



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 16-247

DATE: August 4, 2016

TO: Planning and Zoning Board

VIA: Robin M. Bird, Director of Development Services *RMB*
 Jennifer Gomez, Assistant Director of Development Services *JG*

FROM: Karen Friedman, AICP, Principal Planner *KBF*

RE: Proposed Revisions to §155.5802: Sustainable Development Point Requirement

BACKGROUND

Zoning Code Article 5, Part 8: Sustainable Development Standards, was first adopted by the City in 2012 in conjunction with the adopting of the revised Zoning Code. The purpose of this Part is to promote sustainable development practices as a means of addressing global climate change, protecting natural resources, and ensuring a high quality of life for future city residents. The Sustainable Development Standards mandates projects to obtain a certain number of "Sustainable Development Points" and includes a table which lists a range of sustainable site and building design features and the number of points achieved by incorporating each design feature (or specified levels of the design feature).

The Sustainable Development Standards section implements the following Comprehensive Plan Goals, Objectives, and Policies:

- Future Land Use: Goal 01.00.00; Objectives 01.06.00 and 01.16.00; Policies 01.06.01, 01.09.13, 01.16.01, 01.16.02, 01.16.03.
- Transportation: Goal 02.00.00; Policy 02.07.05
- Conservation: Goal 09.00.00; Objectives 09.01.00, 09.02.00, 09.03.00, and 09.06.00; Policies 09.01.02, 09.02.01, 09.02.12, 09.03.03, 09.03.11, 09.06.04, and 09.08.01
- Coastal Zone Mgt.: Goal 10.00.00; Objectives 10.01.00 and 10.04.00; Policies 10.03.05, 10.04.02, and 10.04.03.

(Copies of GOPs enclosed)

Development Services Staff has observed a greater emphasis on sustainability with projects subject to the Sustainable points requirement. However Staff has also identified certain areas for needed improvement as follows:

1. The existing table offers points for improvements now required by the Florida Building Code.
2. The assigned points are not always consistent with the City's sustainability goals. Namely, certain design options offer too few points, while other options offer too many points. In order to make this determination Staff analyzed the existing table's options and points. A copy of the analysis is enclosed.
3. Some of the sustainable options, such as Grey Water Reuse, are not permitted in Pompano Beach.

4. Sustainability design options continue to evolve and the table does not include certain common and desired sustainable design options.

Therefore, in order to revise the table in a manner which includes desired sustainability design options and assigns points in a way that reflects the City’s sustainability priorities, over the past year Staff from several divisions, including Planning and Zoning, Urban Forestry, Building Inspections, and Utilities formed a Sustainability Working Group. The outcome of the Sustainability Working Group is a proposed Sustainable Development Standards Manual and text amendments to the Zoning Code (the Sustainable Development Standards Manual is a separate item on tonight’s agenda.).

The first step for the Sustainability Working Group was to determine the City’s sustainability priorities. In addition to the aforementioned Comprehensive Plan GOP’s, Staff also reviewed the following adopted City Plans: Strategic Plan, Complete Streets Manual, Parks Master Plan, and Stormwater Master Plan. Additionally Staff reviewed the Broward County Climate Change Action Plan Report and the Broward County Resiliency Report “Working Towards Resilient Coastal Communities: Pompano Beach (2014)”.

Based on this review the Sustainability Working Group determined the City’s sustainability priorities are as follows:

1. Stormwater Management and Flood Protection
2. Renewable Energy and Energy Conservation
3. Water Conservation
4. Certified Green Development
5. Active Design

Finally, Section 155.5803: Bonuses for Sustainable Development Features was also analyzed (a copy of the analysis is attached). The analysis revealed that many of the sustainable development features listed do not have a direct correlation with the resulting bonus. For instance, one of the bonus options is a reduction in landscaping and of the 28 sustainable features, only seven relate to landscaping. Additionally the Code offers applicants several other opportunities to request reductions to either landscaping or parking requirements including Variance, Administrative Adjustments (Major and Minor), Off-Street Parking Alternatives, Reduced Parking Requirements for Parking Demand Reduction Strategies, and Interior Landscaping Standards – Exceptions. Except for the Variance application, the other reduction opportunities do not require applicants to demonstrate hardship. Therefore Staff is recommending Section 155.5803: Bonuses for Sustainable Development Features be struck in its entirety.

Comments from the City’s Redevelopment Agency are also included for your reference. While the CRA memo dated July 6, 2016 requested certain reductions in required points for projects within the AOD and TO Districts, a follow-up memo dated July 26, 2016 indicated they changed their position and support the additional point requirement for these locations.

PROPOSED TEXT AMENDMENTS

The proposed text amendments are described below:

155.5802.A	<ul style="list-style-type: none"> • Convert the applicability section into a Table. • Require those projects that are an addition to achieve points to the maximum extent practical. • Increase points needed for non-residential and mixed-use projects from 12 points to 15
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	<p>points.</p> <ul style="list-style-type: none"> • Decrease additional point requirement for Mixed-Use and Nonresidential projects in the TO from six to five (Currently TO requires 18 points, while mixed-use and nonresidential require 12 points, therefore six extra points are required) • Add in requirement for five additional points for Residential projects within TO Zoning Districts. • Add in requirement for five additional points for all projects in the AOD. • Add in requirement for 10 additional points for applicants seeking a PD Rezoning. • Make reference to Ch. 154 for Flex Unit Allocations. Under separate ordinance Staff is also recommending Flex Unit applicants to obtain 10 additional points.
155.5802.B	<ul style="list-style-type: none"> • Delete existing points table • Create new table based on sustainability priorities identified in the Sustainability Manual
155.5802.C	Clarify that sustainability plans are required for various applications
155.5803	Delete Bonuses for Sustainable Development Features section

Staff's Request

Staff is requesting the Board approve the recommended changes to the Zoning Code to the City Commission for adoption.

