
INTEROFFICE MEMORANDUM

TO: PLANNING AND ZONING MEMBERS
FROM: JEFF BOWMAN, DEVELOPMENT SERVICES DIRECTOR
SUBJECT: PROPOSED AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT CODE (PARKING AND SIGNS)
NOVEMBER 17, 2010 P&Z MEETING
DATE: 11/1/2010

Staff has scheduled a Workshop and prepared two (2) items for you to review and provide input. A draft of your recommendations regarding the two (2) items will be assembled for your review at your next meeting following the November 17, 2010 meeting.

Brief Synopsis of Each Agenda Item

Item # 1. Changes in required parking requirements and general public parking requirements.

At the June 23, 2010 Commission Roundtable, staff was given direction to research alternatives to provide more flexibility and options for Businesses to meet their required parking requirements. In addition, we were asked to evaluate the request to allow private property owners to offer parking to the public in limited circumstances.

At the October 26, 2010 Commission Roundtable staff provided the Commission with options provided by Planning Consultant Walter Keller (**Exhibit 1**) along with a copy of Delray Beach's Code that already incorporates some of the options. Staff was given direction to send the information to you and for you to provide recommendations that would accomplish the above goal. The options listed below are not inclusive.

For your reference, attached are the current Town Parking Regulations (**Exhibit 2**). The suggested recommendations in the Keller Report are:

1. Streamline the approval process for Businesses moving into existing store front space by no longer requiring them (a) to go to the Board of Adjustment and (b) providing a parking study. Staff feels the parking study exception should be limited to properties with a small number of required parking spaces. (Town Code Section 30-321)
2. Allow "paid private parking" as a Conditional Use for certain parcels that exceed the minimum required parking regulations. (Town Code Section 30-319)
3. Allow "shared", "parking exempt", "reduced parking", or other parking mechanisms. Possibly by zones. The Town staff opposes designating a parking exempt zone as (a) implementation of the Master Plan is likely to eliminate some on street parking in the downtown area (b) exempt zones place the burden of cost to develop parking on the

municipality. The Town would need to build up a fund to provide more parking before such a provision could be enacted (See #4 below, which provides a means to do that). (Town Code Section 30-314)

4. Consider instituting a one-time parking fee (“In-Lieu Fee”) for businesses that can’t provide all of their required parking. (Town Code Section 30-314)

Also provided is a copy of Delray Beach’s Parking Code (**Exhibit 3**), which is an example of how another city has implemented similar measures. The following references are in the same order as the recommendations above.

1. Reduction Allowed (Page 4.6 – 59)
2. Shared Parking (Page 4.6 – 42 & 4.6 – 59)
3. In-Lieu Fee (Page 4.6 – 52 & 53)

Other items addressed in the Delray Code and not the Town’s Code are:

1. Mechanical lifts (Page 4.6 – 50)
2. Bicycle parking (Page 4.6 – 36)
3. Differing hours of operation (4.6 – 42)

Paid private parking as a conditional use is not addressed in the Delray Beach Code.

Item #2. Sign Regulations

On July 27, 2010, the Town Commission approved Resolution 2010-16 and the Notice of Intent on August 25, 2010 (**Exhibit 1**) to move forward with amending Chapter 30, Article VIII, Sign Regulations, of the Town’s Code of Ordinances. These revisions to the sign code enhance severability provisions, resolve internal conflicts, and enhance defensibility in light of recent case law. Several changes were also proposed to address inconsistencies in the code.

As you know the Planning and Zoning Board reviewed the proposed ordinance amendments (**Exhibit 2**) and recommended approval at its September 15, 2010 meeting.

At the October 12, 2010 Town Commission meeting the Commission voted in favor to send the item back to the Planning and Zoning Board with direction that they do not want to make piecemeal revisions to the sign code, but to do a comprehensive rewrite of the sign code that involves the business community’s input. The Town Manager has asked me to point out that the sign code should be consistent with the Town and Chamber’s branding efforts and the aesthetic design issues that will be defined as we update the Master Plan. Staff attached (**Exhibit 3**) a clean copy of the current code for your convenience.

Also attached is the Resolution and Notice of Intent that the Commission will consider on November 9, 2010.

Please contact me (954-776-3611) if you have any questions. Thank you.