

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

[www.delraybeachfl.gov](http://www.delraybeachfl.gov)



## Regular Commission Meeting

Regular Meeting at 5:00 PM

Tuesday, April 8, 2025

Commission Chambers  
Delray Beach City Hall

### City Commission

*Mayor Thomas F. Carney, Jr.*

*Vice Mayor Rob Long*

*Deputy Vice Mayor Angela Burns*

*Commissioner Tom Markert*

*Commissioner Juli Casale*

## **RULES FOR PUBLIC PARTICIPATION**

**PUBLIC COMMENT:** City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

### **Public comment shall be allowed as follows:**

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

**SIGN IN SHEET:** Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

**ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

## **APPELLATE PROCEDURES**

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

**1. ROLL CALL****2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

3.A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:****4.A. "BOOTS ON THE GROUND" - VIDEO CONTEST - LET'S MOVE DANCE COMPETITION**

**Attachments:**      [Video Link](#)

**4.B. SPECIAL RECOGNITION IN MEMORY OF IRVING ADAMS, JR.**

**Sponsors:**            City Clerk Department

**Attachments:**        [Recognition - Irving Adams, Jr.](#)

**4.C. SPECIAL RECOGNITION OF PERRY DONFRANCISCO, DELRAY CITIZENS FOR DELRAY POLICE**

**Sponsors:**            City Clerk Department

**Attachments:**        [Recognition - Perry DonFrancisco](#)

**4.D. PRESENTATION OF RECOMMENDATION BY PUBLIC ART ADVISORY BOARD TO INITIATE A PILOT PROGRAM TO WRAP UTILITY BOXES IN THE DOWNTOWN AREA**

**Recommendation:** The City Commission is asked to receive a presentation from the Public Art Advisory Board regarding a pilot program to wrap utility boxes in the downtown area.

**Sponsors:**            City Manager Department

**Attachments:**        [Agenda Cover Report](#)

**4.E. PRESENTATION REGARDING OUTREACH PROGRAMS TO ASSIST LOCAL SMALL BUSINESS ENTERPRISES**

**Recommendation:** The City Commission, by consensus, requested a presentation from staff regarding potential programs that have been implemented and those that are being explored to assist local small businesses.

**Sponsors:**            City Manager Department

**Attachments:**        [Agenda Cover Report](#)

**5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:**

5.A. City Manager's response to inquiries and highlights

5.B. From the Public

## 6. CONSENT AGENDA: City Manager Recommends Approval

### 6.A. CITY COMMISSION MEETING MINUTES

**Recommendation:** Motion to approve meeting minutes as listed below:

March 11, 2025 Regular Meeting Minutes - DRAFT

March 27, 2025 Annual Organizational/Regular Meeting Minutes - DRAFT

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)

[March 11, 2025 Regular Meeting Minutes - DRAFT](#)

[March 27, 2025 Annual Organizational - Regular Meeting Minutes - DRAFT](#)

**6.B.** RESOLUTION NO. 56-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PURSUANT TO CHAPTER 100 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LANDS LOCATED WITHIN THE CITY OF DELRAY BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT AND LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENTS; PROVIDING FOR THE RECORDING OF THIS RESOLUTION, AND DECLARING SAID LEVY TO BE A LIEN UPON THE SUBJECT PROPERTY FOR UNPAID ASSESSMENTS.

**Recommendation:** Motion to approve Resolution No. 56-25, assessing costs for abatement action required to remove nuisances on one (1) property throughout the City.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)

[Resolution No. 56-25 - Nuisance Abatement Resolution](#)

[Resolution No. 56-25 - Exhibit A](#)

[Resolution No. 56-25 Nuisance Abatement - Backup](#)

[Resolution No. 56-25 - Legal Review](#)

- 6.C.** RESOLUTION NO. 76-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, SUPPORTING LEGISLATION THAT REQUIRES HANDS-FREE PHONE USE WHILE DRIVING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Motion to approve Resolution No. 76-25.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 76-25 - Hands-Free Driving Phone Use\\_Draft](#)  
[Legal Review Form - Res. No. 76-25](#)

- 6.D.** PROPOSED OFFER OF SETTLEMENT IN THE CASE OF ESTATE OF GARY RUSSELL GERBER

**Recommendation:** Motion to deny settlement for the reasons discussed in the confidential memo previously distributed to the City Commission.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)

