

# 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, August 9, 2022

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/>

### City Commission

*Mayor Shelly Petrolia*

*Vice Mayor Adam Frankel*

*Deputy Vice Mayor Juli Casale*

*Commissioner Ryan Boylston*

*Commissioner Shirley Ervin Johnson*

## **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. FISCAL YEAR 2021-2022 3RD QUARTER FINANCIAL REVIEW**

**Sponsors:** Finance Department

**Attachments:** [Quarterly Financial Report FY 2022 Q3 @ 06.30.22 FINAL](#)

**4.B. PRESENTATION: CITY OWNED PROPERTIES WITH DEVELOPMENT POTENTIAL**

**Recommendation:** No Action Required.

**Sponsors:** City Manager 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 prior public comments and inquiries

5.A.1. Events:

- Status of negotiations with Mark Baron
- Boxing Event at Tennis Center
- Lotus Festival concert at the tennis center

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:

Regular City Commission Meeting Minutes - March 8, 2022  
Special Meeting Attorney/Client Session - April 19, 2022  
Regular City Commission Meeting Minutes - April 19, 2022  
Workshop Commission Meeting Minutes - May 17, 2022  
Workshop Commission Meeting Minutes - June 7, 2022  
Workshop City Commission Meeting Minutes - June 14, 2022  
Workshop City Commission Meeting Minutes - July 19, 2022  
Regular City Commission Meeting Minutes - July 19, 2022

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[March 8, 2022 Regular Commission Meeting Minutes - Draft](#)  
[April 19, 2022 Special Commission Meeting Minutes - Draft](#)  
[April 19, 2022 - Regular City Commission Meeting Minutes - DRAFT](#)  
[May 17, 2022 Workshop Commission Meeting Minutes - Draft](#)  
[June 7, 2022 Workshop Commission Meeting Minutes - Draft](#)  
[June 14, 2022 Workshop Commission Meeting Minutes - Draft](#)  
[July 19, 2022 Regular Commission Meeting Minutes - Draft](#)  
[July 19, 2022 Workshop Commission Meeting Minutes - Draft](#)

**6.B. APPROVAL OF INTERLOCAL AGREEMENT FOR HAZARDOUS MATERIALS EMERGENCY RESPONSE SERVICES AND FUNDING, BETWEEN THE CITY OF DELRAY BEACH AND PALM BEACH COUNTY, PURSUANT TO THE ILA FOR FUNDING OF SUCH RESPONSES BETWEEN PALM BEACH COUNTY AND THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY.**

**Recommendation:** Staff recommends the approval of the Interlocal Agreement to receive funding for providing the related regional hazardous materials response team services.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[HAZMAT DB 2022 CAO Approved 5.26](#)  
[Legal Review Checklist ILA with County for City to provide Hazardous Material f](#)

**6.C. ITEM(S) A1 - ACCEPTANCE OF A RIGHT OF WAY DEDICATION AT 108 N. SWINTON AVE.**

**Recommendation:** Consideration of the following items:

Item A1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 108 N. Swinton Ave.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Item \(A1a\) Right of Way Deed for 108 N Swinton Ave](#)  
[Item \(A1b\) Exhibit A Sketch and Legal description 108 N Swinton Ave](#)  
[Legal Review Right of Way Deed 108 N Swinton Ave Tracy Picut Trust](#)

**6.D. APPROVE AMENDMENT 1 TO THE INTERLOCAL AGREEMENT FOR FUNDING CAPITAL IMPROVEMENT PROJECTS BETWEEN THE CITY OF DELRAY BEACH AND THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY AND ACCEPT FUNDING FOR ADDITIONAL CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) FOR THE NE 3RD AVENUE STREETScape IMPROVEMENT PROJECT IN THE AMOUNT OF \$30,000 (PROJECT NO. 11-024)**

**Recommendation:** Approve Amendment 1 to the Interlocal Agreement (ILA) for funding Capital Improvement Projects between the City of Delray Beach and the Delray Beach Community Redevelopment Agency and accept funding for additional construction engineering and inspection services (CEI) for the NE 3RD Avenue Streetscape Improvement Project in the amount of \$30,000 (Project No. 11-024).

