



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## CBD Expansion

**Ordinance No. 34-19, Future Land Use Map Amendment from General Commercial (GC) to Commercial Core (CC);  
Ordinance No. 35-19, Rezoning from General Commercial (GC), Neighborhood Commercial (NC),  
or Professional Office District (POD) to Central Business District (CBD); and  
Ordinance No. 36-19, LDR Text Amendment establishing new CBD Sub-district**

Meeting	File Nos.	Application Type (Quasi-judicial)
October 21, 2019	2020-012-FLM 2020-013-REZ 2020-014-LDR	Future Land Use Map Amendment Rezoning LDR Text Amendment

### Request

Provide a recommendation to the City Commission regarding three ordinances:

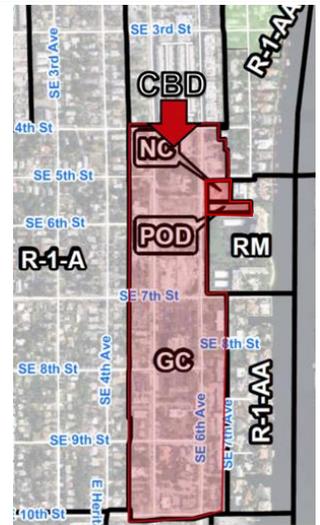
1. Ordinance No. 34-19, a Future Land Use Map Amendment from General Commercial (GC) or Transitional (TRN) to Commercial Core (CC) for 46 parcels totaling approximately 39.42 acres, generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Avenue, and on the west by SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue; and
2. Ordinance No. 35-19, a rezoning from General Commercial (GC), Neighborhood Commercial (NC), or Professional Office District (POD) to Central Business District (CBD) for 46 parcels totaling approximately 39.42 acres, generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Avenue, and on the west by SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue; and
3. Ordinance No. 36-19, an amendment to the Land Development Regulations, Section 4.4.13 “Central Business District (CBD)”, establishing a new CBD Sub-district for the bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Avenue, and on the west by SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue.

### Background Information

This rezoning effort was directed by the City Commission to help guide future redevelopment using land development regulations (LDRs) with a higher level of design criteria that encourage investment in the area, while ensuring compatible transitions between the commercial corridor and the adjoining residential neighborhoods. The proposed land use and zoning designations are similar in intensity (including height) as the current designations but have a lesser focus on regulating the mixing of uses and higher architectural and streetscape standards.

On September 9, 2018, the City Commission approved Resolution No. 110-18, to enter into an Interlocal Agreement with the Treasure Coast Regional Planning Council (Consultants) for the provision of planning services to facilitate the expansion of the Central Business District (CBD) zoning designation boundary along SE 5th Avenue and SE 6th Avenue, from SE 4th Street to SE 10th Street. The general area is shown on the graphic to the right.

On November 8, 2018, the concept of extending the CBD in this area was introduced to local stakeholders in a public workshop. On January 10, 2019, a public workshop was held to gain public input on the proposed expansion of the CBD in the area. On March 14, 2019, a public workshop was

