

# **City of Delray Beach**

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## **Minutes - Draft**

**Tuesday, July 2, 2019**

**1:30 PM**

**Workshop Meeting at 1:30 PM**

**Delray Beach City Hall**

## **City Commission**

*Mayor Shelly Petrolia  
Vice Mayor Shirley Ervin Johnson  
Deputy Vice Mayor Bill Bathurst  
Commissioner Adam Frankel  
Commissioner Ryan Boylston*

Pursuant to Section 3.12 of the Charter of the City of Delray Beach the Mayor has instructed me to announce a Workshop Meeting of the City Commission to be held for the following purposes:

Mayor Petrolia called the Workshop Meeting to order at 1:30 p.m.

The roll call was taken by the City Clerk.

The following were in attendance:

Mayor Shelly Petrolia  
Vice Mayor Shirley Ervin Johnson  
Deputy Vice Mayor Bill Bathurst  
Commissioner Adam Frankel  
Commissioner Ryan Boylston (via skype)

Others present were:

Neal de Jesus, Interim City Manager  
Lynn Gelin, City Attorney  
Katerri Johnson, City Clerk

**WS.1.** [19-663](#) Always Delray Comprehensive Plan

**Recommendation:** Discussion and direction regarding the proposed Always Delray Comprehensive Plan.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)[HCE GOPs](#)[HCE-DIA](#)[HPE GOPs](#)[HPE DIA](#)[HOU GOPs](#)[HOU DIA](#)[MBL GOPs](#)[MBL DIA](#)[CIE GOPs](#)[CIE DIA](#)[ECP GOPs](#)[ECP DIA](#)[SPE GOPs](#)[SPE DIA](#)[CME GOPs](#)[CME DIA](#)[CSR GOPs](#)[CSR DIA](#)[OPR GOPs](#)[OPR DIA](#)[EDU GOPs](#)[EDU DIA](#)[NDC GOPs](#)[NDC DIA](#)[PFE GOPs](#)[PFE DIA](#)[Always Delray Map Series](#)[DIA Map Series](#)[Always Delray Element Overview 13 Elements](#)[Always Delray Project List 06112019 Workshop](#)

Anthea Gianniotis, Principal Planner, reviewed the Always Delray Comprehensive Plan beginning with the fifth section. Ms. Gianniotis stated the only change to the list with respect to mobility was changing the local level of service on local streets.

Mayor Petrolia commented about Policy 1.1.7., which talks about a General Fund reserve at 25% and inquired why it is fixed at this percentage. Ms. Gianniotis stated this was the previous policy carried

forward. Mayor Petrolia suggested that this percentage be a range and that this be looked into further by staff.

Mayor Petrolia asked for further clarification about Policy 1.3.1.B. Ms. Gianniotis stated when a project or a land use amendment comes through and the City Commission has to evaluate against the findings, one of the findings is what is concurrency with the School Board. Ms. Gianniotis stated staff can clarify this further. Mayor Petrolia stated she wanted to make sure that the City was not putting themselves in a situation where we are bringing in too much capacity for a school system and then wondering what happened.

Mayor Petrolia commented about Policy 1.4.3., Coordinate Palm Beach County in the mobility fee planning process to explore the feasibility of implementing a mobility fee to fund multi-modal. Ms. Gianniotis stated this policy speaks to the new direction that was discussed in the mobility element and right now the way transportation impact fees are collected through concurrency; and, that money goes to the County to help fund roads and the County's rules limit how that money can be applied and it is mostly for new lane miles. Ms. Gianniotis stated Delray Beach does not need new lane miles; however, we need other improvements.

Mayor Petrolia commented about Policy 2.2.1., Adoption of the Complete Streets Policy and suggested the words "where appropriate" be added. She noted it goes on to say "to process for all roadways, right-of-ways, and infrastructure." Mayor Petrolia suggested that the word "all" be deleted and the words "where appropriate" be added.

