



City of Delray Beach

100 N.W. 1st Avenue
Delray Beach, FL 33444

Cover Memorandum/Staff Report

File #: 25-1595

Agenda Date: 1/6/2026

Item #: 8.A.

TO: Mayor and Commissioners
FROM: Anthea Giannotes, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: January 6, 2026

ORDINANCE NO. 24-25: 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 2.1, "REVIEWING OFFICIALS AND AUTHORITIES," SECTION 2.1.1, "ADMINISTRATIVE OFFICIALS," TO INCLUDE THE APPROVAL OF PLATS TO THE RESPONSIBILITIES OF THE DIRECTOR OF DEVELOPMENT SERVICES; AMENDING SECTION 2.1.5, "THE PLANNING AND ZONING BOARD," TO REMOVE THE CERTIFICATION OF PLATS AND INCLUDE THE APPROVAL OF SUBDIVISION PLANS TO THE DUTIES AND RESPONSIBILITIES OF THE BOARD; AMENDING SECTION 2.1.9, "THE HISTORIC PRESERVATION BOARD," TO REMOVE THE CERTIFICATION OF PLATS AND INCLUDE THE APPROVAL OF SUBDIVISION PLANS TO THE DUTIES AND RESPONSIBILITIES OF THE BOARD; AMENDING ARTICLE 2.2, "GENERAL PROCEDURES," SECTION 2.2.2, "FINANCIAL GUARANTEES," TO REQUIRE A FINANCIAL GUARANTEE BEFORE APPROVAL OF A MAJOR PLAT AND BEFORE THE ISSUANCE OF A BUILDING PERMIT FOR A MINOR PLAT OR CERTIFIED SITE PLAN; AMENDING SECTION 2.2.4, "CERTIFICATION OF ACTIONS TAKEN," TO REQUIRE A FINANCIAL GUARANTEE BEFORE APPROVAL FOR A MAJOR PLAT AND BEFORE THE ISSUANCE OF A BUILDING PERMIT FOR A MINOR PLAT, REQUIRING THE PLAT TO BE RECORDED BY THE APPLICANT, AND ADDING AN EXPIRATION FOR SUBDIVISION PLANS; AMENDING ARTICLE 2.4, "DEVELOPMENT APPLICATION REQUIREMENTS," SECTION 2.4.8, "SUBDIVISIONS AND PLATS," MODIFYING THE PROCEDURE TO REVIEW AND APPROVE PLATS TO BE CONSISTENT WITH FLORIDA STATUTES SECTION 177.071; AMENDING SECTION 2.4.10, "SITE PLAN APPLICATIONS (LEVEL 1, LEVEL 2, LEVEL 3, AND LEVEL 4) AND MASTER DEVELOPMENT PLANS," TO INCLUDE SUBDIVISION PLANS AND ADOPT PROCEDURES AND REQUIRED FINDINGS FOR APPROVAL THEREOF; AMENDING SECTION 2.4.12, "CERTIFICATE OF APPROPRIATENESS," TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FOR SUBDIVISION PLANS FOR INDIVIDUALLY DESIGNATED STRUCTURES AND ALL PROPERTIES LOCATED WITHIN HISTORIC DISTRICTS; AMENDING CHAPTER 3, "PERFORMANCE STANDARDS," ARTICLE 3.2, "PERFORMANCE STANDARDS," SECTION 3.2.3, "STANDARDS FOR SITE PLAN AND/OR PLAT ACTIONS," TO REMOVE PLATS FROM AND ADD SUBDIVISION PLANS; AND BY AMENDING APPENDIX A, "DEFINITIONS," TO AMEND THE DEFINITIONS FOR "MAJOR SUBDIVISION," "MINOR SUBDIVISION" AND "PLAT" AND TO ADD A DEFINITION FOR "SUBDIVISION PLAN;" PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Recommended Action:

Consider Ordinance No. 24-25, a City-initiated amendment to revise the process for the review and

approval of subdivision plats by amending Section 2.1.1, "Administrative Officials, Section 2.1.5, "The Planning and Zoning Board," Section 2.1.9, "The Historic Preservation Board," Section 2.2.2, "Financial Guarantees," Section 2.2.4, "Certification of Actions Taken," Section 2.4.8, "Subdivisions and Plats," Section 2.4.10, "Site Plan Applications (Level 1, Level 2, Level 3, and Level 4) and Master Development Plans," Section 2.4.12, "Certificate of Appropriateness," Section 3.2.3, "Standards for Site Plan and/or Plat Actions," and Appendix A, "Definitions" of the Land Development Regulations (LDR).

Background:

Florida Senate Bill 784 was passed by both the Florida Senate and House, and approved by the Governor with an effective date of July 1, 2025, modifying Florida Statutes Section 177.071, "Administrative approval of plats by designated county or municipal official," requiring plats and replats to be administratively approved with no further action or approval by the governing body of a municipality. Ordinance No. 24-25 is proposed to bring the City plat procedures into compliance with F.S. 177.071.

In addition to the necessary compliance with changes to F.S. 177.071, procedural changes are proposed for subdivision plats with waivers and for plats that are not implementing an approved Site Plan or Master Development Plan. A new Subdivision Plan application will be used to evaluate the site design and lot configuration to allow the plat to be a solely ministerial in its approval in compliance with the statutes intentions.

Planning and Zoning Board heard the request at its meeting on September 16, 2025 and voted 5 to 0 to recommend approval.

City Attorney Review:

Ordinance No. 24-25 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 24-25 will be effective immediately if adopted at second reading.