

# 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, May 20, 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. PROCLAMATION FOR NANCY STEWART-FRANKCZAK**

Additional information is forthcoming.

**Sponsors:** City Clerk Department

**4.B. RECOGNITION OF THE 100 YEAR ANNIVERSARY FOR EBENEZER WESLEYAN METHODIST CHURCH**

Additional information is forthcoming.

**Sponsors:** City Clerk Department

**4.C. PRESENTATION OF THE SWINTON / ATLANTIC INTERSECTION IMPROVEMENTS**

**Recommendation:** Receive presentation concerning the ongoing traffic studies and design for improving pedestrian safety and traffic flow at the intersection of Swinton Avenue and Atlantic Avenue.

**Sponsors:** Public Works Department

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

**4.D. 2025 HISTORIC PRESERVATION BOARD AWARDS**

**Recommendation:** A presentation of the 2025 Historic Preservation Award winning projects.

**Sponsors:** Development Services 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.A.1. TRAJECTORY FOR VISION 2035 ENGAGEMENT & APPLICABLE CONTRACT SERVICES**

**Recommendation:** Status Update.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Delray Beach Strategic Plan Project Timeline DRAFT](#)

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:

April 8, 2025 Regular Meeting Minutes - DRAFT  
April 22, 2025 Budget Workshop Meeting Minutes - DRAFT  
April 29, 2025 Special Meeting Minutes - DRAFT  
April 29, 2025 Workshop Meeting Minutes - DRAFT

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[April 8, 2025 Regular Meeting Minutes - DRAFT](#)  
[April 22, 2025 Budget Workshop Meeting Minutes - DRAFT](#)  
[April 29, 2025 - Special Meeting Minutes - DRAFT](#)  
[April 29, 2025 Workshop Meeting Minutes - DRAFT](#)

**6.B. ACCEPTANCE OF A LIMITED ACCESS EASEMENT AGREEMENT OVER THE SIDE OF NE 5TH TERRACE ADJACENT TO NE 2ND AVENUE AS FURTHER DESCRIBED IN EXHIBIT "A".**

**Recommendation:** Motion to review and consider acceptance of a limited access easement agreement over the side of NE 5th Terrace adjacent to NE 2nd Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[202 NE 5th Ter Limited Access Easement v2 - 17 April 2025](#)  
[Simple Legal Review Approval 202 Ne 5th Terrace](#)

**6.C. AMENDMENT NO. 1 TO ITB 2023-071 AGREEMENT FOR PRESSURE CLEANING SERVICES BLUE EDONIS LLC**

**Recommendation:** Motion to approve AMENDMENT NO. 1 to ITB 2023-071 Agreement for Pressure Cleaning Services, by and between the City of Delray Beach, a municipal corporation of the State of Florida (hereinafter referred to as "City"), and Blue Edonis LLC, a Florida Limited Liability Company (hereinafter referred to as "Contractor"), whose address is 719 NE 83rd Ter #306, Miami, Florida 33138.

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[ITB LR](#)  
[ITB 2023-071 Amendment 1](#)

**6.D. APPROVAL OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FY 24/25 ONLINE STING OPERATIONS GRANT AMENDMENT**

**Recommendation:** Motion to approve the Florida Department of Law Enforcement FY 24/25 Online Sting Operations Grant amendment in the amount not to exceed \$30,000.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Form Case and Funding Request Online Sting Operations Grant](#)  
[FY24-25-FDLE-Online-Sting-Request-Form - supplemental request - 4-24-25 re](#)

**6.E. MAINTENANCE OF TRAFFIC PLAN/ROAD CLOSURE PLAN FOR LAKEVIEW DRIVE.****Recommendation: Consideration of the following items:**

Per LDR 7.1(C) (1)