- 6.E.** RESOLUTION 62-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE SETTLEMENT OF SHOEMAKER VS. THE CITY OF DELRAY BEACH, CASE NUMBER 50-2023-CA-000910-XXXX-MB PENDING IN THE CIRCUIT COURT OF PALM BEACH COUNTY RELATING TO A PORTION OF THE UNIMPROVED DAVIS ROAD RIGHT OF WAY AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Recommendation:** Motion to approve Resolution 62-25

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 62-25 FINAL](#)  
[Exhibit A to Resolution - Quitclaim Deed](#)  
[Exhibit B to Resolution- FINAL Settlement Agreement](#)  
[32625 ROW settlement sign](#)  
[21-039 SnL 3525 Lone Pine Rd - sl](#)

- 6.F.** ACCEPTANCE OF AN EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE AT 142 AND 152 SE 5TH AVENUE, ALSO KNOWN AS FIFTH AVENUE TOWNHOMES, TOTALING APPROXIMATELY TWO HUNDRED AND FOURTEEN SQUARE FEET (214), AS MORE PARTICULARLY DESCRIBED HEREIN.

**Recommendation:** Consider acceptance of a Easement Agreement for Pedestrian Clear Zone between the owner of 142 and 152 SE 5th Avenue, Fifth Avenue Delray LLC, and the City of Delray Beach.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Easement Agreement for Pedestrian Clear Zone - 142 and 152 SE 5th Ave - Fif](#)  
[Legal Review Easement Agreement for Pedestrian Clear Zone - 142 and 152 S](#)

- 6.G.** ACCEPTANCE OF A LANDSCAPE MAINTENANCE AGREEMENT FOR THE PROPERTY LOCATED AT 142 AND 152 SE 5TH AVENUE, ALSO KNOWN AS FIFTH AVENUE TOWNHOMES.

**Recommendation:** Acceptance of a Landscape Maintenance Agreement (LMA) for the property located at 142 and 152 SE 5th Avenue, known as Fifth Avenue Townhomes.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[142 SE 5TH Avenue-Landscape Agreement \(Updated Signature Page\)](#)  
[Legal Review Landscape Maintenance Agreement - 142 and 152 SE 5th Avenu](#)

- 6.H.** RESOLUTION NO. 77-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, TO OPPOSE PROPOSED STATE LEGISLATION CONTAINED IN SENATE BILL 954 AND HOUSE BILL 1163 REGARDING PREEMPTION OF REGULATIONS FOR RECOVERY RESIDENCES THAT SEEK, IN ALL RESPECTS, TO PREEMPT LOCAL ZONING OF RECOVERY RESIDENCES; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**Recommendation:** Consider adoption of Resolution 77-25 opposing proposed state legislation contained in Senate Bill 954 and House Bill 1163 regarding preemption of regulations regarding recovery residences.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 77-25](#)  
[Simple Legal Review Reso 77-25](#)  
[HB 1163 as amended thru 4.1.25](#)  
[SB 954 as amended 4.1.25](#)

- 6.I.** APPROVAL FOR ADDITIONAL SPENDING AUTHORITY WITH SYSCO FOOD SERVICES OF SOUTHEAST FLORIDA, LLC. FOR RE-SALE FOOD PRODUCTS AND SUPPLIES AT THE DELRAY BEACH MUNICIPAL GOLF CLUB IN AN AMOUNT NOT TO EXCEED \$75,000

**Recommendation:** Motion to approve additional spending by \$15,000 with Sysco Food Services of Southeast Florida, LLC. for a cumulative spending total in an amount not to exceed \$75,000 for re-sale food products and supplies at the Delray Beach Municipal Golf Club.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Sysco Increase.pdf](#)

- 6.J.** APPROVAL FOR ADDITIONAL SPENDING AUTHORITY WITH CHENEY BROTHERS, INC. FOR RE-SALE FOOD PRODUCTS AT THE DELRAY BEACH MUNICIPAL GOLF CLUB IN AN AMOUNT NOT TO EXCEED \$70,000

**Recommendation:** Motion to approve additional spending by \$10,000 with Cheney Brothers, Inc. for a cumulative spending total in an amount not to exceed \$70,000 for re-sale food products at the Delray Beach Municipal Golf Club.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Cheney\\_Increase.pdf](#)

