

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 4:00 PM

Tuesday, July 6, 2021

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Shelly Petrolia
Vice Mayor Shirley Ervin Johnson
Deputy Vice Mayor Adam Frankel
Commissioner Juli Casale
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****3. AGENDA APPROVAL**

A. Additions, Deletions, Substitutions

4. PRESENTATIONS:**4.A. PRESENTING ANTHONY BURSON, ADMINISTRATIVE OFFICE COORDINATOR, WITH EMPLOYEE OF THE MONTH FOR MAY 2021**

Recommendation: Motion to present Anthony Burson, Administrative Office Coordinator, with Employee of the Month for May 2021.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Anthony Burson May Employee of the Month](#)

4.B. NEXT GENERATION INITIATIVES DAY PROCLAMATION

Recommendation: Motion to proclaim July 6, 2021 as Next Generation Initiatives Day in the City of Delray Beach.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[2021 Next Generation Initiatives Day Proclamation](#)
[Next Generation Initiatives Powerpoint 2021](#)

4.C. PRESENTATION FROM THE DELRAY BEACH INITIATIVE TO END HOMELESSNESS

Recommendation: Presentation Only.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Delray Beach Initiative to end homelessness](#)

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:

May 18, 2021 Regular City Commission Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[May 18 2021 Commission Meeting Minutes - DRAFT](#)

6.B. ACCEPTING A LANDSCAPE MAINTENANCE AGREEMENT FOR THE PLANNED RESIDENTIAL DEVELOPMENT KNOWN AS BANYAN COURT LOCATED AT 13132 & 13088 BARWICK ROAD.

Recommendation: Review and consider the Landscape Maintenance Agreement for the Banyan Court Neighborhood Development located at 13132 & 13088 Barwick Road.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Banyan Court - Landscape Maintenance Agreement](#)

[Banyan Court - Exhibit A - Sketch and Legal description](#)

[Banyan Court - Exhibit B - Landscape Plan](#)

[Banyan Court - Articles of Incorporation - Certificates](#)

[Banyan Court - Simple Legal Review](#)

- 6.C.** ACCEPTANCE OF A PEDESTRIAN CLEAR ZONE EASEMENT ALONG NE 3RD STREET, NE 2ND AVE, AND NE 2ND STREET, AN ACCESS EASEMENT IN THE ALLEYWAY, A LANDSCAPE MAINTENANCE AGREEMENT (ALONG NE 3RD STREET) AND A BIKE RACK MAINTENANCE AGREEMENT FOR THE PROPERTY LOCATED AT 233-279 NE 2ND AVENUE.

Recommendation: Review and consider acceptance of a Pedestrian Clear Zone along NE 3rd Street, NE 2nd Avenue and NE 2nd Street, an Access Easement, Landscape Maintenance Agreement, and a Bike Rack Maintenance Agreement for 233-279 NE 2nd Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[The Ray - SPRAB Report Class II](#)
[The Ray - SPRAB Report Class IV](#)
[The Ray - Easement Agreement for Pedestrian Clear Zone Class II with exhibits](#)
[The Ray - Landscape Maintenance Agreement Class II with exhibits](#)
[The Ray - Access Agreement Class IV](#)
[The Ray - Bicycle Rack Agreement Class IV with exhibit](#)
[Pedestrian Clear Zone Easement Agreement Class IV with Exhibits](#)
[Simple Legal Review Approval Bike Rack Maintenance Agreement the Ray](#)
[Legal Review Easement Agreement for Pedestrian Clear Zone Grove Rosebud](#)
[Legal Review Landscape Maintenance Agreement Grove Rosebud Two LLC](#)
[Simple Legal Review Approval Easement Agreement for Pedestrian Clear Zone](#)
[Simple Legal Review Access Easement Agreement the Ray](#)

- 6.D.** PALM BEACH COUNTY EMERGENCY SERVICES AGREEMENT AMENDMENT

Recommendation: Motion to approve the first amendment to the existing agreement between Delray Beach and Palm Beach County for Emergency Service, Mutual Assistance, Automatic Aid, and Dispatch Services.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Emergency Services Agreement with Palm Beach County Fire Rescue](#)
[Delray Beach Dispatch Auto Aid 1st Amend FINAL](#)
[Legal Review Checklist form v. 7 WMB 3 5 2021 Automatic Aid Amend No 1](#)

- 6.E.** ITEM(S) A1, A2, A3, AND A4 - ACCEPTANCE OF A RIGHT OF-WAY DEDICATION BY 248 NE 8TH AVE., ACCEPTANCE OF A RIGHT OF-WAY DEDICATION BY 340 SW 4TH AVE., ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 704 SW 4TH ST., AND ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 25 NW 8TH ST.