Mayor Petrolia commented about Policy 3.1.6., require green building certification for all new public buildings and she feels this is great; for any kind of private buildings she would like to see if there are ways to incentivize.

Mayor Petrolia commented about Policy 3.2.3., do not increase the density or intensity of land use designations within the barrier island. She suggested that the words "shall not" be added in place of the words "do not."

Mayor Petrolia commented about the importance of continuing to educate and learn about the best practices and that it is our job to make sure that we are aware how we can best support resiliency in the City.

Vice Mayor Johnson commented about Policy 3.1.6. with respect to green building certifications for all new developers, and suggested that the City work more to encourage developers to make their buildings green.

Commissioner Boylston expressed concern with respect to the green building initiative, that it is not tied directly to LEED and it is just a comparable to that.

Ms. Gianniotis briefly reviewed the policies for ensuring prosperity as the City's economy develops and evolves; the policies are related to human capital, entrepreneurship, equity and inclusion, the importance of placemaking, partnerships, and industry.

Mayor Petrolia made reference to Policy 2.5.4. and stated she does not support putting the City in the position of creating programs for the Delray Beach Chamber of Commerce. Mayor Petrolia stated she would like this policy taken out or just eliminating that the City would be doing it specifically with one particular organization.

Deputy Vice Mayor Bathurst stated something to help align these resources because these groups (i.e. Chamber of Commerce, Library, Career Source) are all requesting the same thing. He expressed concern over how the City figures out where the niches are to fill rather than all of them being repetitive.

Mayor Petrolia commented about Policy 4.2.3., expand City programs to support businesses at risk of relocating outside of the City of Delray Beach due to rising rent costs. Mayor Petrolia stated it is duplicate of what the City is trying to do with the CRA in creating local hubs and businesses that center on providing affordable space. Mayor Petrolia stated that is what we are already trying to do at the CRA. Mayor Petrolia stated even though that is saying that the City is going to do that, she inquired if the City is going to take it on, and have the CRA do it, and some non-profits do it, she suggested that the wording be changed to reflect that this is not a City specific deal, but that this is what the City wants to do and is going to assist or encourage everybody to do.

Mayor Petrolia commented about Policy 5.5.7., increase availability of financing to local entrepreneurs, small and minority owned businesses, and suggested to change the words "increase availability" to "support the increase." Ms. Gianniotis stated she will get in touch with the Economic Development Department.

Mayor Petrolia commented about Policy 6.2.2., complete streets as appropriate. Mayor Petrolia commented about Policy 6.2.4., continue to require transportation demand management strategies in the LDRs and encourage employers to provide incentives to employees who commute using transit cycling, walking alternatives to driving. Ms. Gianniotis stated

under the objective that fostering a multi-modal environment helps makes the City more competitive and this is one of the ways the City would do it; the LDRs require larger offices to provide a transportation demand management strategy, whether they are going to offer flexible work hours so they can avoid the peak hour rush, and if they are going to offer point-to-point service, etc. and have employers tell the City how they would like to mitigate those impacts.

Mayor Petrolia commented about Policy 6.5.1., complete a study to identify the appropriateness of rezoning properties along arterial and collector streets from residential zoning districts to neighborhood commercial or residential office zoning districts to provide small scale economic opportunities adjacent to residential neighborhoods. With respect to the encroachment on the communities to the north and south and the gentrification issues, Mayor Petrolia expressed concern that this is almost encouraging that activity (commercial into residential areas) and although she is okay with the study, she feels it is important to keep a watch on this.

Deputy Vice Mayor Bathurst commented about Policy 6.6.1. which talks about celebrate and support preservation of Delray Beach's historical and cultural resources and recognition that they have a vital role in supporting tourism and local economic base. He stated the downtown charm is a big economic driver and how to get a handle on it over time. Mayor Petrolia concurred with comments expressed by Deputy Vice Mayor Bathurst.

Commissioner Frankel commented about Policy 6.5.2., to incentive businesses that sell fresh food and serve desserts. Commissioner Boylston stated placing a grocery store in a community that does not have one can change that community.