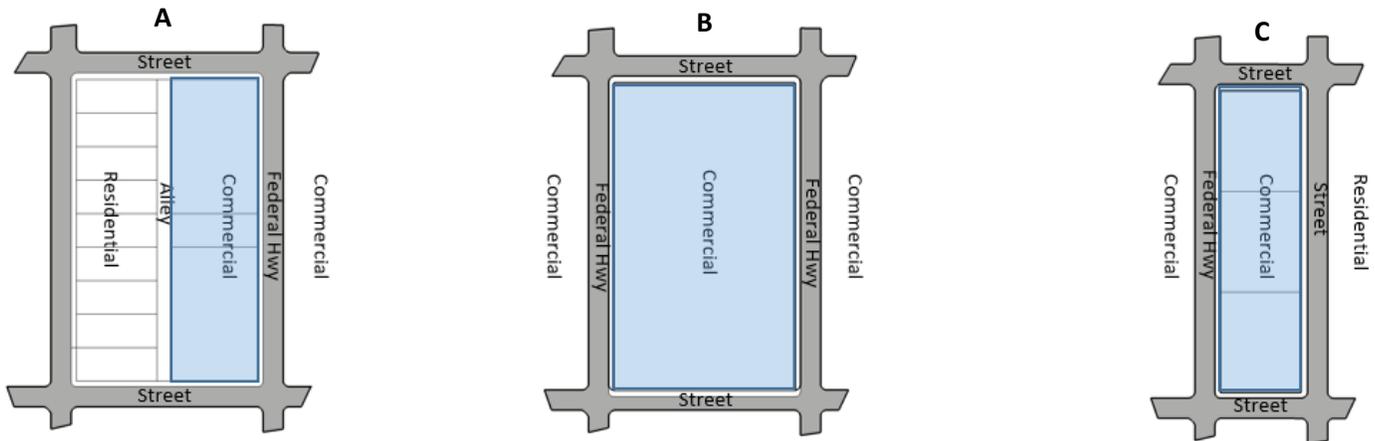


held focusing on the Osceola Park neighborhood, which included discussion on appropriate transitions between the neighborhood and commercial corridor. On August 29, 2019 another public workshop was held; however, participation was limited by the approach of Hurricane Dorian. The consultants and City Staff met with individuals and small groups who could not attend the August workshop to gain further input.

To expand the CBD land development regulations to this area, three actions are required:

1. Change the FLUM designations from General Commercial (GC) and Transitional (TRN) to Commercial Core (CC), which is the land use designation compatible with the CBD zoning district; and,
2. Amend the Zoning Map from GC, NC, and POD to CBD; and,
3. Amend the LDRs to include standards that address specific conditions in the subject area.

The consultant identified three distinct conditions in the area for the LDRs to address:



Condition A reflects the area on the west side of southbound South Federal Highway (SE 5<sup>th</sup> Avenue). This area generally has an alley separating the commercial uses along SE 5<sup>th</sup> Avenue and the adjacent single-family neighborhood to the west.

Condition B reflects the central block area located between the South Federal Highway pairs (SE 5<sup>th</sup> Avenue and SE 6<sup>th</sup> Avenue). This block does not adjoin a residential neighborhood. Each avenue of the South Federal Highway pairs accommodates multi-lane through traffic as well as local trips.

Condition C reflects the area on the east side of northbound South Federal Highway, between SE 6<sup>th</sup> Avenue and SE 7<sup>th</sup> Avenue. This area has the fronts of houses on SE 7<sup>th</sup> Avenue facing the backs of the commercial uses facing SE 6<sup>th</sup> Avenue. To date, current LDRs limit vehicular access to the commercial properties from the residential street, and landscaping in varying levels of condition provides a buffer for the neighborhood (both images below are facing north on SE 7<sup>th</sup> Avenue).



The CBD currently has four sub-districts with distinctions to reflect the unique characteristics of each area: The Central Core Sub-district, the Beach Sub-district, the West Atlantic Neighborhood Sub-district, and the Railroad Corridor Sub-district. Sections of the CBD regulations, like Architectural Standards, apply to all districts, while other regulations (density and uses) vary slightly among the districts. To provide regulations that address the unique conditions of the area, the proposed LDR text amendment establishes a fifth CBD Sub-district. This sub-district has specific regulations related to the area, including greater front setbacks along Federal Highway than required in the downtown core, as well as standards related to the three identified conditions:

1. Condition A: A density incentive is proposed to encourage three-story townhouses or live work units between the Osceola Park neighborhood and South Federal Highway. The intent is to attract lower scale buildings with residential uses to the area. The proposed density incentive of 22 du/ac allows redevelopment similar in scale to Mallory Square (located directly to the north of the new Sub-district).
2. Condition B: This central area of the sub-district was determined to be able to handle more density and intensity than the areas adjoining neighborhoods. Hotels are permitted in this area as conditional uses, but not in the other areas, and the overall building height is slightly higher (but still limited to four stories) to accommodate potential office development. A limited duration density incentive up to 50 du/ac is offered for the next four years to spur investment and create new workforce housing options. (For examples of development in this density range, see the Astor and Caspian below).
3. Condition C: No density incentives are offered in this area and additional landscaped buffering is required to continue the palm cluster plantings along SE 7<sup>th</sup> Avenue over time.



The Astor ~ 43 du/ac



The Caspian ~ 69 du/ac

It is important to note that the Always Delray Comprehensive Plan update is in the process of review and adoption. The Florida Statutes require an analysis with the adopted Comprehensive Plan; however, it is important to note, the maximum FAR for the proposed CC land use designation is reduced from the current 3.0 to 2.5 in the recently transmitted Always Delray plan.

**Review and Analysis**

**Future Land Use Map Amendment from GC and TRN to CC**

Pursuant to **LDR Section 2.4.5(A)**, Comprehensive Plan amendments must follow the procedures outlined in the Florida Statutes. The Future Land Use Map is adopted as part of the Comprehensive Plan. Since the area proposed to change land use designation is greater than 10 acres, the FLUM amendment is being processed for expedited review pursuant to Florida Statutes, F.S. 163.3184 through F.S. 163.3253.

