

**Six Pillars Business Climate & Competitiveness Task Force
Planning & Zoning Best Practices White Paper**

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November 2012

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Table of Contents

	Page Number
I. Introduction	3
II. Planning and Zoning Best Practices	4
III. Expanded Best Practices	9
A. Customer Service: Pre-Application Meeting	9
B. Communication: Web Based Data	12
C. Documents: Flow Charts & Schedules	17
D. Organizational Process: Electronic Applications	19
IV. Summary	23
V. Exhibits	
1. Pre-application Survey	
2. Palm Beach County Pre-Application Form	
3. Development Review Chart	
4. Development Review Schedule	

I. Introduction

In 2009, the Economic Council of Palm Beach County, Inc. commissioned Market Street Services, Inc., a nationally recognized community and economic development consultant, to perform an independent competitiveness analysis of the development climate in Palm Beach County. The study indicated Palm Beach County suffered from the perception of being an expensive and difficult place to do business.

In a unique collaboration, representatives of local government and business subsequently launched an initiative to streamline development practices in an effort to assist existing business interests, and attract new business and development opportunities, jobs, and increased tax revenues to Palm Beach County while preserving the highest quality of life. The parties conducted impartial research to:

- Understand the effects of the Regulatory Review Process on business development, both in the public and private sectors;
- Identify the best application and review practices in the public and private sectors; and
- Improve communication between the public and private sectors.

An equal number of volunteers from units of local government, private businesses, and professional disciplines who are directly involved in every aspect of the growth management and development process participated in personal interviews of peers. The results of the opinion research were objectively collated and presented at a May 11, 2010 workshop attended by a balanced audience of professionals from the building, engineering, planning, design, zoning, contracting, and architectural fields.

Representatives from the public and private sector continued to meet to identify and document best management practices and opportunities for improved communication in both the private and public sectors.

A subgroup was formed in November of 2011 consisting of five public sector planners and five private sector planners. The subgroup's task was to consolidate the data obtained through the workshops, surveys and research projects and create a comprehensive "White Paper" identifying Planning and Zoning best practices that could be applied in Palm Beach County. The subgroup identified 47 best practices from the workshops, surveys and research projects for the White Paper. The 47 best practices are divided into categories and each best practice was ranked by the subgroup for importance. The White Paper is intended to be used as a tool for local planning organizations (public/private) to improve the regulatory process within Palm Beach County. In order to create a workable beginning, the subgroup expanded upon four (4) of the forty six (46) best practices. The expanded best practices provide additional research and analysis which local planning organizations should utilize to improve their operations.

Depending upon the success and implementation of the White Paper and the best practices, it is anticipated that expansion on the remaining best practices will be provided by subsequent subgroups.

II. Planning and Zoning Best Practices

It is recommended that the following best practices be implemented or maintained by each Planning and Zoning regulatory agency and by private business (i.e. property owner, business operator, agent, consultant, developer, etc.) to enhance the local business climate in Palm Beach County. These practices will promote positive working relationships between local government and business in an effort to bring new economic development opportunities, jobs and increased revenues to Palm Beach County while preserving the highest quality of life. These practices will help to improve communication between the public and private sectors by providing a user friendly and more standardized approach to gaining information and completing applicable processes. Four best practices were identified by the Planning and Zoning subgroup for further discussion. These best practices are identified in **bold**.

❖ Customer Service

- 1) **Each Planning and Zoning regulatory agency should implement a process for Pre-Application Meetings to review projects and applications with an applicant and/or their agent prior to submission of a request.**
- 2) Each Private Business should be relied upon to provide the most current and comprehensive information available to the government agency in order for responses to be as accurate as possible.
- 3) Each Planning and Zoning regulatory agency should strive to improve communications with Business by providing the opportunity for education on the various governing documents and application processes and procedures.
- 4) Each Planning and Zoning regulatory agency should implement a “Planner on Call” program with experienced staff that can readily assist with timely and accurate response to inquiries.
- 5) Each Planning and Zoning regulatory agency should work to improve their processes and practices, and assist business with navigating through the process. Customer opinion surveys and annual evaluations of applications are tools that can be used to assess the processes.
- 6) Following a Pre-Application Meeting or other informational meeting, a confirmation letter should be produced by one of the parties that summarizes the meeting and outlines the determinations made regarding seeking use approval or the zoning process. This letter will act as a record of the determination that can be relied upon for further actions, provided the applicant does not significantly change the application after the pre-application meeting.

❖ **Communication**

- 1) **Each Planning and Zoning regulatory agency should create a User Friendly Website that has a clear delineation for business, resident and visitor information. The website should provide easy access to primary information such as land use and zoning maps, comprehensive plans and land development codes, applications, calendars and staff contact information including descriptions of each position and its responsibilities. Useful links that are easily accessible are encouraged. Uniformity of terms or icons between various municipal planning & zoning regulatory agencies in Palm Beach County is encouraged.**
- 2) Business should strive to include the property owner and developer as active participants throughout the development approval process.
- 3) Each Planning and Zoning regulatory agency and Business should assign a project manager (primary point of contact) to facilitate clear and efficient communications regarding the project.
- 4) Each Planning and Zoning regulatory agency should publish a calendar of hearings/meetings/submittals and make it readily available on the website and in the office.
- 5) Each Planning and Zoning regulatory agency and Business should provide for written communication that is comprehensive and will act as a record that can be relied upon for future actions. This communication can be accomplished via email, memo and/or letter for both internal and external communications.
- 6) Each Planning and Zoning regulatory agency should post agendas and agenda backup on their website at least three (3) days prior to any meeting date, and make audio and meeting minutes available on-line after the meeting.
- 7) Each Planning and Zoning regulatory agency should strive to broadcast hearings and meetings on local television or through their website.

❖ **Interpretation**

- 1) Each Planning and Zoning regulatory agency should implement a process whereby the Director can issue binding interpretations of code, applications and processes. These interpretations should be published in writing, documented and readily available to Business.
- 2) Each Planning and Zoning regulatory agency should implement a process to schedule project management /coordination meetings with staff and Business following submission of an application to discuss issues and concerns prior to issuing a staff recommendation.

- 3) Each Planning and Zoning regulatory agency should establish a maximum amount of time in which staff should respond to various requests.
- 4) Each governmental agency should communicate its strategic goals and priorities to the Planning and Zoning regulatory agency to guide staff interpretations and policy decisions.
- 5) Each Planning and Zoning regulatory agency should allow flexibility by staff to enforce identified process modifications or minor changes based on authorizations and thresholds established in Code to improve predictability versus relying on undocumented policies or precedents.
- 6) Each Planning and Zoning should document interpretations.

❖ **Documents**

- 1) **Each Planning and Zoning regulatory agency should create and make available user- friendly Flow Charts for frequently used processes.**
- 2) Business should strive to research all applicable documents and regulations (land use, zoning, architectural, landscape, environmental, historic, overlays, etc.) prior to pre-application and/or submittal.
- 3) Each Business should be required to adhere to the submittal checklist (and pre-application if applicable) of the government agency at time of submittal and resubmittals during the development process.
- 4) Each Planning and Zoning regulatory agency should create Electronic Applications. (typable forms, e-attachments of applications)
- 5) Each Planning and Zoning regulatory agency should create and implement submittal Checklists.
- 6) Planning and Zoning regulatory agencies and Business should develop a Public-Private “Bill of Rights” that addresses Professionalism, Accountability, Responsiveness, Ethics, and Communication.

❖ **Organizational Process**

- 1) **Each Planning and Zoning regulatory agency should strive to establish an electronic submittal process for applications.**
- 2) Business should ensure review comments are addressed on time to maintain the prescribed approval schedule.
- 3) Each Governmental agency should ensure that planning and zoning processes are clearly established in ordinances and implemented consistently. Predictability is key to promoting economic development.

- 4) Business should ensure that a quality control review is conducted by the identified project manager prior to the submittal of an application to a Planning and Zoning regulatory agency.
- 5) Each Planning and Zoning regulatory agency should strive to streamline the application review process by removing redundancies and non-value added steps.
- 6) Each Planning and Zoning regulatory agency should strive to standardize routine comments and conditions of approval for consistency of use and predictability.
- 7) Each Governmental agency should simplify the process for public input prior to a commission or board taking action on an application. Applications, staff reports and other supporting documentation should be easily accessible to the public well in advance of public hearings.
- 8) Each Planning and Zoning regulatory agency should strive to establish an electronic review of applications, including electronic markup of plans. This process would be used for initial submittals and amendments.
- 9) Each Planning and Zoning regulatory agency should strive to establish an expedited approval program based on each government agency's priorities.

