



September 26, 2025


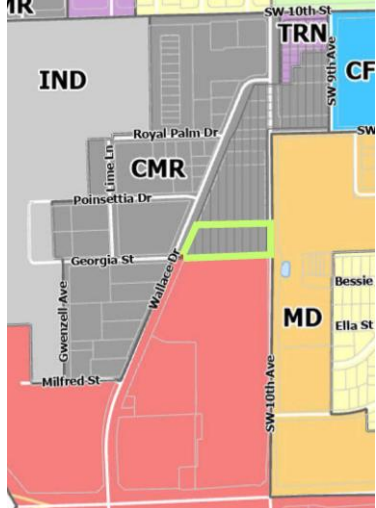
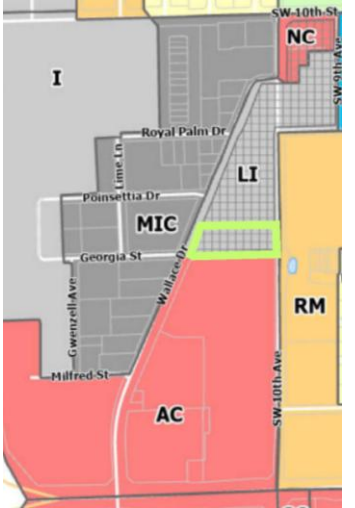
Amendment to Land Development Regulations LI (Light Industrial) zoning district regulations Revised Justification Statement

This revised Justification Statement is respectfully submitted on behalf of Wallace Drive, LLC for the property located at 1215 Wallace Drive, Delray Beach, FL 33444 (PCN:12-43-46-20-01-030-0040), associated with an Amendment to Land Development Regulations Section 4.4.26(B)(Principal uses and structures permitted) to include Service Industry uses per LDR Section 4.4.20(B)(5) of the I (Industrial) zoning district regulations.

BACKGROUND:

Subject Property

The 1.80-acre property is located on the east side of Wallace Drive, approximately 1,230 feet north of Linton Boulevard. The property currently has an underlying CMR (Commerce) Land Use Map designation and is zoned LI (Light Industrial), within the Wallace Drive Overlay District.

		
Subject Property	Existing Land Use	Existing Zoning

LI Zone District

The LI Zone District regulations were created because of issues related to the location of the City's Series 20 Wellfield zone located within the industrial zone district located north of SW 10th Street and west of SW 13th Avenue. There are only two areas zoned LI. One area is located south of SW 7th Street, east of SW 15th Avenue, west of SW 13th Avenue and north of SW 10th Street. The second is the Wallace Drive Overlay District bounded by SW 10th Street on the north, Georgia Street on the south, SW 9th Avenue on the east and Wallace Drive on the west.

Per LDR Section 4.4.26 Purpose and intent. The Light Industrial (LI) District provides an opportunity to site, develop, and maintain high quality industrial land uses outside of an industrial park setting. It also allows certain industrial land uses to be located in areas which are considered to be environmentally or aesthetically sensitive. This District is appropriate in such areas due, in part, to the development standards, which are more strict than those found in the "I" and "MIC" Districts. While the LI District has flexibility in its application, it is not to be applied to small lots or other circumstances which would lead to non-conforming site development.



LI Zone District – Wallace Drive Overlay District

The Wallace Drive Industrial Area was originally under Palm Beach County jurisdiction until 1988 when it was annexed into the City of Delray Beach via the Enclave Act (Enclave #31). The area was designated Redevelopment Area #2.

In 2004, the Wallace Drive Redevelopment Plan was adopted by the City Commission on January 6, 2004, providing for a redevelopment plan for the area bordered by SW 10th Street on the north; Milfred Street on the south; SW 9th Avenue on the east; and Tangelo Terrace on the west.

The Plan called for the area between Wallace Drive and SW 9th Avenue to be rezoned from R-1-A (Single Family Residential) to LI (Light Industrial). To allow development on smaller lots in the area, where aggregation of parcels is not possible, the Plan called for the creation of an Overlay District with modified development standards to reduce the minimum development area, lot size, lot dimensions and tenant space requirements. The Overlay District increased the front setback from 10' to 25' and incorporated the development standards of the MIC (Mixed Industrial and Commercial) zone district with respect to minimum development area, lot size, lot dimensions and tenant space requirements.

