



City of Delray Beach

100 N.W. 1st Avenue
Delray Beach, FL 33444

Cover Memorandum/Staff Report

File #: 25-1684

Agenda Date: 2/3/2026

Item #: 8.A.

TO: Mayor and Commissioners
FROM: Anthea Giannotes, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: February 3, 2026

ORDINANCE NO. 10-26: 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 1, "GENERAL PROVISIONS," ARTICLE 1.3, "NONCONFORMING USES, LOTS, AND STRUCTURES," SECTION 1.3.2, "NONCONFORMING LOTS OF RECORD," TO REMOVE THE DEFINITION OF A NONCONFORMING LOT OF RECORD; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.1, "ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP," SECTION 4.1.4, "USE OF LOTS OF RECORD," TO ALLOW THE REDEVELOPMENT OF PREVIOUSLY DEVELOPED NONCONFORMING LOTS OF RECORD AND TO ELIMINATE RELIEF PROCEDURES, AMENDING ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.1, "APPLICATION OF DISTRICT REGULATIONS," TO ELIMINATE RELIEF PROCEDURES AND TO ADD ALLOWANCES FOR LOTS OF RECORDS; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.3, "SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICTS;" AMENDING ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING," SECTION 4.7.8, "OTHER INCENTIVES," TO ADD DESIGN REQUIREMENTS AND SETBACK RELIEF FOR WORKFORCE HOUSING UNITS; AND AMENDING APPENDIX A, "DEFINITIONS," TO AMEND THE DEFINITION OF "LOT OF RECORD" AND ADOPT A DEFINITION FOR A LEGACY PROPERTY, NONCONFORMING LOT, AND NONCONFORMING LOT OF RECORD;" PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING / PUBLIC HEARING)

Recommended Action:

Consider Ordinance No. 10-26, a City-initiated amendment to the Land Development Regulations (LDR), amending Section 1.3.2, "Nonconforming Lots of Record," Section 4.1.4, "Use of Lots of Record," Section 4.3.1, "Application of District Regulations," Section 4.4.3, "Single Family Residential (R-1) Districts," Section 4.7.8, "Other Incentives," and Appendix A, "Definitions" to amend regulations related to the use of lots of record.

Background:

On October 1, 1990, a Citywide rezoning was adopted. Among the many changes that were made by the ordinance, minimum requirements for lot dimensions and area were adopted for the Single-Family (R-1) zoning districts. These new standards did not match the sizes of many lots that existed, either as established by a plat or by an extended history of ownership and use, thereby rendering many properties as non-conforming. This ordinance clarifies the process for various situations, including when workforce housing requirements are applied. This ordinance also establishes a new type of property, a "Legacy Property" which reflects the common use of metes and bounds for legally defining parcels of land in the Northwest/Southwest neighborhoods. By recognizing this historic

method of property ownership, the redevelopment of these lots will be less cost prohibitive and create the opportunity for longtime family owners to build homes on these parcels or sell them for the creation of new workforce housing homes.

The attached Planning and Zoning Board staff report provides a complete discussion of the history of the request.

Planning and Zoning Board heard the request at its November 17, 2025, meeting and voted 7-0 to recommend approval (as Ordinance No. 25-25), and recommended that unplatting lots within the Northwest / Southwest neighborhoods that show an extended ownership history, be considered lots of record and, therefore, not subject to platting. This recommendation is incorporated in the ordinance.

City Attorney Review:

Ordinance No. 10-26 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Ordinance No. 10-26 will be effective immediately, if approved at second reading.