❖ **Technology**

- 1) Each Planning and Zoning regulatory agency should strive to establish an electronic database to maintain a record of all applications. This database could be made accessible to the public to facilitate access to applications, plan review comments, contacts and support documents.
- 2) Each Governmental agency should strive to implement a format for electronic collaboration on projects particularly with participants at multiple locations (e.g. Microsoft SharePoint or Adobe Collaboration).
- 3) Each Governmental agency should strive to implement a process for video/teleconferencing/web conferencing for meetings when Business interests are not local and able to attend face-to-face meetings.
- 4) Each Governmental agency should provide an easily accessible or direct link to their Planning and Zoning regulatory agency from the website.
- 5) Each Governmental agency should consider hardware/software compatibility when establishing electronic processes. Utilization of industry standard equipment and programs is encouraged to facilitate access and compatibility for the majority of the prospective users.
- 6) Each Governmental agency should strive to provide for online payments.

- 7) Each Planning and Zoning agency should work to share resources to prepare or enhance a Geographic Information System (GIS) to make data more readily available to the public.

❖ **Training**

- 1) Regulatory agencies and Business should create clear job descriptions that outline responsibilities for their staff. These job descriptions should be evaluated and updated periodically.
- 2) Planning and Zoning regulatory agencies and Business should provide ongoing training for staff, including written training manuals, if appropriate.
- 3) Planning and Zoning regulatory agencies should conduct workshops to review significant code and process changes with Business. The public sector should strive for frequent and consistent participation.
- 4) Planning and Zoning regulatory agencies and Business (agents and consultants) should conduct annual performance evaluations for their staff to address past performance, and set new goals and responsibilities.
- 5) Planning and Zoning regulatory agencies and Business should conduct annual reviews of processes to address issues warranting re-evaluation, and update their procedures and processes if needed.
- 6) Each Planning and Zoning regulatory agency should coordinate with Intergovernmental Plan Amendment Review Committee (IPARC) more proactively to share, develop and refine best practices countywide to best serve Business and work toward a consistent approach and application of planning and zoning processes and procedures.
- 7) Each Planning and Zoning regulatory agency should implement an orientation program related to planning and zoning matters and processes for all advisory boards, committees and elected officials.

III. Expanded Best Practices

A. Customer Service: Pre-Application Meeting

Pre-application meetings are typically the first step that any person or entity would take toward developing or redeveloping a piece of property. A pre-application meeting is often a meeting between staff and the developer to discuss a conceptual plan of development often including a preliminary site plan. The purpose of these meetings is to determine the feasibility of the proposed development plan and identify any potential major issues prior to a formal development plan submittal. This section will identify the best practices to follow regarding pre-application meetings.

A survey of thirty-three (33) various governmental jurisdictions (Exhibit 1) in Palm Beach County was conducted to determine which jurisdictions have mandatory pre-application meeting requirements, charge pre-application fees, and require the completion of a form. After the review of various jurisdiction codes and discussions with staff, it was determined that eight (8) of the thirty-three (33) jurisdictions require a pre-application meeting prior to formal development plan submittal. Most of those jurisdictions mandating a pre-application meeting are medium sized jurisdiction with a population between five thousand (5,000) and thirty thousand (30,000) residents. No jurisdiction with a population less than five thousand (5,000) requires a pre-application meeting. The survey also determined that only three (3) jurisdictions charge a pre-application meeting fee. Furthermore, the survey found that only three (3) jurisdictions require the completion of a pre-application form. All three (3) jurisdictions requiring the completion of a form and the payment of a fee are considered large jurisdictions having populations larger than thirty thousand (30,000) residents.

A summary of the jurisdictions providing pre-application meetings is provided below:

A. Boca Raton

Planning Advisory Review – Application Fee of \$250

Voluntary Process / Nothing in Code

“...a voluntary procedure. It offers an efficient review by all departments and is therefore recommended by staff. However, staff can only comment on the information submitted and therefore requests that the submission be as complete as possible.”

B. Boynton Beach

Pre-application meetings are voluntary and not required – No fee involved /

Nothing in Code

From the P&Z webpage:

“As a courtesy for anyone wishing to build in Boynton, the P&Z division coordinates pre-app meetings to help the novice and experienced applicant understand the review process and land development regulations.”

C. Delray Beach

Pre-application meetings are voluntary and not required – No fee involved
Code Section Article 2.4 General Provisions:

“This section sets for optional preliminary review processes for potential development. The purpose of this process is to provide a potential developer with an informal, non-binding review & commentary on his proposal without the necessity of meeting normal submission & procedural requirements.”

