

### Section 4.4.18 Planned Commerce Center (PCC) District:

(A) **Purpose and Intent:** The PCC District regulations provide for a mix of light industrial, service industrial, research and development, office, and limited commercial use in an Industrial Park setting which is planned and then controlled through a Master Development Plan.

It is desired that the existence of the PCC Zoning District will encourage the planning and development of such commerce centers which will provide employment opportunities for the residents of the Greater Delray Beach Community.

The PCC District shall be applied to property which is best suited for light industrial land use, is shown as Industrial or Commerce on the City's Land Use Map, and is situated in proximity to the arterial street system of the community.

(B) **Allowed Uses:** Use areas as identified herein shall be depicted upon the land use map component of the Master Development Plan (MDP). The list of specific uses allowed within a specific PCC shall be established in the narrative portion of the MDP. Thereafter, uses identified as being allowed in a specific land use area are allowed pursuant to provisions of the narrative. Alterations to the list of specific uses may be made through the site and development plan modification process.

(1) **Office Center:** The "Office Center" aspects of a PCC may comprise as much as fifty percent (50%) of the total land area within an entire PCC District. Uses identified in this subsection can only be located in that area of the Land Use Map which is depicted as "Office Center". Such uses are exclusive of the storage of materials used off-site or sold in the associated trade and/or the repair of same. These uses are:

- Business Offices e.g., travel agencies, bookkeeping agencies, general office location for an individual, partnership, or corporation
- Educational Facilities e.g., vocational schools, commercial schools (sales, real estate, personal development, etc.)
- Financial Institutions e.g., banks, savings and loan establishments, brokerage firms
- Medical Offices e.g., physicians, dentists, chiropractors, podiatrists, optometrists, etc.
- Professional Offices e.g., attorneys, engineering firms, architectural firms, real estate agencies, consultation services, accounting firms, etc.
- Child Care Centers

## SECTION 4.4.18 (B) (2)

(2) **Light Industrial Areas:** Manufacturing, fabrication, assembly, wholesale, and distribution uses are permitted within a PCC. Such uses, as further identified in this subsection are only permitted in those areas identifies as "Light Industrial" on the land use map components of the MDP. All aspects of these uses, except overnight storage of vehicles used by the business, must be carried out within a structure. In keeping with the intent of the PCC to involve a mix of uses, light industrial areas within a PCC are limited to fifty percent (50%) of the total area of that PCC.

**Manufacturing:** The processing of raw materials to create final products for distribution and which either involve or result in the following:

### **MATERIALS:**

- ceramics and plaster
- fiberglass
- glass
- leather
- tobacco
- wood

### **PROCESSES**

- millwork (woodwork)
- welding

### **PRODUCTS:**

- appliances
- bakery products
- beverages, alcoholic and nonalcoholic
- cabinets
- clothes
- coffee
- computer chips and computer components
- cosmetics
- dairy products
- dry ice
- electronic components
- furniture
- ice
- optical
- pharmaceuticals
- signs of all / any materials
- sporting goods
- textiles
- toys

**Fabrication and/or Assembly:** The working or combining of processed for manufactured materials or parts which are then prepared for distribution for sale. All processes and products identified under "manufacturing" are permitted as are the following:

### **PROCESSES:**

- assembly of mechanical and/or component parts
- bottling
- engraving
- machine shops
- printing
- repair of damaged goods and products which n have been manufactured on the premises

### **PRODUCTS:**

- communication devices (radio, television, cameras)
- confectioneries
- metal goods
- precision instruments
- newspapers, books, periodicals

## SECTION 4.4.18 (B) (2)

**Wholesaling, Storage, and Distribution:** The wholesaling, storage, and distribution of any products which may be manufactured, assembled, or fabricated on the premises. In addition, the following items may be wholesaled, stored, or distributed from or within the Light Industrial areas of a PCC:

