

ORDINANCE NO. 28-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING A PARCEL OF LAND MEASURING APPROXIMATELY 0.61 ACRES LOCATED AT THE NORTHWEST CORNER OF NORTHEAST 7<sup>TH</sup> STREET AND NORTHEAST 7<sup>TH</sup> AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT TO CENTRAL BUSINESS (CBD) DISTRICT; AMENDING THE “CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021” AND FURTHER AMENDING FIGURE 4.4.13-B-1, “CENTRAL CORE AND BEACH SUB-DISTRICTS REGULATING PLAN” IN SECTION 4.4.13, “CENTRAL BUSINESS (CBD) DISTRICT,” OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Dockfly, LLC (the “Owner”) is the owner of a parcel of land measuring approximately 0.61 acres, located at the Northwest corner of Northeast 7<sup>th</sup> Street and Northeast 7<sup>th</sup> Avenue (“Property”), as more particularly described in Exhibit “A”; and

WHEREAS, the Owner designated Jeff Costello of JC Planning Solutions (“Applicant”) to act as its agent; and

WHEREAS, the Property is shown on the City of Delray Beach Zoning Map, dated July 6, 2021, as being zoned Medium Density Residential (RM); and

WHEREAS, the Applicant requested a rezoning of the Property to Central Business (CBD) District, as depicted in Exhibit “B”; and

WHEREAS, the Applicant requested that the Property be incorporated into the Central Core and Beach Sub-district; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as Local Planning Agency, considered this item at a public hearing on April 20, 2026, and voted to to recommend that the zoning designation be changed for the Property hereinafter described, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations; and

WHEREAS, the City Commission considered the rezoning request and has considered the respective findings as set forth in the Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. The City Commission of the City of Delray Beach finds that Ordinance No. 28-26 is consistent with the Comprehensive Plan, meets the Criteria set forth in the Land Development Regulations, and the designation of Central Business District is appropriate for the Property and in the best interest of the City.

Section 3. The Zoning District Map of the City of Delray Beach, Florida, upon the effective date of this Ordinance, be, and the same is hereby, amended to reflect a zoning classification of Central Business District for the property described in Exhibit "A", as shown on the map in Exhibit "B", attached hereto and incorporated herein.

Section 4. The Central Core and Beach Sub-district Regulating Plan, as shown in Figure 4.4.13-B-1 in Section 4.4.13, "Central Business (CBD) District," of the Land Development Regulations shall, upon effective date of this Ordinance, be amended as shown in Exhibit "C" to conform with the provisions of Section 2 hereof.

Section 5. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 6. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 7. This Ordinance shall become effective concurrent with the effective date of Ordinance No. 27-26, amending the Land Use Map for the Property. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

Section 8. The City Clerk, or designee, is directed to send a certified copy of this Ordinance to Jeff Costello, JC Planning Solutions, at 981 Delray Lakes Drive, Delray Beach, FL 33444.

PASSED AND ADOPTED in regular session on second and final reading on this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Alexis Givings, City Clerk

\_\_\_\_\_  
Thomas F. Carney, Jr., Mayor

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Approved as to form and legal sufficiency:

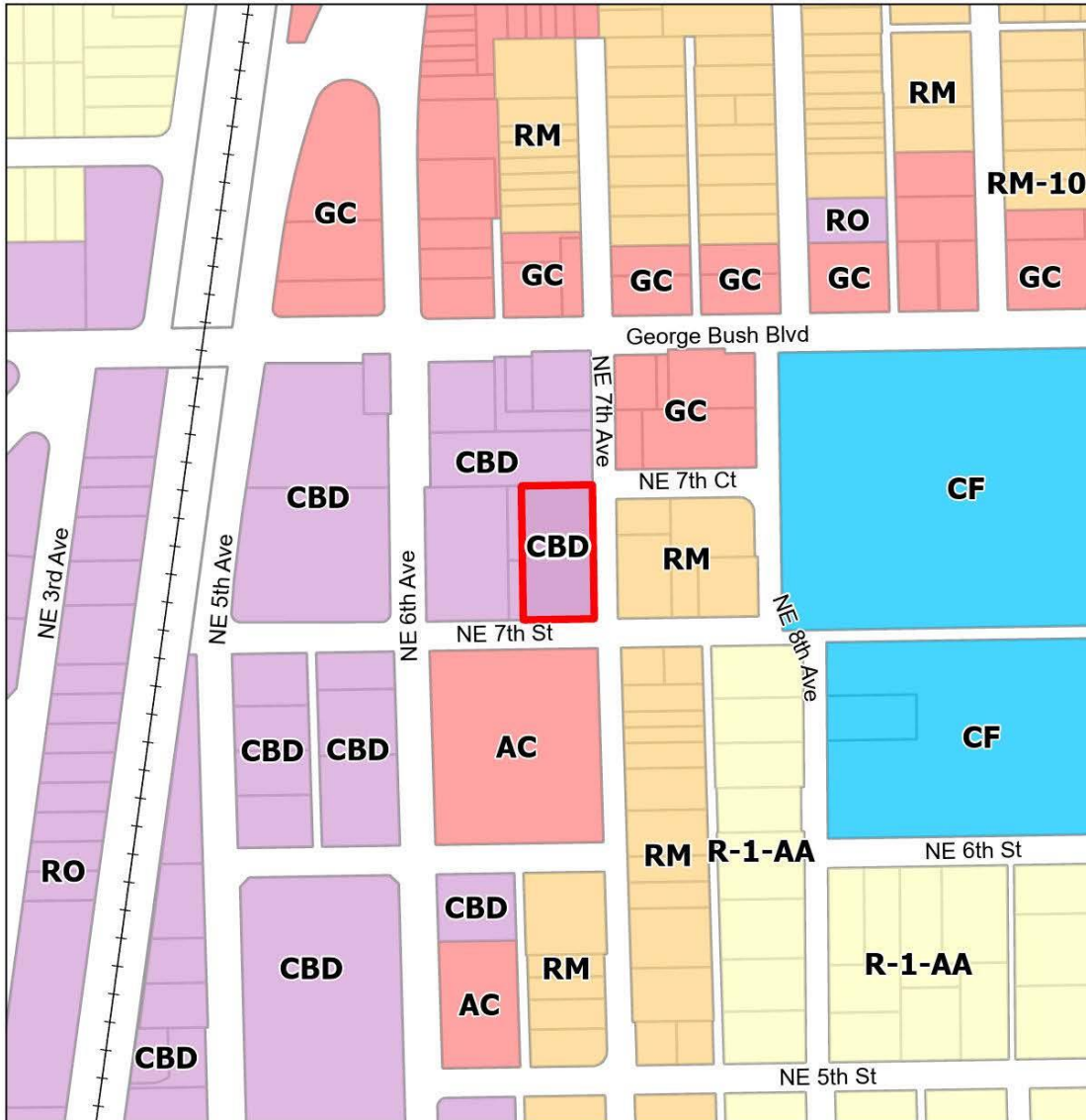
\_\_\_\_\_  
Lynn Gelin, City Attorney

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

LOT 15, LESS THE WEST 24 FEET THEREOF; LOTS 16, 17, 28, AND 29, LOT 30, LESS THE WEST 24 FEET THEREOF; AND THAT PART OF THE SOUTH HALF OF THE ABANDONED RIGHT OF WAY FOR N.E 7<sup>TH</sup> COURT ABANDONED BY THE CITY OF DELRAY BEACH RESOLUTION NO. R-74-656 RECORDED IN OFFICIAL RECORD BOOK 2347, PAGE 604, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING ADJACENT TO SAID LOTS 28, 29 AND LOT 30, LESS THE WEST 24 FEET THEREOF, ALL LYING AND BEING IN MCGINLEY AND GOSMAN'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 87, PUBLIC RECORDS OF PALM BAECH COUNTY, FLORIDA.

PCN: 12-43-46-09-32-000-0151

## EXHIBIT "B" PROPOSED ZONING



### Proposed Zoning

Subject Parcel	Medium Family Residential	Mixed-Use
Single Family Residential	Commercial	Community Facilities

**EXHIBIT "C"**  
**FIGURE 4.4.13-B-1 CENTRAL CORE AND BEACH SUB-DISTRICTS REGULATING PLAN**

