

# 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 7, 2026

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/@cityofdelraybeachfl/streams>

### City Commission

*Mayor Thomas F. Carney, Jr.*

*Vice Mayor Angela Burns*

*Deputy Vice Mayor Tom Markert*

*Commissioner Judy Mollica*

*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. LEGISLATIVE UPDATES BY SENATOR LORI BERMAN**

**Sponsors:** City Clerk Department

**4.B. LEGISLATIVE UPDATES BY HOUSE REPRESENTATIVE ROB LONG**

**Sponsors:** City Clerk Department

**4.C. CURRENT POINT IN TIME HOMELESSNESS CENSUS COUNT ESTIMATES**

**Recommendation:** Discuss ongoing efforts and the current situation regarding homelessness.

**Sponsors:** Police Department

**4.D. PRESENTING PRISCILLA PATRICK WITH AN EXEMPLARY EMPLOYEE PERFORMANCE AWARD**

**Recommendation:** Motion to approve Priscilla Patrick as an Exemplary Employee.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Nomination - Priscilla Patrick](#)  
[Exemplary Employee Award policy](#)

**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.A.1. CLARITY AND STATUS REGARDING BI-LO MARKET AND SURROUNDING VICINITY.**

**Sponsors:** City Manager Department

**5.A.2. RESPONSE TO NEIGHBORHOOD CONCERNS REGARDING ATLANTIC CROSSING PROJECT**

**Sponsors:** City Manager Department

**5.A.3. UPDATE REGARDING POMPEY PARK'S RENOVATION PROJECT**

**Sponsors:** City Manager Department

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 9, 2026 Workshop Meeting Minutes - DRAFT

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[March 9, 2026 Workshop Meeting Minutes - DRAFT.pdf](#)

### 6.B. APPROVAL OF ADDITIONAL SPENDING REQUEST WITH RAFTELIS CONSULTING FOR PROFESSIONAL FACILITATION SERVICES IN THE AMOUNT OF \$15,000.

**Recommendation:** Motion to approve additional spending with Raftelis Consulting for professional facilitation services in the amount of \$15,000, to help support this year's annual goal setting exercise.

**Sponsors:** City Manager Department

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

### 6.C. REQUEST TO APPROVE HOLD HARMLESS AGREEMENT

**Recommendation:** Motion to Approve Hold Harmless Agreement for Improvements Constructed in an Easement Area located between the properties at 1230 S. Ocean Boulevard, and 1260 S. Ocean Boulevard, Delray Beach, FL, 33483.

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[Hold Harmless Agreement - 1230 South Ocean Boulevard](#)  
[Hold Harmless Agreement - 1260 South Ocean Boulevard](#)  
[Legal Review Hold Harmless Agreement - 1230 South Ocean Blvd - Rice](#)  
[Legal Review Hold Harmless Agreement - 1260 South Ocean Blvd - Stirtz](#)

### 6.D. APPROVAL OF AMENDMENT NO. 3 TO RFQ 2019-040 WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ADDITIONAL PROFESSIONAL ENGINEERING DESIGN SERVICES FOR PHASE II OF THE TROPIC ISLE ROADWAY UNDERGROUND UTILITY IMPROVEMENTS (PROJECT NO. 19-015) IN THE AMOUNT OF \$62,101.00 FOR A REVISED TOTAL OF \$3,380,115.00

**Recommendation:** Motion to Approve Amendment No. 3 to RFQ No. 2019-040 with Kimley-Horn and Associates, Inc. for Additional Professional Engineering Design Services for Phase II of the Tropic Isle Roadway Underground Utility Improvements in an amount not to exceed \$62,101.00 for a revised total of \$3,380,115.00

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

**Attachments:** [Agenda Cover Report](#)  
[Amendment 3 RFQ 2019-040 3.12.26 Signed](#)  
[Exhibit A](#)  
[Simple Legal Review Approval Amendment 3 Phase II Tropic Isles](#)  
[Amendment No. 2 \(RFQ NO. 2019-040\) - Kimley-Horn & Associates, Inc.](#)  
[Fully Executed Contract Amendment No. 1 - Kimley-Horn & Associates \(RFQ N](#)  
[Fully Executed Phase I Agreement - Kimley-Horn & Associates, Inc. - Engineeri](#)  
[RFQ 2019-040 Engineering Services for Tropic Isles FINAL](#)

**6.E. APPROVAL TO GRANT A TEMPORARY FACILITIES AND RIGHT OF ENTRY AGREEMENT FROM THE CITY OF DELRAY BEACH IN FAVOR OF FLORIDA POWER & LIGHT FOR POMPEY PARK COMMUNITY CENTER AND CAMPUS, LOCATED AT 1101 NW 2ND STREET**

**Recommendation:** Motion to approve granting a Temporary Facilities and Right of Entry Agreement from the City of Delray Beach in favor of Florida Power & Light for Pompey Park, located at 1101 NW 2nd Street.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Agreement - FPL Temporary Facilities & Right of Entry Agreement Pompey Pa](#)  
[Ex A - FPL Temporary Facilities & Right of Entry Agreement Pompey Park](#)  
[Legal Review - FPL Temporary Facilities & Right of Entry Agreement Pompey f](#)  
[INVOICE 1800538124](#)  
[INVOICE 1800538136](#)

**6.F. ITEM A1 - HOLD HARMLESS FOR 3416 S FEDERAL HIGHWAY**

**Recommendation:** Motion to consider the following item:

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Hold Harmless State Right of Way - Franchise Headquarters - 3416 S Federal](#)  
[Legal Review Hold Harmless State Right of Way - Franchise Headquarters - 34](#)  
[Exhibit B - FDOT Utility Permit](#)

**6.G. ITEM A1 - ACCEPTANCE OF A GENERAL UTILITY EASEMENT FOR PROPERTY LOCATED AT 510 W LINTON BOULEVARD.**

**Recommendation:** Consideration of the following item:

**ITEM A1** - Motion to approve and accept a Water and Sewer Utility Easement Agreement. Property Control Number 12-43-46-29-51-001-000.

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Water and Sewer Utility Easement Agreement - 510 W Linton Blvd - CCB Assoc](#)  
[Legal Review Water and Sewer Easement Agreement - 510 W Linton Blvd - CC](#)

## 6.H. PROCLAMATIONS:

### 6.H.1. PROCLAMATION - NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

**Recommendation:** Motion to proclaim April 12 -18, 2026 as National Public Safety Telecommunicators Week.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation NPSTW 2026.docx](#)

### 6.H.2 PROCLAMATION - ADMINISTRATIVE PROFESSIONALS WEEK - APRIL 19 - APRIL 25, 2026

**Recommendation:** Motion to proclaim April 19 - 25, 2026 Administrative Professionals Week in Delray Beach, Florida and April 22, 2026, as Administrative Professionals Day and encourage all citizens to recognize the contributions of these dedicated professionals.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Administrative Professionals Week 2026](#)

### 6.H.3. PROCLAMATION TO DESIGNATE APRIL 2026 AS EARTH MONTH

**Recommendation:** Motion to proclaim April 2026, as Earth Month in the City of Delray Beach.

**Sponsors:** City Manager Department

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

### 6.H.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](#)  
[Proclamation - Autism Acceptance Month](#)

**6.H.5. PROCLAMATION TO DESIGNATE THE MONTH OF APRIL AS WATER CONSERVATION MONTH.**

**Recommendation:** Motion to proclaim the month of April as Florida's Water Conservation Month.

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Water Conservation Month](#)

**6.I. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.I.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MARCH 16, 2026, THROUGH MARCH 27, 2026.**

**Recommendation:** By motion, receive and file this report for actions on development application requests from March 16, 2026, through March 27, 2026.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[\(SPRAB 3-25\) 540 W Atlantic Avenue](#)

