

# City of Delray Beach

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[www.mydelraybeach.com](http://www.mydelraybeach.com)



## Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, November 17, 2020

Commission Chambers

Delray Beach City Hall

### City Commission

*Mayor Shelly Petrolia*

*Vice Mayor Ryan Boylston*

*Deputy Vice Mayor Shirley Ervin Johnson*

*Commissioner Adam Frankel*

*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****4. PRESENTATIONS:****4.A. PRESENTATION OF BAR KEYS TO JOHN BREWER AND IAIN PATERSON FOR THE SOCIALLY DISTANCED SUPPER CLUB**

**Recommendation:** Presentation only.

**Sponsors:** City Clerk Department

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

**4.B. EDUCATION PRESENTATION - LEARNING LOSS RECOVERY CHALLENGE DUE TO COVID-19**

**Recommendation:** Provide direction on how to proceed with the suggested learning loss strategies outlined in the presentation.

**Sponsors:** City Manager Department - Intergovernmental Affairs

**Attachments:** [Agenda Cover Report](#)  
[Learning Loss Recovery Presentation CC 11172020](#)

**4.C. PRESENTING ALEXANDRIA DEFRANCO, PAYROLL ADMINISTRATOR, WITH EMPLOYEE OF THE MONTH FOR MAY 2020.**

**Recommendation:** Motion to present Alexandria Defranco, Payroll Administrator, with Employee of the Month for May 2020.

**Sponsors:** Human Resources Department

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

**4.D. PRESENTING AMANDA SKEBERIS, CLEAN AND SAFE ADMINISTRATOR, WITH EMPLOYEE OF THE MONTH FOR JUNE 2020.**

**Recommendation:** Motion to approve Amanda Skeberis as Employee of the Month for JUNE 2020.

**Sponsors:** Human Resources Department

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

**4.E. PRESENTING LESHAY FERGUSON, HUMAN RESOURCES GENERALIST, WITH EMPLOYEE OF THE MONTH FOR JULY 2020.**

**Recommendation:** Motion to present LeShay Ferguson, Human Resources Generalist with Employee of the Month for July 2020.

**Sponsors:** Human Resources Department

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

**4.F. STAFF TO PRESENT AN UPDATE ON THE CLIMATE CHANGE VULNERABILITY STUDY.**

**Recommendation:** Presentation only.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Climate Threats - Coastal Resilience Partnership Southeast Palm Beach County](#)  
[Climate Assets - Coastal Resilience Partnership Southeast PBC ADA](#)  
[City Comm Update pdf 111020](#)

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

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

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:

August 11, 2020 Workshop Meeting Minutes

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[August 11, 2020 Workshop Draft](#)

**6.B. PROPOSED OFFER OF SETTLEMENT IN THE CASE OF FOSTER MARINE CONTRACTORS, INC. v. CITY OF DELRAY BEACH**

**Recommendation:** Motion to deny settlement proposed by Foster Marine Contractors, Inc., for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

**Sponsors:** City Attorney Department

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

- 6.C.** RESOLUTION NO. 189-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO JAMES H. GRABOW, FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 246 NORTH SWINTON AVENUE, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

**Recommendation:** Review and consider Resolution No. 189-20; approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 246 North Swinton Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 189-20-246 N. Swinton Avenue-Tax Exemption](#)  
[Simple Legal Review Approval Resolution 189-20](#)  
[1-Application Tax Exemption-246 N Swinton Avenue](#)  
[2-Warranty Deed-246 N Swinton Avenue](#)  
[3-Property Tax Information-246 N Swinton Avenue](#)  
[4-Certificate of Occupancy-246 N Swinton Avenue](#)  
[5-Letter from State - OSSHD National](#)  
[6-2017 HPB Staff Report-246 N Swinton Avenue](#)  
[7-Architectural Drawings-246 N Swinton Avenue](#)  
[8-Survey-246 N Swinton Avenue](#)  
[9-Before and After Photos-246 N Swinton Avenue](#)