Current Land Use Designation	Acres	FAR	Density Standard/Incentive
General Commercial	38.1	3.0	12 du/ac; up to 30 du/ac
Transitional	1.32	1.0	12 du/ac; up to 24 du/ac
Proposed Land Use Designation	Acres	FAR	Density Standard/Incentive
Commercial Core	39.42	3.0*	12 du/ac; up to 30 du/ac

\* Always Delray Comprehensive Plan update reduces FAR to 2.5

Pursuant to **LDR Section 3.1.1, Required Findings**, “findings shall be made by the body which has the authority to approve or deny the development application.” These findings relate to the Future Land Use Map (FLUM), Concurrency, Comprehensive Plan Consistency, and Compliance with the Land Development Regulations.

Pursuant to **LDR Section 3.1.1(A), Future Land Use Map**, “*the resulting use of land or structures must be allowed in the zoning district within which the land is situated and said zoning must be consistent with the applicable land use designation as shown on the Future Land Use Map.*”

The Future Land Use Element, of the Comprehensive Plan, Table L-6, identifies which zoning districts are consistent with the Future Land Use Map designations. The proposed CC designation and the requested zoning designation of CBD are consistent with each other.

Pursuant to **Future Land Use Element, Policy A-1.7**, *amendments to the Future Land Use Map (FLUM) must be based upon the findings listed below, and must be supported by data and analysis that demonstrate compliance with these findings:*

- **Demonstrated Need** -- *That there is a need for the requested land use. The need must be based upon circumstances such as shifts in demographic trends, changes in the availability of land, including but not limited to the minimum amount of land required to accommodate the medium population projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period, changes in the existing character and FLUM designations of the surrounding area, fulfillment of a comprehensive plan objective or policy, annexation into the municipal boundaries, or similar circumstances. The need must be supported by data and analysis verifying the changing demographics or other circumstances. This requirement shall not apply to requests for the FLUM designations of Conservation or Recreation and Open Space; nor shall it apply to FLUM changes associated with annexations when the City’s advisory FLUM designation is being applied, or when the requested designation is of a similar intensity to the advisory designation. However, the findings described in the remainder of this policy must be addressed with all FLUM amendments.*

The proposed FLUM designation does not significantly increase or decrease redevelopment as the intensity level is similar.

- **Consistency** -- *The requested designation is consistent with goals, objectives, and policies of the most recently adopted Comprehensive Plan.*

**Future Land Use Element Goal A:** *“Land within the Planning Area shall be developed or redeveloped to sustain and enhance the existing quality of life, compliment and be compatible with existing land use and result in a mixed, but predominately residential community with a balanced economic base and encourage accessible affordable everyday services.”*

The proposed FLUM designation allows for a mix of commercial and residential uses, but allows for residential uses to be more easily incorporated in the corridor. In addition, the implementing zoning designation for the CC land use is CBD, which uses form-based techniques to create a vibrant, high quality environment and provides for compatible transitions among uses and varying scales.

**Future Land Use Element Objective A-1:** *“Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate in terms of soil, topographic and other applicable physical considerations, is complimentary to adjacent land uses and fulfills remaining land use needs.”*

Development under the proposed CC FLUM designation allows for residential uses to be more easily included in redevelopment projects, which allows for the inclusion of more compatible uses with the surrounding neighborhood area.

**Future Land Use Element 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 proposed FLUM and zoning designations will continue the revitalization efforts that have been successful in the downtown core area down the commercial corridor. Utilizing the same FLUM and zoning designations in this area will help ensure redevelopment compliments the recommendations and guidelines found in the redevelopment plan(s) of adjacent neighborhoods, to ensure an overall compatible and appropriate development with respect to site design, intensity, and density.

**Housing Element Goal Area “A.”** *To maintain a safe and adequate supply of housing for all income levels and to preserve existing stable neighborhoods, stabilize and enhance neighborhoods that are in transition, and restore and rehabilitate neighborhoods that have declined.*

**Housing Element Goal Area “B.”** *To ensure that an adequate supply of quality new housing is available in a range of types and cost levels to meet the needs of the City’s Future population.*

The proposed FLUM and zoning designations will assist in achieving these Goal Areas by (1) using regulations that facilitate residential uses (GC was more limiting); (2) by encouraging diverse housing options through incentives for townhouse and live-work units; and (3) by expanding the area, density incentives can be used to promote infill workforce housing.