**6.J. AWARD OF BIDS AND CONTRACTS:****6.J.1. APPROVAL OF RESOLUTION NO. 50-26 TO AWARD AN AGREEMENT TO CDW GOVERNMENT LLC FOR PURCHASE OF INFORMATION TECHNOLOGY SOLUTIONS, PRODUCTS, AND SERVICES; UTILIZING CITY OF MESA, ARIZONA SOLICITATION NO. 2024056 EIGHT (8) YEAR CONTRACT TERM IN THE ESTIMATED AMOUNT OF \$4,400,000**

**Recommendation:** Motion to approve Resolution No. 50-26 to award an Agreement to CDW Government LLC for the purchase of information technology solutions, products, and services in the estimated amount of \$2,000,000 through July 1, 2028, utilizing the City of Mesa, Arizona Solicitation No. 2024056, and authorize the City Manager to approve renewal options, in the amounts below, contingent on appropriations of funds.

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist CDW Government LLC 2.11.26](#)  
[P2026-013 IT Solutions Products and Services](#)  
[Reso 50-26 Iq F.docx](#)  
[Exhibit A pricing](#)  
[Insurance Exhibit B](#)  
[Original Solicitation 2024056](#)

**6.J.2. APPROVAL OF RESOLUTION NO. 59-26 APPROVING AN AGREEMENT WITH**

LEADSONLINE LLC FOR PUBLIC SAFETY SOFTWARE AS AN APPROVED CITY STANDARD

**Recommendation:** Motion to approve Resolution 59-26 approving an Agreement with LeadsOnline, LLC for public safety software as an approved City Standard.

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Leads Online](#)  
[Vendor signed CS2025-011](#)  
[Reso 59-26 lg F.docx](#)  
[Exhibit A](#)  
[Insurance Exhibit B](#)

**6.J.3.** APPROVAL OF RESOLUTION NUMBER 40-26, TO AWARD AN AGREEMENT WITH SHERLOCK TREE COMPANY, INC, ALL FLORIDA TREE & LANDSCAPE INC. AND RAPID RESPONSE FORCE, LLC FOR TREE TRIMMING SERVICES PURSUANT TO INVITATION TO BID 2026-004 IN A TOTAL FIVE (5) YEAR AMOUNT OF \$848,960 (\$169,792 YEARLY).

**Recommendation:** Motion to approve Resolution Number 40-26 to award an agreement with Sherlock Tree Company, Inc, All Florida Tree & Landscape Inc., and Rapid Response Force, LLC for Tree Trimming Services pursuant to ITB 2026-004, in a five (5) year amount of \$848,960 (\$169,792 yearly).

**Sponsors:** Purchasing Department, Utilities Department, Public Works Department, Parks & Recreation Department and Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 40-26 lg](#)  
[Legal Review](#)  
[All Florida Agreement](#)  
[Rapid Response Agreement](#)  
[Sherlock Agreement](#)  
[ITB 2026-004 Tree Trimming Services Solicitation Final](#)  
[Response , Rapid Response Force,](#)  
[Response All Florida TreeLandscape Inc](#)  
[Response Sherlock Tree Co](#)

**6.J.4.** APPROVAL OF RESOLUTION NO. 15-26 TO AWARD AN AGREEMENT WITH SIEMENS INDUSTRY, INC. HVAC SYSTEMS WITH RELATED PRODUCTS AND SERVICE UTILIZING SOURCEWELL RFP NO. 121024 IN A SIX (6) YEAR AGREEMENT AMOUNT OF \$480,000.00 (\$80,000.00 YEARLY)

**Recommendation:** Motion to approve of Resolution No. 15-26 to award an agreement with for Siemens Industry, Inc. for Facility Security Systems, Equipment, and Software with Related Services utilizing Sourcewell RFP No. 080824 a six (6) year agreement amount of \$560,000.00 (\$80,000) yearly; authorizing the City Manager to execute any amendments and/or renewals thereto and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

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

**Attachments:** [Agenda Cover Report](#)  
[Resolution 15-26](#)  
[P2026-015 Agreement](#)  
[Exhibit A Pricing Sheet](#)  
[Legal Review Checklist Siemens HVAC 2.13.26](#)  
[SW Contract No. 080824-SIE](#)  
[SW RFP No. 080824](#)

## 7. REGULAR AGENDA:

7.A. RESOLUTION NO. 60-26 AMENDING THE FISCAL YEAR 2025-26 BUDGET ADOPTED BY RESOLUTION NO.198-25 ON SEPTEMBER 15, 2025.

**Recommendation:** Motion to Approve Resolution No.60-26 amending the Fiscal Year 2025-26 budget adopted on September 15, 2025.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 60-26](#)  
[Exhibit A 60-26 with backup](#)  
[Legal Review Res 60-26 Budget Amendment FY 2026](#)

7.B. APPROVAL OF RESOLUTION NO. 70-26 TO AWARD AN AGREEMENT WITH KIEWIT CORPORATION FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR THE NORTHWEST NEIGHBORHOOD IMPROVEMENTS PROJECT (PUBLIC WORKS PROJECT NO. 17-020) PURSUANT TO RFQ NO. 2025-013 FOR PHASE NO. 1 IN THE AMOUNT OF \$763,816.00

**Recommendation:** Motion to Approve Resolution No. 70-26 to award an agreement with Kiewit Corporation for Construction Manager at Risk (CMAR) services for the Northwest Neighborhood Improvements project (Public Works Project No. 17-020), pursuant to RFQ No. 2025-013 in the amount of \$763,816.00; authorizing the City Manager to execute any amendments and/or renewals thereto and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

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

**Attachments:** [Agenda Cover Report](#)  
[Legal Review](#)  
[Res 70-26 Kiewit](#)  
[RFQ 2025-013 Agreement](#)  
[Exhibit F Phase 1 Scope of Services & Fee](#)  
[RFQ 2025-013 Northwest Neighborhood Improvements CMAR](#)  
[KISC City of Delray Beach NW Neighborhood Improvements](#)

- 7.C.** RESOLUTION NO. 58-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO THE MINIMUM LOT WIDTH ASSOCIATED WITH THE PROPOSED “ENCLAVE BY THE SEA” PLAT FOR THE PROPERTY LOCATED AT 504 NW 8TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

**Recommendation:** Review and consider Resolution No. 25-26, a request for a waiver to **Land Development Regulations (LDR) Section 4.3.4(K), Development Standards Matrix - Residential Zoning Districts**, to allow a minimum lot width of 80 feet in lieu of the required 100 feet for the lot created by the “Enclave by the Sea” plat, currently addressed as 504 NW 8th Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Enclave by the Sea - Resolution No. 58-26](#)  
[Enclave by the Sea - Survey](#)  
[Enclave by the Sea - Proposed Plat](#)  
[Enclave by the Sea - Site and Surrounding Area Photos](#)  
[Enclave by the Sea - Applicant Justification Statement](#)  
[Enclave by the Sea - Original Lake Ida Shores Plat](#)  
[Enclave by the Sea - Legal Review Res 58-26 - Plat Waiver](#)

- 7.D.** NOMINATION FOR AN APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE A TERM ENDING JULY 31, 2028, WILL BE MADE BY MAYOR CARNEY (SEAT #5).

**Recommendation:** Motion to approve the appointment for one (1) regular member to serve a term ending July 31, 2028.

**Sponsors:** City Clerk Department

**Attachments:**     [Agenda Cover Report](#)  
                          [Exhibit A](#)  
                          [PAAB Member List](#)  
                          [PAAB 2026 Attendance](#)  
                          [Forcier, Anick.pdf](#)  
                          [Macedo, Manny](#)  
                          [Martino, Daniel.pdf](#)

- 7.E.**    NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR APPOINTMENT FOR ONE (1) QUALIFIED MEMBER TO SERVE A TERM ENDING AUGUST 31, 2027, WILL BE MADE BY COMMISSIONER MOLLICA (SEAT #2).

