



## Legislation Details (With Text)

**File #:** 17-034      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 12/20/2016      **In control:** City Commission

**On agenda:** 1/10/2017      **Final action:**

**Title:** ORDINANCE NO. 03-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 2.4.7(G), "REQUESTS FOR ACCOMMODATION"; SUBSECTIONS (1), "PURPOSE", (5), "NOTICE OF PROPOSED DECISION", (6), "APPEAL", AND (8), "REQUEST FORM FOR REASONABLE ACCOMMODATION", TO UPDATE AND CLARIFY SAME; ENACTING A NEW SUBSECTION 2.4.7(G)(10), "RECERTIFICATION" TO PROVIDE FOR ANNUAL RECERTIFICATION OF REASONABLE ACCOMMODATIONS; ENACTING A NEW SUBSECTION 2.4.7(G)(11), "SEVERABILITY" TO PROVIDE FOR SEVERABILITY; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.(FIRST READING)

**Sponsors:** Planning & Zoning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 03-17 Reasonable Accommodation Request Process 12.20.pdf, 2. Reasonable Accommodation Request Form-revised with owners consent 12.20.pdf, 3. RAR Plan Zoning Brd staff report Dec 2016 Final 12-9

Date	Ver.	Action By	Action	Result
1/10/2017	1	City Commission	approved on first reading	Pass

**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning & Building Director  
**THROUGH:** Chief Neal deJesus, Interim City Manager  
**DATE:** January 10, 2017

ORDINANCE NO. 03-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 2.4.7(G), "REQUESTS FOR ACCOMMODATION"; SUBSECTIONS (1), "PURPOSE", (5), "NOTICE OF PROPOSED DECISION", (6), "APPEAL", AND (8), "REQUEST FORM FOR REASONABLE ACCOMMODATION", TO UPDATE AND CLARIFY SAME; ENACTING A NEW SUBSECTION 2.4.7(G)(10), "RECERTIFICATION" TO PROVIDE FOR ANNUAL RECERTIFICATION OF REASONABLE ACCOMMODATIONS; ENACTING A NEW SUBSECTION 2.4.7(G)(11), "SEVERABILITY" TO PROVIDE FOR SEVERABILITY; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.(FIRST READING)

### **Recommended Action:**

Motion to Approve Ordinance No. 03-17 on First Reading, as presented. If passed, a public hearing will be held on January 24, 2017.

### **Background:**

The purpose of enacting LDR Section 2.4.7.(G) "Requests for Reasonable Accommodation" is to implement a procedure for processing requests for reasonable accommodation to the City's Code of

Ordinances, Land Development Regulations, rules, policies, and procedures for persons with disabilities as provided by the Federal Fair Housing Amendments Act (42 U.S. C. 3601, et. seq.) ("FHA") and Title II of the Americans with Disabilities Act (42 U.S. C. Section 12131, et. seq.) ("ADA"). Any person who is disabled (or qualifying entities) may request a reasonable accommodation with respect to the City's Land Development Regulations, Code of Ordinances, rules, policies, practices and/or procedures as provided by the FHA and the ADA, pursuant to the procedures set out in this section.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

N/A