- 6.D.** RESOLUTION NO. 190-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO BLAINE M. MINTON, FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 1420 NORTH SWINTON AVENUE, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

**Recommendation:** Review and consider Resolution No. 190-20; approving a Historic Property Ad Valorem Tax Exemption request for improvements to the structure and property located at 246 North Swinton Avenue, which is listed on the Local Register of Historic Places.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 190-20-1420 N. Swinton Avenue-Tax Exemption](#)  
[Simple Legal Review Approval Resolution 190-20](#)  
[1-Application Tax Exemption-1420 N. Swinton Avenue](#)  
[2-Warranty Deed-1420 N. Swinton Avenue](#)  
[3-Property Tax Information-1420 N. Swinton Avenue](#)  
[4-Certificate of Occupancy-1420 N. Swinton Avenue](#)  
[5-Staff Report HPB COA-1420 N. Swinton Avenue](#)  
[6-Architectural Drawings-1420 N. Swinton Ave.](#)  
[7-Survey Old-1420 N. Swinton Ave.](#)  
[8-Survey New-1420 N. Swinton Ave.](#)  
[9-Photographs-Before and After](#)

- 6.E.** APPROVAL OF INCREASE IN THE AMOUNT OF \$750,000 TO THE CONTRACT VALUE WITH TRANE US INC. FOR AIR CONDITIONING MAINTENANCE AND REPAIR SERVICES FOR THE PUBLIC WORKS DEPARTMENT

**Recommendation:** Motion to approve an increase of \$750,000 to the contract value for a total estimated contract amount of \$1,250,000, with Trane US Incorporated, for air conditioning maintenance and repair services for the Public Works Department.

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

**Attachments:** [Agenda Cover Report](#)  
[15-JLP-023 Trane Renewal 2](#)  
[Agenda Cover Report \(ct 9.9.19\)](#)  
[Fully Executed Master Service Agreement](#)  
[Fully Executed Resolution](#)

- 6.F.** APPROVAL TO RETROACTIVELY APPROVE EXPENDITURES AND APPROVE AN INCREASE TO THE AGREEMENT WITH CINTAS CORPORATION NO. 2 FOR CITYWIDE FACILITIES MANAGEMENT PRODUCTS, RELATED SERVICES AND SOLUTIONS: FIRE PROTECTION SERVICES FOR THE PUBLIC WORKS DEPARTMENT - \$1,768,000

**Recommendation:** Motion to retroactively approve expenditures in the amount of \$68,000 and approve an increase in the total contract amount of \$1,768,000 comprising: \$500,000 increase for products and service; \$200,000 for fire protection services capital improvement for the Police Department, as approved in FY21 CIP; and retroactive approval for \$68,000 incurred expenses above existing contract value. The increase will enable needed service provision by Cintas Corporation No. 2, for citywide facilities management products and solutions: fire protection services.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Res No. 55-19](#)  
[Cintas Agmt thru 10.31.2023](#)

- 6.G.** APPROVAL TO INCREASE THE CONTRACT VALUE IN THE AMOUNT OF \$500,000 WITH SIEMENS INDUSTRY, INC. FOR INSTALLATION, SERVICE AND REPAIR OF HVAC SYSTEMS AT THE POLICE DEPARTMENT HEADQUARTERS FACILITY

**Recommendation:** Motion to approve increase in the amount of \$500,000 to the contract value, comprising of \$300,000 increase for products and services and \$200,000 for a Capital Improvement Project (CIP) for the Police Department (PD) as approved in FY21 CIP. The increase will enable needed service provision by Siemens Industry for the Police Department Headquarters.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 37-18](#)  
[Master Agmt with Siemens](#)

- 6.H.** APPROVAL OF AMENDMENT NO. 2 TO BAXTER & WOODMAN, INC. FOR CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) FOR THE NE 2ND AVENUE SEACREST BEAUTIFICATION PHASE 3 PROJECT (NE 22ND STREET NORTH TO GULFSTREAM BOULEVARD) IN THE AMOUNT OF \$55,186 (PROJECT NO. 17-010).