Recommendation: Consideration of the following items:

RIGHT OF WAY DEED(S)

Items A

Item A1 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 248 NE 8th Ave. to the City of Delray Beach.

Item A2 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 340 SW 4th Ave. to the City of Delray Beach.

Item A3 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 704 SW 4th St. to the City of Delray Beach.

Item A4 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 25 NW 8th St. to the City of Delray Beach.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Item \(1\) Legal Reviews](#)
[Item \(A1a\) 248 NE 8th Ave. - ROW](#)
[Item \(A1b\) 248 NE 8th Ave. -Exhibit A & Sketch](#)
[Item \(A2a\) 340 SW 4th Ave - ROW](#)
[Item \(A2b\) 340 SW 4th Ave - Exhibit A & Sketch](#)
[Item \(A3a\) 704 SW 4th St. - ROW](#)
[Item \(A3b\) 704 SW 4th St. - Exhibit A & Sketch](#)
[Item \(A4a\) 25 NW 8th St. - ROW](#)
[Item \(A4b\) 25 NW 8th St. - Exhibit A & Sketch](#)

6.F. INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE CITY OF BOYNTON BEACH FOR LAKE IDA WATER QUALITY MONITORING SERVICES IN AN AMOUNT NOT TO EXCEED \$30,000.

Recommendation: Motion to approve and accept the proposed Interlocal Agreement (ILA) between the City of Delray Beach and Boynton Beach for water quality monitoring services for Lake Ida in an amount not to exceed \$30,000.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[1. ILA with Delray Beach for Lake IDA](#)

[2. Exhibit A- Water Quality Monitoring for Lake Ida](#)

[3. Legal Review ILA with Boynton Beach for water sample testing from Lake Ida](#)

6.G. RESOLUTION NO. 106-21 BEACH RENOURISHMENT PROGRAM

Recommendation: Motion to Approve Resolution No. 106-21 in support of the City of Delray Beach Renourishment Program. This resolution supports the beach and coastal management programs of the Florida Department of Environmental Protection (FDEP), advising the State of Florida that the City of Delray Beach (City) will consider participation and will provide the local funding share necessary to implement any State beach and coastal management program approved by the City Commission for participation.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Beach Nourishment Resolution Rev. KwB 6.14.21](#)

[Simple Legal Review Approval 106-21](#)

6.H. APPROVE RESOLUTION NO. 102-21 AUTHORIZING A STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE AND OPERATION OF THE LIGHTING ON THE STATE HIGHWAY SYSTEM

Recommendation: Motion to approve Resolution No. 102-21 authorizing a State Highway Lighting, Maintenance, and Compensation Agreement with the Florida Department of Transportation (FDOT) for the maintenance and operation of the lighting on the State Highway System.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Simple Legal Review Approval FDOT Lighting Agreement](#)

[FDOT Lighting Maintenance Agreement Resolution 5.26.21](#)

[ASM45- City of Delray Beach](#)

[City of Delray Fixtures List from FDOT](#)

6.I. APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT WITH BAXTER & WOODMAN, INC. FOR GENERAL ENGINEERING CONSULTING SERVICES, TO ACCEPT A NAME CHANGE AND TO AUTHORIZE AN INCREASE IN HOURLY FEES

Recommendation: Motion to Approve Amendment No. 2 to the Agreement with Baxter & Woodman, Inc. for General Engineering Consulting Services, to accept a name change and to authorize an increase in hourly fees.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[2017-048 Amendment No. 1, Mathews Consulting, a Baxter & Woodman Comp.](#)
[2017-048 Agreement with Baxter & Woodman, Inc DBA Mathews Consulting](#)
[Signed - Amend #2 Rate Adj & Name Change 2021-05](#)
[Legal Review Checklist Amd #2 Baxter & Woodman Agreement for Professiona](#)
[NAME CHANGE_EXISTING_CONTACTS](#)
[Exhibit B - B&W Rate Adj Request 2021-05-11 As-Sent](#)

6.J. PROCLAMATIONS:

6.J.1. None

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

6.K.1. REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 31, THROUGH JUNE 11, 2021.

