



Cover Memorandum/Staff Report

File #: 26-0764

Agenda Date: 7/14/2026

Item #: 9.B.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 14, 2026

ORDINANCE NO. 31-26: 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, CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.4, "BASE DISTRICT DEVELOPMENT STANDARDS," SUBSECTION (H), "SETBACKS" TO SPECIFY THAT THE REAR SETBACK REQUIREMENTS SHALL BE APPLIED TO SIDE LOT LINES ADJOINING ALLEYS; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:

Consider Ordinance No. 31-26, a City-initiated request to amend and update Section 4.3.4, "Base District Development Standards," Subsection (H), "Setbacks" of the Land Development Regulations (LDR) to specify that rear setback requirements shall be applied to side lot lines adjoining alleys.

Background:

The Always Delray Comprehensive Plan identifies alleys as a Local Street in Table MBL-1, Street Network Classification and Improvements. Alleys are intended for pedestrian and vehicular use as a means of access. Therefore, alleys are technically classified as a street. Outside of the CBD, lot lines adjoining alleys are regulated by the Side Street Setback, which is generally greater than the required Rear or Side Interior setbacks. The CBD, which uses a form-based code, applies the rear setback requirement to all lot lines along alleys (LDR Section 4.4.13(D)(2)(a)(2)).

Outside of the downtown area, alleys are not as intensely used as streets. Alleys are typically present in the eastern neighborhoods of the city, which are characterized by smaller lots with an interconnected block structure. Most alleys were originally platted as 16 feet wide, frequently requiring a 2' dedication from adjoining lots towards achieving the necessary 20' width. Applying a Street Side setback to side lot lines adjoining alleys, further constricts the area available for structures. Therefore, the City desires to update setback regulations for side lot lines adjoining alleys to apply a more appropriate setback.

Applying the rear setback requirement to side lot lines adjoining alleys is a more appropriate approach. This adjustment would uphold the intended function of alleys, provide a more context-sensitive setback, while also ensuring adequate separation between structures and vehicular travel ways and ensuring suitable building placement from a vehicular travel way. Additionally, codifying the regulation, rather than relying on a standing Department interpretation, provides clarity to staff and property owners.

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 reviewed the request at its June 15, 2026 meeting and voted 6 to 0 to recommend approval of the request.

City Attorney Review:

Ordinance No. 31-26 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Please include a comprehensive and complete fiscal analysis of the item and full justification.

Timing of Request:

Ordinance No. 31-26 will be effective immediately, if approved at second reading, anticipated for August 11, 2026.