Comprehensive Plan GOP's

II. FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES

Goal

01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Objective Levels of Service

01.01.00 Annually review and periodically update Level of Service requirements availability of facilities and services.

Policies

01.01.01 Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the City's Comprehensive Plan.

01.01.02 Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards.

01.01.03 Phase development concurrent with the availability or phasing of infrastructure, potable water, traffic and drainage capacity.

01.01.04 Maintain public and private recreation and open space facilities at a level of five (5) acres for each 1,000 residents.

01.01.05 Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

01.05.07 The City shall maintain the 100 year flood maps which identify flood prone areas based upon National Flood Insurance Program maps at a scale which enables users to easily identify individual properties.

01.05.08 The City shall participate in various processes which seek to update the existing 100 year flood plain maps.

Objective Natural Resources & Historic Preservation

01.06.00 Protect natural resources and historic properties in all land use considerations.

Policies

01.06.01 Consider the impacts that land use amendments, rezonings or site plan approvals have on natural resources and historic properties.

01.06.02 Review the City's Historic Preservation Ordinance for its effectiveness and identify potential revisions by December 2012.

01.06.03 Refer to the listing of historic properties, buildings and houses worthy of continued preservation prior to issuance of any building or demolition permits.

01.06.04 Insure that all unique natural areas in the City have the appropriate Land Use Plan map designation and Zoning category that provides for the protection of these unique natural areas.

01.06.05 Create a new Conservation Land Use Plan map designation by 2010.

01.06.06 Require permits for new development/redevelopment to protect native vegetation and require the removal of exotic vegetation species.

- 01.09.10 City departments will maintain contracts with emergency primary and secondary vendors to include but not limited to: communications, fuel, emergency power equipment, debris removal, emergency food, water and ice, equipment including forklifts, portable toilets, etc. Where appropriate City departments shall maintain contracts to insure access to services and supplies.
- 01.09.11 Periodically update the Local Mitigation Plan by adding new capital projects
- 01.09.12 Maintain a Comprehensive Emergency Operations Plan (CEOP) to include annexes for hurricane, natural, man-made and pandemic events as well as a point of distribution plan
- 01.09.13 Cooperate with Broward County to make gasoline stations, food stores, and other critical facilities power ready.
- 01.09.14 Implement a yearly inspection program for evaluation of power ready and power capable fuel stations on evacuation routes.
- 01.09.15 Evaluate feasibility of retrofitting intersection lights for power readiness.
- 01.09.16 Develop a program to make city lift stations, community centers and other critical facilities power ready.
- 01.09.17 Cooperate with Broward County and FDOT in replacing span wire traffic lights with mast arm traffic lights.
- 01.09.18 In coordination with Broward County, maintain the vulnerable and special needs registry.

- 01.15.10 The City shall adopt local design guidelines that require mass transit shelters. Local Activity Center to provide safe and comfortable service and to encourage mass transit usage.
- 01.15.11 The City shall promote development of key intersections or major transit stops to create nodes of development should be promoted with a Local Activity Center.
- 01.15.12 The City shall review existing zoning and land development regulations and adopt changes necessary to implement the Local Activity Center land use designation.

Objective Smart Growth Initiative

- 01.16.00 The City will promote “Smart Growth” type initiatives providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.

Policies

- 01.16.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.
- 01.16.02 The City will encourage and implement the use of compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled building materials.
- 01.16.03 The City will encourage and implement energy conservation and the reduction of greenhouse gasses by encouraging land developers and builders to implement the

Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) which generally include the following:

- Use of compact building design; energy efficient street lighting; energy efficient automobiles/transit;
- Priority use of small properties in urban areas; use of "brownfield" lands that can be cleaned; use of lands close to sewer and power lines mass transit or green space;
- Use of very efficient clothes washers; Low-flow toilets or waterless urinals; use of reclaimed water; innovative irrigation or drought tolerant plants; use of rain gardens, bioswales and cisterns;
- Use of light-colored exterior walls; buildings shaded on the east and west by trees; properly sized air- conditioners; use of ceiling fans; energy efficient appliances and indoor lighting; efficient well-pumping; use of alternate electrical grids. and/or use of wind/solar/natural gas energy;
- Use of building materials with recycled content; eco-friendly insulation; lumber from sustainable sources; or locally produced materials; and,
- Use of detached garage; carbon monoxide alarm; central dehumidification systems; energy efficient bathroom exhaust fans with timer; humidistat whole house filtration.

Objective Regional Activity Center

01.17.00 The Regional Activity Center Land Use Category encourages attractive and functional mixed living, working, shopping, education and recreational activities.

Policies

01.17.01 The Land Development Regulations shall provide at least one zoning district that facilitates attractive and functional mixed living, working, shopping, education and recreational activities for application to Regional Activity Centers.

II. TRANSPORTATION ELEMENT GOALS, OBJECTIVES AND POLICIES

Goal

- 02.00.00 To develop and maintain a multimodal system which will serve the transportation needs of all sectors of the Pompano Beach community in a safe, efficient, cost effective and aesthetically pleasing manner that promotes the reduction of greenhouse gas emissions.

Objective **Multimodal Transportation System**

- 02.01.00 The City of Pompano Beach shall coordinate activities with Broward County Metropolitan Planning Organization, the Florida Department of Transportation and other agencies to ensure that a safe, convenient and energy efficient multimodal transportation system is provided.

Policies

- 02.01.01 Develop an improved traffic engineering review process for land development or redevelopment projects to control connections and access points of driveways and roads to roadways.
- 02.01.02 Require the provision of handicapped parking facilities when reviewing development proposals.
- 02.01.03 Require the provision of landscaping treatments within parking facilities to reduce visual impacts.
- 02.01.04 The land development regulations will include provisions to control access points and minimize curb cuts on arterial roadways, provide safe and convenient on-site traffic flow and provide sufficient on-site parking for motorized and non-motorized vehicles.
- 02.01.05 Parking strategies will be provided in the Land Development Code or other appropriate codes including improved locations and access to promote the City's multimodal transportation goals and objectives.

