Legislation Text

File #: 19-079, **Version:** 1

TO: **Mayor and Commissioners**
FROM: **Timothy Stillings, Development Services Director**
THROUGH: **Mark R. Lauzier, City Manager**
DATE: **February 12, 2019**

ORDINANCE NO. 08-19: 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 CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.5, "OVERLAY AND ENVIRONMENTAL MANAGEMENT DISTRICT", SECTION 4.5.13, "NORTH BEACH/SEAGATE AND OCEAN NEIGHBORHOOD OVERLAY DISTRICTS", TO ADOPT THE UPDATED BEACH PROPERTY OWNERS DESIGN MANUAL AND TO SPECIFY THAT THE REGULATIONS AND GUIDELINES OF THE BEACH PROPERTY OWNERS MANUAL ARE NOT APPLICABLE TO THOSE PROPERTIES LOCATED WITHIN A DESIGNATED HISTORIC DISTRICT OR WHICH ARE INDIVIDUALLY LISTED ON THE LOCAL REGISTER OF HISTORIC PLACES, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:
Motion to approve Ordinance No. 08-19 to amend Land Development Regulations Section 4.5.13 to adopt the updated Beach Property Owners Design Manual and to specify that the regulations and guidelines of the Beach Property Owners Manual are not applicable to those properties located within a designated historic district or which are individually listed on the Local Register of Historic Places by adopting the findings of fact and law contained in the staff report and finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M), as presented.

Background:
The proposed amendments adopt the updated Beach Property Owners Design Manual (Manual) and specify that it will be made available to the public on the City's website, and in the Development Services Department. The Manual has been updated following a three-year collaboration between the City's consultant, Alexis Knight Architects, and the Beach Property Owner's Association (BPOA). The BPOA has reviewed the final draft and supports the revisions.

Additionally, the Manual is not intended to be applied to those properties under the purview of the Historic Preservation Board (HPB), as guidelines and standards for historic preservation are not included in the manual. Therefore, the manual update clarifies the applicable review process and the LDR amendments have been included as part of the Ordinance.

The Planning and Zoning Board recommended approval of Ordinance No. 08-19 at its meeting of January 28, 2019.

City Attorney Review:
Approved as to form and legal sufficiency.

Funding Source/Financial Impact:
N/A

Timing of Request:
Adoption of the Manual will allow new development proposals to utilize the updated regulations.