



## Legislation Details (With Text)

**File #:** 18-036      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 1/5/2018      **In control:** City Commission

**On agenda:** 2/6/2018      **Final action:** 2/6/2018

**Title:** ORDINANCE NO. 01-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING SECTION 4.6.9 "OFF-STREET PARKING REGULATIONS", SUBSECTION 4.6.9(C)(2) "REQUIREMENTS FOR RESIDENTIAL USES", TO PERMIT ONE PARKING SPACE TO BE LOCATED IN EITHER THE FRONT SETBACK AREA OR SIDE STREET SETBACK AREA FOR LOTS LESS THAN 60 FEET WIDE AND DO NOT HAVE ALLEY ACCESS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

**Sponsors:** Planning & Zoning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Memo, 2. PZB Report--ORD 40-17 Parking Setbacks Final, 3. Ordinance No 01-18 Parking Setbacks REVISED 1.23.pdf

Date	Ver.	Action By	Action	Result
2/6/2018	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning and Building Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** February 6, 2018

ORDINANCE NO. 01-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING SECTION 4.6.9 "OFF-STREET PARKING REGULATIONS", SUBSECTION 4.6.9(C)(2) "REQUIREMENTS FOR RESIDENTIAL USES", TO PERMIT ONE PARKING SPACE TO BE LOCATED IN EITHER THE FRONT SETBACK AREA OR SIDE STREET SETBACK AREA FOR LOTS LESS THAN 60 FEET WIDE AND DO NOT HAVE ALLEY ACCESS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

### **Recommended Action:**

Motion to approve Ordinance No. 01-18 amending Land Development Regulations Section 4.6.9 (c)(2), as presented.

### **Background:**

The item before the City of Delray Beach City Commission is a city-initiated amendment to the Land Development Regulations (LDR) to allow one of the two required parking spaces for single family dwelling units within the front and side street setbacks for lots measuring less than 60 feet wide. The LDR currently requires each single family dwelling unit provide parking for two vehicles. These parking spaces can not be placed within the front and side street setback area. The proposed

amendment addresses the challenge of meeting the current location requirement for single family dwelling units on narrow lots. These narrow lots are primarily located in the areas east of Interstate 95 and created by the Town of Linton Plat. The amendment also limits the amount of paving permitted within the setback areas to ensure that an appropriate amount of landscape space is maintained in these areas.

In the last two years, the City of Delray Beach Board of Adjustment has approved four variances for parking in the front setback. Each of those lots measured less than 60 feet wide. The City's Local Housing Assistance Plan (LHAP) and the City of Delray Beach Housing Assessment Study both recommend this amendment to support workforce and affordable housing development of these narrower lots.

This proposed amendment addresses a strategy recommended in the LHAP to support workforce and affordable housing. It also allows for a better site layout for the house when a parking garage is not proposed. The proposed amendment does not allow parking in the front "yard" (or grassed area).

At the January 16, 2018 City Commission meeting, the City Commission directed staff to revise the proposed ordinance to address alley access. The proposed ordinance has been revised accordingly.

**Review by Others:**

The Community Redevelopment Agency (CRA) reviewed this item at the November 9, 2017 meeting and was supportive of the proposed amendment.

At its meeting of November 27, 2017, the Planning and Zoning Board recommended approval of the proposed amendment on a vote of 4 to 1.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

N/A