- 6.K.** APPROVAL OF AN ADDITIONAL SPENDING REQUEST TO RFQ 2019-007 WITH CDM SMITH INC. FOR ADDITIONAL OWNER'S REPRESENTATIVE SERVICES FOR FOR THE REPLACEMENT OF FIRE STATION NO. 113 PROJECT IN THE AMOUNT OF \$101,300 FOR A REVISED TOTAL OF \$962,425.00

**Recommendation:** Motion to Approve an Additional Spending Request to RFQ 2019-007 with CDM Smith Inc. for Owner's Representative Services for the Replacement of Fire Station No. 113 project (Public Works Project No. 16-012), in the amount of \$101,300 for a revised total of \$962,425.00.

**Sponsors:** Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Proposal for Additional Spending #1 - RFP 2019-007](#)  
[Agreement RFP 2019-007 - CDM Smith Inc. for Owner's Representative for FS](#)

- 6.L. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 217 KING LYNN.
- ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 318 NE 8TH AVE.
- ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 326 SW 5TH AVE.
- ITEM(S) A4 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 317 SW 5TH AVE.
- ITEM(S) A5 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 802 N. SWINTON AVE.
- ITEM(S) B1 - GRANTING OF AN UNDERGROUND EASEMENT BY CITY OF DELRAY BEACH.

**Recommendation:**

**Consideration of the following items:**

Item A1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 217 Kings Lynn.

Item A2 - Motion to approve and accept a Right-of-Way Dedication by the owners of 318 NE 8th Ave.

Item A3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 326 SW 5TH Ave.

Item A4 - Motion to approve and accept a Right-of-Way Dedication by the owners of 317 SW 5TH Ave.

Item A5 - Motion to approve and accept a Right-of-Way Dedication by the owners of 802 N. Swinton Ave.

Item B1 - Motion to approve and grant an Underground Easement by the City of Delray Beach.

**Sponsors:**

Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[A1a - Right of Way - 217 Kings Lynn - ADF 217 LLC](#)  
[A1b - Legal Review Right of Way - 217 Kings Lynn - ADF 217 LLC](#)  
[A2a - Right of Way - 318 NE 8th Ave - Azure 318 NE 8th Ave LLC](#)  
[A2b - Legal Review - Right of Way - 318 NE 8th Ave - Azure 318 8th LLC](#)  
[A3a - Right of Way - 326 SW 5th Ave - Marlana Roker & Veta Spells](#)  
[A3b - Legal Review Right of Way - 326 SW 5th Ave - Marlana Roker and Veta S](#)  
[A4a - Right of Way - 317 SW 5th Ave - Yves Fleurant](#)  
[A4b - Legal Review Right of Way - 317 SW 5th Ave - Yves Fleurant](#)  
[A5a -Right of Way - 802 N Swinton Ave - Hacienda Gardens LLC](#)  
[A5b - Legal Review Right of Way - 802 N Swinton Ave - Hacienda Gardens LLC](#)  
[B1a - Easement - FPL - Germantown Rd](#)  
[B1b - Legal Review FPL Easement - Unaddressed Parcel between Swinton and](#)

**6.M. RATIFICATION OF SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT AND DISPOSAL BOARD (SCRWTDB) ACTIONS.**

**Recommendation:** Motion to Ratify actions approved by the South Central Regional Wastewater Treatment and Disposal Board (SCRWTDB) at their Meeting dated January 27, 2025.

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[9th Amendment to Interlocal Agreement executed by Boynton Feb 18 2025.pdf](#)  
[Legal Review Amd No. 9 to ILA with Boynton Beach re Wastewater Plant.docx](#)  
[Ratification letter for Delray Utilities Department 3.4.25.pdf](#)

**6.N. PROCLAMATIONS:**

**6.N.1. NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK PROCLAMATION**

**Recommendation:** Motion to proclaim April 13 -19, 2025 as National Public Safety Telecommunicators Week.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation\\_NPSTW2025 - updated - km](#)

**6.N.2. NATIONAL COMMUNITY DEVELOPMENT WEEK**

**Recommendation:** Motion to proclaim the week of April 21-25, 2025 as National Community Development Week.

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[National Community Development Week 2025](#)

**6.N.3. ADMINISTRATIVE PROFESSIONALS WEEK - APRIL 21, 2025 - APRIL 27, 2025**

**Recommendation:** Motion to proclaim April 21-27, 2025 Administrative Professionals Week in Delray Beach, Florida and April 23, 2025, as Administrative Professionals Day and encourage all citizens to recognize the contributions of these dedicated professionals.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Administrative Professionals Week 2025](#)

**6.N.4. PROCLAMATION TO DESIGNATE THE MONTH OF APRIL AS AUTISM ACCEPTANCE MONTH**

**Recommendation:** Motion to proclaim the month of April as Autism Acceptance Month.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[AutismAcceptanceProc\\_2025](#)

**6.N.5. PROCLAMATION TO DESIGNATE APRIL 2025 AS EARTH MONTH**

**Recommendation:** Motion to proclaim April 2025, as Earth Month in the City of Delray Beach.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Earth Month 2025.pdf](#)

**6.O. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.O.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MARCH 10, 2025 THROUGH MARCH 28, 2025.**

**Recommendation:** By motion, receive and file this report for actions on development application requests from March 10, 2025, through March 28, 2025.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB \(03-17\) - 102 SE 5th Ave](#)  
[PAAB \(03-25\) - 1878 Dr Andres Way](#)

**6.P. AWARD OF BIDS AND CONTRACTS:**

6.P.1. None

**7. REGULAR AGENDA:**

**7.A.** RESOLUTION NO. 65-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MAJOR SUBDIVISION APPLICATION FOR A FINAL PLAT FOR A PROPOSED SUBDIVISION KNOWN AS "1201 GEORGE BUSH BLVD" TO REPLAT LOT 6 AND THE SOUTHERLY 54.5 FEET OF LOT 7, BLUE SEAS, RECORDED IN PLAT BOOK 23, PAGE 185, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

**Recommendation:** Review and consider a Final Plat for a Major Subdivision Plat, "1201 George Bush Blvd", a 0.3975-acre replat of a portion of Lot 7 and all of Lot 6, Blue Seas, to establish three-simple lots affiliated with a previously approved residential townhouse development at 1201 George Bush Blvd.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[1201 George Bush Blvd - Resolution No. 65-25](#)  
[1201 George Bush Blvd - Plat](#)  
[1201 George Bush Blvd - PZ Staff Report](#)  
[1201 George Bush Blvd - Survey](#)  
[1201 George Bush Blvd - TPS Letter](#)  
[1201 George Bush Blvd - Legal Review](#)

- 7.B.** CERTIFICATION OF A FINAL PLAT FOR A MAJOR SUBDIVISION PLAT, "FIFTH AVENUE TOWNHOMES", A REPLAT OF PORTIONS OF LOTS 15 AND 16, BLOCK 102, TOWN OF LINTON, TO ESTABLISH FIVE FEE-SIMPLE LOTS AFFILIATED WITH A PREVIOUSLY APPROVED RESIDENTIAL TOWNHOME DEVELOPMENT AT 142 AND 152 SE 5TH AVENUE.

**Recommendation:** Review and consider a Final Plat for a Major Subdivision Plat, "Fifth Avenue Townhomes", a replat of portions of Lots 15 and 16, Block 102, Town of Linton, to establish five fee-simple lots affiliated with a previously approved residential townhome development at 142 and 152 SE 5th Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Final Plat](#)  
[PZB Staff Report](#)  
[Survey](#)  
[Approved Level 2 Site Plan, Fifth Avenue Townhomes](#)  
[Landscape Plan, Fifth Avenue Townhomes](#)

- 7.C.** AUTHORIZATION OF AN AMENDMENT TO THE CITY'S SPECIAL EVENT POLICY, SPECIFICALLY THE REMOVAL OF PRIDE FESTIVAL AND CONCERT FROM THE LIST OF CITY EVENTS CONTAINED IN SECTION 4.C. OF SAID POLICY.