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Interlocal Agreement](#)  
[Amendment No. 1 signed](#)  
[Legal Review Checklist form v. 7 Amend No 1 to ILA with CRA for construction](#)

**6.E. GRANT APPLICATION AND APPROVAL/FDOT PEDESTRIAN & BICYCLE SAFETY**

**Recommendation:** Motion to approve the application and award from the Florida Department of Transportation (FDOT) in the amount not to exceed \$65,000 for the pedestrian and bicycle safety education and enforcement program.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[433144-1-8404 G2A92 City of Delray Beach Contract Approval 09Jul2022](#)  
[Legal Review Form\\_FDOT Bicycle grant 2022\\_lw](#)

**6.F. APPROVE THE RESTRICTIVE COVENANT MASTER AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PULTE HOME COMPANY, LLC, PURSUANT TO THE REQUIREMENTS UNDER SECTION 4.7 OF THE LAND DEVELOPMENT REGULATIONS**

**Recommendation:** Motion to Approve the Restrictive Covenant Master Agreement between the City of Delray Beach and Pulte Home Company, LLC, pursuant to the requirements under Section 4.7 of the Land Development Regulations.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Carver Square\\_City of Delray Beach WFH Covenant\\_7-22-22 LG rev 7-27-2022](#)

**6.G. PROCLAMATIONS:**

6.G.1. None

**6.H. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

6.H.1. None

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

**6.I.1. APPROVAL OF RESOLUTION NO. 119-22 APPROVING AN AGREEMENT WITH GALLS, LLC FOR PUBLIC SAFETY UNIFORMS AND EQUIPMENT, UTILIZING BUYBOARD CONTRACT PROPOSAL INVITATION #670-22 IN THE AMOUNT NOT-TO-EXCEED ESTIMATED AMOUNT OF \$500,000**

**Recommendation:** Motion to approve Resolution No. 119-22 to award an Agreement with Galls, LLC for public safety uniforms and equipment, utilizing BuyBoard contract Proposal Invitation #670-22 in the amount not to exceed \$500,000 and authorize the City Manager to approve renewal options, in the amounts below, contingent upon the appropriation of funds.

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No 119-22 - GALLS LLC BuyBoard Piggyback](#)  
[Galls, LLC BuyBoard Piggyback Agreement Draft KM 7-8-2022](#)  
[Legal Review Checklist\\_Galls LLC](#)  
[\\_Original RFP 670-22](#)  
[Galls, LLC - 670-22](#)  
[Buyboard - Uniforms and Accessories - Contract # 670-22 - Award Letter - Natick](#)  
[Buyboard - Uniforms and Accessories - Contract # 670-22 - Catalog](#)  
[Nat-Coop-IPA-2018-\(Rev-Signature-2022\)](#)

**6.1.2. APPROVAL OF RESOLUTION NO. 91-22 TO AWARD AN AGREEMENT TO PALMDALE OIL COMPANY, FOR OIL / LUBRICANT SUPPLY & SERVICES - \$150,000.**

**Recommendation:** Motion to approve Resolution No. 91-22 to AWARD AN Agreement to Palmdale Oil Company for Oil / Lubricant Supply & Services in the estimated amount \$90,000, and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

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

**Attachments:** [Agenda Cover Report](#)  
[RFB 2022-3398 - Motor Oil Lubricants](#)  
[Martin County Agreement w Palmdale](#)  
[Agreement](#)  
[Res 91-22 MSA with Palmdale Oil Company Inc Piggyback Martin County Oil ar](#)  
[Legal Review Checklist MSA Palmdale Oil Company Inc. Piggyback Martin Cou](#)

**6.1.3. APPROVAL OF RESOLUTION NO. 111-22 TO AWARD AN AGREEMENT TO PIPELINE PLUMBING SERVICES OF BROWARD, INC., FOR PLUMBING MAINTENANCE AND REPAIR SERVICES, - \$1,121,800.**

**Recommendation:** Motion to approve Resolution No. 111-22 to AWARD AN Agreement to Pipeline Plumbing Services of Broward, Inc. for plumbing maintenance and repair services in the estimated amount \$1,121,800, and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

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

**Attachments:** [Agenda Cover Report](#)  
[Advertised Bid](#)  
[Complete Excel Tabulation - Plumbing Maintenance and Repair](#)  
[Pipeline Plumbing Bid](#)  
[Agreement - Vendor Signed](#)  
[Exhibit A- Pricing Schedule](#)  
[Res 111-22 Plumbing Maintenance and Repair](#)  
[Legal Review Checklist plumbing agreement](#)

- 6.I.4.** APPROVAL OF RESOLUTION NO. 107-22 TO AWARD AN AGREEMENT WITH HYDROMAX USA, LLC. FOR HYDRANT AND WATER VALVE MAINTENANCE, REPAIR, AND FLUSHING SERVICES UTILIZING SEMINOLE COUNTY SOLICITATION NO. IFB603974-CAR IN THE NOT-TO-EXCEED ESTIMATED AMOUNT OF \$1,175,000 (\$575,000 INITIALLY & \$300,000 PER YEAR RESPECTIVELY).

