

**PLANNING AND ZONING BOARD  
STAFF REPORT**

MEETING OF: December 19, 2016

AGENDA NO. VIII.B.

AGENDA ITEM: Recommend to the City Commission to adopt the proposed City-initiated amendments to the LDRs, by Appendix "A" Definitions to update the definitions of "Medical Office", "Non-Residential Licensed Service Provider", and "Residential Licensed Service Provider", and delete the obsolete definition of "Substance Abuse".

**ITEM BEFORE THE BOARD**

The action before the Board is a recommendation to the City Commission to adopt the proposed City-initiated amendments to the LDRs updating the Definitions as presented in the attached ordinance.

**BACKGROUND AND AMENDMENT DESCRIPTION**

The proposed amendments are City-initiated to update the definitions of "Medical Office", "Non-Residential Licensed Service Provider", and "Residential Licensed Service Provider" to be consistent with recent changes in state law and delete the obsolete definition of "Substance Abuse".

The Florida Statute section numbers for definitions were changed and additional definitions for Residential Treatment Levels 1 through 5 were added. The proposed amendments reflect these changes.

**REQUIRED FINDINGS**

LDR Sections 1.1.6 and 2.4. 5(M)(5)(Findings): at a public hearing, the City Commission must make a finding that the text amendment is consistent with the Comprehensive Plan based upon a recommendation from the Planning and Zoning Board.

The purpose of the proposed amendment is to maintain and update the LDRs. A positive finding can be made that the amendments are consistent with the Comprehensive Plan.

**ALTERNATIVE ACTIONS**

A. Move to continue with direction.

- B. Move a recommendation of approval to the City Commission to adopt the proposed City-initiated LDR amendment as provided in the attached Ordinance No. 02-17, by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).
- C. Move a recommendation of denial to the City Commission to adopt the proposed City-initiated LDR amendment as provided in the attached Ordinance No. 02-17, by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

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| <b>RECOMMENDED ACTION</b> |
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Recommend to the City Commission to adopt the proposed City-initiated LDR amendment as provided in the attached Ordinance No. 02-17, by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

*Attachment:*

*Ordinance No. 02-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING APPENDIX "A", "DEFINITIONS", TO PROVIDE UPDATED DEFINITIONS FOR "MEDICAL OFFICE", "NON-RESIDENTIAL LICENSED SERVICE PROVIDER", "RESIDENTIAL LICENSED SERVICE PROVIDER", AND DELETING THE OBSOLETE DEFINITION OF "SUBSTANCE ABUSE"; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.*