**Recommendation:** The Commission is asked to discuss and consider removal of the Pride Festival and Concert from the defined list of City Events in the Special Events Policy

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)

## **8. PUBLIC HEARINGS/SECOND READINGS:**

8.A. None

## **9. FIRST READINGS:**

- 9.A.** ORDINANCE NO. 05-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT BY AMENDING POLICY NDC 1.4.7 OF THE NEIGHBORHOODS, DISTRICTS, AND CORRIDORS ELEMENT OF THE ALWAYS DELRAY COMPREHENSIVE PLAN TO ALLOW FOR THE COMMERCE LAND USE DESIGNATION ALONG CONGRESS AVENUE SOUTH OF WEST ATLANTIC AVENUE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

**Recommendation:** Consider Ordinance No. 05-25, a City initiated amendment to the Always Delray Comprehensive Plan, by adopting a text amendment to Policy NDC 1.4.7 of the Neighborhoods, Districts, and Corridors Element.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Comprehensive Plan Text Amendment \(Commerce Land Use](#)  
[CBRE Congress Avenue Strategies Report](#)  
[Ordinance No. 05-25, Comprehensive Plan Text Amendment](#)  
[Exhibit A, Ordinance No. 05-25](#)  
[Legal Review, Ordinance No. 05-25](#)  
[Business Impact Estimate, Ordinance No. 05-25](#)  
[10-day Legal Ad, Ordinance No. 05-25](#)

- 9.B.** ORDINANCE NO. 06-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (AA), "ADULT ENTERTAINMENT ESTABLISHMENTS," TO PROHIBIT ADULT ENTERTAINMENT ESTABLISHMENTS SOUTH OF ATLANTIC AVENUE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.(FIRST READING)

**Recommendation:** Consider Ordinance No. 06-25, a City-initiated amendment to Section 4.3.3, "Special Requirements for Specific Uses," Subsection (AA), "Adult Entertainment Establishments" to adopt regulations prohibiting the location of Adult Entertainment Establishments south of Atlantic Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Adult Entertainment LDR Amendment](#)  
[Ordinance No. 06-25, Amending LDR Section 4.3.3\(AA\)](#)  
[Legal Review, Ordinance No. 06-25](#)  
[Business Impact Estimate, Ordinance No. 06-25](#)

- 9.C.** ORDINANCE NO. 02-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 4.27 ACRES LOCATED AT 975 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM CONGRESS AVENUE MIXED USE TO COMMERCE 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. (FIRST READING)

**Recommendation:** Consider Ordinance No. 02-25, a privately initiated request for a small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce (CMR) for the 4.27 acre property located at 955-975 South Congress Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 02-25 - 955-975 S Congress Ave - LUM](#)  
[PZB Staff Report](#)  
[Existing and Proposed Land Use and Zoning](#)  
[Justification Statement](#)  
[Traffic Impact Statement](#)  
[CBRE Congress Avenue Strategies Plan](#)  
[Legal Review - Ord. No. 02-25 - LUM Amd 955-975 S Congress Ave](#)  
[BIE Ord. No. 02-25 - LUMA 955-975 S Congress Ave](#)

- 9.D.** ORDINANCE NO. 01-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND MEASURING APPROXIMATELY 4.27 ACRES LOCATED AT 975 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MIXED RESIDENTIAL, OFFICE, AND COMMERCIAL TO MIXED INDUSTRIAL AND COMMERCIAL; AMENDING THE “CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021”; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL/FIRST READING)

**Recommendation:** Consider Ordinance No. 01-25, a privately initiated rezoning from Mixed Industrial and Commercial (MROC) to Mixed Industrial and Commercial (MIC) for the 4.27 acre property located at 955-975 South Congress Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 01-25 - 955-975 S Congress Ave - Rezoning](#)  
[PZB Staff Report](#)  
[Existing and Proposed Land Use and Zoning](#)  
[Justification Statement](#)  
[Traffic Impact Statement](#)  
[CBRE Congress Avenue Strategies Plan](#)  
[Legal Review - Ord. No. 01-25 - Rezoning 955-975 S Congress Ave](#)  
[BIE Ord. No. 01-25 - Rezoning 955-975 S Congress Ave](#)