**Recommendation:** Motion to approve Resolution No. 107-22, to award an agreement with Hydromax USA, LLC., for hydrant and water valve maintenance, repair and flushing services on as needed basis, utilizing Seminole County Solicitation No. IFB-603974-CAR, and authorize the City Manager to approve renewal options, in the amounts below contingent upon appropriation of funds.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist form v. 7 WMB 3 5 2021.pdf](#)  
[RESOLUTION NO. 107-22.pdf](#)  
[MSA Hydromax vendor executed.pdf](#)

- 6.I.5.** APPROVAL OF RESOLUTION NO. 108-22 TO AWARD AN AGREEMENT WITH HAWKINS WATER TREATMENT GROUP, INC. (HAWKINS, INC.) FOR PURCHASE AND DELIVERY OF HYDROFLUOSILICIC ACID UTILIZING TOHOPEKALIGA (TOHO) WATER AUTHORITY SOLICITATION NO. IFB-19-0063 IN THE NOT-TO-EXCEED ESTIMATED AMOUNT OF \$114,500 (\$55,000 INITIALLY & \$59,500 PER YEAR RESPECTIVELY).

**Recommendation:** Motion to Resolution No. 108-22 to award an Agreement with Hawkins Water Treatment Group, Inc. (Hawkins, Inc.) for purchase and delivery of Hydrofluosilicic Acid utilizing Tohopekaliga (Toho) Water Authority Solicitation #IFB-19-0063 in an amount not to exceed \$114,500 and authorize the City Manager to approval renewal options, in the amounts below, contingent upon the appropriation of funds.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Hawkins rev. kwb. 7.8.22.pdf](#)  
[RESOLUTION NO. 108-22 rev. KWB.pdf](#)  
[Hawkins Piggyback Agreement vendor executed.pdf](#)

## **7. REGULAR AGENDA:**



- 7.A.** RESOLUTION NO. 97-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER REQUEST TO SECTION 4.4.13(J)(1)(C) OF THE LAND DEVELOPMENT REGULATIONS, ALLOWING THE SUBMISSION OF A REQUEST TO ABANDON THE RIGHT-OF-WAY LOCATED IN THE 200 BLOCK OF SOUTHEAST SECOND AVENUE IN THE CENTRAL BUSINESS DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Recommendation:** Review and consider Resolution No. 97-22.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 97-22 FINAL](#)  
[ROW Abandonment Waiver Staff Report](#)  
[ROW Abandonment Waiver Recommendation of City Engineer](#)  
[Resolution No. 97-22, Applicant Justification](#)  
[Traffic Study Simmons and White](#)  
[Simple Legal Review Approval 97-22](#)

- 7.B.** RESOLUTION NO. 122-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MASTER DEVELOPMENT PLAN AND GRANTING FOUR RELATED WAIVER REQUESTS TO THE LAND DEVELOPMENT REGULATIONS FOR DELRAY CENTRAL LOCATED AT 1615 AND 1625 SOUTH CONGRESS AVENUE AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Recommendation:** Review and consider Resolution No. 122-22, approving a Master Development Plan (MDP) with Waivers for Delray Central, located at 1615 & 1625 South Congress Avenue, associated with the addition of an eight-story building containing 1,095 square feet of non-restaurant, commercial use and 271 residential units, including amenities and an attached seven-level parking structure.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 122-22 - Granting Approval of MDP and Waivers lg rev 8-1-2022 \(clear\)](#)  
[Res. No. 122-22 Exhibit B MDP](#)  
[Delray Central Appeal Staff Report](#)  
[Delray Central MDP: Waiver Justification Statement](#)  
[Delray Central MDP: Parking Along Congress Exhibit](#)  
[Delray Central MDP: Landscape Islands Exhibit](#)  
[Delray Central MDP: Architecture Plans](#)  
[Delray Central MDP: Landscaping Plans](#)  
[Delray Central MDP: Engineering Plans](#)  
[Delray Central MDP: Survey](#)  
[Delray Central MDP: PBC Traffic Concurrency Letter](#)  
[Delray Central MDP: Traffic Impact Study](#)  
[Delray Central MDP: School Concurrency](#)  
[Delray Central MDP: LDR Section 4.4.29 MROC Zoning District](#)

