



Legislation Details (With Text)

File #: 24-848 **Version:** 1 **Name:**
Type: Ordinance **Status:** Failed
File created: 6/10/2024 **In control:** City Commission
On agenda: 7/9/2024 **Final action:** 7/9/2024
Title: ORDINANCE NO. 16-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 0.5021 ACRES LOCATED AT 200 SE 7TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES TO LOW DENSITY RESIDENTIAL, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Sponsors: Development Services Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. 200 SE 7th Avenue - Ord 16-24, 3. 200 SE 7th Avenue - BIE Ord 16-24, 4. 200 SE 7th Avenue - PZB Report, 5. 200 SE 7th Avenue - Existing and Proposed, 6. 200 SE 7th Avenue - Traffic Statement, 7. 200 SE 7th Avenue - Justification Statement, 8. 200 SE 7th Avenue - Legal Reveiw Form, 9. 200 SE 7th Avenue - Proof of Legal Ad

Date	Ver.	Action By	Action	Result
7/9/2024	1	City Commission	denied	Pass

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 9, 2024

ORDINANCE NO. 16-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 0.5021 ACRES LOCATED AT 200 SE 7TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES TO LOW DENSITY RESIDENTIAL, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Recommended Action:

Consider Ordinance No. 16-24, a privately initiated request for a small-scale Land Use Map Amendment from Community Facilities (CF) to Low Density (LD) for a +/- 0.5021-acre property located at 200 SE 7th Avenue.

Background:

The 0.5021-acre subject property is located at 200 SE 7th Avenue on the southeast corner of SE 2nd Street and SE 7th Avenue within the Locally and Nationally Designated Marina Historic District. The

property is currently developed with a 5,389 square foot museum/event space (approved in 2019), currently known as Chapel 4.

Both a land use and a rezoning application have been submitted for the property. It is important to note, if approved, the property will remain a historic structure and any changes will require a Certificate of Appropriateness under the purview of the Historic Preservation Board. As such, proposed modifications are subject to the applicable provisions and requirements of the LDRs, including LDR Section 4.5.1, which contains the Visual Compatibility well as the Secretary of the Interior Standards & Guidelines for historic preservation.

The subject property operated as the First Church of Christ, Scientist from 1947 to 2019. The property currently has a Land Use Map (LUM) designation of CF with CF zoning on the entire property. The CF land use designation is intended to *"provide a full range of local or regional community-based uses primarily intended to serve the public."* Similarly, the CF zoning district is intended for *locations at which facilities are provided to serve public, semi-public, and private purposes. Such purposes include governmental, religious, educational, health care, social service, and special facilities."* The requested LD land use has a maximum density of five dwelling units per acre; LD land use does not establish a maximum Floor Area Ratio (FAR). The LD land use is intended to maintain and enhance the City's established neighborhood characteristics, while supporting new and revitalized housing that compliments the desired development pattern and intensity.

Pursuant to **LDR Section 3.1.1, Required Findings**, *prior to the approval of development applications, certain findings must be made. These findings relate to the Land Use Map, concurrency, consistency, and compliance with the Land Development Regulations.* The proposed LUM amendment will add residential use to the property and decrease the potential intensity of development as allowed by the Floor Area Ratio (FAR). The subject property is surrounded by Low Density land use on the south and east, Medium Density to the north, and Commercial Core land to the west. The proposed LD land use allows for zoning that could allow single-family use of the property, which is compatible with the surrounding neighborhood in character and scale. Any proposed physical changes to the property would require a COA.

The attached Planning and Zoning Board staff report provides a full analysis of the request.

On May 1, 2024, the Historic Preservation voted 7-0 to recommend denial, citing concerns regarding potential use changes and possibility of demolition if the request is approved, as well as a concern that the property should be retained as a community use.

On May 20, 2024, the Planning and Zoning Board (PZB) voted 3-2 (Mr. Brown and Mr. Snyder opposing) to recommend approval of the request. On June 18, 2024, the City Commission voted 4-1 (Com. Casale dissenting) to approve the request at first reading.

City Attorney Review:

Ordinance No. 16-24 was approved to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The Land Use Map Amendment request will be heard concurrently with Ordinance No. 17-24 for the

rezoning.