MEMORANDUM

To: Council Members
From: Staff
Date: October 8, 2019
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the City of Delray Beach Comprehensive Plan
Amendment No. 19-01ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the City of Delray Beach was received on September 10, 2019. This City-initiated amendment updates all of the current 10 elements of the comprehensive plan and adds 3 new elements.

Summary of Proposed Amendment

Due to the extensive reformatting and updates being proposed, the intent of this amendment is to repeal the City’s current comprehensive plan in its entirety and replace it with the “Always Delray Comprehensive Plan.” As part of this extensive re-write, the City established a steering committee; held community workshops to discuss and receive public input and define issues impacting the City; and received input from subject matter experts to formulate data and analysis and frame the draft elements. The Always Delray Comprehensive Plan’s 13 elements have been organized under the themes of Live, Work, Play, and Grow, as shown below:

<table>
<thead>
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<th>Live</th>
<th>Work</th>
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<tr>
<td>1. Healthy Community (new)</td>
<td>5. Capital Improvements</td>
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<tr>
<td>3. Housing</td>
<td>7. Strategic Partnerships (fka Intergovernmental Coordination)</td>
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<td>4. Mobility</td>
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The proposed Plan continues the direction of the City’s previous plan with minor updates that are presented in a more user-friendly, easier to comprehend format. The staff report indicates that the revised policies formalize the City’s strong history of effective planning practices, such as using neighborhood and redevelopment Plans created with resident and stakeholder participation, and land uses that provide opportunities for specific development incentives. These incentives are intended to help the City achieve defined goals, such as workforce housing, through increases in density/intensity, which are governed by the Land Development Regulations. Elements include goals, objectives and policies; data, inventory, and analysis; performance measures; needs and recommendations, and definitions sections. The amendment also includes the updated map series. Due to the extensive volume of material, the proposed new comprehensive plan has been provided as a supplement on Council’s website. A summary of each element follows:

1. **Healthy Community Element**

   This new element intends to demonstrate that improving and maintaining overall health for the City’s residents is an important factor in providing a high quality of life. Objectives within the element include: providing an environment for active living, cultural opportunities, and equitable access to healthy food and health care; collaborating and coordinating the health needs of all residents; and reducing exposure to health risk factors at home, in the environment, and throughout society.

2. **Historic Preservation Element**

   This new element provides the City’s history, background of and framework for the City’s historic preservation program. It contains recommendations on how to move forward to protect the City’s historic resources and assets, provides direction on how to support and enhance historic preservation initiatives and programming, and emphasizes the importance of historic preservation. The goals, objectives, and policies within this element are intended to guide the City on topics such as preservation; protection; enhancement and support of historic resources; and incentives for preservation, education, public awareness, and recognition.

3. **Housing Element**

   The purpose of this element is to analyze local housing and neighborhood conditions, local housing trends and housing issues; identify existing and projected deficits in the supply of housing to meet the needs of the City’s population; and develop policies to improve the livability of neighborhoods, provide a range of housing choices, improve the equity of the housing market and increase efficiency of the housing delivery system. Revisions to the Element include promoting innovative and unique diverse housing types to increase the housing supply and enhance livability and sustainability, supporting...
increased density and expansion of the workforce overlay housing areas, and supporting equitable opportunity for all residents to obtain quality housing.

4. Mobility Element

This element, which is replacing the current Transportation Element, establishes a framework to create a modern, well-balanced transportation system that provides mobility choices such as walking, bicycling, riding, and driving in a safe and comfortable environment. New policies reflect the need to diversify transportation options and to create a Mobility Plan. A Mobility Plan with a supporting fee would establish funding for a wider range of local mobility-oriented projects or services that directly benefit the City of Delray Beach, and expand the usefulness of the current roadway impact fee program, which is limited to new roadway capacity. It is intended that the mobility plan and mobility fee can be implemented city-wide or be applied to only certain areas of the City. The element contains policies that indicate the City intends to work with the County on the subject of mobility. The proposed element also reflects the City’s adopted complete streets policy, provides updated vehicular traffic data and transit plans, including the planned Tri-Rail Coastal Link, and sets forth policies to address future mobility.