Vice Mayor Johnson commented about Policy 6.2.1., funding opportunities through grants and private/public partnerships to help build the tri-rail coastal link station. Ms. Gianniotis stated the current plan is that tri-rail will serve as both the CSX line and the one that goes through all of the downtowns along the eastern area. Ms. Gianniotis stated this policy is recognizing that eventually achieving a station for Delray Beach on that track is an important economic development effort.

The City Commission commented on the strategic partnership (previously referred to as intergovernmental coordination) and how the City works with other governmental agencies (i.e. County, FDOT). This has been renamed to reflect how many non-profits and other cultural organizations that regularly coordinate within the City. Mayor Petrolia suggested that the Regional Sustainability Coalition be added.

Mayor Petrolia commented about Policy 1.1.10. Ms. Gianniotis stated this means if someone wants City water and we can get water to them, but they are not contiguous yet because someone is in your way, the City may work out an agreement to provide water. If they agree to annex into the City as soon as they can; if you are already eligible, then you have to annex before the City will provide water.

Mayor Petrolia commented about Policy 2.1.8., establish a community task force to create a historic tree inventory and monitoring system to create stronger mechanisms for protecting historic trees by 2022. Mayor Petrolia suggested to do something sooner than 2022.

Commissioner Boylston stated there are a lot of great things about this Comprehensive Plan; however, there are some areas in the green environment especially with our trees where the City could be more aggressive with what we are putting in place for the future of our City, in particular the timelines.

Ms. Gianniotis briefly spoke about the Coastal Management Element and the City's Beach Renourishment Program.

The City Commission gave a few brief comments with respect to trimming the seagrasses and the Dune Management.

Mayor Petrolia commented that the seagrasses cannot be taken out and noted the seagrasses serve as a barrier for the sand to not get onto A-1-A. Mayor Petrolia commented that the State does not allow the City to remove the seagrasses, but she concurs that the seagrasses should be managed (Policy 1.5.10.).

Mayor Petrolia commented on Policy 1.6.5., restrict access and activities in designated manatee established habitat areas and support existing speed regulations; Policy 2.1.4., restricts smoking on the beach. The City Attorney noted the City is pre-empted by State law and staff can add wording about "pursuant to State law..."

A brief discussion by the City Commission followed with respect to the Conservation, Sustainability, and Resiliency Element.

Mayor Petrolia stated she concurs with Policy 1.3.2., focus higher density and intensity land uses around existing and planned commuter rail service, however, she would like to see a traffic study first; Policy 1.3.3., consider the recommendations of where the tri-rail coastal link for the Master Plan; Policy 1.3.8., within eight years achieve recognition as a bicycle-friendly community or a walkable-friendly community or achieve an average

community walk score of 70 or more.

Mayor Petrolia commented about Policy 1.3.9., assist in the coordination of programs that implement employer option transportation controlled measures and suggested that the word "assist" be changed to "supporting."

Mayor Petrolia stated Policy 1.1.3., research and adopt the City vehicle idling policy with corresponding educational materials to reduce fuel costs and reduce municipal greenhouse gas emissions, is a great policy and she would like to see a start date for this.

Mayor Petrolia commented about Policy 1.5.1., continue to implement policies relating to air quality and tobacco. A brief discussion followed with respect to people smoking downtown very close to places where people are eating and the possibility of a tobacco free zone; however, this cannot be done.

Mayor Petrolia commented about water resources, conservation and consumption. She noted that the City Commission had discussed supporting programs that decrease water consumption by incentivizing things like replacing heavy-flush toilets with the light-flush; Policy 2.4.5., continue to implement requirements for water conservation fixtures in new construction and incentivize higher efficiency standards in new construction and renovations; Policy 4.1.9., support of marine law enforcement programs and restricting access to activities designated manatee essential habitat areas and support existing speed regulations, Mayor Petrolia stated she would not support existing zones, but would ask for more high-speed zones.

Mayor Petrolia stated staff identified the publicly owned environmental sensitive lands as conservation open space. Mayor Petrolia stated she feels it is important to mention the following parcels: (1) along north of Lindell Boulevard and the tracks, and (2) the Lake Ida parcel (area in the middle of Lake Ida).

Policy 5.5.1., allow for wind and solar energy equipment; increase energy efficiency requirements for residential and commercial construction through an outreach effort...." Mayor Petrolia inquired about wind and solar energy equipment and suggested to push forward for that diverse energy mixture. She inquired about water storage on properties. Ms. Gianniotis stated staff will relook at this policy.

Mayor Petrolia stated she feels the following policies are great: Policy 6.1.1., continue to participate in the Palm Beach County Solid Waste

Authority Recycling Program; Policy 6.1.4., implementing county-wide incentives and policies for residents and businesses to help achieve community waste reduction goals; working with the waste hauler to receive the City-level monitoring data and utilize annual and quarterly service reports to create databases for Waste Management services, analyze usage, and identify opportunities.

Mayor Petrolia commented about Policy 6.1.2., explore opportunities to add recycle receptacles on City property specifically in locations where the City supports trash receptacles. She feels this is a great idea and suggested these trash receptacles be placed up and down Atlantic Avenue. Mayor Petrolia commented that most towns have recycle, waste, and compost receptacles and she would like to see Delray Beach have these as well; Policy 6.1.14., use the contribution made to the City Public Library for recycling and composting/educational; Policy 6.4.4., encourage backyard agriculture and community gardening throughout the City and the problem she sees with this is vermin (i.e. rats, etc.) and is probably one of the reasons why originally this was outlawed; Mayor Petrolia commented about Policy 8.4.2., maintain the City status designated as a Tree City and stated the City has to get serious about this or we are going to lose our tree canopy faster than we can put it back in.

Deputy Vice Mayor Bathurst stated that the City needs to figure out what the appropriate recycling program is for the downtown.

Commissioner Boylston stated he feels the City needs to be more aggressive with respect to the recycling, composting, and maintaining the status of a Tree City. In addition, Commissioner Boylston stated he would still like to explore the smoke-free downtown in public spaces.

The City Commission had a brief discussion on the Open Space, Parks & Recreation Element.

Ms. Gianniotis stated there is not a State Statute required for the level of service of parks and the City can define for itself. She stated one of the most universally raised concerns that the percentage of open space (which is one of the ways we move towards trying to understand based on our City what percentage of our City has a conservation or open space land use and how much of that is under public control), and one of the most passionate issues is they wanted to have no net loss of parks except in overriding public interest. She noted there was concern about not losing the golf courses in the western communities. Ms. Gianniotis stated in the City's planning area 5.7% of the City is dedicated to publicly owned open space parks and recreational facilities, and they would like to see this number go up.

Mayor Petrolia commented about Policy 1.2.3., develop a policy to promote land swaps to protect environmentally sensitive land. Ms. Gianniotis made reference to a map which gives a location of native eco-systems, what has open space land use, what has a conservation future land use, and the amount that we have and where it is. There is a policy that seeks to evaluate a parcel in Bexley Park and would need to be designated. She stated this gives the City another tool if they would like to secure some property for the future or protect it.

Mayor Petrolia commented on Policy 1.2.8., due to the limited number of public open spaces, parks and recreation facilities located west of I-95, the City will not offer for sale the City's golf courses. If it is determined that the golf course cannot be maintained, the City will engage the public and conduct a study to identify new parks and recreation facilities that are best to meet the community needs and desires. Mayor Petrolia expressed concern that we are boxing ourselves in when they could possibly do something to make this a gem again. Mayor Petrolia stated she is open to listening to opportunities and does not want to sell these golf courses; however, the City may be able to make this work without costing the taxpayers \$7 million to put a golf course back together that is something people want to come to and noted that the golf courses are not serving a fraction of the majority of our citizens. Commissioner Boylston strongly concurred with comments expressed by Mayor Petrolia. Ms. Gianniotis stated the policy would be to engage the public to identify a new parks and recreation opportunity. Vice Mayor Johnson commented about a privately owned pool in Rainberry Woods that is not being utilized.

Mayor Petrolia commented on Policy 1.2.10., evaluate the need for and feasibility of the expansion or repurposing of the Delray Beach Tennis Center and noted they would like to make it an improved facility so that it could also be an entertainment facility in addition to tennis. The City Attorney noted that there is a restriction on this property.

Mayor Petrolia commented on Policy 1.3.13., establish a district park that provides unique recreational opportunities for the western area of Delray Beach. Commissioner Boylston stated there are no playing fields out west (i.e. basketball, baseball, and soccer fields) and suggested added some of those elements to the park facilities. Mayor Petrolia suggested that the City do an Interlocal Agreement (ILA) with the existing schools in this area. Ms. Gianniotis stated the idea of the policy is to have something more community focused that draws from multiple neighborhoods (i.e. a splash park) to be a gathering space.

Mayor Petrolia commented about Policy 2.3.2., smoking on the beach.

Mayor Petrolia commented about Goal #3 - increase tree canopy and expressed concern about how the City is really going to do it; Policy 3.1.1., identify the following areas, conservation, or open space and commented about the Lake Ida parcel being included in this if appropriate; Policy 3.1.6., remove invasives and nuisance vegetation from protected natural habitats and dunes. Mayor Petrolia stated she wants to make sure the City is not recreating a net loss in our canopies and the covering of the ground; Mayor Petrolia commented about Policy 3.3.3., to incorporate parklets which are small usable parks converted from on-street parking as a technique to provide more landscaped areas on streets and limited street trees and green spaces, and noted that this is going to decrease the parking and will do the opposite of what the City always seems to have problems with. With respect to Policy 3.3.5., evaluate development bonuses within the downtown area for dedicating a meaningful portion of a site as public open space exceeding the minimum civic open space requirements and designating that area as a park or a plaza. Mayor Petrolia expressed concern over giving bonuses to developers on the front-end and get it taken away on the backside (i.e. iPic). She suggested that this policy state that anything given cannot be taken away without something being given back. With respect to Policy 3.4.2., volunteer management by community organizations and schools, Mayor Petrolia stated adding "schools" to this is great; Mayor Petrolia stated with respect to Objective 3.5., tree canopy - preserve and enhance tree canopy to mitigate the heat island affect and provide beautification throughout Delray Beach, conduct a formal tree study of the existing tree canopy, she would like to see this done sooner than 2025; with respect to Policy 3.5.2., establish a goal for tree canopy coverage within parks and open spaces, Mayor Petrolia stated she would like to make this a solid goal; Mayor Petrolia commented about the tree planting policy in the Central Business District (CBD). Ms. Gianniotis stated the City has a street tree planting policy in the CBD which requires every 25 or 30 feet when someone builds a building you have to put a tree in the City's public right-of-way. She noted staff is working on a tree canopy study.

The City Commission had a brief discussion on the education element (previously called Public School Facilities). Mayor Petrolia stated she would like to make sure that the gifted program remains a "gifted program". Commissioner Boylston stressed the importance of education. Mayor Petrolia stated the majority of parents, especially those that are trying to relocate and also persons moving to the area for businesses, one of the first things they look for is the schools and often times this determines where they move. Mayor Petrolia stated Delray Beach has a lot of programs in place (i.e. summer slide, reading, aftercare, afterschool, mentoring) to help supplement and part of that is the connection the City

has with the non-profits. She stressed the importance of keeping those relationships ongoing and concurs with comments expressed by Commissioner Boylston to recognize the importance of school to our town even if someone does not have children here it makes a difference of who is coming here as a result of the schools.

Mayor Petrolia stated at the next workshop meeting the City Commission will discuss the Neighborhoods, Districts, and Corridors Element.

There being no further business to discuss, Mayor Petrolia adjourned the Workshop Meeting at 3:21 p.m.