

# **SACHS SAX CAPLAN**

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September 21, 2022

**Via E-Mail and Federal Express**

Terrence R. Moore, ICMA-CM  
City Manager,  
City of Delray Beach  
100 N.W. 1<sup>st</sup> Avenue  
Delray Beach, Florida 33444

**RE: Placement Request on City Commission Workshop Agenda Regarding LDR  
Amendments and Sponsorship Proposed Amendment to Sec. 4.4.9(B)(4)(a)**

Dear Mr. Moore,

We represent MANGO COTTAGE DELRAY BEACH LLC, the owner of property located at 705 Bond Way, ("Owner") within the City of Delray Beach, Palm Beach County, Florida ("City") and whose parcel control number is 12-43-46-09-08-001-0080 ("Property"). The Owner desires to amend the City's land development regulations (LDR). Pursuant to a newly adopted process for an amendment to the City's LDR, Section 2.4.5(M)(1)(A) requires that the proposed amendment is sponsored by at least one City Commissioner at a City Commission Workshop. Thus, we are writing to you to respectfully request that our proposed amendments be placed on the next City Commission Workshop agenda for discussion and for sponsorship consideration. Below is an executive summary of the Owner's proposed amendments to the LDR.

The Owner proposes to amend LDR Section 4.4.9(B)(4)(a) to allow for the retaining of electric vehicles (EV) as inventory in the General Commercial District ("GC"). In the GC, the LDRs currently allow the sale, lease, and rental of Neighborhood Electric Vehicles (NEV) but specify that no inventory may be kept on-site. The Proposed Amendment (attached hereto as **Exhibit "A"**, and incorporated herein by reference) ("Proposed Amendment"), would allow for the sale, lease, rental, and keeping of inventory for both NEV and electric vehicles ("EV").

We submit that the City will find proper public policy in encouraging the sale of such vehicles and the prohibition of inventory is presently a significant impediment. We have spoken with Commissioner Ryan Boylston, who has agreed to support the scheduling of this item on the City Commission Workshop Agenda for sponsorship consideration. Thank you for your time and

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efforts in helping us navigate through this new process. Please don't hesitate to reach out to me if there is anything else I can provide to assist you with this request.

Very truly yours,

SACHS SAX CAPLAN

*Michael S. Weiner*

MICHAEL WEINER, ESQ

cc: Client

Enclosure

## PROPOSED AMENDMENT TO SEC. 4.4.9(B)(4)(A)

### General Commercial (GC)

#### **Sec. 4.4.9(B)(4)(a):**

(B) Principal uses and structures permitted. The following are allowed within the GC District as permitted uses, except as modified in the Four Corners Overlay District by Section 4.4.9(G)(3)(a).

(4) Services and Facilities including, but not limited to:

(a) Auctions, barber and beauty shops and salons, caterers, dry cleaning limited to on-site processing for customer pickup only, dry cleaning and laundry pickup stations, financing e.g. banks and similar institutions including drive-through facilities, laundromats limited to self-service facilities, restaurants including drive-in and drive-through, tailoring, tobacconist, vocational schools limited to arts and crafts, business, beauty, dancing, driving, gymnastics, photography, modeling, and karate-judo, small item repair, Neighborhood Electric Vehicle (NEV) **and Electric Vehicle (EV)** sales, lease or rental transactions **(inventory may be kept on site as long as it is stored indoors or outdoors but screened from the public view)** ~~only (no inventory on site for any purpose)~~, and rental of sporting goods and equipment (such as but not limited to bicycles, skates, boogie boards). With the exception of bicycles with an electric-helper motor as defined in Section 72.02, Delray Beach Code of Ordinances, all rented sporting goods must be non-motorized.