

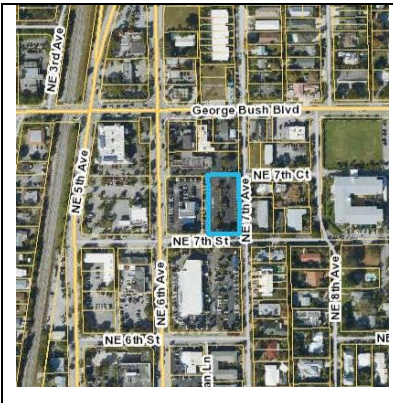
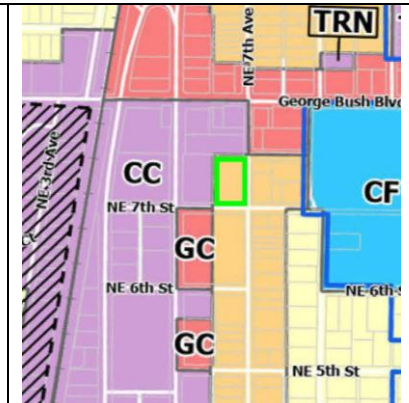
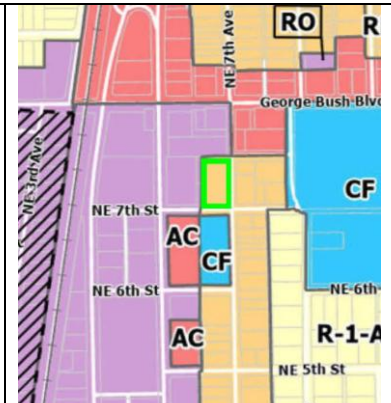
April 10, 2026

**Lorne & Sons Funeral Home Parking Lot
Land Use Map Amendment & Rezoning Applications
Revised Narrative Letter**

This narrative letter associated with the Land Use Map Amendment and Rezoning Applications are respectfully submitted on behalf of Dockfly, LLC for the property located at the northwest corner of NE 7th Street and NE 7th Avenue, Delray Beach, FL 33483 (PCN:12-43-46-09-32-000-0151).

BACKGROUND:

The 0.61-acre property currently has an underlying Medium Density, 5-12 du/ac (MD) Land Use Map designation and is also zoned RM (Medium Density Residential).

		
Subject Property	Existing Land Use	Existing Zoning

The property contains a parking lot, which is an accessory use to the abutting Lorne & Sons Funeral Home, which is also owned by Dockfly, LLC has an underlying Land Use Map designation of Commercial Core (CC) and is zoned Central Business District (CBD).

PROPOSAL:

The request is to change the Land Use Map designation from MD (Medium Density, 5-12 du/ac) to CC (Commercial Core) and Zoning designation from RM (Medium Density Residential) to CBD (Central Business District), within the Central Core Sub-district.

The proposal is to redevelop the property and the abutting property owned by the same owner (Dockfly, LLC – Lorne & Sons Funeral Home) to accommodate either a Commercial, Residential or Mixed-Use development.

ANALYSIS:



LAND USE MAP AMENDMENT

LDR Section 2.4.5(A) Amendments to the Comprehensive Plan.

- (1) Amendments to the Comprehensive Plan shall be processed pursuant to the Florida Community Planning Act in F.S. 163.3184 through 163.3253, as may be amended from time to time.
- (2) Requests to amend the Land Use Map are subject to the Performance Standards in Chapter 3.
- (3) Map amendments proposed within historic districts shall be reviewed by the Historic Preservation Board and a recommendation made to the City Commission; all other proposed Map amendments shall be reviewed by the Planning and Zoning Board and a recommendation made to the City Commission.

The request to amend the Land Use Map (LUM) is being processed therefore as a small-scale Comprehensive Plan amendment pursuant to Florida Statutes, F.S. 163.3184 through F.S. 163.3253.

