

PADD Land Development Code Text Amendment

Recommendations

The following amendments to Sec. 78-70. Park Avenue Downtown District (PADD) in the Town's Land Development Code are proposed in response to the findings within the data and community feedback.

Sec. 78-70(b)(7): Waivers

- a. Purpose and intent. The intent of this section is to provide for waivers for certain development standards for site plans within the PADD district, provided an applicant meets or exceeds the waiver criteria set forth herein ~~under subsection b. below~~, as determined by the town commission, to establish clear criteria and procedures for granting development waivers in the PADD, ensuring that such waivers are only approved when a clearly defined public benefit is provided, consistent with the goals of the Comprehensive Plan and this Code.
- b. Applicability. These regulations apply to all development proposals within the PADD that seek relief from specific development standards through a waiver process.
- c. Eligibility for waivers. Waivers may be granted only when the proposed development provides a clearly defined public benefit as determined by the community development director. The waiver must not compromise public health, safety, or welfare, and must remain consistent with the intent of the underlying zoning regulations.
- d. Evaluation criteria. Waiver requests shall be evaluated based on the following:
 1. Further the purpose and intent of the PADD, including the architectural and site design elements
 2. Nexus and proportionality of the public benefit to the requested waiver;
 3. Permanence and accessibility of the public benefit;
 4. Consistency with the Comprehensive Plan, CRA Master Plan, and Mobility Plan;
 5. Equity and transparency in the application of waiver provisions;
 6. Design quality and contribution to community character including compatibility with the style and characteristics of surrounding structures
- e. Application and review process. Applications for a waiver shall be submitted together with a site plan to the community development department. Applicants seeking a waiver must submit:
 1. A written justification to identify the land development regulations from which the applicant seeks a full or partial waiver, explain the reason for each waiver requested, and the extent to which the requested waiver, if granted, would depart from the land development regulations established by this section, and an analysis demonstrating how the benefit exceeds minimum code requirements;
 2. A site plan which is sufficient to identify the land which is subject of the waiver request, and showing the proposed public benefit if on site;
 3. Any additional documentation required by the Community Development Department.
- f. Review and approval. Upon the determination of the community development department that the site plan and waiver application complete, community development shall schedule the site plan and waiver applications for consideration by the planning and zoning board and the town commission.
- g. Conditions and mitigation. The commission may impose conditions or limitations upon the waivers it grants to ensure that the spirit and intent of the PADD. Additionally, the commission may require mitigation on or off site in exchange for the granting of waivers, or as a public benefit.
- h. Waivers permitted. ~~Review criteria. In order for a waiver to be approved, the town commission shall find that the application furthers the purpose and intent of the PADD, meets the architectural and site design elements of the PADD, is compatible with the style and characteristics of surrounding structures, provides a public benefit in exchange for each waiver requested and complies with the standards below~~
 1. Off-street parking waiver. Up to ten percent of the number of parking spaces for a specific property and use or uses, as required by 78-70-3 ~~78-70-4~~ may be waived upon the town commission's determination that:

- (a) The subject property complies with ADA requirements, respective loading requirements for certain uses, and no property shall have less than five parking spaces; and
- (b) There is a sufficient number of off-street parking spaces in the town's adopted Downtown Parking Master Plan to accommodate the waiver request; and
- (c) A parking needs analysis for the proposed property and its use or uses demonstrates that up to ten percent less of the parking spaces required pursuant to Table 78-70-3 78-70-4 would be sufficient. The parking needs analysis shall be prepared by a Florida registered engineer or architect, certified (AICP) planner who has the demonstrated qualifications and expertise to perform such an analysis; or
- (d) The proposed use is an adaptive re-use within an existing structure and there is insufficient space on site to accommodate all of the required parking, provided that a parking needs analysis pursuant to subsection 1.(c) above is submitted and parking is available pursuant to subsection 1.(b) above.

2.Height waiver. The town commission may waive up to a 20 percent increase in the height of a building for architectural features, provided:

- (a) The increased height enhances the structure's architectural features and the commission finds that doing so would improve building aesthetics and massing. Examples of these architectural features include parapets, shielding mechanical equipment, cooling towers, elevator shafts, and other elements; and
- (b) The increased height would not negatively impact the light, air flow, and aesthetics of abutting single-family dwellings or single-family dwellings across a street or alleyway.

