

ORDINANCE NO. 14-26

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 4.4.6, "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ALLOW MEDICAL OFFICE USES WITHIN THE MEDICAL ARTS OVERLAY DISTRICT WHEN CO-LOCATED WITH NURSING HOMES, ASSISTED LIVING FACILITIES, AND COMMUNITY RESIDENCES; AND BY AMENDING ARTICLE 4.5, "OVERLAY AND ENVIRONMENTAL MANAGEMENT DISTRICTS," SECTION 4.5.18 "MEDICAL ARTS OVERLAY DISTRICT," TO EXPAND THE OVERLAY DISTRICT TO INCLUDE CERTAIN PROPERTY WITHIN THE MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the Land Development Regulations ("LDR") of the City of Delray Beach ("City") Code of Ordinances provide authority for the City Commission to amend, change, supplement, or repeal the LDR from time to time; and

WHEREAS, the City desires to expand the Medical Arts Overlay District to include additional property within the Medium Density Residential (RM) District to reflect already existing conditions; 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 February 23, 2026, and voted 6 to 0 to recommend that the proposed text amendment be approved, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations; and

WHEREAS, the City Commission has considered Ordinance No. 14-26 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 that this Ordinance is consistent with the Comprehensive Plan, meets the criteria set forth in the Land Development Regulations, and is in the best interests of the City.

Section 3. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.6 “Medium Density Residential (RM) District,” Subsection (B), “Principal Uses and Structures Permitted,” of the Land Development Regulations of the City of Delray Beach, Florida is amended as follows:

(B) *Principal uses and structures permitted.* The following types of use are allowed within the (RM) District as a permitted use:

- (1) Single family detached dwellings.
- (2) Duplex structures.
- (3) Multiple family structures.
- (4) An abused spouse residence with 12 or fewer residents.
- (5) Community Residence housing four to ten individuals, except as required by state law, that (1) is at least 660 linear feet from the closest existing community residence housing four or more individuals as measured from the nearest property line of the proposed community residence to the nearest property line of the existing community residence, and (2) the operator or applicant is licensed or certified by the State of Florida to operate the proposed community residence, has certification from an appropriate national accrediting agency, or has been recognized or sanctioned by Congress to operate the proposed community residence.
- (6) Parking lots not associated with a use, pursuant to an adopted neighborhood or redevelopment plan.
- (7) Pocket parks.
- (8) Public educational facilities of The School District of Palm Beach County, pursuant to the regulations set forth in Section 4.3.3(HH).
- (9) Assisted Living Facilities that do not comport with the definition of "community residence" and Continuing Care Facilities.
- (10) Nursing Homes within multi-family structures only.
- (11) Within the Medical Arts Overlay District, as defined in Section 4.5.18, Medical Office uses that are co-located with nursing homes, assisted living facilities, or community residences, limited to providing services to the residents.

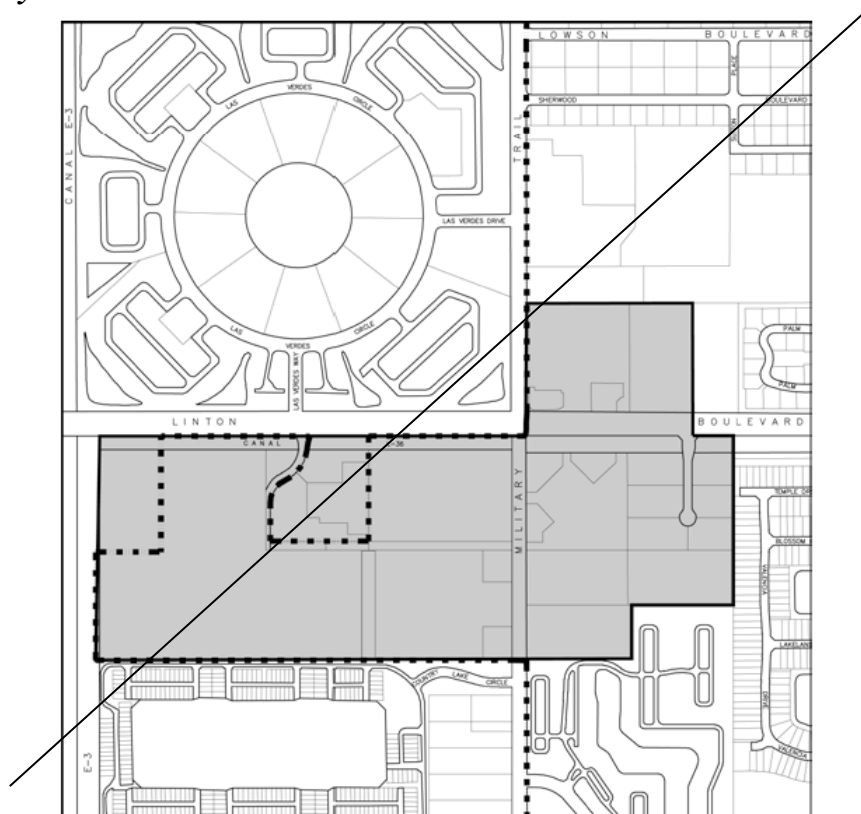
Section 4. Chapter 4, “Zoning Regulations,” Article 4.5, “Overlay and Environmental Management Districts,” Section 4.5.18, “Medical Arts Overlay District,” is hereby amended as follows:

