



20 N. Swinton Avenue
Delray Beach, FL 33444

Agenda Item # *6.C.*
September 14, 2017

~ CRA BOARD SUMMARY ~

**LDR AMENDMENT- CBD ZONING DISTRICT PARKING STANDARDS -
PARKING FOR CHANGE IN USE IN EXISTING COMMERCIAL BUILDINGS -
WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT (THE SET)**

Attached is a proposed amendment to the Land Development Regulations Section 4.4.13(l)(2) Central Business District (CBD) parking standards to not require additional parking for a change in use in commercial buildings within the West Atlantic Sub-District of the Central Business District (CBD) zoning district (The Set), between NW/SW 4th Avenue NW/SW 12th Avenue.

The intent is to encourage local small business investment, business activity and economic growth in The Set. This proposed amendment is supported by the adopted Community Redevelopment Plan and various City planning documents, including the current updates associated with The Set Transformation Plan.

Submitted By: Jeffrey A. Costello, Executive Director

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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 (CBD) DISTRICT", BY ADDING SUBSECTION 4.4.13(I)(2)(i) "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 WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT, 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;

WHEREAS, pursuant to LDR Section 1-1.6, the Planning and Zoning Board reviewed the proposed text amendment at a public hearing held on _____, 2017 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", Subsection (H) "CBD parking standards, Sub-Subsection (2) "Minimum number of off-street parking spaces", paragraph (i) 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 West Atlantic Neighborhood Sub-district, west of NW/SW 4th Avenue and east on NW/SW 12th Avenue, changes in commercial use within existing commercial buildings shall not be required to provide additional on-site parking. Unless extended by action of the City Commission through modification of this sub-subsection, the provisions of this sub-subsection shall become void three (3) years after adoption.

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 _____, 2017.

MAYOR

ATTEST:

CITY CLERK

First Reading _____

Second Reading _____