

2008-09 Workshops on Infill Development

SPONSORED BY THE HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION



Workshop 4, August 14, 2009 Summary Report

September 10, 2009

Project No. 244

Revised Oct. 2009



Facilitation and advisory services provided by

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1. WELCOME AND INTRODUCTIONS

Robert Hunter, Executive Director of the Hillsborough County City-County Planning Commission (TPC), welcomed the participants to the fourth and last workshop on infill development. He reminded the participants that the workshops were organized in response to trying to meet the Comprehensive Plan's infill development policies while encountering land development regulations, both of which, seem to hamper local governments infill and related sustainable design goals. He had traveled to many planning and development conferences and had seen how these goals were being implemented elsewhere. The green industry was leading changes in planning and development across the entire country, and these principles were, like infill development, not yet reflected in the local government's land development regulations.

In Hillsborough County, the elected officials continued to lean toward funding more community planning, which Hunter likened to remodeling a house. Preparing Community Plans is like renovating the exterior of an old home. Painting a house and putting in new windows may give the home a new look, but any home renovation is not complete without updates to the interior such as new plumbing and electric. These are parts of a house that you might not necessarily see but which make the home function more efficiently and complete the renovation. The Community Plans alone cannot solve problems created by the codes. While the Community Plans receive continuous update, the codes, written in and for different times, have received little update. He believes it is time for local government's to produce better development on the ground. "We need adequate funding to allow vital rewrites. It's time for us to renovate the entire house inside and out."

In this final workshop, he looked forward to leaving with a set of recommendations that local governments could use to bring the regulations into alignment with the Comprehensive Plan. He thanked the participants for their passion and patience in working to improve development.

2. WORKSHOP PURPOSE AND APPROACH

Jim Stansbury, President of Stansbury Resolutions By Design, Inc. and facilitator for the workshops, asked the attendees to extract the best ideas from their previous work and distill them into specific recommendations. To do so, he had organized the workshop into four teams, each of which would focus on a specific aspect of the changes they had discussed (see Figure 1). "While your team will spend most of its time on one topic, it will also rotate through the other topics to allow everyone an opportunity to add to and improve the work-in-progress. You will then return to your starting point to review everyone else's contributions before consolidating your conclusions."

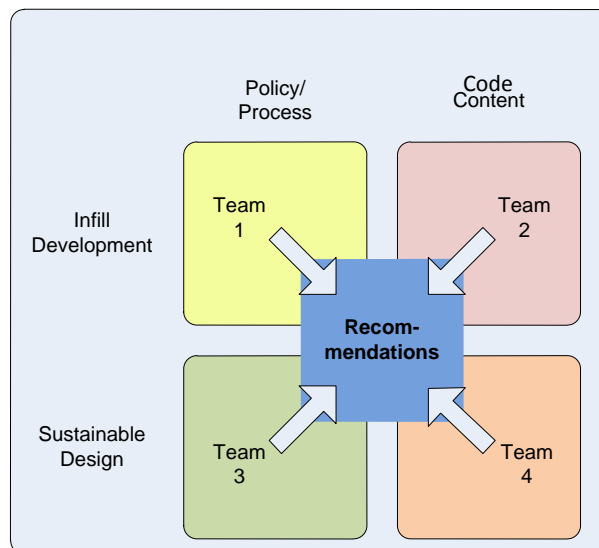


Figure 1

Team Focus

Each team had the option of capturing the details of any particular recommendation on provided worksheets. Team facilitators assisted in listing all ideas, and stayed in place during the rotations to provide topic clarifications and continuity.



Figure 2 Teams develop recommendations

Mr. Stansbury emphasized that the purpose was not to write new or revised code, but to recommend policy and code changes that professional staff and/or consultants will translate into actual code revisions.

The following recommendations were developed by the teams, taking into consideration the inputs received from others during the rotations. They are not universally supported by every participant, and no attempt has been made to resolve conflicts among proposals. They have however been edited by the facilitator as follows:

- employing consistent action-oriented language in place of “should,” “may,” etc.;
- deleting statements of problems with no associated change or recommendation;
- deleting repetitions arising in the rotations;
- deleting unclear short phrases having multiple possible meanings;
- splitting proposals containing dissimilar recommendations;
- relocating policy/process and code content proposals to most appropriate categories;
- organizing related proposals under consistent themes for ease of reading and comprehension, and
- consolidating all policy and code content proposals under two headings—Infill Development and Sustainable Design.