D. Jupiter

Pre-application meetings are required by code; however, applications are accepted without having a pre-application meeting. Pre-application meetings are strongly recommended and can be conducted via phone with emailed materials as needed for minor applications. No fee is required. Applications for major projects in the Mixed Use development district are required to have a pre-application meeting 30 days prior to submittal. Applicants may elect to have a pre-application meeting at a Development Review Committee meeting, which does require a fee of \$400.

E. Palm Beach County (Unincorporated)

Preapplication meetings are encouraged, but not required. There are no fees for this service. The meeting is usually held between Zoning division staff and the applicant. The Zoning Division established a standard form (Exhibit 2) to assist staff and the applicant in addressing issues with their requests/Code requirements.

Pre-application conference is available and is required for certain application processes (e.g. mixed use projects). A fee is required. The PAC involves all government review agencies and not limited to just Zoning Division staff. The following is an excerpt of Art.2.A.1.E of the Unified Land Development Code:

E.Pre-Application Conference (PAC)

The purpose of the pre-application conference is to provide the applicant with an opportunity to submit a preliminary application and conceptual site plan for review by the Zoning Division. The preliminary application and conceptual site plan will be reviewed for compliance with applicable Codes, and to determine the appropriate review processes required for the proposed development.

1. Plan Review

The applicant shall specify in the application whether the PAC is required for a conceptual plan review. A conceptual master plan shall be required for the Infill Redevelopment Overlay (IRO), Lifestyle Commercial Center (LCC) or applications for rezoning or

conditional use approval for Development Orders in the Priority Redevelopment Areas (PRAs).

F. Wellington

Pre-application meetings are optional – Fee is required
Code Section 5.1.3 Pre-application conference and general application submission

“An initial pre-application conference and submission of a general application are optional prior to the submission of the initial application for development permit for land. The purpose of the pre-application conference is to familiarize the applicant and the Village of Wellington with the applicable Codes and processes required to completely permit the development proposed by the applicant. A request for a Pre-application Conference may be made by the applicant for the purpose of a conceptual site plan review.”

In order to develop/further enhance Palm Beach County’s image of promoting a business-friendly environment, the recommendations identified related to pre-application meetings are as follows:

- Pre-application meetings should be strongly encouraged, but not required prior to the formal submittal of development plans.
- Initial pre-application meetings should be free. If a jurisdiction feels that pre-application fees are necessary, thought should be given to including that fee in the actual development plan application fee. In such cases where a developer requests multiple pre-application meetings for the same property, pass through costs could be imposed on the developer to cover additional staff review time.
- Pre-application forms can be considered an unnecessary burden in small jurisdictions. If pre-application forms serve no purpose other than documentation of meeting events and discussions, the added paperwork should be minimized.
- At the conclusion of the pre-application meeting, a clear and documented summary/understanding of the meeting results should be shared and agreed upon between the developer and the governmental jurisdiction.

B. Communication: Web Based Data

Planning and Zoning websites can be an excellent resource to facilitate understanding of each jurisdiction's Development Review Process. The website can serve entrepreneurs looking to start a new business, or they can provide much needed information for existing businesses that want to relocate to, or expand in, Palm Beach County. This section will explore the best practices of Planning and Zoning websites already established that provide information on the Development Review Process for businesses in major jurisdictions in Palm Beach County. In addition, areas in need of improvement such as inconsistencies between municipalities will be identified, and feasibility analysis will be conducted to determine if these deficiencies can be addressed. In addition, areas for improvement will be identified and discussion on possible solutions for these issues will be included,

Various governmental jurisdictions in Palm Beach County promote a business-friendly environment, with programs implemented such as the Expedited Permitting Procedures, helpful resources on each website, and other streamlined processes. However there is room for improvement. In order to make this area more user-friendly, steps can be taken to make the Development Review Process presented on websites more unified amongst the governmental jurisdictions in Palm Beach County, and the information can be easily accessed and provided in a consistent manner.

Based on the results of this survey, it was found that most major jurisdictions in Palm Beach County include the department contact information, Municode® link, other division links, and a link to the Comprehensive Plan. But more access can be provided on the Planning and Zoning websites by including links to the staff directory, public records request, major projects, Future Land Use Map, Zoning Map, other GIS Maps, and development applications and approve process flow charts. Furthermore, in addition to providing these links, valuable information such as the fee schedule and special featured projects can be easily included on the Planning and Zoning websites. Overall, the major jurisdictions provided access to most of the features, and it appears feasible that smaller jurisdictions could include these features on their Planning and Zoning websites.

In addition to completing this survey, other potential best practices that could be provided on Planning and Zoning websites include:

- a) **Separate Categories of Information for Residents and Businesses:** This would be very beneficial because the processes and permits for a business owner who is interested in commercial regulations is very different compared to the information a resident is seeking in terms of residential regulations. For example, under the Business category, information regarding commercial zoning can be included, whereas under the Resident category, information regarding residential zoning can be included. If information can be subdivided based on the needs of residents and businesses, the process will be simplified for all applicants.

- b) **Standard Operating Procedures:** Including an overview of the standard operating procedures including an explanation of the Development Review Process in addition to timelines and application information, would be of great assistance for businesses. This gives interested business owners the opportunity to educate themselves on the development process, and it also allows them to build a potential time line for their business plan. Adopting this best practice is feasible where standard operating procedures can be easily created and uploaded onto the website.
- c) **Specific Applications for Development Review Processes:** Providing applications that are specific to each Development Review Process would be very helpful. The following are examples of different applications that some municipalities provided on their Planning and Zoning website:
- Abandonment Application
 - Comprehensive Plan Amendment
 - School Concurrency Application
 - Special Exception
 - Site Plan
 - Site Plan Amendment
 - Unity of Title
 - Variances
 - Voluntary Annexation
 - Zoning Change
 - Zoning Text Amendment

A comprehensive application can ask for a variety of information, but some sections may not be applicable for every petition. This may confuse applicants, who may become discouraged by the process. By providing applications relevant to a specific process, applicants will only be required to provide information that is pertinent to their interests.

Adopting this best practice is somewhat feasible, but code amendments may be necessary in order to identify information on each different applications. Furthermore, adopting this best practice may make the Development Review Process more of a bureaucratic process for businesses and jurisdictions, where there may be more regulations to follow and multiple applications to process.

- d) **Pending Schedule or List of Current Projects:** Including a planning and zoning pending schedule or a list of current projects in process on the website can give interested businesses an idea of what direction, in terms of economic development, a jurisdiction is headed. This can be especially beneficial for businesses who are interested in cluster developments. This best practice can be easily adopted since Planning and Zoning Departments most likely have a pending schedule or a list of current projects readily available that can easily be uploaded onto their website.

- e) **Demographic and Other Factual Information:** Providing demographic and other factual information can be of great assistance for interested business owners, who are researching a municipality to see how successful their business can be in that environment. This best practice also can be easily adopted where this information can be uploaded onto the Planning and Zoning website.

Adopting these best practices on Planning and Zoning websites can make the Development Review Process simpler for interested businesses and current business owners. But in addition to providing the information, it is crucial that this information is easily accessible in one location. If the information is accessed only by going through multiple pages to find different links, then including the information will not have the full benefit. If all links are included on the same page, perhaps with the frequently asked questions, it will make navigating Planning and Zoning websites more user-friendly.

In addition to including information in one location, it is important that the Planning and Zoning page is easily accessible from a jurisdiction's homepage. It may be impractical to provide a link that says "Planning and Zoning" directly on a homepage, but a logo for Planning and Zoning can be adopted by all jurisdictions in Palm Beach County and added to their homepage where it provides direct access to the site. Furthermore, business owners will be able to easily identify the logo since it will be included on the homepages of numerous jurisdictions' websites.

To further improve accessibility, a centralized site with links to the various Planning and Zoning websites of jurisdictions in Palm Beach County can be created so businesses can directly navigate to each jurisdiction. As a result, when the keywords "Planning and Zoning, Palm Beach County" are typed into a search engine, this centralized site will be displayed in the results. While creating a centralized site can greatly benefit businesses and business owners to locate the Planning and Zoning websites of jurisdictions in Palm Beach County, discussion regarding who will host the site, who will update the site to provide up-to-date information, and who will pay for the associated cost for creating and maintaining the website, will be necessary. An arrangement can be created for example where the Business Development Board of Palm Beach County or another entity can take responsibility for hosting and updating the site, and the cost of creating and maintaining the site will be shared by the jurisdictions that choose to include their link on this centralized site.

Areas in Need of Improvement

1. **Different Terminology, Same Concept:** There are many inconsistent terms used within the Development Review Process in municipalities in Palm Beach County. For instance, jurisdictions in many cases have different names for their common committees and boards. As an example, when an applicant submits an application with site plans, the committee that reviews the

application and plans in one jurisdiction can be referred to as Development Review Committee, while in another jurisdiction, the same committee can be referred to as Plans and Plats Review Committee. For a business owner who is interested in developing in multiple municipalities in Palm Beach County, understanding the different terminologies can be a frustrating and difficult process. But providing a solution to this problem can be complex as changing the names of these boards and committees may involve code amendments.