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Item Map](#)
[A - 12 SE 1st Avenue](#)

6.L. AWARD OF BIDS AND CONTRACTS:

- 6.L.1.** APPROVAL OF RESOLUTION NO. 98-21 TO APPROVE AN AGREEMENT WITH BAXTER AND WOODMAN, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR LOWSON BOULEVARD/SW 10th STREET FROM DOVER ROAD TO SOUTHEAST 5TH AVENUE (US-1/FEDERAL HIGHWAY) PURSUANT TO RFQ NO. 2020-020 (PROJECT NO. 17-009) - \$730,583

Recommendation: Motion to Approve Resolution No. 98-21 to award an Agreement with Baxter and Woodman, Inc. for Construction Engineering and Inspection (CEI) Services for Lawson Boulevard/SW10th Street from Dover Road to SE 5th Avenue (US-1/Federal Highway) pursuant to RFQ No. 2020-020 (Project No. 17-009) in the estimated amount not to exceed \$730,583.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Agreement - CEI Lawson Blvd - Baxter Woodman kwb. rev. 6.8.21](#)

[Revised Scope Lawson CEI BW Rev 2021-05-12](#)

[BW Resolution 98-21](#)

[Legal Review Checklist Baxter and Woodman CEI Lawson](#)

[Baxter Woodman Submittal](#)

[2020-020 Scoring Summary after Technical Evals Lawson CEI Initial Eval](#)

- 6.L.2.** APPROVAL OF RESOLUTION NO. 100-21 TO APPROVE AN AGREEMENT WITH E & M EQUIPMENT CORPORATION FOR CONSTRUCTION SERVICES FOR LOWSON BOULEVARD/SW 10th STREET FROM DOVER ROAD TO US-1/FEDERAL HIGHWAY PURSUANT TO ITBC NO. 2020-040 (PROJECT NO. 17-009) - \$6,146,437

Recommendation: Motion to Approve Resolution No. 100-21 to award an Agreement with E & M Equipment Corporation for construction services for Lawson Boulevard/SW 10th Street from Dover Road to US-1/Federal Highway pursuant to ITBC No. 2020-040 (Project No. 17-009) - \$6,146,437.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Signed Agreement - Lawson Rebid - E M Corp. rev. KWB. 6.4.21](#)

[Price Schedule](#)

[EME Resolution 100-21](#)

[Legal Review Checklist Construction Services for Lawson Blvd. to Dover Road](#)

[Lowson ReBid EnM BaseBidEvaluation FINAL 2021-02-01](#)

[Tabulation Packet for ITBC 2020-040](#)

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO: 96-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, EXTENDING A TEMPORARY USE PERMIT FOR ONE ADDITIONAL YEAR TO OPERATE A TEMPORARY PARKING LOT AT 101 NORTHWEST 18TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL)

Recommendation: Review and consider Resolution No. 96-21, for the temporary use permit request for a temporary parking lot with waivers to LDR Sections 2.4.6(F) (3)(e), Subsections 1, 3, 4, and 8, located at 101 NW 18th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res No. 96-21 Temp Parking 101 NW 18th Avenue](#)
[Justification Letter](#)
[101 NW 18th Ave - Survey](#)
[101 NW 18th Ave - Diagram of Area](#)
[Res No. 110-19](#)
[Approved and Proposed Temporary Parking Lots](#)
[Legal Review Res 96-21 Temporary Use Permit for temporary parking lot at 101](#)

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

Recommendation: Motion to Ratify the 65th, 66th, 67th and 68th Extensions of the State of Emergency for COVID -19.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[65th Extension of State of Emergency 6-9-2021](#)
[66th Extension of State of Emergency 6-16-2021](#)
[67th Extension of state of emergency 6-23-2021](#)
[68th Extension of State of Emergency 6-23-2021](#)

7.C. NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

Recommendation: Motion to approve nominations for an appointment for three (3) regular members to serve on the Public Art Advisory Board for a two (2) year term ending 7/31/2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06232021](#)
[Public Art Advisory Board 2020 5](#)
[2021 Quarterly Attendance](#)
[Cabana](#)
[Donohue](#)
[Hotchkiss](#)
[Jacobson](#)
[Mamone](#)
[Talley](#)
[Vasiliou 1](#)
[Wiggins](#)
[Zengage](#)

