



Cover Memorandum/Staff Report

File #: 23-1399

Agenda Date: 11/7/2023

Item #: 8.D.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: November 7, 2023

ORDINANCE NO. 30-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING 0.4 ACRES OF LAND LOCATED AT 1201 GEORGE BUSH BOULEVARD FROM RESIDENTIAL OFFICE TO MEDIUM DENSITY RESIDENTIAL, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING / QUASI-JUDICIAL)

Recommended Action:

Review and consider Ordinance No. 30-23, a privately initiated rezoning request from Residential Office (RO) to Medium Density Residential (RM) for a 0.4-acre property located at 1201 George Bush Boulevard.

Background:

The 0.4-acre subject property is located at 1201 George Bush Boulevard, on the northeast corner of the intersection of George Bush Boulevard and Andrews Avenue. The subject property includes a vacant 3,984-square foot office building built in 1979.

The property has a land use designation of Transitional (TRN), which has a standard density of 5-12 dwelling units per acre (du/ac) and a floor area ratio (FAR) of 1.0. The zoning is Residential Office (RO).

The applicant is requesting to rezone the subject property from Residential Office (RO) to Medium Density Residential (RM) for the purpose of constructing three townhouses. RM zoning is intended to provide multifamily housing similar to the surrounding area. Pursuant to LDR Section 2.4.5(D)(2), Change of zoning district designation: Required Information, valid reasons for approving a change in zoning are:

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

The application is being processed under the second and third criteria.

The parcel is surrounded by RM zoning on the north, east and south sides and RO zoning to the west. The existing RO zoning has an intensity standard of 1.0 FAR, and permits single family detached dwellings and duplex structures. The proposed RM zoning allows for multifamily residences at a density of 5 dwelling units per acre, with additional performance standards that apply to increase a project density beyond 6 units per acre.

Pursuant to the Land Development Regulations (LDR) Section 3.1.1, Required Findings, prior to the approval of development applications, findings related to the Land Use Map, Concurrency, Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations (LDR) must be met. The attached Planning and Zoning Board staff report provides a full analysis of the request.

On August 21, 2023, the Planning and Zoning Board voted 7 to 0 to recommend approval of the rezoning. On first reading, September 18, 2023, the City Commission voted 5-0 to approve the rezoning.

City Attorney Review:

Ordinance No. 30-23 has been approved to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 30-23 will become effective immediately at second reading.