- **Concurrency** -- *Development at the highest intensity possible under the requested designation can meet the adopted concurrency standards.*

Because the FLUM designation of GC and CC both allow 3.0 FAR, and the CC designation will reduce to 2.5 with the adoption of the Always Delray Comprehensive Plan amendment, redevelopment under the new FLUM designation will be the same or less intense than under the current designation for approximately 38 of the 39.42 acres of land affected by the change; established concurrency impacts will either not change or be reduced. The parcels currently designated as TRN which total approximately 1.32 acres will increase from a 1.0 FAR to a 2.5. While this is an increase for these two parcels, with 97% of the area reducing in intensity, the change on these two parcels will be offset.

Traffic. Since the FLUM designations are the same, or will be slightly less intense, the amendment does not result in more traffic impacts than currently planned for in the City’s Comprehensive Plans (both current and pending adoption). The facilitation of mixed use development and higher streetscape standards will help create a more walkable environment that is linked to the downtown core of the city.

Schools. School impacts will not change under the proposed FLUM designation. The Palm Beach County School District must approve new developments for compliance with the adopted Level of Service for School Concurrency. Verification from the Palm Beach County School District in a written finding will be required prior to approval of any site plans in the area.

Water and Sewer. Pursuant to the Comprehensive Plan, treatment capacity is available at the South Central County Waste Water Treatment Plant for the City at build-out. The proposed amendment maintains, or slightly lessens, the ultimate demand on City resources.

Solid Waste. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2047. The following generation rates will be used to calculate impact on future developments:

- Multi-Family Residential Greater Than 5 Units: 0.52 tons / unit
- Office: 5.4 pounds per square foot per year
- Restaurant: 24.9 pounds per square foot per year
- Retail: 10.2 pounds per square foot per year

Drainage. Within this area of the city, the Federal Highway corridor has been recently improved and the City is in the process of providing local improvements to the Osceola Park neighborhood. At site plan submittal, new development will be required to provide a signed and sealed drainage report indicating the proposed development’s ability to meet storm water requirements in accordance with the South Florida Water Management District regulations per LDR Section 2.4.3 (D) (8);

requirements in LDR Section 6.1.9 for the surface water management system; and signed and sealed calculations indicating current and proposed estimated flows into City's sewer system.

*Parks and Open Space:* The Open Space and Recreation Element of the City's Comprehensive Plan indicates in its conclusion that "the City will have sufficient recreation facilities at build-out to meet the adopted standards." Pursuant to LDR Section 5.3.2, a park impact fee of \$500.00 per dwelling unit will be collected prior to issuance of a building permit for each residential unit and hotel room at the time any project is presented for approval at the Building Department. The proposed CBD zoning designation requires open space be in the form of a plaza or park.

- **Compatibility** -- *The requested designation will be compatible with existing and future land uses of the surrounding area.*

The proposed CC designation will connect to existing CC FLUM designations to the north and to existing, similar GC FLUM designations to the south. The corridor is separated from LD (Low Density) single-family areas by an alley on the west and by a street (SE 7<sup>th</sup> Avenue) on the east side. The proposed CBD LDR amendment provides for additional rear setback areas and landscape requirements to aid in the compatible transition to these areas.

	Future Land Use	Zoning	Use
<b>North</b>	Commercial Core	Central Business District/ Central Core Sub-district	Mallory Square Townhomes
<b>South</b>	General Commercial (GC)	General Commercial (GC)	
<b>East</b>	Medium Density Residential (MD) 5-12 Low Density (LD) 0-5	Medium Density Residential (RM) Single Family (R-1-AA)	Single family residential
<b>West</b>	Low Density (LD) 0-5	Single Family (R-1-A)	Single family residential

- **Compliance** -- *Development under the requested designation will comply with the provisions and requirements of the Land Development Regulations.*

All new development will be subject to all applicable provisions and requirements of the LDRs. In this area, a new sub-district is proposed to provide for customized regulations that respond to the surrounding area.

**Rezoning from GC, NC, and POD to CBD**

Pursuant to **LDR Section 2.4.5(D)(1)**, the City Commission may amend the Official Zoning Map by ordinance after review and recommendation for approval by the Planning and Zoning Board.