3. TEAM RECOMMENDATIONS

These are strictly recommendations of committee members. As there are variations in Comprehensive Plans and Land Development Codes amongst the County and its municipalities, some local jurisdictions may already be implementing many of these recommendations.

3.1. OVERALL VISION OR GOAL

- Rec. 1. Adopt rewritten detailed, clear LDC's that provides an efficient, flexible approval process and certainty for all parties. Incorporate non-controversial code and an efficient non-political process to make political quasi-judicial rezonings a thing of the past. When issues arise, initiate a neutrally-facilitated, collaborative meeting between the developer and the community.
- Rec. 2. Adopt new LDC's that are livable and form-based, and provides a high quality of life and protection of environmental and agricultural lands. Implement appropriate infrastructure prior to development through government initiation, including a coordinated transportation/transit plan and master stormwater plan.
- Rec. 3. Prepare complete, clear, predictable and precise Land Development Codes. Integrate sections of existing code (stormwater, transportation, trees, etc.) to work together instead of against each other as is the present case.
- Rec. 4. Follow a consistent process for comprehensive planning and implementation across municipalities. Create consistency between land development codes, comprehensive plans, and building codes.
- Rec. 5. Update the codes area by area (geographically) and incorporate design standards for the 21st Century. The Code is 20 years old, and does not reflect today's standards or desires. It is also too general to apply city-wide and community-wide as conditions vary across the cities and county.
- Rec. 6. Create an overarching document that consolidates conforming jurisdictional plans.

3.2. INFILL DEVELOPMENT POLICIES, PROCESS AND CODE CONTENT

Political Decisions and Support

- Rec. 7. Generate political decisions in support of infill plans, including interagency agreements, and more education for developers, citizens and elected officials to see benefits of infill.
- Rec. 8. Take politics, typically the main obstacle to zoning conformance, out of the process. De-politicize the rezoning process with code that tells you what you can vs. cannot do. Emphasize more staff administration of code and de-emphasize the current hearing process.
- Rec. 9. Examine the legal feasibility of infill and establish a legal foundation for it.

Incentivizing/Expediting

- Rec. 10. Use incentives to create zones where there are no impact fees.
- Rec. 11. Associate incentives with identified infill and redevelopment areas such as transit corridors.

- Rec. 12. Map existing infrastructure capacity to understand how it can be used in the most efficient manner.
- Rec. 13. Use public funds to absorb more infrastructure costs especially in locations where infill is desired.
- Rec. 14. Provide pre-zoning areas for more efficient zoning conformance.
- Rec. 15. Expedite residential permits for infill development projects.
- Rec. 16. Require fees for waivers/code exceptions of zoning district vs. mixed use district.
- Rec. 17. Change variances to consider special circumstances for infill—they are now based on hardship only.
- Rec. 18. Provide personnel to process permits in a timely manner.
- Rec. 19. Redeploy economic development staff “hungry for success” (more staff with less pay offset by bonuses tied to performance).
- Rec. 20. Create an independent “Infill Expediter” position with cross-departmental access to assist developers. The Expediter to have enough knowledge and experience to communicate and negotiate with all city/county departments, and to foster innovation as well as efficient approvals.
- Rec. 21. Fast track renovations to existing residential structures.
- Rec. 22. Enable plan amendments and rezoning to run concurrently.
- Rec. 23. Use transfer of development rights, across-jurisdictions.
- Rec. 24. Incentivize property owners to consolidate properties in infill areas.
- Rec. 25. Promote consolidation of properties for more master planned development.
- Rec. 26. Facilitate consolidation of parcels by setting minimum lot size.
- Rec. 27. Penalize hold-outs (“you snooze you lose”).
- Rec. 28. Discourage waivers on connectivity requirements by levying impact fees on such waivers.

Mixed Use, Form-Based and Other Code

- Rec. 29. Make greater use of form based codes. Reduce the present focus on separating uses and refocus more on form, design and a mixture of uses.
- Rec. 30. Develop form-based codes for individual neighborhoods, as well as roadway, parking, stormwater, etc. standards.
- Rec. 31. Change the present code emphasis on suburban character.
- Rec. 32. Create infill development districts.
- Rec. 33. Adopt mixed-use zoning districts encouraging a mix of form and design especially at 1st floor.
- Rec. 34. Create a set of standard districts to discourage Planned Developments and make potential development and redevelopment more predictable.
- Rec. 35. Provide for a hierarchy of land uses (compatible and symbiotic).
- Rec. 36. Add standard zoning districts that allow higher (<20) density and higher F.A.R.
- Rec. 37. Encourage vertical development where appropriate, ease regulations.
- Rec. 38. Increase density through accessory dwelling units (granny flats, garage apartments).

- Rec. 39. Do not allow breaks from minimum density requirements.
- Rec. 40. Ease restrictions on home-based business, and allow live/work units.
- Rec. 41. Increase setbacks and landscaping requirements as intensity increases.
- Rec. 42. Address uses in rear yards and their relationship to neighborhoods (alley dumpsters, etc.)
- Rec. 43. Facilitate and allow aerial encroachments over the sidewalk right-of-way (i.e. balconies, awnings, etc.).
- Rec. 44. Require to be in place infrastructure up front.

Education and Information

- Rec. 45. Use website to flow information to the public, and reduce questions to staff that take time from other responsibilities.

Quality, Flexibility and Standards

- Rec. 46. Require quality assurance bonds.
- Rec. 47. Set higher quality design standards.
- Rec. 48. Allow more flexibility in areas identified for urban development.
- Rec. 49. Allow a larger range of municipal equipment and materials to allow for variety in neighborhoods (such as pavers).
- Rec. 50. Allow housing site design flexibility including accessory dwellings.
- Rec. 51. Allow flexibility of uses on ground floor – don't require retail occupation initially but build suitable for future retail.

Stormwater

- Rec. 52. Create area-wide infrastructure plans for stormwater.

Multi-Modal, Traffic Calming, and Connectivity

- Rec. 53. Require traffic calming – with design techniques that include connectivity.
- Rec. 54. Codify livable roadway guidelines for infill.
- Rec. 55. Encourage transit and pedestrian-friendly concurrency mitigation.
- Rec. 56. Allow pedestrian/bike/transit LOS improvement count for concurrency.
- Rec. 57. Allow impact fees for pedestrian/trail/bike/transit improvements.
- Rec. 58. Require wider sidewalks on both sides of streets in new infill subdivisions or housing complexes to connect to adjacent/existing sidewalks off property.
- Rec. 59. Require completion of all sidewalk gaps at transit stops and along routes.
- Rec. 60. Overhaul code and facilities to emphasize non-vehicular travel during maintenance and resurfacing activities—i.e. codify complete streets, protecting the continuity of pedestrian movement.
- Rec. 61. Provide well designed shelters at transit stops.

Parking

- Rec. 62. Create area-wide infrastructure plans for parking.
- Rec. 63. Allow on street parking.

- Rec. 64. Lower parking requirement in infill projects to encourage garages in the urban area.

Collaboration, Participation and Community Capacity-Building

- Rec. 65. Bring broad spectrum of agencies into collaborative regulation revisions.
Rec. 66. Incorporate community participation in the preparation of form-based codes.

3.3. SUSTAINABLE DESIGN – POLICY, PROCESS AND CODE CONTENT

Incentivizing/Expediting

- Rec. 67. Reduce public hearings if certain standards are met upfront. Neighborhood creates standards on sustainability (key points). If standards are met the development will require less regulation.
- Rec. 68. Provide sustainable design solutions to the development community—don't just say "no!"
- Rec. 69. Provide incentives for trash removal improvements and increased recycling and reuse to reduce amount of trash.
- Rec. 70. Provide incentives for renovation. It costs more to renovate than rebuild, and existing structures are difficult to redevelop because of modern parking standards (i.e. Cigar Factory conversion to office use in West Tampa, and Cigar Factory conversion to residential in Palmetto neighborhood in Tampa). Transfer of Development Rights similar to Historic Preservation TDRs is a possibility.
- Rec. 71. Incentivize cisterns due to Florida's increase in population, and the demands on water region-wide.
- Rec. 72. Provide incentives for green roofs and tree preservation.
- Rec. 73. Provide property tax credit for Florida-Friendly landscaping.

Mixed Use, Form-Based and Other Code

- Rec. 74. Change fence rules to allow front yard gardens.
- Rec. 75. Establish sustainable land use policies consistent with building standards and codes.

Education and Information

- Rec. 76. Create a marketing scheme to change mindset toward sustainability for citizens and development community.
- Rec. 77. Educate both citizens and development community on landscaping options.
- Rec. 78. Implement an education program for the resident, developer, and landscape contracting community about the benefits of Florida-Friendly landscaping.
- Rec. 79. Implement an energy management education program (e.g. "insulation trumps technology").
- Rec. 80. Provide a list of historic structures that could be redeveloped.
- Rec. 81. Rethink mobility and implement an education program about transit.
- Rec. 82. Expand the existing web-based lake atlas to incorporate other water bodies and communicate information on water quality.

