

PLANNING AND ZONING BOARD MEMORANDUM STAFF REPORT

MEETING DATE: April 18, 2016

AGENDA ITEM: CITY-INITIATED AMENDMENT TO LAND DEVELOPMENT REGULATIONS (LDRS) SECTION 4.4.13, CENTRAL BUSINESS DISTRICT (CBD), FIGURE 4.4.13-5 – CENTRAL CORE & BEACH SUB-DISTRICTS REGULATING PLAN.

ITEM BEFORE THE BOARD

The item before the Board is a recommendation to the City Commission for City-initiated amendments to LDR Section 4.4.13, Central Business District (CBD), Figure 4.4.13-5 – Central Core 7 Beach Sub-district Regulating Plan, pursuant to LDR Section 2.4.5(M).

LDR AMENDMENT BACKGROUND & DESCRIPTION

The Central Business District (CBD) regulations of LDR Section 4.4.13 were repealed and replaced by the City Commission upon approval of Ordinance 02-15 on February 24, 2016. Subsequent revisions to this Section were approved by Ordinances 27-15 and 28-15, which also included the adoption of the Delray Beach Central Business District Architectural Design Guidelines.

The proposed amendment is to correct Figure 4.4.13-5 – Central Core & Beach Sub-districts Regulating Plan to extend the Primary Street designation along NE/SE 2nd Avenue, SE 4th Avenue, NE/SE 5th Avenue, and NE/SE 6th Avenue as was originally adopted with Ordinance 02-15. A subsequent revision to the Regulating Plan in Ordinance 27-15 mistakenly changed the Primary Street designation for portions of the aforementioned Avenues.

A draft Ordinance, including the corrected Regulating Plan exhibit, is attached.

REQUIRED FINDINGS

Pursuant to **LDR Section 2.4.5(M)(5), Findings**, in addition to LDR Section 1.1.6(A), 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.

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following applicable Objectives and Policies were noted:

FUTURE LAND USE ELEMENT, OBJECTIVE A-5: The City shall maintain its Land Development Regulations, which shall be regularly reviewed and updated, to provide timely, equitable and streamlined processes including, but not limited to, building permit processes for residential developments and to accommodate mixed-use developments, and other innovative development practices.

The purpose of this ordinance is to correct the Regulating Plan to properly illustrate the Primary Street designation along NE/SE 2nd Avenue, SE 4th Avenue, NE/SE 5th Avenue, and NE/SE 6th Avenue, as was adopted with Ordinance 02-15. The proposed amendments assist in appropriately maintaining the LDRs and, thereby, meet the intent of the subject Objective.

ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Recommend approval to the City Commission of the City-initiated amendment to the Land Development Regulations Section 4.4.13, by adopting the findings of fact and law contained in the staff report, and finding that the amendments and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).
- C. Move a recommendation of denial to the City Commission of the City-initiated amendment to the Land Development Regulations Section 4.4.13, by adopting the findings of fact and law contained in the staff report, and finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Section 2.4.5(M).

RECOMMENDED ACTION

Recommend **approval** to the City Commission of the City-initiated amendment to the Land Development Regulations Section 4.4.13, by adopting the findings of fact and law contained in the staff report, and finding that the amendments and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).