- 7.C.** PROVIDE DIRECTION TO THE CITY MANAGER CONCERNING THE TERMINATION OF THE INTERLOCAL AGREEMENT (ILA) WITH THE TOWN OF GULFSTREAM FOR BUILDING PERMIT & INSPECTION SERVICES

**Recommendation:** Review and provide direction.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[ILA TOWN OF GULFSTREAM 09302009](#)  
[Gulfstream Moore-Dunham 04262022](#)  
[Gulfstream Draft Notice](#)

**7.D. NOMINATION FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT**

**Recommendation:** Motion to approve the nomination for an appointment for one (1) regular member to serve on the Board of Adjustment for a two (2) year term ending August 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Board of Adjustment 2022](#)  
[BOA 2022 ATTENDANCE](#)  
[Baffer](#)  
[Cullinan](#)  
[Evola](#)  
[Miles](#)  
[Purdo](#)

**7.E. NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD**

**Recommendation:** Motion to approve the nomination of four (4) regular members to serve a two (2) year term ending August 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Planning & Zoning Board 2022](#)  
[PZ 2022 Attendance](#)  
[Baffer](#)  
[Bowens](#)  
[Brewer](#)  
[Brown](#)  
[Charles](#)  
[Cohen, S](#)  
[Cullinan](#)  
[Davey](#)  
[Devitt](#)  
[Evola](#)  
[Jonas](#)  
[Miles](#)  
[Miller](#)  
[Rindos](#)  
[Schulz](#)  
[Snyder](#)  
[Sylvester](#)  
[Thomas](#)  
[Zeller](#)

**7.F. NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD**

**Recommendation:** Motion to approve the nomination for appointment of four (4) regular members to serve on the Historic Preservation Board for a two (2) year term ending August 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Historic Preservation Board 2022](#)  
[HPB 2022 ATTENDANCE](#)  
[Brown](#)  
[Cullinan](#)  
[Finn](#)  
[Land](#)  
[Long](#)  
[Miller](#)  
[Osinoff](#)  
[Schulz](#)  
[Talley](#)  
[Willis](#)

**7.G. NOMINATION FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD**

**Recommendation:** Motion to approve the nomination for an appointment for five (5) regular members to serve on the Site Plan Review and Appearance Board for a two (2) year term ending August 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[SPRAB Member List 2022](#)  
[SPRAB ATTENDANCE 2022](#)  
[Adler](#)  
[Baffer](#)  
[Bowens](#)  
[Cohen S.](#)  
[Miles](#)  
[Purdo](#)  
[Rindos](#)  
[Thomas](#)  
[Warner](#)  
[Zeller](#)

**7.H. CITY MANAGER'S PERFORMANCE EVALUATION**

**Recommendation:** Motion to consider the City Manager's salary review.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[City Manager 2022 Eval Form](#)

**7.I. RATIFICATION AND INDEMNIFICATION OF TERENCE MOORE IN THE MATTER OF CHRISTINE FERRIGAN VS. CITY OF DELRAY BEACH, ET AL**

**Recommendation:** Motion to ratify and indemnify City Manager Terrence Moore in the matter of Christine Ferrigan, vs. City of Delray Beach, et al, pursuant to Section 31.17 of the Delray Beach Code of Ordinances.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[2022-07-25 Christine Ferrigan v. Delray Beach Complaint](#)  
[LEGAL DEFENSE AND INDEMNIFICATION OF OFFICIALS AND EMPLO'](#)

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

- 8.A.** ORDINANCE NO. 08-22: 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 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO ADD OUTDOOR USE AREAS AT STAND ALONE BARS AS A CONDITIONAL USE AND ACCESSORY USE; AMENDING ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.6, "COMMERCIAL AND INDUSTRIAL USES TO OPERATE WITHIN A BUILDING," SUBSECTION (B), "ALLOWABLE OUTSIDE USAGE," TO INCLUDE PERMANENT SEATING AT STAND ALONE BARS AS AN ALLOWABLE OUTSIDE USE, AND SUBSECTION (C), "RESTRICTIONS ON OUTSIDE USAGE," TO ESTABLISH REGULATIONS GOVERNING OUTSIDE USAGE AT STAND ALONE BARS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

**Recommendation:** Review and consider Ordinance No. 08-22, a privately initiated amendment to Section 4.4.13, Table 4.4.13(A), "Allowable Uses and Structures in the CBD Sub-Districts" and Section 4.6.6, "Commercial and industrial uses to operate within a building," of the Land Development Regulations (LDR) to allow outdoor consumption of alcohol at stand alone bars serving only beer and wine north of Lake Ida Road within the Central Core Sub-District of the Central Business District, and to provide regulations that support the health, safety, and general welfare of the public.