- Rec. 83. Conduct yearly workshops to educate the decision makers about the land use process and potential impacts of decisions.

Quality, Flexibility and Standards

- Rec. 84. Develop a checklist of sustainable design approaches for the development community.
- Rec. 85. Create an easy sustainable design program with consistent rules across municipalities with consistent vendors.
- Rec. 86. Codify low impact design standards.
- Rec. 87. Incorporate streetscape design, addressing lighting, sidewalk design, materials and street furniture.
- Rec. 88. Allow flexibility for good design and eliminate lengthy variance process.

Stormwater

- Rec. 89. Require neighborhood-level stormwater treatment.
- Rec. 90. Implement requirements for bioswales and attractive landscaped areas as part of the water retention system.
- Rec. 91. Use more natural systems for stormwater—different trees, grasses, shrubs, etc. that absorb more water.
- Rec. 92. Use more pervious materials vs. asphalt and separate green spaces (the technology is available today).
- Rec. 93. Allow and encourage cisterns and green roofs and have them count for stormwater.
- Rec. 94. Create a “Water Ethic” in the Comprehensive Plan with a mission to protect the ecosystem and environment through inspection of lakes, rivers, and other water bodies to determine environmental health. Apply the Water Ethic to implement better stormwater regulations, and help to provide follow through and evaluation of existing regulations.

Multi-Modal, Traffic Calming, and Connectivity

- Rec. 95. Encourage development that has multi-modal facilities.
- Rec. 96. Provide good, efficient alternative transportation to reduce our attachment to our cars.
- Rec. 97. Encourage activity and development along transit routes.
- Rec. 98. Change public transit hours and routes based on where it’s needed (i.e. events, typically busy areas, hours). Keep hours and routes consistent.
- Rec. 99. Encourage connectivity and provide many choices to distribute traffic across the network.
- Rec. 100. Connect subdivisions to avoid isolated neighborhoods.
- Rec. 101. Require a proximity standard to promote connectivity and disallow development leapfrogging.

- Rec. 102. Require road and pedestrian connections to be completed early in the development process so that they cannot be blocked off as the subdivision is near completion.
- Rec. 103. Enhance bicycle and pedestrian connectivity. Currently the focus is only on sidewalks.
- Rec. 104. Improve way-finding.
- Rec. 105. Construct roads with traffic calming in place, including making them narrower.
- Rec. 106. Provide a buffer between sidewalk and roadway.
- Rec. 107. Evaluate the required buffer size based on size of right-of-way, characteristics of neighborhood.

Parking

- Rec. 108. Create special parking districts, with parking on the periphery of the urban core that is served by a shuttle or other transit option.
- Rec. 109. Require a parking review for redevelopment of existing structure to avoid variance process. It could potentially be a conditional use process.
- Rec. 110. Prepare parking management plans for businesses in dense areas where parking might not readily be available (i.e. SoHo District).
- Rec. 111. Provide greater ability to change the use of existing parking structures—requirements should be more flexible for existing structures.
- Rec. 112. Rewrite parking standards as big box parking ratios are not correct. Reduce the impact of the “sea of asphalt.”
- Rec. 113. Allow for more shared parking opportunities, consider the peak times for each use.
- Rec. 114. Allow parking within 250 feet of the use, instead of requiring that all parking be on site.
- Rec. 115. Consider >250 foot distances—typical person can comfortably walk ⅓ to ¼ mile from car to use.
- Rec. 116. Consider the size of the use, not just the type, when determining parking requirements.
- Rec. 117. Disallow parking for commercial uses in the residential areas.
- Rec. 118. Provide for sufficient buffering between commercial parking areas and residential uses.
- Rec. 119. Ensure parking does not overflow into the neighborhood.
- Rec. 120. Do not allow on-street parking in neighborhoods.
- Rec. 121. Determine on-street parking plans that are safe for pedestrians, bicycles and other vehicles.
- Rec. 122. Identify parking “hot spots”—where the complaints are and map them.
- Rec. 123. Make guest parking available on a neighborhood or community-wide basis. Possible guest parking sources include churches and other houses of worship, community centers, and other public facilities. The community should share its resources.

