

City of Delray Beach

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Minutes - Final

Monday, March 6, 2023

3:30 PM

Workshop Meeting at 3:30 PM

Delray Beach City Hall or Watch on YouTube:

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

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Juli Casale

Commissioner Ryan Boylston

Commissioner Shirley Ervin Johnson

Pursuant to Section 3.12 of the Charter of the City of Delray Beach the Mayor has instructed me to announce a Workshop Meeting of the City Commission to be held for the following purposes:

WS.1. A REQUEST BY MICHAEL S. WEINER, ESQ., OF SACHS SAX CAPLAN, P.L., FOR CITY COMMISSION SPONSORSHIP OF A PRIVATELY INITIATED TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS (LDR) TO AMEND SECTION 4.4.9(B) TO ALLOW ELECTRIC VEHICLE (EV) SALES IN GENERAL COMMERCIAL (GC) ZONING, WITH INVENTORY ON-SITE FOR BOTH NEIGHBORHOOD ELECTRIC VEHICLES (NEV) AND ELECTRIC VEHICLES.

Sponsors: Development Services Department

Attachments: [Sponsorship Request](#)

The Workshop Meeting was called to order at 3:30 p.m.

The roll call was taken by Katerri Johnson, City Clerk, and the following were present:

Present 5: Mayor Shelly Petrolia, Vice Mayor Adam Frankel, Deputy Vice Mayor Juli Casale, Commissioner Ryan Boylston, Commissioner Shirley Ervin Johnson

Others present were:

Terrence Moore, City Manager

Lynn Gelin, City Attorney

Natalie Sherry

Emma Sherry

Mr. Moore advised that this item was brought before the Commission for consideration. Representatives from the company were available for any specific questions or concerns the Commission had.

Attorney Gelin established protocol as it relates to an opinion Vice-Mayor Frankel requested due to a possible conflict of interest. She added, as per F.S. 112.313(12)(j), Vice-Mayor Frankel was able to participate in this matter and did not have to withdraw from his seat.

The company's representative began by clarifying the corporation's name. He stated the LDR is being asked for Mango Cottage Delray LLC, which is the building's holding company, and the Cart Shop is the name of the actual business.

He continued and pointed out the carts they rent are called carts but are

legally classified as low speed vehicles (LSV) and they were made to be street legal. He briefly spoke about the safety of the LSVs. He then stated their building is within one block of the Central Business District (CBD) and the current zoning language for the CBD allows for their type of business. He expressed the conflict in the general commercial (GC) zoning language because it currently reads "Neighborhood electric vehicles, lease or sale rental transactions can occur but you cannot have inventory on site." He asked how someone can sell, rent or lease without keeping the inventory onsite and noted they have a 3000 square foot building and can keep everything indoors.

He explained the LSVs are all electric; no gas, no oil, no chemicals, and they are completely quiet. He concluded by stating they are asking for the zoning language to be revised so their inventory can be stored on site.

Development Services Director, Anthea Gianniotis, spoke about the section of the code referenced and asked for direction from the Commission.

Some members of the Commission expressed concerns that the carts may become a bigger issue in the future.

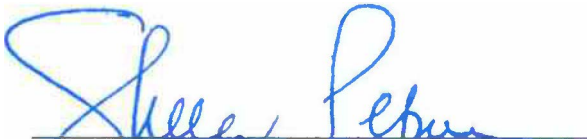
Attorney Gelin stated the representative only needed one Commissioner's sponsorship based on the old policy. She informed the representative that they can submit an application and recommended taking the comments of the Commission into consideration because if the item goes forward, three affirmative votes will be needed. She added the business was not approved to keep the inventory on site.

With no further business to discuss, the Workshop Meeting was adjourned at 3:29 P.M.



City Clerk

ATTEST:



MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the March 6, 2023 City Commission Workshop Meeting held on March 6, 2023, which minutes were formally approved and adopted by the City on March 30, 2023.



City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.