

RESOLUTION NO. 109-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, RECOGNIZING THAT THE CITY OF DELRAY BEACH IS CONSIDERING AMENDMENTS TO ITS LAND DEVELOPMENT REGULATIONS (LDR) WITH RESPECT TO PAYMENTS TO THE CITY OF DELRAY BEACH HOUSING TRUST FUND IN LIEU OF PROVIDING ONSITE OR OFFSITE WORKFORCE HOUSING; PROVIDING THAT DURING THE PENDENCY OF THE CITY'S CONSIDERATION OF THE NEW LDR AMENDMENTS, THE CITY WILL DEFER THE PROCESSING AND APPROVAL OF ALL APPLICATIONS FOR IN LIEU OF WORKFORCE HOUSING REQUESTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Delray Beach, Florida ("City") has been actively engaged in the process of undertaking a review and update of the existing Land Development Regulations (LDR) with respect to regulations regarding in lieu payments to the City of Delray Beach Housing Trust Fund; and

WHEREAS, the City is conducting a review of the subject matter and its LDR with respect to adopting the appropriate regulations and zoning rules to the existing LDR; and

WHEREAS, in accordance with these considerations, the City of Delray Beach Department of Development Services ("Department") will be proposing amendments to the City's LDR with respect to this subject matter; and

WHEREAS, on June 2, 2026, the City Commission of Delray Beach directed staff to commence its review of the LDR in order to propose recommendations at a future date; and

WHEREAS, all persons or entities that desire to submit an application with respect to in lieu of workforce housing requests ("WFH"), as defined in the LDR, are on notice that the City is considering the adoption of amended LDR with respect to this subject matter, and that this subject matter should be considered zoning in progress; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the recitals above are true and correct and incorporated into the findings of this Resolution as if set forth in full herein.

Section 2. Zoning in Progress. Pursuant to the pending ordinance doctrine and Florida law, the City Commission hereby acknowledges that the City of Delray Beach commenced preparing and considering the adoption of ordinance amendments to the LDR with respect to payments to the City of Delray Beach Housing Trust Fund in lieu of providing onsite and offsite WFH units within the City.

Section 3. The City’s consideration of amendments to the LDR for this subject matter constitutes zoning in progress.

Section 4. The acceptance and processing of applications, permits, or any other approvals for in lieu of requests pursuant to LDR Section 4.7.3(B)(2) shall be deferred from consideration by the City until the ending as set forth in Section 5 below.

Section 5. This zoning in progress shall remain in effect until new or amended LDR are adopted by the City Commission with respect to this subject matter or until the passage of 180 days, whichever occurs first. This policy may be extended by Resolution of the City Commission for additional periods of time in order to complete the tasks outlined herein.

Section 6. That this Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED by the City Commission of the City of Delray Beach, Florida, this _____ day of _____, 2026.

Thomas F. Carney, Jr., Mayor

ATTEST:

Alexis Givings, City Clerk

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney