

## **CHAPTER 10: PLANNING AND ZONING DEPARTMENT**

The Planning & Zoning Department has a unique role within the organizational structure of City government. The Department's primary responsibility is that of guiding and directing the City's future growth while ensuring the preservation of its unique attributes.

The Mission of the Planning and Zoning Department is to guide the Physical development of the City in a manner that will preserve its unique characteristics and enhance the quality of life for the City's present and future residents.

This will be accomplished by reviewing development proposals for consistency with the goals, objectives, and policies of the City's Comprehensive Plan; through the preparation of special studies, plans and reports addressing development and growth related issues; and by periodic updates to the Comprehensive Plan in order to ensure that it continues to reflect the needs and desires of the community.

### **CURRENT DELRAY BEACH BEST PRACTICES**

The City's Planning and Zoning Department (P&Z) has planned and implemented sustainability even before "sustainability" became a household word. By following Smart Growth Principles of designing a walkable community, increased density, mixed use, and non-traditional approaches to parking, Delray Beach's downtown is far more "green" and "sustainable" than surrounding communities.

At this time, the City has done the following:

- Implemented FDOT "12 Steps Towards Walkable Communities" into the planning process.
- Developed urban area boundaries.
- Encouraged mixed-use zoning/development.
- Participated in external courses on green building seminars.

### **BEST PRACTICE EXAMPLES BEYOND DELRAY BEACH**

Sustainable development continues to grow in importance in cities throughout Florida and the country, and a number of programs have been implemented in various jurisdictions.

#### **Monroe County, IN**

The Rain Garden Initiative is a progressive effort of Monroe County to take proactive steps to

improve water quality through unique and effective solutions. Rain gardens are a cost effective and community beneficial option to improve water quality. Rain gardens can serve a dual purpose by improving water quality and aesthetic views at the same time. The program indicates the County's commitment to long-term sustainable design planning and zoning strategies. (See [Ref 10.1](#) and [Ref 10.2](#))

### **Sarasota County, FL**

The county is providing a fast-track building permit incentive and a 50% reduction in the cost of building permit fees for private contractors who use LEED. On August 22, 2006, the County approved a Green Development Incentive Resolution (#2006-174) that provides fast track permitting for residential and commercial green developments. Incentives apply to projects pursuing LEED for Neighborhood Developments or Florida Green Building Coalition Green Development Standards. (See [Ref 10.3](#))

### **Miami Lakes, FL**

On July 10, 2007, the Miami Lakes Town Council adopted Ordinance #07-92, establishing a Green Building Program that requires all future buildings built by the town to meet at least 50 percent of LEED requirements. The program also allows for expedited permitting and possible fee reductions or rebates for private developers who build to the Green Building Program's standard. (See [Ref 10.4](#))

### **Nashville, TN**

On Feb. 22, 2007, the Nashville Planning Commission approved a density bonus for applying LEED to construction projects in certain neighborhood districts. In the downtown area, development in the Central Business District is eligible to increase the Floor Area Ratio (FAR) cap from 15 to 17 if the project achieves LEED Silver, and from 15 to 19 if the project achieves LEED Gold. In the SoBro neighborhoods, developments are eligible to increase the FAR cap from 5 to 7 if the project achieves LEED Silver, and from 5 to 9 if LEED Gold is achieved. (See [Ref 10.5](#))

### **Portland, OR**

In a pilot project, Portland, Oregon, recently incorporated storm water retention into corner bulges on a residential street. This experiment successfully improved storm water management, while reducing traffic speeds and creating a greener, more attractive street environment. (See [Ref 10.6](#); for more information on the EPA's Stormwater Best Practices and other Case studies, see [Ref 10.7](#))

### **Palm Beach County, FL**

In its guidelines for the Urban Redevelopment Area (URA), Palm Beach County is currently finalizing a one to two story density bonus for buildings, with the amount dependent upon the level of green certification. (See [Ref 10.8](#))

## **Miami, FL**

In an effort to meet its commitment to the U.S. Mayors Climate Protection Agreement, Miami has adopted a City-Wide Tree Master Plan with the goal of enhancing the City's tree canopy coverage to 30%. This extensive plan targets tree canopy as an important solution to climate change. (See [Ref 10.9](#))

## **Environmental Protection Agency**

The EPA Green Communities is a web-based toolkit and planning guide designed to help communities access the tools and information to help them become more sustainable, Green Communities. (See [Ref 10.10](#))

## **Additional Information**

Please see the Delray Beach Green Task Force created Summary of Green Building Programs (see [Ref 10.11](#)) and the U.S. Green Building Council listing of government initiatives (see [Ref 10.12](#)) for further extensive information on green building programs and incentives implemented by a variety of municipalities and counties.

## **QUICK WINS / LOW-COST GREEN RECOMMENDATIONS**

### **Recommendation 1: Conduct a Green Audit of Current Land Development Regulations and Comprehensive Plan**

The Task Force recommends a comprehensive review of the current Land Development Regulations (LDRs) and Comprehensive Plan by a qualified consultant to look for potential unperceived and unintended barriers to sustainable development, as well as opportunities for more sustainable practices.

### **Recommendation 2: Develop and Apply a Sustainable Land Use Checklist**

Review existing land use conditions and practices to identify opportunities to promote sustainable development. Develop a checklist of key existing land use conditions that relate to sustainability. The City may develop a simple, general checklist that applies to all existing development and/or it may develop more detailed checklists for specific uses or neighborhoods. The checklist may include, but not be limited to, some or all of the following conditions relating to the natural environment, economic vitality, and human needs:

- Inventory the amount of impervious surfaces with GIS mapping and develop a list of applicable alternatives like green roofs and pervious pavements, and Measure storm water quality based on runoff from impervious surfaces
- Measure the Heat Island Index including light colored roofs, cool pavements, trees, green space

- Reduce conventional automobile dependency and relationship to appropriate transit
- Assess walking / biking conditions (“Walkscore”)
- Measure distance to public transit

(Please see [Ref 10.13](#) for an extended list of potential ideas).

### **Recommendation 3: Mandate Environmentally Friendly Landscaping**

Mandate for new or major redevelopment the use of native landscaping and low maintenance landscaping that reduces the need for chemical fertilizers, pesticides, and herbicides. Promote integrated pest management techniques as an alternative to chemicals. See [Ref. 10.14](#) for a Pembroke Pines Best Practice where 50% xeriscaping is required on all new landscaping materials, and [Ref 10.15](#), the Florida Native Plant Society website.

### **Recommendation 4: Provide Incentives to Encourage Rainwater Harvesting**

Remove any Code barriers and explore water-pricing incentives to encourage integration of rainwater harvesting into the development of land as well as existing development, including above and below ground water tanks and rain barrels. Please see [Ref 10.16](#) for information on Emeryville, CA’s development Handbook recommending stormwater strategies.

### **Recommendation 5: Re-evaluate Parking Planning and Design**

Evaluate parking from not just a standpoint of supply and convenience, but also as a finite resource, a source of revenue, and as an opportunity to improve current systems and design. Parking lots, whether surface or structured, are expensive; contribute to water pollution, run off and the heat island effect; indirectly contribute to air pollution by promoting driving; contribute to dead zones; and are often perceived as ugly. Please see [Ref 10.17](#), [Ref 10.18](#), and [Ref 10.19](#) for additional information on parking and parking lots, as well as a Best Practice in San Buenaventura, CA.

## **LONGER-TERM / STRATEGIC RECOMMENDATIONS**

### **Recommendation 1: Revise Land Development Regulations to Make Pervious Pavement the Standard**

Pervious pavements, pavers, and other surfaces that allow water to penetrate at the point of contact reduce water pollution, runoff, the need for stormwater infrastructure and flooding. (See [Ref 10.20](#) and [Ref 10.21](#) for extended data on pavement and alternative strategies.)

### **Recommendation 2: Create a Green Business Overlay Zone**

In order to support sustainable, green businesses, a Green Business Overlay Zone could be created and applied to the Mixed Residential Office and Commercial (MROC) and / or West Atlantic districts. A green district would provide an opportunity for similar minded businesses to

support each other as well as give “green minded” citizens from Delray Beach and elsewhere a Green Commercial Business District. In addition, alternative transit supportive measures could be put into place (e.g. bike paths, additional bike parking), as well as no parking minimums, variances in standard LDRs and Code requirements to support Green Building. (See [Ref 10.22](#) for City of Toronto Best Practice)

### **Recommendation 3: Develop a Multi-Modal Transportation District (MMTD)**

The City of Boca Raton is the first city in South Florida working to create a citywide Multi-Modal Transportation District, or MMTD. The MMTD is a long-term plan to reduce traffic congestion, reduce auto emission and address other environmental concerns. A primary element of the MMTD is the strengthening of alternative transportation such as the rail system and shuttle buses. The City is planning additional shuttle bus routes throughout the City. Safe, comfortable and attractive pedestrian and bike paths are also part of the MMTD. (See [Ref 10.23](#))

### **Recommendation 4: Re-evaluate Parking Requirements for Mixed Residential Office and Commercial (MROC) District**

Parking is an important issue in Transit Oriented Districts such as the MROC District. The Green Task Force recommends an evaluation of the current parking parameters for the MROC District and the redefining of such standards. See [Ref 10.24](#) and [Ref 10.25](#) for detailed parking and other recommendations for the MROC District.

### **Recommendation 5: Create and Promote a Green Neighborhoods Program and Incorporate Principles into Land Development Regulations and Comprehensive Plan**

Promoting green neighborhoods helps to create many green solutions, from energy to transportation to recycling. It has become a core strategy for many cities to meet their U.S. Mayors Climate Protection goals. A consortium of more than 20 local governments, non-profit organizations, government agencies, and utilities have produced the first phase of the Green Playbook to help promote the goals set out in the U.S. Conference of Mayors Climate Protection Agreement. (See [Ref 10.26](#))

The Design Centre for Sustainability (DCS) is located in the School of Architecture and Landscape Architecture at The University of British Columbia. It is an academic leader in applying sustainability concepts to the development of land, cities, and community. Through interdisciplinary approaches, the DCS is capable of demonstrating to the development community, to municipalities, and to citizens how to shift community-based planning and design toward on-going consideration of sustainability as a matter of course rather than exception. (See [Ref 10.27](#))

### **Recommendation 6: Adopt and Implement the Existing Bike and Pedestrian Task Team Final Report**

In 2001, the National Household Travel Study, conducted by the U.S. Department of

Transportation, found that 28 percent of all suburban journeys are less than a mile (a 20-minute walk) and yet only 20 percent of these journeys are undertaken on foot. Compact, mixed-use development increases walking, but good pedestrian design is equally important. Downtown Delray Beach is an excellent example of good pedestrian design. The Task Force recommends a re-evaluation of the Delray Beach Downtown Restaurant Transportation Survey to incorporate information that is currently applicable. (See [Ref 10.28](#))

### **Recommendation 7: Study Potential Zoning Decisions that Could Encourage Businesses to Service Residents**

Promote zoning for downtown businesses supported by local and year round residents. As a precaution against a decline in tourism and to provide basic services to local residences (reducing auto use), zoning can be evaluated for opportunities to support local-centric businesses. The U.S. Green Building Council's LEED system incorporates this concept into one of its Sustainable Sites credits, noting that basic services within walking distance of residents is a sustainable practice. This recommendation was requested by local residents.

### **Recommendation 8: Develop a Sustainable Vision and Incorporate into City Planning Documents**

To the extent feasible, the Task Force recommends that the City incorporate long-term sustainable land use practices into the City's Comprehensive Plan as well as the City's other land use planning documents including the Master Plan and LDRs. The following approaches to help ensure that land is used in a sustainable manner are recommended:

- Host **public charrettes** to create a shared vision of a sustainable Delray Beach.
- **Remove obstacles** that discourage or prevent sustainable land use practices (e.g. excessive parking requirements, limits on renewable energy installations, excessive road widths, localized agriculture etc.).
- **Explore incentive programs** to encourage sustainable land use practices.
- **Require some practices** that will continue to move Delray Beach in a sustainable direction, where appropriate.

The Rocky Mountain Land Use Institute is developing a Sustainable Community Development Code that offers numerous concepts of large scale sustainable planning. (See [Ref 10.29](#))

## **REFERENCES**

Ref 10.1 - [Monroe County Rain Garden Brochure](#)

Ref 10.2 - [Monroe County Rain Garden Program](#)

Ref 10.3 - [Sarasota County Resolution 2006-174](#)

- Ref 10.4 - [Miami Lakes Ordinance 07-92](#)
- Ref 10.5 - [Nashville Incentive Program](#)
- Ref 10.6 - [Portland Green Street Case Study](#)
- Ref 10.7 - [EPA Stormwater Best Practices](#)
- Ref 10.8 - [Palm Beach County URA](#)
- Ref 10.9 - [Miami Tree Master Plan](#)
- Ref 10.10 - [EPA Green Communities](#)
- Ref 10.11 - [Summary of Green Building & Recycling Programs](#)
- Ref 10.12 - [USGBC List of Government Initiatives](#)
- Ref 10.13 - [Extended List of Ideas for a Checklist](#)
- Ref 10.14 - [Pembroke Pines Xeriscaping](#)
- Ref 10.15 - [Florida Native Plant Society](#)
- Ref 10.16 - [Emeryville Handbook Presentation](#)
- Ref 10.17 - [Role of Parking](#)
- Ref 10.18 - [Parking Lots and Runoff](#)
- Ref 10.19 - [San Buenaventura Parking Management Plan](#)
- Ref 10.20 - [Pavement Busters Guide](#)
- Ref 10.21 - [Building a Green Parking Lot](#)
- Ref 10.22 - [Toronto Green Development Standards](#)
- Ref 10.23 - [Boca Multimodal Transportation District](#)
- Ref 10.24 - [Parking and Other Recommendations for MROC](#)
- Ref 10.25 - [Parking Toolbox](#)
- Ref 10.26 - [Green Playbook](#)
- Ref 10.27 - [Design Centre for Sustainability](#)
- Ref 10.28 - [Pedestrian / Bike Final Report](#)
- Ref 10.29 - [Sustainable Community Development Code](#)

**Note: All references are available as clickable links within this electronic document and available online at <http://www.SustainableDelray.org/report.htm>**

