MEMORANDUM

To: Council Members

From: Staff

Date: September 19, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Delray Beach Comprehensive Plan
DCA Reference No. 08-1ER

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

The City of Delray Beach has proposed text amendments to all elements of the City Comprehensive Plan based on the City’s Evaluation and Appraisal Report (EAR). The EAR was adopted by the City on October 17, 2006 and found sufficient by the DCA on December 22, 2006. The City has also proposed one non-EAR related amendment to the Future Land Use Element and one amendment to the Future Land Use Map (FLUM). The City did not request a formal review of the proposed amendments. However, in correspondence dated September 4, 2008, the DCA notified the City that a formal review of the amendments would be carried out.
A. Future Land Use Map Amendment

The amendment is for a 5.5 acre property located on the south side of Linton Boulevard, approximately 0.4 miles west of Military Trail (see attached exhibits). The property is being annexed by the City concurrent with the FLUM amendment.

The property contains the Fair Oaks Hospital. No change is proposed in the current use. The current FLUM designation is Institutional under the Palm Beach County (PBC) Comprehensive Plan. The proposed City FLUM designation is Community Facilities (CF). The existing land use on surrounding properties includes a rehabilitation facility to the north, the Delray Medical Center to the east and residential subdivisions to the south and west. The present FLUM designation on surrounding properties includes Institutional (PBC) to the north, CF to the east, and Medium Density Residential (PBC) to the south and west.

The hospital was originally constructed in 1983 and City water and services facilities were provided. The facility was expanded in 1999 and became part of an annexation agreement at that time. The County had no objection to the annexation.

B. Text Amendment

This proposed amendment is to Table L-7 (Land Use Designation/Zoning Matrix) in the Future Land Use Element. Corrections are being made to the Table to address errors that result in inconsistencies between the Future Land Use Map and the Land Development Regulations and Zoning Map. The corrections relate to the Special Activities Zoning District, allowable zoning in the CF FLUM category, allowing community facilities zoning in the Congress Avenue Mixed Use FLUM category, and residential zoning in the Recreation and Open Space FLUM category.

C. EAR-Based Amendments

The text of all elements of the plan are revised to implement the recommendations contained in the 2006 EAR. The revisions are summarized in Attachment A. Some of the most significant revisions by element are:

1. Future Land Use Element

   - New policies addressing non-vehicular traffic and access to mass transit in the Congress Avenue Corridor.
   - New policies regarding the rebuilding of damaged structures after a disaster.
   - Restating of policies under objective C-1 addressing blighted areas.
New policies regarding the preparation of a redevelopment plan, overlay district or other development tool to promote and guide future development of areas along South Federal Highway and Linton Boulevard.

- Mixed uses along the Swinton Avenue Corridor.

2. Transportation Element

- New policies requiring bus shelters, provisions for safe and convenient non-vehicular traffic, emphasis on multi-modal non-vehicular and public transportation alternatives and funding for the operation of the downtown shuttle service.

3. Housing Element

- A new section entitled “Creation and Preservation of Affordable Housing”.

4. Public Facilities Element

- A new policy regarding the coordination of planning efforts regarding population projections and water demand with the Town of Gulfstream.

5. Coastal Management Element

- A revised objective regarding the annual review of the Comprehensive Emergency Management Plan.

6. Conservation Element

- New policies addressing stormwater retention and treatment.
- A new Goal area with an objective and policy to become a more sustainable City and to establish a Green Task Force.

Extrajurisdictional Impacts

Due to an oversight, the City did not provide a copy of the amendment materials to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) in advance, as called for in the Interlocal Agreement. However, the City did provide a copy to IPARC after the amendments were transmitted. There should be no detrimental extrajurisdictional impacts as a result of these amendments.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.
Analysis of Consistency with Strategic Regional Policy Plan

Council has no comments/recommendations for modification to the proposed amendments. The amendments are considered to be consistent with the SRPP. The City is commended for the new section in the Housing Element detailing the City’s excellent program, policy support, and funding to address the need for affordable housing. The City’s commitments include a property acquisition program, family/workforce housing program, and an active Community Land Trust.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
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<tbody>
<tr>
<td>A</td>
<td>Summary of EAR-Based Amendments</td>
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2) EAR-Based Amendments

The proposed amendments include the following text changes required to implement the recommendations contained in the adopted 2006 Evaluation and Appraisal Report:

**Future Land Use Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update all maps to reflect current city boundaries.
3. Update existing land use and population data, including supporting maps and tables.
4. Update Map #3 and Table L-5, Potential Residential Units as required to reflect development of some parcels.
5. Update vacant land analysis.
6. Update Map #11, Annexation Areas, to reflect completed annexations.
7. Update Redevelopment Analysis section to reflect completion of all Redevelopment Plans.
8. Update descriptions for all land use categories to include intensities and densities.
9. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.
10. Add new policies to achieve an appropriate mix of uses, direct resources to infrastructure improvements downtown, and explore additional downtown open space opportunities.
11. Add policies to affirm the City's continued commitment to workforce housing.
12. Add policies to develop design guidelines for the North Federal Highway area and evaluate the need for guidelines in the Congress Avenue Corridor and Four Corners Area.

**Transportation Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update all maps to reflect current city boundaries.
3. Update Table T-1, Street Network Classification and Improvements.
4. Update Map #13, Existing Roadway Laneages to reflect roadway modifications.
5. Update Map #15, Existing Annual Average Daily Traffic Conditions and Map #16, Peak Season PM Peak Hour Peak Direction Traffic Conditions to reflect 2005 traffic conditions.
6. Update Table T-5, 1999 Intersection Accident Data, to reflect 2006 data.
7. Update Table T-6 and T-7 to update 2000 future traffic conditions to 2010.
8. Update Map #17, Intermodal Facilities.
9. Update Map #18, Major Trip Producers/Attractors.
10. Update Table T-8, Future Over-Capacity Facilities.
14. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.

**Housing Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update all maps to reflect current city boundaries.
3. Update the existing conditions tables from 1995 data to 2000 data:
4. Update Table HO-11, Number of Substandard Units from 1990 to 2000 Census data.
5. Update the 2005 forecast tables to years 2010, 2015, 2020 and 2025:
6. Update, Table T-20, Potential Residential Units, to match Table L-5 in Future Land Use Element.
7. Update Affordable Housing section to reflect new City initiatives.
8. Update Map #22, Neighborhood Categorization Map to reflect changed conditions and modify text to eliminate Redevelopment Category.
9. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.
10. Add new policies to affirm the City’s continued commitment to workforce housing.

**Public Facilities Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.

**Coastal Management Element**

1. Update Introduction and support data, throughout the element as appropriate to reflect current conditions.
2. Update Table CM-1 and Map #23, Coastal Planning Area Land Uses
3. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.

**Conservation Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.

**Open Space and Recreation Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives, and to incorporate appropriate changes to goals and objectives gleaned from the EAR public hearing processes.

**Intergovernmental Coordination Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update General Fund and Expenditure Five Year Forecast Table
3. Update Pledgeable Revenue Matrix
4. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives.

**Public Schools Facilities Element**

1. Update Introduction and support data throughout the element as appropriate to reflect current conditions.
2. Update element to reflect changes related to the second amendment to the Interlocal Agreement.
3. Update Goals, Objectives and Policies as required to modify partially completed initiatives or eliminate completed initiatives.

Change: REVISION

**Comment:** The proposed Comprehensive Plan with strikeouts to indicate deletions and underlines to indicate additions is attached as Support Document #5. Since all of the existing maps within the Comprehensive Plan have been updated, copies of the existing maps are included in Support Document #4.
List of Exhibits

Exhibit

1  General Location Map
2  Existing Land Use Map #2
3  Planning Area Map #1
4  Annexation Areas Map #11
5  Fair Oaks Center Proposed Annexation Future Land Use Map
Exhibit 2
Existing Land Use Map #2

COMPREHENSIVE PLAN
DELRAY BEACH, FLORIDA

EXISTING LAND USE MAP
MAP #2

LEGEND:
- RESIDENTIAL
- RECREATION/OPEN SPACE & CONSERVATION
- COMMERCIAL
- VACANT & AGRICULTURAL
- PUBLIC FACILITIES
- INDUSTRIAL

PUBLISHED BY:
CITY OF DELRAY BEACH
PLANNING & ZONING DEPARTMENT
AUGUST 1997
Exhibit 3
Planning Area Map #1
Exhibit 4
Annexation Areas Map #11

ANNEXATION AREAS
MAP #11

ALL ANNEXATION AREAS
ARE UNDER
COUNTY JURISDICTION

CITY LIMITS

PLANNING AREA
(ULTIMATE CITY BOUNDARY)

Palm Beach County

City of Delray Beach, Florida
Planning & Zoning Department
April 2001
Exhibit 5
Fair Oaks Center
Proposed Annexation Future Land Use Map