



## Legislation Details (With Text)

**File #:** 21-284      **Version:** 1      **Name:**

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

**File created:** 3/9/2021      **In control:** City Commission

**On agenda:** 4/6/2021      **Final action:** 4/6/2021

**Title:** ORDINANCE NO. 05-21: 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, BY AMENDING CHAPTER FOUR, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13, "CENTRAL BUSINESS DISTRICT (CBD)", SUBSECTION 4.4.13(I)(2)(j), "CBD PARKING STANDARDS", "MINIMUM NUMBER OF OFF-STREET PARKING SPACES", TO EXTEND THE EFFECTIVE DATE TO DECEMBER 31, 2024, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

**Sponsors:** Development Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Ord. No. 05-21, 3. Ord. No. 05-21 PZB Staff Report, 4. Justification Statement, 5. Applicable Area, 6. Simple Legal Review Approval 05-21, Extending Effective Date of 4.4.13(I)(2)(j)

Date	Ver.	Action By	Action	Result
4/6/2021	1	City Commission	approved	Pass

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Jennifer Alvarez, Interim City Manager  
**DATE:** April 6, 2021

ORDINANCE NO. 05-21: 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, BY AMENDING CHAPTER FOUR, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13, "CENTRAL BUSINESS DISTRICT (CBD)", SUBSECTION 4.4.13(I)(2)(j), "CBD PARKING STANDARDS", "MINIMUM NUMBER OF OFF-STREET PARKING SPACES", TO EXTEND THE EFFECTIVE DATE TO DECEMBER 31, 2024, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

### **Recommended Action:**

Review and consider Ordinance No. 05-21, a privately-initiated request to amend the Land Development Regulations (LDR) Section 4.4.13(I)(2), "Minimum number of off-street parking spaces," to extend the expiration date from April 3, 2021 to December 31, 2024 for the parking exemption applicable to a change in use for existing buildings located between SE 2nd Street and SE 3rd Street within the Railroad Corridor Sub-district.

### **Background:**

In 2018, the City Commission adopted Ordinance No. 02-18, to allow for changes of use in existing

buildings without requiring additional parking within the southern portion of the Railroad Corridor Sub-district of the Central Business District, which located between SE 2nd Street and SE 3rd Street within the CBD-RC Sub-district. The proposed privately initiated amendment seeks to extend the time frame of the existing parking exemption from April 3, 2021 to December 31, 2024.

The limited duration parking exemption was intended to encourage adaptive reuse and rehabilitation of existing buildings within this portion of the CBD. The proposed three-year time frame was intended to allow time for an assessment to determine if anticipated outcomes (incentives and support for local or small businesses) were being realized and if other adjustments were needed based upon the redevelopment activity. Since the exemption was adopted, no requests have been submitted to take advantage of the parking exemption for changes in use.

The attached Planning and Zoning Board staff report provides additional information regarding the adopted Osceola Park Neighborhood Redevelopment Plan Update, the Always Delray Comprehensive Plan, and on-street and off-street parking analysis.

The Parking Management Advisory Board reviewed the proposed LDR Amendment is on February 23, 2021; a recommendation of approval was provided on a vote of 3-0. The Planning and Zoning Board reviewed the proposed LDR Amendments at the meeting of January 25, 2021 and recommended approval by a vote of 7-0.

The City Commission reviewed the proposed LDR amendment on March 2, 2021 (first reading) and voted to approve 5-0.

**City Attorney Review:**

Approved to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The current parking exemption expired April 3, 2021.