7.D. NOMINATION FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Recommendation: Motion to approve the nomination for an appointment for one (1) regular member to serve on the Downtown Development Authority Board for a three (3) year term ending July 01, 2024.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06252021](#)
[Downtown Development Authority 2021 3](#)
[2020-2021 Year DDA Board Attendance Record](#)
[DDA Boundary Map Highlight](#)
[Costilo](#)
[Michel](#)
[Pellegrino](#)
[Van Arnem](#)

7.E. NOMINATIONS FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

Recommendation: Motion to approve nominations for an appointment of two(2) regular members and two alternate members to serve on the Green Implementation Advancement Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Green Implementation Advancement Board 2021](#)
[Green Implementation Advancement Board 2021](#)
[2021 Quarterly Attendance](#)
[Adamo](#)
[Chanin 2](#)
[Clark](#)
[Donohue](#)
[Lucas GIAB](#)
[Mamone](#)
[Roll](#)
[Seckler](#)

7.F. NOMINATION FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY

Recommendation: Motion to recommend for appointment for one (1) regular member to serve on the Delray Beach Housing Authority Board for a four (4) year term ending July 14, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06222021](#)
[Delray Beach Housing Authority 4](#)
[Board Attendance Record 2021](#)
[Bruton](#)
[Cherelus](#)
[Cortezi](#)
[Donohue](#)
[Jones](#)
[Stacey-Wright](#)
[Townsend](#)

7.G. NOMINATION FOR APPOINTMENT TO THE EDUCATION BOARD

Recommendation: Motion to approve the nomination for an appointment for six (6) regular members to serve on the Education Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[06212021 Exhibit A](#)
[Education Board 2021 3](#)
[ATTENDANCE RECORDS 2021](#)
[Butler Schillinger 2](#)
[Cherelus](#)
[Cruz](#)
[Dickerson](#)
[Katz](#)
[Knight](#)
[Nevin 2](#)
[Newbold](#)
[Purdo](#)
[Spitzer](#)
[Talley](#)
[Waldo](#)
[Wiggins](#)
[Williams, K](#)

7.H. NOMINATIONS FOR APPOINTMENT TO THE KIDS AND COPS COMMITTEE

Recommendation: Motion to approve nominations for an appointment for two (2) At-Large-Representative members to serve on the Kids and Cops Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06242021](#)
[Kids & Cops](#)
[Copy of Copy of 2021 Quarterly Attendance \(003\)](#)
[Cassidy](#)
[Cherelus](#)
[Donohue](#)
[Jones](#)

7.I. NOMINATIONS FOR APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD

Recommendation: Motion to approve nominations for an appointment for two (2) regular members (Citizen-at-Large) to serve on the Parking Management Advisory Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06252021](#)
[Parking Management Advisory Board 2021](#)
[2021 Quarterly Attendance PMAB](#)
[Brown, Harvey](#)
[Costilo](#)
[Donohue](#)
[Gergen](#)
[Hallyburton](#)
[Strasser](#)

7.J. NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

Recommendation: Motion to approve the nomination for an appointment for a regular member to serve on the Police Advisory Board for an unexpired term ending July 31, 2022. Motion to approve nominations for an appointment of six (6) regular members to serve on the Police Advisory Board for two (2) terms ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06232021](#)
[Police Advisory Board 2020 2](#)
[Police Advisory Board Attendance 2021](#)
[Boone](#)
[Carolyn](#)
[Cherelus](#)
[Costilo](#)
[Donohue](#)
[Feldmanis](#)
[Newbold](#)
[Rex](#)
[Stacey-Wright](#)
[Strasser](#)
[Wiggins](#)

8. PUBLIC HEARINGS/SECOND READINGS:**8.A. ACCEPTANCE OF RESOLUTION 105-21: STORMWATER UTILITY ASSESSMENT
(PUBLIC HEARING)****Recommendation: Consideration of the following items:**

Motion to approve and accept the Resolution No.105-21 establishing a budget for the Stormwater Utility System, establishing the rates for FY 2021/2022 Stormwater Management Assessments, and certifying and adopting the Stormwater Assessment Roll.

Sponsors: Public Works Department**Attachments:** [Agenda Cover Report](#)

- [1. Resolution 105-21 for Stormwater Utility Assessment](#)
- [3. Exhibit A- Resolution 105-21 for Stormwater Utility Assessment](#)
- [2. Certificate to Non-Ad Valorem Assessment Roll](#)
- [4. Delray 2021 TRIM - Res 105-21 Stormwater Utility Assessment](#)
- [5. Legal Review- Res 105-21 Stormwater Utility Assessment](#)

- 8.B.** ORDINANCE NO. 18-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A LAND USE MAP AMENDMENT RE-DESIGNATING THE FUTURE LAND USE FOR 39.42 ACRES OF LAND FROM GENERAL COMMERCIAL (GC) IN PART, AND TRANSITIONAL (TRN) IN PART, TO COMMERCIAL CORE (CC), PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, FOR PROPERTIES GENERALLY LOCATED WITHIN THE AREA BOUNDED ON THE NORTH BY SE 4TH STREET, ON THE SOUTH BY SE 10TH STREET, ON THE EAST BY SE 7TH AVENUE, AND ON THE WEST BY THE ALLEY BETWEEN SE 4TH AVENUE AND SE 5TH AVENUE, ALL OF WHICH ARE ADJACENT TO EITHER SE 5TH AVENUE OR SE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 18-21 on First Reading, a Future Land Use Map amendment to redesignate approximately 39.42 acres of land from General Commercial in part and Transitional in part, to Commercial Core, generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Street, and on the west by the alley between SE 4th Avenue and SE 5th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 18-21: PZB Staff Report](#)
[Ord. No. 18-21: Land Use Map Designation to CC](#)
[Ord. No. 18-21: Location Map of CBD Expansion](#)
[Ord. No. 18-21: Proposed Land Use Map](#)
[Ord. No. 18-21: Legal Review](#)

- 8.C.** ORDINANCE NO. 19-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND PRESENTLY ZONED GENERAL COMMERCIAL (GC) IN PART, NEIGHBORHOOD COMMERCIAL (NC) IN PART, AND PROFESSIONAL OFFICE DISTRICT (POD) IN PART, TO CENTRAL BUSINESS DISTRICT (CBD); SAID LAND CONTAINING APPROXIMATELY 39.42 ACRES, AND GENERALLY LOCATED WITHIN THE AREA BOUNDED ON THE NORTH BY SE 4TH STREET, ON THE SOUTH BY SE 10TH STREET, ON THE EAST BY SE 7TH AVENUE, AND ON THE WEST BY THE ALLEY BETWEEN SE 4TH AVENUE AND SE 5TH AVENUE, ALL OF WHICH ARE ADJACENT TO EITHER SE 5TH AVENUE OR SE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, MAY 4, 2021"; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(FIRST READING/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 19-21 on First Reading, a rezoning of approximately 39.42 acres of land from General Commercial in part, Neighborhood Commercial in part, and Professional Office District in part, to Central Business District for the properties generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Street, and on the west by SE SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord No 19-21: PZB Staff Report](#)
[Ord No 19-21: Rezoning to CBD 1st Reading](#)
[Ord No 19-21: Location Map](#)
[Ord No 19-21: Proposed Zoning Map](#)
[Ord No 19-21: Legal Review](#)