The proposed LUM amendment is being processed as a small-scale Comprehensive Plan amendment. Florida Statutes F.S. 163.3187 provides that a small-scale development amendment may be adopted under the following conditions:

- (a) The proposed amendment involves a use of 10 acres or fewer.
- (b) The cumulative annual effect of the acreage for all small-scale development amendments adopted by the local government does not exceed a maximum of 120 acres in a calendar year.
- (c) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small-scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small-scale future land use map amendment shall be permissible under this section.
- (d) The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s.420.0004(3) and is located within an area of critical state concern designated by s.380.0552 or by the Administration Commission pursuant to s. 380.05(1).

Pursuant to LDR Section 3.1.1, Required Findings, "...Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the Land Use Map (LUM) (A), Concurrency (B), Comprehensive Plan Consistency (C), and Compliance with the Land Development Regulations (D). As indicated below, positive findings can be made with respect to LDR Sections 3.1.1 (A) – (D).

(A) LAND USE MAP

Pursuant to **LDR Section 3.1.1(A) Land Use Map**. The resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Land Use Map.

Neighborhoods, Districts, and Corridors Element

Table NDC-1, Land Use Designation: Density, Intensity, and Implementing Zoning District, identifies the preferred and compatible implementing zoning districts for each land use designation. The existing land designation of MD lists RM and PRD zoning as the preferred implementing zoning district; with residential and community facilities-related zoning as compatible. Therefore, the FLUM Amendment and rezoning have been requested to meet the consistency requirement. The proposed CC designation and the requested zoning designation of CBD are consistent with each other.

The table below provides a comparison of density and intensity limitations for both the MD and CC land use designations. While the proposed Land Use Map amendment will increase the potential intensity and density on the



parcels, the development will be designed in a manner that will be compatible with and complimentary to the surrounding area, as required by the CBD development regulations.

Land Use Designation	Density (Maximum dwelling units/acre)	Intensity (Maximum Floor Area Ratio)	Implementing Zoning Districts
Medium Density (MD)		---	Preferred: RM, PRD Compatible: A, RR, R-1, RL, CF, OS, OSR
Standard	5-12		
Revitalization Incentive	12-24		
Commercial Core (CC)		3.0	Preferred: CBD Compatible: CF, OS, OSR
Standard	12-30		
Revitalization Incentive	30-100		

The NDC Policies listed below describe the intent and provide direction regarding the implementation of the existing and proposed land use designations, especially as it relates to the FLUM Amendment from MD to CC and Rezoning from RM to CBD. Based upon the analysis below, positive findings can be made with respect to the referenced objectives and policies.

Policy NDC 1.1.2: *Provide a complementary mix of land uses, including residential, office, commercial, industrial, recreational, and community facilities, with design characteristics that provide:*

- *Similar uses, intensity, height, and development patterns facing each other, especially in residential neighborhoods.*
- *Uses that meet the daily needs of residents.*
- *Public open spaces that are safe and attractive.*

Policy NDC 1.1.3 *Provide transitions between land use designations at the rear of properties or at major corridors so that the prescribed uses and potential development patterns are arranged to achieve compatible and appropriate changes in intensity, height, and scale.*

Policy NDC 1.1.14: *Continue to require that property be developed or redeveloped or accommodated, in a manner so that the use, intensity and density are appropriate in terms of soil, topographic, and other applicable physical considerations; encourage affordable goods and services; are complementary to and compatible with adjacent land uses; and fulfill remaining land use needs.*

Policy NDC 1.2.1 *Apply the most restrictive Residential land use designation that is appropriate for the neighborhood based on existing development patterns and lot sizes in the surrounding neighborhood, unless another zoning district better supports the implementation of an adopted neighborhood or redevelopment plan.*

Objective NDC 1.3, Mixed-use Land Use Designations *Apply the mixed-use land use designations of Commercial Core, General Commercial, Transitional, Congress Mixed-Use, and Historic Mixed-Use to accommodate a wide range of commercial and residential housing opportunities appropriate in scale, intensity, and density for the diverse neighborhoods, districts, and corridors in the city.*

Policy NDC 1.3.1 *Apply mixed-use land use designations to foster development patterns that support pedestrian and bicycle activity, stimulate public transit ridership, and create a park-like environment.*



Policy NDC 1.3.2 Apply the mixed-use land use designation that best maintains the scale, density, intensity, and enhances the character of the surrounding neighborhood, district, or corridor.

Policy NDC 1.3.3 Apply the density and intensity in mixed-use land use designations to encourage adaptive re-use, development, and redevelopment that advances strategic, policy-driven goals, such as diverse residential housing opportunities, sustainable building practices, historic preservation, public parking, civic open space, or economic development strategies.

Policy NDC 1.3.5 Use the Commercial Core land use designation to stimulate the vitality and economic growth of the city while simultaneously enhancing and preserving the cultural and historic downtown area.

Policy NDC 1.3.7 Implement the Commercial Core land use designation using form-based code to provide for adaptive-reuse, development, and redevelopment that preserves the downtown's historic moderate scale, while promoting a balanced mix of uses that will help the area continue to evolve into a traditional, self-sufficient downtown. This designation is applied to the Community's downtown area. It includes a substantial portion of the Transportation Concurrency Exception Area described in the Future Land Use Element and graphically shown in Map 9. The Commercial Core designation accommodates a variety of uses including commercial and office development; residential land use upper story apartments; older homes renovated to accommodate office use; and uses such as "bed and breakfast" establishment; and industrial/commerce type uses.

The proposed CC land use and CBD zoning designations along with the associated CBD development standards will result in the provision of a complementary mix of land uses within this portion of the CBD – Central Core and North Federal Highway Redevelopment Area with similar uses, intensity and height; uses that meet the daily needs of residents; and, public open spaces that are safe and attractive. The anticipated development pattern on the subject properties will be consistent with the existing and potential development adjacent to the site on the west side of NE 7th Avenue to the north, west and south of the subject property, which are zoned commercial CBD to the north and west and CF (Community Facilities) to the south. The CF zoned property contains surface parking and wash facilities associated with the existing abutting car dealership.

As identified in the Downtown Delray Beach Master Plan and the North Federal Highway Redevelopment Plan, downtown housing is essential to provide the needed critical mass to provide a sustainable and self-sufficient downtown. Downtown housing is also a critical element to assist in the revitalization of underutilized properties and antiquated commercial uses found in the downtown area, especially along the Federal Highway corridor. The City recognizes the importance of providing housing near shopping, employment, and transportation, and the need to have a residential base to support the businesses in the downtown area.

This RM-zoned property abuts commercial properties to the north and west with no physical separator such as an alley or street right-of-way, with commercial use across the street on the south side of NE 7th Street. Under these circumstances and given the abutting CBD zoning and associated development standards, the existing NE 7th Avenue right-of-way provides a more appropriate transition between land use designations to allow development that can be designed to achieve compatibility in terms of intensity, height, and scale. Given the CBD development standards, the properties will be developed in a manner that meets the intent of the objectives and policies referenced above.

Objective NDC 2.2 Downtown and Surrounding Neighborhoods Protect and enhance the “Village by the Sea” character of the downtown and neighborhoods located east of I-95.

Objective NDC 2.7 Planning of Neighborhoods, Districts, and Corridors Continue to respond to unique needs and conditions of the varied neighborhoods, districts, and corridors of Delray Beach using Neighborhood and Redevelopment Plans that determine specialized planning strategies and improvement projects to implement the vision of plans.



Objective NDC 3.4, Land Use Map Amendments *Use a consistent set of standards to evaluate amendments to the Land Use Map.*

Objective NDC 3.4, Land Use Map Amendments *Use a consistent set of standards to evaluate amendments to the Land Use Map.*

Policy NDC 3.4.1 *Amend the Land Use Map only when a demonstrated need for the requested land use is based upon circumstances that are verified and supported by data and analysis, such as shifts in demographic trends, changes in the availability of land, changes in the existing character and Land Use Map designations of the surrounding area, fulfillment of a comprehensive plan objective or policy, annexation into the municipal boundaries, or similar circumstances, and the following findings can be determined:*

- *That the requested land use designation is consistent with the goals, objectives, and policies of the most recently adopted Comprehensive Plan; and,*
- *That development at the highest intensity possible under the requested land use designation meets the adopted concurrency standards; and,*
- *That the requested land use designation is compatible with the land use designations of the surrounding area; and,*
- *That the requested land use designations are compliant with the provisions and requirements of the Land Development Regulations.*

Policy NDC 3.4.2 *Use the development review process to determine development, redevelopment, and adaptive reuse is consistent with and complementary to adjacent development, regardless of the implementing zoning designations for each land use designation (See Table NDC-1).*

As stated throughout the Narrative Letter, the Land Use Map Amendment and associated Rezoning are consistent with the goals, objectives, and policies of the Always Delray Comprehensive Plan. As stated in Section 3.1.1(B)(Concurrency), while development at the highest intensity possible will meet adopted concurrency standards, this redevelopment initiative will be limited by all practical matters due to the site constraints and in order to comply with the CBD development standards. The proposed CC FLUM designation and CBD zoning are compatible with the abutting CC land use designation to the north and west as well as the CC and MD land use designations to the south (auto dealership) and MD land use designation to the east. The CBD (form-based code) Land Development Regulations will ensure compatibility. The businesses and/or residents of this development will aid in the economic stability of this portion of the downtown area and North Federal Highway Redevelopment Area as a whole. The rezoning is consistent to achieve the desired urban fabric within this portion of the CBD and Federal Highway Corridor.

It is noted that the property is surrounded on the north, west and south by commercial properties (Zoned, AC and RM) CBD-zoned properties, within the Railroad Corridor Sub-District. The entire block is zoned CBD, except for this 0.61 acre parcel, which abuts CBD zoning and is part of a commercial business. The FLUM Amendment and Rezoning to CBD will assist in the revitalization and stabilization efforts envisioned for the area.

Policy NDC 2.7.9 *Review and update the North Federal Highway Redevelopment Plan to include new development and other improvements that have occurred since the Plan's adoption in 1999, and re-evaluate the vision for the North Federal Highway Redevelopment Area; new development shall comply with the provisions of the adopted Plan until an updated plan is adopted. [Complete by 2025]*

"The adopted North Federal Highway Redevelopment Plan states the following with regard to the Future Land Use and Zoning of the area, between N.E. 4th Street and George Bush Boulevard: " *that the City will continue to study the feasibility of changing the existing commercial areas south of George Bush Boulevard, except existing auto dealerships, from General Commercial to Commercial Core. As the downtown area grows and develops, greater*



areas may be incorporated into the CBD. Given its proximity to the downtown core, this area is a prime location for future redevelopment projects. “

While the downtown area and the area north of George Bush Boulevard have seen investment and redevelopment activity, the area immediately south of George Bush Boulevard has languished to an extent and is still consists of auto related uses and underutilized properties, especially east of NE 6th Avenue and north of NE 6th Street.. The proposed Land Use Map amendment and rezoning will enable the redevelopment of the existing nonconforming parking lot associated with an existing commercial use Lorne & Sons Funeral Home- zoned CBD) to accommodate a mix of uses allowed in the CBD, including residential. The proposed redevelopment of the properties will provide economic stimulation and investment in the area and result in the redevelopment of underutilized property. The proposed Land Use Map Amendment and Rezoning should be an inducement to further redevelopment of this section of downtown central core and Federal Highway, which has seen limited redevelopment activity. Thus, the proposal is consistent with the objectives of the North Federal Highway Redevelopment Plan."

(B) CONCURRENCY

*Pursuant to **LDR Section 3.1.1(B), Concurrency**, Concurrency as defined by Objective NDC [3.1](#) of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan must be met and a determination made that the public facility needs, including public schools, of the requested land use and/or development application will not exceed the ability of the City and The School District of Palm Beach County to fund and provide, or to require the provision of, needed capital improvements in order to maintain the Levels of Service Standards established in Table CIE-2, Level of Service Standards, of the Capital Improvements Element of the adopted Comprehensive Plan of the City of Delray Beach*

Water and Sewer. Municipal water and sewer service exists to the site via connections to the existing water and sewer mains within the adjacent rights-of-way. Pursuant to the City's Comprehensive Plan, treatment capacity is available at the South Central County Wastewater Treatment Plant for the City at build-out. The Comprehensive Plan also states that adequate water and sewer treatment capacity exists to meet the adopted LOS at the City's build-out population based on the current FLUM. The FLUM Amendment will not have a significant impact on this LOS.

Traffic. A traffic study has been provided for the subject parcels in compliance with the requirements of the Palm Beach County Traffic Performance Standards Ordinance. The study's conclusions indicate a potential of 3,191 daily trips, 49 AM and 284 PM peak hour trips onto the surrounding roadway network, which will not cause any failures to the Year 2045 Transportation System Plan. It is noted the majority of the trips relate to the allowable FAR of 3.0 on a 0.61 acre lot. This cannot be achieved given the site constraints of a 119' x ~225' property with a 25' Utility Easement along the north 25' of the property and the CBD development standards, including but not limited to building setbacks and increased upper story setbacks, streetscape requirements, height limitations, parking requirements, etc. Therefore, this land use plan amendment is in accordance with the goals and objectives of the Delray Beach Comprehensive Plan. With the submittal of a Site Plan application, a traffic study will be provided based on the site specific development proposal. Any potential impact can be mitigated, which could include diverse strategies due to the property's location at the edge of the City's Transportation Concurrency Exception Area (TCEA).

It is noted that the property is located within an area that consists of the traditional road grid system and includes the property to the north, which fronts NE 6th Avenue (northbound Federal Highway). This grid system is conducive to traffic distribution, wherein, vehicles have a diverse choice of options to navigate the downtown area. In addition, if residential included with the development, the majority residents will utilize other mobility options within the downtown area, given its pedestrian and bicycle friendly streetscapes. Given the diffusion of vehicle trips, it is unlikely that adjacent neighborhoods will be negatively impacted by the additional traffic.

Schools. The Palm Beach County School District School Capacity Availability Determination (SCAD) Application has been submitted for review. A review by the Palm Beach County School District for compliance with the adopted Level



of Service for School Concurrency is pending. There are no concurrency issues. This requirement will be reviewed in more detail with the submittal of a Site Plan application.

Solid Waste. The Solid Waste Authority has indicated that its facilities have sufficient capacity to meet the needs of city residents through the depletion year in 2054.

Drainage. Drainage will be accommodated on-site via exfiltration trench systems or swale retention areas. No problems are anticipated obtaining a South Florida Water Management District permit.

Parks and Open Space: While there are sufficient recreation facilities to meet this LOS, pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each residential unit at the time of building permit submittal.

(C)CONSISTENCY WITH COMPREHENSIVE PLAN

Pursuant to **LDR Section 3.1.1(C), Consistency**, *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within [Article 3.2](#), provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

A review of the goals, objectives and policies of the adopted Comprehensive Plan was conducted. The applicable objectives and policies that are relevant to FLUM Amendment and Rezoning applications (NDC and Housing) are noted under LDR Section 3.1.1(A) Land Use Map above. As discussed below a finding of overall consistency can be made that the Land Use Map Amendment and Rezoning are consistent with the Goals, Objective and Policies of the Always Delray Comprehensive Plan, the North Federal Highway Redevelopment Plan, and Downtown Delray Beach Master Plan.

Housing Element

Policy HOU 1.1.5 *Accommodate Delray Beach's existing and future housing needs through maintenance of existing residential neighborhoods, provision of infill development opportunities and redevelopment of underutilized parcels.*

Policy HOU 1.1.10 *Utilize infill and redevelopment programs as a way to improve the neighborhood quality of life and to promote neighborhood preservation and stabilization.*

Objective HOU 3.1 Development to Accommodate Housing Needs *Provide opportunities for residential development to accommodate the housing needs of existing and future residents.*

Policy HOU 3.1.3 *Identify areas near job centers, commuter rail service, existing and planned transit corridors that are appropriate for higher density, multi-modal development and provide incentives in the Land Development Regulations, to promote redevelopment.*

Policy HOU 3.1.4 *Encourage development of vacant or underdeveloped land for housing and mixed-uses, and promote rehabilitation of underutilized housing into desirable places to live.*

Policy HOU 3.2.1 *Allow a variety of housing types to reflect the needs of all household types, including both rental and ownership opportunities for single people, couples, families, seniors, persons with disabilities and multi-generational families.*

The proposed FLUM Amendment and Rezoning will enable further revitalization and stabilization of the North Federal Highway Redevelopment Area and this portion of the downtown central core through redevelopment in a manner that is consistent with and furthers the goals and objectives of the Comprehensive Plan as well as the related Master



Plans and Redevelopment Plans for the area. The requested changes provide an opportunity to further fulfil the objectives and policies of the Housing Element referenced above.

Economic Prosperity Element.

Policy ECP 5.4.2 *Support development of neighborhood business centers that serve adjacent residential areas and neighborhoods within redevelopment areas.*

Policy ECP 5.5.9 *Strengthen small business and retail opportunities beyond Atlantic Avenue and the downtown corridor by expanding support for businesses to relocate off of Atlantic Avenue, and marketing retail opportunities available in other commercial districts.*

Objective ECP 6.5 Support Small Business Growth *Support the growth and development of small businesses that enhance the vitality and quality of life in Delray Beach neighborhoods.*

The FLUM Amendment and Rezoning will result in a commercial, mixed-use or residential development that will strengthen the economy and help further the referenced Objectives and Policies listed in the Economic Prosperity Element of the City's Comprehensive Plan. The property is surrounded to the north, west and south by property CBD commercial properties within the redevelopment area and is separated by RM zoned properties by NE 7th Avenue (50' right-of-way). CBD would support businesses that serve adjacent residential areas and provide employment opportunities for the residents. The CBD form-based code and development standards ensure redevelopment of the property will be complementary to and compatible with the adjacent residential and commercial properties and will also enhance quality of life.

COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

(D) Compliance with LDRs. *Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.*

A redevelopment application has not been submitted for review; however, once submitted, the proposed development will be subject to all applicable provisions and requirements of the Land Development Regulations, particularly those applicable to the Central Business District, Central Core Sub-district and North Federal Highway Redevelopment Area.

REZONING

Pursuant to **LDR Section 2.4.5(B)(2)**, *the City Commission may amend the Official Zoning Map by ordinance after review and recommendation for approval by the Planning and Zoning Board.* The submitted application complies with the submittal requirements in **LDR Section 2.4.3**.

LDR Section 2.4.5(B)(3)(b), *A statement of the reasons for which the change is being sought must accompany the application. Valid reasons for approving a change in zoning are:*

- 1. The zoning had previously been changed, or was originally established, in error;*
- 2. There has been a change in circumstance which makes the current zoning inappropriate;*
- 3. The requested zoning is of similar intensity as allowed under the Land Use Map and that it is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.*

LDR Section 2.4.5(B)(6) Findings. *In addition to provisions of Chapter 3, the City Commission must make a finding that the rezoning fulfills at least one of the reasons listed under Subsection (3) and is in furtherance of the public health, safety, and welfare.*



The rezoning is requested based on the second and third criterion referenced above. There has been a change in circumstances which makes the current RM zoning inappropriate. In addition, the CBD zoning will be of similar intensity as the requested CC Land Use designation and is more appropriate for the property based upon circumstances particular to the site and neighborhood.

The Comprehensive Plan and the Redevelopment Strategies for this portion of the CBD and North Federal Highway Redevelopment Area support the proposed changes to further revitalize the area. The proposed FLUM designation of CC supports a greater intensity of development consistent with the Downtown Delray Beach Master Plan and North Federal Highway Redevelopment Plan, and the potential density and intensity of the proposed CBD zoning designation is compatible with and supports the land use designation.

As stated previously, the property is surrounded on the north, west and south by commercial properties, with the abutting properties zoned CBD, Central Core Sub-district. The existing property has functioned as a commercial property for over 50 years. Redevelopment of this property is more appropriate with CBD zoning consistent with the abutting CBD-zoned properties. The rezoning is supported by the North Federal Highway Redevelopment Plan, which states "...Increases to the depth of commercial zoning may be considered to allow for future planned commercial development of the area."

"DEPTH OF COMMERCIAL DEVELOPMENT THE REDEVELOPMENT PLAN (Pg 31) - The depth of most commercial properties in the North Federal Highway area is limited by existing residential neighborhoods, road and railroad rights-of-way, and F.I.N.D. parcels. Commercial developers must make every effort to provide sufficient buffers to ensure compatibility with existing residential areas. Although the Redevelopment Plan does not propose any expansion of the commercial area at this time, expanding the depth to permit planned commercial rather than strip commercial development may be desirable in the future. The City will consider private sector Rezoning and FLUM amendment applications that expand the commercial area to allow larger scale, well planned commercial and mixed-use development".

Based upon the above and in addition to provisions of Chapter 3, positive findings can be made that the rezoning fulfills at least one of the reasons listed under Subsection (3) and is in furtherance of the public health, safety, and welfare as well as consistent with the Comprehensive Plan.

LDR Section 3.2.2, Standards for Rezoning Actions

Pursuant to **LDR Section 3.2.2, Standards for Rezoning Actions**, rezoning requests must meet five standards, which are described below as they relate to the proposed rezoning under consideration.

- (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.*

The property is indicated as "stable" on the Residential Neighborhood Categorization Map; however, close inspection of the immediate area reveals the area is in transition and in need of revitalization, especially north of NE 7th Street. The existing RM zoned parking lot is a nonconforming use, which has operated for decades as an accessory use to the abutting commercial use (Lorne & Sons Funeral Home). Regarding Policy NDC 1.2.1, based on the existing commercial development pattern abutting the subject property on the west side of NE 7th Avenue, the CBD zoning district better supports the implementation of the adopted Downtown Delray Beach Master Pan and North Federal Highway Redevelopment Plan. As previously stated, the CBD form-based code and development standards ensure redevelopment of the property will be complementary to and compatible with the adjacent residential and commercial properties and will also enhance quality of life.



(B) Rezoning of land located west of Interstate-95 to accommodate auto dealerships or to AC (Automotive Commercial) is prohibited pursuant to Policy NDC 2.5.2 of the Neighborhoods, Districts, and Corridors Element of the adopted Comprehensive Plan.

Not applicable. Auto dealerships are not a proposed use.

(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 shall be given to increasing the depth of the mixed -use zoning to provide for more substantive, mixed-use projects that provide compatible transitions in form and use to the surrounding area.

The rezoning to CBD will not result in strip commercial development, as the proposed CBD zoning district regulations are form-based and do not permit strip-type commercial development.

(D) Rezoning of land shall result in allowing land uses deemed compatible with adjacent and nearby land uses both existing and proposed; or that if an incompatibility may occur, that sufficient regulations exist to properly mitigate adverse impacts from the new use.

The existing uses and zoning surrounding the proposed development are as follows:

Location	Development Type / Uses	Land Use Designation	Zoning District
North	Funeral Home	CC	CBD
South	surface parking and wash facilities associated with the existing abutting car dealership zoned AC	MD	CF
East	Multi-family residential and a duplex	MD	RM
West	Used Car Sales	CC	CBD

Under the proposed CC future land use designation, the proposed CBD zoning district will result in allowing land uses that are deemed compatible with the adjacent commercial property including the abutting CBD-zoned properties to the north and west. In addition, while the proposed development will be complementary to and enhance the surrounding area, the CBD regulations include provisions to mitigate any adverse impacts from the proposed development.

(E) Remaining infill lots within the Coastal High Hazard Area of the Coastal Planning Area shall be developed using zoning which is identical or similar to the zoning of adjacent properties or that results in less intense development.

Not applicable. The property is not within the Coastal High Hazard Area of the Coastal Planning Area.

Based upon the above, the proposed Land Use Map Amendment (LUMA) from MD to CC and the Rezoning from RM to CBD are consistent with the Always Delray Comprehensive Plan, North Federal Highway Redevelopment Plan and Downtown Delray Beach Master Plan. The proposal is also consistent with Chapter 3 (Performance Standards, LDR Section 3.1.1 (Required Findings), (A) Future Land Use Map, (B) Concurrency, (C) Consistency, and (D) Compliance with LDRs. Based upon the above, approval of the FLUM Amendment and Rezoning applications is respectfully requested.

