

ORDINANCE NO. 15-26

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 4.4.12 "PLANNED COMMERCIAL (PC) DISTRICT," SECTION 4.4.15 "PLANNED OFFICE CENTER (POC) DISTRICT," AND SECTION 4.4.21 "COMMUNITY FACILITIES (CF) DISTRICT," TO RELOCATE MEDICAL ARTS OVERLAY DISTRICT REGULATIONS TO SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES," FROM SUBSECTION (G), "SUPPLEMENTAL DISTRICT REGULATIONS;" 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, use regulations for the Medical Arts Overlay District are located in the incorrect Subsection of Planned Commercial (PC) District, Planned Office Center (POC) District, and Community Facilities (CF) District; and

WHEREAS, an expansion is proposed to the Medical Arts Overlay District to include property within the Medium Density Residential (RM) District (Ordinance No. 14-26), and adopts use regulations in the correct Subsection; and

WHEREAS, the subject Ordinance relocates the existing Medical Arts Overlay District regulations for Planned Commercial (PC) District, Planned Office Center (POC) District, and Community Facilities (CF) District to Subsection (B), "Principal Uses and Structures" from Subsection (G), "Supplemental Use Regulations," consistent with Ordinance No. 14-26; 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 __ to __ 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. 15-26 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 4.4.12 “Planned Commercial (PC) District,” of the Land Development Regulations of the City of Delray Beach, Florida is amended as follows:

Sec. 4.4.12. Planned Commercial (PC) District.

- (A) ***Purpose and intent.*** The Planned Commercial (PC) District provides for the establishment of retail, office, ~~and other~~ commercial activities, and limited institutional uses on large sites in a well-planned, functional, and aesthetically pleasing manner; residential is allowed on a limited basis to preserve the generally non-residential character of the PC district. The PC District shall be applied to properties designated as General Commercial on the Land Use Map where the unified development is, or will be, in excess of five acres; or when it is appropriate to preserve the character of certain specialty retail and office centers; or to ensure that certain high visibility areas are attractively developed. ~~Institutional uses may also be permitted as part of the Medical Arts Overlay District.~~
- (B) ***Principal uses and structures permitted.*** The following types of uses are allowed within the PC District as a permitted use, except within the Four Corners Overlay District, which is subject to Section 4.4.9(G)(3)(a):
- (1) All uses allowed as such within the GC District (Section 4.4.9(B)(1) through (5), (7), (8), (10), and (11)).
 - (2) Automobile brokerage, including vehicle display within an enclosed structure, but excluding any preparation, service, or repair work.
 - (3) Within the Medical Arts Overlay District, defined in Section 4.5.18, the following principal uses are allowed:
 - (a) Institutional uses, such as: Non-residential Licensed Service Provider Facilities; Hospitals, with or without helipads and associated laboratories; Treatment Centers; Rehabilitation Centers; Testing Facilities; and Mental Health Treatment Facilities, including residential care.
- (C) - (F) (These subsections shall remain in full force and effect as adopted.)
- (G) ***Supplemental district regulations.*** In addition to the supplemental district regulations in Article 4.6, the following shall apply.

- (1) Development within the Lindell/Federal Redevelopment Area Overlay District (Redevelopment Area #6) shall be consistent with the adopted Redevelopment Plan for the area, with particular attention to "Section 4: Plan for Future Development."
- (2) Within the portion of the Redevelopment Area bounded by Dixie Highway on the west, the C-15 canal on the south, Federal Highway on the east, and Avenue K (extended) on the north, multiple family residential development and assisted living facilities with densities of up to 16 units per acre are allowed, subject to RM development standards in Section 4.3.4, the performance standards in Section 4.3.3(BB), and based upon the development's conformity to the applicable standards and criteria in the adopted Redevelopment Plan.
- (3) Dwelling units are permitted within the same structure as commercial uses with no restriction on the percentage of each use allowed. Residential uses and nonresidential uses must be physically separated and have separate accessways.
- (4) All development within the Four Corners Overlay District shall also comply with Section 4.4.9(G)(3)(d) and (e) and Section 4.4.9(E)(4).
- (5) Within the Silver Terrace Courtyards Overlay District, as defined by Section 4.5.17, multi-family residential, assisted living facilities and mixed-use development with residential densities up to 22 units per acre are allowed, subject to Article 4.7. The maximum nonresidential Floor Area Ratio (FAR) within the overlay district is 0.75.
- ~~(6) Within the Medical Arts Overlay District, defined in Section 4.5.18, the following uses are also allowed as permitted uses:~~
 - ~~(a) Institutional uses, such as: Non-residential Licensed Service Provider Facilities; Hospitals, with or without helipads and associated laboratories; Treatment Centers; Rehabilitation Centers; Testing Facilities; and Mental Health Treatment Facilities, including residential care.~~
- (67) Within the Linton Commons Overlay District, as defined in Section 4.5.21, multi-family residential, assisted living facilities and mixed-use development with residential densities up to 30 units per acre are allowed, provided at least 20 percent of the units are workforce units that comply with Article 4.7, "Family/Workforce Housing."

(H) (This subsection shall remain in full force and effect as adopted.)

Section 4. Chapter 4, "Zoning Regulations," Article 4.4, "Base Zoning District," Section 4.4.15 "Planned Office Center (POC) District," of the Land Development Regulations of the City of Delray Beach, Florida is amended as follows:

Sec. 4.4.15. Planned Office Center (POC) District.

