



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Lobbyist Disclosure and Certification

Meeting	File No.	Application Type
August 17, 2026	PZ-000806-2026	Amendment to the Land Development Regulations
Applicant	Agent	Owner
Not applicable; City-initiated request.	Not applicable; City-initiated request.	Not applicable; City-initiated request.

Request

Provide a recommendation to the City Commission on Ordinance No. 39-26, a City-initiated request to amend and update Section 2.4.2, "Application Requirements" of the Land Development Regulations (LDR) to establish lobbyist disclosure requirements for development applications.

Background

Palm Beach County adopted a "Lobbyist Registration Ordinance" effective on July 1, 2021; the City participates in the Palm Beach County Lobbyist Registration System. The Palm Beach County Lobbying Registration Ordinance defines "lobbying" as influencing or attempting to influence action or nonaction through oral or written communication with a member or members of the City Commission or advisory board. All paid lobbyists are required to comply with the provisions of the ordinance and register through the Palm Beach County Administrator's Office. The stated purpose of the ordinance is as follows:

The board of county commissioners of the county and the governing bodies of the municipalities located within the county hereby determine that the operation of responsible government requires that the fullest opportunity be afforded to the people to petition their county and local governments for the redress of grievances and to express freely to the elected officials their opinions on legislation and other actions and issues; that to preserve and maintain the integrity of the governmental decision-making process, it is necessary that the identity and activities of certain persons who engage in efforts to influence the county commissioners, members of the local municipal governing bodies, mayors or chief executive officers that are not members of local municipal governing bodies, county and municipal advisory board members, and county and municipal employees on matters within their official duties, be publicly and regularly disclosed. In accordance with Section 1.3 of the County Charter, this Ordinance shall not apply in any municipality that has adopted an ordinance in conflict governing the same subject matter (Section 2-351, Palm Beach County Code of Ordinances).

Requiring public disclosure of the identity and activities of certain persons who engage in efforts to influence members of the City Commission and City advisory board on matters within their official duties maintains transparency for the public. Although the administration and enforcement of lobbyist registration requirements falls under the purview of the Palm Beach Commission on Ethics, the City of Delray Beach desires to intentionally recognize that the operation of responsible government requires transparency of the governmental decision-making process to maintain the public trust, by adopting disclosure requirements into the Land Development Regulations.

At its July 14, 2026 meeting, City Commission directed Staff to adopt policy requiring transparency in the use of lobbyists.

Description of Proposal

The proposal is initiated by the City to support transparency in decision-making. The following language is presented for adoption into LDR Section 2.4.2:

- (E) **Lobbyist Disclosure and Certification.** A written certification, on a form approved by the City, identifying each person retained or authorized at the time of application or at any time during the application process to communicate with the City Commission, any board or advisory committee of the City, or any employees of the City, including: (i) a disclosure of whether such person is a "lobbyist" as defined under Palm Beach County Code Section 2-352, as may be amended, (ii) a disclosure of the principal(s) or entity(ies) that retained such person, and (iii) an affirmation that such person has either registered in the Palm Beach County Central Lobbyist Registry or is not required by law to do so. Any identifying information associated with such lobbyist registration shall be provided. The applicant shall update and supplement such certifications, and the disclosures contained therein, throughout the pendency of the application, including upon the retention or authorization of any additional person subject to this requirement or any change in the information previously provided. Any person appearing before the City Commission or any board or advisory body of the City on behalf of an applicant shall, prior to addressing such body, verbally disclose on the record whether such person is a lobbyist and, if so, the principal on whose behalf such person is appearing.

Ordinance No. 39-26 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 was initiated by the City Commission at its July 14, 2026 meetings.

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 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.*

Private Property Rights Element

GOAL PPR 1 PRIVATE PROPERTY RIGHTS **CONSIDER PRIVATE PROPERTY RIGHTS IN LOCAL DECISION MAKING, AND RESPECT THE RIGHTS OF CITIZENS TO PARTICIPATE IN DECISIONS THAT AFFECT THEIR LIVES AND PROPERTY.**

Objective PPR 1.2 Transparency, Reliability, and Predictability in Decision-making *Decision-making shall be transparent, reliable and predictable, based on adherence to adopted local regulations, in order to promote sound, long-term investments in the community.*

The proposed lobbying disclosure and certification requirement is proposed in order to afford members of the public the right to know that their stated testimony on projects impacting their lives carries the same weight as other testimony, and to provide an assurance that the outcome of development applications are equitable and not driven by undisclosed, paid interests.

Review By Others

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

Options for Board Action

- A. Recommend **approval** to the City Commission of Ordinance No. 39-26, a City-initiated request to amend and update Section 2.4.2, "Application Requirements" of the Land Development Regulations (LDR) to establish lobbyist disclosure and certification requirements for development applications, 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. 39-26, a City-initiated request to amend and update Section 2.4.2, "Application Requirements" of the Land Development Regulations (LDR) to establish lobbyist disclosure and certification requirements for development applications, by finding that the amendment as amended 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. 39-26, a City-initiated request to amend and update Section 2.4.2, "Application Requirements" of the Land Development Regulations (LDR) to establish lobbyist disclosure and certification requirements for development applications, 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.

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.