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Planning and Zoning Division

City Advisory Board Memo

LAND DEVELOPMENT REGULATIONS AMENDMENT TO THE CENTRAL BUSINESS DISTRICT PARKING REQUIREMENTS PERTAINING TO THE CBD-RAILROAD CORRIDOR SUB-DISTRICT SOUTH OF SE 2ND STREET

Project Description

The item before the Board is that of making a recommendation to the Planning and Zoning Board regarding a city-initiated amendment to the Land Development Regulations (LDRs) to amend Section 4.4.13, Central Business District Parking Standards for the Railroad Corridor-Sub District (lying south of SE 2nd Street). The text changes proposed would apply only to the existing commercial buildings located between SE 2nd Street and SE 4th Street and includes a total of nine buildings.

At the City Commission meeting of November 9, 2017, during consideration of an in-lieu of payment request at 206 SE 2nd Street for the conversion of 2,169 square feet of retail to restaurant, the Commission directed staff to investigate the reduction of the parking requirements similar to the recently adopted ordinance for the West Atlantic Neighborhood Sub-district. The City Commission cited the lack of redevelopment that has occurred within the area and the desire to increase the potential to bring additional businesses within the existing commercial businesses.

This area contains mix of multi-family residential, commercial retail/services, business offices and light industrial type uses such as automotive repair, boat repair, construction contractor's offices and warehouses.

With the conversions of use of the existing commercial buildings (retail/services and business office), additional parking must be addressed. This is often in the form of in lieu parking (\$4,600 per parking space) if the spaces cannot be provided otherwise (constructing new parking, or entering into an off-site parking agreement with a nearby property owner).

Within the proposed geographic area, for the blocks with existing buildings which may have the potential to convert from retail/office to restaurant, the properties have off-street parking which could handle a portion of the demand and/or located within close proximity to the CRA public parking lot (215 SE 2nd Avenue) or the on-street parallel spaces located on the west side of SE 2nd Avenue and SE 2nd Street.

The subject sites are located at 201 SE 2nd Avenue (business office), 206 SE 2nd Street (retail/restaurant), 240 SE 2nd Avenue (fitness gym), 264 SE 2nd Avenue (office), 280-288 SE 2nd Avenue (retail/office), 213 SE 2nd Avenue (retail/repair), 229 SE 2nd Avenue (retail/office), 341 SE 2nd Avenue (retail/office), and 382 SE 2nd Avenue (retail/office). Similar to the recently adopted amendment West Atlantic Neighborhood Sub-district of the CBD, the proposed language will include a sunset provision of three years.

Application Type:

LDR Text Amendment

Address/Location:

CBD Railroad Corridor Sub-District of SE 2nd Street

Zoning District/ Overlay:

CBD-RC (Central Business District - Railroad Corridor)

Applicant:

City-Initiated, Petition

Project Planner:

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allenj@mydelraybeach.com

Review Date(s):

CRA: January 11, 2018.
Planning and Zoning Board: January 22, 2018
City Commission, First Reading:
February 20, 2018

Final Action Review Date:

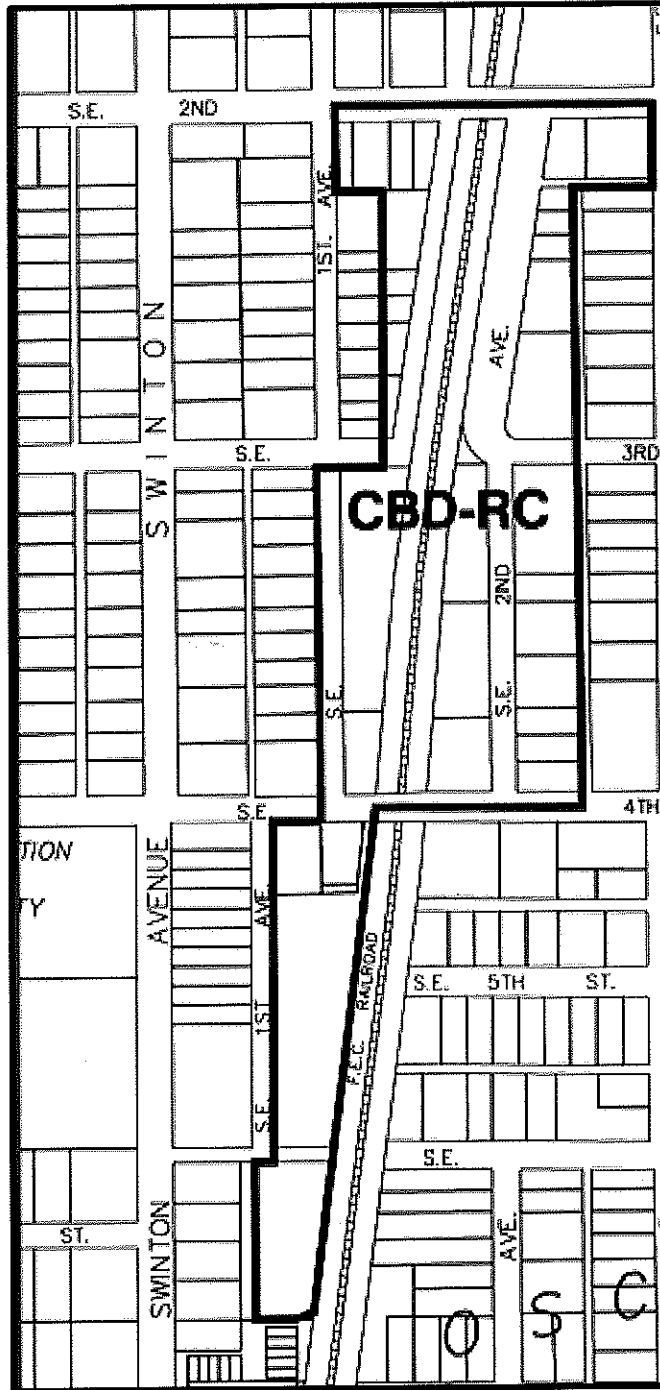
City Commission, Second Reading:
March 6, 2018

Attachments: Aerial Map, Draft Ordinance

NOTE: This item is under review and is subject to changes upon further analysis based on comments made by Staff according to the City's Land Development Regulations (LDR) and other department technical reviews. Any comments or objections shall be presented to the approving body during the scheduled meeting or discussed with the project planner in advance.

Memo Date: January 5, 2018

LOCATION MAP



ORDINANCE NO. – 18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING CHAPTER FOUR, “ZONING REGULATIONS”, ARTICLE 4.4, “BASE ZONING DISTRICT”, SECTION 4.4.13, “CENTRAL BUSINESS DISTRICT (CBD)”, BY ADDING SUBSECTION 4.4.13(I)(2)(j) “CBD PARKING STANDARDS”, “MINIMUM NUMBER OF OFF-STREET PARKING SPACES” TO NOT REQUIRE ADDITIONAL PARKING FOR CHANGES IN USE IN EXISTING COMMERCIAL BUILDINGS WITHIN THE CENTRAL BUSINESS DISTRICT RAILROAD CORRIDOR SUB-DISTRICT LYING SOUTH OF SE 2ND STREET, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statute 163.3174(4)(c), the Planning and Zoning Board, sitting as the Local Planning Agency (LPA), has determined that the change is consistent with and furthers the goals, objectives and policies of the Comprehensive Plan; and

WHEREAS, pursuant to LDR Section 1.1.6, the Planning and Zoning Board reviewed the proposed text amendment at a public hearing held on _____, 2018 and voted 7 to 0 to recommend that the changes be approved; and

WHEREAS, the City Commission of the City of Delray Beach adopted the findings in the Planning and Zoning Staff Report; and,

WHEREAS, the City Commission of the City of Delray Beach finds the Ordinance is consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the recitations set forth above are incorporated herein.

Section 2. That Section 4.4.13, “Central Business District (CBD)”, Subsection (I) “CBD parking standards, Sub-Subsection (2) “Minimum number of off-street parking spaces”, paragraph (j) of the Land Development Regulations of the Code of Ordinances of the City of Delray Beach, Florida, be and the same is hereby amended to read as follows:

(i) Within the Central Business District Railroad Corridor Sub-district, between SE 2nd Street and SE 4th Street, changes in commercial use within existing commercial buildings

shall not be required to provide additional on-site parking. The provisions of this subsection shall only be effective until March 6, 2021, and subject to submittal of a building permit.

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder this Ordinance.

Section 5. Specific authority is hereby given to codify this Ordinance.

Section 6. That this ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the _____ day of _____, 2018.

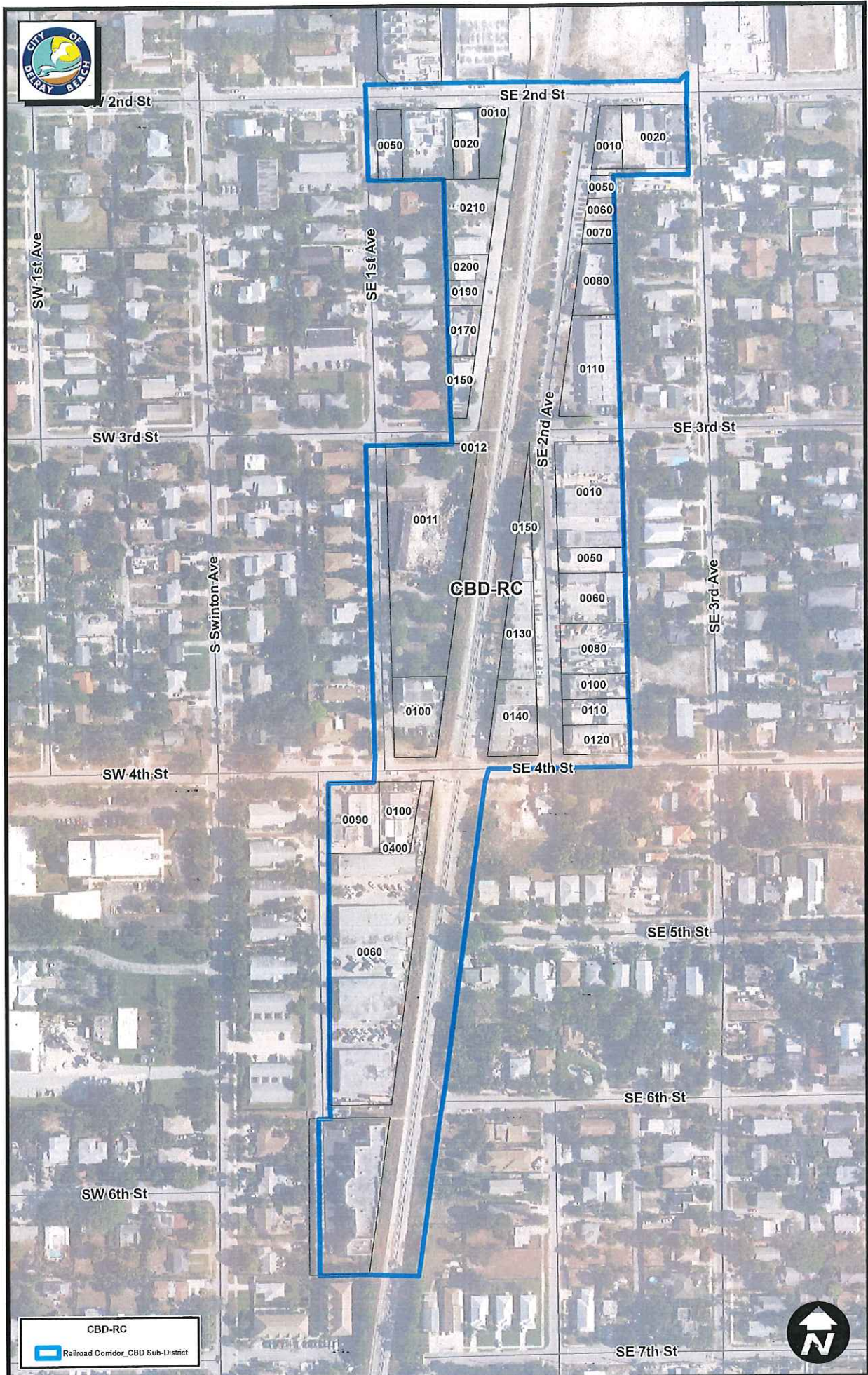
MAYOR

ATTEST:

CITY CLERK

First Reading _____

Second Reading _____



CBD-RC
Railroad Corridor, CBD Sub-District