*Maintenance of Traffic (MOT) Plan. All construction parking and staging that involves travel lane, bike lane, or sidewalk closures shall submit a MOT Plan as follows: (Ord. No. 50-20, § 2  
<[https://library.municode.com/fl/delray\\_beach/codes/land\\_development\\_regulations\\_?nodeId=CH2ADPR](https://library.municode.com/fl/delray_beach/codes/land_development_regulations_?nodeId=CH2ADPR)>, 10-20-20)*

*Closures greater than 14 days throughout the course of construction, which eliminate travel lanes or change the flow of traffic must be approved by the City Commission. Street closures that do not exceed 14 days throughout the course of construction may be approved administratively. (Ord. No. 50-20, § 2  
<[https://library.municode.com/fl/delray\\_beach/codes/land\\_development\\_regulations\\_?nodeId=CH2ADPR](https://library.municode.com/fl/delray_beach/codes/land_development_regulations_?nodeId=CH2ADPR)>, 10-20-20)*

**MAINTENANCE OF TRAFFIC PLAN/ ROAD & LANE CLOSURES**

Southeastern Engineering Contractors - As part of Construction Contract No. P2024-034 for the Lakeview Drive Drainage Improvements project, a motion to approve and accept a Maintenance of Traffic Plan/Road Closure Plan for Lakeview Drive.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[MOT - Full closure 4.0](#)

**6.F. PROCLAMATIONS:****6.F.1. FAMILY ABDUCTION AWARENESS DAY PROCLAMATION**

**Recommendation:** Motion to proclaim May 25, 2025 as Family Abduction Awareness Day.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Family Abduction Awareness Day 2025](#)

**6.F.2. OBSERVANCE OF MEMORIAL DAY**

**Recommendation:** Motion to Observe Memorial Day on May 26, 2025 in the City of Delray Beach.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Memorial Day 2025](#)

**6.F.3. PROCLAMATION: ROCK THE BLOCK**

**Recommendation:** Motion to recognize the Rock The Block through the a tri-party partnership between Habitat for Humanity of Greater Palm Beach County, the Delray Beach Community Redevelopment Agency (CRA) and City of Delray Beach.

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Rock the Block 2025](#)

**6.G. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.G.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM APRIL 28, 2025 THROUGH MAY 07, 2025.**

**Recommendation:** By motion, receive and file this report for actions on development application requests from April 28, 2025, through May 07, 2025.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PAAB \(04-28\) 1880 Dr Andres Way](#)  
[PAAB \(04-28\) 1878 Dr Andres Way](#)  
[HPB \(5-07\) 108 NW 4th Avenue](#)  
[HPB \(5-07\) 403 N. Swinton Avenue](#)  
[HPB \(5-07\) 2 N. Dixie Boulevard](#)  
[HPB \(5-07\) 103 NW 5th Avenue](#)

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

**6.H.1. APPROVAL OF RESOLUTION NO. 83-25 TO AWARD AN AGREEMENT WITH UNIFIRST CORPORATION; TO PROVIDE UNIFORMS WITH RELATED PRODUCTS AND SERVICES, UTILIZING SOURCEWELL, A STATE OF MINNESOTA LOCAL GOVERNMENT AGREEMENT NO. 011124 - \$320,726**

**Recommendation:** Motion to Approve Resolution No. 83-25 to award an Agreement with UniFirst Corporation for the purchase of uniforms with related products and services in the estimated amount of \$320,726 through March 25, 2028, utilizing Sourcewell Solicitation No. 011124, a State of Minnesota local government agency and service cooperative, and authorize the City Manager to approve renewal options, in the amounts below, contingent on appropriations of funds.

**Sponsors:** Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[P2025-018 Uniforms LR](#)  
[Res P2025-018 Unifirst](#)  
[P2025-018 uniforms with related products and services](#)  
[UniFirst Contract 011124](#)  
[RFP and Addendums-Uniforms 011124](#)

**6.H.2. APPROVAL OF RESOLUTIONS NO. 84-25 AND 85-25 TO AWARD AGREEMENTS WITH FLEETPRIDE, INC. AND SUMIG DISTRIBUTION, LLC FOR THE PURCHASE OF HEAVY EQUIPMENT PARTS AND SERVICES UTILIZING MARTIN COUNTY RFB 2023-3467 IN THE AMOUNT OF \$20,000 PER YEAR FOR A REVISED AGREEMENT TOTAL OF \$320,000.00**

**Recommendation:** Motion to approve Resolutions No. 84-25 and 85-25 to award agreements FleetPride, Inc. and Sumig Distribution, LLC for the purchase of Heavy Equipment Parts and Services utilizing Martin County RFB 2023-3467 in the amount of \$20,000 per year for revised agreement total of \$320,000.00.

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

**Attachments:** [Agenda Cover Report](#)  
[Res 84-25 - Heavy Equipment Parts and Services - Martin County Piggyback - F](#)  
[Res 85-25 - Heavy Equipment Parts and Services - Martin County Piggyback - F](#)  
[MSA - Heavy Equipment Parts and Services - Martin County Piggyback - FleetF](#)  
[MSA - Heavy Equipment Parts and Services - Martin County Piggyback - Sumig](#)  
[Ex A MSA - Heavy Equipment Parts and Services - Martin County Piggyback - F](#)  
[Ex A MSA - Heavy Equipment Parts and Services - Martin County Piggyback - F](#)  
[Legal Review MSA - Heavy Equipment Parts and Services - Martin County Pigg](#)  
[Legal Review MSA - Heavy Equipment Parts and Services - Martin County Pigg](#)  
[Martin County Agreement No. RFB2023-3467](#)  
[Solicitation RFB No. 2023-3467](#)



**6.H.3. APPROVAL OF RESOLUTION NO. 46-25 TO AWARD AN AGREEMENT WITH CORE CONSTRUCTION FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR THE POMPEY PARK RECREATION CENTER PROJECT PURSUANT TO RFQ NO. 2024-031 IN THE AMOUNT OF \$212,371.00**

**Recommendation:** Motion to Approve Resolution No. 46-25 to award an agreement with CORE Construction for Construction Manager at Risk (CMAR) services for the Pompey Park Recreation Center project (Public Works Project No. 16-102), pursuant to RFQ No. 2024-031 in the amount of \$212,371.00.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[1. Resolution 46-25](#)  
[2. 4B23319-Final CMAR AIA A201 DV Final](#)  
[3. 4B21013-Final CMAR Modified A133 - DV FINAL](#)  
[4.B. Ex B Attachments - AIA A312-2010 PP Bond Forms](#)  
[4.B.1. Ex B.1 to AIA A133-2019 2025.05.02 \(clean\)](#)  
[4.C. Ex. C - Sub Warranty of Work Form](#)  
[4.F. Exhibit F - Precon Services Proposal - Pompey Park](#)  
[4.G. Packet for Bid RFQ 2024-031 Advertised](#)  
[4.I. Ex. I - Lien Waiver and Release Forms 2025.05.02](#)  
[5. CMAR LR](#)  
[6. Tabulation Packet for RFQ 2024-031](#)

**6.H.4. APPROVAL OF RESOLUTION NO. 105-25 TO AWARD AN AGREEMENT VALLEY COLLECTION SERVICE, LLC, FOR DEBT COLLECTION SERVICES REQUEST FOR PROPOSAL (RFP) NO. 2025-012 IN THE AMOUNT OF \$67,500.**

**Recommendation:** Motion to approve Resolution No. 105-25 and to award an Agreement with Valley Collection Service LLC for Debt Collection Services Request for Proposal (RFP) No. 2025-012 in the amount of \$67,500.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[RFP2025-012 Debt Collection Services](#)  
[Exhibit A](#)  
[Resolution No. 105-25](#)  
[RFP 2025-012 Debt Collection Services - Advertised](#)  
[Vendor signed RFP2025-012 Debt Collection Services](#)  
[Legal Review Agmt with Valley Collection Services - RFP 2025-012 - Debt Colle](#)