5. Capital Improvements Element

This element incorporates the Capital Improvement Plan (CIP), which is a listing of those projects with capital expenditures over $25,000 that the City plans to initiate over the next five fiscal years. These projects are also identified throughout the elements of the comprehensive plan. The CIP is updated annually using prioritization standards in the Element, following an annual infrastructure hearing. These practices are maintained in the updated version. The Element is also updated to include goal areas for Sustainability and Resiliency, Technology, and Economic Development to further the City’s overall vision in these areas.

6. Economic Prosperity Element

This is a new element that seeks to bridge the gap between past economic approaches and strategies with new and additional approaches to further the City’s success. The element includes several requirements to address the need for job creation and economic development and growth. In the past, the City focused on growing local businesses, business retention and expansion, redevelopment and revitalization, tourism and sports, arts and culture, special events, and community development as economic strategies. This new element seeks to incorporate investments in people, place, and industry development strategies to create prosperity for all residents, neighborhoods, businesses, and the overall community.

7. Strategic Partnerships Element

This element, formerly known as the Intergovernmental Coordination Element, identifies the entities including local, state and federal government agencies, organizations, committees, utility service providers, community advocacy groups, stakeholder
organizations, and residents with whom the City coordinates efforts and uses mechanisms, such as cooperative plans, interlocal agreements, policies and programs to accomplish City services and goals. This element provides structure for engaging the City’s public and private sector partners to work together to: solve complex, interconnected problems; effectively leverage funding mechanisms; foster interdisciplinary relationships in areas of practice that cross geographic boundaries; and enlist the support of its citizens in order to implement the vision of the Comprehensive Plan. The update to this element incorporates an expansion of the City’s collaborative efforts beyond local, state, regional and federal governmental and quasi-governmental entities to include partnerships with non-profit organizations, private sector groups, stakeholders, neighborhood, and community groups. The element was renamed to better reflect the collaborative nature of Delray Beach with non-governmental organizations and agencies.

8. Coastal Management Element

This element sets forth the City’s principles and strategies for the use and protection of the City’s coastal resources. Good coastal management includes: maintaining and enhancing the quality of life of citizens who value the area as a recreational asset; protecting wildlife and natural ecosystems; maximizing economic benefits generated from tourism; and protecting human life and public investment from natural disasters. Revisions to the Element include an updated definition of the Coastal High Hazard Zone per current Florida Statutes; the inclusion of the updated FEMA Flood Zone areas; and the projected impacts from potential sea level rise. Natural disaster planning components are also updated to reflect compliance statutory requirements related to the Peril of Flood Act of 2015 as well as the City’s emerging climate change strategies. The updated Coastal Management Element is designed to work in concert with the expanded Conservation Sustainability & Resiliency Element.

9. Conservation, Sustainability, and Resiliency Element

In the previous comprehensive plan the Conservation Element was expanded to include sustainability and resiliency issues and renamed the Conservation Sustainability and Resiliency Element. The purpose of this element is to establish environmental stewardship principles and policies. Previously, the focus of the element was the preservation and protection of endangered species and natural habitat. The expanded element adds the concepts of sustainability and resiliency to include planning concepts addressing energy use, greenhouse gas emissions, and climate change, as well as preparation for natural disasters and planning for the impacts of sea level rise. This element works in concert with the Coastal Management Element, but has broader, City-wide application beyond the coastal planning area.

