

# **City of Delray Beach**

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## **Minutes - Final**

**Tuesday, July 9, 2019**

**3:30 PM**

**Workshop Meeting at 3:30 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 3:30 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

**WS.1.** [19-694](#) 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, spoke briefly about the Neighborhoods, Districts, and Corridors Element and she displayed a Future Land Use Designations Map (MAP AD-2). She stated there are three goals: (1) Neighborhoods, Districts and Corridors, (2) Quality of Life and Urban Form, and (3) Urban Services. Ms. Gianniotis stated there is a clear distinction between Standard Density and Potential Revitalization/Incentive Density available only through adopted programs or overlays, etc. She noted there are two changes in intensity: (1) reduces

**Open Space** FAR (Floor Area Ratio) from 0.50 to 0.10 and (2) Consolidates **Congress Mixed Use** FAR to 3.0 from Non-Residential/Mixed Use of 2.0 FAR and Residential FAR 1.0. Ms. Gianniotis stated recommendations from the Steering Committee to consider changing the FAR for Congress Mixed-Use and also Commercial Core from 3.0 to 2.5. The Planning and Zoning Board reviewed and recommended that both designations remain at a 3.0. Ms. Gianniotis displayed a Revitalization/Incentive Areas Map (MAP DIA-33) that currently has an adopted incentive or an adopted redevelopment plan that allows additional leeway for density under the current plan. Ms. Gianniotis gave an example of General Commercial (GC) which has a standard density of 12 dwelling units per acre, but in the four corners would allow up to 30 dwelling units per acre, under certain circumstances; Congress Mixed-Use has a base of 40; however, closer to the Tri-Rail Station 50 is a possibility; part of West Atlantic Avenue has a base of 12 dwelling units per acre; however, under the Workforce Housing Program up to 30 dwelling units per acre.

Deputy Vice Mayor Bathurst was away from the dais briefly and returned.

A brief discussion between the City Commission and Ms. Gianniotis followed.

Commissioner Boylston asked for staff's input with respect to the density. In response, Ms. Gianniotis stated she would not recommend reducing any density or intensity because this can be accomplished through the LDRs changes. Furthermore, Ms. Gianniotis stated there are other policies in other elements (i.e. historic, coastal) that talk about trying to take density out of the Coastal High Hazard Zone or off of historic properties, or incentives for workforce housing.

Deputy Vice Mayor Bathurst inquired if the intensity includes garage parking. In response, Mr. Gianniotis stated this varies from community to community. Ms. Gianniotis explained that structured parking in the City of Delray Beach does count towards FAR.

Mayor Petrolia suggested that with respect to Policy NDC 1.1.8., to add the words "the net floor area would be inclusive of the parking structures." Mayor Petrolia stated she has a hesitation in staff's hesitation in rolling backwards because she has consulted the legal aspect of taking anything down from the intensity that it currently is. Mayor Petrolia expressed concern jumping from a 1.0 and a 2.0 to a 3.0. The Steering Committee recommended 2.5 FAR and she supports what the Steering Committee suggested. In addition, Mayor Petrolia suggested that with respect to Policy 1.1.12., residential neighborhoods using zoning that is identical or

similar to the zoning, to add the words "most similar to the zoning."

Mayor Petrolia stated she would like clarification with respect to the standard for the intensity that was reduced from a .5 to a .1. In response, Ms. Gianniotis stated currently the open space designation has a .5 FAR (10,000 square foot lot x .5 = 5,000 square foot building) and if it is a one-story building, then the building is covering half the lot. Ms. Gianniotis stated staff was looking at the application of the land use and whether it was for either public or in some cases private areas within residential developments. She noted that none of the current development comes close to reaching a .5 FAR. With respect to a .1 FAR, Ms. Gianniotis stated they reduced it on the ground from fifty-percent (50%) of the area being covered potentially down to ten-percent (10%). She stated some open spaces that have facilities in them such as small community center, bathroom facilities, etc. and there is room for buildings. Ms. Gianniotis stated she noted that Veteran's Park has an FAR of .03.

With respect to Policy 1.3.2., apply the mixed-use land use designation that best maintains and enhances the scale, density and intensity and character of the surrounding neighborhood and district. Mayor Petrolia suggested deleting "enhances the scale, density and intensity" so that the policy reads "apply the mixed-use land use designation that best maintains and enhances the character of the surrounding neighborhood and district".

With respect to Policy 1.3.19., support transit oriented development by providing incentives in the LDRs for development near the Delray Beach Tri-Rail Station with the Congress Avenue mixed-use land use development. Mayor Petrolia expressed concern that there is a 1/2 mile circumference and suggested to narrow it down further.

With respect to Policy 1.3.6., allow a maximum floor area ratio of 3.0, maximum density of 12 dwelling units per acre east of the Intracoastal revitalization incentive density of 30 to 100 dwelling units per acre, Deputy Vice Mayor Bathurst inquired about the density for Worthing Place. Ms. Gianniotis stated Worthing Place is 96 dwelling units per acre and is the most dense development downtown.