**Recommendation:** Motion to Approve Amendment No. 2 to the Agreement with Baxter & Woodman, Inc. for Construction, Engineering, and Inspection Services (CEI) for the NE 2nd Avenue Seacrest Beautification Phase 3 Project, in the amount of \$55,186, for a total contract amount not to exceed \$330,222.

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

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Baxter Woodman re CEI services for Seacrest Phase 3](#)  
[Fully Executed - Amendment 1 to Agreement with Baxter & Woodman Inc.](#)  
[Scanned Amend 2 Baxter and Woodman CEI](#)

- 6.I.** RESOLUTION NO.167-20: REQUESTING APPROVAL OF AN INTERLOCAL AGREEMENT (ILA) BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH FOR THE DESIGN AND CONSTRUCTION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF W. LINTON BOULEVARD AND CATHERINE DRIVE/LINTON LAKES DRIVE. (PROJECT NO. 20-001)

**Recommendation:** Motion to Approve Resolution No. 167-20 to approve an Interlocal Agreement (ILA) with Palm Beach County and the City of Delray Beach (City) for the design and construction of a traffic signal at the intersection of W. Linton Boulevard and Catherine Drive/Linton Lakes Drive.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 167-20 - ILA with County to install traffic signal Linton and Cath](#)  
[Legal Review ILA with County for installation of new traffic signal at Linton Cath](#)  
[City of Delray Beach - Interlocal Agreement -W Linton Blvd. and Catharine Dr yf](#)

## **6.J. PROCLAMATIONS:**

- 6.J.1.** 2020 SMALL BUSINESS SATURDAY - NOVEMBER 28, 2020 - PROCLAMATION

**Recommendation:** Proclaim November 28, 2020 as Small Business Saturday in Delray Beach, Florida.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Small Business Saturday 2020](#)

## **6.K. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

- 6.K.1. None



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

6.L.1. None

**7. REGULAR AGENDA:****7.A. RATIFICATION OF EMERGENCY REGULATIONS RELATED TO COVID-19  
ACTIVATED UNDER CHAPTER 95 OF THE DELRAY BEACH CODE OF  
ORDINANCES**

**Recommendation:** Motion to Ratify the 34th Extension of the State of Emergency for COVID  
-19.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[34th Extension Emergency Declaration - COVID 19](#)

**7.B. NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD**

**Recommendation:** Motion to approve the nomination for an appointment for one (1) regular  
member to serve on the Public Art Advisory Board for an unexpired term  
ending July 31, 2021.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Public Art Advisory Board 2020 2](#)  
[Cabana](#)  
[Cooper 1](#)  
[Donohue](#)  
[Jacobson](#)  
[Nevin](#)  
[Talley](#)  
[Vasiliou 1](#)  
[Zengage](#)

**7.C. RESOLUTION NO.194-20 BUDGET AMENDMENT FOR FISCAL YEAR 2019/20**

**Recommendation:** Motion to Approve Resolution No.194-20 amending the budget for Fiscal  
Year (FY) 2019/20 adopted September 17, 2019.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval 194-20](#)  
[2020 Exhibit A Budget Amendment for 11-17-20](#)  
[Resolution 194-20 Budget Amendment](#)

**7.D. RESOLUTION NO.196-20 BUDGET AMENDMENT FOR FISCAL YEAR 2020/21**

**Recommendation:** Motion to Approve Resolution No. 196-20 amending the budget for Fiscal Year (FY) 2020/21, adopted September 22, 2020.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Utilities Admin Program - Budget Amendment FY 21](#)  
[2021 Exhibit A Budget Amendment for 11-17-20](#)  
[Simple Legal Review Approval 196-20](#)  
[Resolution 196-20 Budget Amendment FY 20.21](#)