Objective Multimodal Transportation System Coordination

02.07.00 The City shall coordinate the multimodal transportation system with the plans and programs of the Broward County Metropolitan Planning Organization, Broward County Mass Transit Division, Florida Transportation Plan and FDOT's adopted work program Federal Aviation Administration, South Florida Metropolitan Aviation System Plan, and the Florida Aviation Systems planning process.

Policies

02.07.01 The City shall annually review the efficiency of the local multimodal transportation system and compare with the County's and State's adopted work programs.

02.07.02 Review proposals for future land use amendments and additional city development in concert with maintenance of the efficiency of the City's multimodal transportation system.

02.07.03 Annually coordinate the City's Capital Improvement Plan with County and State work programs to ensure that required right-of-way is granted to meet the future demands of the multimodal transportation system.

02.07.04 Implement improvements to the Pompano Beach Air Park in a manner consistent with the Air Park Master Plan and the Pompano Beach Capital Improvement Plan.

02.07.05 The City shall amend the Land Development Code or other appropriate codes to establish strategies that promote the use of bicycle and pedestrian activity.

02.07.06 Require the payment of any applicable Broward County Transit Concurrency Impact Fees as a condition for building permit approval.

02.07.07 Maintain the requirements of developer sponsored funding of project-related transportation improvements through negotiation and/or application of project impact fees.

02.07.08 Require developers to construct transportation improvements in lieu of impact fee donations.

II. CONSERVATION ELEMENT GOALS, OBJECTIVES AND POLICIES

Goal

09.00.00 To protect, enhance and effectively manage the natural resources of the City in order to achieve a high environmental quality including factors that effect energy conservation.

Objective Air Quality

09.01.00 The City shall put forth an effort to ensure compliance with the minimum air quality standards established by the Florida Department of Environmental Protection and the Broward County Department of Environmental Protection including factors that effect energy conservation.

Policies

09.01.01 The City shall coordinate with Broward County Department of Environmental Protection efforts to preserve air quality.

09.01.02 The City shall implement a Climate Change Program that supports mitigation and sensitivity to the impacts of climate change in coordination with other municipalities, Broward County, private businesses, other governmental agencies and the State of Florida. This program will focus on mitigating the causes and consequences of greenhouse gas emissions in a cost-effective and efficient manner that preserves the City's overall values and quality of life.

Objective Surface Water Quality

09.02.00 The City shall continue to undertake the following actions to assure surface water quality including impacts on the ocean are minimized.

Policies

- 09.02.01 Enforce the City regulations that require new development (other than low density residential) retain the first flush of storm water before it enters surface water bodies and in other ways meet the "best management practices" of the South Florida Water Management District.
- 09.02.02 The City shall encourage the appropriate agencies to monitor wastewater discharged into the ocean to assure compliance with secondary wastewater standards.
- 09.02.03 The City shall report all prohibited discharges of untreated wastewater into canals and the Intracoastal Waterway to the Broward County Department of Environmental Protection and/ or the South Florida Water Management District .
- 09.02.04 The City shall encourage the planting of acceptable vegetation along waterways to provide cleansing action, except where sea walls now exist.
- 09.02.05 The City shall keep any ocean sewage outfall at least one mile from the off-shore coral reef tract.
- 09.02.06 The Broward County Department of Environmental Protection requires all marinas to have pumpout facilities and prohibits discharge from boats into the surface water and to obtain a permit for such operation.
- 09.02.07 The City and other regulatory agencies shall require the use of proper turbidity control measures during any major operation (e.g. beach re-nourishment) in the vicinity of the coral reef and the responsible permitting agency shall monitor the measures.
- 09.02.08 The City shall coordinate with Broward County in the environmentally sensitive management of aquatic weeds.

- 09.02.09 The City shall conduct canal dredging in an environmentally sound manner.
- 09.02.10 The City shall encourage the rapid cleanup of any off-shore oil spill; this is the responsibility of County and Federal agencies.
- 09.02.11 The City shall conform to the flood management plans of the County, South Florida Water Management District and local drainage districts in order to maintain adequate flood carrying and storage capacities.
- 09.02.12 The City shall encourage the use of on-site lakes to meet irrigational water needs.
- 09.02.13 The City shall preserve and manage wetlands in compliance with the County, State and Federal regulations.
- 09.02.14 The City shall continue to maintain Chapter 53 of the Land Development Regulations to ensure consistency with Broward County Code of Ordinances which establish stormwater quality standards.

Objective Ground Water Quality

- 09.03.00 The quality and quantity of the City's groundwater resources shall be maintained and, where possible, enhanced.

Policies

- 09.03.01 The City shall make certain that all development within a production "wellfield cone of influence" complies with the County Wellfield Ordinance.
- 09.03.02 The western wellfield production quantity and quality shall be monitored particularly because of the increasing reliance on that wellfield.

- 09.03.03 City policies shall promote water conservation and, wherever possible, promote and continue the re-use of water where the quality requirements permit.
- 09.03.04 The City shall keep current the emergency water conservation plan.
- 09.03.05 The City shall make certain that all unused wells are capped (per County and SFWMD regulations) to avoid pollution.
- 09.03.06 The City shall explore the possibility of servicing alternative sources of water.
- 09.03.07 The City shall, within its jurisdiction, enforce the graduated detailed and specific water reductions set forth by the South Florida Water Management District during times of water shortage.
- 09.03.08 The City will adopt and enforce stormwater discharge water quality standards as established by Broward County, specifically Article V, Chapter 27 of the Broward County Code of Ordinances, and as specified in the National Pollution Discharge Elimination System (NPDES) permit.
- 09.03.09 The City shall implement the permit regulations contained within the National Pollution Discharge Elimination System (NPDES) permit when issued by the EPA and provide adequate funding,
- 09.03.10 The City shall continue its water reuse program to combat saltwater intrusion.
- 09.03.11 Protect and conserve the water resources of the Biscayne Aquifer by reducing the per capita demand for potable water and developing alternative water supplies, primarily reuse water.

- C. Protect and conserve those areas known to be reproduction, nesting and feeding areas for animals listed in Appendix 19-2 of the Broward County Land Use Plan as endangered or threatened species or species of special concern.

09.05.03 In the case of new development, enforce city regulation which require the berming of viable remaining Cypress stands to insure the viability of their ecosystems.

Objective Natural Habitats

09.06.00 The City shall use a combination of public education, land acquisition and ordinances to achieve protection or mitigation of the remaining natural habitats.

Policies

09.06.01 Where feasible environmentally significant portions of the one remaining Urban Wilderness areas shall be preserved.

09.06.02 In accordance with the City landscape ordinance continue to levy severe penalties for removal of native vegetation, and encourage the planting of native vegetation coupled with the removal of exotic vegetation as a part of the site plan review process.

09.06.03 The City ordinances shall require mitigation of all adversely impacted wetlands.

09.06.04 The City ordinances shall encourage the planting of vegetation along the shores of ponds, lakes, borrow pits, and swales.

09.06.05 The City shall require that fisheries, wildlife habitat, lakes, floodplains, estuarine marshes and marine habits are preserved and conserved in compliance with applicable County, State and Federal regulations.

09.06.06 The City shall coordinate inter-governmentally when opportunities for the preservation or conservation of unique vegetative communities are located within multiple governmental jurisdictions.

09.06.07 All natural ecological communities which have been identified as the basis for management using the criteria established by Broward County related to Local Areas of Particular concern and in particular for the protection of rare and endangered specie shall be designated on the Land Use Plan Map.

Objective Hazardous Waste

09.07.00 The City shall comply with the County hazardous waste management program relative to the storage, recycling, and disposal of hazardous waste.

Policies

09.07.01 The City shall coordinate with the County's emergency response plan to handle accidents involving hazardous wastes.

09.07.02 The City shall promote the recycling of hazardous wastes by:

A. Distributing lists of approved recyclers, and

B. Publicizing County "amnesty days".

Objective Dune Restoration

09.08.00 The sand dune system shall be completed along the City-owned beach front in accordance with the Beach Master Plan.

Policies

- 09.08.01 The City shall use its development code standards for the beach sand dune to assure proper location, vegetation, walkovers, etc., when private development takes place.
- 09.08.02 The City shall work with the Broward County Department of Environmental Protection to assure that any beachfront construction obtains a Coastal Construction Permit.

II. COASTAL ZONE MANAGEMENT GOALS, OBJECTIVES AND POLICIES

Goal

10.00.00 Manage development efforts in the City of Pompano Beach Coastal Zone to maximize aesthetic, environmental, recreational and economical resources.

Objective Resource Protection

10.01.00 The City shall protect and enhance the City's waterways, canals, lakes, remaining coastal wetlands, living marine resources and wildlife habitat.

Policies

- 10.01.01 The City shall require the mitigation of all adversely impacted coastal wetlands.
- 10.01.02 The City will regulate through signage and encourage through education for boat users to reduce speeds while driving through canals that are less than four feet deep in order to allow manatees to avoid boat propellers.
- 10.01.03 The City shall coordinate and participate with Broward County in the sea turtle program including beach lighting regulations.
- 10.01.04 The City will cooperate with Broward County in requiring all marinas to have pump-out facilities and prohibit the discharge of sanitary waste from boats into surface waters.
- 10.01.05 The City will cooperate with Broward County in prohibiting the discharge of untreated wastewater into canals and the Intracoastal Waterway.
- 10.01.06 The City will enforce stormwater discharge water quality standards as established by Broward County, specifically Article V, Chapter 27 of the Broward County Code of

3. Public accessibility
4. Non-water related uses.

10.03.02 Other than in areas designated with residential land use categories, intrusions of land uses unrelated to marine activities or not having coastal dependency shall be discouraged from locating in areas on the coast or adjacent to navigable waterways.

10.03.03 Land zoned for marine and water dependent commercial activities shall be preserved.

10.03.04 The City will encourage that the Hillsboro Inlet Improvement and Maintenance District keep the navigational canal of the Hillsboro Inlet open and as safe as possible by dredging out the impound sand on a regular and thorough basis.

10.03.05 The City shall seek additional beach access in redevelopment.

10.03.06 The City shall develop a capital improvement program to improve the beach access locations.

Objective Beach Protection

10.04.00 The City will continue to actively work toward stabilizing the beach area and /or decreasing the amount of erosion taking place along the shoreline; beach renourishment shall be undertaken only if the sand dynamics (current accretion) changes.

Policies

10.04.01 The City will not allow the construction of any groins on any portion of the beach within the City's municipal boundaries.

10.04.02 Modify the Land Development Regulations to require beachfront properties to construct a sand dune system along the beach frontage as part of redevelopment.

10.04.03 The City will require the planting of sand dune vegetation coupled with the construction of dune walkovers or other approved access design at all beach access points as a part of the site plan review process. The City shall encourage the planting of vegetation such as sea oats (*Uniola paniculata*).

10.04.04 The City will continue to participate in the Broward County Beach Renourishment Program when the sand dynamics so require. The projects shall be designed to have a life of at least ten years.

10.04.05 The City shall prohibit vehicles on the beach with the exception of maintenance and emergency vehicles.

10.04.06 The City shall support continued operation of the Hillsboro Inlet sand transfer plant to re-supply beach sand to the City.

10.04.07 The City shall seek grant programs to other opportunities to implement on-going beach protection activities.

Objective Beach Maintenance

10.05.00 The City will take steps to improve the built environment of the coastal area and beach by cleaning it up, and planning general improvements.

