



Legislation Details (With Text)

File #: 22-795 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 6/16/2022 **In control:** City Commission
On agenda: 8/9/2022 **Final action:** 8/9/2022

Title: ORDINANCE NO. 22-22: 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, BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS, SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (Q), "GUEST COTTAGES," TO AMEND REGULATIONS GOVERNING GUEST COTTAGES, AND CREATING SUBSECTION (QQ), "ACCESSORY STRUCTURES," TO ADOPT REGULATIONS GOVERNING ACCESSORY RESIDENTIAL STRUCTURES; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.2, "RURAL RESIDENTIAL (RR) DISTRICT," SECTION 4.4.3, "SINGLE FAMILY RESIDENTIAL (R-1) DISTRICTS," SECTION 4.4.5, "LOW DENSITY RESIDENTIAL (RL) DISTRICT," SECTION 4.4.6, "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," AND SECTION 4.4.17, "RESIDENTIAL OFFICE (RO) DISTRICT, TO REFERENCE THE SPECIAL REQUIREMENTS FOR ACCESSORY STRUCTURES; AMENDING SECTION 4.4.7, "PLANNED RESIDENTIAL DEVELOPMENT (PRD) DISTRICT," TO ADD GUEST COTTAGES AS AN ACCESSORY USE AND TO REFERENCE THE SPECIAL REQUIREMENTS FOR ACCESSORY STRUCTURES; AND AMENDING APPENDIX A, "DEFINITIONS," RELATIVE TO ACCESSORY STRUCTURES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING/PUBLIC HEARING)

Sponsors: Development Services Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Accessory Structures: Ordinance No. 22-22, 3. Accessory Structures: PZB Staff Report, 4. Legal Review

Date	Ver.	Action By	Action	Result
8/9/2022	1	City Commission	approved	Pass

TO: Mayor and Commissioners
FROM: Anthea Gianniotas, Development Services Department
THROUGH: Terrence R. Moore, ICMA-CM
DATE: August 9, 2022

ORDINANCE NO. 22-22: 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, BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS, SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (Q), "GUEST COTTAGES," TO AMEND REGULATIONS GOVERNING GUEST COTTAGES, AND CREATING SUBSECTION (QQ), "ACCESSORY STRUCTURES," TO ADOPT REGULATIONS GOVERNING ACCESSORY RESIDENTIAL STRUCTURES; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.2, "RURAL RESIDENTIAL (RR) DISTRICT," SECTION 4.4.3, "SINGLE FAMILY RESIDENTIAL (R-1) DISTRICTS," SECTION 4.4.5, "LOW DENSITY RESIDENTIAL (RL)

DISTRICT,” SECTION 4.4.6, “MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT,” AND SECTION 4.4.17, “RESIDENTIAL OFFICE (RO) DISTRICT, TO REFERENCE THE SPECIAL REQUIREMENTS FOR ACCESSORY STRUCTURES; AMENDING SECTION 4.4.7, “PLANNED RESIDENTIAL DEVELOPMENT (PRD) DISTRICT,” TO ADD GUEST COTTAGES AS AN ACCESSORY USE AND TO REFERENCE THE SPECIAL REQUIREMENTS FOR ACCESSORY STRUCTURES; AND AMENDING APPENDIX A, “DEFINITIONS,” RELATIVE TO ACCESSORY STRUCTURES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING/PUBLIC HEARING)

Recommended Action:

Consider Ordinance No. 22-22, a City-initiated amendment to the Land Development Regulations (LDR) to establish regulations governing the appearance of accessory structures in residential zoning districts, by amending Section 4.3.3(Q), Guest Cottages, Section 4.4.2, “Rural Residential (RR) District,” Section 4.4.3, “Single Family Residential (R-1) Districts,” Section 4.4.5, “Low Density Residential (RL) District,” Section 4.4.6, “Medium Density Residential (RM) District;” Section 4.4.7, “Planned Residential Development (PRD) District,” Section 4.4.17, “Residential Office (RO) District,” and Appendix A to adopt a definition for Pool Houses and to amend the Accessory Building Structure, or Use definition.

Background:

The City Commission has recently expressed concerns regarding the need for compatibility between single-family residences and their accessory structures. As a result, Staff was directed to review the current regulations. The proposed update to the LDR is detailed in the attached staff report.

City Attorney Review:

Ordinance No. 22-22 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

If approved, Ordinance No. 22-22 would become effective immediately at second reading (anticipated for September 19, 2022).