



**City of Melbourne, Florida  
Agenda  
Planning and Zoning Board**

City Hall Council Chamber  
900 E. Strawbridge Avenue  
Melbourne, FL 32901

**May 21, 2026, 6:30 p.m.**

**A. Opening**

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes – May 7, 2026
4. Declaration of Conflict
5. Disclosures
6. Public Comment

**B. New Business**

7. **Public Hearing – Finding Of Consistency (FOC2026-0006) and Zoning Text Amendment (TEXT2026-0003) CB-OZ Extension Request:** (Public Hearing)  
[Applicant: Kelly Delmonico, Land Development Strategies] Amendment to City Code, as it relates to Ordinance No. 2005-120, amending City Code, Part III, Appendix B, Article V, Section 3(B) Central Business Overlay Zone as it relates to extending the Central Overlay Business Zone (CB-OZ).

**C. Future/Additional Business (Staff)**

**D. Additional Board Member Comments**

**E. Adjournment**

Note: More than one member of the City Council may be in attendance at the meeting and may participate in discussions.

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by this Board, agency or meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

City of Melbourne, Florida  
Agenda – Planning and Zoning Board  
May 21, 2026

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Community Development Department at (321-608-7500), no later than 5:00 p.m., at least 48 hours prior to the meeting.



## City of Melbourne, Florida Minutes — Planning and Zoning Board

City Hall Council Chamber  
900 E. Strawbridge Avenue  
Melbourne, FL 32901

**May 7, 2026, 6:30 p.m.**

### A. Opening

1. Pledge of Allegiance.
2. Roll Call.

Present:	Dr. Ray Shackelford	Acting Chair
	Nancy Garmer	Member
	Stefan Hartmann	Member
	Shannon Bailey	Member
	Leigh Hinton	Alternate Member
	Daniel Liparini	Alternate Member
	Ethan Packey	School Board Representative
	Richard Broome	Deputy City Attorney
	Cheryl Dean	Planning Manager
	Sandy Ramseth	Planner
	Samantha Buck	Recording Secretary
Absent:	Chris Adams	Chair (Excused)
	George Lebovitz	Member (Excused)
	Carol Hudgens	Member (Excused)

3. Approval of Minutes – April 16, 2026.

Moved **Garmer/Bailey** to approve the minutes from April 16, 2026 with the noted necessary corrections

Motion carried unanimously.

4. Declaration of Conflict  
None.

5. Disclosures

None.

6. Public Comment

There was no public comment.

**B. New Business**

**7. Finding of Consistency (FOC2026-0005), Zoning Text Amendment (TEXT2026-0005), and Land Development Regulations Text Amendment (TEXT2026-0006) Certificate of Engineering Construction Completion:**

*Mr. Packey arrived 6.35pm*

Ms. Ramseth summarized the request as detailed in the staff memorandum and confirmed that the Board will be making three recommendations on this item, which will be forwarded to City Council for ordinance consideration.

Ms. Ramseth referenced the findings contained in the Planning and Zoning Board agenda memorandum. The amendment covers 13 sections of Code and the changes that are being made will help differentiate between the two types of Certificates of Completion. Based upon the findings, staff recommends approval of the Finding of Consistency, Zoning Text Amendment and Land Development Regulations Text Amendment.

Ms. Dean explained that recent changes to City Code resulted in Section 8.5 and 8.7 being relocated and organized via Ordinance No. 2026-01. In light of this, the changes to these sections, she asked any motion reflect this.

As there were no further comments or questions from the Board, Vice-Chairman Shackelford opened the public hearing.

There was no public comment on this item.

Moved by **Garmer/Hartmann** to recommend approval of FOC2026-0005 based upon the findings and conditions contained in the Planning and Zoning Board memorandum.

**The roll call vote went as follows:**

**Aye:** Shackelford, Garmer, Hartmann, Bailey, Hinton, Liparini, Packey

**Nay:** None

Motion carried unanimously.

Moved by **Garmer/Bailey** to recommend approval of item TEXT2026-0005 based upon the findings contained in the Planning and Zoning Board memorandum.

**The roll call vote went as follows:**

**Aye:** Shackelford, Garmer, Hartmann, Bailey, Hinton, Liparini, Packey

**Nay:** None

Motion carried unanimously.

Moved by **Garmer/Hartmann** to recommend approval of item TEXT2026-0006 based upon the findings contained in the Planning and Zoning Board memorandum.

**The roll call vote went as follows:**

**Aye:** Shackelford, Garmer, Hartmann, Bailey, Hinton, Liparini, Packey

**Nay:** None

Ms. Dean confirmed that all three items will now proceed to City Council for final consideration.

**C. Future/Additional Business (Staff)**

Ms. Dean confirmed that one item has been advertised for the May 21, 2026 Planning and Zoning Board meeting. The applicant for this item has requested a text amendment to the Zoning code.

The Vice-Chairman, Dr. Shackelford, recognized that Mr. Packey was in attendance at the meeting as he had arrived after the roll-call had been taken.

**Additional Board Member Comments**

There was no additional business or Board member comments.

**F. Adjournment**

The meeting was adjourned at 6:46 p.m.

*Cheryl A. Dean, AICP*

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Approved by the Planning and Zoning Board

## Memorandum

**To:** Planning and Zoning Board  
**From:** Cheryl A. Dean, AICP, Planning Manager  
**Re:** **Finding of Consistency (FOC2026-0006), and Zoning Text Amendment (TEXT2026-0003): CB-OZ Extension Request**  
**Date:** May 15, 2026

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### Owner/Applicant/Representative

- Applicant/Representative – Kelly Delmonico, Land Development Strategies

### Proposed Action

Amend City Code, Part III, Appendix B, Article V, Section 3(B) Central business overlay zone as it relates to extending the Central Business Overlay Zone (CB-OZ).

### Location

This action shall apply to 4.25± acres, containing 11 properties located south of Fee Avenue, west of the FEC Railway and north of Palmetto Avenue.

### History

Following is the history of the Central Business Overlay Zone (CB-OZ):

- 2014: City Council adopted a new overlay zone category, called Central Business Overlay, (FOC-2014-07/Z-2014-1207AD/Ordinance No. 2014-43).
- 2023: City Council adopted changes related to affordable housing development, including adding R-P zoning to the existing CB-OZ special setback allowances (FOC2023-0002/TEXT2023-0003/TEXT2023-0004/Ordinance No. 2023-21).

### Purpose of Establishing CB-OZ - 2014

The CB-OZ is an overlay zone that was established to protect and enhance the core areas of downtown Melbourne and Eau Gallie. For the CB-OZ, City Council adopted a special set of development and design standards to apply to the areas within the Central Business Overlay Zone (CB-OZ). The development and design standards for the CB-OZ build upon the Melbourne zoning and land development regulations. The boundary of the CB-OZ was adopted as the same boundary as the downtown Melbourne CRA and the Olde Eau Gallie Riverfront CRA (excluding the Eau Gallie Art Overlay Zone).

### CB-OZ – Current Allowances

The adoption of the CB-OZ relaxed certain areas of zoning and land development regulations that were previously viewed as impediments to development within the city's

redevelopment areas. Following is a summary of the changes that were adopted with the creation of the CB-OZ:

#### Parking

- Size of spaces reduced to 9 feet wide
- Size of drive aisle reduced on case by case basis
- Allowances for off-site parking
- Reduced parking calculation for residential uses
- Elimination of additional parking requirement for changes of use

#### Setbacks

- Maximum building setback of 5 feet abutting New Haven Avenue/Highland Avenue
- No building setback stepping required adjacent to residential uses
- 0-foot minimum front building setback in R-P, C-1 and C-2
- 20-foot minimum building setback abutting single family residential

#### Height

- In C-1 & C-2, allows 5 floors/60 feet if:
  - Retail projects that include residential/office floors
  - 1<sup>st</sup> floor retail on any mixed use project

#### Accessory Residential

- Accessory Dwelling Units allowed with single-family residential
- Accessory multi-family units allowed in C-2

#### Outdoor Seating Allowance in C-1 & C-2

The CB-OZ has remained unchanged until 2023, when City Council adopted affordable housing changes, adding R-P zoning to the reduced setbacks if located within the CB-OZ. By creating flexible design standards for mixed-use projects that are necessary to grow the urban core of the city, the CB-OZ supports compact development, assists in the design of projects with limited availability of land, and reduces impediments to revitalization in the downtown areas.

