



Cover Memorandum/Staff Report

File #: 25-1538

Agenda Date: 12/1/2025

Item #: 9.B.

TO: Mayor and Commissioners
FROM: Anthea Gianniotas, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: December 1, 2025

ORDINANCE NO. 37-25: 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 2.4, "DEVELOPMENT APPLICATION REQUIREMENTS," SECTION 2.4.11, "RELIEF," SUBSECTION (E), "REQUESTS FOR ACCOMMODATION," TO REQUIRE A REASONABLE ACCOMMODATION REQUEST BE SUBMITTED IN WRITING, TO MODIFY THE AMOUNT OF TIME TO REQUEST ADDITIONAL INFORMATION AND TO MAKE A FINAL DETERMINATION, TO REQUIRE ANY DENIAL OF A REASONABLE ACCOMMODATION REQUEST TO STATE OBJECTIVE, EVIDENCE-BASED REASONS FOR THE DENIAL, TO COMPORT WITH RECENT CHANGES TO STATE LAW; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:

Consider Ordinance No. 37-25, amending LDR Section 2.4.11, "Relief," Subsection (E), "Requests for Accommodation," to comport with changes to State law.

Background:

SB 954 was adopted in the 2025 Florida legislative session to require the governing body of each county or municipality to adopt an ordinance to establish procedures for the review and approval of certified recovery residences; prohibiting the ordinance from requiring public hearings beyond the minimum required by law; providing that the personnel-to-resident ratio for a certified recovery residence must be met only when the residents are at the residence, etc. The City already has extensive evidence-based regulations governing community residences; the proposed change relates to reasonable accommodation procedures, which are updated as follows to ensure compliance:

- Applications are required to be **time-stamped** when received.
- Application **must now include PCN** in addition to street address.
- City now has 60 days to review/respond (formerly 45 days).
- Application now has 30 days to provide additional info (formerly 15 days)
- Denials must state objective, evidence-based reasons for denial.

- If the City fails to take final action within 60 days, automatically approved (can agree to extension of time).

Planning and Zoning Board voted 7-0 to recommend approval of Ordinance No. 37-25 at its November 17, 2025 meeting.

City Attorney Review:

Ordinance No. 37-25 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 37-25 will be effective immediately if adopted at second reading on December 8, 2025. The ordinance must be in effect on October 1, 2026, to ensure compliance with the statutory change.