This idea can be extended for terminologies to explain different developments or principles. For example, one municipality may refer to a Planned Unit Development (PUD) as a PUD (as it is commonly referred), but another municipality may refer to it as Planned Developments. To a business owner or developer, it may be apparent that these two terminologies refer to the same idea, but there should be no guesswork involved when trying to understand these principles. Terms should be consistent, but even if municipalities came to agree upon a list of common terminologies, there will be code amendments necessary, which makes implementing such a list less feasible.

- 2. Not Defining Acronyms:** This is frustrating for everyone, not only for business. When the Planning and Zoning websites of major jurisdictions in Palm Beach County were surveyed, acronyms were frequently listed but were not defined on that page. Business owners are not planners, and in some websites, uncommon acronyms specific to a city were listed that even planners cannot define. This problem can easily be addressed in Planning and Zoning websites by including this information.
- 3. No Information on the Development Review Process:** Some Planning and Zoning websites of major jurisdictions in Palm Beach County have minimal to no information on the Development Review Process. For a new business owner with no experience with the Development Review Process, this can be very intimidating. This problem can also be easily addressed in Planning and Zoning websites by including this information.

Summary of Recommendations:

Palm Beach County is perceived to be a difficult place to do business but a review of the websites of most of the major jurisdictions shows that information is available, but there are additional improvements that can be made. Planning and Zoning websites can be a great resource for everyone, not just Business. This white paper identified some of the features on Planning and Zoning websites and best practices that can be adopted to make all websites more business-friendly in jurisdictions in Palm Beach County. In addition, the research also identified areas in need of improvement. The best practices identified in this paper are:

- Include the following features (links) on all Planning & Zoning website home pages:
 1. department contact information (address and phone number)
 2. staff directory link
 3. public records request link
 4. zoning regulations link (or Municode link)
 5. link to major projects
 6. direct link to Future Land Use Map and Zoning Map
 7. link to other GIS maps
 8. other division links
 9. fee schedule
 10. Comprehensive Plan link
 11. special featured projects link and the
 12. applications and forms link.
- Provide separate categories of information for residents and businesses
- Include standard operating procedures
- Provide specific applications for Development Review Processes
- Include pending schedule or a list of current projects
- Include demographic and other factual information
- Create a consistent Planning and Zoning logo to be used on local governmental agency website homepages that provides direct access from the Planning & Zoning Department.
- Create a centralized site that provides links to Planning and Zoning website for various jurisdictions in Palm Beach County

The identified areas in need of improvement in Planning and Zoning websites are:

- Different Terminology for the same concept
- Not defining acronyms
- Not including information on the Development Review Process

One of the most important factors to consider when creating Planning and Zoning websites and formatting them to be more user-friendly for Business is that the necessary information and links have to be easily accessed from the main page of Planning and Zoning websites where all the information is listed together. By adopting some or all of the website features and best practices identified, in addition to addressing the areas of improvement, the Planning and Zoning websites of jurisdictions in Palm Beach County can become more business-friendly.

C. Documents: Flow Charts & Schedules

A best management practice that is encouraged for Palm Beach County and all of its municipalities is to better inform their customers of their respective development review processes. While each local government agency is different in their approach to the review of developments, a system informing the public or applicants is strongly recommended. Many applicants have little or no understanding of these review processes and a system of flow charts and/or schedules would reduce the confusion typically associated with these processes and help the applicant maneuver through the approval process.

While all processes cannot be standardized (except Florida Statute regulations) given the varying approval methodologies employed by different local government agencies, a basic framework is being recommended that can easily be incorporated into each local government agency development application process and website. Local government agencies should strive to establish a uniform template to be shared throughout Palm Beach County. Such a template could be incorporated into a Microsoft Project schedule format (Exhibit #3) or even an Excel format (Exhibit #4) for ease of distribution and publication.

Of primary importance to most applicants is the length of time required to get an application through the development review process. In this respect, an applicant wants to know if an application is submitted on a particular date how long will it take to receive the final approval. The local government agencies should be encouraged to provide a schedule and make the applicant aware of any potential delays that may be encountered upon the way. For instance, could advertising or notice requirements delay when an application is brought before a governing board? Will certain types of applications, a land use plan change for instance, require more time? What happens if certain elements are missing or are certain requirements of the development application? Businesses must understand that incomplete applications will delay the schedule.