Mayor Petrolia inquired about Policy 1.13.19., allow residential uses to comprise up to 100% of the total floor area of a Master Development Plan for properties with a Congress Avenue mixed-use future land use designation to be located 1,000 feet from the Tri-Rail Station allow uses to comprise up to 80% of the total floor area and inquired why this entire area has been eliminated. Ms. Gianniotis stated all of it is in the LDRs within the Mixed Residential Office Commercial (MROC) and is a great level of detail that is difficult to deal with development because then a

Comprehensive Plan would have to follow.

Mayor Petrolia commented about Policy 1.3.22., eliminated with an emphasis on the arts which is along the Swinton Avenue Corridor four blocks north and two blocks south of Atlantic Avenue with the exception of the Old School Square facility itself with respect to the historic mixed-use land and designation for properties under Old School Square and inquired why this is eliminated. In response, Ms. Gianniotis stated four blocks north and south, the Old School Square Historic Arts District (OSSHAD) District, the arts part is not in the forefront of the policy anymore of how that district is working outside of designation. Ms. Gianniotis stated art use is still allowed; however, there is no incentive to make them happen. Deputy Vice Mayor Bathurst suggested shortening the policy slightly to "and arts usage."

Deputy Vice Mayor Bathurst stated he would not be willing to extend the Central Business District (CBD) in the historic districts. Ms. Gianniotis commented that the word "limited" was added to the language. Ms. Gianniotis stated the application of the CBD Overlay Corridor/commercial corridor Atlantic Avenue and Swinton Avenue was to allow for more of that historic commercial (i.e. zero lot line, slightly taller buildings as opposed to the detached houses). Ms. Gianniotis stated it was applied to allow compatible infill along the historic commercial main streets, not to keep going back into the neighborhoods with an overlay in a historic district. Deputy Vice Mayor Bathurst stated the way this policy is worded sounds like the City is going to apply in a limited way more CBD into the historic district. Ms. Gianniotis explained that this was not the intent of this policy, but the intent was to say that this is only appropriate in these limited places.

At this point, Mayor Petrolia announced that it is 4:00 p.m. and the City Commission is continuing with the Workshop Meeting and will start the next meeting as soon as they are finished with the Workshop Meeting.

Mayor Petrolia commented about Policy 1.4.7., open space vs. open space recreation. Ms. Gianniotis stated the revised name change: (1) what is open space (passive/active recreation) and (2) what is conservation space. Ms. Gianniotis stated retitling the land use designations will help with this.

Policy 1.5.2., maintain or increase the amount of land 5.7 percent (5.7%) increase of the City's planning area in 2019 that is publicly owned space, parks and recreational facilities. Deputy Vice Mayor Bathurst stated it is worthwhile to set a goal and he suggested that the open space numbers be in acres as well.

Mayor Petrolia stated with respect to Policy 2.1.2., do not increase the net density with the coastal....she would like to replace the words "do not" with "shall not."

Mayor Petrolia stated with respect to Policy 2.2.2., retain alleyways especially those located in downtown, she would like to see the word "shall" added so that it reads "shall retain alleyways." Mayor Petrolia inquired about the following language: "that alleyways located within the Old School Square District on either side of Swinton Avenue shall remain and be available for access to abutting properties. Accordingly, these alleyways shall not be abandoned to private interest." Ms. Gianniotis stated that the City only had a policy specifically related to Old School Square and not the rest of the downtown. Therefore, staff has now included the downtown within this policy.

Mayor Petrolia commented about Policy 2.4., promote transit oriented development patterns around the commuter rail stations along transit corridors and attract economic development and stated she would like to see the following added: "so long as it does not impact the quality of life."

Vice Mayor Johnson commented about Policy 2.2.6., accommodate automobile parking through innovative approaches and she noted the City was trying to accommodate mobility when using the trolleys. Commissioner Boylston stated it is not just about parking, but it is also about pickup and dropoff.

Mayor Petrolia confirmed with Ms. Gianniotis that Policy 2.7.7., is for any future redevelopment plan that the City Commission decides to adopt. Policy 2.7.13., growth and unification of the downtown area while maintaining the "village-by-the-sea" character. Policy 2.7.18., evaluate and adopt the Osceola Park Redevelopment Plan which was adopted in 2004 to assess the plans area. Mayor Petrolia asked if we are encroaching the Central Business District (CBD) into Osceola Park. Ms. Gianniotis stated there was one lot that was approved for Future Land Use that crossed the alley; however, that was not part of the redevelopment plan directive and there are no recommendations in the drafts to extend the CBD within that boundary.

Mayor Petrolia commented on Policy 3.5.1., review the uses and use descriptions in the LDRs to provide consistent terminology completed by 2025, and inquired if it is possible that this could be completed any sooner than 2025, and if not, then this date is acceptable.

Commissioner Boylston stated with the recommendation of Planning and Zoning and staff, he supports the FAR to remain at 3.0 and leaving that

flexibility in there and handling it through stricter LDRs and overlays.

Mayor Petrolia stated she supports being a little more conservative and would like to see the FAR at 2.5.