**7. REGULAR AGENDA:**

**7.A. UPDATE REPORT TO THE CITY COMMISSION ON SUBCULTURE COFFEE  
LOCATED AT 302 NE 6TH AVENUE**

**Recommendation:** The Commission is asked to receive the update report presentation regarding Subculture Coffee.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Report on Subculture AG](#)

**7.B. CONSIDERATION OF THE FINAL PLAT, "LAYTON POINTE", A 9.34-ACRE RE-PLAT  
OF A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 24,  
TOWNSHIP 46 SOUTH, RANGE 42 EAST, PRESENTLY ADDRESSED AS 3900  
SHERWOOD BOULEVARD.**

**Recommendation:** Consideration of the Final Plat, "Layton Pointe", a 9.34-acre re-plat of a portion of the southwest quarter (SW 1/4) of Section 24, Township 46 south, range 42 east, presently addressed as 3900 Sherwood Boulevard.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Layton Pointe](#)  
[Proposed Plat, Layton Pointe](#)  
[Survey](#)  
[Landscape Plans \(Information Purposes Only\)](#)  
[Site Plan \(Information Purposes Only\)](#)  
[Traffic Statement](#)  
[TPS Letter](#)

- 7.C.** RESOLUTION NO. 58-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT KNOWN AS SWINTON SOCIAL, LOCATED AT 27 S. SWINTON AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

**Recommendation:** Review and consider Resolution No. 58-25, an in lieu of parking fee request in the amount of \$263,600 for 20 of the required 53 parking spaces for the project known as Swinton Social.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 58-25 In-Lieu of Parking Request- Swinton Social](#)  
[SR HPB- In-Lieu Parking-Swinton Social-2025-04-29](#)  
[Certified plans-Swinton Social](#)  
[Justification Statements](#)  
[Approved color renderings](#)  
[Simple Legal Review Approval Swinton Social](#)

- 7.D.** RESOLUTION NO. 60-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT LOCATED AT 50 SE 4TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

**Recommendation:** Review and consider Resolution No. 60-25, an in-lieu of parking fee request in the amount of \$390,000 for 13 of the 22 required parking spaces associated with the development located at 50 SE 4th Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 60-25 In-Lieu of Parking Request- 50 SE 4th Ave](#)  
[50 SE 4th Avenue - Project Description](#)  
[50 SE 4th Avenue - Site Plan](#)  
[50 SE 4th Ave - Parking Map](#)  
[Tri-Party Off-site Parking Easement Agreement - 50 SE 4th Ave LLC - The Coa](#)  
[Tri-Party Off-site Parking Easement Agreement - 50 SE 4th Ave - Plaza 85 Inc](#)  
[Legal Review Res 60-25 In-Lieu of Parking Request - 50 SE 4th Ave](#)

**7.E. RESOLUTION NO. 92-25 AMENDING THE FISCAL YEAR 2024-25 BUDGET ADOPTED BY RESOLUTION NO.175-24 ON SEPTEMBER 16, 2024.**

**Recommendation:** Motion to Approve Resolution No.92-25 amending the Fiscal Year 2024-25 budget adopted on September 16, 2024.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 92-25 Budget Amendment FY 2025](#)  
[Exhibit A - Resolution 92-25 Budget Amendment 05.20.25](#)  
[Fire Concurrence Funding Request](#)  
[Risk - Memo Legistar Budget Transfer](#)  
[Simple Legal Review Approval Budget Amendment 92-25](#)

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

**8.A. 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 (SECOND 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](#)  
[Ordinance 15-25 - Amd Water and Sewer Rates - H - Willdan Revisions v1](#)  
[Rate Study March 2025](#)  
[HMD signed Business Impact Estimate re Water Plant Change in Rates - May 6](#)

- 8.B.** ORDINANCE NO. 10-25: 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; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.4, "BASE DISTRICT DEVELOPMENT STANDARDS," BY AMENDING SUBSECTION (H), "SETBACKS," SUBSECTION (4), TO PERMIT OPEN-AIR PERGOLAS WITHIN THE REQUIRED BUILDING SETBACK AREA, AND SUBSECTION (5), TO CLARIFY THE REQUIREMENTS FOR REDUCED SETBACKS FOR SCREEN AND PORCH ENCLOSURES IN ZERO-LOT LINE PROPERTIES; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.15, "SWIMMING POOL, WHIRLPOOLS, AND SPAS," TO ALLOW A FIVE-FOOT INTERIOR SETBACK FOR SWIMMING POOLS IN DUPLEX AND TOWNHOME DEVELOPMENTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 10-25, a City-initiated request to amend and update Section 4.3.4(H), "Setbacks," and Section 4.6.15, "Swimming Pool, Whirlpools, and Spas," Subsection (G), "Yard Encroachment" of the Land Development Regulations (LDR) to clarify regulations on building elements and site improvements allowed in building setbacks.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 10-25](#)  
[Legal Review, Ordinance No. 10-25](#)  
[Business Impact , Ordinance No. 10-25](#)  
[Proof of Legal Advertisement, Ordinance No. 10-25](#)

- 8.C.** 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. (SECOND READING/PUBLIC HEARING)

**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](#)  
[Staff Report, Overhead Doors](#)  
[Ordinance No. 09-25, Overhead Doors](#)  
[Legal Review, Ordinance No. 09-25](#)  
[Business Impact Estimate, Ordinance No. 09-25](#)  
[Proof of Legal Advertisement, Ordinance No. 09-25](#)

- 8.D.** ORDINANCE NO. 37-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 74, "CIVIL TRAFFIC ENFORCEMENT", BY REPEALING THE ADOPTED CHAPTER 74 IN ITS ENTIRETY AND READOPTING SAME, AS REVISED, WITH A NEW CHAPTER 74, "SPEED DETECTION SYSTEMS IN SCHOOL ZONES" TO PROVIDE FOR THE USE AND IMPLEMENTATION OF SCHOOL ZONES SPEED LIMIT DETECTION SYSTEMS; PROVIDING FOR A LOCAL HEARING OFFICER TO HEAR APPEALS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (SECOND READING)

**Recommendation:** Motion to approve Ordinance No. 37-24 on second reading.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 37-24 Speed Detection Systems in School Zones 4.23.25](#)  
[Ordinance 37-24 LRF](#)  
[BIE for Ordinance 37-24](#)

## **9. FIRST READINGS:**

- 9.A.** ORDINANCE NO. 04-25: 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," TO ADOPT SUBSECTION (DDD), "RETAIL TOBACCO AND NICOTINE PRODUCTS DEALER," TO ENACT REGULATIONS GOVERNING THE LOCATION AND OPERATIONS OF RETAIL TOBACCO AND NICOTINE PRODUCTS DEALERS; AND BY AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (C), "ALLOWABLE USES," TO ADOPT DISTANCING REQUIREMENTS FOR STANDALONE RETAIL TOBACCO OR NICOTINE PRODUCTS DEALERS, AND BY AMENDING APPENDIX A, "DEFINITIONS," TO ADOPT A DEFINITION FOR RETAIL TOBACCO OR NICOTINE PRODUCTS DEALERS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Consider Ordinance No. 04-25, a City-initiated amendment to Section 4.3.3, "Special Requirements for Specific Uses" to adopt Subsection (DDD), "Retail Tobacco and Nicotine Products Dealer," Appendix A, "Definitions" to adopt a definition of Retail Tobacco and Nicotine Products Dealer, and Section 4.4.13, "Central Business (CBD) District" to adopt additional regulations governing the frequency of such use.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Standalone Retail Tobacco](#)  
[Ordinance No. 04-25, Standalone Retail Tobacco](#)  
[DDA Recommendation](#)  
[Legal Review, Ordinance No. 04-25](#)  
[Business Impact Estimate, Ordinance No. 04-25](#)

## **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.