- 9.E.** ORDINANCE NO. 09-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.19, "MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING A PUBLIC RIGHT-OF-WAY TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING THE PUBLIC RIGHT-OF-WAY OF AN ARTERIAL OR COLLECTOR STREET TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; AND SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING A PUBLIC RIGHT-OF-WAY TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Consider Ordinance No. 09-25, a City-initiated amendment to Section 4.4.19, "Mixed Industrial and Commercial (MIC) District," Section 4.4.20, "Industrial (I) District," Section 4.4.26, "Light Industrial (LI) District," of the Land Development Regulations (LDR) to amend regulations for overhead doors in industrial type zoning districts.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Overhead Doors LDR Amendment](#)  
[Ordinance No. 09-25, Overhead Doors LDR Amendment](#)  
[Legal Review, Ordinance No. 09-25](#)  
[Business Impact Estimate, Ordinance No. 09-25](#)

- 9.F.** ORDINANCE NO. 15-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE 5, "PUBLIC WORKS," CHAPTER 52, "WATER," SECTION 52.34, "WATER RATES," TO INCREASE THE RATES FOR WATER FURNISHED BY THE CITY; AND AMENDING CHAPTER 53, "SANITARY SEWERS," SECTION 53,1.30, "USER CHARGES; WHOLESALE SEWER RATES; CALCULATION OF SEWER SURCHARGE, TO INCREASE THE SANITARY SEWER RATES FOR SERVICES PROVIDED BY THE CITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 15-25, pertaining to Title 5, "Public Works," Chapter 52.34, "Water Rates," to increase the rates for water furnished by the City; and amending Chapter 53, "Sanitary Sewers," Section 53.130, "User Charges; Wholesale Sewer Rates, calculation of sewer surcharge, "to increase the Sanitary Sewer Rates for services provided by the City; of the Code of Ordinances of the City of Delray Beach, Florida.

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review - Ord. No. 15-25 - Water and Sewer Rate Amd.pdf](#)  
[BIE Ord. No. 15-25 - Water and Sewer Rate Amendments Approved.pdf](#)  
[Ordinance 15-25 - Amd Water and Sewer Rates - H - Willdan Revisions v1.docx](#)  
[Rate Study Update - March 2025](#)

- 9.G.** ORDINANCE NO. 14-25 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE 5, "PUBLIC WORKS," CHAPTER 56, "STORMWATER," "SECTION 56.02, "SCOPE AND PURPOSE," TO CLARIFY THE REFERENCE TO THE SYSTEM; AMENDING SECTION 56.04, "DEFINITIONS," AMENDING THE DEFINITIONS FOR COMMON ELEMENT, NONASSESSED PROPERTY, STORMWATER MANAGEMENT ASSESSMENT, AND UNIMPROVED LAND, AND ADOPTING DEFINITIONS FOR CONDOMINIUM PROPERTY, CONDOMINIUM UNIT, AND COOPERATIVE, TO EXPAND DEFINITIONS AND CLARIFY ASSESSMENT METHOD, TO ESTABLISH A STANDARIZED RATE FOR UNIMPROVED LAND, TO ALIGN WITH THE FLORIDA STATUTES FOR NON-AD VALOREM ASSESSMENTS FOR COMMON ELEMENTS; AMENDING SECTION 56.15, "IMPOSITION OF STORMWATER MANAGEMENT ASSESSMENT, CLASSIFICATION AND CRITERIA," TO ADD CONDOMINIUM PROPERTY AS AN ADDITIONAL CLASSIFICATION; AND AMENDING SECTION 56.16, "ESTABLISHMENT OF RATE FOR STORMWATER MANAGEMENT ASSESSMENTS" TO CLARIFY HOW COMMON ELEMENTS ARE ASSESSED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Consider Ordinance No. 14-25, a City initiated request to amend Title 5 "Public Works", Chapter 56 "Stormwater" of the City's Code of Ordinances to modify the intent of the stormwater management assessments to include a standardized assessment for unimproved land and clarification on condominium and cooperative assessment method.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 14-25 Amending Code re Stormwater Assessment - Final Draft 03-07-2025](#)  
[Legal Review - Ord. No. 14-25 - Stormwater Assessment Amd](#)  
[BIE Ord. No. 14-25 - Stormwater Ordinance Amendment Approved](#)  
[Delray Beach Ord# 14-25 April 8, 2025 Revised Pub Date #2](#)

## 10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

- A. City Manager
- B. City Attorney
- C. City Commission

## 11. ADJOURNMENT

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the Human Resources Department at (561) 243-7125 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers.