

ORDINANCE NO. 27-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING PARCELS OF LAND MEASURING APPROXIMATELY 0.61 ACRES LOCATED AT THE NORTHWEST CORNER OF NORTHEAST 7TH STREET AND NORTHEAST 7TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MEDIUM DENSITY, 5 – 12 DWELLING UNITS / ACRE TO COMMERCIAL CORE PURSUANT TO THE PROVISIONS OF THE “COMMUNITY PLANNING ACT”, FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (“City”) exercised the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, inclusive, known as the "Community Planning Act"; and

WHEREAS, in passing Ordinance No. 19-19, the City Commission adopted the Always Delray Comprehensive Plan, including the City Land Use Map; and

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 7th Street and Northeast 7th 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 has a Land Use Map Designation of Medium Density (MD); and

WHEREAS, Applicant requested a small-scale Land Use Map Amendment redesignating the Property to Commercial Core (CC), as depicted in Exhibit “B”; 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 March 16, 2026 and voted to to recommend that the Land Use Map 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 held all duly required public hearings prior to submission of the proposed amendment of the plan to the State Land Planning Agency of the Florida Department of Economic Opportunity (DEO), in accordance with Chapter 163.3184, Florida Statutes, for a small-scale comprehensive plan amendment; and

WHEREAS, the City Commission considered the Land Use Map Amendment 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. 27-26 is consistent with the Comprehensive Plan, meets the Criteria set forth in the Land Development Regulations, and is in the best interest of the City.

Section 3. The City Commission of the City of Delray Beach, Florida, hereby declares its intent to exercise the authority granted pursuant to the provisions of Sections 163.3161 through 163.3248, Florida Statutes, inclusive, known as the “Community Planning Act.”

Section 4. The Land Use Map of the City of Delray Beach, Florida, be, and the same is hereby, amended to reflect a Land Use Map designation of Commercial Core (CC) for the Property described in Exhibit “A”, as depicted in Exhibit “B”, attached hereto and incorporated herein.

Section 5. The Land Use Map of the City of Delray Beach, Florida, shall, upon the effective date of this Ordinance, be amended to conform to the provisions of Section 4 hereof.

Section 6. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 7. 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 8. This Ordinance shall become effective thirty-one (31) days after adoption, unless the Comprehensive Plan Amendment is timely challenged. If timely challenged, the effective date of this Ordinance shall be the date a final order is issued by the State Land Planning or the Administration Commission, finding the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this Amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

Section 9. 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

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

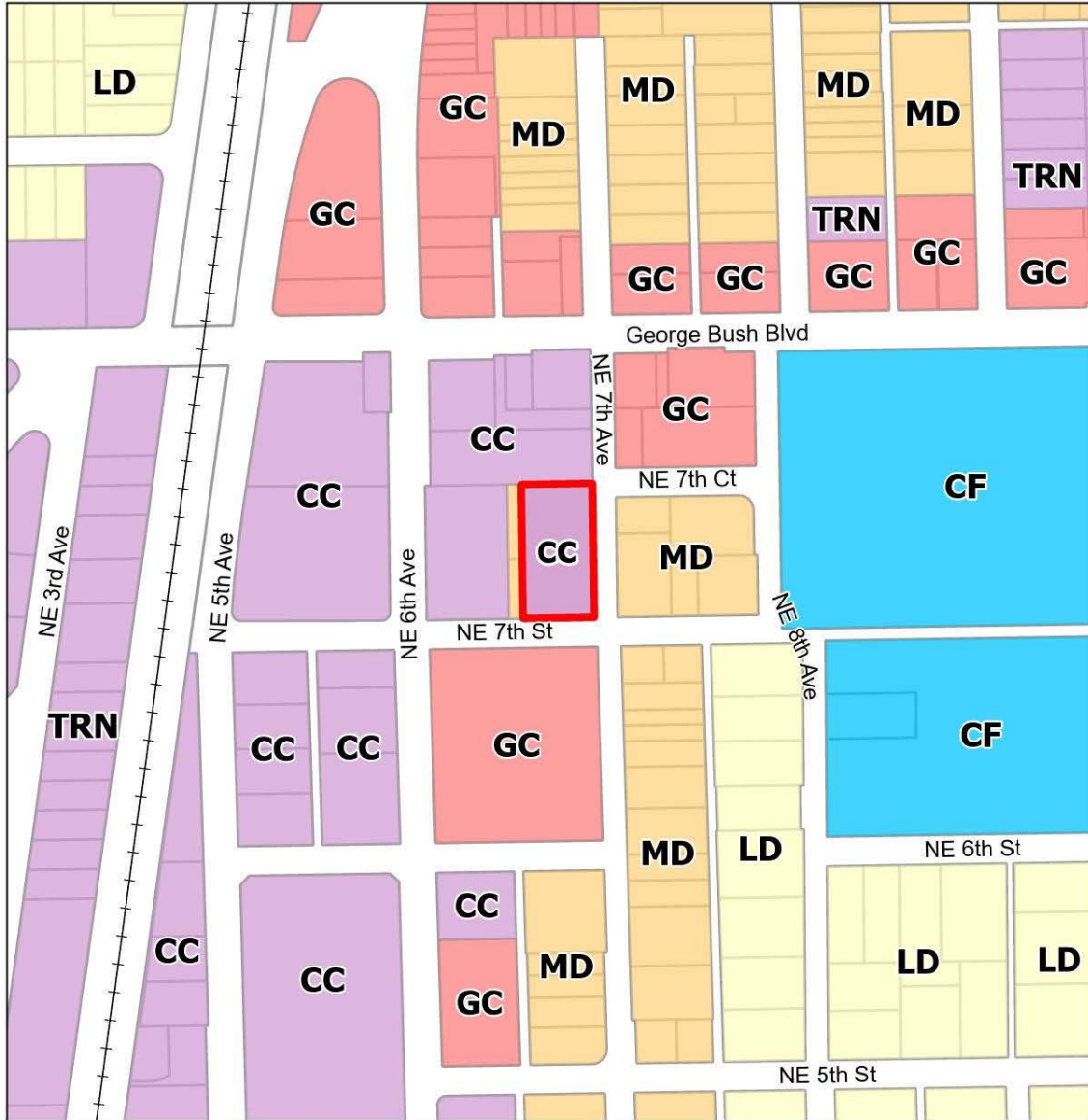
Second Reading _____

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 7TH 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 LAND USE



Proposed Land Use

 Subject Parcel	 Medium Density Residential	 Mixed-Use
 Low Density Residential	 General Commercial	 Community Facility

 **DEVELOPMENT SERVICES**
BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

0 100 200 400 Feet 