Amendments to the Land Development Regulations (2) Privately Initiated Amendments

Pursuant to LDR Section 2.4.7 – Amendments to the Land Development Regulations (2) Privately Initiated Amendments. Members of the public may request an amendment pursuant to the following procedures:

(a) *Sponsorship.*

1. At least one member of the City Commission shall sponsor the proposed amendment at a public meeting for formal presentation of the request at a City Commission Workshop for consideration.



2. *At the workshop meeting, at least three Commissioners must support the request. Applications for a privately initiated amendment shall only be accepted by the Development Services Department after consideration and support at a City Commission Workshop and must be submitted within 90 days of the City Commission Workshop where the amendment was sponsored.*

At its meeting of April 8, 2025, Commissioner Long sponsored an amendment to the LI (Light Industrial) zone district regulations to include Service Industry uses as described in Section 4.4.20 (B)(5) of the I (Industrial) zone district, which are listed below:

- Land Development Services (eg., surveying, soils testing, mapping, architectural, engineering).
- Contractor and Trade Services (e.g. general contractor, electrician, plumbers, heating and air-conditioning specialists, swimming pool maintenance, landscaping services, exterminators, equipment and tool rental).
- Repair of office equipment (e.g., typewriters, computers, data processing equipment).
- Business Services (e.g. typewriters, computers, data processing equipment).
- Limousine Service.
- Gun Ranges (indoor).
- Food preparation and/or processing, including but not limited to bakeries and catering operations.

The Service Industry uses listed in LDR Section 4.4.20(B)(5) provide an off-site service but maintain inventory, storage and an office at a central location,

The consensus of the City Commission was to schedule the LDR Amendment request for the June 10th City Commission workshop meeting.

At the June 10th City Commission Workshop meeting, the City Commission supported the amendment to allow formal submittal of an application to Amend the Land Development Regulations for consideration.

LAND DEVELOPMENT REGULATIONS (LDR) TEXT AMENDMENT

The following are the proposed Amendments to the Land Development Regulations to provide additional uses within the LI zone district and more flexibility to encourage and support the retention and expansion of land uses, employment opportunities, and the diversification of the City's economy.

The Amendment to the Land Development Regulations has been modified from the originally proposed amendment to address concerns expressed during the application review process related to the *Gun Ranges, Indoor*, which is a permitted Service Industry use in the I (Industrial) and MIC Mixed Industrial and Commercial zone districts [ref. LDR Section 4.4.20(B)(5)]. The Amendment includes a new standalone use, *Indoor Public Safety Firearms Range*, which has been separated from other Service Industry uses and listed as a Conditional Use within the LI zone district only within the Wallace Drive Overlay District, as defined in Section 4.5.8(A) and subject to proposed Section 4.3.3(KK), Specific Requirements for Specific Uses. A definition of *Indoor Public Safety Firearms Range* is included as well.

LDR Section 4.4.26(B) Principal uses and structures allowed of the LI (Light Industrial) zone district. is to include the following:

- (8) Service industry. Service Industry uses are those which are primarily engaged in providing an off-site service but which maintain inventory, storage of materials, and a business office at a central location. Repair of equipment and materials associated with the service is also permitted at this central location.

- Land Development Services (eg., surveying, soils testing, mapping, architectural, engineering).



- Contractor and Trade Services (e.g. general contractor, electrician, plumbers, heating and air-conditioning specialists, swimming pool maintenance, landscaping services, exterminators, equipment and tool rental).
- Repair of office equipment (e.g., typewriters, computers, data processing equipment).
- Business Services (e.g. typewriters, computers, data processing equipment).
- Limousine Service.
- Food preparation and/or processing, including but not limited to bakeries and catering operations.

(D) Conditional uses and structures allowed. The following uses are allowed as conditional uses within the LI Zone District:

- (5) Indoor Public Safety Firearms Range, within the Wallace Drive Overlay District, as defined in Section 4.5.8(A) and subject to Section 4.3.3(KK).

Definition:

INDOOR PUBLIC SAFETY FIREARMS RANGE. A facility, located entirely within an enclosed building, designed and operated for the discharge of firearms at targets for the purpose of training, practice, qualification, or educational use by public safety agencies, law enforcement personnel, or the general public under supervised conditions. The facility may include classrooms, training rooms, armories, and accessory retail uses (limited to the sale of firearms-related equipment and safety gear) provided they are subordinate to the principal use. Outdoor discharge of firearms shall not be permitted.

Sec. 4.3.3. - Special requirements for specific uses.

(KK) Indoor Public Safety Firearms Range

1. Law Enforcement & Public Safety Training Priority
 - a. The operator shall make the facility available for use by local, state, and federal law enforcement, fire-rescue, and other public safety agencies for training and certification purposes.
2. Educational Facilities
 - a. Classroom or seminar space shall be provided to allow for firearms safety education, hunter safety programs, and public training in the lawful and responsible use of firearms.
 - b. No person may use the range without first receiving a safety orientation approved by the operator.
3. Enhanced Security
 - a. The premises shall maintain a 24-hour security system with video surveillance covering all entry points, storage areas, and interior ranges.
 - b. Access shall be limited to controlled entry points monitored by staff.
 - c. Ammunition and firearms stored on site (other than those carried by sworn officers) must be secured in locked, fire-rated storage when not in use.
 - d. Exterior doors shall be constructed of reinforced materials and kept locked when not in use.
4. Design & Safety Standards
 - a. Indoor ranges shall comply with industry best practices, the National Rifle Association (NRA) Range Source Book standards, National Institute for Occupational Safety and Health (NIOSH) ventilation guidelines, and any applicable federal or state OSHA standards.
 - b. Sound attenuation and ballistic containment measures shall be designed by an experienced indoor shooting range design professional.
 - c. Any sound detected at the property line shall comply with the provisions of Chapter 99 "Noise Control" of the Code of Ordinances.
 - d. A detailed operational and security plan shall be submitted as part of site plan review, including provisions for staffing, emergency procedures, lead abatement, and coordination with law enforcement.



- Urban Agriculture
- CBD oil establishments

Service Industry Uses provide an off-site service but maintain inventory, storage and an office at a central location. The LI LDR Amendment adds Service Industry uses that are currently allowed in the I, MIC and consistent with the current Principal Structures and Uses Permitted in the LI, which do not have outdoor components or operations would be detrimental to surrounding properties, including residential. The Amendment provides additional flexibility for LI zoned properties to encourage economically viable developments while discouraging the redevelopment to residential or commercial uses. The following Service Industry Uses will be listed as Principal Structures and Uses Permitted in the LI zone district:

- Land Development Services (e.g., surveying, soils testing, mapping, architectural, engineering).
- Contractor and Trade Services (e.g. general contractor, electrician, plumbers, heating and air-conditioning specialists, swimming pool maintenance, landscaping services, exterminators, equipment and tool rental).
- Repair of office equipment (e.g., typewriters, computers, data processing equipment).
- Business Services (e.g. typewriters, computers, data processing equipment).
- Limousine Service.
- Food preparation and/or processing, including but not limited to bakeries and catering operations.

The uses listed above are off-site service oriented uses that do not create intensive onsite impacts that are typically associated with heavy industrial uses, and do not operate outdoors, which could have an impact on adjacent properties. Businesses located within wellfield zones must comply with the Palm Beach County Department of Environmental Resource Management and the Department of Environmental Protection Regulations, as applicable.

It is noted Indoor Public Safety Firearms Range is a service-oriented use that has been added separate from the other Service Industry uses as a Conditional Use only within the Wallace Drive Overlay District, as defined in Section 4.5.8(A) and subject to Section 4.3.3(KK), Specific Requirements for Specific Uses.

Thus, the proposed LDR Amendment meets the LI Purpose and Intent.

In order to address staff's concerns regarding Gun Ranges, Indoor, the Amendment was modified to only involve changes to the LI zone district, by listing specific Service Industry uses that are allowed in the I and MIC zone districts as Principal Uses and Structures Permitted and includes a new standalone use: Indoor Public Safety Firearms Range as a Conditional Use within the Wallace Drive Overlay District, as defined in Section 4.5.8(A) (outlined in yellow on the Zoning Map above) and subject to Special Requirements of proposed LDR Section 4.3.3(KK) as detailed above.