OPTIONAL:

3. Structured parking waiver. For structures in the Core Sub-District, up to four three levels (maximum of 40 feet) of structured parking may be excluded from the maximum height of a structure, even if active liner uses are proposed, upon the town commission's determination that all of the following conditions exists:

- (a) The applicant is proposing structured parking to meet the code required parking. In addition to meeting the required parking, an applicant seeking a structured parking waiver shall provision public parking equivalent to a minimum of ten percent of the required parking. This public parking shall be located on the ground floor of the structured parking area, be free of charge, and marked and reserved for public use in perpetuity.
- (b) Pursuant to a review of shadow studies, the additional height would not significantly impact the light, air flow, and aesthetics of any abutting single-family dwellings or multifamily dwellings or those that are located across a street or alleyway in a manner that creates substantial negative or detrimental impacts, as determined by staff, or as determined by the town commission. This waiver shall not be combined with an off-street parking waiver under subsection 1. above.

4. Landscaping species waiver. The commission may grant a waiver of a particular species of vegetation, hedges, or trees, or the quantity, quality, or height requirements of the species required herein where there is a conflict with the requirements of another public agency, or public or private utility, provided the commission finds that public's interest is better served by accepting the public agency, or utility's landscaping species.

Sec. 78-70(c) Property development regulations.

The property development regulations listed in Table 78-70-2, and Table 78-70-3, and ~~Table 78-70-4~~ shall be applied to the properties and structures herein depending on their location in the district as identified on Figure 1. When the provisions of the PADD conflict with other applicable regulations, the provisions of the PADD shall prevail.

Sec. 78-70(e)(1): Off-Street Parking and Loading.

- (1) Loading requirements. Loading requirements for all uses are established by Table 78-70-3. 78-70-4.

Sec. 78-70(g): Landscaping Requirements

- ~~(3) *Properties along 10th Street.* New development, substantial renovation or redevelopment shall provide a minimum five foot landscape strip directly abutting 10th street, and a minimum six foot sidewalk. Should there be insufficient public right-of-way to accommodate the landscaping and/or sidewalk, the property owner shall provide an easement on its property for the installation of the landscape strip and sidewalk improvements. Materials within the 5 foot landscape strip shall be consistent with the aesthetics established along the 10th Street corridor.~~
- (3) *Properties within the Core Sub-District.* New development, substantial renovation or redevelopment shall provide a minimum of six-foot planting and furnishing zone along the primary frontage, in addition to a minimum six-foot sidewalk, which includes tree wells with grates combined with hardscaped areas for benches, bike racks, trash receptacles, and streetlights or signs, in accordance with the following standards:
- a. Planting and furnishing zones must be configured to maintain ADA compliance.
 - b. Planting and furnishing zone location and design must be coordinated with existing and future utilities.
 - c. Minimum width of 6 ft. min. for understory trees; 10 ft. min. for canopy trees.
 - 1. Canopy (shade) trees shall be provided in the planting strip of the streetscape spaced at not more than 40 foot spacing. Trees are required to be planted in either a continuous planting strip or in tree wells using structural soil. A root barrier shall be provided when the planting strip is less than 10 feet in width.
 - 2. Understory tree spacing at an average of 20 feet on-center, or fraction thereof.
 - d. Any street furniture or other vertical features such as benches or vertical landscape barriers must be distanced from the curb a minimum of 2 feet.
 - e. Should there be insufficient public right-of-way to accommodate the landscaping and/or sidewalk, the property owner shall provide an easement on its property for the installation of the planting and furnishing zone and sidewalk improvements.
- (4) *New construction and substantial revision.* New construction and substantial renovation or redevelopment as defined in subsection 78-70(b)(6) shall meet the following requirements:
- a. *Area to be landscaped.* At least ten percent of the total lot area, excluding any area utilized to meet the required parking, shall be landscaped.
 - b. *Waiver of required landscaping.* Community development department staff may recommend a waiver of the landscaping requirements subject to the criteria of this section. ~~subsection (b)(7)b.4. above.~~
 - c. *Landscaping concept.* It is the town commission's intent that landscaping be provided in a manner that:
 - 1. Is consistent with the landscaping and materials installed by the town along Park Avenue;
 - 2. Is consistent with the pedestrian-orientation of the PADD;
 - 3. Is consistent with the landscape principles for urban landscaping in this climate; and
 - 4. Is consistent with, and enhances, the overall architectural style of the PADD.
 - d. *Overall landscaping.* The required area to be landscaped may include any of the following:
 - 1. Entry features;
 - 2. Massing of landscaping to produce focal points;

3. Foundation plantings;
 4. Trellises, arbors, and similar structures;
 5. Planter and flower boxes;
 6. Freestanding planters and pottery;
 7. Sidewalk plantings in the form of a five foot landscape strip;
 8. Landscaped courtyards, loggias, patios, and similar open areas available for public use;
 9. Materials installed within publicly owned lands; and
 10. Materials installed at other locations that will benefit the public, pedestrians, and the overall appearance of the Park Avenue Downtown District.
- e. Buffer Requirements. New development adjacent to single-family properties outside of the PADD shall provide landscape buffers consistent with Sec. 78-253(h).
- e-f. Approval of landscape plans. Unless otherwise directed, a development approval shall be granted by the town commission; minor site alterations may be approved administratively.

Sec. 78-70(h): Architectural Requirements

All nonresidential and mixed-use structures shall meet the design regulations of chapter 78, article XII and this section. Supplemental regulations associated with the PADD's architecture shall be applicable to multi-family and attached residential, mixed use and nonresidential development and include the following elements:

- (1) An overall, unified design and character and compatibility with surrounding structures aesthetics that respects historic context by encouraging adaptive reuse;
- (2) Preferred architectural styles shall include Mediterranean Revival along Park Avenue, modern designs or Miami Modern along 10th Street, or any architectural style complimentary of those listed herein that has been approved by the town commission's approval of a site plan;
- (3) Building massing that addresses the street by meeting a minimum frontage occupation of 60%, creating a pedestrian-oriented environment. Frontage occupation refers to the amount of the front building face that meets the minimum setback;
- (4) Ground level retail space or other ground level amenities which are of interest to pedestrians and serve the surrounding neighborhoods, with primary pedestrian entrances oriented to face the street with a six foot wide walkway connecting to the public sidewalk;
- (5) No blank walls, dead spaces, or features that hinder the pedestrian experience;
- (6) A single, large, dominant building mass shall be avoided. Multiple smaller buildings or multiple volumes over a single podium are encouraged over fewer large buildings. Changes in mass must be provided, related to entrances, the integral structure, and the organization of interior spaces and activities.
 - a. Features such as porches, chimneys, cornices, windows and doors must be proportional to other features of the building as well as the overall building form.
 - b. Additions, connective wings, and outbuildings shall be secondary to the primary building form.
 - c. Horizontal rhythm should be established by the organization of the building facade into horizontal bands which provides human scale and proportion to the facade.
 - d. Vertical rhythms should be established in the façade through alignment of windows, openings, pilasters, and columns.
- (7) Roof form shall include height variation and articulation which reflects the mass and architecture of the building below. Additional elements such as parapets may be used to

achieve variations in roof form. Roof forms that overwhelm the mass of the primary building form and complicated rooflines are to be avoided.

- (8) The use of common features such as parapet or clay tile roofs, the particular shape of windows and doors, and ornamentation;
- (9) A variety of protective features, attentive to the South Florida climate, such as arcades and awnings, building overhangs, landscaping, and the size, location, and shape of windows and doors, including architectural detailing of the same;
- (10) The use of textured or smooth stucco, roof tiles, painted window frames, and stucco moldings.
- (11) Tones of white, creams, and pastels should be considered for colors.
- (12) For proposed structures in the Core and Inner sub-districts adjacent to existing buildings requiring the minimum 15 foot interior side yard building setback, the space on the ground floor shall be utilized to create a public or private plaza, or midblock connection.
- (13) Buildings over four stories shall be designed to provide at least one building step-back beginning on the fifth floor when adjacent to a public right-of-way or single family residential. Step-backs shall serve to soften the facades and better integrate them into the surrounding area and shall be deemed acceptable by staff and by the town commission. Minimum step-back depth shall be 20 feet and may incorporate outdoor living or other features.
- ~~(14) Buildings over four stories shall incorporate a horizontal break in the facade after 200 feet of continuous facade length. The facade separation shall be a minimum break of 40 feet or other dimension that serves to adequately soften the facade and provide architectural air flow.~~
- (15) Maximum allowable projections and encroachments of architectural elements.