- household furnishings and goods

**Other Processes:** The following processes may also be conducted within the Light Industrial areas of a PCC:

- cold storage
- dry cleaning
- frozen food lockers, including personal lockers
- laundries
- tailoring

(3) **Research and Development:** Research and Development (R&D) uses involve either some degree of product creation, testing, evaluation, and development or the provision of testing and evaluation services for use by others. The term "research and development use" does not include the actual manufacture, assembly, fabrication, or other processing techniques which result in either the direct wholesale or retail distribution of products from the premises. R&D uses may constitute 100% of the use of the entire PCC. Examples of such uses or resulting products include:

**Product Creation, Testing, Evaluation, and Development:**

- computer hardware
- computer software
- pharmaceuticals

**Research and Development Services:**

- calibration laboratories or services
- chemical laboratories
- commercial testing laboratories
- soil laboratories
- scientific research laboratories

The following uses are also considered as Research and Development uses for the purposes of being permitted within a PCC:

- broadcast studios and facilities
- communications facilities and equipment
- motion picture and theater production facilities including the creation of props, scenery, costumes; filming and rehearsals; attendant storage; and screening and editing.

## SECTION 4.4.18 (B) (4)

(4) **Service Industry:** Service Industry uses are those which are primarily engaged in providing an off-site service but which maintain inventory, storage of materials, and a business office at a central location. The area which may be devoted to "Service Industry" uses within a PCC is limited to twenty-five percent (25%) of the total land area of that PCC. Repair of equipment and materials associated with the service is also permitted at this central location, except as restricted below. All aspects of these uses must be accommodated within a structure except for overnight storage of vehicles used by the business. Uses which are allowed within the "Service Industry" classification include: **[Amd. Ord. 12-00 6/20/00]**

- Assembly, fabrication, wholesale, and storage per Section 4.4.18(B)(2) when such use is limited to no more than 5,000 square feet per tenant.
- Land Development Services (e.g. surveying, soils testing, mapping, architectural, engineering).
- Food catering establishments, preparation and storage only (no food served on premises). **[Amd. Ord. 50-04 9/21/04]**
- Contractor and Trade Services (e.g. general contractor, electrician, plumbers, heating and air-conditioning specialists, swimming pool maintenance, landscaping services, exterminators, equipment and tool rental).
- Repair of office equipment (e.g. typewriters, computers, data processing equipment).
- Limousine services with no vehicle repair or detailing on the premises. **[Amd. Ord. 12-00 6/20/00]**
- Business Services (e.g. photocopying/ printing, photofinishing, provision of office equipment and furnishings, delivery services, computer and data processing services).
- Educational Facilities e.g. vocational schools, commercial schools (sales, real estate, personal development, etc.). **[Amd. Ord. 40-05 6/21/05]**
- Limited Retail Trade only as a secondary use within any one building, but only to the extent that the floor area for all retail use (either accessory to the service industry use or not) shall not exceed twenty-five percent of the floor area of the total building. Although the intent of the PCC does not encourage retailing of items other than at the designated "retail center", additional retail uses may be allowed in the service Industry areas shown on the MDP. Such retail use may involve the sale of products associated with an established service industry use or may involve any of the following products:
  - apparel and accessories

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- appliances
- baked goods
- building materials and garden supplies
- camera and photographic equipment and supplies
- furniture and home furnishing
- hobbies, games, toys
- jewelry, gifts, novelties
- luggage and leather goods
- radio, television, and communication products
- sporting goods

(5) **Retail Center**: A "Retail Center" may be a part of a PCC. It must be designed in such a manner that all access to it is from streets which are internal to the PCC. A "Retail Center" may not occupy more than ten percent (10%) of the total land area within a PCC; however, in no event, shall a "Retail Center" exceed 30,000 sq.ft. in total floor area. The character of a "Retail Center" in a PCC should be such that it accommodates the other uses within the PCC. As such a "Retail Center" is restricted to the following uses:

- Personal health services e.g. barbershop, beauty shop, salon, pharmacy, physical fitness centers
- Personal services e.g. dry cleaning pickup, laundromat, tailoring
- Child Care Facilities
- Financial Institutions e.g. banks, S & L, brokerage firms
- Personal Convenience Services e.g. florists, gift shops, hobby shops, newsstands, photo services and supplies, tobacconist
- Restaurants
- Specialty food shops
- Liquor stores

(6) **Supplemental Uses**: The following uses are allowed within any of the above use areas provided that they are of such a scale, design, and location to cater to the needs of employees of the industrial park or to otherwise meet the rational stated herein. Space allocations for these uses shall be identified during site plan approvals. These uses may not be established in areas other than as shown on approved site plans.

- Lunch counters, snack bars, and vending machine areas
- Classroom and training facilities
- Child Care facilities
- Sundry shops
- Retail outlets for the sale of items manufactured, assembled, fabricated, or otherwise produced on-site; provide that the floor area dedicated to such a retail outlet shall not exceed ten percent (10%) of the area used

## SECTION 4.4.18 (B) (6)

for the production of the product or products of a business; and, in no event, shall such uses exceed one thousand (1,000) square feet in area. This restriction does not apply to the Service Industry land use areas. See Section 4.4.18(B)(4) regarding retail use allowances in the Service Industry areas.

### (C) Review and Approval Process:

(1) **General:** The development of a PCC shall be governed by a Master Development Plan (MDP). The MDP shall consist of a narrative; a land use map; conceptual site, landscaping, and utility plans; and conceptual elevations and architectural information.

(2) **Process:** A MDP shall be processed pursuant to Section 2.4.5(F) with approval granted by the Planning and Zoning Board. A MDP may be modified pursuant to Section 2.4.5(G).

(3) **Master Development Plan Required:** Certified by the Director.

For areas which are zoned as PCC at the time of approval of this section, a MDP is required to be prepared by the property owner, or his agent, and submitted to the Planning and Zoning Board for approval. The MDP may be processed as either a minor or major site plan modification, as is appropriate for the case at hand. The MDP shall be evaluated against the site plan for record for the existing PCC. The MDP required under this subsection must be made of record prior to September 1, 1991. Failure to obtain a MDP of record shall be cause for the Building Department to not issue building permits for further development or modification to existing development within an existing PCC.

### (D) Development Standards:

The following standards shall be adhered to in the development of a PCC. Waivers and variances to these standards may be approved by the Planning and Zoning Board concurrent and as a part of the approval of a Master Development Plan (MDP).

It is the intent of this subsection to establish minimum standards for development within the PCC Zone District. When considering a Master Development Plan (MDP) in any Planned Commerce Center (PCC) development proposal, the Planning and Zoning Board may attach suitable conditions, safeguards, and stipulations to address the specific characteristics of the site and potential impacts of the proposed development.

#### (1) Standards Pertaining to Allocation of Uses:

(a) Office Center shall not encompass more than fifty percent (50%) of the total land area within a PCC.

## SECTION 4.4.18 (D) (1) (b)

- (b) Light Industry shall not encompass more than fifty percent (50%) of the total land area within a PCC.
- (c) Service Industry shall not encompass more than twenty-five percent (25%) of the total land area within a PCC.
- (d) Research and Development is not limited with respect to the amount of land area devoted to it. Further, such use may be placed within any of the "land use areas" depicted on the MDP.
- (e) Retail Center shall not encompass more than ten percent (10%) of the total land use area within a PCC; and, in no event, shall such use exceed more than 30,000 square feet in gross floor area.

(2) **Standards Unique to the PCC District:** Where standards unique to the PCC District conflict with standards contained elsewhere in the zoning, subdivision, and landscape codes, the standards of this Subsection (2) shall apply.

(a) **Minimum Parcel/Lot Size:**

- A PCC, in total, must be comprised of at least ten acres of land prior to computation of area required for public dedication purposes.
- Any use area within a PCC must have a minimum lot area of one acre exclusive of land dedicated for public purposes.

