



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Director and Development Services Management Group (DSMG) Duties, Powers, and Responsibilities

Meeting	File No.	Application Type
June 15, 2026	PZ-000665-2026	Amendment to the Land Development Regulations

Applicant
City of Delray Beach

Request
Provide a recommendation to the City Commission on 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 Information
Prior to October 2023, the Development Services Management Group (DSMG) was defined in the LDR as a *single administrative unit which is generally responsible for the implementation of these Land Development Regulations and related activities*. The same section outlined the duties and responsibilities of individual positions (Director, Chief Building Official, and City Engineer). Generally, the term DSMG was used to describe a branch the organizational chart for a Department within the City and individual duties, rather than a specific administrative body to assist with interpreting the LDR and granting relief from technical requirements.

Then, Ordinance No. 31-23, adopted in October 2023, expanded the DSMG powers as part of the rewrite to Chapter 2, "Administrative Provisions," which generally increased the thresholds for administrative reviews. *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.

DSMG has the authority to take the following actions:

- Grant administrative relief limited to modifications to the streetscape standards in Central Business District (CBD); deviations up to five percent, up to a maximum of one foot, from an already approved waiver during construction; or adjustments to setback requirements for detached single-family and duplex structures resulting from right-of-way dedications, equal to the amount of the dedication, but no more than five feet.
- Appeal of an administrative interpretation of regulations that are not related to use associated with a project in the TAC review process, where the LDR does not identify a process for such a request.
- Review and approve special event applications.

DSMG has provided a necessary mechanism to provide relief for minor requests apart from the Board or Commission review process. However, DSMG regularly sees a number of recurring requests for the same type of relief, and certain site plan applications that could be approved administratively are being elevated to lower boards because of minor relief requests.

From December 2024 to December 2025, DSMG reviewed and approved four requests to allow a reduction in the minimum front setback on single-family properties related to a right-of-way dedication required by City, to offset the amount of the required dedication. This represents a significant drain on Staff time to prepare the analysis, a burden on applicants required to appear before a board for an

application otherwise approved administratively, and an impact on the Department Directors required to attend and make a determination. Therefore, a change is proposed to the process for relief for front setback waivers related to a right-of-way dedication.

Front Setback Waivers Related to a Right-of-Way Dedication		
Location	Date	Summary of Request
220 Palm Trail	12/12/24	Reduce the required minimum front setback from 30 ft to 25 ft
402 Palm Trail	04/24/25	Reduce the required minimum front setback from 30 ft to 25 ft
840 Denery Lane	05/22/25	Reduce the required minimum front setback from 25 ft to 20 ft
137 Coconut Road	12/11/25	Reduce the required minimum front setback from 25 ft to 20 ft

Additionally, there are certain minor relief requests that have resulted in an application being elevated to a Board for review, when it was otherwise eligible for administrative approval. One recurring issue relates to utility lines located near or on the property line, which typically impacts landscaping, driveways, or dumpster placement. A frequent relief request is for a waiver to the required 5-foot landscape buffer between vehicular driveways on townhouse developments.

Description of Proposal

The following updates are proposed to Article 2.1, “Reviewing Officials and Authorities”:

Section 2.1.1, “Administrative Officials,” Subsection (B), “Director”

- Adjustments to setback requirements for detached single-family and duplex structures resulting from right-of-way dedications, up to five feet, or equal to the amount of the dedication, unless elevated by the Director to DSMG.

Section 2.1.2, “Review Authorities,” Subsection (B), “Development Services Management Group (DSMG)”

- DSMG is given 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.
- The authority to approve adjustments to setback requirements for detached single-family and duplex structures resulting from right-of-way dedications, up to five feet, or equal to the amount of the dedication, is eliminated because the authority is instead given to the Director.

The full text of Ordinance No. 32-26 is provided as an attachment.

Review and Analysis

LDR Section 1.1.6, Amendments

The text of these Land Development Regulations may from time to time be amended, changed, supplemented, or repealed. No such action however, shall be taken until a recommendation is obtained from the Planning and Zoning Board and until a public hearing has been held by the City Commission.

LDR Section 2.4.7(A), Amendments to the Land Development Regulations

Amendments to the LDR may be initiated by the City Commission, Planning and Zoning Board, or City Administration, or by a member of the public.

The proposed amendment is City-initiated.

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.

The following Objectives and Policies of the adopted Comprehensive Plan are applicable to the proposed amendment.

Neighborhoods, Districts, and Corridors Element

Objective NDC 3.5, Update the Land Development Regulations *Regularly review and update the Land Development Regulations to provide timely, equitable and streamlined processes including, but not limited to, building permit processes for residential developments and to accommodate mixed-use developments, address market changes and development trends, and other innovative development practices.*

Economic Prosperity Element

Policy ECP 6.3.2 *Encourage predictability and consistency in the City's Land Development Regulations, while also allowing for flexibility and creativity in the site development process.*

Policy ECP 6.3.3 *Promote a culture throughout the City organization that continuously improves the predictability and reduces the cost of the development review process.*

The proposed modification allows for common-sense administrative approval of deviations that accommodate for unique conditions on property in Delray.

Options for Board Action

- A. Recommend **approval** to the City Commission on Ordinance No. 32-26, a City-initiated amendment to Article 2.1, "Reviewing Officials and Authorities" of the Land Development Regulations (LDR) to amend the duties, powers, and responsibilities of the Director and Development Services Management Group related to relief from development standards, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations.
- B. Recommend **approval** to the City Commission of Ordinance No. 32-26, a City-initiated amendment to Article 2.1, "Reviewing Officials and Authorities" of the Land Development Regulations (LDR) to amend the duties, powers, and responsibilities of the Director and Development Services Management Group related to relief from development standards, by finding that the amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations.
- C. Recommend **denial** to the City Commission of Ordinance No. 32-26, a City-initiated amendment to Article 2.1, "Reviewing Officials and Authorities" of the Land Development Regulations (LDR) to amend the duties, powers, and responsibilities of the Director and Development Services Management Group related to relief from development standards, by finding that the amendment and approval thereof is not consistent with the Comprehensive Plan and does not meet the criteria set forth in Land Development Regulations.
- D. Continue with direction.

Public and Courtesy Notices

Courtesy Notices are not required.

Public Notices are not required for this request.