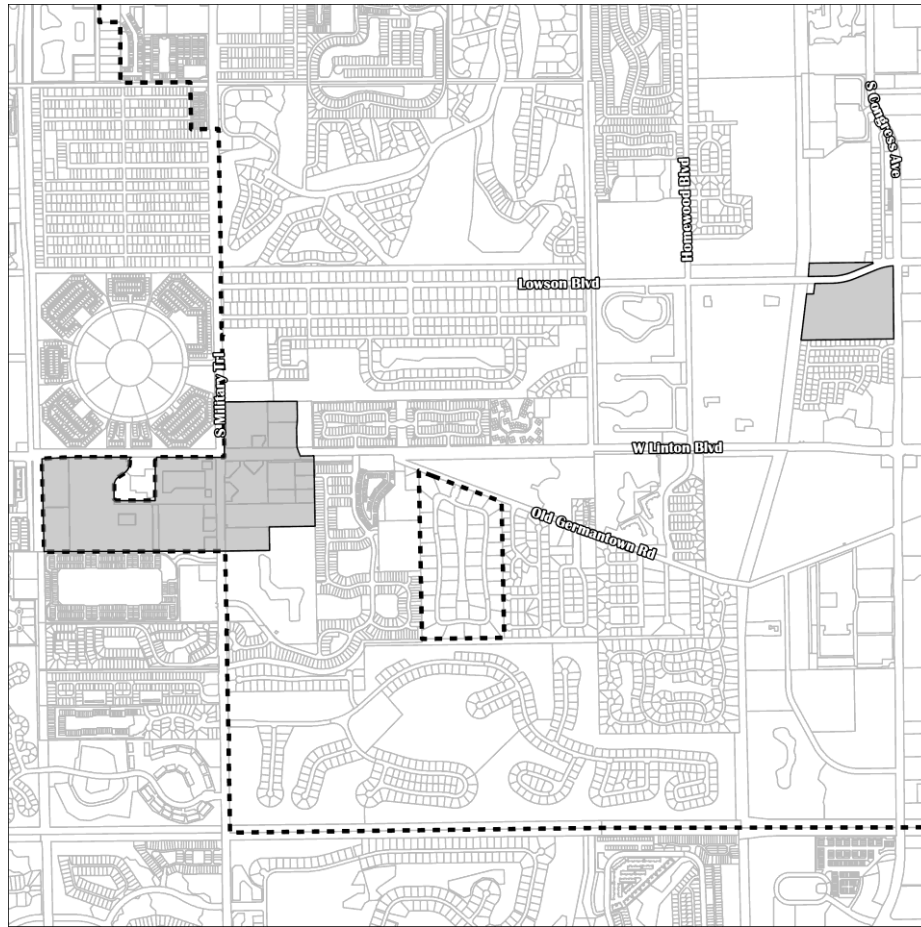
Sec. 4.5.18. - Medical Arts Overlay District.

(A) **Defined.** The Medical Arts Overlay District is hereby established to include the following areas:

- (1) The North half (N ½) of the Northeast quarter (NE ¼) of Section 26, Township 46 South, Range 42 East, lying South of the Linton Boulevard road right-of-way, East of the LWDD E-3 Canal right-of way, and West of the Military Trail road right-of-way; together with Parcel 1, Delray Town Center, a Subdivision in Palm Beach County, Florida as per the Plat thereof recorded in Plat Book 65, Page 189, of the Public Records of Palm Beach County; together with Parcel A, Delray Outpatient Properties Plat, a Subdivision in Palm Beach County, Florida as per the Plat thereof recorded in Plat Book 99, Page 197, of the Public Records of Palm Beach County; together with the Northwest quarter (NW ¼) of the Northwest quarter (NW ¼), of Section 25, Township 46 South, Range 42 East, lying South of the Linton Boulevard road right-of-way, and East of the Military Trail road right-of-way, less the South half (S ½) of the Southeast quarter (SE ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼).
- (2) Tracts A, B, C, and D, Replat of Abbey Delray, according to the plat thereof recorded in Plat Book 65, Pages 114 and 115, of the Public Records of Palm Beach County, Florida.
- (3) The entirety of the Plat of Fairways on the Green, according to the map or plat thereof, as recorded in Plat Book 52, Page 89, of the Public Records of Palm Beach County, Florida.

(B) **Map of overlay district.**





Section 5. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 6. 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 hereof as a whole or part thereof other than the part declared to be invalid.

Section 7. Specific authority is hereby given to the City Clerk to codify this Ordinance.

Section 8. 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 ____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

First Reading _____

Second Reading _____

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney