



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	9/22/2017	<b>In control:</b>		City Commission	
<b>On agenda:</b>	10/17/2017	<b>Final action:</b>			
<b>Title:</b>	ORDINANCE NO. 39-17: A CITY-INITIATED AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS (LDR) TO AMEND SECTION 4.4.13(I)(2) TO NOT REQUIRE ADDITIONAL PARKING FOR A CHANGE OF USE IN AN EXISTING BUILDING FOR A PERIOD OF THREE YEARS. (FIRST READING)				
<b>Sponsors:</b>	Planning & Zoning Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Ord 39-17 CBD Regulations - West Atlantic - Parking Requirements for Changes in Commercial Use 09.22.17, 2. LDR Section 4.4.13_CBD 2015 3, 3. LDR Section 4.4.13_CBD 2015 7, 4. PZB Report--W Atlantic Parking LDR Amendmetn 09.14.pdf				

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning and Building Director  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** October 17, 2017

ORDINANCE NO. 39-17: A CITY-INITIATED AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS (LDR) TO AMEND SECTION 4.4.13(I)(2) TO NOT REQUIRE ADDITIONAL PARKING FOR A CHANGE OF USE IN AN EXISTING BUILDING FOR A PERIOD OF THREE YEARS. (FIRST READING)

### **Recommended Action:**

Motion to Approve Ordinance No. 39-17, as presented, by adopting the findings of fact and law contained in the staff report and finding the text amendment and approval

### **Background:**

The West Atlantic Neighborhood is part of the area now branded as The Set. The Set also includes the Northwest and Southwest Neighborhoods. The proposed LDR amendments are only for the portion of The Set which is defined as the West Atlantic Sub-district in the Central Business District. A map of this area is attached.

As part of The Set Transformation Plan, there have been extensive conversations with regard to strategies to encourage investment and additional economic activity in The Set, such as the proposed LDR amendment. These strategies are supported by the adopted Community Redevelopment Plan and various city planning documents.

The proposed LDR amendment has been initiated recently as the result of numerous local

entrepreneurs and small business owners who have expressed interest in establishing their businesses in The Set. For conversions of use from retail or office to restaurant of existing commercial buildings, additional parking must be addressed. This is often in the form of in lieu parking (\$4,600 per parking space) as the spaces cannot be provided otherwise (constructing new parking, or entering into an off-site parking agreement with a nearby property owner). This expense is in addition to the costs of the interior improvements and upgrades for the business.

Pursuant to the adopted Community Redevelopment Plan, Project Objectives of the West Atlantic Avenue Redevelopment Plan include:

- Encourage economic growth, redevelopment and minority business development.
- Increase job opportunities within the West Atlantic redevelopment area and surrounding neighborhoods.
- Promotion of businesses which serve the neighborhoods residents
- Development of programs, events and projects which attract new consumers to the Avenue.

It is noted a major component of the W. Atlantic Avenue Redevelopment Plan includes site acquisition by the CRA for construction of centralized parking facilities to serve the surrounding areas. This has been an ongoing effort with the CRA constructing or providing funding for the construction of public parking facilities in The Set. This program assists small businesses to address their parking needs and supplements private sector parking.

The amendment is also supported by the 2010 Parking Management Plan, which states the City can build public parking facilities at strategic locations within the West Atlantic Neighborhood, similar to the ones in the downtown core and the Beach District, and waive/reduce parking requirements for businesses within a specified distance of public parking facilities. The CRA would like to promote private investment through implementation of parking and other development incentives to attract businesses within the District.

It is recommended the amendment to the Land Development Regulations is only effective for a period of three years, unless it is extended by the City Commission. This would provide for the assessment at that time to determine if the anticipated outcomes are being realized and if adjustments need to be made based upon the redevelopment activity.

The Planning & Zoning Board considered this amendment on September 18, 2017, and recommended approval (6-0).

The Community Redevelopment Agency considered this amendment on September 18, 2017, and the consensus supported the proposal.

The Downtown Development Authority considered this amendment at their October 9, 2017 meeting, and recommended \_\_\_\_\_.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

Several businesses are waiting for this amendment to be approved to move forward with occupying space on West Atlantic Avenue.