City of Delray Beach

100 N.W. 1st Avenue
Delray Beach, FL 33444

Legislation Details (With Text)

File #:	20-934	**Version:**	1	**Name:**	
Type:	Ordinance			**Status:**	Second Reading
File created:	10/28/2020			**In control:**	City Commission
On agenda:	11/17/2020			**Final action:**	12/31/2023

Title: ORDINANCE NO. 60-20: 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, CHAPTER 4, “ZONING REGULATIONS,” ARTICLE 4.6, “SUPPLEMENTAL DISTRICT REGULATIONS,” SECTION 4.6.9, “OFF-STREET PARKING REGULATIONS,’ BY AMENDING SUBSECTION (D), “DESIGN STANDARDS,” TO ESTABLISH REGULATIONS THAT GOVERN CERTAIN ASPECTS OF RESERVED PARKING SPACES SUCH AS MARKINGS, SIGNAGE AND PERCENTAGE ALLOWED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Development Services Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Ord 60-20 Reserved Parking Spaces, 3. PZB Staff Report (Originally included in Ord. 53-20), 4. Ord 60-20 Reserved Parking Spaces - Legal Review

Date	Ver.	Action By	Action	Result
11/17/2020	1	City Commission	approved on first reading	Pass

TO: **Mayor and Commissioners**
FROM: **Anthea Gianniotes, Development Services Director**
THROUGH: **Jennifer Alvarez, Interim City Manager**
DATE: **November 17, 2020**

ORDINANCE NO. 60-20: 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, CHAPTER 4, “ZONING REGULATIONS,” ARTICLE 4.6, “SUPPLEMENTAL DISTRICT REGULATIONS,” SECTION 4.6.9, “OFF-STREET PARKING REGULATIONS,’ BY AMENDING SUBSECTION (D), “DESIGN STANDARDS,” TO ESTABLISH REGULATIONS THAT GOVERN CERTAIN ASPECTS OF RESERVED PARKING SPACES SUCH AS MARKINGS, SIGNAGE AND PERCENTAGE ALLOWED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommended Action:
Review and consider a request to approve Ordinance No. 60-20, a City-initiated amendment to the Land Development Regulations (LDR) Section 4.6.9 “Off-Street Parking Regulations,” Section 4.6.9 (D) “Design Standards,” to establish regulations that govern certain aspects of reserved parking spaces.

Background:
The LDRs do not currently provide regulations that govern marking and signage for the

reserving/designating the use of parking spaces within parking lots and garages, except for handicap spaces. With the changes in the commercial industry, particularly retail and restaurant establishments, the demand to demarcate temporary parking spaces for curbside pickup of purchases and other specific activities has increased. The COVID-19 pandemic has brought further changes in consumer behavior in past months due to social distancing practices and business capacity limitations, which has increased the demand for reserved parking spaces. The proposed text amendments provide guidance for both applicants and staff to facilitate the issuance of permits for this type of signage for businesses.

The proposed text amendments are based on current trends and needs, as well as conditions observed in Delray Beach and other nearby municipalities. Staff has evaluated several commercial establishments located in different areas within the City that currently have installed reserved spaces for pick-up activities or designated spaces for specific establishments. Some of the conditions observed include signs located within the vehicular drive aisles, signs within required parking spaces, additional striping painted beyond the traffic directional striping, and an excessive number of signs or asphalt markings. The proposed regulations provide standards to both allow a percentage of parking spaces to be reserved and to regulate the associated signage and markings to prevent potential traffic impacts, reductions in visibility, or aesthetic concerns from occurring. In addition, re-organization of some existing text, without changing the current requirements, is included in the ordinance to improve the clarity of the code.

Pursuant to **LDR Section 2.4.5(M)(5), Findings,** the City Commission must make a finding that the text amendment is consistent with and furthers the Goals, Objectives and Policies (GOP) of the Comprehensive Plan.

The following policies from the Always Delray Comprehensive Plan support the proposed amendments.

- **Healthy Community Element, Goal 3, Reduction of Health Risk Factors**. *Reduce exposure to health risk factors at home, the environment, and society.*

- **Economic Prosperity Element, Policy ECP 2.5.1.** *Support organizations and entities to promote social responsibility within their business*.

- **Neighborhoods, Districts, and Corridors Element, Objective NDC 3.5**. *Regularly review and update the Land Development Regulations to provide timely, equitable and streamlined processes including, but not limited to, building permit processes for residential developments and to accommodate mixed-use developments, address market changes and development trends, and other innovative development practices*.

The Planning and Zoning Board reviewed this proposal on October 19, 2020 and voted 4 to 3 to recommend approval. Please note, the original proposal was presented to the Board with proposed revisions to the sign code related to signs projecting into the public right-of-way. The original ordinance (Ordinance No. 53-20) was subsequently divided into two separate ordinances (Ordinance No. 53-20 and Ordinance 60-20). The Board expressed no concerns with the content of proposed amendment regarding reserved parking spaces.

City Attorney Review:

Ordinance No. 60-20 was approved to form and legal sufficiency.

Funding Source/Financial Impact:
N/A

Timing of Request:
Second reading is anticipated on December 8, 2020.