



PLANNING & ZONING BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444
PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200



Ordinance No. 31-18:

Amendment to the Land Development Regulations to Allow Automated Parking Garages in the Railroad Corridor Sub-District of the Central Business District (CBD)

Meeting: November 19, 2018

File No.: 2018-210

Application Type: Land Development Regulations Amendment

Request:

A privately-initiated amendment to the Land Development Regulations amending Section 4.4.13, "Central Business District, Table 4.4.13(A), "Allowable Uses and Structures in the CBD Sub-Districts", to allow Automated Parking Garages as a secondary street use in the Railroad Corridor Sub-District of the CBD; amending Subsection 4.4.14(c)(4), "Supplemental Use Standards", by adding standards and regulations for Automated Parking Garages; and, amending Appendix A, "Definitions", by adding a definition for "Parking Garage, Automated."

Recommendation:

Recommend approval to the City Commission of Ordinance No. 31-18, a privately-initiated amendment to the Land Development Regulations amending Section 4.4.13, "Central Business District, Table 4.4.13 (A), "Allowable Uses and Structures in the CBD Sub-Districts", to allow Automated Parking Garages as a secondary street use in the Railroad Corridor Sub-District of the CBD; amending Subsection 4.4.14(c)(4), "Supplemental Use Standards", by adding standards and regulations for Automated Parking Garages; and, amending Appendix A, "Definitions", by adding a definition for "Parking Garage, Automated." by adopting the findings of fact and law contained in the staff report and finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

Background:

A request has been submitted to amend the Land Development Regulations; the privately-initiated request is to define Automated Parking Garages and allow the use on Secondary Streets within the CBD. The applicant's justification and initial draft amendment are attached. Since the submittal, staff has worked with the applicant to refine the proposed amendment, including limiting the use to Secondary Streets located within the Railroad Corridor Sub-district.

LDR Section 4.4.13(A)(4) describes the Railroad Corridor Sub-district as an area that allows "for development of light industrial type and mixed, commercial and residential uses on properties that are in the downtown area but are also in close proximity to the FEC Railway. The purpose of the area is to recognize the long-standing light industrial character of this railroad corridor; to provide for the upgrading and expansion of existing uses when appropriate; and to enhance the economic growth of CBD by providing additional employment opportunities in the downtown area..."

Pursuant to **LDR Section 4.4.13(B)(1)**, *Secondary Streets accommodate service functions and vehicular-oriented development needs, including parking, loading, and drive-through facilities.*

If the amendment is approved, the applicant intends to build an Automated Parking Garage on the property located at 325 NE 3rd Avenue. Renderings have been provided by the applicant as an example of the type of development that could result. Please note that this amendment does not provide approval for a specific project; approval of a site plan or site plan modification application is required prior to the issuance of a building permit to construct an Automated Parking Garage.

Project Planner:

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Review Dates:

PGMS, October 31, 2018;
DDA, November 13, 2018
Planning and Zoning Board, November 19, 2018
City Commission, December 11, 2018, 1st Reading and January 15, 2019,
2nd Reading

Attachments:

Ordinance 31-18
Applicant's justification statement, proposed amendment, and example renderings.

**Review and Analysis:**

Pursuant to **LDR Section 2.4.5(M)(1)**, amendments to the Land Development Regulations may be initiated by the City Commission, Planning and Zoning Board or City Administration; or an individual.

The proposed amendment is a privately-initiated text amendment to the Land Development Regulations.

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.

The Comprehensive Plan identifies the following Objectives and Policies with respect to CBD zoned parcels:

Objective C-3

The Central Business District (CBD) and surrounding neighborhoods, including A-1-A, Seacrest and Swinton Avenue represents the essence of what is Delray Beach i.e. a "village by the sea". The continued revitalization of the CBD is essential to achieving the overall theme of the City's Comprehensive Plan by managing growth and preserving the charm. The following policies and activities shall be pursued in the achievement of this objective.

The proposed amendments continue to support the ongoing revitalization of the CBD by providing a new method for parking on smaller properties than conventional parking structures require and by limiting the use to the Railroad Corridor Sub-District and Secondary Streets ensures consistency with the surrounding scale of development and the intended character for the City.

Policy C-3.1

The Central Business District (CBD) Zoning District regulations shall facilitate and encourage rehabilitation and revitalization and shall, at a minimum, address the following:

- *deletion of inappropriate uses*
- *incentives for locating retail on the ground floor with office and residential use on upper floors*
- *accommodating parking needs through innovative actions*
- *incentives for dinner theaters, playhouses, and other family oriented activities*
- *allowing and facilitating outdoor cafes*
- *incentives for mixed use development and rehabilitations*
- *elimination of side yard setback requirements*
- *allow structural overhang encroachments into required yard areas*

The proposed amendment accommodates parking through an innovative automated system.

Policy C-3.2

The "Downtown Delray Beach Master Plan" was adopted by the City Commission on March 19, 2002. Covering the downtown business districts surrounding the Atlantic Avenue corridor between I-95 and A-1-A, it represents the citizens' vision for the growth and unification of Delray Beach, while still retaining the "village by-the-sea" character of the CBD. The Plan addresses a wide range of issues including infill development, neighborhood parks, shared parking, public art, the roadway and alleyway systems, marketing/economic development, and the need to modify the Land Development Regulations to include design guidelines to retain the character of Delray Beach. Future development and redevelopment in this area shall be consistent with the Master Plan.

Overall, the proposed LDR amendment is consistent with the Comprehensive Plan and the Community Redevelopment Plan. The LDR amendment continues to implement the master plan.

Review by Others:

The draft ordinance was presented at the October 31, 2018, Pineapple Grove Main Street meeting; the board recommended approval. The draft ordinance will be presented at the November 13, 2018, Downtown Development Authority (DDA) meeting, after the Planning and Zoning Board package is distributed. The DDA's recommendation will be presented at the Planning and Zoning Board meeting.

**Assessment and Conclusion:**

The proposed privately-initiated amendments to the Land Development Regulations are consistent with the Comprehensive Plan as illustrated throughout the review and analysis.

Alternative Actions:

- A. Move a recommendation of approval of Ordinance No. 31-18, to the City Commission of the privately-initiated text amendment amending Section 4.4.13, "Central Business District, Table 4.4.13 (A), "Allowable Uses and Structures in the CBD Sub-Districts", to allow Automated Parking Garages as a secondary street use in the Railroad Corridor Sub-District of the CBD; amending Subsection 4.4.14(c)(4), "Supplemental Use Standards", by adding standards and regulations for Automated Parking Garages; and, amending Appendix A, "Definitions", by adding a definition for "Parking Garage, Automated" by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).
- B. Move a recommendation of approval of Ordinance No. 31-18, as amended, to the City Commission of the of the privately-initiated text amendment amending Section 4.4.13, "Central Business District, Table 4.4.13 (A), "Allowable Uses and Structures in the CBD Sub-Districts", to allow Automated Parking Garages as a secondary street use in the Railroad Corridor Sub-District of the CBD; amending Subsection 4.4.14(c)(4), "Supplemental Use Standards", by adding standards and regulations for Automated Parking Garages; and, amending Appendix A, "Definitions", by adding a definition for "Parking Garage, Automated" by adopting the findings of fact and law contained in the staff report, and finding that the text amendment 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 of Ordinance No. 31-18, to the City Commission of the privately-initiated text amendment to amending Section 4.4.13, "Central Business District, Table 4.4.13 (A), "Allowable Uses and Structures in the CBD Sub-Districts", to allow Automated Parking Garages as a secondary street use in the Railroad Corridor Sub-District of the CBD; amending Subsection 4.4.14(c)(4), "Supplemental Use Standards", by adding standards and regulations for Automated Parking Garages; and, amending Appendix A, "Definitions", by adding a definition for "Parking Garage, Automated" by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).