**7.E. APPROVAL OF RESOLUTION 201-20 PROVIDING FOR VIRTUAL ATTENDANCE BY ELECTED AND APPOINTED OFFICIALS AT MEETINGS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY AND SUSPENDING ANY REQUIREMENT THAT AN IN-PERSON PHYSICAL QUORUM BE PRESENT TO CONDUCT BUSINESS.**

**Recommendation:** Motion to approve Resolution 201-20.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Advisory Legal Opinion - Public meeting quorums using technology](#)  
[Resolution 201-20 return to virtual meeting](#)

**8. PUBLIC HEARINGS:**

- 8.A.** ORDINANCE NO. 37-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CORRECTING A SCRIVENER'S ERROR BY ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT FOR SIXTY-ONE PARCELS OF LAND, WHICH MEASURES APPROXIMATELY 9.94± ACRES, AND RE-DESIGNATING SAID LAND FROM LOW DENSITY (LD) TO GENERAL COMMERCIAL (GC), TRANSITIONAL (TRN), AND MEDIUM DENSITY (MD), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; SAID LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF OLD DIXIE HIGHWAY AND SE 10TH STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (PUBLIC HEARING/SECOND READING)

**Recommendation:** Review and consider a request to approve Ordinance No. 37-20, a City-initiated amendment to the Land Use Map from Low Density (LD) to General Commercial (GC), Medium Density (MD), and Transitional (TRN) land use to correct a scrivener's error.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 37-20 Silver Terrace Land Use](#)  
[Silver Terrace Land Use: Staff Report](#)  
[Silver Terrace: Location Map](#)  
[Silver Terrace Land Use: History](#)  
[Ord. No. 37-20 Legal Review](#)

- 8.B.** ORDINANCE NO. 46-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ANNEXING INTO THE CITY OF DELRAY BEACH, ONE PARCEL OF LAND LOCATED IMMEDIATELY WEST OF BARWICK ROAD AND IMMEDIATELY SOUTH OF CANAL L-30 AT 13029 BARWICK ROAD, WITH THE SAME BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREIN; COMPRISING APPROXIMATELY ONE ACRE IN SIZE AND SITUATED CONTIGUOUS TO THE EXISTING MUNICIPAL LIMITS OF THE CITY OF DELRAY BEACH; PROVIDING FOR INCLUSION OF THIS ONE (1) PARCEL INTO THE CITY AND A REDEFINITION OF THE CITY BOUNDARIES PURSUANT TO SUB-SECTION 171.044(2), FLORIDA STATUTES; PROVIDING FOR CONFORMANCE WITH ALL VOLUNTARY ANNEXATION PROCEDURES AS SET FORTH IN SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FILING WITH PALM BEACH COUNTY AND THE DEPARTMENT OF STATE; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Review and consider Ordinance No. 46-20, a privately initiated request for annexation of a parcel of land located at 13029 Barwick Road, subject to Florida Statutes Section 171 and the City of Delray Beach Land Development Regulations Section 2.4.5(C)(1).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 46-20 - Annexation 13029 Barwick Road](#)  
[Ordinance 46-20 -PZB Staff Report](#)  
[Ordinance 46-20 - Applicant's Justification Statement](#)  
[Ordinance 46-20 - Property Survey](#)  
[Ordinance 46-20 - Comprehensive Plan Maps](#)  
[Legal Review Ord 46-20 47-20 and 48-20](#)

