



## Cover Memorandum/Staff Report

File #: 25-337

Agenda Date: 4/8/2025

Item #: 9.A.

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** April 8, 2025

ORDINANCE NO. 05-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT BY AMENDING POLICY NDC 1.4.7 OF THE NEIGHBORHOODS, DISTRICTS, AND CORRIDORS ELEMENT OF THE ALWAYS DELRAY COMPREHENSIVE PLAN TO ALLOW FOR THE COMMERCE LAND USE DESIGNATION ALONG CONGRESS AVENUE SOUTH OF WEST ATLANTIC AVENUE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

### **Recommended Action:**

Consider Ordinance No. 05-25, a City initiated amendment to the Always Delray Comprehensive Plan, by adopting a text amendment to Policy NDC 1.4.7 of the Neighborhoods, Districts, and Corridors Element.

### **Background:**

The proposed amendment is related to a privately-initiated small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce (CMR) (Ordinance No. 02-25), and rezoning from Mixed Residential, Office, and Commercial (MROC) to Mixed Industrial and Commercial (MIC) (Ordinance No. 01-25) for a 4.27-acre parcel located at 955-975 South Congress Avenue. The subject property is located on the northeast corner of SW 10<sup>th</sup> Street/Lowson Boulevard and South Congress Avenue, south of Atlantic Avenue.

CMR land use is currently only allowed north of Atlantic Avenue along Congress Avenue (although pockets of CMR land use exist in southeast Delray).

This City-initiated comprehensive plan text amendment (Ordinance No. 05-25) would allow CMR land use south of West Atlantic Avenue (and thus allow for MIC zoning as one of the implementing zoning districts) and accommodate the LUMA and rezoning request. This ordinance was prepared by Staff to update the Comprehensive Plan for consistency with the private LUMA and rezoning requests as they implement the findings of the Delray Beach Congress Avenue Strategies Plan. The study provided, *"market-informed development and retail strategy recommendations for the Congress Avenue corridor, with the goal of balancing commercial and housing growth."* The Study found that the initial vision of the CMU land use and the companion MROC district has not been fulfilled, with many office and retail vacancies, limited space for growing industrial businesses, and the increasing pressure to build stand-alone residential development along the corridor due to the increased costs of land (Delray Beach Congress Avenue Strategies Plan, Page 5 and 8).

A full analysis of the request is in the attached Planning and Zoning Board staff report.

Planning and Zoning Board heard the request on February 24, 2025 and voted 6-0 to recommend approval of the request.

**City Attorney Review:**

Ordinance No. 05-25 is approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Not applicable.

**Timing of Request:**

Second reading of Ordinance No. 05-25 will be concurrent with the second reading and adoption of Ordinance No. 06-25 (related amendment to the Land Development Regulations), Ordinance No. 02-25 (related land use map amendment), and Ordinance No. 01-25 (related rezoning request, which will be no greater than 180 days after first reading, pursuant to State procedures for comprehensive plan amendments.