**Recommendation:** Motion to approve the nomination for the appointment of **one (1) Qualified Member** to serve a term ending August 31, 2027.

**Sponsors:**        City Clerk Department

**Attachments:**     [Agenda Cover Report](#)  
                          [Exhibit A](#)  
                          [P&Z Board Member List](#)  
                          [2026 P&Z Board Attendance](#)  
                          [Amani, Sandra - Qualified](#)  
                          [Cannon, Paul - At Large](#)  
                          [Canton, Jimmy - At Large](#)  
                          [Cohen, Steven - At Large](#)  
                          [DeLacio, John - Qualified](#)  
                          [Fredericks, Carol - Qualified](#)  
                          [Heyman, Scott - At Large](#)  
                          [Kiselewski, Karen - Qualified](#)  
                          [Kiser, Mereida - At Large](#)  
                          [Klein, Mark - At Large](#)  
                          [Martino, Daniel - At Large](#)  
                          [Rubenstein, Stuart - At Large](#)  
                          [Villanoix, Wensky - Qualified](#)

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

- 8.A.**    ORDINANCE NO. 12-26: 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 BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS," SECTION 4.3.2 "DETERMINING USE," SUBSECTION (B), "CATEGORIES OF USE," TO ALLOW FOR THE RENTAL OF ACCESSORY DWELLING

UNITS; AMENDING SECTION 4.3.3 "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (K), "HOME-BASED BUSINESS," TO ALLOW A HOME-BASED BUSINESSES TO OPERATE IN AN ACCESSORY STRUCTURE OCCUPIED BY THE RESIDENT OF THE PRINCIPAL OR ACCESSORY STRUCTURE, SUBSECTION (Q), "GUEST COTTAGES," BY RENAMING THE SUBSECTION AS "ACCESSORY STRUCTURES TO ADOPT ALL ACCESSORY STRUCTURE REGULATIONS IN ONE SECTION AND TO ADOPT NEW REGULATIONS FOR ACCESSORY DWELLING UNITS AND REPEALING SUBSECTION (QQ), "ACCESSORY STRUCTURES" FOR ADOPTION OF SUCH REGULATIONS IN THE REORGANIZED SUBSECTION (Q); AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.3 "SINGLE FAMILY RESIDENTIAL (R-1) DISTRICTS," SECTION 4.4.6 "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," SUBSECTION (C), "ACCESSORY USES AND STRUCTURES PERMITTED," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO UPDATE LANGUAGE CLARIFYING MULTI FAMILY USES AND TO ADD ACCESSORY DWELLING UNITS AS AN ACCESSORY USE IN THE WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT; AMENDING ARTICLE 4.5, "OVERLAY AND ENVIRONMENTAL MANAGEMENT DISTRICTS," TO ADOPT A NEW SECTION 4.5.23 "NORTHWEST / SOUTHWEST NEIGHBORHOOD OVERLAY DISTRICT;" AMENDING ARTICLE 4.7, "FAMILY / WORKFORCE HOUSING" BY ADOPTING A NEW SECTION 4.7.9 "ACCESSORY DWELLING UNITS;" AND BY AMENDING APPENDIX A, "DEFINITIONS," TO ADOPT A DEFINITIONS FOR "DWELLING UNIT, ACCESSORY (ADU)," PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING / PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 12-26, a City-initiated amendment to the Land Development Regulations (LDR), amending Section 4.3.2, "Determining Use," Section 4.3.3, "Special Requirements for Specific Uses," Section 4.4.3, "Single Family Residential (R-1) Districts," Section 4.4.6 "Medium Density Residential (RM) District," Section 4.4.13 "Central Business (CBD) District," adopting Section 4.5.23 "Northwest / Southwest Overlay District," Section 4.7.9 "Accessory Dwelling Units," and amending Appendix A, "Definitions" to add regulations related to accessory dwelling units.

**Sponsors:** Development Services Department

**Attachments:**      [Agenda Cover Report](#)  
[Staff Report, Accessory Dwelling Units](#)  
[Ord. No. 12-26, ADUs\\_2nd Reading](#)  
[Opticos Delray Beach ADU and Infill Housing Study](#)  
[General Resource, AARP](#)  
[General Resource, Florida Housing Finance Corporation](#)  
[General Resource, American Planning Association](#)  
[BIE Form Ord. No. 12-26 - Approved by Finance English](#)  
[Legal Review, Ord. No. 12-26](#)  
[Proof of Legal Advertisement, Ordinance No. 12-26](#)

**8.B.** ORDINANCE NO. 20-26: 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 (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO ALLOW CONCRETE PRODUCTS MANUFACTURING AND DISTRIBUTION LOCATED NORTH OF ATLANTIC AVENUE AS A CONDITIONAL USE; AMENDING SUBSECTION (F), "DEVELOPMENT STANDARDS," TO ADOPT SPECIAL LANDSCAPE SETBACK REQUIREMENTS FOR CONCRETE PRODUCTS MANUFACTURING AND DISTRIBUTION; AND AMENDING SUBSECTION (H), "SPECIAL REGULATIONS," TO ESTABLISH REGULATIONS FOR CONCRETE PRODUCTS MANUFACTURING AND DISTRIBUTION USE; AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES PERMITTED," TO INCLUDE CONCRETE PRODUCTS DISTRIBUTION WITH THE EXISTING CONCRETE PRODUCTS MANUFACTURING USE; AND BY AMENDING ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.4, "SPECIAL BOUNDARY TREATMENT," TO ELIMINATE REGULATIONS SPECIFIC TO THE mic DISTRICT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING / PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 20-26, a City-initiated amendment to Section 4.4.19, "Mixed Industrial and Commercial (MIC) District" of the Land Development Regulations (LDR) to establish gunite and other concrete products manufacturing and distribution as a conditional use and to adopt regulations governing the use, and to Section 4.4.20, "Industrial (I) District" to modify the identified types of concrete products for consistency with Section 4.4.19.

**Sponsors:**            Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Staff Report, Concrete Products Manufacturing Uses](#)  
[Ordinance No. 20-26, Concrete Products Manufacturing and Distribution](#)  
[Legal Review, Ordinance No. 20-26](#)  
[Proof of Legal Ad, Ord. No. 20-26](#)

**8.C.** ORDINANCE NO. 21-26: 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 SECTION 4.3.3 "SPECIFIC REQUIREMENTS FOR SPECIFIC USES", BY AMENDING SUBSECTION (ZZZ), "TRANSIENT RESIDENTIAL USES", TO ELIMINATE PROVISIONS PREEMPTED BY THE STATE; AMENDING SECTION 4.4.6 MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT, SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED", TO ADD A REFERENCE TO SECTION 4.3.3 (ZZZ) "SPECIFIC REQUIREMENTS FOR SPECIFIC USES" FOR TRANSIENT RESIDENTIAL USES; AMENDING APPENDIX "A", DEFINITIONS", TO ELIMINATE INCONSISTENCIES IN THE CURRENT DEFINITION FOR "TRANSIENT RESIDENTIAL USES" WITH STATE STATUTES; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING / PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 21-26, a City-initiated amendment to eliminate provisions related to Transient Residential Uses that are in in conflict with Florida Statutes, by amending Section 4.3.3, "Specific Requirements for Specific Uses," Section 4.4.6, "Medium Density Residential (RM) District," and Appendix A, "Definitions" of the Land Development Regulations (LDR).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 21-26 Transient Residential Uses](#)  
[Staff Report, Transient Residential Uses](#)  
[3IP0217-Memo to Gelin Lynn Re Vacation Rental Preemption \(June 21 2021\) w](#)  
[Legal Review, Ordinance No. 21-26](#)  
[Proof of Legal Ad, Ordinance No. 21-26](#)

## **9. FIRST READINGS:**

9.A. None

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

### **A. City Manager**

**10.A.1 UPDATE REGARDING RUN ON THE AVENUE EVENT**

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**Sponsors:** City Manager Department

**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.