- 8.C.** ORDINANCE NO. 47-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL SCALE LAND USE MAP AMENDMENT FOR ONE PARCEL OF LAND RE-DESIGNATING LAND APPROXIMATELY ONE ACRE IN SIZE FROM PALM BEACH COUNTY MEDIUM RESIDENTIAL (MR-5) TO CITY OF DELRAY BEACH LOW DENSITY (LD), PURSUANT TO SECTION 163.3187 FOR THE PROPERTY LOCATED AT 13029 BARWICK ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Review and consider Ordinance No. 47-20, a privately initiated land use map amendment redesignating the property located at 13029 Barwick Road from Palm Beach County Medium Residential (MR-5) to Delray Beach Low Density (LD).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 47-20 - Proposed Ordinance](#)  
[Ord. No. 47-20 - PZB Staff Report](#)  
[Ord. No. 47-20 - Survey](#)  
[Ord. No. 47-20 - Applicant's Justification Statement](#)  
[Ordinance 47-20 - Comprehensive Plan Maps](#)  
[Legal Review Ord 46-20 47-20 and 48-20](#)

- 8.D.** ORDINANCE NO. 48-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING PORTIONS OF LAND PRESENTLY ZONED PALM BEACH COUNTY AGRICULTURAL RESIDENTIAL (AR) TO CITY OF DELRAY BEACH SINGLE FAMILY RESIDENTIAL (R-1-AA); FOR A PARCEL OF LAND LOCATED AT 13029 BARWICK ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Review and consider Ordinance No. 48-20, a privately initiated rezoning request for the property located at 13029 Barwick Road from Palm Beach County Agricultural Residential (AR) to Delray Beach Single Family Residential (R-1-AA).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 48-20 - Proposed Ordinance](#)  
[Ord. No. 48-20 - PZB Staff Report](#)  
[Ord. No. 48-20 - Applicant's Justification Statement](#)  
[Ordinance 48-20 - Survey](#)  
[Legal Review Ord 46-20 47-20 and 48-20](#)

**9. FIRST READINGS:**

- 9.A.** ORDINANCE NO. 11-20: 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 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.5, "WALLS, FENCES, AND HEDGES", SUBSECTION (A), "RELATIONSHIP TO TRAVELWAYS", TO INCLUDE ACCESS GATES; AMENDING SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS", SUBSECTION (D), "DESIGN STANDARDS", TO CLARIFY REGULATIONS FOR STACKING DISTANCES AND ESTABLISH REGULATIONS FOR ACCESS GATES; AMENDING SECTION 4.6.14, "SIGHT VISIBILITY", SUBSECTION 4.6.14(A), "PURPOSE AND INTENT", TO INCLUDE ACCESS GATES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 11-20, a City-initiated amendment to the Land Development Regulations (LDR) Section 4.6.5 "Walls, fences, and hedges," Section 4.6.9(D) "Off street parking regulations," and Section 4.6.14 "Site visibility" regarding the placement of access gates on residential and nonresidential properties to provide a clear and safe path for users of the street and sidewalk.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 11-20](#)  
[Ordinance No. 11-20: PZB Staff Report](#)  
[Ordinance No. 11-20: Legal Review, Access Gates](#)

- 9.B.** ORDINANCE NO. 53-20: 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 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.7, "SIGNS," BY AMENDING SUBSECTION (E), "SIGN DESIGN STANDARDS," AND SUBSECTION (J), "PROHIBITED SIGNS," TO ESTABLISH REGULATIONS ALLOWING CERTAIN SIGN DESIGNS TO EXTEND INTO THE RIGHT-OF-WAY WITHIN THE CENTRAL BUSINESS DISTRICT AND OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT AND RESTRUCTURE EXISTING SUBSECTIONS TO ELIMINATE INCONSISTENT REQUIREMENTS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider a request to approve Ordinance No. 53-20, a City-initiated amendment to the Land Development Regulations (LDR) Section 4.6.7 "Signs," Section 4.6.7(E) "Sign Design Standards," Section 4.6.7(J) "Prohibited Signs" to establish regulations allowing certain signs designs to extend into the right-of-way in certain zoning districts.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 53-20 Signs Update](#)  
[Ord 53-20 Signs Update- HPB Staff Report](#)  
[Ord 53-20 Signs Update- PZB Staff Report](#)  
[Ord 53-20 Signs - Legal Review](#)  
[CBD and OSSHAD with CBD Map](#)