#### **Proposed Code Amendment:**

The applicant has prepared zoning code text amendment changes to Article V, Section (3)(B), extending the boundary for 11 parcels totaling 4.25± acres, which would allow the properties to utilize the provisions and special allowances within the CB-OZ, such as a reduction in building setbacks, elimination of additional parking for a change of use, allowing an extra floor of height for the development of a true mixed-use project without a conditional use requirement, and allowing multi-family residential dwellings in C-2 zoning as part of a mixed use development.

The applicant identified that that the proposed expansion area *“is fundamentally similar in character and utility to the existing downtown core already contained within the CB-OZ, featuring established on-street public parking and a physical layout that mirrors the current overlay area. By extending the CB-OZ, the city can provide the necessary regulatory flexibility regarding parking and setbacks to allow for more efficient use of the properties and catalyze redevelopment efforts.”*

Section 3. Overlay zone regulations.

\* \* \* \* \*

(B) Central business overlay zone.

\* \* \* \* \*

- (2) Applicability. This overlay shall apply to development within the Melbourne Downtown Redevelopment Area as defined in sec. 20-40, including property located north of Palmetto Avenue, east of Waverly Place, south of Fee Avenue and west of the Florida East Coast Railway right-of-way that is not already located within the Melbourne Downtown Redevelopment Area. This overlay shall also apply to development within ~~and~~ the Olde Eau Gallie Riverfront Community Redevelopment Area as defined in section 20-202, City Code, excluding the Eau Gallie art overlay zone as defined in section 3(A)(2) of this article.

\* \* \* \* \*

The applicant notified the affected property owners by mail and also went door to door to discuss this request. To date, no objections have been received by the applicant or City.

### **Staff Analysis**

The City of Melbourne has prioritized the need for revitalization, especially within the CRAs. With the lessons learned during the economic downturn, developers and financing agencies are dependent upon innovative thinking and cooperative partnerships in order to create and redevelop viable projects that stimulate positive economic change within the redevelopment area.

### **Future Land Use Map and Zoning Map Considerations**

The proposed area for the extension of the CB-OZ is directly adjacent to the Downtown Melbourne CRA/CB-OZ and the boundaries meander through a block that is located both inside and outside of the CRA/CB-OZ. Properties in the proposed CB-OZ are designated with either a General Commercial Future Land Use Map classification or a Mixed Use Future Land Use Map classification with C-1 or C-2 zoning. The proposed area has similar Zoning and Future Land Use patterns consistent with the adjacent properties located within the adjacent CB-OZ.

### **Activity Center Considerations**

The city's Activity Centers need to be considered when determining the impacts on the amount of development that is possible. The Comprehensive Plan identifies the city's future land use map categories and provides for increased density and intensity within the four identified Activity Centers to prevent urban sprawl and to promote alternative transportation options.

The current CB-OZ is located within the Downtown Melbourne Activity Center (DMAC) and the proposed extension area is located within the Midtown Activity Center (MAC). With the identified Future Land Use Map categories in the Comprehensive Plan, the density and intensity thresholds are the same for most future land use classifications. However, the General Commercial Future Land Use Map classification and the Mixed Use Future Land Use Map classification are distinctively different in the DMAC and

reflect the promotion of mixed use, urban and compact development in the core downtown area, where the Mixed Use Future Land use permits up to 100 units per acre.

In the MAC, which generally provides a transition from the downtown core area to lower intensity commercial uses and lower density single family residential neighborhoods, the maximum density is 30 units per acre. Likewise, for commercial development, the Mixed Use Future Land use permits a Floor Area Ratio of up to 6.0 in the DMAC, while the MAC permits a Floor Area Ratio of 2.0.