**LDR Section 2.4.5(D)(2)** outlines the procedures for a zoning change, which includes the standard application items in Section 2.4.3. Valid reasons for approving a change in zoning, pursuant to **LDR Section 2.4.5(D)(2)** are:

- *That the zoning had previously been changed, or was originally established, in error;*
- *That there has been a change in circumstance which makes the current zoning inappropriate;*
- *That the requested zoning is of similar intensity as allowed under the Future Land Use Map and that it is more appropriate for the property based upon circumstances particular to the site and/or neighborhood.*

The requested rezoning is to be considered under the third criteria. The proposed intensity (FAR) under the CBD zoning designation is the same (3.0) or will be slightly less (2.5) once the updated comprehensive plan adoption is final. The proposed standard density is 12 du/ac, which is the same as GC. Two incentives are incorporated into the zoning: one allows up to 22 du/ac to promote three story townhouses between the Osceola Park neighborhood and the South Federal Highway corridor to improve compatibility with the neighborhood. The other allows, for the next four years only, a limited duration incentive for properties in the block between SE 5<sup>th</sup> and SE 6<sup>th</sup> Avenues to spur redevelopment and promote the inclusion of workforce units.

Pursuant to **LDR Section 3.2.2, Standards for Rezoning Actions**, rezoning requests must meet five standards, which are described below as they relate to the proposed rezoning under consideration.

- (A) *The most restrictive residential zoning district that is applicable given existing development patterns and typical lot sizes shall be applied to those areas identified as "stable" and "stabilization" on the Residential Neighborhood*

*Categorization Map. Requests for rezonings to a different zoning designation, other than Community Facilities, Open Space, Open Space and Recreation, or Conservation shall be denied.*

Not applicable. The subject corridor is not considered a residential neighborhood. Osceola Park is categorized as “Needing Revitalization”, while the Del Rio Shores neighborhood on the east side is categorized as Stable.

*(B) Rezoning to AC (Automotive Commercial) to accommodate auto dealerships shall not be permitted west of I-95.*

Not applicable. Auto dealerships are not a proposed use.

*(C) Zoning changes that would result in strip commercial development shall be avoided. Where strip commercial developments or zoning currently exists along an arterial street, consideration should be given to increasing the depth of the commercial zoning in order to provide for better project design.*

The proposed CBD zoning is a form-based code and does not permit strip-type commercial development. The proposed zoning will result, over time, in a change from strip development to mixed use development that helps shape the corridor into an attractive pedestrian-friendly area with neighborhood serving uses. .

*(D) That the rezoning shall result in allowing land uses which are deemed compatible with adjacent and nearby land use both existing and proposed; or that if an incompatibility may occur, that sufficient regulations exist to properly mitigate adverse impacts from the new use.*

Under the proposed CC FLUM designation, the proposed CBD zoning district is compatible. The existing uses and zoning surrounding the proposed development are as follows:

	Zoning Designation	Land Use	Use
<b>North</b>	Central Business District	Commercial Core	Single family / vacant
<b>South</b>	RM – Multiple Family Residential (Medium Density)	MD – Medium Density 5-12 du/acre	Single family residential
<b>East</b>	RM – Multiple Family Residential (Medium Density)	MD – Medium Density 5-12 du/acre	Single family residential
<b>West</b>	RM – Multiple Family Residential (Medium Density)	MD – Medium Density 5-12 du/acre	Single family residential

The requested rezoning from RM to CBD will result in compatibility among existing and future land uses with the surrounding area. The CBD regulations utilize form-based techniques to ensure compatible transitions in building scale and intensity. There are several examples throughout Delray Beach where CBD zoned property directly abuts single family and multiple family residential areas, notably in the northwest area. The CBD regulations require additional setbacks from single-family houses and districts. Regulations also limit commercial uses from extending further than 150’ from West Atlantic Avenue, which will establish a largely multi-family infill pattern, consistent with the surrounding land use designations. Additionally, the CBD regulations use open space and architectural regulations to provide for a high quality urban environment.

*(E) Remaining, isolated infill lots within the coastal planning area shall be developed under zoning which is identical or similar to the zoning of adjacent properties; and, the resulting development shall be of a design and intensity which is similar to the adjacent development.*

Not applicable. The proposed development is not within the coastal planning area.

As part of the rezoning, the City must amend the Zoning Map and establish a new Regulating Plan for the new sub-district in Section 4.4.13 Central Business (CBD) District of the Land Development Regulations. The proposed ordinances include these amendments.

**Land Development Regulations Text Amendment – New CBD Sub-District**

Pursuant to **LDR Section 1.1.6(A)** LDR text amendments require a recommendation from the Planning and Zoning Board.

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 was City-initiated at the direction of the City Commission.