(A) *Purpose and intent.*

- (1) The Planned Office Center (POC) District provides for the concentration of office and support uses in a well-planned and managed environment. It is not intended that the District be for commercial activities in which goods and merchandise are stored, displayed, or sold except as appropriate to meet the needs of users of the POC.
- (2) A POC is to be planned and developed on land under unified control and as a single development, or in a programmed series of development phases. Unified control may be achieved through single ownership or the existence of binding agreements among owners of individual parcels therein.
- (3) Institutional uses may also be permitted as part of the Medical Arts Overlay District.

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

- (1) Banks and financial institutions including drive-in and drive-through facilities.
- (2) Brokerage establishments, including watercraft, aviation, and motor vehicles but without on premises storage of items, except that securities brokers may store securities brokered by them on the premises.
- (3) Business offices.
- (4) Computer and data management services, including the servicing of hardware.
- (5) Medical offices.
- (6) Medical Clinics.
- (7) Medical and dental laboratories.
- (8) Professional offices.
- (9) Photographic studios.
- (10) Real estate, insurance, accounting, travel arrangements and similar services.
- (11) Neighborhood Electric Vehicle (NEV) sales, lease or rental transactions only (no inventory on site for any purpose).
- (12) Within the Medical Arts Overlay District, as defined in Section 4.5.18, the following principal uses are allowed:

(a) Institutional uses, such as: Non-residential Licensed Service Provider Facilities; Hospitals, with or without helipads and associated laboratories; Treatment Centers; Rehabilitation Centers; Testing Facilities; and Mental Health Treatment Facilities, including residential care.

(C) - (F) (These subsections shall remain in full force and effect as adopted.)

(G) **Supplemental district regulations.** The supplemental district regulations as set forth in Article 4.6 shall apply except as modified by, or added to, as follows:

(1) The first ten feet of the front yard setback which is adjacent to a right-of-way shall be a landscaped area. Within this area, no paving shall be allowed except for access drives and pedestrian ways which should be generally perpendicular to the property lines.

~~(2) Within the Medical Arts Overlay District, as defined in Section 4.5.18, in addition to the uses listed in 4.4.15(B), the following are allowed as permitted uses:~~

~~(a) Institutional uses, such as: Non-residential Licensed Service Provider Facilities; Hospitals, with or without helipads and associated laboratories; Treatment Centers; Rehabilitation Centers; Testing Facilities; and Mental Health Treatment Facilities, including residential care.~~

(H) (This subsection shall remain in full force and effect as adopted.)

Section 5. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.21 “Community Facilities (CF) District,” of the Land Development Regulations of the City of Delray Beach, Florida is amended as follows:

Sec. 4.4.21. Community Facilities (CF) District.

(A) (This subsection shall remain in full force and effect as adopted.)

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

(1) Governmental, such as: civic centers, courts, courthouses, temporary holding facilities, fire stations, governmental offices, public health facilities, law enforcement offices and facilities, post offices, public utility facilities (e.g. lift stations), water storage tanks, water treatment plants, water wells, wastewater treatment plants, drainage facilities.

(2) Community, such as: civic centers, community centers, community theater, cultural facilities and auditoriums, arts and crafts centers, libraries, museums, public parking lots and garages.

(3) Recreation, such as: community centers, tennis centers, swimming centers.

(4) Services, such as: abused spouse residences, child care centers, day care centers.

- (5) Places of Worship with attendant uses of day care, pre-school, educational facilities, and with other normal educational (Sunday school) and recreational facilities, and support facilities (e.g., parsonage).
- (6) Restricted usage allowed pursuant to an ordinance enacted to sever developments rights under a Transfer of Developments (TDR). (See Section 4.6.20).
- (7) Public educational facilities of The School District of Palm Beach County, pursuant to the regulations set forth in Section 4.3.3(HH).
- (8) Clubs and Lodges provided that alcoholic beverages shall not be served or consumed on the property.
- (9) Assisted Living Facilities that do not comport with the definition of "community residence" and Continuing Care Facilities subject to the requirements of the RM District except for setback and height requirements which shall be pursuant to this Section.
- (10) Urban Agriculture pursuant to regulations set forth in Section 4.3.3(D).
- (11) 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.
- (12) Single-family detached residence resulting from adaptive reuse of a Historic Place of Worship.
- (13) **Medical Arts Overlay District.** Within the Medical Arts Overlay District, as defined in Section 4.5.18, the following principal uses are allowed:

- 1. Institutional uses, such as: Non-residential Licensed Service Provider Facilities; Hospitals, with or without helipads and associated laboratories; Treatment Centers; Rehabilitation Centers; Testing Facilities; and Mental Health Treatment Facilities, including residential care.

(C) - (F) (These subsections shall remain in full force and effect as adopted.)

(G) **Supplemental district regulations.** In addition to the supplemental district regulations in Article 4.6, the following supplemental district regulations apply in the CF District.

- (1) ~~**Medical Arts Overlay District.** The following supplemental district regulations apply to the Medical Arts Overlay District, as defined in Section 4.5.18.~~

~~(a) In addition to the uses listed in Section 4.4.21(B), the following uses are allowed as permitted uses:~~

- ~~1. Institutional uses, such as: Non residential Licensed Service Provider Facilities; Hospitals, with or without helipads and associated laboratories; Treatment Centers; Rehabilitation Centers; Testing Facilities; and Mental Health Treatment Facilities, including residential care.~~

(12) **Historic Place of Worship.** A single-family detached residence resulting from adaptive reuse of a Historic Place of Worship is subject to the supplemental district regulations applicable to single-family detached residences within a R-1-A zoning district.

(H) (This subsection shall remain in full force and effect as adopted.)

Section 6. All ordinances or parts of ordinances in conflict herewith be and the same 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 hereof as a whole or part thereof other than the part declared to be invalid.

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 ____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

Second Reading _____