Elements	Front, Street Side, and Rear Setbacks		Interior Side Setback	0 ft. setback (no setback)
	Setback = 10 ft. or less	Setback = greater than 10 ft.		
Bay Windows	3 feet ⁵	3 feet ⁵	3 feet	Upper floor only, 3 ft. into a public right-of-way ²
Balconies	6 feet ⁵	6 feet ⁵	3 feet	Upper floor only, 3 ft. into a public right-of-way ²
Awnings ⁴	6 feet	6 feet	3 feet	24 in. from the face of the curb ²
Stoops	6 feet	6 feet	3 feet	Not Permitted
Stairs	6 feet	8 feet	3 feet	Not Permitted
Porches ¹	6 feet	8 feet	3 feet	Not Permitted
Roof eaves, chimneys, and ramps	May encroach into all setbacks			Roof Eaves only, 3 ft. into a public right-of-way ²
Cornice ³	May encroach into all setbacks			1 ft. into a public right-of-way ²
Notes:				
1. The encroachment of porches shall only be permitted in conjunction with residential units.				
2. Right-of-way encroachments shall be a minimum of 11 feet above the sidewalk.				
3. A cornice line shall project a minimum of 2 inches from the front elevation of the structure.				
4. The placement of awnings shall take into consideration the overall composition of the facade.				
Awnings shall be designed to fit between vertical architectural elements or features including but not				

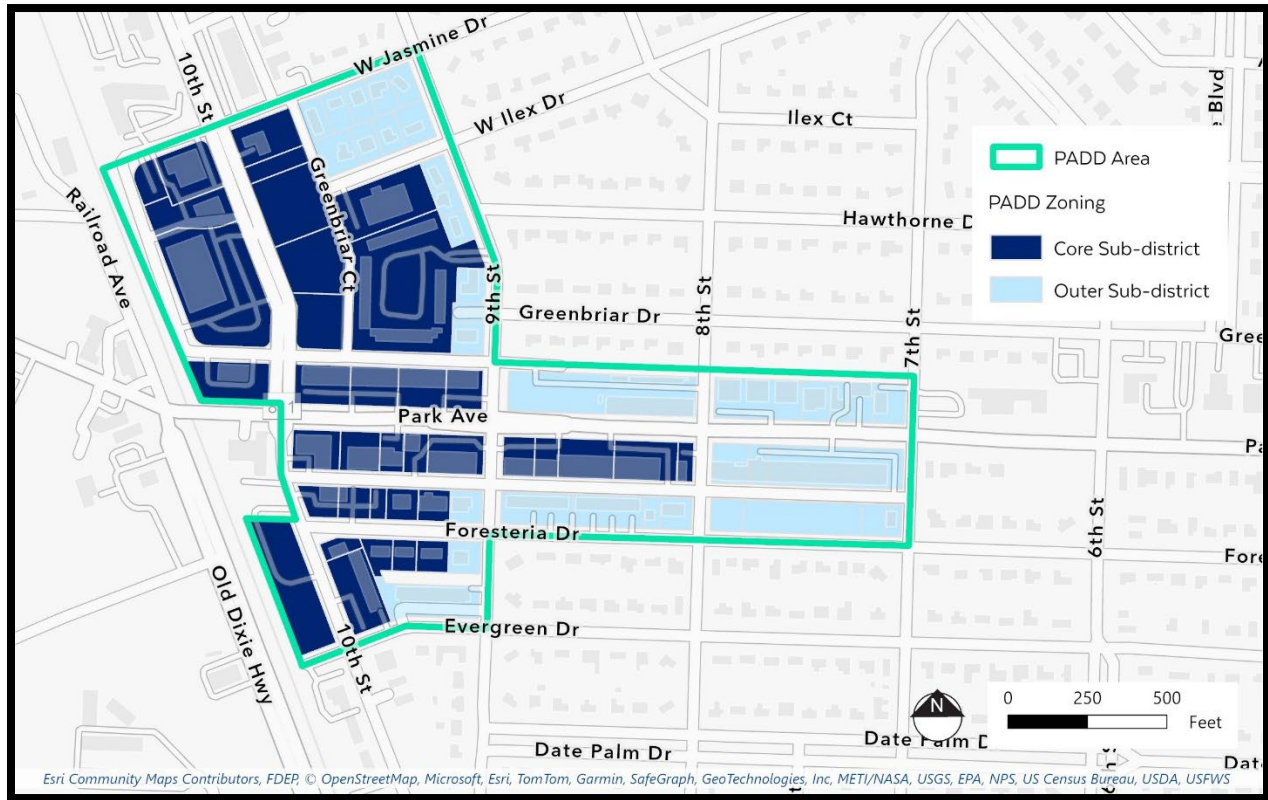
limited to columns, etc. In no case shall the length of an awning exceed 20 feet.
5. Accessory buildings shall be permitted to have balconies or bay windows that encroach a maximum of 3 feet into the rear yard setback.

Table 78-70-1: Permitted and Special Exception Uses

TABLE 78-70-1 PERMITTED AND SPECIAL EXCEPTION USES PARK AVENUE DOWNTOWN DISTRICT			
NOTES P = Permitted, may be subject to additional standards. SE = Special Exception Use, Town Commission Approval Required.			
USE CATEGORY	Outer Sub District	Core Sub District	Additional Standards
I. RESIDENTIAL			
Apartment/ Townhouse /Dwelling Unit	SE <u>P</u>	SE <u>P</u>	1
Townhouse	<u>P</u>	<u>P</u>	
Duplex	<u>P</u>	<u>P</u>	
Multiplex	<u>P</u>	<u>P</u>	
Single family Subdivision	<u>P</u>	<u>SE</u>	
I a. MIXED RESIDENTIAL/COMMERCIAL			
Airbnb's/Bed and Breakfast Inn, within existing single family structure	<u>P</u>	<u>P</u>	2
Live-work unit - studio	SE <u>P</u>	SE <u>P</u>	3
Live-work unit - apartment	SE <u>P</u>	SE <u>P</u>	3
II. BUSINESS AND PROFESSIONAL OFFICES			
Business Office	<u>P</u>	<u>P</u>	
Offices for Medical and Dental Practices	<u>P</u>	<u>P</u>	
III. PERSONAL SERVICES			
Barbershop, Beauty Salon, or aesthetician, or spa	<u>P</u>	<u>P</u>	
Dry Cleaning and/or Laundry, Drop-off and Pickup Only	<u>SE</u>	<u>SE</u>	6
Financial Institutions, including Banks and Credit Unions	<u>SE</u>	<u>P</u>	7
Gymnasium, Spa, and Health Club	SE <u>P</u>	P <u>SE</u>	
Gymnasium, public	<u>P</u>	<u>P</u>	
Parking Lot or Structure, Public or Private	SE <u>P</u>	<u>P</u>	8
Printing, Blueprinting, and Related Services	<u>P</u>	<u>P</u>	
Studios, including for Art, Dance, Drama, Interior Design, Music, Photography, Film, Tailoring	<u>P</u>	<u>P</u>	5
IV. RETAIL AND COMMERCIAL			
Art Gallery	<u>P</u>	<u>P</u>	
Bakery	<u>P</u>	<u>P</u>	4
Bicycle or Scooter, Sales and Rental	<u>P</u>	<u>P</u>	9
Coffee Shop	<u>P</u>	<u>P</u>	
Consignment Shop	<u>P</u>	<u>P</u>	
Craft Distillery	SE <u>P</u>	<u>P</u>	19
Deli, café	<u>P</u>	<u>P</u>	
Department Store, including Apparel, Housewares, Dry Goods, Notions, Jewelry, Home Furnishings, etc.	<u>P</u>	<u>P</u>	
Distillery	SE <u>P</u>	<u>P</u>	20

Fruit and Vegetable Market	P	P	10
Grocery Store, Specialty	P	P	11
Hotel or Inn	<u>SE</u> <u>P</u>	<u>SE</u> <u>P</u>	12
Ice Cream Parlor	P	P	
Mail, Shipping and Packing Stores (Private)	P	P	
Microbrewery	<u>SE</u> <u>P</u>	P	13
Brewery	<u>SE</u> <u>P</u>	P	
Brewpub	<u>SE</u> <u>P</u>	P	
Restaurant, General	<u>SE</u> <u>P</u>	P	14
Restaurant, Specialty	<u>SE</u> <u>P</u>	P	15
Retail, including Apparel, Beauty Supplies, Boutiques, Electronics, Flowers, Gifts, Hobby Supplies, Jewelry, Office Supplies, Music Media, Musical Instruments, etc.	P	P	
Small scale food and beverage production	<u>SE</u> <u>P</u>	P	16
Wineries	<u>SE</u> <u>P</u>	P	21
V. RECREATION			
Athletic court, Outdoor	<u>SE</u>	<u>SE</u>	
Entertainment, Indoor	<u>SE</u> <u>P</u>	<u>SE</u> <u>P</u>	
Theater, Indoor	<u>SE</u> <u>P</u>	P	
VI. CIVIC USES			
Government Offices	P	P	17
Schools, Post-Secondary	SE	SE	18
Train Stations and Accessory Uses	<u>SE</u> <u>P</u>	<u>SE</u> <u>P</u>	22

Figure 1
PADD Sub-District Regulating Plan



As illustrated in Figure 1, the PADD is divided into two sub-districts: the Core Sub-District and the Outer Sub-District. For all Sub-Districts, see the property development regulations within Table 78-70-2.

Within the Core Sub-District, see the property development regulations within Table 78-70-2.

Within the Outer Sub-District, see the property development regulations within Table 78-70-3.

Table 78-70-2 – PADD Development Regulations

	OUTER Sub-District	CORE Sub-District
Building Height (Maximum)	4 stories (56 feet)	<u>7 stories, 12 stories (160 feet). See 78-70(b)(7)b.3. for an additional height waiver for structured parking.</u>
Story Height	Maximum 12 feet per story, 20 feet maximum for ground floor	Maximum 12 feet per story, 20 feet maximum for ground floor, and top floor or middle floor
Minimum Building Height	<u>None</u>	New development shall have a minimum building height of <u>2</u> two stories.
Building Coverage	<u>70-90%</u> maximum	90% maximum
Front Setback	15 feet (Minimum)	15 feet (maximum), <u>6 feet (minimum) where planting and furnishing zone is required.</u>
Side Setback (Interior)	None 15 feet when adjacent to single-family <u>uses</u> districts *	15 feet when adjacent to existing buildings <u>including single family buildings.</u>
Side Street Setback	None 15 feet when adjacent to single-family <u>uses</u> districts *	<u>15 feet when adjacent to single-family uses *</u>
Rear Setback	None 15 feet when adjacent to single-family <u>uses</u> districts *	None
Parking Standards	Parking shall be located at the rear of the site, except for townhouse driveways <u>with preference along an alley</u>	Parking shall be located at the rear of the site, <u>with preference along an alley</u>
Sidewalk Width (Minimum)	10 feet	10 feet
<u>Lot Size</u>	<u>None</u>	1 acre (minimum, or Outer Sub-District Regulations shall apply) <u>None</u>

<u>Density</u>	Maximum density shall be 48 dwelling units per acre. The town commission may approve a project in excess of 48 units provided that the average density for the entire contiguous Downtown Future Land Use area does not exceed 48 du/acre and the town commission finds it in keeping with the purpose and intent established for the PADD.	Maximum density shall be 48 60 dwelling units per acre. The Town Commission may approve a project in excess of 48 units provided that the average density for the entire contiguous Downtown Future Land Use area does not exceed 48 du/acre and the Town Commission finds it in keeping with the purpose and intent established for the PADD.
<u>Minimum Active Uses on Ground Floor ²</u>	<u>30% of the ground floor GFA</u>	<u>60% of the ground floor GFA</u>
<u>Minimum Active Use Liner Depth</u>	<u>15 feet</u>	<u>20 feet</u>

(*) For those yards adjacent to single-family districts, even when separated by a right-of-way, a minimum 15 foot setback is required.

NOTES

1. At least 50 percent of the building line of all new construction and any substantial repair, renovation, rehabilitation, or restoration of an existing building shall have a front setback of zero feet. Recesses in the required zero setback building line for architectural features such as doors, courtyards, store front entrances etc., are permitted as part of the overall design of the building.

2. Active use, ground floor means an active use that attracts pedestrian activity, provides direct access to the general public from the sidewalk or the public open space, and conceals uses designed for parking and other non-active uses if present. Ground floor active uses generally include, but are not limited to, retail, other commercial, office, restaurants, coffee shops, libraries, institution, educational and cultural facilities, residential, and entrance lobbies.

Table 78-70-2 – CORE Sub-District Regulations	
Building Height (Maximum)	12 stories (160 feet). See 78-70(b)(7)b.3. for an additional height waiver for structured parking.
Story Height	Maximum 12 feet per story, 20 feet maximum for ground floor, and top floor or middle floor
Minimum Building Height	New development shall have a minimum building height of two stories.
Building Coverage	90% maximum
Front Setback	15 feet (Maximum)
Side Setback (Interior)	15 feet when adjacent to existing buildings
Side Street Setback	None

Rear Setback	None
Parking Standards	Parking shall be located at the rear of the site
Sidewalk Width (Minimum)	10 feet
Lot Size	1 acre (minimum, or Outer Sub-District Regulations shall apply)
Density	Maximum density shall be 48 dwelling units per acre. The Town Commission may approve a project in excess of 48 units provided that the average density for the entire contiguous Downtown Future Land Use area does not exceed 48 du/acre and the Town Commission finds it in keeping with the purpose and intent established for the PADD.

TABLE 78-70-3 – OUTER Sub-District Regulations

Building Height (Maximum)	4 stories (56 feet)
Story Height	Maximum 12 feet per story, 20 feet maximum for ground floor
Building Coverage	90% maximum
Front Setback	15 feet (Minimum)
Side Setback (Interior)	None, 15 feet when adjacent to single family districts [±]
Side Street Setback	None, 15 feet when adjacent to single family districts [±]
Rear Setback	None, 15 feet when adjacent to single family districts [±]
Parking Standards	Parking shall be located at the rear of the site, except for townhouse driveways
Sidewalk Width (Minimum)	10 feet
Density	Maximum density shall be 48 dwelling units per acre. The town commission may approve a project in excess of 48 units provided that the average density for the entire contiguous Downtown Future Land Use area does not exceed 48 du/acre

	and the town commission finds it in keeping with the purpose and intent established for the PADD.
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(*) For those yards adjacent to single family districts, even when separated by a right of way, a minimum 15 foot setback is required.

TABLE 78-70-378-70-4 REQUIRED OFF-STREET PARKING** AND LOADING SPACES		
Use Category	Off-Street Parking for Residents, Customers and Employees, as applicable(**)	Loading Spaces Required(*)
Residential	1 space per housing unit	None
Live-work units	1 per residential component, see Table 78-70-1 (3) for commercial	None
Business and Professional Offices	1 per 500 SF	1 per 10,000 SF (1)
Personal Services	1 per 500 SF	1 per 10,000 SF
Outdoor Display	None	None
Outdoor Restaurant Seating or other facilities operated by number of seats (example, open-air patios, etc.)	1 per 3 seats	None
Restaurants	1 per 100 SF	1 per 5,000 SF
Retail and Commercial Brewery and similar indoor open areas	1 per 500 SF 1 per 500 SF	1 per 5,000 SF
Hotel/Airbnb/Bed and Breakfast Inn	1 space per rentable room, plus 1 space for each employee (maximum shift), plus 1 guest space per 3 rentable rooms	1 per 10,000 SF
Theater, Indoor	1 per 3 seats	1 per use, excluding movie theaters
NOTES At least one loading space is required for all uses having less than minimum gross square feet. (*) All square footage calculations are based upon the gross square feet of building area. (**) For new development or change in use: Should a project be unable to provide all required parking on-site, the Town may consider the following options: 1) A maximum of 10% of required parking may be satisfied by using unallocated public parking spaces available in the <i>Downtown Public Parking Master Plan</i> identified herein. 2) The project may make a market rate contribution for the construction of additional public parking spaces pursuant to the Downtown Public Parking Master Plan, if said spaces will be available within six months of C.O.		

Optional New PADD Code Sections

Section 78.XX – Developer Responsibility for Infrastructure Improvements

A. General Requirement. As a condition of development approval, and prior to the issuance of a certificate of occupancy, all necessary infrastructure improvements—including but not limited to water, sewer, stormwater, electric, telecommunications, and roadway facilities—shall be constructed or funded by the developer. Infrastructure improvements must meet the minimum standards established by the Town, the County and all applicable utility providers.

B. Oversized Infrastructure as Public Benefit. Developers may elect to construct infrastructure with capacity exceeding the projected demand of their development. Such oversized infrastructure may be considered a public benefit for the purposes of qualifying for development waivers, provided that:

1. The additional capacity serves future development or addresses existing infrastructure deficiencies;
2. The improvement is consistent with the Town's Capital Improvement Plan or other adopted infrastructure plans;
3. The benefit is measurable and documented through engineering analysis or utility demand projections.

C. Evaluation Criteria. Oversized infrastructure shall be evaluated based on the following:

1. Extent of Community Benefit – The degree to which the improvement supports broader community needs beyond the subject development.
2. Alignment with Town Plans – Consistency with adopted infrastructure, mobility, or capital improvement plans.
3. Long-Term Maintenance – The ability of the utility provider to maintain the infrastructure over time.

D. Documentation and Approval. Developers seeking recognition of oversized infrastructure as a public benefit must submit:

1. Engineering plans and capacity analysis;
2. Narrative describing the public benefit;
3. Agreements with utility providers, Palm Beach County, or the Town regarding ownership and maintenance.
4. Approval of such infrastructure as a public benefit shall be at the discretion of the Town Commission, based on staff recommendation and applicable review procedures.

Sec. 78-XX – Mobility and Transportation Coordination Standards

A. Purpose. To ensure that development within the Town supports a multimodal transportation network, enhances connectivity, and aligns with regional mobility goals while preserving the character of the downtown and addressing right-of-way limitations.

B. Coordination with Regional Agencies

1. Interagency Coordination Required. All development applications that may impact regional transportation infrastructure shall be reviewed in coordination with Palm Beach County and the Palm Beach Metropolitan Planning Organization, if applicable.
2. Traffic Impact Mitigation. Applicants shall submit traffic studies, where applicable, that identify potential impacts and propose mitigation strategies consistent with the County's Unified Land Development Code (ULDC) and the Town's Mobility Plan.

C. Signal Timing and Intersection Management

1. Developer Contributions. Where warranted, developers may be required to contribute to signal upgrades or intersection improvements as a condition of approval.

D. Mobility Plan Implementation

1. Compliance Requirement. All new development and redevelopment shall demonstrate consistency with the current Mobility Plan.
2. Mobility fee revenues shall be used to implement the following strategies:
 - a. Micro-Mobility Infrastructure. Installation of docking stations or designated parking areas for e-bikes, scooters, and shared bicycles.
 - b. Last-Mile Connectivity. Feasibility studies and pilot programs for a local circulator connecting existing transit stops to key destinations in the Downtown.
 - c. Lake Park Legacy Loop. Design and phased construction of the Lake Park Legacy Loop, a continuous pedestrian and bicycle route linking parks, civic spaces, and commercial areas.
 - d. Protected Bike Lanes. Prioritization of protected bike lane construction in all applicable roadway improvement projects.

Sec. 78-XX Recreation Space

- A. All new developments within the PADD, and redevelopment that proposes more than 50% of the site to be disturbed, must provide a minimum of 10% recreation space, which includes passive or active recreation options, or both. Any landscaped area in this space may be used toward the 10% required landscape area. Recreation spaces may include a combination of:
 1. Plazas, squares or courtyards
 2. Parks including art parks, or dog parks
 3. Playgrounds, splash pads or fountains
 4. Outdoor sports courts
 5. Greenways or trails
 6. Indoor gym or recreation space