

1 DRAFT

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3 ORDINANCE

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7 AN ORDINANCE OF THE CITY OF DELRAY BEACH CONSIDERING AN  
8 AMENDMENT TO SECTION 4.4.9 (D) CITY CODE REGARDING  
9 CONDITIONAL USES IN THE GENERAL COMMERCIAL (CG) DISTRICT;  
10 AMENDING SECTION 4.4.9 (D) CITY CODE BY ADDING A NEW SUBSECTION  
11 (22) PROVIDING THAT NEW AND USED MOTORCYCLES AND SCOOTERS  
12 SALES WITH ENGINE SIZE NOT EXCEEDING 1250 CUBIC CENTIMETERS  
13 MAY BE CONDITIONALLY APPROVED ON PARCELS NOT GREATER THAN  
14 1.5 ACRES; FURTHER PROVIDING DEVELOPMENT STANDARDS FOR  
15 MOTORCYCLE AND SCOOTER SALES; PROVIDING FOR SEVERABILITY;  
16 PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE.  
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18 WHEREAS, the City Commission finds that in certain instances motorcycles sales may be in  
19 accordance with the general spirit and purpose of the General Commercial (CG) District; and  
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21 WHEREAS, in order to protect residential communities nearby to location where motorcycle and  
22 scooter sales may be conditionally approved that certain development standards must be maintained;  
23 and  
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25 WHEREAS, the City Manager has provided a recommendation; and  
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27 WHEREAS, the Planning and Zoning Board, after notice and public hearing, has provided its  
28 recommendation; and  
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30 WHEREAS, the City Commission has held a public hearing as required by City Code and State  
31 Statutes;  
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33 NOW THEREFORE;

34 THE CITY OF DELRAY BEACH HEREBY ORDAINS:

35 Section 1. Section 4.4.9 (D) is amended to add a new subsection (22) to read as  
36 follows:

37 “(22) New and used Motorcycles and Scooter Sales with engine size not exceeding 1250 cubic centimeters  
38 provided that: (a) all test rides must be on adjoining commercial streets; (b) the parcel upon which the  
39 use is conditionally approved cannot be greater than 1.5 acres; (c) no repairs on site; and (d) no outdoor  
40 display of Motorcycles and Scooters for sale.”

41 Section 2. If any section, subsection, clause, or provision of this ordinance is held  
42 invalid, the remainder shall not be affected by such invalidity.

43                    Section 3.        All ordinances and resolutions or parts of ordinances and resolutions and  
44 all sections and parts of sections in conflict herewith shall be and hereby are repealed.

45                    Section 4.        This ordinance shall take effect immediately upon adoption.

46                    PASSED AND ADOPTED by the City Commission of the City of Delray Beach this \_\_\_\_ day of  
47 \_\_\_\_\_, 2021.

CITY OF DELRAY BEACH, FLORIDA

49 ATTEST:

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Shelly Petrolia, Mayor

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53 \_\_\_\_\_  
54 Katerri Johnson, City Clerk

Approved as to form:

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Lynn Gelin, City Attorney

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