



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Alleys as Rear Setbacks

Meeting	File No.	Application Type
June 15, 2026	PZ-000666-2026	Amendment to the Land Development Regulations

Applicant

City of Delray Beach

Request

Provide a recommendation to the City Commission on 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

All properties outside of the Central Business (CBD) District zoning district are subject to the building setback requirements outlined in LDR Section 4.3.4(K), Development Standards Matrix, unless specified otherwise in a specific zoning district or overlay district. In general, building setbacks are established to provide adequate space between buildings to allow for light and air circulation and fire protection; protect views; allow for the installation of utilities and sidewalks; and ensure the provision of open space for drainage and other purposes. The LDR provides the following definition of setback:

SETBACK. *The horizontal distance between a building and the boundary lines of the lot, or the boundary lines of a building site joined by a Unity of Title, where no building, structure, or portion thereof shall be allowed, except as provided in Section 4.3.4(H)(4). Setbacks shall be measured from the right-of-way line for public streets, and from the access easement line for private streets.*

The LDR defines alleys and streets as follows:

ALLEY. *A roadway which provides a secondary means of access to abutting properties, and not intended for general traffic circulation use by pedestrians or vehicles.*

STREET. *A strip of land, owned privately or publicly, which affords legal access to abutting land and is designated for vehicular traffic. 'Street' includes road, thoroughfare, parkway, avenue, boulevard, expressway, lane, throughway, place, and square or however otherwise designated. Streets are further classified according to the function they perform.*

Additionally, 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 secondary means of access. Therefore, strict interpretation classifies alleys as a street.

Outside of the CBD, side lot lines adjoining alleys are regulated by the side street setback, which is greater or equal to the minimum required rear or side interior setback. The CBD, on the other hand, regulates side lot lines adjoining alleys by the rear setback requirement (LDR Section 4.4.13(D)(2)(a)(2)).

The function of an alley is not as intensive as that of a street, as it is not intended for general traffic circulation and has an ultimate right-of-way width much lower than a public or private street. Therefore, the City desires to update setback regulations for side lot lines adjoining alleys to apply a more appropriate setback, given the function of alleys along a side lot line. Applying the rear setback to match the regulations in the CBD is deemed more appropriate while still 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 members of the development community.

Description of Proposal

The proposed ordinance amends LDR Section 4.3.4(H), "Setbacks," Subsection (1), "General" to add rules for side lot lines adjoining alleys, and modifies the existing text from prose to a list as follows:

(H) **Setbacks.**

(1) **General.**

- (a) Setbacks are measured at right angles to the lot line and represent the minimal distance within which a structure may come to said lot line.
- (b) Setbacks are established for front, interior side, street side, and rear lot lines.
- (c) Lot lines along rights-of-way are established, for setback purposes, as being for the ultimate right-of-way as required for the minimum section for the class of street or as otherwise required by the Traffic Network as contained in the Transportation Element of the Comprehensive Plan.
- (d) Side lot lines adjoining alleys are regulated by rear setback requirements, except for R-1-AAB zoned properties, where the side street setback applies, and except where additional setbacks are required pursuant to Section 4.6.4.

Ordinance No. 31-26 is attached with the complete text of the proposed amendment.

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 initiated by City staff.

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

GOAL NDC 1 NEIGHBORHOODS, DISTRICTS, AND CORRIDORS *Enhance the quality and character of the City's neighborhoods, districts, and corridors to continue to provide a sustainable community in which to live, work, and play.*

Objective NDC 3.5 Update 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.*

Mobility Element

Objective MBL 2.6 Alleys *Provide for the protection and enhancement of alleys as a vital part of the transportation network.*

Policy MBL 2.6.3 *Maintain and enhance the existing network of alleys in residential districts and provide for safe pedestrian and bicycle usage.*