Policies

10.05.01 The City will encourage greater public use of the coastal area and beach through maintenance and planning general improvements such as sitting and observation areas, and where feasible, additional parking.

Analysis of Tables 155.5802 and 155.5803

Table 155.5802 – Sustainable Points

- Multifamily Residential – 10 Points
- Mixed-Use or Nonresidential – 12 Points
- TO Mixed-Use or Nonresidential – 18 Points

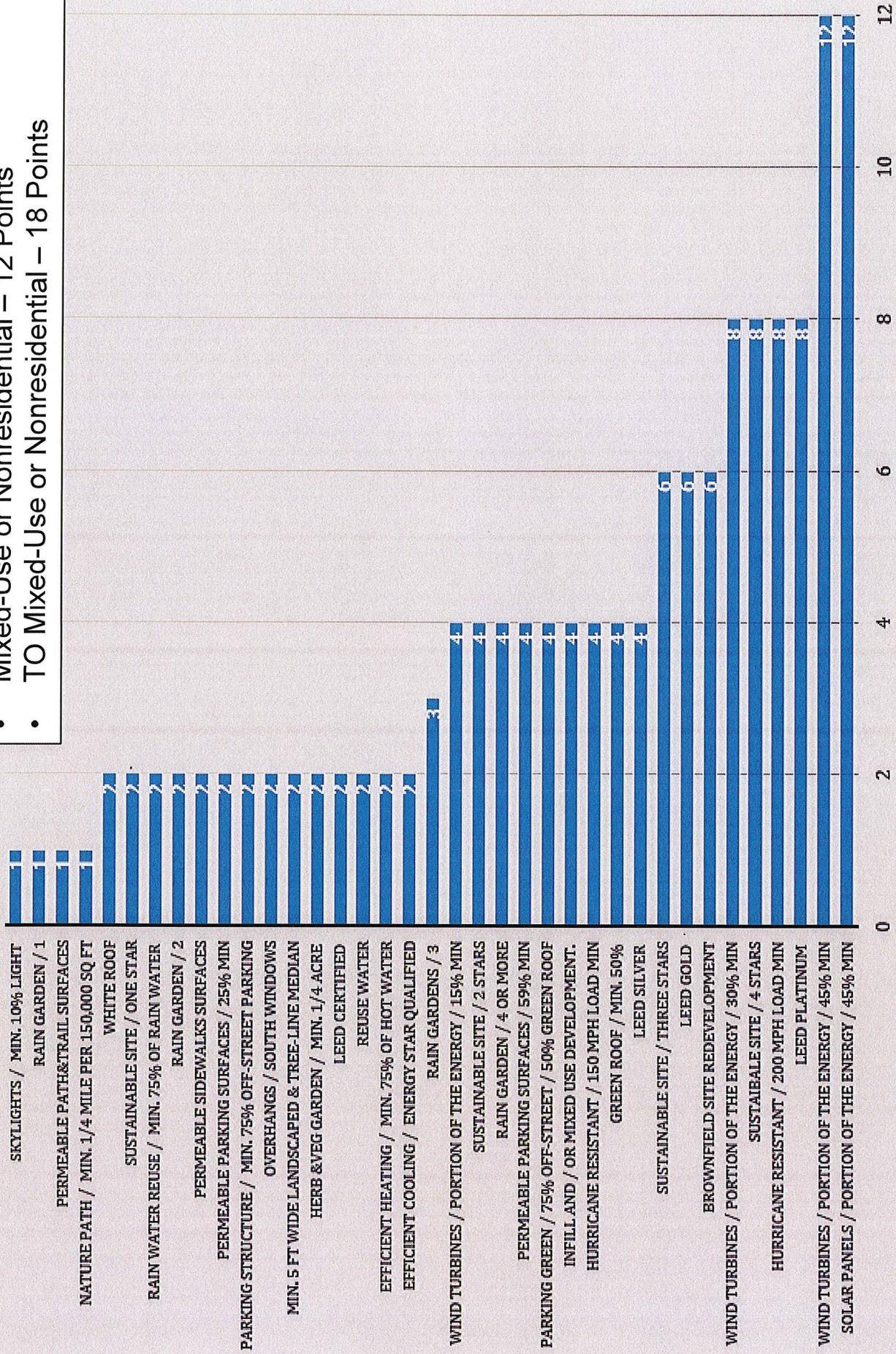
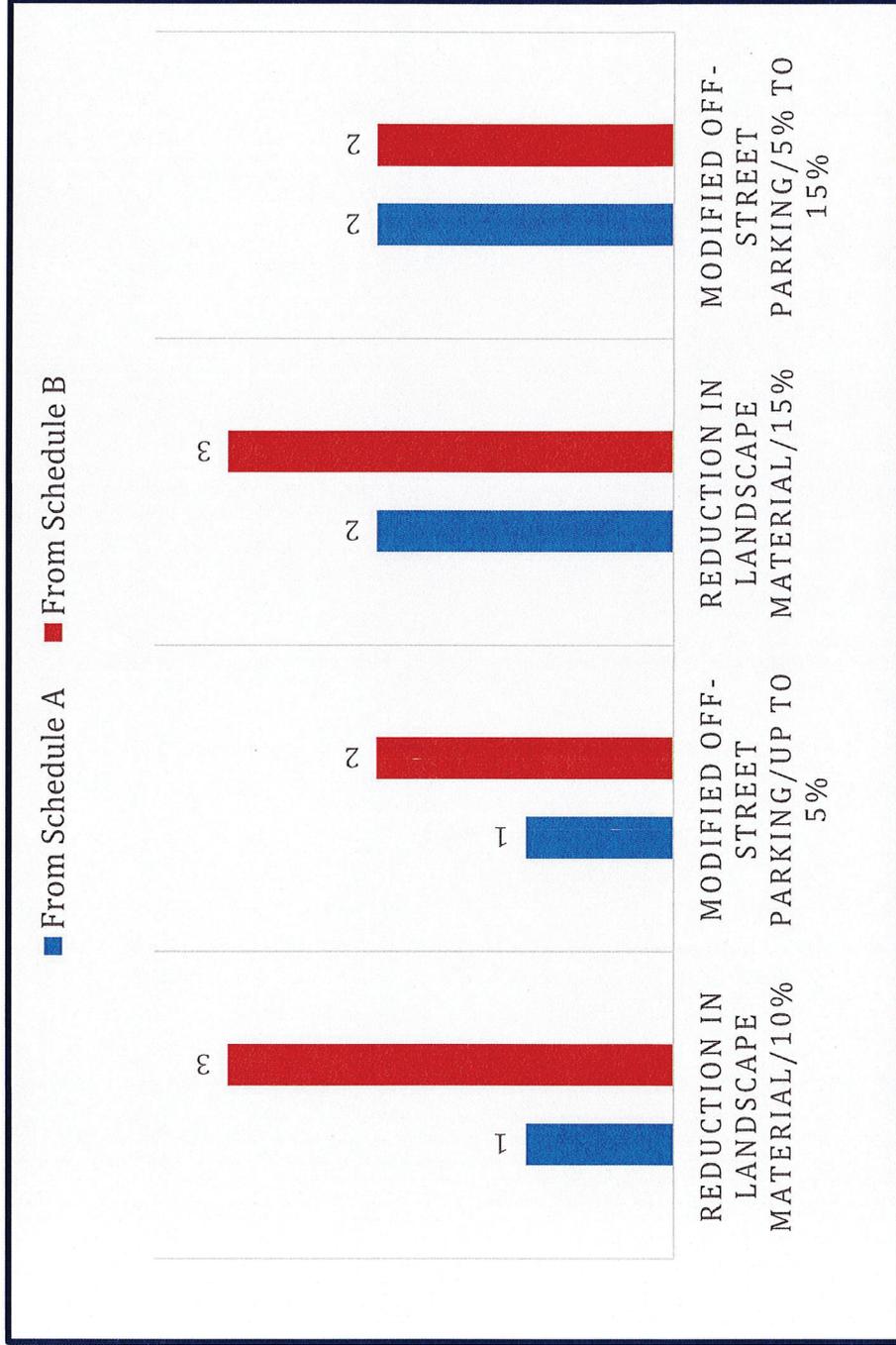


