



MEMORANDUM

DATE: December 16, 2025
FROM: Mark Sohaney 
City Manager
SUBJECT: City Code Amendment - Freestanding Emergency Facility (AM-25-11/PZCO-2025-00015)

APPLICATION REQUEST

A City-initiated text amendment (“Ordinance”) to amend certain portions of [Chapter 28, “Zoning”](#) of the City’s Code of Ordinances (“City Code”), to allow “freestanding emergency rooms” as a conditional use in certain zoning districts (i.e., the General Business (B-4), Medical Center (MC), City Commercial General (City CG) and City Commercial High Office (City CHO) districts), and to establish regulations for this use.

Staff Recommendation:

<input checked="" type="checkbox"/>	Approval
<input type="checkbox"/>	Denial

I. APPLICATION DESCRIPTION

A. SUMMARY

This City-initiated text amendment will define the term “freestanding emergency facility” and will permit such facilities as a conditional use within the B-4, MC, City CG, and City CHO zoning districts. Additionally, the Ordinance establishes minimum parking and loading requirements for ambulances, and it incorporates supplementary regulations that outline eligibility criteria for properties seeking to develop a freestanding emergency facility. Lastly, this Ordinance will amend the definition of an “outpatient surgery center” to remove a reference to emergency rooms from said definition.

B. PUBLIC NOTICE

Pursuant to City Code [Section 28-8](#) and Section 50.0311(6), Florida Statutes, the City of Boca Raton utilizes Palm Beach County’s designated publicly accessible website to publish legally required advertisements. A 10-day notice will be provided on that website for this text amendment.



II. BACKGROUND

Within the City of Boca Raton, there are currently no freestanding emergency facilities operating. Most recently, on January 2, 2025, the Planning and Zoning Board (“Board”) adopted Resolution No. 2025-001, approving a site plan amendment and technical deviations for parking reduction and driveway design for an approximately 11,000 square foot freestanding emergency facility at 1001 East Telecom Drive, located within the Light Industrial Research Park (LIRP) zoning district.

On January 17, 2025, G&I X BRIC FEE OWNER LLC, owner of the nearby approximately 124.21-acre Boca Raton Innovation Campus (“Appellant”), filed a notice to appeal Board Resolution No. 2025-001. The Appellant raised concerns regarding the use, specifically whether a freestanding emergency facility is a permitted use in the LIRP zoning district, as well as concerns regarding the technical deviations granted for parking reduction and driveway design. On April 8, 2025, the City Council adopted Resolution No. 034-2025, repealing Board Resolution 2025-001. It should be noted that if the proposed Ordinance is adopted, it would not be applicable to the 1001 East Telecom Drive property, as it is zoned LIRP.

Also related to this matter is the City Council’s consideration and adoption of Ordinance No. 5698 on August 27, 2024. That ordinance reduced minimum parking requirements for medical offices from one (1) space per 175 square feet to one (1) space per 200 square feet up to 4,000 square feet and one space per 300 square feet thereafter, matching the minimum parking requirement for business, professional, and governmental offices. Based on extensive data gathered by staff of parking demand at various types of facilities under the category of “medical office” in the City, the version of the ordinance recommended by staff excluded “outpatient surgery centers” from this minimum parking requirement reduction – because staff’s field observations did not justify a decrease for that particular subset – and included a definition of “outpatient surgery center.” During the August 27, 2024, public hearing, the City Council revised that definition, as follows (with changes made by City Council shown in underline/strikethrough format):

“Outpatient surgery center” shall mean a health care facility where same-day surgical, emergency room, and urgent care procedures not requiring an overnight hospital stay are performed.

The practical effect of this change was that the minimum parking requirement for emergency room and urgent care facilities, including freestanding emergency facilities, remained at one (1) space per 175 square feet (along with the other types of medical facilities that would already have been captured under the then-proposed definition of “outpatient surgery center”).



III. ANALYSIS

A. TEXT AMENDMENT REVIEW CRITERIA

City Code [Section 23-34](#) states that the administration of the Comprehensive Plan shall be governed by the principle that all development, all actions in regard to development orders, and all land development regulations and codes enacted or amended by a governmental agency shall be consistent with the Comprehensive Plan. Section 163.3194(b), Florida Statutes, requires that all land development regulations enacted or amended shall

be consistent with the adopted Comprehensive Plan, and that any land development regulations existing at the time of adoption which are not consistent with the adopted Comprehensive Plan shall be amended so as to be consistent.

Staff Analysis:

Staff have found that the Ordinance is consistent with the Comprehensive Plan. The Ordinance will define a “freestanding emergency facility” and will provide regulations for this use, including establishing minimum vehicular parking requirements at one (1) space per 175 square feet (consistent with the outpatient surgery center use), and it will require a dedicated ambulance loading and unloading area (separate from any driveway, drive aisle, private road, parking aisle, pedestrian walkway, or bicycle path). Lastly, this Ordinance requires that properties must have direct access to an arterial road and cannot abut single-family residences or properties in residential zoning districts when developing a freestanding emergency facility.



IV. PROPOSED AMENDMENTS

The specific modifications to the City Code associated with this text amendment are shown in strikethrough and underline format in the attached Ordinance, which accompanies this staff memorandum.



V. FINDINGS

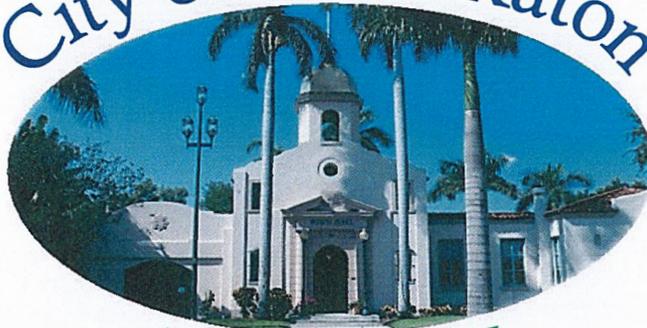
1. The proposed Ordinance is consistent with the Comprehensive Plan.
2. The proposed Ordinance will allow freestanding emergency facilities as a conditional use in the MC, B-4, City CG and City CHO zoning districts, and will establish regulations for the use.

Document originated by: Tamashbeen Rahman, AICP, Planning Administrator

FISCAL IMPACT: There is no fiscal impact associated with this Ordinance.

STRATEGIC IMPACT: This Ordinance supports the Growth Management Strategic Focus Area.

City of Boca Raton



Incorporated 1925

ORDINANCE

5767

1
2 AN ORDINANCE OF THE CITY OF BOCA RATON
3 AMENDING CHAPTER 28, "ZONING," CODE OF
4 ORDINANCES, AMENDING ARTICLE I, DIVISION 1,
5 SECTION 28-2, "DEFINITIONS," TO CREATE A DEFINITION
6 OF "FREESTANDING EMERGENCY FACILITY" AND
7 AMENDING THE DEFINITION OF "OUTPATIENT SURGERY
8 CENTER" TO EXCLUDE EMERGENCY ROOM
9 PROCEDURES FROM SAID DEFINITION, AMENDING
10 ARTICLE XI, "BUSINESS AND COMMERCIAL DISTRICTS,"
11 TO PROVIDE THAT FREESTANDING EMERGENCY
12 FACILITIES SHALL BE CONDITIONAL USES IN THE B-4,
13 MC, CITY CG AND CITY CHO ZONING DISTRICTS, AND
14 AMENDING ARTICLE XV, "SUPPLEMENTARY DISTRICT
15 REGULATIONS," DIVISION 1, TO CREATE A NEW SECTION
16 28-1320, CODE OF ORDINANCES, TO SET FORTH
17 ELIGIBILITY CRITERIA FOR PROPERTIES TO INCLUDE A
18 FREESTANDING EMERGENCY FACILITY; PROVIDING FOR
19 SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING

1 FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE
2 (AM-25-11)
3

4 WHEREAS, Chapter 395, Florida Statutes, defines and provides for “hospital-based
5 off-campus emergency departments,” commonly referred to as “freestanding emergency
6 facilities,”; and

7 WHEREAS, the City Council wishes to establish a definition for “freestanding
8 emergency facility,” provide that such facilities may be approved as a conditional use in the B-4,
9 MC, City CG and City CHO zoning districts, and provide additional criteria for properties to be
10 considered as a location for a freestanding emergency facility; and

