



## Cover Memorandum/Staff Report

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**File #:** 24-1633

**Agenda Date:** 1/7/2025

**Item #:** 8.A.

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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** January 7, 2025

ORDINANCE NO. 27-24: 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 4.7, "FAMILY/WORKFORCE HOUSING," SECTION 4.7.2, "APPLICABILITY," SUBSECTION (B), "WORKFORCE HOUSING INCENTIVE AREAS," TO CORRECT A SCRIVENER'S ERROR ON THE INFILL WORKFORCE HOUSING AREA MAP, AND BY AMENDING SECTION 4.7.4, "DENSITY BONUS AREAS," SUBSECTION (A), "THE SOUTHWEST NEIGHBORHOOD OVERLAY DISTRICT, THE CARVER ESTATES OVERLAY DISTRICT AND THE INFILL WORKFORCE HOUSING AREA," TO CORRECT A SCRIVENER'S ERROR IN THE REQUIRED IN-LIEU AMOUNT WITHIN THE SOUTHWEST NEIGHBORHOOD OVERLAY DISTRICT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING / PUBLIC HEARING)

**Recommended Action:**

Consider Ordinance No. 27-24, a City-initiated amendment to the Land Development Regulations (LDR), amending Article 4.7, "Family/Workforce Housing" to correct scrivener's errors.

**Background:**

The proposed update corrects two items within Article 4.7:

**Infill Workforce Housing Area Map.** Ordinance No. 32-23 adopted changes to Article 4.7, related to the complete re-write of Chapter 2, "Administrative Provisions." The map of the Infill Workforce Housing Area was updated in that ordinance because the then-adopted map was difficult to read. However, the wrong version of the map was inadvertently included in the ordinance. The proposed amendment corrects the image.

**In-Lieu Payment Amount.** Article 4.7, "Family/Workforce Housing" was adopted in 2004 via Ordinance No. 66-04. Both the initial adopting ordinance in 2004 and amending Ordinance No. 18-06 had \$60,000 in-lieu fee for the Southwest Neighborhood Overlay. However, Ordinance No. 11-07 established the fee of \$160,000 for multiple overlays - including the Southwest Neighborhood Overlay - in a section with more general requirements applicable to all overlays. The subsection with the regulations specific to the Southwest Neighborhood Overlay was not updated in that ordinance to eliminate the previously adopted \$60,000 fee, which resulted in an internal inconsistency. It can be concluded that \$160,000 is the correct fee based on the language in Ordinance No. 11-07.

The full Planning and Zoning Board staff report is attached.

The Planning and Zoning Board voted 6-0 to recommend approval of Ordinance No. 27-24 at its September 17, 2024 meeting.

**City Attorney Review:**

Ordinance No. 27-24 is approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Not applicable.

**Timing of Request:**

Ordinance No. 27-24 will be effective immediately upon adoption at second reading.