- Rec. 124. Provide for short-term parking within the community. Often expensive—look at taxing options in the neighborhood to pay for community parking. Insurance for parking lots can be costly. Private developers may be willing to provide some community parking on redeveloped sites.
- Rec. 125. Establish maximum parking requirements.
- Rec. 126. Do not rely entirely upon Community Plans to determine where parking is most appropriate; they take too long to create and there are a lot of areas to study.
- Rec. 127. Establish parking maximums and phase in based on availability of transit.

Collaboration, Participation and Community Capacity-Building

- Rec. 128. Build citizen capacity (both residents and development community) on sustainable design and practices. Create a 10 point or 20 point plan to avoid resident and developer opposition to sustainable design because they don't understand it.
- Rec. 129. Community planning is important for resident buy-in, an example being the Seminole Heights form-based code.

Preservation, Conservation, Urban Agriculture, Renovation and Re-Use

- Rec. 130. Increase protection of trees—currently too easy to justify removal.
- Rec. 131. Add canopy preservation to general preservation of trees.
- Rec. 132. Diversify tree species in new developments.
- Rec. 133. Allow for urban gardens and urban agriculture (community gardens, front yard gardens, fowls, etc.)
- Rec. 134. Establish aesthetic security measures for gardens and urban agriculture.
- Rec. 135. Create a recycled construction materials program/center.
- Rec. 136. Require use of Florida Friendly landscaping.
- Rec. 137. Allow for and create a simple process for creative, temporary reuse of vacant land (parks, gardens, tree nurseries, etc.)
- Rec. 138. Implement an industrial water management program.
- Rec. 139. Incorporate code for sustainable design techniques (require tinted windows, more insulation, natural light, cisterns, etc.).
- Rec. 140. Rethink how we live today and become more energy efficient.
- Rec. 141. Address the higher costs of drought-resistant plant species.
- Rec. 142. Require pocket parks and recreation areas that are easily accessible and are based on the number of acres for the development or number of units—no waivers.
- Rec. 143. Make water regulations predictable, not season or rainfall-based.

4. GROUP DISCUSSION

The facilitator thanked the participants for generating so many proposals, and appreciated the efforts of the team facilitators in cultivating productive discussion. He suggested that the remaining time be spent on whole group discussion rather than ranking, to which everyone agreed.

The participants were anxious to see their collective work and combined interests lead to actual changes in policies and codes. They noted that while there was not yet universal consensus on every

idea, there did seem to be broad support for most of the outputs. With fine-tuning, these recommendations should serve as the foundation for professional policy and code writing. It also seemed clear that despite the breadth of their conclusions, most of them were not really new ideas and were in fact being adopted and implemented across the country. “Rewriting the codes is easy—getting the four governments to commit to rewriting them is the challenge” noted a representative from the development community.

Mr. Hunter asked for input on ideas for moving forward. He believed that two elements were crucial to such change – generating political and public support, inclusive of all interests, and finding the resources needed to change the policies and regulations. He intended to present the group’s work to all four governments. With political support and working closely with local governments, the Planning Commission would retain a professional planner having expertise in taking the proposals forward into actual code changes for adoption.

The group agreed that momentum would be critical, and that the neighborhood, developer/builder and regulator interests needed to combine their influence to push for action by the County and three cities. Communication and education were identified as two such fundamental efforts. Ideas included making sure that any agency staff-related “turf issues” are first smoothed out so that presentations will be mutually-supported. Engagement of the media, using a concise and impactful document, will help to raise the public’s awareness of infill and sustainability concepts, and their importance to the quality of life. Other ideas included using the Planning Commission and partner agencies websites to allow interactive comments on the codes during the interim between present and future revisions. Twittering would offer another mechanism for public comment to elected officials.

Workshop representatives agreed to maintain communication with each other, contribute to the infill and sustainable design education process, and attend relevant BOCC meetings in support of code modification. They also suggested that local government planning staff research examples of relevant code changes elsewhere in Florida, including communication with the FL Department of Community Affairs as an information source. There was also reflection on the four workshops being an important demonstration of a collaborative rather than confrontational process—a value in itself that should be promoted along with the actual recommendations being proposed.

The mission is clear—bringing county and city policies and regulations up to date in order to apply, rather than stifle, 21st Century concepts and technologies that will increase the quality of on the ground development. That mission and destination needs to be articulated with specific milestones, and monitored to avoid becoming an endless journey.

Participants understand the implementation of new code will take considerable time, and were prepared to meet annually as a committee to assist in monitoring progress.