Table 155.5803.A – Sustainable Bonus



CATEGORY	Schedule (A or B)	Features	Related to Landscaping?	Related to Parking?	In Table 155.5802
Building Configuration	A	Building design that attains a minimum LEED certification of Silver	No	No	Yes
Building Configuration	A	Building design where 25% of the residential units are consistent with Universal Design practices as set forth in the Universal Design and Usability Manual published by the Florida Housing Finance Corporation.	No	No	No
Building Configuration	A	Inclusion of green roofs on at least 30% of the roof area within the development.	Yes	No	Yes
Building Configuration	B	Building design that attains a minimum LEED certification of bronze.	No	No	Yes
Building Configuration	B	Building design where 10% of the residential units are consistent with Universal Design practices.	No	No	No
Building Configuration	B	Building design where at least 75% of the development's gross floor area is in buildings qualifying as Energy Star buildings.	No	No	Yes
Building Configuration	B	Inclusion of shade features (e.g., awnings, louvers, shutters, overhangs, etc.) to shade all windows and doors on the southern building facade.	No	No	Yes
Energy	A	Generation of a minimum of 20% of the electricity needed by the development from the alternative energy sources (solar, wind, geothermal, or biomass) within five years.	No	No	Yes
Energy	A	Proof of purchase of carbon offsets in an amount equivalent to 15% of construction costs within five years.	No	No	No
Energy	B	Building design that can accommodate this installation and operation of solar photovoltaic panels or solar thermal heating devices.	No	No	Yes
Hazard Resiliency	B	Redevelopment of existing buildings that fail to comply with city flood prevention standards, so as to achieve full compliance with those standards.	No	No	No
Recycling/Waste Reduction	A	Use of recycled materials for 50% of streets, off-street parking, sidewalks, and curbs, and as 25% of building materials.	No	Yes	Yes
Recycling/Waste Reduction	B	Provision of at least one enclosed recycling drop-off station per building that is suitable for storage and collection of recyclables generated on-site.	No	No	No
Resource Conservation	A	Site and landscaping design that attains a minimum Sustainable Sites certification of Two Stars.	Yes	No	Yes
Resource Conservation	A	Use of only native vegetation for required landscaping.	Yes	No	No
Resource Conservation	A	Use of Low Impact Development (LID) techniques instead of retention or detention ponds for stormwater management.	Yes	No	No
Resource Conservation	A	Doubling of the minimum open space set-aside amount	Yes	No	No
Resource Conservation	A	Remediation of site contamination on a documented "brownfield" site (by means of a Phase II Environmental Site Assessment)	No	No	Yes
Resource Conservation	B	Preservation of 25% of the site's existing tree canopy associated with trees 10" or greater in DBH.	Yes	No	No
Site Configuration	A	Inclusion of a parking structure.	No	Yes	Yes
Site Configuration	A	Provision for mixed-use structures with active retail or personal service uses on ground floors, and residential uses on upper floors.	No	No	Yes
Site Configuration	B	Provision of a community garden controlled by a property-owners association and with at least 50 square feet per dwelling unit.	Yes	No	Yes
Site Configuration	B	Configuration of new buildings with one axis 1.5 times longer than the other, and the long axis orientated in an east-west configuration for solar access.	No	No	No
Site Configuration	B	Use of paving materials in driveways and parking lots that have solar reflectance index (SRI) score of at least 29 (SRI is a measure of pavement's ability to reject solar heat)	No	Yes	No
Transportation	A	Provision of a network of multipurpose trails with at least one connection to a public greenway or sidewalk system for every acre of land.	Yes	No	Yes
Transportation	A	Provision of on-site transit facilities (e.g. designated park-and-ride parking spaces, bus shelters, water-taxi stops, or similar features).	No	Yes	No
Water Conservation	A	Inclusion of a recycled or grey water system for landscaping irrigation.	Yes	No	Yes
Water Conservation	B	Use of Florida-friendly landscaping techniques with no turf or lawn.	Yes	No	No

