File #: 20-909, **Version:** 1

TO:	**Mayor and Commissioners**
FROM:	**Anthea Gianniotes, Development Services Director**
THROUGH:	**Jennifer Alvarez, Interim City Manager**
DATE:	**November 10, 2020**

ORDINANCE NO. 29-20: 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 4.4, "BASE ZONING DISTRICT"; SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT", SUBSECTION (G), "CIVIC OPEN SPACES" AND SUBSECTION (I), "CBD PARKING SPACES", TO AMEND REQUIREMENTS FOR BICYCLE PARKING IN CIVIC OPEN SPACES, TO AMEND THE MINIMUM NUMBER OF BICYCLE PARKING SPACES, TO PROVIDE SPACE LOCATION AND STREETSCAPE, AND TO PROVIDE FOR SPACING REQUIREMENTS TO MEET SECTION 4.6.9 FOR LOCATION OF BICYCLE PARKING; AMENDING SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS," SUBSECTION (C), "NUMBER OF PARKING SPACES REQUIRED," SUBSECTION (D), "DESIGN STANDARDS," AND SUBSECTION (E), "LOCATION OF PARKING SPACES", TO AMEND REQUIREMENTS FOR THE NUMBER OF BICYCLE PARKING SPACES REQUIRED, CREATE BICYCLE PARKING TYPOLOGIES FOR SHORT AND LONG TERM PARKING, AND PROVIDE LOCATION AND SPACING REQUIREMENTS FOR BICYCLE PARKING; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

<u>Recommended Action:</u>
Review and consider Ordinance No. 29-20 on second reading, a City-initiated request to amend and update the Land Development Regulations (LDR) regarding the citywide requirements for bicycle parking and accompanying facilities.

The proposed ordinance is a City initiated amendment to LDR Section 4.4.13, Central Business District (CBD), and Section 4.6.9, Off-Street Parking Requirements, to modify the number of off-street bicycle spaces, type of bicycle racks, and accompanying facilities required, and address the appropriate placement and location for bicycles. The amendments are based on the review of several recent development proposals and create regulations that offer more frequently placed, convenient bicycle parking options both within the Central Business District and the rest of the city while promoting a more orderly streetscape.

The proposed changes affect requirements for off street bicycle parking in the following manner:
- Defines Type I (short term, outdoor racks) and Type II (long term) bicycle parking, modified from Association for Pedestrian and Bicycle Professionals guidelines;
- Lowers the required amount of Type I bicycle parking;
- Requires certain uses to add Type II (long term, indoor racks) bicycle parking, and showers and lockers if over a certain threshold, such as square footage or number of employees;

- Establishes gross square feet as the standard metric for bicycle parking standards;
- Reduces distances from bike rack parking location to primary building entrances (for instance, from 300 to 100 feet in the CBD); and
- Limits the percentage of bike racks located adjacent to an alley and within green space.

The **Downtown Development Authority (DDA)** reviewed the proposed LDR Amendments at its meeting of June 15, 2020; a recommendation to delay recommendation was provided. The DDA provided staff with requests to consider sponsorship opportunities for bicycle racks, reduce potential conflicts within the Sidewalk Café and streetscape in the CBD, and update the proposed LDR amendment to have uses within hotels match the requirements those of other uses.

The **Pineapple Grove Main Street** committee reviewed the proposed LDR Amendments at its meeting of July 1, 2020; a recommendation of approval was provided with the suggestions that wayfinding be provided to any non-conspicuous bicycle parking, and that artistic bicycle racks continue to be allowed.

City staff also presented the proposed LDR amendments to the **Chamber of Commerce Government Affairs Advocacy Committee** at its meeting of July 10, 2020; the Committee offered suggestions regarding signage and differences to be noted between downtown and rest of City, and requirement for lockers and showers; also need to distinguish between new construction, teardowns and renovations.

The **Parking Management Advisory Board** reviewed the proposed LDR Amendments at its meeting of August 25, 2020; a recommendation of approval was provided with the suggestions to continue allowing artistic bicycle racks in the City.

The **Site Plan Review and Appearance Board** reviewed the proposed LDR Amendments at its meeting of August 26, 2020; and while this presentation did not include a request for a vote, the Board did welcome the option to utilize artistic bicycle racks.

The **Green Implementation Advancement Board** reviewed the proposed LDR Amendments at its meeting of September 17, 2020. Comments were submitted via email related to the necessity to provide safe connections to the downtown from other neighborhoods within Delray Beach.

NOTE: Not all of the recommended changes above were adopted, the following changes were incorporated based on Board input:

- Restaurants, retail, office, or other uses associated with hotel developments now have the same requirements for those uses in addition to the hotel use.
- Artistic bicycle racks are allowed on private property and prohibited in public rights-of-way.

The **Planning and Zoning Board** reviewed the proposed LDR Amendments at its meeting of September 21, 2020 and recommended approval 7 to 0 with amendments to include safety in the design of showers and indoor bicycle parking; these comments have been incorporated into the final ordinance.

On October 20th, at the first reading of these amendments, the proposed size of developments in the CBD that would be required to provide shower facilities (7,500 sf.) was questioned and examples

from other cities were requested. Staff researched the City of West Palm Beach, Town of Jupiter, and City of Boca Raton and also consulted best practices references.

- The City of West Palm Beach requires shower facilities for developments ranging from 30,000 sf to 50,000 sf, depending on location in the City. However, due to the Transportation Demand Management strategies, some developments at smaller sizes have included shower facilities, such as the Downtown Development Authority and Palm Beach County Transportation Planning Agency; both installed shower facilities in the historic buildings in which they are located. Restoration Hardware, which is located on Okeechobee Boulevard, provided shower facilities for its retail and restaurant workers.

- Jupiter has required shower facilities in the Abacoa Workplace Subdistrict in nine developments with a wide range of uses, including shops, medical offices, office space, retail, and restaurant. The code does not contain a standard keyed to size of development.

- The City of Boca Raton requires both short term and long term bicycle parking. Shower facilities are achieved through the application of Transportation Demand Management strategies. The Office Depot Headquarters in Boca Raton was required to install showers as a component of the development.

Two professional organizations provide typical conditions for when shower facilities are recommended:

- The Association of Pedestrian and Bicycle Professionals recommends Grocery Stores provide indoor bicycle parking at a rate of 1 per 10,000 square feet and also recommends providing showers in areas of either high demand or with extreme weather (such as extreme heat).

- The US Green Building Council recommends shower facilities for any project with over 100 occupants, including large-occupancy projects, commercial or institutional projects, or a mixture thereof.

The ordinance has been amended to require shower facilities for retail, restaurants and bars, and grocery stores greater than 10,000 sf in the CBD and greater than 20,000 sf in other areas of the City. For reference, a chain pharmacy is generally 10,000 to 15,000 sf, a Publix grocer ranges from 27,000 sf. to over 65,000 sf.

City Attorney Review:
City Attorney has approved as to form and legal sufficiency.

Funding Source/Financial Impact:
N/A

Timing of Request:
N/A.