8.D. ORDINANCE NO. 20-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13. "CENTRAL BUSINESS DISTRICT (CBD)", SUBSECTION (A), "PURPOSE AND INTENT"; SUBSECTION (B), "REGULATING PLANS"; SUBSECTION (C), "ALLOWABLE USES"; SUBSECTION (D), "CONFIGURATION OF BUILDINGS"; SUBSECTION (E), "FRONTAGE STANDARDS"; SUBSECTION (F), "ARCHITECTURAL STANDARDS"; SUBSECTION (G), "CIVIC OPEN SPACES"; SUBSECTION (H), "INCENTIVE PROGRAM"; SUBSECTION (I), "CBD PARKING STANDARDS"; AND, SUBSECTION (K) "CBD REVIEW AND APPROVAL PROCESS"; TO CREATE A CBD SUB-DISTRICT, INCLUDE REGULATIONS SPECIFIC TO THE NEW SUB-DISTRICT, INCLUDING BUT NOT LIMITED TO, ALLOWABLE USES, PARKING, BUILDING CONFIGURATION, FRONTAGE STANDARDS, ARCHITECTURAL STANDARDS, CIVIC OPEN SPACES, PROVIDING FOR NEW FIGURES AND REDESIGNATION OF OTHER TABLES OR FIGURES, AND ADDITIONAL CLARIFICATIONS OF EXISTING REGULATIONS, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 20-21 on First Reading, amendments to the Land Development Regulations (LDR) Sections 4.4.13, Central Business District (CBD), associated with the expansion of the CBD to create a new Sub-district in the area on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Street, and on the west by the alley between SE 4th Avenue and SE 5th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord No. 20-21: LDR Amendments CBD Expansion](#)
[Ord No. 20-21: PZB Staff Report](#)
[Ord No. 20-21: Legal Review](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 26-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13. "CENTRAL BUSINESS DISTRICT (CBD)", SUBSECTION (A), "PURPOSE AND INTENT"; SUBSECTION (B), "REGULATING PLANS"; SUBSECTION (C), "ALLOWABLE USES"; SUBSECTION (D), "CONFIGURATION OF BUILDINGS"; SUBSECTION (E), "FRONTAGE STANDARDS"; SUBSECTION (F), "ARCHITECTURAL STANDARDS"; SUBSECTION (G), "CIVIC OPEN SPACES"; SUBSECTION (I), "CBD PARKING STANDARDS"; AND, SUBSECTION (K) "CBD REVIEW AND APPROVAL PROCESS"; TO PROVIDE CLARIFICATION OF AND CONSISTENCY WITH EXISTING REGULATIONS, RENUMBERING OF FIGURES, AND AMENDING THE PARKING REQUIREMENT FOR BUILDINGS ON PROPERTIES LESS THAN 65 FEET WIDE AND CONTAINING MORE THAN TWO-STORIES; AND, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Review and consider Ordinance No. 26-21 on First Reading, amendments to the Land Development Regulations (LDR) Sections 4.4.13, Central Business District (CBD), to provide general clarifications and updates to the existing regulations, renumbering of existing figures, and amending the parking requirement for buildings on properties less than 65 feet wide and containing more than two-stories.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 26-21: CBD Amendments \(Non-expansion\)](#)
[Ord. No. 26-21: PZB Staff Report](#)
[Ord. No. 26-21: Legal Review](#)

9.B. ORDINANCE NO. 16-21: 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 2 “ADMINISTRATIVE PROVISIONS”, ARTICLE 2.4 “GENERAL PROCEDURES,” SECTION 2.4.3 “SUBMISSION REQUIREMENTS”, SUBSECTION (A), “STANDARD APPLICATION ITEMS” AND SUBSECTION (B), “STANDARD PLAN ITEMS”, TO ADD REQUIRED APPLICATION ITEMS AND MAKE GRAMMATICAL CHANGES TO PLAN ITEMS; SECTION 2.4.6, “PROCEDURES FOR OBTAINING PERMITS AND APPROVALS”, SUBSECTION (B), “BUILDING PERMITS”, TO SPECIFY THE REQUIREMENT FOR GREEN BUILDING CERTIFICATION; BY AMENDING CHAPTER 3, “PERFORMANCE STANDARDS,” ARTICLE 3.2, “PERFORMANCE STANDARDS,” SECTION 3.2.3, “STANDARDS FOR SITE PLAN AND/OR PLAT ACTIONS”, TO REQUIRE LEED CERTIFICATION FOR NEW CONSTRUCTION OR ADDITIONS OVER 5,000 SQUARE FEET; BY AMENDING CHAPTER 4, “ZONING REGULATIONS”, ARTICLE 4.4, “BASE ZONING DISTRICT”, SECTION 4.4.13, “CENTRAL BUSINESS (CBD) DISTRICT”, SUBSECTION (F), “ARCHITECTURAL STANDARDS”, TO AMEND URBAN HEAT ISLAND REQUIREMENTS AND GREEN BUILDING PRACTICES AND REFER TO ARTICLE 7.11 FOR REGULATIONS; BY AMENDING CHAPTER 7, “BUILDING REGULATIONS,” BY ENACTING A NEW ARTICLE 7.11, “RESILIENT DESIGN AND CONSTRUCTION PRACTICES”, TO OUTLINE CERTIFICATION REQUIREMENTS FOR NEW PRIVATE AND PUBLIC DEVELOPMENT, PROVIDING APPLICATION PROCEDURES, BOND REQUIREMENTS, AND ESTABLISHING A GREEN BUILDING FUND, A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

Recommendation: Motion to approve Ordinance No. 16-21 on First Reading to amend the Land Development Regulations for the purpose of requiring that all new construction over 5000 square feet, whether public or private, obtain Leadership in Energy and Environmental Design certification of minimum Gold level or equivalent.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Memo_GIAB Green Building Recommendation to City Commission](#)
[Green Building Req- PZ Staff Report](#)
[Simple Legal Review Approval LEED 6.7.21](#)
[LEED LDR Amendments 061021](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission

11. ADJOURNMENT