Deputy Vice Mayor Bathurst, Vice Mayor Johnson, and Commissioner Frankel stated they all support an FAR of 2.5.

For clarification, Ms. Gianniotis stated the FAR of 2.5 is specifically for Congress mixed-use.

Deputy Vice Mayor Bathurst commented on Policy 2.8.2., regulations for performance criteria in the LDRs where it talks about Accessory Dwelling Units (ADU's), such units are determined to be desirable do not include the accessory dwelling unit in the density calculations. Ms. Gianniotis stated there are also housing policies that correlate with this and if you are in a neighborhood where it has been determined that this is desirable, it is a tool providing an affordable unit that helps support the cost of the principal unit. She stated this is opening the door as a strategy in the future. Deputy Vice Mayor Bathurst suggested that the words "do not include" be replaced with other language. Ms. Gianniotis stated staff can add the words "through an adopted program."

Mayor Petrolia inquired how someone can distinguish between a duplex and a townhouse. Ms. Gianniotis explained that a duplex is single-story with two units side-by-side. Mayor Petrolia stated a duplex has a 15 foot setback and there is a 25 foot setback for a townhouse and suggested that staff revisit the definition of a duplex and consider getting this into the LDRs.

At this point, the City Commission had a brief discussion with respect to the Public Facilities and Services Element.

Deputy Vice Mayor Bathurst stated with respect to density and water, we need to make sure that we are really comfortable with adding these densities in town and our water capabilities. Mayor Petrolia commented about Policy 2.4.1., discourage urban sprawl within areas of the County jurisdiction by denying requests to make water service available outside of the planning area. Ms. Gianniotis stated the first map in the series shows the current municipal boundary and includes the future annexation area which is the City's planning area. Ms. Gianniotis stated if someone is beyond those areas, the City already has an expectation to eventually annex, then you are outside of the planning area for the City. Also, Ms. Gianniotis stated this includes the County pockets eventually coming in the enclaves. Ms. Gianniotis stated the City has a policy that if someone is



already receiving services from the County, they are not required to switch to the City's service.

Mayor Petrolia commented on Policy 3.4.3., annexation shall precede the provision of the services (with respect to providing sewer facilities in unincorporated areas upon demand). With respect to Policy 4.4.1., Mayor Petrolia suggested to put a space between the word "priorities" and "shall." With respect to Policy 5.1.11., update commercial recycling requirements consistent with Section....and collaborate with the Chamber to reach business entities on important recycling benefits, Mayor Petrolia suggested that this policy be stronger and make this a mandate for the downtown. Also, with respect to Policy 5.1.13., explore opportunities to add recycle receptacles, Mayor Petrolia suggested to mandate recycle receptacles.

Mayor Petrolia stated there is nothing in the performance measures with respect to Road Maintenance Programs/Transportation and Mobility, and the City needs to make sure that we have road maintenance programs as part of the City Commission goals going forward. Mayor Petrolia commented on Policy 6.1.2., complete streets as appropriate. With respect to Policy 6.1.3., program installation of bicycle lanes on an annual basis and made reference to the first section of maps #8, the network itself does not make sense to her because there is all this intensity in one area and then very little in other areas (i.e. the intensity coming down middle of Atlantic Avenue). Mayor Petrolia suggested that staff review this bicycle network and make it more reasonable. Ms. Gianniotis suggested that the word "lane" needs to be "routes." With respect to Policy 6.1.8., evaluation of streets and lighting improvements by 2025, Mayor Petrolia stated she would like to see this completed sooner. Mayor Petrolia suggested that staff have a schedule of where we are going to go in the City with respect to improvement of lighting and start in the Northwest/Southwest since the CRA funds are available and there is already work being done in that area, and then spread out to the rest of the City from there.

Mayor Petrolia suggested the words "best practices" be added to Policy 6.1.10., incorporate sea level rise, flooding, and climate information for planning site, citing construction and replacement maintenance of public infrastructure in a manner that is cost effective.

Commissioner Boylston stated with respect to Policy 6.1.6., specifically where it references the Tri-Rail Coastal link and noted this name should not be so specific because it might be something else. Commissioner Boylston suggested that "Tri-Rail Coastal link" be changed to "east coast train station" or something similar. Commissioner Boylston commented that infrastructure as it relates to high-speed internet should be referenced.

Vice Mayor Johnson and Commissioner Boylston made reference to the Data Inventory and Analysis (DIA) manual - pg. 14, continue to support public Wi-Fi and explore the expansion on public infrastructure. Ms. Gianniotis stated there is a policy which may be in the economic prosperity section and she will make sure this is cross-referenced.

Vice Mayor Johnson made reference to the DIA manual, pg. 14 - public building recommendations and stated she would like to see a recommendation to replace City Hall.

There being no further business to discuss, Mayor Petrolia adjourned the Workshop Meeting at 4:26 p.m.

  
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City Clerk

ATTEST:

  
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MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the July 9, 2019 Workshop Meeting, which Minutes were formally approved and adopted by the City Commission on August 20, 2019.

  
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City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.