

ARTICLE 3.2 PERFORMANCE STANDARDS

Section 3.2.1 Basis for Determining Consistency: The performance standards set forth in this Article either reflect a policy from the Comprehensive Plan or a principle of good planning practice. The performance standards set forth in the following sections as well as compliance with items specifically listed as required findings in appropriate portions of Section 2.4.5 shall be the basis upon which a finding of overall consistency [Section 3.1.1(C)] is to be made. However, exclusion from this Article shall not be a basis for not allowing consideration of other objectives and policies found in the adopted Comprehensive Plan in the making of a finding of overall consistency. **[Amd. Ord. 13-99 3/16/99]**

Section 3.2.2 Standards for Rezoning Actions:

(A) The most restrictive residential zoning district that is applicable given existing development patterns and typical lot sizes shall be applied to those areas identified as “stable” and “stabilization” on the Residential Neighborhood Categorization Map. Requests for rezonings to a different zoning designation, other than Community Facilities, Open Space, Open Space and Recreation, or Conservation shall be denied. **[Amd. Ord. 13-99 3/16/99]**

(B) Rezoning to AC (Automotive Commercial) to accommodate auto dealerships shall not be permitted west of I-95. **[Amd. Ord. 13-99 3/16/99]**

(C) Zoning changes that would result in strip commercial development shall be avoided. Where strip commercial developments or zoning currently exists along an arterial street, consideration should be given to increasing the depth of the commercial zoning in order to provide for better project design. **[Amd. Ord. 13-99 3/16/99]**

(D) That the rezoning shall result in allowing land uses which are deemed compatible with adjacent and nearby land use both existing and proposed; or that if an incompatibility may occur, that sufficient regulations exist to properly mitigate adverse impacts from the new use. **[Amd. Ord. 13-99 3/16/99]**

(E) Remaining, isolated infill lots within the coastal planning area shall be developed under zoning which is identical or similar to the zoning of adjacent properties; and, the resulting development shall be of a design and intensity which is similar to the adjacent development. **[Amd. Ord. 13-99 3/16/99]**

Section 3.2.3 Standards for Site Plan and/or Plat Actions:

(A) Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation. **[Amd. Ord. 13-99 3/16/99]**

(B) Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element. **[Amd. Ord. 13-99 3/16/99]**

(C) Open space enhancements as described in policies found under Objective B-1, of the Open Space and Recreation Element are appropriately addressed. **[Amd. Ord. 13-99 3/16/99]**

(D) The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted. **[Amd. Ord. 13-99 3/16/99]**

(E) Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations. **[Amd. Ord. 13-99 3/16/99]**

(F) Vacant property shall be developed in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs. **[Amd. Ord. 13-99 3/16/99]**

(G) Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element. **[Amd. Ord. 13-99 3/16/99]**

(H) The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied. **[Amd. Ord. 13-99 3/16/99]**

SECTION 3.2.3 (I)

(I) Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation. **[Amd. Ord. 13-99 3/16/99]**

(J) Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units. **[Amd. Ord. 13-99 3/16/99]**

Section 3.2.4 Standards for Specific Areas or Purposes:

(A) **Wellfield Zones:** The City shall continue to assure compliance with the County Wellfield Protection Ordinance by including compliance as a performance standard for which a specific finding must be made upon approval of any site plan or conditional use action. **[Amd. Ord. 13-99 3/16/99]**

(B) **Environmentally Sensitive Areas:** That any significant flora or fauna communities which are identified pursuant to a biological survey and habitat analysis required by Conservation Element Policy B-2.1 are being appropriately treated as if they were environmentally sensitive areas as identified in Policy B-1.1 of the Conservation Element. **[Amd. Ord. 13-99 3/16/99]**

(C) **Barrier Island:** The development of vacant and under developed land on the barrier island shall occur in a manner which does not change the character, increase the intensity of use, or demand upon existing infrastructure; nor reduce hurricane evacuation time beyond its present level in the Coastal Planning Area pursuant to Objective D-2 and Policies contained under Objective C-3 of the Coastal Management Element. **[Amd. Ord. 13-99 3/16/99]**

(D) **Flood Prone Areas:** Certification that any development proposed on land which is located in a floodplain has proper provisions for mitigation of flood damage potential. **[Amd. Ord. 13-99 3/16/99]**

(E) **Historic Districts:** That the proposed development is consistent with the purpose and provisions of the Historic Preservation Overlay District pursuant to LDR Section 4.5.1 and the Delray Beach Historic Preservation Design Guidelines and the Secretary of the Interior's Standards for Rehabilitation. **[Amd. Ord. 38-07 2/05/08]; [Amd. Ord. 13-99 3/16/99]**

(F) **Impact on Adjacent Communities:** The staff report prepared for any development application or development activities proposed in the plan and provided to the Local Planning Agency shall contain an assessment, if applicable, of how the proposed activity may affect the existing plans of any adjacent local government. **[Amd. Ord. 13-99 3/16/99]**