

LAND DEVELOPMENT REGULATIONS

CHAPTER ONE GENERAL PROVISIONS

ARTICLE 1.1 ADOPTION OF CODE

Section 1.1.1 Reference: These regulations shall be known as the Land Development Regulations of the City of Delray Beach. It is a part of the Code of Delray Beach. As such they are subject to the General Provisions of the Code, Chapter 10.

Section 1.1.2 Authority: These regulations have been adopted pursuant to requirements imposed by F.S. 163, State Department of Community Affairs Administrative Rule 9J-5, and the City's Comprehensive Plan all of which required revising then existing land development regulations so as to be consistent with a comprehensive plan adopted pursuant to the 1985 Growth Management Act.

Section 1.1.3 Repeal of Previous Regulations: These regulations repeal and replace the following portions of the City Code:

- * Chapter 55 Public Improvements and Special Assessments
- * Section 91.02(A) Keeping of Animals
- * Chapter 102 Streets and Sidewalks
- * Sections 113.16-18 Re Locations for Sale of Alcohol
- * Chapter 114 Amusements (Circuses & Carnivals)
- * Chapter 150 Building Regulations
- * Chapter 151 Coastal Construction
- * Chapter 152 Community Appearance
- * Chapter 153 Soil Erosion Control
- * Chapter 155 Electricity
- * Chapter 156 Flood Hazard Control
- * Chapter 157 Gas Code
- * Chapter 158 Housing Code
- * Chapter 159 Landscaping Code
- * Chapter 160 Mechanical Code
- * Chapter 161 Plumbing Code
- * Chapter 162 Signs and Billboards

SECTION 1.1.3

* Chapter 163	Swimming Pools
* Chapter 164	Well and Sprinkler Systems
* Chapter 165	Unsafe Buildings
* Chapter 170	Community Redevelopment
* Chapter 171	Comprehensive Plan
* Chapter 172	Subdivision Code
* Chapter 173	Zoning Code
* Chapter 174	Historic Preservation
* Chapter 175	Safe Neighborhood Improvement Districts

Section 1.1.4 Minimum Requirements: In their interpretation and application, the provisions of these Land Development Regulations shall be held to be the minimum requirements adopted for the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the City. Whenever the requirements of these Land Development Regulations are at variance with the requirements of any other lawfully adopted ordinances, regulations, or rules, the most restrictive or that imposing the higher standards shall govern.

Section 1.1.5 Effective Date and Applicability:

(A) **Effective Date:** The effective date of these Land Development Regulations shall be October 1, 1990.

(B) **New Submissions:** The provisions of these Land Development Regulations shall apply to each and every development application and permit, which is regulated by these Regulations, which is submitted and accepted for processing on, or subsequent to October 1, 1990.

(C) **Previous Submissions:** Any development application or permit application which was accepted prior to October 1, 1990, and which was in processing and did not receive a final action thereon as of October 1, 1990, shall continue to be processed under all applicable regulations which existed prior to that date. For the purposes of processing such applications, the provisions of prior codes and regulations shall apply including but not limited to: processing, authority for action, development standards, and appeals.

(D) **Change of Regulations Prohibited:** A development application or a permit application shall not be subject to or processed by provisions from these current regulations and previous regulations, except as specifically provided for herein. If an applicant desires a previously submitted application to be subject to these regulations, it shall first be necessary that the previous application be withdrawn and a new application, attendant with fees and all required material, be submitted.

Section 1.1.6 Amendments:

(A) 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. Any such change shall be made by ordinance, pursuant to procedures found in LDR Section 2.4.5(M). **[Amd. Ord. 50-97 11/18/97]**

(B) Changes to the Zoning Map shall be made pursuant to Section 2.4.5(D).