**Sponsors:** Development Services Department

**Attachments:** [Ord. No. 08-22 FINAL](#)  
[Agenda Cover Report](#)  
[Ordinance No. 08-22: Staff Report, Outdoor Use Areas at Standalone Bars](#)  
[Ordinance No. 08-22: Justification Statement](#)  
[Ordinance No. 08-22: Stand Alone Bars Map, CBD & Residential Zoning](#)  
[Ordinance No. 08-22: DDA Recommendation](#)  
[Legal Review, Ord. No. 08-22](#)

- 8.B.** ORDINANCE NO. 20-22: 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 4.4, "BASE ZONING DISTRICT," SECTION 4.4.29, "MIXED RESIDENTIAL, OFFICE, AND COMMERCIAL (MROC) DISTRICT," AMENDING THE PURPOSE AND INTENT, ESTABLISHING A STANDARD DENSITY FOR MULTI-FAMILY DEVELOPMENT, TO ENSURE COMPLIANCE WITH SECTION 166.04151, FLORIDA STATUTES, MAKE CORRECTIVE UPDATES, AND REVISE LANGUAGE TO IMPROVE READABILITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 20-22, a City-initiated amendment to the Land Development Regulations (LDR), amending Section 4.4.29, "Mixed Office, Residential, and Commercial (MROC) District, to bring the regulations into compliance with HB 7103, to make corrective updates, and to revise the language to improve readability.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 20-22](#)  
[MROC Sample Density Calculations](#)  
[Ordinance No. 20-22: PZB Staff Report, MROC LDR Amendment](#)  
[Ordinance No. 20-22: Tri-Rail Transit Station Radius Study](#)  
[Ordinance No. 20-22: Always Delray Map DIA-7 \(Workforce Housing\)](#)  
[Legal Review](#)



**8.C.** ORDINANCE NO. 22-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES, BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS, SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (Q), "GUEST COTTAGES," TO AMEND REGULATIONS GOVERNING GUEST COTTAGES, AND CREATING SUBSECTION (QQ), "ACCESSORY STRUCTURES," TO ADOPT REGULATIONS GOVERNING ACCESSORY RESIDENTIAL STRUCTURES; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.2, "RURAL RESIDENTIAL (RR) DISTRICT," SECTION 4.4.3, "SINGLE FAMILY RESIDENTIAL (R-1) DISTRICTS," SECTION 4.4.5, "LOW DENSITY RESIDENTIAL (RL) DISTRICT," SECTION 4.4.6, "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," AND SECTION 4.4.17, "RESIDENTIAL OFFICE (RO) DISTRICT, TO REFERENCE THE SPECIAL REQUIREMENTS FOR ACCESSORY STRUCTURES; AMENDING SECTION 4.4.7, "PLANNED RESIDENTIAL DEVELOPMENT (PRD) DISTRICT," TO ADD GUEST COTTAGES AS AN ACCESSORY USE AND TO REFERENCE THE SPECIAL REQUIREMENTS FOR ACCESSORY STRUCTURES; AND AMENDING APPENDIX A, "DEFINITIONS," RELATIVE TO ACCESSORY STRUCTURES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING/PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 22-22, a City-initiated amendment to the Land Development Regulations (LDR) to establish regulations governing the appearance of accessory structures in residential zoning districts, by amending Section 4.3.3(Q), Guest Cottages, Section 4.4.2, "Rural Residential (RR) District," Section 4.4.3, "Single Family Residential (R-1) Districts," Section 4.4.5, "Low Density Residential (RL) District," Section 4.4.6, "Medium Density Residential (RM) District;" Section 4.4.7, "Planned Residential Development (PRD) District," Section 4.4.17, "Residential Office (RO) District," and Appendix A to adopt a definition for Pool Houses and to amend the Accessory Building Structure, or Use definition.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Accessory Structures: Ordinance No. 22-22](#)  
[Accessory Structures: PZB Staff Report](#)  
[Legal Review](#)