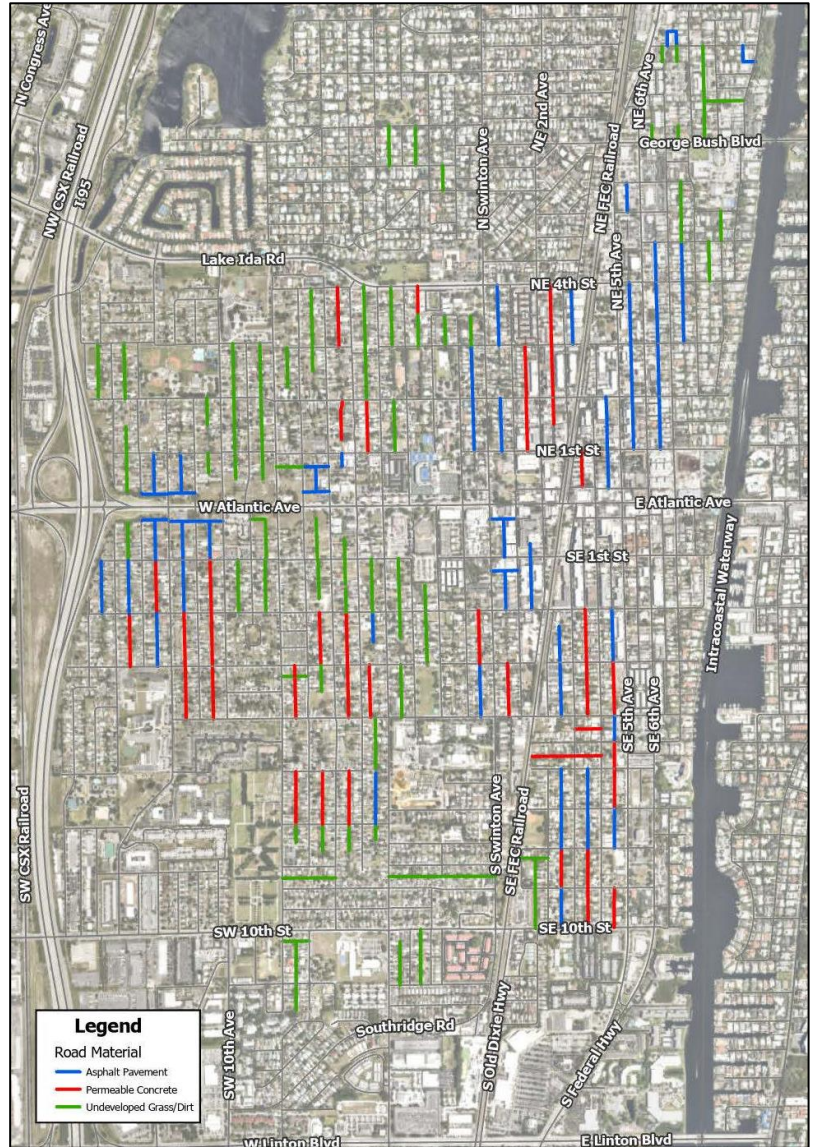
East of I-95 and west of the Intracoastal Waterway, the city alley system is extensive (map at right). The Always Delray Comprehensive Plan places emphasis on protecting and enhancing the City's alley network. While the LDR categorizes alleys as a street, applying a street side setback to side lot lines adjoining alleys may undermine practical site design and has proven to be excessive in many circumstances.

The chart below indicates the differences in side and rear setbacks in single-family zoning districts.

Single-Family (R-1) Zoning			
	Side Street Setback	Side Interior Setback	Rear Setback
R-1-AAA	17 feet	12 feet	12 feet
R-1-AAAB	17 feet	12 feet	12 feet
R-1-AA	15 feet	10 feet	10 feet
R-1-AAB	20 feet	8.5 feet	25 feet
R-1-A	15 feet	7.5 feet	10 feet
R-1-AB	15 feet	7.5 feet	10 feet

Staff determined that to liken the side street setback to a side interior setback may not provide enough separation from an adjacent alley, but given the characteristics of alleys, 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. An exception is provided for R-1-AAB zoned properties, where the side street setback applies.

Because alleys are so prevalent, codifying the treatment of alleys for setback purposes is helpful to both staff and members of the development community.



Review By Others

The **City Commission** is anticipated to review the proposed LDR Amendment in July and August 2026.

Options for Board Action

- A. Recommend **approval** to the City Commission of 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 LDR to specify that rear setback requirements shall be applied to side lot lines adjoining alleys, 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 as amended** to the City Commission of 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 LDR to specify that rear setback requirements shall be applied to side lot lines adjoining alleys, 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. 31-26, a City-initiated request to amend and update Section 4.3.4, "Base District Development Standards," Subsection (H), "Setbacks" of the LDR to specify that rear setback requirements shall be applied to side lot lines adjoining alleys, 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

N/A Courtesy Notices are not applicable to this request

N/A Public Notices are not required for this request at this time.