This type of operation is significantly different than typical Gun Ranges, Indoor currently permitted in the I and MIC zone district, which is not defined in the LDRs and does not currently have any Special Requirements as proposed for the Indoor Public Safety Firearms Range. The use is listed as Conditional Use given the proximity of the LI zone district to other zoning districts that are not industrial-oriented, as requested, and is only allowed within the Wallace Drive Overlay District of the LI zone district as defined in Section 4.5.8(A) and subject to Section 4.3.3(KK), Specific Requirements for Specific Uses.

As a Conditional Use, more specific details regarding the business, including location on the property, intervening uses, hours of operation, etc. will be further analyzed during processing of the Conditional Use request. Conditional Uses require public notice to all property owners within a 500' radius of the property containing the proposed Conditional Use with public hearings and a recommendation by the Planning and Zoning Board with final action by the City Commission.



Comprehensive Plan

A finding of overall consistency can be made that the development proposal is consistent with applicable Goals, Objectives, or Policies of the Comprehensive Plan referenced below, particularly those of the Neighborhood, Districts, and Corridors Element, and Economic Prosperity Element.

Objective NDC 1.4 Industrial Land Use Designations *Apply the industrial land use designations of Industrial and Commerce to those areas where industrial type uses, such as fabrication and assembly of goods, warehousing, and vehicle repair, are the primary economic strategy for the district, to ensure that those industries, which are essential to the local economy, are appropriately accommodated in the city.*

Policy NDC 1.4.3 *Use the Industrial land use designation to accommodate manufacturing, fabrication, assembly, and warehousing uses on properties where such uses currently exist and in areas identified as appropriate to continue or expand industrial-based uses.*

Policy NDC 1.4.4 *Prohibit residential and general commercial uses on properties with an Industrial land use designation.*

Policy NDC 1.4.5 *Recognize the importance of maintaining the Industrial land use designation for long term economic prosperity by prohibiting amendments to the Land Use Map that diminish the quantity of property with Industrial land use designation. Policy ECP 3.3.7, 6.3.4*

Policy NDC 1.4.7 *Use the Commerce land use designation for property located along or adjacent to the North Congress Avenue corridor, north of West Atlantic Avenue, where it is appropriate to accommodate a mix of industrial, service, and commercial uses, and limited residential development opportunities.*

Policy NDC 1.4.8 *Recognize the importance of maintaining the Commerce land use designation for long term economic prosperity by discouraging amendments to the Future Land Use Map that diminish the quantity of property with Commerce land use designation. Policy ECP 6.3.4*

Policy ECP 3.3.7 *Strictly limit activities and comprehensive plan amendments which convert industrial land that would diminish Delray Beach's economic competitiveness.*

Policy ECP 6.3.4 *Discourage the reduction of Commerce land use designations, which involve a mix of light industrial, commercial uses, and research and development, and Industrial land use designations, which are needed to grow Delray Beach's job base.*

Live Local Act

The Live Local Act preempts local zoning and comprehensive planning by permitting the development of housing on land zoned industrial, commercial, or mixed-use, if at least 40% of the units are set aside as "affordable". This state preemption has raised concerns locally as well as other municipalities who fear that converting scarce industrial land into housing will undermine local economic development, job creation, tax revenues, and land-use plans. Attached are documented examples (2022–2025) grouped by locality, with quotes and summaries from officials and stakeholders, highlighting their specific concerns. Additional flexibility to the LI and other industrial zoning district regulations, including allowable uses, could assist in combating the desire to convert scarce industrial land to residential.

Positive findings can be made that the proposed text amendment is consistent with the Comprehensive Plan. The amendment furthers the implementation of the adopted Wallace Drive Redevelopment Plan and Comprehensive Plan, especially as it related to encouraging economic development and retention of industrial zoning and promoting industrial development. The proposed LDR Amendment further supports the Neighborhood, Districts and Corridors



and Economic Prosperity, Elements of the City's Comprehensive Plan further support the retention of the Commerce land uses, employment opportunities, and diversification of the City's economy. The LDR Amendment will provide additional flexibility for LI zoned properties to encourage economically viable developments while discouraging the redevelopment to residential or commercial uses.

Based upon the above, support and approval of the LDR Amendment is respectfully requested.

