



Legislation Text

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TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: October 12, 2021

EXPANSION OF THE CENTRAL BUSINESS DISTRICT (CBD) ZONING ALONG SE 5TH AND 6TH AVENUES, FROM SE 4TH STREET TO SE 10TH STREET, AND ESTABLISHMENT OF THE SOUTH PAIRS NEIGHBORHOOD SUB-DISTRICT

Recommended Action:

Discuss and provide direction on the proposed Land Use Map Amendments, Rezoning, and Land Development Regulations (LDR) Amendments associated with the expansion of the Central Business District along SE 5th and 6th Avenues, from SE 4th Street to SE 10th Street.

Background:

On September 9, 2018, the City Commission approved Resolution No. 110-18, to enter into an Interlocal Agreement with the Treasure Coast Regional Planning Council (Consultants) for the provision of planning services to facilitate the expansion of the Central Business District (CBD) zoning designation boundary south, from SE 4th Street to SE 10th Street along SE 5th Avenue and SE 6th Avenue. The intent of the CBD expansion is to use the Land Development Regulations (LDR) to provide a higher level of design criteria for future development and encourage investment in the area, while providing compatible transitions between the commercial corridor and the adjoining residential neighborhoods.

This effort has had multiple meetings to gather community input:

1. On November 8, 2018, the concept of extending the CBD in this area was introduced to local stakeholders in a public workshop.
2. On January 10, 2019, a public workshop was held to gain public input on the proposed expansion of the CBD in the area.
3. On March 14, 2019, a public workshop was held focusing on the Osceola Park neighborhood, which included discussion on appropriate transitions between the neighborhood and commercial corridor.
4. On August 29, 2019 another public workshop was held; however, participation was limited by the approach of Hurricane Dorian. The consultants and City Staff met with individuals and small groups who could not attend the August workshop to gain further input.
5. On October 21, 2019, the Planning and Zoning Board reviewed the proposed LDR Amendments in

a heavily attended meeting and recommended approval 7-0 with the recommendation that the City Commission consider further restricting certain uses such as adult gaming centers, astrologists, and temporary car lots. Please note that most of the current uses allowed in the GC zoning district were carried forward for the new Sub-district to maintain the properties' current land uses and to prevent the creation of non-conformities. The "Adult Gaming Center" use is not carried forward as an allowed use as no such established businesses with active Business Tax Receipts exist in the area. The Board discussed the use listed as, "Astrologist, clairvoyants, fortune tellers, palmists, phrenologists, psychic reads, spiritualists, numerologists, and mental healers" category; this use was carried forward as one established business is located along SE 5th Avenue with a valid Business Tax Receipt. Temporary Parking Lots are the subject of individual City Commission approval and, as such, are not prohibited via the allowable uses in this zoning district.

6. On February 11, 2020, the City Commission considered the subject request at a public hearing (as Ordinance No. 06-20) and voted 5 to 0 to approve on First Reading; however, further review and consideration was delayed due to restrictions resulting from the Covid-19 State of Emergency.

7. On July 6, 2021, First Reading of Ordinance Nos. 18-21 (Land Use Map Amendment), 19-21 (Rezoning), and 20-21 (LDR amendments) was held regarding the effort to expand the Central Business District (CBD) along SE 5th and 6th Avenues to SE 10th Street. The City Commission determined that a workshop should be held to provide a more focused and in-depth discussion of the proposed regulations.

The consultant identified three distinct conditions in the area considered for CBD rezoning that are addressed in the LDR. Condition A reflects the area on the west side of southbound South Federal Highway (SE 5th Avenue); this area generally has an alley separating the commercial uses along SE 5th Avenue and the adjacent single-family neighborhood to the west. Condition B reflects the central block area located between the South Federal Highway pairs (SE 5th Avenue and SE 6th Avenue); this block does not adjoin a residential neighborhood. Each avenue of the South Federal Highway pairs accommodates multi-lane through traffic as well as local trips. Condition C reflects the area on the east side of northbound South Federal Highway, between SE 6th Avenue and SE 7th Avenue; this area has the fronts of houses on SE 7th Avenue facing the backs of the commercial uses facing SE 6th Avenue. To date, current LDR limit vehicular access to the commercial properties from the residential street, and landscaping in varying levels of condition provides a buffer for the neighborhood.

There are currently four sub-districts of the CBD, each providing regulations that reflect the unique characteristics of each area: the Central Core Sub-district, the Beach Sub-district, the West Atlantic Neighborhood Sub-district, and the Railroad Corridor Sub-district. Some Sections of the CBD regulations, like Architectural Standards, apply to all districts, while other regulations, such as density and uses, vary slightly among the sub-districts. To provide regulations that address the unique conditions of the area, the proposed LDR text amendments establish a fifth CBD Sub-district, the South Pairs Neighborhood Sub-district. This sub-district has specific regulations related to the area, including greater front setbacks along South Federal Highway than required in the downtown core, as well as standards related to the three identified conditions:

Condition A: The adjoining neighborhood is separated by the commercial properties by a rear alley or with the backs of lots adjoining. A density incentive is proposed to encourage three-story townhouses or live work units between the Osceola Park neighborhood and South Federal Highway.

The intent is to encourage lower scale buildings with residential uses to the area. The proposed incentive increases the density from 12 du/ac to 22 du/ac for redevelopment similar in scale to Mallory Square (located directly to the north of the new Sub-district).

Condition B: This central area of the sub-district was identified as able to handle more density and intensity than the areas abutting neighborhoods. Hotels are permitted in this area as conditional uses, but not in the other areas, and the overall building height is slightly higher (but still limited to four stories) to accommodate potential office development. A limited duration incentive increase density from 12 du/ac up to 50 du/ac for the next four years (until December 31, 2025) to spur investment and create new workforce housing options.

Condition C: The adjoining neighborhood has houses facing the backs of commercial properties. No density incentives are offered in this area primarily due to limitations by the Florida Statutes for properties located within the Coastal High Hazard Area. Additional landscaped buffering is required to continue the palm cluster plantings along SE 7th Avenue over time to shield the adjoining Del Rios Shores neighborhood from commercial uses.

City Attorney Review:

N/A

Funding Source/Financial Impact:

N/A

Timing of Request:

Second Reading of Ordinance Nos. 18-21 (Land Use Map Amendment), 19-21 (Rezoning), and 20-21 (LDR amendments) is anticipated to occur at the City Commission meeting of December 7, 2021.