



Cover Memorandum/Staff Report

File #: 25-1669

Agenda Date: 1/6/2026

Item #: 9.A.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: January 6, 2026

ORDINANCE NO. 05-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING PARCELS OF LAND MEASURING APPROXIMATELY 7.6 ACRES LOCATED AT 2855, 2875, AND 2905 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM CONGRESS AVENUE MIXED USE TO COMMERCE PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:

Consider Ordinance No. 05-26, a privately initiated request for a small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce (CMR) for the 7.6 acre property located at 2855, 2875, and 2905 South Congress Avenue.

Background:

The subject request is to amend the land use designation of three parcels, totaling 7.6 acres, located at 2855, 2875, and 2905 South Congress Avenue from CMU to CMR. The request is being reviewed and processed concurrently with a rezoning request from Mixed Residential, Office, and Commercial (MROC) to Mixed Industrial and Commercial (MIC).

The property is located within the 2900 Block, east of South Congress Avenue and is currently developed with five commercial / office / warehouse buildings, totaling 102,632 square feet. The five buildings were developed over the course of three years, from 1983 to 1986 under the CMR land use category and Light Industrial (LI) zoning district. In 2007, the land use designation for the property was amended from CMR to CMU as part of a City-initiated land use map amendment (Ordinance No. 38-06) along the Congress Avenue corridor. The land use map amendment was concurrently processed with a City-initiated rezoning (Ordinance No. 05-07), rezoning 63 parcels from Mixed Industrial Commercial (MIC), Community Facilities (CF), Planned Office Center (POC), Planned Commercial (PC), and Planned Commercial Center (PCC) to MROC.

The land use map amendment from CMU to CMR is being processed in conjunction with the rezoning request from MROC to MIC, as MIC is an implementing zoning district of the CMR land use.

In late 2022, the City engaged with Streetsense and CBRE (real estate consultants) to perform a study of the corridor (attached). On May 22, 2023, CBRE prepared the Delray Beach Congress Avenue Strategies Plan to provide 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).

The current CMU land use designation is the predominant zoning district along the Congress Avenue corridor from West Atlantic Avenue to the southern City boundary, and was created to support the MROC zoning district, setting a standard density of up to 40 dwelling units per acre and a revitalization density of 50 dwelling units per acre with a maximum Floor Area Ratio (FAR) of 2.5. CMU is intended to *accommodate a variety of commercial, office, and residential uses that provide development intensities that advance economic growth, provide incentives for transit oriented development, and create multimodal development patterns along the Congress Avenue corridor, south of West Atlantic Avenue* (Policy NDC 1.3.18).

The proposed CMR land use designation has a maximum FAR of 0.60 and is intended to be applied to *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 1.4.7).

Pursuant to LDR Section 3.1.1, Required Findings, *prior to the approval of development applications, certain findings must be made. These findings relate to the Land Use Map, concurrency, consistency, and compliance with the Land Development Regulations.* The attached Planning and Zoning Board staff report provides a full analysis of the request. The proposal meets the concurrency of the Always Delray Comprehensive Plan and results in less traffic, with a potential decrease of 31,302 daily trips.

The Always Delray Comprehensive Plan places emphasis on maintaining the CMR land use designation to foster a balanced mix of uses along the Congress Avenue corridor and to support the long-term economic prosperity of the city. CMR supports zoning districts (MIC, LI, and PCC) that allow a variety of light industrial uses that are not permitted under the existing MROC zoning district.

Pursuant to the CBRE Delray Beach Congress Avenue Strategies Plan, the subject site is located within an industrial cluster, specifically, a home improvement and light industrial zone. The Plan states that *existing light-industrial clusters south of Atlantic Avenue are the most vulnerable for conversion, as they are completely unsupported within the MROC zone and considered nonconforming, preventing property and business owners from expanding.* Further, the Live Local Act puts industrial properties even more at risk for being converted to residential development.

The requested land use is generally compatible with the surrounding CMU, Conservation (CON), and Medium Density Residential (MD) land uses, as it allows a lower FAR than the existing CMU designation (0.60 compared to 2.5) and has implementing zoning districts that are anticipated along the Congress Avenue corridor. No site plan modifications have been proposed by the applicant. Should the site be redeveloped, the site would be subject to all regulations of the requested MIC zoning district. Additionally, all uses in the implementing zoning district will apply.

The Planning and Zoning Board (PZB) voted 7-0 to recommend approval of the request at the December 15, 2025, meeting.

City Attorney Review:

Ordinance No. 05-26 was approved to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The date of second reading and adoption is to be determined. The Land Use Map Amendment request will be heard concurrently with Ordinance No. 04-26 for the rezoning.