## 9. FIRST READINGS:

**9.A.** ORDINANCE NO. 18-22: 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 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.2, "ESTABLISHMENT OF BOARDS HAVING RESPONSIBILITIES FOR LAND DEVELOPMENT REGULATIONS," SECTION 2.2.2, "THE PLANNING AND ZONING BOARD," SUBSECTION (E), "DUTIES, POWERS, AND RESPONSIBILITIES," TO EXPAND OR CLARIFY THE PLANNING AND ZONING BOARD'S DUTIES, POWERS, AND RESPONSIBILITIES TO NAME STREETS TO INCLUDE ALLEYWAYS OR OTHER PATHWAYS, AND REQUIRE THE NAMING OF STREETS TO COMPLY WITH THE CITY OF DELRAY BEACH ADDRESSING AND STREET NAMING MANUAL; AMENDING CHAPTER 5, "SUBDIVISION REGULATIONS," ARTICLE 5.3, "DEDICATION AND IMPACT REQUIREMENTS," SECTION 5.3.1, "STREETS (RIGHT-OF-WAY)," SUBSECTION (D), "STREET NAMES," TO REMOVE EXISTING REGULATIONS REGARDING STREET NAMING AND REQUIRE THE NAMING OF STREETS, ALLEYWAYS, AND OTHER PATHWAYS TO COMPLY WITH THE CITY OF DELRAY BEACH ADDRESSING AND STREET NAMING MANUAL; AMENDING CHAPTER 6, "INFRASTRUCTURE AND PUBLIC PROPERTY," ARTICLE 6.1, "DESIGN STANDARDS AND REQUIREMENTS," SECTION 6.1.12, "STREET SIGNS, FURNITURE, AND LANDSCAPING," TO AMEND THE TITLE OF THE SECTION, REMOVE EXISTING REGULATIONS REGARDING STREET NAMING, REQUIRE CITY ENGINEER APPROVAL FOR THE COLOR DESIGN OF STREET NAME SIGNS, AND REMOVE EXISTING REGULATIONS REGARDING THE NUMBERING OF BUILDINGS AND STRUCTURES; AMENDING CHAPTER 7, "BUILDING REGULATIONS," ARTICLE 7.1, "BUILDING REGULATIONS," SECTION 7.1.5, "NUMBERING OF BUILDING AND STRUCTURES," TO REMOVE EXISTING REGULATIONS REGARDING THE NUMBERING OF BUILDINGS AND STRUCTURES AND REQUIRE THE NUMBERING OF BUILDINGS AND STRUCTURES TO COMPLY WITH THE CITY OF DELRAY BEACH ADDRESSING AND STREET NAMING MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AUTHORITY AND DIRECTION TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 18-22 on First Reading, a City initiated amendment to the Land Development Regulations (LDR) to clarify the process for the naming of streets, remove duplicative language, and provide associated corrections or clarifications, and refer to the Addressing and Street Naming Manual.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 18-22](#)  
[Addressing & Street Naming LDR: Staff Report](#)  
[Addressing & Street Naming LDR: DRAFT Manual](#)  
[Addressing & Street Naming LDR: Legal Review](#)

- 9.B.** ORDINANCE NO. 28-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 102, "STREETS AND SIDEWALKS," SECTION 102.25, "RECOMMENDATION AND DESIGNATION OF NAMES AND NUMBERS FOR STREETS", TO AMEND THE TITLE OF THE SECTION, , EXPAND THE INTENT TO INCLUDE THE NAMING OF ALLEYS AND OTHER PATHWAYS, AND REFER TO THE ADDRESSING AND STREET NAMING MANUAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Motion to approve Ordinance No. 28-22.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 28-22](#)  
[Ordinance No. 28-22: Legal Review](#)

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

### A. City Manager

### B. City Attorney

### C. City Commission

- 10.C.** REQUEST FOR CONSENSUS TO AMEND SECTION 101.36, "ADDITIONAL RULES APPLYING TO PARKS, RECREATIONAL FACILITIES AND THE MUNICIPAL BEACH" OF THE CODE OF ORDINANCES  
**1.** APPLYING TO PARKS, RECREATIONAL FACILITIES AND THE MUNICIPAL BEACH" OF THE CODE OF ORDINANCES  
SPONSOR: VICE MAYOR ADAM FRANKEL

**Recommendation:** Motion to Direct Staff to Amend Section 101.36, "Additional Rules Applying to Parks, Recreational Facilities and the Municipal Beach," of the City of Delray Beach Code of Ordinances.

**Sponsors:** Frankel

**Attachments:** [Agenda Cover Report](#)  
[5C1](#)  
[MUNICIPAL PARKS BEACHES AND OTHER RECREATIONAL SITES \(cl](#)

## 11. ADJOURNMENT