

**MINUTES  
HISTORIC PRESERVATION BOARD  
CITY OF DELRAY BEACH**

**MEETING DATE:** July 3, 2024

**MEETING PLACE:** City Commission Chambers

**1. CALL TO ORDER**

The meeting was called to order by Jim Chard, Chair, at 6:02 P.M.

**2. ROLL CALL**

A quorum was present.

**Members present** Jim Chard, Chair; Chris Cabezas, 2<sup>nd</sup> Vice Chair; John Miller, Vice Chair, Peter Dwyer; Kristin Finn; and John Brewer.

**Absent** Ivan Heredia.

**Staff present** were Kelly Brandon, Assistant City Attorney; Michelle Hoyland, Principal Planner; Rebekah Dasari, Principal Planner; and Diane Miller, Board Secretary.

**3. APPROVAL OF AGENDA**

**Motion** to APPROVE the agenda for July 3, 2024, made by John Brewer and seconded by John Miller.

**MOTION CARRIED 6-0**

**4. MINUTES**

None

**5. SWEARING IN OF THE PUBLIC**

Jim Chard read the Quasi-Judicial Rules for the City of Delray Beach and Diane Miller swore in all who wished to give testimony.

**6. COMMENTS FROM THE PUBLIC**

George Long, 46 N. Swinton Avenue - Mr. Long has listened to the presentation on In-Lieu of Parking Fee LDR Amendment a few times and feels it is a very good amendment in that there are reduced parking fees for historic properties when they are repurposed.

**7. PRESENTATION**

None

## 8. QUASI-LEGISLATIVE ITEMS-CITY INITIATED

### 9. LEGISLATIVE ITEMS – CITY INITIATED

- A. Amendment to the Land Development Regulations, In-Lieu of Parking Fee (2024-078). Provide a recommendation to the Planning and Zoning Board on Ordinance No. 14-24, a City-initiated amendment to Section 2.4.11, "Relief," Section 4.4.13, "Central Business (CBD) District," and Section 4.6.9, "Off-street parking regulations" of the Land Development Regulations (LDR) to modify the in-lieu of parking fee and to eliminate the public parking fee.

**Planner: Rebekah Dasari, Principal Planner;** [dasari@mydelraybeach.com](mailto:dasari@mydelraybeach.com)

Rebekah Dasari, Principal Planner entered file 2024-078 into the record.

#### **Staff Presentation**

Rebekah Dasari, Principal Planner, presented through a Microsoft Power point presentation

#### **Board Comments**

John Miller asked about the fee schedule in relation to the fee associated with an adaptive reuse within Area 1, which is \$50,000 per space for expansion of a non-historic structure or outdoor use and asked how that would be addressed for a historic structure. Ms. Dasari responded to say that Area 1 has two different fees. Anything that is non-historic is a full fee of \$50,000, but if a property is historic then the 50% reduction would apply which is about where the fees are now.

Jim Chard asked if the net result is to increase in-lieu usage or decrease? Ms. Dasari commented that the direction from City Commission was that they were concerned that new construction was utilizing the In-Lieu of Parking Fee program to meet all their parking needs. Ms. Hoyland added that this Zoning in Progress came about around the time that the Atlantic Avenue Historic Resource Survey was moving through the public hearing process. City Commission provided direction to look at incentives that could be offered to property owners within the proposed area Atlantic Avenue.

Mr. Chard added that In-Lieu of Parking Fee program has a purpose and that it has been utilized in association with historic development projects. Mr. Chard also noted that In-Lieu of Parking helps to prevent the downtown from becoming a parking lot and to encourage walkability.

John Miller asked within CBD, the In-Lieu Parking Fee requirement is limited to 30% for new development, if the Doc's property was to be revisited today, would be allowed to utilize 30% of In-Lieu of Parking? Ms. Hoyland responded that Doc's had a mix of in-lieu, there was 30% and 50% limitations based on the retail and restaurant uses. That was mandated through the LDR's with specifics regulations for in-lieu in both the Parking Regulations and the CBD Regulations. Ms. Dasari said that in non-historic property, you can use up to 30% of your non-residential required parking. Mr. Miller asked if that would apply to properties not within 750 feet of a public parking garage/area? Ms. Dasari answered that the 750 feet requirement would apply to any category but then the limitation would be a maximum of 30% of parking could be In-Lieu for non-historic, where historic could use all of it. Mr. Miller

asked what requirements are proposed to incentivize buildings that could qualify for historic status. Mr. Miller further asked if an existing business or use that has currently has In-Lieu, then it does not change and are they grandfathered in? If a new structure is built, what happens? Staff explained that if a building is torn down, then a new request would need to be filed. And there are caveats in the proposed amendment for adaptive reuse of existing buildings that support preservation of historic structures as well as structures that are at least 35 years old and that the structure qualifies for potential historic designation.

Mr. Chard asked if the 750 feet distance could be expanded to 1500 feet. Staff advised that the 750 feet is not solely related to distance but the time it takes to walk such distance. Staff said they would review to see if an increase is appropriate.

**MOTION** to recommend approval to the Planning and Zoning Board on Ordinance No. 14-24, a City-initiated amendment to Section 2.4.11, "Relief," Section 4.4.13, "Central Business (CBD) District," and Section 4.6.9, "Off-street parking regulations" of the Land Development Regulations (LDR) to modify the in-lieu of parking fee program and to eliminate the public parking fee, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations made by John Miller and seconded by Kristen Finn.

The motion was amended by John Miller to reflect the view of the board to have staff to consider a longer distance than 750 feet based on research and appropriateness, seconded by Kristen Finn.

**AMENDED MOTION CARRIED 6-0**

## **10. REPORTS AND COMMENTS**

### **A. Staff Comments**

- The next Historic Preservation Board meeting will be on August 7, 2024. John Miller and Chris Cabezas noted that they will be out of town.
- Staff reminded the board members to keep track of your attendance.
- There is information regarding the Cemetery Historic Resource Survey on the City's Instagram informing the public that the project was underway and that the consultant is mobilized on-site. Staff noted that GPS marker/location flags are placed around the head stones, their locations are to not be disturbed. Staff and the consultant are looking for information about the shifting of the head stones from a flood. The project is expected to be completed by the end of August for final submittal to the State of Florida.

### **Landscaping in the Natural Environment**

- The board agreed at their last meeting to have a discussion regarding this topic.
- John Miller asked what purview does HPB have if something is not in the historic district. Ms. Hoyland said the Tree Preservation Regulations and Landscaping Regulations are applicable.
- Chris Cabezas expressed concerns about large trees and help with shade trees. Ms. Hoyland suggested that the memo have updates with suggestions from the board.
- John Miller is very concerned with the developers that do clear cuts on the properties and Mr. Cabezas commented that when the builders start their development, they

should be giving their project more thought on clearing all the trees.

- Michelle Hoyland said that if we the board is going to proceed forward with a renewed memo, and asked the board if they were still interested in asking for purview over landscape plans for single family and duplex, legacy tree category, and creating a definition for such within the City LDR's. Also, city owned property and other properties for the creation of tiny forest (or native habitat) within the Cities five historic district.
- Following a thorough discussion the board deliberated as to which items to include in the memo:
  1. HPB purview over landscape plans for single family and duplex? 4 - No, 2 - No
  2. The creation of Tiny Forests (or native habitats) on city owned property and other properties within the Cities five historic district? 6 – Yes
  3. Should a Legacy Tree category and definition be incorporated within the city LDR's? 6 – Yes

**MOTION** to approve the creation of a renewed recommendation to the City Commission via a revised memorandum based on the board's discussion and that the board Chair work with staff to finalize the memorandum made by Chris Cabezas and seconded by John Miller.

**MOTION CARRIED 6-0**

Michelle Hoyland updated the board regarding the Carver High School memorandum, staff worked with the board Chair to craft the memorandum and it is with the Development Services Director Anthea Gianniotis for review. The memo will be moved on to the City Manager for review and sharing with the City Commission.

Kristen Finn asked if the new historic sign in Del-Ida Park Historic District should be put in a different location.

#### **11. Adjourned: 8:03pm**

The undersigned is the Secretary of the Historic Preservation Board, and the information provided herein is the Minutes of the meeting of said body for **July 3, 2024**, which were formally adopted and APPROVED by the Board on \_\_\_\_\_.

**ATTEST:**

  
CHAIR

  
BOARD SECRETARY

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