



Cover Memorandum/Staff Report

File #: 25-961

Agenda Date: 9/3/2025

Item #: 7.A.2.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: September 3, 2025

RESOLUTION NO. 145-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW BULK STORAGE OF GAS AND OIL AT 1180 SW 10TH STREET WITHIN THE INDUSTRIAL ZONING DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Recommended Action:

Review and consider a conditional use request to allow the bulk storage of gas and oil at 1180 SW 10th Street, as set forth in Resolution No. 145-25.

Background:

The subject property consists of two contiguous parcels totaling approximately 4.865 acres located at 1180 SW 10th Street, within the Industrial (I) zoning district and Industrial Future Land Use designation. The property is owned by GCG Real Estate Holdings, LLC and is currently used by All County Paving for industrial operations, including administrative offices, equipment staging, and indoor storage of construction-related materials.

The applicant seeks Conditional Use approval pursuant to Land Development Regulations (LDR) Section 4.4.20(D)(2) to allow the installation and use of above-ground fuel tanks for bulk storage of gas and oil to support the company's fleet operations. The fuel storage facility will be located within a secure and screened portion of the property, away from residential interfaces and public rights-of-way, and will be fully contained to meet environmental and safety standards.

The request is intended to legalize existing on-site fueling operations and bring the site into full compliance with the LDR. The proposed improvements include the installation of certified double-walled fuel tanks within concrete containment structures with spill prevention systems, perimeter security fencing, and associated environmental safeguards..

LDR Section 2.4.6(A)(5), Establishment of a Conditional Use: Findings, in addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

- a) *Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; nor*
- b) *Hinder development or redevelopment of nearby properties.*

Conditional Use Analysis

The proposed a conditional use is located within an established industrial corridor and is consistent

with the intent of the Industrial (I) Zoning District. The site plan demonstrates compliance with all applicable development standards by locating the fuel storage facility within a secured portion of the site buffered from adjacent properties and public view through perimeter fencing and landscaping.

The applicant's attached narrative further outlines a series of mitigation measures to address potential off-site impacts. These measures include the use of UL142-listed and certified double-walled diesel tanks with secondary containment, maintaining separation from adjacent uses, ensuring compliance with National Fire Protection Association (NFPA) requirements, and submitting all required documentation to Palm Beach County Environmental Resources Management. The narrative also commits to routine inspection and maintenance of the fueling infrastructure and adherence to wellfield protection standards.

The Planning and Zoning Board recommended, as a condition of recommending approval, the installation of an additional landscape hedge along the outside of the northern property boundary to further safeguard the residential neighborhood located across SW 10th Street.

The Commission should review the analysis provided in the Planning and Zoning Board staff report (page 12), which identifies additional factors for consideration, including whether the proposed location and containment of the fuel tanks adequately address potential visual, environmental, and operational impacts, whether the safety and environmental protocols are sufficiently documented and enforceable, and whether additional landscaping or screening treatments would further mitigate potential visibility and compatibility concerns.

The attached Planning and Zoning Board (PZB) staff report provides a full analysis of the request.

On **July 21, 2025**, the PZB heard the subject request and recommended approval by a vote of **6 to 0**, subject to the installation of a hedge along the outside of the north perimeter fence.

City Attorney Review:

Resolution No. 145-25 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Resolution No. 145-25 will be effective immediately upon adoption and building permits for the internal improvements may be issued.