



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PLANNING AND ZONING BOARD STAFF REPORT

### Private Parking Lots and Garages

Meeting	File No.	Application Type
August 12, 2024	2023-116	Amendment to the Land Development Regulations

**Applicant**  
City of Delray Beach

**Request**  
Provide a recommendation to the City Commission on Ordinance No. 19-24, a City-initiated amendment to LDR Section 4.3.3, "Special requirements for specific uses" of the Land Development Regulations (LDR) to adopt regulations for private parking lots and garages.

**Background Information**  
The popularity of downtown Delray Beach has given rise to privately-operated public parking lots. However, the City has received numerous reports of predatory practices employed by certain operators. The proposed ordinance establishes regulations for private parking lot operators.

### Description of Proposal

The following changes are proposed to **LDR Section 4.3.3**:

The creation of a new Subsection (PP), "Private parking lots and garages" is proposed. The subsection includes regulations on:

- (1) Required Signage
- (2) The use of City logos (prohibiting the use of the City's logo on private parking lot signage)
- (3) Operational requirements
- (4) Penalties and enforcement actions on private parking lot operators for violations of the adopted regulations

Specifically related to historic districts, the following language is proposed:

- (5) ***Historic Districts.*** Parking lot signage in historic districts must maintain the standard blue parking symbol and orange *Private Operator* signage; post design, sign framing, and font type may be adjusted through the administrative review and approval process for consistency with the character of the district.

The proposed Ordinance No. 19-24 is provided as an attachment.

### Review and Analysis

**LDR Section 1.1.6, Amendments**  
*The text of these Land Development Regulations may from time to time be amended, changed, supplemented, or repealed. No such action however, shall be taken until a recommendation is obtained from the Planning and Zoning Board and until a public hearing has been held by the City Commission.*

**LDR Section 2.4.7(A), Amendments to the Land Development Regulations**  
*Amendments to the LDR may be initiated by the City Commission, Planning and Zoning Board, or City Administration, or by a member of the public.*

The proposed amendment is initiated by City staff in response to direction by the City Commission.

**LDR Section 2.4.7(A)(5), Findings**

*For any approval, the City Commission must make a finding that the text amendment is consistent with the Comprehensive Plan, and that the amendment furthers the implementation of an adopted neighborhood plan, if applicable.*

The following Objectives and Policies of the adopted Comprehensive Plan are applicable to the proposed amendment.

**Neighborhoods, Districts, and Corridors Element**

Objective NDC 3.5, Update the Land Development Regulations *Regularly review and update the Land Development Regulations to provide timely, equitable and streamlined processes including, but not limited to, building permit processes for residential developments and to accommodate mixed-use developments, address market changes and development trends, and other innovative development practices.*

Private parking lots have begun to proliferate in the city, but there are no regulations governing the use. The City desires to adopt regulations that promote the health, safety, and welfare of the public.

**Historic Preservation Element**

Policy NDC 3.5.6 Create Land Development Regulations for visual compatibility standards for nonresidential properties in historic districts.

The proposed regulations support the goal of visual compatibility in historic districts.

**Review By Others**

**Parking Management Advisory Board (PMAB).** Anticipated for review August 2024.

**Downtown Development Authority.** Anticipated for review on August 12, 2024.

**Planning and Zoning Board.** Scheduled for review on August 12, 2024

**City Commission.** Ordinance No. 19-24 is anticipated to go before the City Commission for first and second reading on September 5, 2024 and September 16, 2024.

**Board Action Options**

- A.** Move a recommendation of **approval** of Ordinance No. 19-24, amending LDR Section 4.3.3, "Special requirements for specific uses" of the Land Development Regulations (LDR) to adopt Subsection (PP), "Private parking lots and garages," with regulations governing such use, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations.
- B.** Move a recommendation of **approval** of Ordinance No. 19-24, amending LDR Section 4.3.3, "Special requirements for specific uses" of the Land Development Regulations (LDR) to adopt Subsection (PP), "Private parking lots and garages," with regulations governing such use, finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the applicable criteria set forth in the Land Development Regulations, **as amended**.
- C.** Move a recommendation of **denial** of Ordinance No. 19-24, amending LDR Section 4.3.3, "Special requirements for specific uses" of the Land Development Regulations (LDR) to adopt Subsection (PP), "Private parking lots and garages," with regulations governing such use, finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations.
- D. Continue With Direction.**

**Public and Courtesy Notices**

Courtesy Notices are not required for this request.

Public Notices are not required for this request