

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000 - Fax: (561) 243-3774

www.mydelraybeach.com



Regular Commission Meeting

Regular Meeting at 6:00 PM

Tuesday, November 6, 2018

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Shirley Ervin Johnson

Commissioner Bill Bathurst

Commissioner Ryan Boylston

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 - PRESENTATION OF COLORS BY THE ATLANTIC HIGH SCHOOL CRIMINAL JUSTICE ACADEMY****3. AGENDA APPROVAL****4. PRESENTATIONS:****4.A. PRESENTING OSCAR DOMINGUEZ, TECHNICAL SERVICES MANAGER, WITH EMPLOYEE OF THE MONTH FOR NOVEMBER 2018.**

Recommendation: Motion to present Oscar Dominguez, Technical Services Manager, with Employee of the Month for November 2018.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Nomination Form Oscar Dominguez.pdf](#)

4.B. RECOGNITION OF DELRAY BEACH POLICE EXPLORERS POST #319

Recommendation: Recognition of Delray Beach Police Explorers Post #319 for their excellent performance during the 2018 Law Enforcement Explorer Academy as well as their hard work and efforts throughout the year.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

4.C. 2018 WORLD RESCUE CHALLENGE - FIRE RESCUE DEPARTMENT PRESENTATION

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)

4.D. FLORIDA CITY GOVERNMENT WEEK ESSAY CONTEST WINNERS

Recommendation: This is a presentation; no action required.

Sponsors: Community Improvement

Attachments: [Agenda Cover Report](#)

4.E. PROCLAMATION DECLARING NOVEMBER 10 - 18, 2018 AS NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK.

Recommendation:
Motion to proclaim the week of November 10-18, 2018, as Hunger and Homelessness Awareness Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Hunger and Homelessness Awareness Week 2018](#)

4.F. PROCLAMATION TO PROMOTE RECYCLING IN PALM BEACH COUNTY AND TO DECLARE NOVEMBER 15, 2018 AS AMERICA RECYCLES DAY.

Recommendation: It is recommended that the City of Delray Beach proclaim and recognize November 15, 2018, as America Recycles Day and encourage all residents to continue to Reduce, Reuse, Recycle and Rethink their waste whether they are at work, home, school or play, and to Recycle Right every day by putting the correct items in their blue and yellow recycle bins!

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[America Recycles Day in Delray Beach](#)

4.G. Internal Auditor's Report

4.G.1. None

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

5.A. City Manager's response to prior public comments and inquiries

5.B. From the Public

6. CONSENT AGENDA: City Manager Recommends Approval

6.A. MEETING MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

September 25, 2018 Minutes City Commission Regular Meeting
October 2, 2018 Minutes City Commission Regular Meeting
October 9, 2018 Minutes City Commission Workshop Meeting
October 9, 2018 Minutes City Commission Special Meeting (Closed Attorney/Client Session)

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Minutes September 25, 2018 Regular City Commission Meeting](#)
[Minutes October 2, 2018 Regular City Commission Meeting](#)
[Minutes October 9, 2018 City Commission Workshop Meeting](#)
[Minutes October 9, 2018 City Commission Special Meeting - Closed Attorney C](#)

6.B. CITY INTERNAL AUDITOR OUTSIDE EMPLOYMENT REQUEST

Recommendation: Motion to approve request for outside employment.

Attachments: [Agenda Cover Report](#)
[Outside Employment form](#)

6.C. APPROVE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE ARTS GARAGE AND THE CITY OF DELRAY BEACH TO ALLOW ONSITE SELLING OF LIQUOR ON PERFORMANCE NIGHTS.

Recommendation: Motion to Approve an Amendment to the Lease Agreement between the Arts Garage and the City of Delray Beach to allow the selling of liquor on performance nights on site at 94 NE 2nd Ave, Delray Beach, FL 33444.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist form v. 5 Amend No 1 to Arts Garage Lease](#)
[Creative City Collaborative Letter](#)
[Lease with the Creative City Collaborative](#)
[Amendment No. 1 to Arts Garage Lease](#)

6.D. RESOLUTION NO: 100-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING THE DELRAY BEACH TRI-RAIL COASTAL LINK TRANSIT-ORIENTED DEVELOPMENT MASTER PLAN

Recommendation: Motion to Approve Resolution No. 100-18.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res 100-18 10.18.18](#)
[DB Tri-Rail Coastal Link TOD Master Plan](#)
[Tri-Rail Coastal Link Memo 10.18.18](#)

6.E. INTERLOCAL AGREEMENT WITH THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE CO-TITLE SPONSORSHIP FOR THE 2019 DELRAY BEACH OPEN

Recommendation: Motion to approve the Interlocal Agreement with the Delray Beach Community Redevelopment Agency (CRA) for a term which will commence upon execution of the contract and terminate on September 30, 2019 for the Co-Title Sponsorship for the 2019 Delray Beach Open Tennis Tournament in the amount of \$905,000.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[ATTACHMENT 1 - Legal Review Checklist](#)
[ATTACHMENT 2 - ILA CRA 2019DBO signed](#)

- 6.F.** APPROVAL OF CHANGE ORDER NO. 1 TO THE AGREEMENT WITH MAN CON, INC. IN A NOT-TO-EXCEED AMOUNT OF \$145,691 WITH FIVE ADDITIONAL CALENDAR DAYS FOR THE NE 2ND AVENUE / SEACREST BEAUTIFICATION PHASE 2 PROJECT.

Recommendation: Motion to approve Change Order No. 1 to the Agreement with Man Con, Inc. (MCI) in an amount not-to-exceed \$145,691 with five additional calendar days due to the additional 2020 square yards of ARMI Layer (extending north and south limits of the project) and removal of an additional 1,301 square yards of pavement for the NE 2nd Avenue / Seacrest Beautification Phase 2 (Project No. 16-032).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist form v. 5 Change Order No 1 to ManCon Agreement](#)
[Man Con - CO1 Seacrest Phase 2](#)

- 6.G.** APPROVE RESOLUTION NO. 128-18 APPROVING A HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT IMPROVEMENTS TO SWINTON AVENUE FROM S. 10TH STREET TO N. 4TH STREET

Recommendation: Motion to approve Resolution No. 128-18 approving a Highway Maintenance Memorandum of Agreement (HMMOA) with the State of Florida Department of Transportation (FDOT) for construction of improvements on Swinton Avenue from S 10th Street to N 4th Street, FDOT Financial Project ID No. 438389-1

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Report](#)
[Resolution HMOA 10.10.18 Legal](#)
[HMOA Swinton 7 24 18](#)
[Legal Review Checklist District Four HWY Maintenance Memo of Agreement](#)
[Grants - Swinton Avenue](#)

6.H. RESOLUTION NO. 131-18 TO APPROVE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM (LAP) SUPPLEMENTAL AGREEMENT NO. 5 (TIME EXTENSION REQUEST) FOR THE NE 2ND AVE. / SEACREST BEAUTIFICATION PROJECT PHASE 0.

Recommendation: Motion to approve Resolution No. 131-18 to approve FDOT LAP Supplemental Agreement No. 5 for a time extension to the completion date of the original LAP agreement for NE 2nd Ave / Seacrest Beautification project Phase 0 (PN 11-067).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Resolution 131-18](#)
[FDOT Supplemental Agreement 5 101018](#)
[Legal Review Checklist form v. 5 LAP Supplemental Agreement Seacrest Beau!](#)

- 6.I.** ITEM (A) - ACCEPTANCE OF A HOLD HARMLESS AGREEMENT FOR 1235 N. FEDERAL HWY.

ITEM (B) - ACCEPTANCE OF WATER EASEMENT FOR CHILI'S RESTAURANT LOCATED AT 14530 S. MILITARY TRAIL.

ITEM (C-D) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AND RIGHT OF WAY DEED FOR 602 NE 8th AVE.

ITEM (E-F) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AND ALLEYWAY DEDICATION FOR 101 SW 13TH AVE.

ITEM (G-H) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AND ALLEYWAY DEDICATION FOR 501 NE 7TH AVE.

ITEM (I) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 4932 JEFFERSON RD.

ITEM (J) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 4936 JEFFERSON RD.

ITEM (K) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 905 WITHERSPOON LANE.

ITEM (L) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT FOR 971 DOGWOOD DR.

Recommendation: **Item A**

Motion to approve and accept Hold Harmless Agreement located at 1235 N. Federal Hwy.

Item B

Motion to approve and accept Water Easement Agreement for Chili's restaurant located at 14530 S. Military Trail.

Items C-D

(C) Motion to approve and accept 5' of sidewalk easement on NE 8th Ave. located at 602 NE 8th Ave.

(D) Motion to approve and accept 5' of right of way dedication on NE 8th Ave. located at 602 NE 8th Ave.

Item E-F

(E) Motion to approve and accept 5' of sidewalk easement on SW 13th Ave. and SW 1st St. located at 101 SW 13th Ave.

(F) Motion to approve and accept 2' of alleyway dedication located at 101 SW 13th Ave.

Item G-H

(G) Motion to approve and accept 5' of sidewalk easement on NE 5th St. located at 501 NE 7th Ave.

(H) Motion to approve and accept 2' of alleyway dedication located at 501 NE 7th Ave.

Item I

Motion to approve and accept 5' of sidewalk easement on Jefferson Rd. located at 4932 Jefferson Rd.

Item J

Motion to approve and accept 5' of sidewalk easement on Jefferson Rd. located at 4936 Jefferson Rd.

Item K

Motion to approve and accept 5' of sidewalk easement on Witherspoon Lane located at 905 Witherspoon Lane.

Item L

Motion to approve and accept 5' of sidewalk easement on Dogwood Dr. located at 971 Dogwood Dr.

Sponsors:

Public Works Department

Attachments:

[Agenda Cover Report](#)
[Item \(A\) Hold Harmless Agreement 1235 N. Federal Hwy](#)
[Item \(A\) Hold Harmless Agreement 1235 N. Federal Hwy.pdf](#)
[Item \(A\) 1235 N. Federal Hwy Civil Drawing .pdf](#)
[Item \(A\) PAPA Page 1235 N. Federal Hwy.pdf](#)
[Item \(A\) PAPA Map 1235 N. Federal Hwy.pdf](#)
[Item \(A\) Sun Biz Page 1235 N. Federal Hwy.pdf](#)
[Item \(B\) Easement Agreement 14530 S. Military Trail](#)
[Item \(B\) Easement Agreement 14530 S. Military Trail.pdf](#)
[Item \(B\) Exhibit \(A\) Sketch and Description.pdf](#)
[Item \(B\) PAPA Page 14530 S. Military Trail.pdf](#)
[Item \(B\) Map Location 14530 S. Military Trail.pdf](#)
[Item \(C\) PSE 602 NE 8th Ave.pdf](#)
[Item \(C\) Exhibit \(A\) Sketch and Description R.O.W Ded. 602 NE 8th Ave..pdf](#)
[Item \(D\) R.O.W Deed 602 NE 8th Ave..pdf](#)
[Item \(D1\) Exhibit \(A\) Sketch and Description Right of Way.pdf](#)
[Item \(D2\) Exhibit \(A\) Sketch and Description Alleyway 602 NE 8th Ave..pdf](#)
[Item \(C-D\) Survey 602 NE 8th Ave..pdf](#)
[Item \(C-D\) PAPA Page 602 NE 8th Ave., Florida, USA.pdf](#)
[Item \(C-D\) PAPA Map Location 602 NE 8th Ave..pdf](#)
[Item \(C-D\) Sun Biz Page 602 NE 8th Ave..pdf](#)
[Item \(E\) PSE 101 SW 13th Ave.pdf](#)
[Item \(E\) Exhibit-A-Sketch and Description 101 SW 13th Ave.pdf](#)
[Item \(F\) R.O.W Deed 101 SW 13th Ave.pdf](#)
[Item \(F\) Exhibit \(A\) Sketch and Description 101 SW 13th Ave.pdf](#)
[Item \(E-F\) Survey 101 SW 13th Ave.PDF](#)
[Item \(E-F\) PAPA Page 101 SW 13th Ave.pdf](#)
[Item E-F\) PAPA Maps 101 SW 13th Ave.pdf](#)
[Item \(E-F\) Sun Biz Page. 101 SW 13th Ave.pdf](#)
[Item \(G\) PSE 501 NE 7th Ave.pdf](#)
[Item \(H\) Right of Way Deed 501 NE 7th Ave..pdf](#)
[Item \(G-H\) Exhibit \(A\) Sketch and Description 501 NE 7th Ave..pdf](#)
[Item \(G-H\) Survey 501 NE 7th Ave.PDF](#)
[Item \(G-H\) PAPA Page 501 NE 7th Ave.pdf](#)
[Item \(G-H\) PAPA Maps 501 NE 7th Ave.pdf](#)
[Item \(G-H\) Sun Biz Page 501 NE 7th Ave.pdf](#)
[Item \(I\) PSE 4932 Jefferson Rd.pdf](#)
[Item \(I\) Exhibit \(A\) Sketch and Description 4932 Jefferson Rd..pdf](#)

[Item \(I\) Survey 4932 Jefferson Rd.pdf](#)
[Item \(I\) PAPA Page 4932 Jefferson Rd.pdf](#)
[Item \(I\) PAPA Maps 4932 Jefferson Rd.pdf](#)
[Item \(I\) Sun Biz Page 4932 Jefferson Rd.pdf](#)
[Item \(J\) PSE 4936 Jefferson Rd..pdf](#)
[Item \(J\) Exhibit \(A\) Sketch and Description 4936 Jefferson Rd..pdf](#)
[Item \(J\) Survey 4936 Jefferson Rd.pdf](#)
[Item \(J\) PAPA Page 4936 Jefferson Rd.pdf](#)
[Item \(J\) PAPA Maps 4936 Jefferson Rd.pdf](#)
[Item \(J\) Sun Biz Page 4936 Jefferson Rd.pdf](#)
[Item \(K\) PSE 905 Witherspoon Lane.pdf](#)
[Item \(K\) Exhibit \(A\) Sketch and Description 905 Witherspoon Lane.pdf](#)
[Item \(K\) Survey 905 Witherspoon Lane.PDF](#)
[Item \(K\) PAPA Page 905 Witherspoon Lane.pdf](#)
[Item \(K\) PAPA Maps 905 Witherspoon Lane.pdf](#)
[Item \(K\) Sun Biz Page 905 Witherspoon Lane.pdf](#)
[Item \(L\) PSE 971 Dogwood Dr..pdf](#)
[Item \(L\) Exhibit \(A\) Sketch and Description 971 Dogwood Dr..pdf](#)
[Item \(L\) PAPA Page 971 Dogwood Dr.pdf](#)
[Item \(L\) PAPA Maps 971 Dogwood Dr.pdf](#)

6.J. APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING TRANSPORTATION SERVICES FOR FISCAL YEAR 2018/19 RETROACTIVE TO NOVEMBER 1, 2018

Recommendation: Motion to approve the Interlocal Agreement (ILA) between the City of Delray Beach (CITY) and the Delray Beach Community Redevelopment Agency for Funding of Transportation Services (Agreement) for operations of the Downtown Roundabout for 3 months with the right to extend for an additional 3 months in the amount of \$120,000 beginning retroactively on November 1, 2018.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[11-6 Legal Review Checklist form v. 5 ILA with CRA for trolley funding](#)
[ILA Transportation Final_revised -10-29-18](#)

6.K. PROCLAMATIONS:

6.K.1. None

6.L. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

6.L.1. REPORT OF APPEALABLE LAND USE ITEMS FROM SEPTEMBER 17, 2018 THROUGH OCTOBER 5, 2018.

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A. Taco Bell \(Delray Commons\) - 5070 W Atlantic Avenue](#)
[B. Aloft Hotel Master Sign Program - 202 SE 5th Avenue](#)
[C. IPIC Master Sign Program - 53 SE 4th Avenue](#)
[D. 52 Modern - 172, 182, and 190 NE 5th Avenue](#)

6.M. AWARD OF BIDS AND CONTRACTS:

6.M.1. APPROVAL OF RESOLUTION NO. 123-18 TO AWARD A THREE-YEAR AGREEMENT, WITH OPTION FOR TWO YEAR RENEWAL, WITH LINE-TEC, INC. FOR WATER SERVICE CONNECTIONS, RESTORATION, AND MISCELLANEOUS SERVICES IN A NOT-TO-EXCEED AGREEMENT VALUE OF \$3,600,000

Recommendation: Motion to approve Resolution No. 123-18 to award a three-year agreement (Agreement), with option for two-year renewal, with Line-Tec, Inc. for miscellaneous services including water service connections, restoration, emergency repairs, and fire protection system enhancements in a not-to-exceed agreement value of \$3,600,000.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[2018-050 Agreement Water Service Connections and Restorations ITB, vendor](#)
[Legal Review Checklist form v. 5 Agreement for Water Service Connections and](#)
[2018-050 Water Service Connections and Restoration \(rev 6\)](#)
[2018-050 Submittals](#)
[Resolution No. 123-18 \(2018-050 Agreement\) CA rev](#)

6.M.2. APPROVE RESOLUTION NO. 132-18 TO AWARD AN AGREEMENT WITH TARGETSOLUTIONS, LLC FOR LEARNING MANAGEMENT SYSTEM IN A TOTAL NOT TO EXCEED AMOUNT OF \$198,000 FOR A FIVE YEAR PERIOD

Recommendation: Motion to approve Resolution No. 132-18 to award an agreement to TargetSolutions, LLC in a total not to exceed amount of \$198,000 for a five year period.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Renewal Contract.pdf](#)
[Schedule A Invoice.pdf](#)
[Target Solutions Resolution.docx](#)
[Legal Review Check List](#)

7. REGULAR AGENDA:

7.A. RATIFICATIONS OF APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD

Recommendation: Motion to recommend City Commission approves and ratifies the appointed members to the Parking Management Advisory Board for a two (2) year term ending July 31, 2020.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Parking Management Advisory Board Member List](#)

7.B. NOMINATION FOR APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD

Recommendation: Motion to approve nomination for appointment to one (1) regular member (Citizen-at-Large) to serve on the Parking Management Advisory Board for an unexpired term ending July 31, 2019.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Parking Management Advisory Board Member List](#)
[Parking Management Advisory Board Attendance List](#)
[Parking Management Advisory Board Applications](#)

8. PUBLIC HEARINGS:

8.A. ADOPTION OF RESOLUTION 136-18 CONVEYING THE CITY'S INTEREST IN REAL PROPERTY TO BRIGHT HORIZONS INVESTMENT CORP AND GOCO INC.

Recommendation: Motion to approve Resolution 136-18.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Resolution 136-18](#)
[Vacant Land Contract between City of Delray Beach and Bright Horizons Invest](#)
[Addendum No 1 to Vacant Land Contract](#)

9. FIRST READINGS:

9.A. ORDINANCE NO. 20-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH, ARTICLE 1.3 NONCONFORMING USES, LOTS AND STRUCTURES, BY REPEALING THIS ARTICLE AND READOPTING IT TO PROVIDE UPDATED REGULATIONS FOR NONCONFORMING LOTS, USES OF LAND AND STRUCTURES IN ADDITION TO REGULATIONS ON REMODELING NONCONFORMING STRUCTURES OR RECONSTRUCTING SUCH STRUCTURES IF AFFECTED BY AN ACT OF GOD; AND AMENDING ARTICLE 7.8 UNSAFE BUILDINGS AND STRUCTURES, BY REPEALING AND READOPTING SECTION 7.8.4 REQUIREMENTS FOR ALTERATIONS, ADDITIONS, OR REPAIRS TO PROVIDE FOR CONSISTENCY WITH ARTICLE 1.3 NONCONFORMING USES, LOTS AND STRUCTURES; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Approve Ordinance No. 20-18 the amendments to Land Development Regulations regarding Article 1.3, as presented.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance 20-18](#)
[P&Z Board Report 09.17.2018 Complete with Attachments](#)
[P&Z Board Report 7.17 2017](#)
[Legal Review Form Ord 20-18](#)

- 9.B.** ORDINANCE NO. 22-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 4.6.7 "SIGNS", BY AMENDING PARAGRAPH 4.6.7(D) "AESTHETIC QUALIFICATIONS", SUBPARAGRAPH (2) "BASIS" TO PROVIDE AESTHETIC QUALIFICATION CRITERIA FOR SCALE, DESIGN AND LOCATION, AND AMENDING PARAGRAPH 4.6.7(J) "PROHIBITED SIGNS", SUBPARAGRAPH (3) " "ROOF SIGNS" TO AMEND THE "DEFINITIONS" OF "ROOF SIGNS" TO BE CONSISTENT WITH SECTION 4.6.7, PROVIDING A CONFLICTS CLAUSE, AND AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (1st READING)

Recommendation: Motion to Approve Ordinance No. 22-18 amending the Land Development Regulations at Section 4.6.7 "Signs", as presented.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance 22-18 Roof signs 09.06.18.docx](#)
[PZB 091718_Roof signs_090618.pdf](#)

- 9.C.** ORDINANCE NO. 24-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATIVE PROVISIONS", ARTICLE 2.1, "DEVELOPMENT MANAGEMENT SERVICES GROUP," SECTION 2.1.2, "ADMINISTRATIVE ORGANIZATION AND RESPONSIBILITIES," BY ADDING APPROVAL OF ZONING CERTIFICATE OF USE AND OCCUPANCY AS A RESPONSIBILITY OF THE PLANNING AND ZONING DIRECTOR; AMENDING ARTICLE 2.4, "GENERAL PROCEDURES", SECTION 2.4.4, GENERAL PROCEDURES PERTAINING TO APPROVAL OF LAND USE AND DEVELOPMENT APPLICATIONS", BY AMENDING SUBSECTION (E), "EXPIRATION OF APPROVALS", TO PROVIDE AN EXPIRATION DATE FOR A ZONING CERTIFICATE OF USE AND OCCUPANCY; AMENDING SECTION 2.4.5, "PROCEDURES FOR OBTAINING DEVELOPMENT APPROVALS", BY AMENDING SUBSECTION (F), "SITE AND DEVELOPMENT AND MASTER DEVELOPMENT PLANS (MDP)," TO DEFINE AND CLARIFY THE APPROVAL PROCESS FOR A CLASS V SITE PLAN AND MASTER SITE DEVELOPMENT PLAN; AMENDING SUBSECTION (G), MODIFICATIONS TO SITE AND DEVELOPMENT PLANS," TO FURTHER CLARIFY SITE AND MASTER DEVELOPMENT PLANS, AND ADD A PROCESS FOR ZONING CERTIFICATE OF USE AND OCCUPANCY; AMENDING APPENDIX A, "DEFINITIONS," BY ADDING "ZONING CERTIFICATE OF USE AND OCCUPANCY," PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Motion to approve Ordinance No. 24-18 to amend Land Development Regulations Section 2.1.2, 2.4.5(F), 2.4.5(G), to provide a new process for Zoning Certificate of Use and Occupancy, and clarify review requirements associated with Site Plans and Master Development Plans, by adopting the findings of fact and law contained in the staff report and finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M), as presented.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance 24-18 Zoning Certificate of Use and Occupancy](#)
[Planning and Zoning Board Memo 091518](#)
[Zoning Certificate of Use and Occupancy Application \(Draft\)](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

10.A.1 Projects Update/Hurricane Michael Recovery

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Sponsors: City Manager Department

10.B. City Attorney

10.C. City Commission