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 following GOPs of the adopted Comprehensive Plan are applicable to the proposed amendment:

**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 current comprehensive plan directs regularly reviewing and updating the LDRs

**Policy A-7.5** The City shall monitor the progress of its affordable housing initiatives and may modify the program or enact other provisions to improve the program when necessary.

The proposed amendments provide new provisions to encourage more diverse affordabilities in the housing stock in the area.

### **Always Delray**

The new Always Delray plan has new policies that also support the proposed ordinance. The new plan is not officially adopted and therefore, does not technically apply to these requests. The policies above are largely incorporated in the updated plan. In addition, the following new policies would apply:

Policy NDC 1.3.2: Apply the mixed-use land use designation that best maintains the scale, density, intensity, and enhances the character of the surrounding neighborhood, district, or corridor.

Policy NDC 1.3.3: Apply the density and intensity in mixed-use land use designations to encourage adaptive re-use, development, and redevelopment that advances strategic, policy-driven goals, such as diverse residential housing opportunities, sustainable building practices, historic preservation, public parking, civic open space, or economic development strategies.

Policy NDC 2.6.1: Create vibrant, attractive streetscapes on commercial corridors in mixed use land use designations using standards in the Land Development Regulations that define the amount of commercial and residential uses suitable for the first story and provide hardscape, landscape, and facade design criteria.

Policy NDC 2.8.3: Continue to utilize workforce housing programs and incentives, such as but not limited to, increased density and smaller lot sizes where appropriate and compatible in the Land Development Code to encourage the provision of workforce housing in the city.

Policy NDC 3.5.3: Continue to develop zoning districts and regulations that utilize or include form-based code concepts to improve predictability in the built environment.

### **Review By Others**

The First Reading of the subject requests are tentatively scheduled for City Commission on November 5, 2019. The second reading will be scheduled after the completion of the Expedited Review Process with the Department of Economic Opportunity.

The CRA will review the proposed amendments on November 19, 2019.

Note: The subject parcels are not located within the Downtown Development Authority boundary.

### **Board Action Options**

#### **Future Land Use Map Amendment**

A. Move a recommendation of **approval** of Ordinance No. 34-19, a request for a Future Land Use Map amendment from General Commercial (GC) and Transitional (TRN) to Commercial Core (CC), 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 **denial** of Ordinance No. 34-19, a request for a Future Land Use Map amendment from General Commercial (GC) and Transitional (TRN) to Commercial Core (CC), 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.
- C. Continue with Direction

**Rezoning**

- A. Move a recommendation of **approval** of Ordinance No. 35-19, a request for a rezoning from General Commercial (GC), Neighborhood Commercial (NC), and Professional Office District (POD) to Central Business District (CBD), finding that the rezoning 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 **denial** of Ordinance No. 35-19, a request for a rezoning from General Commercial (GC), Neighborhood Commercial (NC), and Professional Office District (POD) to Central Business District (CBD), finding that the rezoning and approval thereof is not consistent with the Comprehensive Plan and does not meet the applicable criteria set forth in the Land Development Regulations.
- C. Continue with Direction

**Land Development Text Amendment**

- A. Move a recommendation of **approval** of Ordinance No. 36-19, amending LDR Section 4.4.13 “Central Business District (CBD)” to create a new CBD Sub-district, 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, as amended**, of Ordinance No. 36-19, amending LDR Section 4.4.13 “Central Business District (CBD)” to create a new CBD Sub-district, 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.
- C. Move a recommendation of **denial** of Ordinance No. 36-19, amending LDR Section 4.4.13 “Central Business District (CBD)” to create a new CBD Sub-district, 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**

<p><u>N/A</u> Courtesy Notices are not applicable to this request</p> <p><u>X</u> Courtesy Notices were provided to the following:</p> <ul style="list-style-type: none"> <li>• Delray Beach Chamber of Commerce</li> </ul>	<p>---- Public Notices are not required for this request.</p> <p><u>N/A</u> Public Notice was posted at the property.</p> <p><u>X</u> Public Notice was mailed to property owners and property owners within a 500’ radius on October 11, 2019, ten days before the meeting date.</p> <p><u>N/A</u> Public Notice was mailed to the adjacent property twenty days before the meeting date.</p> <p><u>X</u> Public Notice was published in the Sun Sentinel on October 11, 2019, ten days before the meeting date.</p> <p><u>X</u> Public Notice was posted to the City’s website on October 11, 2019.</p> <p><u>X</u> Public Notice was posted in the main lobby at City Hall October 11, 2019.</p>
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