Since the proposed expansion area is in the MAC and does not have the higher density and intensity standards permitted in the DMAC, the need is even greater to extend the CB-OZ to incorporate this MAC area, in order to have more flexible development standards for revitalization and reduce development barriers for general commercial and mixed-use development.

### **Camps Plat of Melbourne Subdivision Considerations**

This area is part of the Camps Plat of Melbourne Subdivision, which was recorded in 1886 with platted lots of record that are 63.6 ± feet wide. The extension of the CB-OZ would allow for re-development of an older platted lot(s) with commercial/mixed use zoning.

### **Finding of Consistency**

The proposed modifications to City Code, Part III, Appendix B, Article V, Section 3(B) Central business overlay zone as it relates to extending the Central Business Overlay Zone (CB-OZ) is consistent with the City's Comprehensive Plan. Specifically, the proposal is consistent with future Land Use Element Objective 1.22 which states the City shall maintain, amend and develop new land use and development regulations to implement this comprehensive plan.

### **Findings for the Proposed Text Amendment**

1. The proposed modifications to City Code are consistent with the goals and objectives of the Comprehensive Plan and will assist in the execution of policies within the Comprehensive Plan. The proposed revisions will implement policy language that addresses the extension of the CB-OZ north to Fee Avenue between the FEC Railroad and Waverly Place. The extension of the CB-OZ will permit a reduction in building setbacks, the elimination of additional parking for most changes of use, the allowance of an extra floor of height for the development of mixed-use projects (without a conditional use requirement), and the allowance of accessory multi-family residential dwellings in the C-2 zoning district as part of a mixed-use development.
2. The proposed revisions are specifically consistent with Future Land Use Element Objective 1.22, which states the City shall maintain, amend and develop new land use and development regulations to implement the Comprehensive Plan. The proposed modifications will expand the CB-OZ and implement the provisions and special allowances of this district for an additional 4.25± acres of property within the City. The expansion area is on the northern edge of the current CB-OZ boundary and is a reasonable extension of this area.

3. The proposal will have no adverse effect on the City's ability to provide adequate public services and facilities. The proposed changes assist in the implementation of City Code requirements by expanding the CB-OZ northward to Fee Avenue, between the FEC Railroad and Waverly Place. This expansion of the CB-OZ will extend the special allowances of this district to an urban area of the city that is immediately north of Downtown Melbourne.
4. The proposed changes will not significantly change the general character of the City, cause depreciation of property values, or reduce the safety, light, and general convenience of neighboring developments as the revisions reinforce the administration of City Code requirements. Specifically, the proposed modifications will permit additional parcels to utilize the provisions of the CB-OZ. This change will provide more flexibility for owners redeveloping their property in an urban area of the City which is adjacent to the Melbourne Downtown Community Redevelopment Area.
5. The subject modifications will make City Code more user-friendly to property owners, the development community, and City staff.
6. The proposed change is consistent with the City Code purpose of promoting the health, safety, education, cultural and economic welfare of the public by expanding the CB-OZ and implementing the provisions and special allowances of this district for an additional 4.25± acres of property within the City.

## Summary

Staff can support the request for the following reasons:

- The proposed boundary would be located along street boundaries, which would eliminate the intermittent, parcel by parcel "in-and-out" pattern of the zone, making the boundary easier to identify the parcels that are located within the CB-OZ.
- There is on-street public parking available on all of the adjacent city streets, except Fee Avenue.
- The area is zoned C-1 and C-2, which is a similar zoning pattern to areas located within the existing CB-OZ.
- Enlarging the zone to the north is a logical extension to support redevelopment efforts and to reduce current development barriers.

## Recommendation

Based upon the findings presented above, regarding amendments to Part III, Appendix B, Article V, Section 3(B), Central Business Overlay Zone; as it relates to the extension of the CB-OZ, the Community Development Department recommends:

- A. **Approval** of Finding of Consistency (**FOC2026-0006**); and
- B. **Approval** of Zoning Text Amendment (**TEXT2026-0003**).