



Cover Memorandum/Staff Report

File #: 26-0895

Agenda Date: 8/11/2026

Item #: 8.B.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: August 11, 2026

ORDINANCE NO. 32-26: 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 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.1, "REVIEWING OFFICIALS AND AUTHORITIES," SECTION 2.1.1, "ADMINISTRATIVE OFFICIALS," SUBSECTION (B), "DIRECTOR," TO PROVIDE THE DIRECTOR OF DEVELOPMENT SERVICES THE AUTHORITY TO ADMINISTRATIVELY APPROVE REQUESTS TO ADJUST SETBACK REQUIREMENTS UP TO FIVE FEET WHEN RELATED TO A RIGHT-OF-WAY DEDICATION, AND BY AMENDING SECTION 2.1.2, "REVIEW AUTHORITIES," SUBSECTION (B), "DEVELOPMENT SERVICES MANAGEMENT GROUP (DSMG)," TO PROVIDE THE DEVELOPMENT SERVICES MANAGEMENT GROUP THE AUTHORITY TO APPROVE DEVIATIONS UP TO FIVE PERCENT FROM A DEVELOPMENT STANDARD, DUE TO UNIQUE SITE CONSTRAINTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING)

Recommended Action:

Consider Ordinance No. 32-26, a City-initiated amendment to Section 2.1.1, "Administrative Officials" and Section 2.1.2, "Review Authorities" of the Land Development Regulations (LDR) to modify the duties, powers, and responsibilities of the Director and Development Services Management Group related to relief from development standards.

Background:

The DSMG provides an administrative body to guide the implementation of the Land Development Regulations and local ordinances, to recommend amendments and policy changes, and to consider and grant relief to technical requirements, as authorized by the Land Development Regulations (LDR Section 2.1.2(B)). Members include the Development Services Director, the Chief Building Official, the City Engineer, the Fire Chief, or designee, the Directors of Neighborhood and Community Services, Public Works, Utilities or his or her designee; a representative of the City Attorney's office, and representatives of other departments as deemed appropriate by the City Manager.

The DSMG hears and grants a significant number of requests to reduce the setback requirement equal to the amount of a required right-of-way dedication, up to five feet. The proposed amendment gives the Director the authority to approve such a request. The amendment also gives DSMG the authority to approve deviations up to five percent, up to a maximum of one foot, from a development standard, due to unique site constraints such as existing building location, legacy tree location, or existing utility lines. These types of requests have been going to appointed Boards, when the impact

of the request is often minimal, and could be approved more quickly by the DSMG. Appeals of a DSMG decision would be heard by the City Commission.

LDR Section 2.4.7(A)(5), Findings

For any approval, the City Commission must make a finding that the text amendment is consistent with the Comprehensive Plan, and that the amendment furthers the implementation of an adopted neighborhood plan, if applicable.

A detailed review of all required findings and relevant information for review is provided in the attached Planning and Zoning Board staff report.

Planning and Zoning Board voted 6 to 0 to recommend approval of the ordinance at its June 15, 2026 meeting.

City Attorney Review:

Ordinance No. 32-26 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 32-26 will be effective immediately if adopted at second reading on August 11, 2026.