10. Open Space Parks and Recreation Element

The City of Delray Beach provides for and maintains a variety of safe and enjoyable recreational opportunities on nearly 500 acres of park land. This element is the City’s plan for providing a high-quality system of open space, parks, and recreational facilities and programs. The preservation of park land and environmentally sensitive open spaces
is critical to meeting projected future demands and responding to recreation trends. The element highlights park safety, accessibility, connectivity, and sustainability practices as integral components of park amenities. The element was renamed to include the term “Parks,” as they are a major asset to the community. Significant policy changes include:

- Changing the level of service criteria from per capita and instead developing a local level of service measurement (i.e., percentage of land area) to more effectively measure provision of park and recreational services.
- Expanding parkland area and ensuring that parkland is not diverted to other uses, except in instances of overriding public interest, in which case the land lost shall be replaced.
- Due to the limited number of public open spaces, parks, and recreational facilities located west of Interstate 95:
  - The City will not offer the City’s golf courses for sale; however, if it is determined that a golf course cannot be maintained, the City will engage the public and conduct a study to identify how to best meet community needs and desires.
  - Establish a unique recreation opportunity on the Family Recreation and Fitness Center Playground that serves the western communities.
- Planning interconnected greenway corridors (trails) linking parks, golf courses, canals & natural areas throughout the City.
- Creating parklets that convert on-street parking spaces to small, useable parks.
- Incorporating sustainability measures in the park system such as:
  - Bio-swales as part of a flood management system.
  - Urban agriculture and community gardens within parks and on appropriate public lands.
- Evaluating the need and implementation of a park or “art in public spaces” impact fee for new non-residential developments.
- Requiring existing areas designated OS (Open Space) on the Future Land Use Map that are used for active or passive recreational activities within private developments be maintained or replaced if redevelopment occurs.

11. Education Element

This element expands the focus that was previously limited to public school facilities to incorporate community education aspirations and lifelong learning opportunities. The element incorporates the former Public School Facilities Element, as applicable, while demonstrating the importance of education to the City. The element provides an overview of all Delray Beach public school facilities and their programming and recognizes that education is important for residents of all ages, with efforts beginning with the 0-5 year old population and continuing through to lifelong learners.

In 2015, the Palm Beach County School District enacted an interlocal agreement between the School Board, Palm Beach County, and municipalities within the County for coordinated school planning. In March of 2017, the City approved participation in that planning effort. Currently there are no statutory requirements for a Public School Facilities Element. This element includes a goal with underlying objectives and policies
in order to address the City’s responsibilities under the interlocal agreement for coordinated school planning.

12. Neighborhoods, Districts, and Corridors Element

The Neighborhoods, Districts, and Corridors Element, formerly the Future Land Use Element, establishes the City’s goals, objectives, and policies regarding the City’s land uses to maintain and improve the quality of life for existing and future residents, visitors, and workers. The element provides the land use principles and standards to guide development and redevelopment to reinforce the character of existing neighborhoods, to revitalize blighted areas, and to accommodate growth in the form envisioned by the residents and stakeholders of the City. Key points of the proposed element include:

- No Future Land Use Map amendments
- Three land use designation name changes:
  - Other Mixed Use to Historic Mixed Use. Old School Square Historic District is the only area where this land use designation is applied and the new name better references its purpose.
  - Open Space - Conservation to Conservation. Changing the name clearly distinguishes conservation land from parks and other types of open space and reinforces the intent of long-term protection of the land.
  - Recreation & Open Space to Open Space. Open space includes both passive and active use within this designation and the distinction between passive/active is regulated by the Land Development Regulations.
- Amendments to change current density or intensity of the land use designations:
  - The Floor Area Ratio (FAR) for the Open Space land use designation is proposed to decrease from .5 to .10.
  - The FAR for the Congress Mixed Use land use designation is proposed to be 3.0. The current FAR is 1.0 for commercial uses and 2.0 for residential uses.

