

ORDINANCE NO. 27-25

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) ZONE DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED" TO ADD SPECIFIED SERVICE INDUSTRY USES, AND SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED" TO ADD GUN RANGE (INDOOR); AMENDING ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (KK), "RESERVED," BY AMENDING SUBSECTION (KK) TO ADOPT REGULATIONS GOVERNING "GUN RANGE (INDOOR)" IN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT"; AMENDING APPENDIX A, "DEFINITIONS," TO ADOPT A DEFINITION OF GUN RANGE (INDOOR); PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Delray Beach ("City") Land Development Regulations ("LDR") provide authority for members of the public to request an amendment thereto; and

WHEREAS, an application to amend the LDR (File No. 2025- PZ-000050-2025) was submitted by Jeff Costello, AICP ("Agent") on behalf of Wallace Drive, LLC ("Applicant") after receiving sponsorship of the amendment by the City Commission on April 8, 2025; and

WHEREAS, the Applicant desires to support additional uses within the Light Industrial (LI) zone district to provide flexibility and support industrial development; and

WHEREAS, the Applicant has requested an amendment to the LDR to allow the inclusion of Service Industry uses as a Principal Use, and Gun Range (Indoor) as a Conditional Use; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, reviewed the proposed text amendment to the Land Development Regulations at a public hearing on October 20, 2025, and **voted \_ to \_** to recommend that the proposed text amendments be **approved / denied**, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations.

WHEREAS, the City Commission has considered Ordinance No. 27-25 and the respective findings as set forth in the Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF

DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. The City Commission of the City of Delray Beach finds the Ordinance is consistent with the Comprehensive Plan.

Section 3. Article 4.4, "Base Zoning District," Section 4.4.26, "Light Industrial (LI) Zone District," of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

- (B) ***Principal uses and structures permitted.*** The following types of uses are allowed within the Light Industrial (LI) Zone District as a permitted use:
- (1) ***Research and development.*** Research and Development (R&D) uses involve either some degree of product creation, testing, evaluation, and development or the providing of testing and evaluation services for products produced by others. However, this use does not include the actual manufacture, assembly, fabrication, or other processing techniques which result in either the distribution or sale, either wholesale or retail, of products from the premises. Further, when located within Wellfield Protection Zone 1, 2, or 3, materials used in such testing and evaluation shall not exceed an aggregate amount of 25 gallons per gross acre of land area for any material which is listed on the Regulated Substance list as maintained per Section 4.5.5(B) (Wellfield Protection).
  - (2) ***Wholesaling, storage, and distribution.*** The wholesaling, storage, and distribution of any product, however, when located within Wellfield Protection Zone 1, 2, or 3, the products may not include those which are listed on the Regulated Substance list as maintained per Section 4.5.5(B) (Wellfield Protection).
  - (3) ***Industrial (manufacturing, assembly).*** Only manufacturing and assembly operations are allowed. When located within Wellfield Protection Zone 1, 2, or 3, any materials used in such operations shall not exceed an aggregate amount of 25 gallons per gross acre of land area for any material which is listed on the Regulated Substance list as maintained per Section 4.5.5(B) (Wellfield Protection).
  - (4) ***Office.*** General business offices and business services are allowed, including but not limited to Neighborhood Electric Vehicle (NEV) sales, lease or rental transactions only (no inventory on site for any purpose). However, professional offices dealing with medical activities and medicine are not permitted.
  - (5) ***Self-service Storage Facilities.*** Self-service Storage Facilities, pursuant to the provisions of Section 4.3.3(A).
  - (6) Urban Agriculture pursuant to regulations set forth in Section 4.3.3(D).
  - (7) CBD oil establishments, subject to the regulations of Section 4.3.3(CC).

(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.

(a) Land Development Services (e.g., surveying, soils testing, mapping, architectural, engineering).

(b) 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).

(c) Repair of office equipment (e.g., computers, data processing equipment).

(d) Business Services (e.g. computers, data processing equipment).

(e) Limousine Service.

(f) 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:

(1) Rental and Sales of Modular Structures.

(2) Food preparation and/or processing including bakeries and catering operations.

(3) Principal Uses which require the storage and/or use of regulated substances in a manner other than allowed under Subsection (B).

(4) Pet services with outside use areas, pet hotels, and animal shelters, subject to Section 4.3.3(W).

(5) Gun Range (Indoor), within the Wallace Drive Overlay District, subject to Section 4.3.3(KK).

Section 4. Article 4.3, "District Regulations, General Provisions," Section 4.3.3, "Special requirements for specific uses," of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

#### **Sec. 4.3.3. - Special requirements for specific uses.**

(KK) ~~Reserved.~~ **Gun Range (Indoor)**

(1) **Applicability.** These regulations apply to gun ranges in the Light Industrial (LI) zoning district.

(2) **Locational Criteria.** The use is limited to the Wallace Drive Overlay District, as described in Section 4.5.8.

(3) **Security and Safety Standards.**

(a) A detailed operational and security plan shall be submitted as part of conditional use review, including provisions for staffing, emergency procedures, lead abatement, and coordination with law enforcement.

(b) 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.

(c) Sound attenuation and ballistic containment measures shall be designed by an experienced indoor shooting range design professional with documentation and specifications provided to the Building Department at time of building permit application submittal.

(c) No person may use the range without first receiving a safety orientation approved by the operator.

(d) The premises shall maintain a 24-hour security system with video surveillance covering all entry points, storage areas, and interior ranges.

(e) Access shall be limited to controlled entry points monitored by staff.

(f) The sale of alcoholic beverages shall be prohibited.

(g) Exterior doors shall be constructed of reinforced materials and kept locked when not in use.

(4) **Educational Facilities.** Classroom or seminar space may be provided to allow for firearms safety education, hunter safety programs, and public training in the lawful and responsible use of firearms.

(5) **Noise Control.** Any sound detected at the property line shall comply with the provisions of Chapter 99 “Noise Control” of the Code of Ordinances.

Section 5. Appendix A, "Definitions," of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

GUN RANGE (INDOOR). 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 under supervised conditions, including accessory uses such as classrooms, training rooms, and accessory retail (such as firearms, ammunition, related equipment and safety gear).

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 8. Specific authority is hereby given to the City Clerk to codify this Ordinance.

Section 9. This Ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
Alexis Givings, City Clerk

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Thomas F. Carney, Jr., Mayor

First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney