flea Market, Enclosed														B A							57
Flea Market, Open														A	A	B					58
Funeral Home or Crematory												A		A		D					59
Green Market		P								S D		S D		S D							64
Hotel, Motel, SRO, Rooming and Boarding									A			A	B	B D	D						72
Kennel, Type II (Commercial)		B												B		B	B				74-1
Kennel, Type III (Commercial Enclosed)												A		B D		B	D				74-2
Kiosk										P D	P D	P D	P D	P D	P	P	P				75

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

Key:

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

Use Type	Zoning District/Overlay																				NOTE
	Agriculture/ Conservation			Residential						Commercial						Industry/Public					
	PC,	AGR	AP	ARSA	ARUSA	RE	RT	RS	RM	CN	CLO	CC	CHO	CG	CRE	IL	IG	PO	IPF		
Commercial Uses																					
Landscape Service		D		A								B		B		P	P				77
Laundry Services										P-D	P	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		P-D	P-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	P-D	P-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										[illegible]											

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

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Δ	May be permitted under limited circumstances – see specific Use Regulations

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

Use Type	Zoning District/Overlay																			NOTE
	Agriculture/ Conservation			Residential						Commercial						Industry/Public				
	PÇ	AG R	AP	AR RSA	AR USA	RE	RT	RS	RM	CN	CL O	CC	CH O	CG	CR E	IL	IG	PO	IP F	
Public and Civic Uses																				
Airport															A		A	A	A	10
Assembly, Nonprofit Institutional		A		A				A	A	A		A-D		A-D				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
Recreation Uses																				
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]

Key:

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

Use Type	Zoning District/Overlay																			NOTE
	Agriculture/ Conservation			Residential						Commercial						Industry/Public				
	PC	AGR	AP	AR RSA	AR USA	RE	RT	RS	RM	CN	CL O	CC	CH O	CG	CR E	IL	IG	PO	IP F	
Agricultural Uses																				
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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	Agriculture/ Conservation			Residential						Commercial						Industry/Public					
	PO, R	AG	AP	ARSA	USA	RE	RT	RS	RM	CN	CL O	CC	CH O	CG	CR E	IL	IG	PO	IPF		
Utilities & Excavation																					
Air Curtain Incinerator			A													A	A	A		9
Air Stripper, Remedial		P	P							P-D	P-D	P-D	P-D	P-D	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	B-A	B-A	B-A	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]

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	PUD	AGR	AP	AR RSA	AR USA	RE	RT	RS	RM	CN	CL/CO	CC	CH/CO	CG	CRE	IL	IG	PO	IPF		
Industrial Uses																					
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													P-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

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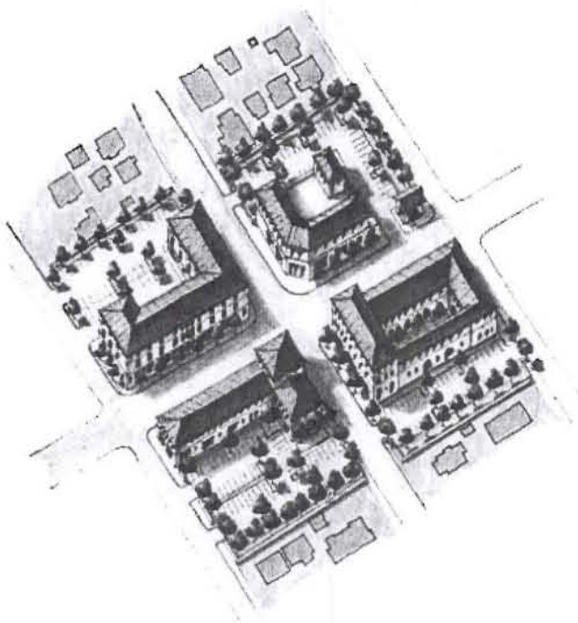
ATTACHMENT 4
PBC ZONING DIVISION
INFILL/REDEVELOPMENT OVERLAY (IRO) PROJECT
SUMMARY WHITE PAPER

INTRODUCTION

The Infill and Redevelopment Overlay (IRO) Project seeks to establish Unified Land Development Code (ULDC) Regulations and related processes to encourage and facilitate predictable and sustainable redevelopment in the **commercial corridors of the Urban/Suburban Tier (see attached maps)**. The primary focus is to develop solutions to impediments to redevelopment of non-conformities, and establish a long-term strategic vision that will serve as a blueprint for creating pedestrian-oriented, mixed use and sustainable development to better serve the needs of residents. The preferred method for attaining this is to utilize form based coding principles that assign preference to the built environment ' rather than by more traditional Euclidean separation of uses. Underlying objectives are to consolidate existing regulations, and to simplify and streamline Zoning processes to increase the redevelopment potential of these areas.



WHY IS THE IRO LIMITED TO COMMERCIAL ONLY?

A Residential Analysis and Summary determined that prior infill/redevelopment initiatives, a need to respect existing residential development patterns, and limited changes in residential industry building trends, among other factors, did not justify a substantial change to existing residential infill/redevelopment provisions. If additional industry trends, new Plan policies, or other similar factors change at a later date, it is anticipated that the issue will be revisited. Note that the IR-O does greatly expand other residential development opportunities by broadening the use of horizontal or vertical mixed use development alternatives on smaller infill parcels, along with an expansion of work/live units.

WHY IS THE IRO LIMITED TO THE URBAN/SUBURBAN TIER ONLY

The Rural, Exurban and Agricultural Reserve Tiers have distinct commercial guidelines that serve to regulate new development, most of which are rural by nature. The IR-O serves to link, but does not apply to the Urban Redevelopment Area or the Westgate/Belvedere Homes CRA Overlay.

THREE KEY GOALS

1. Mitigating impediments to redevelopment of Non-conformities (Phase 1);
2. Development of alternative redevelopment regulations (Phase 1); and,
3. Streamline and Consolidate ULDC Regulations (Phase 2).

GOAL 1 – MITIGATING IMPEDIMENTS TO REDEVELOPMENT OF NON-CONFORMITIES: Zoning staff have been analyzing known issues that preclude some existing projects from partially redeveloping. Such impediments oftentimes render redevelopment impossible, or require additional costs and time to obtain variances. Many of these limitations revolve around existing sites that are rendered "non-conforming" due to newer standards for building setbacks, parking limitations and landscaping requirements. Goal 1 will seek to identify the minimum allowances that may be made to allow such projects to redevelop, while seeking to upgrade overall site appearance to the maximum extent feasible.

GOAL 2 – DEVELOPMENT OF ALTERNATIVE REDEVELOPMENT REGULATIONS: Targets existing developments that may have room to expand, vacant/infill redevelopment, or existing development intended to be demolished to make way for completely new projects. Zoning Staff is proposing to develop an alternative "Optional" Form Based Code by seeking to establish a more pedestrian, mixed use and sustainable urban form of development. The primary element of this concept is to establish predictability that

benefits the community and investment in much needed redevelopment. Many of the intended benefits of this option are highlighted under the section titled "Local and National Precedents."

GOAL 3 – STREAMLINE AND CONSOLIDATE ULDC REGULATIONS: In many instances, different consultants or staff developed various plans and regulations currently in the ULDC. As a result, while most of the regulations have many similar goals and objectives, the regulations and text are often dramatically different. Improvements in consolidating such requirements coupled with improving legibility will result in a far more user-friendly code for staff, the public and land development professionals.

PURPOSE AND INTENT

1. Establish optional development regulations to facilitate revitalization of commercially designated lands in the Urban/Suburban Tier, by incrementally retrofitting commercial corridor 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.

STRATEGIES FOR REDEVELOPMENT

The foundation of the IRO shall be based on Form Based Coding principles that establish zoning regulations that result in predictable development patterns that benefit property owners and developers while mitigating the potential for adverse impacts to surrounding residents and neighborhoods. The results of which are intended to create an equally predictable urban form and public realm that is visually pleasing, sustainable, desirable, and establishes a sense of place for surrounding neighborhoods and the public in general.

1. **PRELIMINARY MASTER PLAN:** Applies the concept of the Transect to establish a pattern of development to allow for function and intensity appropriate to specific locations. In the case of the IRO, the Transect can be summarized as a transition between more intense developments placed along commercial corridors, and where feasible – newly created internal streets, gradually tapering down to smaller, less intense commercial, mixed use or even residential uses, thus establishing a natural buffer that creates a more appropriate interaction with existing neighborhoods.
2. **BUILDING PLACEMENT:** Utilize build to lines to place buildings closer to streets, creating spatial definition for streets that improve the overall visual appearance of existing commercial corridors.
3. **ARCHITECTURE:** Establish minimal architectural development standards that regulate building height, massing, scale, fenestration, placement of windows and doors to maximize visual interest and pedestrian accessibility. While a consistent or unified architectural style is generally desirable, regulations shall be flexible so as to allow for the establishment of development patterns that create unique and desirable sense of place.
4. **IMPROVE INTERCONNECTIVITY AND CREATE BLOCKS:** Establish minimum block and street standards that promote walkable communities while reducing vehicle cuts and other impediments to County transportation corridors. This entails establishing minimum block dimensions, promoting all forms of inter-connectivity, and for fragmented corridors, adopting a parallel alley system that mitigates existing redundant use of land area to accommodate deliveries, sanitation, and all other forms of vehicular traffic.

5. **IMPROVE STREETSCAPES AND THE PEDESTRIAN REALM (SIDEWALKS, PLAZAS, SQUARES, GREENS, AND OTHER PUBLIC AREAS):** Improve the "space" between buildings and street rights-of-way by redefining areas to accommodate expanded sidewalk, street tree planting, parking and underground utilities. The elimination of traditional oversized landscape buffers, and establishing building frontage with parking on the side or at the rear in an IR-O project will help to diminish the spatial separation between buildings and sidewalks, and provide more opportunity for usable open space.
6. **ENCOURAGE GREEN BUILDING:** Provide development incentives to encourage the use of green building and site planning principles that promote energy efficient and reduce environmental impacts.
7. **PARKING:** Adjust parking aisle/stall dimensions to provide for different sizes and types of vehicles. Emphasize and enhance existing shared parking options. Allow for substantial reductions in parking ratios to better accommodate mixed use or more sustainable forms of development. Locate parking to the rear of buildings to minimize adverse impacts to pedestrian and bicycle areas, while improving the overall framing of the street.
8. **LANDSCAPING:** Increase innovative soft/hard landscaping alternatives such as: a) placement of trees in parking areas, building foundations and sidewalks by allowing tree planting in "grates" (i.e. tree cells with treated/prepared subsoil for healthy root growth) b) paving materials that are porous and/or with a low solar reflectance index to reduce heat island effect (i.e. thermal gradient differences between developed and undeveloped areas). Allow for the elimination or minimization of shrubs as part of the landscape requirements due to the building placement design concept (refer to #1.) this allows the implementation of good CPTED practices.
9. **USES AND EXPEDITE THE DEVELOPMENT APPROVAL PROCESS:** By establishing predictable development patterns, less oversight and regulation is required in the review process. Amend the existing review/approval processes and provide predictable administrative process options for projects that meet and incorporate the IR-O vision and development regulations.
10. **MITIGATING ADVERSE IMPACTS:** As noted above, the Floating Regulating Plan will apply the IR-O transect, allowing for more intense development where sufficient parcel depth is available to integrate more intense uses with the existing community. This concept serves to naturally attenuate potential adverse impacts while simultaneously fostering improved interaction with abutting neighborhoods. Additionally, in nearly all instances, a requirement for a 10-foot wide buffer and an 8-foot high concrete panel wall will further mitigate any potential for adverse impacts to abutting residential uses.
11. **NON-CONFORMITES:** Introduce new standards to accommodate existing site non-conformities such as uses, structures and lots. These standards will address site improvements to encourage increased opportunities for maintenance and renovations so long the proposed redevelopment does not create an adverse impact to the public, safety and welfare. The standards will include adjustment of the current percentage for minor non-conformities and expansion of the definition of affected areas for a previously approved project.

HOW IS THE IR-O PROJECT INTENDED TO WORK?

As proposed, there are generally three potential implementation options that may result with the adoption of Phase I amendments.

Option 1 Infill or redevelopment using existing ULDC development standards and use regulations.
Option 2: Redevelopment using amended provisions for non-conformities.
Option 3: IR-O Form Based Sustainable Development.

To further encourage infill and redevelopment, any of the three options listed above could be used interchangeably. This would further the intent to incrementally revitalize the commercial corridors by encouraging the use of Option 3 to the maximum extent feasible.

SCENARIO ONE - REQUIRE 1 TIME BCC APPROVAL

DOA TO EXISTING DEVELOPMENT eg. MUPD → BCC APPROVAL CLEAN UP RESOLUTIONS

\+

ALL FUTURE DOA'S → DRO APPROVAL ONLY (Subject to Threshold)

SCENARIO TWO - REQUIRE NO BCC APPROVAL

NEW PROJECT APPLY FOR IRO → DRO APPROVAL (Subject to Threshold)

*May affect and need code for change in WFH, TDR, etc.

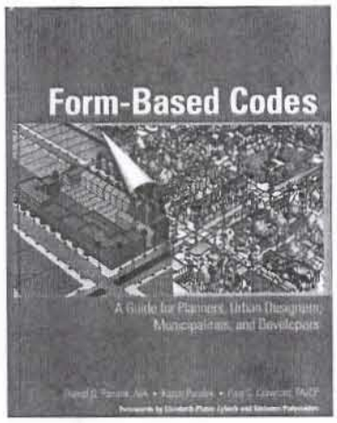
SCENARIO THREE - REQUIRE BCC APPROVAL

NEW PROJECT w/ REZONING APPLY FOR IRO → BCC APPROVAL (Subject to Threshold)

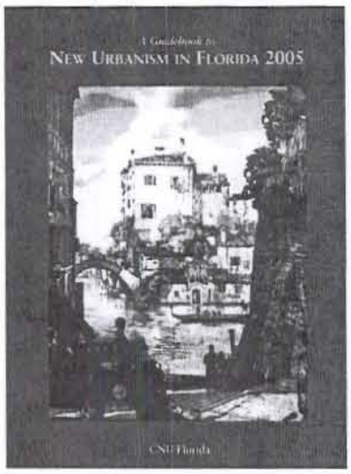
\+

IRO → DRO APPROVAL (Subject to Threshold)

LOCAL AND NATIONAL PRECEDENTS



Form Based Codes regulate development to achieve a specific physical form, and where associated with redevelopment - oftentimes emphasize needed improvements to the public realm, building and parking placement, increasing sustainability by reducing sprawl and other negative growth trends, while streamlining development approval processes, among many other positive factors. These codes are becoming more and more prevalent, with public, industry and governmental support as evidenced by market trends in new development, industry support from entities such as the Urban Land Institute, and by either new social experiments such as green building tax credit incentives to local governments taking the initiative to demand sustainable development.



As evidenced in the Florida Congress for the New Urbanism publication of "A Guidebook to New Urbanism in Florida 2005", there are have been many such projects completed, with hundreds in the pipeline, all enabled by the establishment of Form Based Codes or similar infill/redevelopment plans. It is also important to note that South Florida is the home of several high profile and successful planning firms whose primary focus includes the practice of developing Form Based Codes or sustainable developments, such as the firms of Duany Plater-Zyberk and Company, the Renaissance Group, and Dover, Kohl and Partners, among many others. Worth noting, for years the Treasure Coast Regional Planning Council (TCRPC) has promoted and marketed sustainable development, as outlined in the TCRPC Strategic Regional Policy Plan. Lastly, as evidenced by prior Form Based Code efforts and existing Plan policies, Palm Beach County government has sought to accommodate these new trends.

The establishment of an infill/redevelopment Form Based Code is not a radical new concept, with numerous examples having been adopted and implemented nationally, including dozens within the State of Florida. As an ever increasing number of local governments are turning to Form Based Codes to better manage new growth or encourage redevelopment, Zoning staff was able to identify or review hundreds of local or national examples, as well as multiple resources.

INFILL/REDEVELOPMENT TASK FORCE (IRTF)

A kick-off meeting for the IR-O project was organized in February 2008, and an Infill Redevelopment Task Force (IRTF) was created consisting of members of various land development related industries and interested parties. The Task Force is a subcommittee of the LDRAB, and assists by providing staff local examples of infill and redevelopment projects; identifying the impediments associated with their experience in these projects, and recommended solutions and policies for incorporation into the IR-O code. At this stage, several

IRTF meetings were held from March to December 2008 to discuss different topics ranging from visioning of the IRO, predictable review/approval process; street cross sections; drainage; traffic; blocks; building types and building placements.

TREASURE COAST REGIONAL PLANNING COUNCIL (TCRPC)

Through an Interlocal Agreement that was signed on July 22, 2007 between the TCRPC and PBC. The Zoning Division requested TCRPC to provide technical assistance in drafting amendments to address the need for infill and redevelopment in the commercial corridors. TCRPC's tasks includes the following: assist staff in presenting research/data on key issues to facilitate meeting discussions and respond to questions, provide a Benefit/Burden Analysis, which is a qualitative assessment exploring the 'value" added to the development community by utilizing the IRO option. TCRPC staff was tasked with reviewing ten Form Based Codes, with goals of identifying core elements that would best contribute to addressing known impediments identified by the IR-O Project. In selecting these codes, emphasis was placed on reviewing prior PBC examples, others in close proximity with similar impediments, as well as other well known national examples that have similar impediments, scope or scale.

1. Downtown Master Plan West Palm Beach (DPZ) – West Palm Beach, Florida
2. Model Form Based Code for Pre-platted Corridors (Becker Road) – Port St. Lucie, Florida
3. Towns, Villages and Countryside – St. Lucie County, Florida
4. Miami 21 – Miami, Florida
5. Sarasota Planned Mixed Use Infill District – Sarasota, Florida
6. Traditional Development Districts (TDD) – Palm Beach County, Florida
7. Traditional Marketplace Development (TMD) – Palm Beach County, Florida
8. Westgate Belvedere Homes CRA Overlay (WCRA-O) – Florida
9. Santa Ana Renaissance Specific Code – Santa Ana, California
10. Columbia Pike Special Revitalization District Form Based Code Analysis – Arlington County, Virginia

At this stage, the TCRPC is preparing an Illustrative plan for a specific area of the County (intersection of Lake Worth Road and Military Trail), the function of this plan is to provide dimensional information that is used to test different site conditions against the objectives of the IRO. The plan will consist of a series of detailed site plans of individual lots to demonstrate that the IR property development requirements such as setbacks, frontage roads, rear parking and how they will physically placed and fitted in different sites. The illustrative plan is a tool to assist staff in truthing the IRO vision. This will serve as a basis for a Floating Regulating Plan that will apply to each parcel of land to be developed with an IRO.

The TCRPC will further assist facilitate LDRAB meeting discussions; discuss and respond to questions on draft/final code language in LDRAB meetings; assist staff in presenting new Code to ZC/BCC and provide expert witness testimony to substantiate any information or documentation of the IR-O code.

IMPEDIMENTS

The following is a summary list of several commonly known impediments to redeveloping Palm Beach County's commercial corridors:

1. Concurrency: Adequate potable water, sanitary sewer, solid waste, drainage, public schools, parks, road and mass transit facilities, and fire rescue are all required to be in place to support new development. Drainage and traffic are frequently difficult to obtain or resolve:
2. Existing built environment: Most existing developments are automobile oriented, with parking lots separating streets and sidewalks from buildings, parcels are isolated with little or no pedestrian or vehicular inter-connectivity, streetscapes and building forms are inconsistent, and there is rarely a functional pedestrian realm with exception to required sidewalk connections.
3. Lack of pedestrian and vehicular interconnectivity: While most developments provide both a connection to the street and its related pedestrian network, this increases the distance pedestrians or cyclists have to travel to get to each adjacent business, and further contributes to poor traffic performance by putting more and more trips onto roadways.
4. Lack of local uses: Being automobile oriented, many commercial projects fail to provide for local neighborhood or community shopping needs. While this is advantageous in an easily mobile society, as more options can be provided where business owners can minimize development expenses, the overall cost to society is adverse in situations where energy costs are excessive.
5. Predictable development approval processes: While the ULDC establishes minimum standards for development, oftentimes additional review and approval processes are required to ensure that new development does not adversely impact the health, safety and

welfare of the community. This leads to uncertainty as to whether or not a project can be approved, or if there will be additional unforeseen costs tied to an approval.

6. No mixed use: Historical Euclidean Planning standards result in a distinct separation between uses, and have been institutionalized in the County's Zoning Codes for over 50 years.
7. Landscaping: While highly desirable for aesthetic purposes, and where used to separate incompatible land uses – the development of automobile oriented developments has required excessive R-O-W landscaping to buffer unsightly parking lots, and the use of perimeter buffers has been used to buffer compatible uses. In many instances, these misplaced requirements oftentimes not only increase the cost of development, but in some instances – unnecessarily restrict the amount or location of land available to support development.
8. Parking: As outlined in the book "The High Cost of Parking" – the subsidization of automobile oriented use is extremely expensive, all the more so where land prices are high or where parking facilities are required, the cost of concrete and other materials are also costly. Current ULDC parking standards are oftentimes justifiable as a result of current isolated development patterns, as evidenced by many businesses choosing to incorporate the maximum number of spaces permitted.
9. Architectural requirements: As noted above, the current standard of placing buildings away from the street and behind a sea of parking increases the need to improve the aesthetic appearance of buildings due to their lack of functional integration.
10. Mass transit functionality: Where buildings and uses are placed away from the street network, mass transit stops create an isolated pedestrian environment that requires a duplication of shelters and benches that may already be provided along building frontages.
11. Open Space: Existing commercial projects provide little if any relevant functional open space.
12. Signage: Buildings placed away from the street require multiple or duplicate signs to help guide customers to a business, including freestanding signs, wall signs and directional signs.
13. Non-conformities: Note that non-conformities are generally categorized by use, building standards, or parcel standards. While oftentimes non-conforming uses are deemed such due to undesirable or incompatible characteristics, non-conforming buildings and parcels often have little or no adverse impact on the health, safety and welfare of the community. As such, existing non-conforming building and lot limitations oftentimes stymie desirable maintenance, expansion or redevelopment activities.

It is important to note that many of the above are the result of historical industry trends, market forces, State or Federal laws, as well as historical Euclidean Planning and Zoning policies, and was not necessarily considered impediments in the not too recent past. However, new trends in land development, such as public desire for more sustainable development patterns that creates more traditional placemaking coupled with newly developing Federal, State and Regional development goals, such as green building, and other energy saving and community development objectives, current patterns are quickly being identified as unsustainable and undesirable.

LIMITATIONS AND DISCLAIMERS

As currently proposed, the IR-O Project is substantially ambitious, and as such it is important to note that new infill/redevelopment options will seek to implement the main values of sustainable revitalization in the Urban/Suburban Tier, but that not all components of Smart Growth, Form Based Coding, or other needed development regulatory solutions may be attainable at this stage. This project simply seeks to establish a revised framework in anticipation of any future regulatory changes that might enable more intense infill and redevelopment. Changes that are needed to encourage a more intense infill/redevelopment program include, updates to the States Growth Management Act, updates to the Comprehensive Plan, mitigating traffic concurrency issues, large scale drainage solutions, resolution of future local government funding availability for bricks and mortar infrastructure improvements, and changes in the consumer desires for different more urbanized development and use of alternative modes of transportation, among many others.

END