The old adage of "time is money" holds true whether dealing with a homeowner on a simple zoning request or an experienced developer working on a large project. Conversely, it is strongly encouraged that any "short cuts" within the process be identified. If an application does not require the review of a particular municipality's Development Review Committee, can the process be expedited to move the applicant quicker through the process? The one thing that each applicant is seeking is to move through the development review process as quickly as possible without unexpected delays or objections. To that end, each applicant should be encouraged to meet with the appropriate stakeholders and involve the appropriate government agencies early in the review process. This would potentially eliminate or reduce any potential problems down the road.

In the extreme cases where a development must be underway at an earlier date than permitted by the regulatory approval process, actions may be taken by the local government agency as an option to an applicant. Payment for expedited permitting,

where permitted, or allowing an applicant to begin the building permit review process at his own risk prior to receiving final regulatory approval are alternatives that can be discussed with an applicant to save time and money and promote development.

In summary, development applicants are seeking predictability to the greatest extent possible and the use of schedules and established deadlines is an asset for use in the development process. Knowing when applications must be submitted and what the steps in the regulatory review process are will allow an applicant (consultant) to better plan the schedule and efficiently utilize the resources needed to make the project a success.

D. Organizational Process: Electronic Applications

❖ Electronic Application for Land Development Process – A General Survey

Unincorporated Palm Beach County and the 38 incorporated local governments (cities, towns and villages) located within the County's physical boundaries, each have their own processes to review and approve land development requests pertaining to land use and zoning changes. The vast majority of these local governments have websites that can be accessed by the public to obtain applications and information related to land development application requirements.

A recent survey indicated that only unincorporated Palm Beach County has initiated some form of electronic processing of zoning applications (specifically requests for minor administrative review applications). Currently, not one of the 38 incorporated local jurisdictions have a system in place for zoning petitions. A finite number of municipalities have initiated discussions with private vendors to price more comprehensive electronic submittal systems that encompass zoning, engineering and building permitting processes, (i.e. the Town of Jupiter is seeking qualified bids to integrate such a comprehensive system for use by the year 2013).

Up to 18 of the local governments, including unincorporated Palm Beach County, have implemented a universal building permit application form, meeting statutory requirements for use throughout the County, utilizing the Palm Beach County-Wide/Municipal Building Permit Application Form. This form was endorsed by the Palm Beach County Building Code Advisory Board, and the local chapter of the International Code Council, Building Officials Association of Palm Beach County, The use of this standard form encourages transparency, sharing of information, and creates consistency amongst local governments helping to streamline the building permit review process for developers who develop in numerous municipalities. This standardized system is feasible as all governmental agencies that review building permit applications within the State are subject to all of the same provisions pursuant to the Florida Building Code.

❖ Analyzing the Existing Processes and Electronic System

The following issues should be considered prior to improving the review and approval processes:

- 1) Independent Process – Each governmental entity has its own comprehensive plan, zoning codes, nomenclature ranging from future land use designation and zoning district to the types of processes they employ to carry out the approvals processes.
- 2) Individual Electronic Systems – Unincorporated Palm Beach County and several local governments utilize independent electronic processes specifically tailored to reflect the individual needs, desires and values of their communities.
- 3) Budget/Staffing Constraints - Each governmental entity has invested a significant amount of time and money into their individualized system. Constrained budgets

and under-staffing are challenges that might discourage or slow down the incorporation of a more streamlined electronic method to process development applications from submittal through to the final approval stage.

- 4) Training - Governmental agencies would be responsible for organizing and coordinating training for both staff and industry.

❖ **Planning and Zoning Basic Information Inputs: Applications**

All regulatory review processes for each of the jurisdictions require the same basic information: *who*, *where*, *what*, *when* and *why*. Each jurisdiction is subject to similar rules and regulations, pursuant to State Statutes for significant land use and rezoning changes, while each jurisdiction's local ordinances regulate site plan, planned development, variances, public hearings and administrative review of applications. These Statutes and/or local ordinances regulate the manner in which planning and zoning applications are to be processed and decided upon. The electronic processing of applications for land development is a logical progression given the similarities of information inputs across various jurisdictions:

Who is applying?

The regulatory review process in Florida has an added requirement for full disclosure of *who* is requesting entitlement approval and what, if any connection to decision-makers having approval authority exists (Florida's Sunshine Law and applicable local ethics ordinances).

Where application is made?

Where entitlements are proposed is essential due to the multiple layers of regulatory authority over any property within the County or its municipalities. Commonly, the property has been assigned a "local" future land use designation and zoning district and may additionally be subject to local re-development or environmental overlay designations or be located within another regional, State or Federal agency's control (South Florida Water Management District, Lake Worth Drainage District, the Loxahatchee River District, Department of Environmental Protection, the Army Corps of Engineers, etc...). In many instances, the area surrounding the subject property is equally important as where it is located, as that might further impact entitlement rules and regulations.

What is proposed?

A great deal of technical information is typically required by any given municipality in association with describing *what* is being proposed. The documentation may include, but not be limited to: application forms, documents, consent forms, drawings, technical studies (traffic, civil design, market needs, etc...), and a written explanation of what is being proposed. *How* as a sub-set of *what* is vital in that typically an assemblage of professionals is required to sufficiently convey the desired entitlement outcome. Professional inputs such as architectural, landscape and civil engineering plans, surveys, traffic analyses, and environmental studies may be utilized by the reviewing entities as a basis for analysis and decision-making.

Timing for submittal/review/decision-making:

It is vital for professionals and applicants to have a clear understanding of the timeline associated with any land development approvals sought. The opportunity to utilize technology in a way that makes the planning and zoning process more accessible and convenient will provide opportunities for different sectors of the public to become more involved in the process. Uncertainty of the timeline can potentially impact development strategies as well as frustrate interested parties seeking to become involved in the process. The question of *when* is an essential element of the entitlement process for both the applicant and reviewing and approving entities as well as for interested parties.

Short Term Objectives:

- Analyze the electronic processes utilized today by jurisdictions in Florida and throughout the nation;
- Highlight best practices that have advanced the planning and zoning application process and assess the potential to integrate into or modify local processes;
- Understand the need and ability of the local jurisdictions to participate in the process of updating and/or streamlining their application approval process directly or to participate in a system developed independently that can link back to the system they currently use;
- Analyze the potential costs (monetary/time/continued maintenance over time) to create a system to standardize basic information inputs within the entitlement process; and,
- Analyze the potential to re-tool existing planning and zoning processes within each jurisdiction to be able to integrate into their established applicable websites.

Long Term Goals:

- Analyze the ability to tie into the subsequent review processes (i.e. building/engineering/environmental permitting processes) to further support cross efficiencies along the overall development approval chain.
- Foster an application process that is easily understood and user friendly to ensure potential users can become more knowledgeable and are able to participate in the processes.

Recommendations:

- Begin discussions with each jurisdiction to understand their interest level and/or ability to participate in the electronic application processing endeavor.

- Understand the impediments that would potentially block or hinder any given jurisdiction's ability to participate and develop strategies to overcome said (if any) roadblocks.
- Based upon the needs of the various sized communities that will participate; and
 - Develop a standard electronic submittal process that introduces the common elements of any planning and zoning application form as a starting point for businesses, professional planners and the general public.
 - Ensure that the electronic submittal process links/ties back to the specific or individual systems in-place at each jurisdiction.
 - Maintain the standardized system to adapt to changes in State policies, as they occur and as they affect local planning regulations.
 - Look for opportunities to further link the Planning and Zoning Approval process with the Building Department Permitting process to gain additional degrees of efficiency in routing/review/submittal requirements/timing/etc.
- Ensure timely monitoring of the implemented system is conducted over time to eliminate unused or ineffective elements while simultaneously enhancing and updating successful elements of the system developed.
- Establish a methodology/metric to measure and/or compare the effectiveness of introducing electronic application processing system as part of zoning approvals.

IV. Summary

The White Paper is a tool for the public and private sector to help improve the regulatory process in Palm Beach County. Implementation strategies should be developed by the Six Pillars group to ensure the White Paper is utilized effectively and efficiently. The utilization of best practices identified in this White Paper will improve the predictability for those involved in the Planning and Zoning regulatory approval process. In addition, these practices will continue to enhance the relationships between the public and private sectors resulting in increased communication and knowledge which will work to expedite reviews and approvals. Both sectors are seeking to develop good, economically-viable projects in a depressed economy and an improved relationship utilizing these techniques must be created to enhance this dialogue.

Continued monitoring towards the achievement of these expanded best practices should be an ongoing occurrence. The sharing of the success and failures among municipalities and the County should be encouraged to better identify what steps can be taken to streamline and better the Planning and Zoning regulatory agency's processes .