13. Public Facilities Element

This element addresses the City’s responsibilities related to providing potable water, wastewater management, stormwater management and flood prevention, solid waste services, maintenance of the transportation system, and public offices. The proposed element provides updated environmental policies, including policies to increase reclaimed water usage to meet the Leah B. Schaad Ocean Outfall Act, and expand policies previously focused on roadways to include bicycle and pedestrian infrastructure. New policies also reflect the updated Stormwater Master Plan, the recently completed sea wall vulnerability study, and new sustainability goals. Current policies such as phasing out the use of septic tanks and requiring new development to be responsible for extending water service are maintained.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.
**Extrajurisdictional Impacts**

The proposed amendments were circulated by the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on May 25, 2018. On August 15, 2019, Palm Beach County provided correspondence related to amendments to the Mobility Element. That correspondence is included as Exhibit 2. The County’s letter offers support for efforts that supplement the provision of transportation facilities and enhance the safety and mobility of all transportation modes throughout the County. Additionally, the County indicates it welcomes the opportunity to work with the City to develop an appropriate plan that supports the transportation needs and economic viability for all its communities. As noted at its June 21, 2019 meeting, Council supports a collaborative approach to address traffic concurrency, impact fees, and mobility fees at the countywide and local levels.

**Conclusion**

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. Comprehensive plans should reflect the vision, needs, and desires of its community members. Council commends the City for their extensive public outreach efforts during the process of updating their comprehensive plan. The new plan not only contains updated programs, policies, and planning concepts, but does it in a way that is accessible for all users.

**Recommendation**

Council should approve this report and authorize its transmittal to the City of Delray Beach and the Florida Department of Economic Opportunity.

**Council Action – December 13, 2019**

Commissioner Smith from Martin County moved approval of the staff recommendation. Vice Mayor Weinroth from Palm Beach County seconded the motion, which carried unanimously.

**Attachments**
List of Exhibits

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<th>Exhibit</th>
<th>Description</th>
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<tr>
<td>1</td>
<td>General Location Map</td>
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<td>2</td>
<td>Letter Dated August 15, 2019 from Palm Beach County</td>
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Exhibit 1
General Location Map
August 15, 2019

Mr. Neal DeJesus
Interim City Manager
City of Delray Beach
100 NW 1st Avenue
Delray Beach FL 33444

RE: City of Delray Beach – Always Delray Amendments DLB-102

Dear Mr. DeJesus,

County staff have reviewed the amendments referenced above, specifically relating to the Transportation Element. Based upon our reading and understanding of these amendments to the City's Comprehensive Plan, these provisions affect city projects and complement the application of transportation concurrency. The County supports efforts that supplement the provision of transportation facilities and enhance safety and mobility for all modes of transportation throughout the County. Please advise immediately if our understanding is incorrect in anyway but we believe that the proposed language does not impact or intends to impact county’s concurrency and its collection of impact fee.

The County’s Charter provides for regulations on a countywide Traffic Performance Standards and Impact Fees, applicable in every city including City of Delray Beach. Palm Beach County recognizes that not all communities’ characters and needs are identical based on, among other things, their development history and availability of undeveloped land. The County gladly welcomes the opportunity to work with the city to develop an appropriate plan that supports the transportation needs and economic viability of its communities.

Please do not hesitate to contact me at 561-233-5332 or Khurshid Mohyuddin at 561-233-5351 if you have any further questions.

Sincerely,

Patricia Behn
Planning Director

cc: PBC Board of County Commissioners
    Verdenia Baker, PBC County Administrator
    Patrick Rutler, PBC Assistant County Administrator
    Todd Bonicola, PBC Assistant County Administrator
    Ramsay Buckley, P2B Executive Director
    Leonard W. Berger, Chief Assistant Co. Attorney
    Robert P. Banks, Chief Land Use Co. Attorney
    Chelsea Koester, Assistant County Attorney
    Scott Stone, Assistant County Attorney
    Steve Tobias, City of Delray Beach

    Patrick A. Figurella, City of Delray Beach
    Rebekah Dasari, City of Delray Beach
    David Ricks, PBC County Engineer
    Motassem Al-Turk, PBC Engineering
    Khurshid Mohyuddin, PBC Planning Division
    Bryan Davis, PBC Planning Division
    Thomas Lanahan, Executive Director, TCRPC
    Ray Eubanks, Dept. of Economic Opportunity
    Larry Hymowitz, Florida Dept. of Transportation