(b) **Minimum Floor Area:**

- Tenant space for uses in the light industrial designation must have a minimum of 3,000 square feet. Research and development, and service industry use areas must have a minimum of 1,000 square feet per tenant.
- There are no minimum requirements for office and commercial uses.

(c) **Lot Coverage & Open Space:**

- By structures: a maximum of 50% of the area of any individual lot.
- For open space: land area equal to, at least 25% of the area included within the perimeter boundary of a MDP shall be in open space. Landscape areas required to meet parking lot design requirements, and paved areas shall not be included in the meeting of this 25% open space requirements.

## SECTION 4.4.18 (D) (2) (d)

(d) **Perimeter Development:** A landscape boundary shall be provided around each PCC. Parking, structures, perimeter roadways, and other paving is not permitted within this peripheral greenbelt except for bicycle paths, sidewalks, jogging trails, and driveways or access streets which provide ingress and egress for traffic and which are generally perpendicular to the greenbelt. The width of the greenbelt shall be as follows:

- Absolute minimum 25 feet
- When adjacent to a collector or arterial street 30 feet
- When abutting residentially zoned property 40 feet
- When adjacent to but separated from residentially zoned property by a street, waterway, alley, railway or park 25 feet

(e) **Setback Requirements:** Building setback requirements shall be established as a part of the MDP. Minimal setback requirements shall be the rule provided that:

- (a) landscaping standards between buildings and perimeter boundaries are maintained.
- (b) Sight distance with respect to vehicular movements is adequate.

(E) **Supplemental District Regulations:** The supplemental district regulations as set forth in Article 4.6 shall apply with the exception of those pertaining to the following:

(1) **Truck and Equipment Storage:** Trucks in excess of one (1) ton carrying capacity shall be parking in rear or interior side yards. They shall be screened from the view of adjacent properties or any (adjacent) public right-of-way in a manner approved by the Site Plan Review and Appearance Board.

Industrial equipment (including bulldozers, cranes, drag lines, derricks, tractors, and other implements for moving equipment or construction) must be stored within fully enclosed buildings overnight or when otherwise not in use, or they shall be screened from the view of adjacent properties or any (adjacent) public right-of-way pursuant to requirements which may be specified within the Master Development Plan, as approved.

(2) **Overhead Doors:** Overhead doors are prohibited from facing an adjacent public right-of-way with the exception of the right-of-way of I-95.

(3) **Undergrounding of Utilities:** Within the boundary of a PCC all utilities, including telephone, television cable, and electrical systems shall be installed underground.

## SECTION 4.4.18 (E) (3)

Primary facilities providing service to the site may be granted a waiver from the undergrounding requirement.

Appurtenances to utility systems which are normally located above are exempted from the undergrounding requirement; however, when located above ground they shall be screened in a manner approved by the Site Plan Review and Appearance Board.

(4) **Maintenance of Common Areas**: All common open space shall conform to its intended use, per the MDP, through deeds, covenants, or other arrangements, as approved by the City Attorney, and which run with the land.

(5) Educational facilities which train in the repair of motorized vehicles or equipment must store vehicles and/or equipment used for training purposes within a fully enclosed building, shall not service motorized vehicles for the general public or conduct sales of such items, and overhead doors should remain in a closed position, except for delivery or removal of the vehicles and vehicle testing. **[Amd. Ord. 40-05 6/21/05]**

(F) **Special Requirements/Regulations**: In order for land to be rezoned to and/or developed pursuant to the PCC designation, the following criteria must be met:

(1) The property within the proposed PCC designation shall be under unified control (an individual, partnership, joint venture or corporation; or group of individuals, partnerships, or corporations). Any rezoning, master development plan, or site plan request shall include legal documents, acceptable to the City Attorney, which constitute evidence of unified control of the entire area within a proposed PCC.

(2) The applicant must be able to bind the entire area within a proposed PCC to the terms, conditions, uses, and site development plan as approved in the Master Development Plan.