- 9.C.** ORDINANCE NO. 56-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 120, "OPERATION AND SALE OF FOOD FROM MOBILE FOOD TRUCKS," SECTION 120.01, "OPERATION AND SALE OF FOOD FROM MOBILE FOOD TRUCKS," TO UPDATE THE DEFINITIONS, MODIFY THE REQUIREMENTS TO OPERATE MOBILE FOOD TRUCKS WITHIN THE CITY, MODIFY THE LIMITATIONS AND PROHIBITIONS FOR THE OPERATION OF FOOD TRUCKS WITHIN THE CITY, AND ELIMINATE AND REPLACE CIVIL CITATIONS WITH GENERAL PENALTIES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider a City-initiated request for amend Chapter 120 of the Code of Ordinances - "Operation and sale of Food from Mobile Food Trucks" to bring the adopted regulations into compliance with State of Florida regulatory changes.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 56-20: Mobile Food Trucks](#)  
[Ordinance No. 56-20: Legal Review](#)



- 9.D.** ORDINANCE NO. 58-20: 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 ADOPTING FINDINGS BY AMENDING SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES", TO ADD A NEW SUBSECTION (CC), "CBD OIL ESTABLISHMENTS", TO PROVIDE A PURPOSE AND INTENT AND SPECIFIC REGULATIONS REGARDING THE HOURS OF OPERATION, PROHIBITIONS BY FREQUENCY AND PROXIMITY TO CERTAIN USES AND ZONING DISTRICTS, AND ACCESSORY USE REGULATIONS; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.9, "GENERAL COMMERCIAL (GC) DISTRICT", SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED", AMENDING SECTION 4.4.12, "PLANNED COMMERCIAL (PC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED", AMENDING SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (C), "ALLOWABLE USES," (3), "REQUIRED RETAIL FRONTAGE USE LIMITATIONS," TABLE 4.4.13(A) - "ALLOWABLE USES IN THE CBD SUB-DISTRICTS", AMENDING SECTION 4.4.19, "MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT", SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED", AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT", SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED", AMENDING SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT", SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED" TO ADD CBD OIL ESTABLISHMENTS TO THE LIST OF PRINCIPAL USES AND STRUCTURES PERMITTED AND PROVIDE ADDITIONAL LOCATION RESTRICTIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 58-20, amending the Land Development Regulations to add CBD Oil Establishments as a use with location and frequency restrictions.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord No 58-20 CBD Oil Establishments](#)  
[Ord No 58-20 CBD Oil PZB Staff Report](#)  
[CBD Oil Allowed Areas\\_300ft.pdf](#)  
[CBD Oil Allowed Areas Zoning\\_300ft.pdf](#)  
[Simple Legal Review Approval CBD Ordinance](#)

- 9.E.** ORDINANCE NO. 60-20: 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 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS,' BY AMENDING SUBSECTION (D), "DESIGN STANDARDS," TO ESTABLISH REGULATIONS THAT GOVERN CERTAIN ASPECTS OF RESERVED PARKING SPACES SUCH AS MARKINGS, SIGNAGE AND PERCENTAGE ALLOWED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider a request to approve Ordinance No. 60-20, a City-initiated amendment to the Land Development Regulations (LDR) Section 4.6.9 "Off-Street Parking Regulations," Section 4.6.9(D) "Design Standards," to establish regulations that govern certain aspects of reserved parking spaces.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 60-20 Reserved Parking Spaces](#)  
[PZB Staff Report \(Originally included in Ord. 53-20\)](#)  
[Ord 60-20 Reserved Parking Spaces - Legal Review](#)

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

**A. City Manager**

**B. City Attorney**

**C. City Commission**