



Cover Memorandum/Staff Report

File #: 23-1137

Agenda Date: 9/18/2023

Item #: 9.G.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: September 18, 2023

ORDINANCE NO. 33-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES BY AMENDING CHAPTER 3, "PERFORMANCE STANDARDS," ARTICLE 3.2, "PERFORMANCE STANDARDS," SECTION 3.2.4, "STANDARDS FOR SPECIFIC AREAS OR PURPOSES," TO INCLUDE STANDARDS FOR TRANSPORTATION DEMAND MANAGEMENT; AMENDING CHAPTER 6, "INFRASTRUCTURE AND PUBLIC PROPERTY," ARTICLE 6.1, "DESIGN STANDARDS AND REQUIREMENTS," SECTION 6.1.14, "TRANSIT," TO REQUIRE PROVISIONS FOR BUS SHELTERS FOR QUALIFYING DEVELOPMENTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommended Action:

Review and consider Ordinance No. 33-23, a City-initiated amendment to Chapter 3, "Performance Standards" and Chapter 6, "Infrastructure and public property" of the Land Development Regulations (LDR), to adopt requirements and procedures removed from Chapter 2, "Administrative Provisions," by Ordinance No. 31-23.

Background:

This ordinance is a companion to Ordinance No. 31-23, the revision to Chapter 2 "Administrative Provisions." The proposed amendments in Ordinance No. 33-23 are limited to LDR Chapter 3, "Performance Standards" and LDR Chapter 6, "Infrastructure and Public Property. The revisions relocate certain requirements within the LDR to a more appropriate Section, rather than the current location in Chapter 2.

Section 3.2.4, "Standards for specific areas or purposes." - Relocates existing Transportation Demand Management (TDM) requirements from Chapter 2.

Section 6.1.14, "Transit" - Relocates existing bus shelter requirements from Chapter 2.

A complete outline and overview of the LDR Amendments within Ordinance No. 33-23 is provided within the Planning and Zoning Board Staff Report (attached).

The Planning and Zoning Board reviewed the proposed LDR amendments at the meeting of August 21, 2023; a motion to recommend approval was provided on a vote of 7 to 0.

LDR Section 2.4.5(M)(5), Findings, says that *"the City Commission must make a finding that the text*

amendment is consistent with and furthers the Goals, Objectives and Policies of the Comprehensive Plan."

The proposed amendments are consistent with and assist in furthering the Goals, Objectives, and Policies (GOPs) of the adopted Comprehensive Plan.

City Attorney Review:

Ordinance No. 33-23 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 33-23 will become effective immediately upon adoption at second reading, anticipated for October 10, 2023.