CRA Memos

CRA

POMPANO BEACH

P. O. Drawer 1300
Pompano Beach, FL 33061

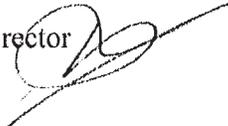
Phone: (954) 786-5535
Fax: (954) 786-7836

MEMORANDUM

DATE: July 27, 2016

TO: Robin Bird, Director of Development Services
Jennifer Gomez, Assistant Director of Development Services

FROM: Max Wemyss, CRA/RMA Planning and Urban Design Assistant
Natasha Alfonso-Ahmed, RMA Urban Design Director

THRU: Kim Briesemeister, CRA Executive Director 
Chris Brown, CRA Executive Director

RE: **Memo 16-341 – 155.5802: Sustainable Development Point Requirement**
Additional Information

Thank you for your response to our questions regarding Memo 16-284 from July 12, 2016. The additional information provided the clarity that was needed to support the proposed revisions to 155.5802 as drafted.

CRA Position:

The CRA offers no objection to this item moving forward to implementation.

CRA Comments:

The CRA has changed its position regarding the reduction of points required within the TO and the AOD based on the additional information provided.

Proposed Action:

It is no longer necessary to proceed with our request not to require additional points for TO districts and AOD.

cc: CRA Attorney
City Attorney



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 16-341

DATE: July 15, 2016

TO: Kim Briesemeister, CRA Co-Executive Director

VIA: Robin M. Bird, Director of Development Services *RB*
 Jennifer Gomez, Assistant Director of Development Services *JG*

FROM: Karen Friedman, AICP, Principal Planner *KBF*

RE: Land Usage Code Amendment Coordination
 Proposed Revisions to §155.5802: Sustainable Development Point Requirement
 Additional Information

Thank you for providing your comments and questions. The CRAs general support for the changes for the Sustainable Development Point system is greatly appreciated.

This memo provides the information requested in your memo and hopefully will result in the CRAs support of this item moving forward for approval.

CRA Question #1: It is not clear why some of the sustainable development options can achieve 25 points, which are greater than the minimum points required of any development type. What is the benefit or incentive to going above and beyond the minimum points required?

Response: The reason for the 25 points is threefold:

1. While a non-residential or mixed-use development requesting Major Site Plan approval only requires 15 points, if this same property requests PD Rezoning an additional 10 points is required. Therefore a PD Rezoning with Major Site Plan for a nonresidential or mixed-use development would require 25 points. Similarly, properties requesting flex unit allocation require additional points.
2. The DPOD Code currently offers development incentives, including height and density bonuses, for projects who obtain additional sustainability points. A copy of the relevant code sections / tables are enclosed for your reference.
3. Finally, while not currently proposed, it is Staff's long term vision that sustainable development points may be required to obtain other development approvals including but not limited to Administrative Adjustments or incentives.

CRA Question #2: We recommend removing the requirement for five additional points for development in the TO Districts etc... The proposal to require five additional point seems counterproductive.

Response: The proposed revisions to the Sustainable Development Standards section was to ensure that obtaining sustainable development points is not counterproductive to any redevelopment. That being said, Staff will proceed with your request and not require additional points for TO Districts or AOD.

CRA Question #3: We recommend that the number of additional points required for Flex Unit Allocation be listed within table 155.5802. We also recommend the five additional points, not 10, be required for flex allocation.

Response: Flex Unit Allocations are not regulated within the Zoning Code, but rather they are regulated by Chapter 154, Planning. Therefore all standards relevant to Flex Unit allocation applications must be included in Ch. 154. Therefore Staff does not support the request to add the number of sustainable development points for Flex Units Allocation in Ch 155, Zoning. Accordingly, Staff will address the comment about five versus ten points as part of the ongoing discussions regarding the text amendments for Flex Unit Allocations.

CRA Question #4: The first design option listed "Provide 200% of required pervious area" which provides the maximum number of points (25) may result in unusable green space on private properties, which could create voids in the urban fabric of a city. Another unintended consequence is that this may limit site utilization....

Response: The first design option is one of 35 options (not including the "Other" option) available to applicants. The 35 design options are available citywide, including for industrial, commercial, institutional, and residential development. This particular sustainable design option, which requires applicants to provide 200% of pervious area and utilize LID design techniques, is a highly desired option for projects located within the City's Industrial Districts and Residential Districts. *The preferred locations of all design options is listed in the Sustainable Development Manual.* Finally, your comments states the resulting green space would be unusable green space. This option requires the green space to be designed utilizing LID design techniques. Therefore this green space will perform an extremely valuable function in addressing the city's stormwater management and flooding prevention. It will also significantly improve the city's aesthetics.

CRA Question #5: LEED Certification provides 25 points, regardless of the certification level, Suggest maintaining the existing sliding scale based upon level of certification

Response: The proposed Sustainable Development Options table includes various Certification programs including LEED, Florida Green Building, Energy Star and Florida Water Star. Staff is aware that obtaining certification for any of these programs not only shows a substantial commitment to sustainable design, but also a substantial financial commitment on behalf of the developer. Staff therefore recommends all building / sites that obtain certification from one of these programs be eligible for 25 points, regardless of certification level. Staff does acknowledge certification as LEED Silver, Gold, and Platinum offers greater benefits to the City. Therefore, while not currently proposed, it is Staff's long term vision that these levels of Certification could result in development incentives.

Please let me know if any additional information is needed and/or if the CRA offers no objection to this item moving forward to implementation.

Existing Incentives In DPOD

TABLE 155.3708.E.2: Height Bonus Options			
Bonus Option	Sub-Area	Height Bonus	Requirement
#1	Core and Center	24 ft.	Properties whose front lot line or street side lot line is directly abutting or located across a street from the designated public open space.
#2	All	12 ft.	Buildings at the end of a street vista. The additional height / story shall occupy up to 15% of the floor area of the story immediately below.
#3	All	12 ft.	Properties located within the 1/4 mile radius (1,320 feet) of the BCT North East Transit Center, that provide public parking in accordance with the following: a. The minimum number of spaces required for off-street parking are provided using one or more of the Off-street Parking Alternatives; b. A minimum of 10% of the parking spaces are reserved for public parking. The 10% of parking spaces shall be calculated including the spaces required for the height bonus. c. A lease agreement with the City, at a rate established by the City, shall be recorded for a term not less than 50 years.
#4	All	12 ft.	All new non-residential, multi-family residential and mixed-use construction that provide public art using one or a combination of the following strategies: 1. A fee equal to 1 percent of the project's construction costs; 2. A piece of artwork valued at 1 percent of the project's construction costs. a. The artwork shall be accessible to the public and may be displayed in the building's common areas, public open spaces or areas along the street abutting the building . b. Public art proposed for public areas shall be required to receive approval from the City Commission .
#5	Core and Center	12 ft.	Development which achieves at least 28 points per Table 155.5802, Sustainable Development Options and Points.

TABLE 155.3708.F.2: Density Bonus Options

Bonus Option	Sub-Area	Density Bonus	Requirement
#1	Core and Center	20 units/acre	Properties whose front lot line or street side lot line is directly abutting or located across a street from the designated public open space.
#2	All	10 units/acre	<p>Properties located within the 1/4 mile radius (1,320 feet) of the BCT North East Transit Center, that provide public parking in accordance with the following:</p> <ul style="list-style-type: none"> a. The minimum number of spaces required for off-street parking are provided using one or more of the Off-street Parking Alternatives; b. A minimum of 10% of the parking spaces are reserved for public parking. The 10% of parking spaces shall be calculated including the spaces required for the density bonus. c. A lease agreement with the City, at a rate established by the City, shall be recorded for a term not less than 50 years.
#3	All	10 units/acre	<p>All new non-residential, multi-family residential and mixed-use construction that provide public art using one or a combination of the following strategies:</p> <ul style="list-style-type: none"> 1. A fee equal to 1 percent of the project's construction costs; 2. A piece of artwork valued at 1 percent of the project's construction costs. <ul style="list-style-type: none"> a. The artwork shall be accessible to the public and may be displayed in the building's common areas, public open spaces or areas along the street abutting the building . b. Public art proposed for public areas shall be required to receive approval from the City Commission .
#4	Core and Center	10 units/acre	Development which achieves at least 28 points per <u>Table 155.5802, Sustainable Development Options and Points.</u>

CRA

POMPANO BEACH

P. O. Drawer 1300
Pompano Beach, FL 33061

Phone: (954) 786-5535
Fax: (954) 786-7836

MEMORANDUM

DATE: July 12, 2016

TO: Robin Bird, Director of Development Services
Jennifer Gomez, Assistant Director of Development Services

FROM: Max Wemyss, CRA/RMA Planning and Urban Design Assistant
Natasha Alfonso-Ahmed, RMA Urban Design Director

THRU: Kim Briesemeister, CRA Executive Director 
Chris Brown, CRA Executive Director

RE: **Memo 16-284 – 155.5802: Sustainable Development Point Requirement**
Memo 16-285 – Proposed Sustainable Development Standards Manual

Background:
None.

CRA Comments:

Memo 16-284 – 155.5802: Sustainable Development Point Requirement

The CRA generally supports the changes recommended for the Sustainable Development Point system, however, we have the following comments and questions which we would like addressed prior to these items moving forward for approval:

1. The CRA understands that the minimum number of points required are based on the type of development (i.e. new residential, new non-residential, additions etc.) It is not clear why some of the sustainable development options can achieve 25 points, which are greater than the minimum points required of any development type. What is the benefit or incentive to going above and beyond the minimum points required?
2. We recommend removing the requirement for five additional points for development in the TO zoning districts, including AOD, DPOD, and the forthcoming ETOC. Most new development in these areas will be required to obtain Major Site Plan approval, which is proposed to require 15 points. Increasing the requirement to 20 seems counterproductive when promoting infill redevelopment.
3. We recommend that the number of additional points required for Flex Unit Allocation be listed within the table in 155.5802, not referenced in a separate section, to ease in application. Considering the concern above, we also recommend that five additional points, not 10, be required for flex allocation, keeping the 10 additional points for Planned Development proposals only.
4. The first design option listed, "Provide 200% of required pervious area" which provides the maximum number of points (25) may result in unusable green space on private

properties, which could create voids in the urban fabric of a city. Another unintended consequence is that this may limit site utilization. In B-3 districts, for example, the code currently permits a maximum of 60% lot coverage and a minimum of 20% pervious area. This means B-3 properties can build up to 20% impervious area, which can be used for a surface parking lot. By increasing the required pervious area to 40% (2 times the required) the building footprint is reduced or parking is forced to be placed within the building.

5. LEED Certification provides 25 points, regardless of the certification level. Suggest maintaining the existing sliding scale based upon the level of certification (i.e. gold, platinum, etc.).

Memo 16-285 -- Proposed Sustainable Development Standards Manual

The CRA offers no objection to the item moving forward for implementation.

Proposed Action:

None.

cc: CRA Attorney
City Attorney

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