11 WHEREAS, the Development Services Department provided its recommendation
12 regarding the proposed amendments to the Code of Ordinances; and

13 WHEREAS, the Planning and Zoning Board, after notice and public hearing, has
14 considered the proposed amendments and submitted its recommendation to the City Council;
15 and

16 WHEREAS, the City Council, after notice and public hearing, has considered the
17 proposed amendments to the Code of Ordinances, the staff recommendation, the
18 recommendation of the Planning and Zoning Board, and all public comments; and

19 WHEREAS, the City Council desires to amend the Code of Ordinances in order to
20 incorporate the above-described amendments; now therefore

21
22 THE CITY OF BOCA RATON HEREBY ORDAINS:
23

24 Section 1. Chapter 28, “Zoning,” Article I, “In General,” Section 28-2, “Definitions,”
25 Code of Ordinances, is hereby amended to read:
26

1 Ordinances, is hereby created to read:

2 Sec. 28-922.1. – Conditional uses.

3 Conditional use approval may be requested by the owner of the property in MC districts
4 for the following uses in accordance with division 4 of article II:

5 (a) freestanding emergency facility.

6 Section 4. Chapter 28, "Zoning," Article XI, "Business and Commercial Districts,"
7 Division 11, "City CG Commercial General," Section 28-934, "Uses," Code of Ordinances, is
8 hereby amended to read:

9 Sec. 28-934. – Uses.

10 * * *

11 (b) Conditional uses. Conditional use approval may be requested by the owner of
12 property in the city CG commercial general district for the following uses in accordance with
13 division 4 of article II:

14 * * *

15 (11) freestanding emergency facility.

16 * * *

17 Section 5. Chapter 28, "Zoning," Article XI, "Business and Commercial Districts,"
18 Division 12, "City CHO Commercial High Office," Section 28-940, "Uses," Code of Ordinances, is
19 hereby amended to read:

20 Sec. 28-940. – Uses.

21 * * *

22 (b) Conditional uses. Conditional use approval may be requested by the owner of
23 property in the city CG commercial general district for the following uses in accordance with
24 division 4 of article II:

25 * * *

26 (11) freestanding emergency facility.

1 * * *

2 Section 6. Chapter 28, "Zoning," Article XV, "Supplementary District Regulations,"
3 Division 1, "Generally," Section 28-1320, "Freestanding Emergency Facilities," Code of
4 Ordinances, is hereby created to read:

5 Sec. 28-1320. – Freestanding emergency facilities.

6 A property shall be eligible for consideration of approval of a freestanding emergency
7 facility if it meets all of the following criteria:

8 (a) The property has direct vehicular access to an arterial road, as identified on
9 the "Future Functional Classification" in the Comprehensive Plan Map Series, provided that such
10 vehicular access point is not located in a "school zone," as such term is used in chapter 316,
11 Florida Statutes;

12 (b) The property does not abut any property that either (i) includes an existing
13 single-family residence, or (ii) is located wholly or partly in a single-family residential zoning
14 district. For purposes herein, "abutting" shall mean sharing a common boundary.

15 Section 7. Chapter 28, "Zoning," Article XVI, "Off-Street Parking and Loading," Section
16 28-1655, "Required Off-Street Parking," Code of Ordinances, is hereby amended to read:

17 Sec. 28-1655. – Required Off-Street Parking.

18 (1) The off-street parking required by this article shall be provided and maintained
19 on the basis of the following minimum requirements:

20 * * *

21 (qq) Freestanding emergency facilities: 1 motor vehicle parking space per 175
22 square feet. Bicycle parking spaces: 5 percent of the required number of motor vehicle parking
23 spaces.

24 * * *

25 Section 8. Chapter 28, "Zoning," Article XVI, "Off-Street Parking and Loading," Section
26 28-1661, "Off-Street Loading," Code of Ordinances, is hereby amended to read:

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PASSED AND ADOPTED by the City Council of the City of Boca Raton this ____ day
of _____, 2026.

CITY OF BOCA RATON, FLORIDA

ATTEST:

Scott Singer, Mayor

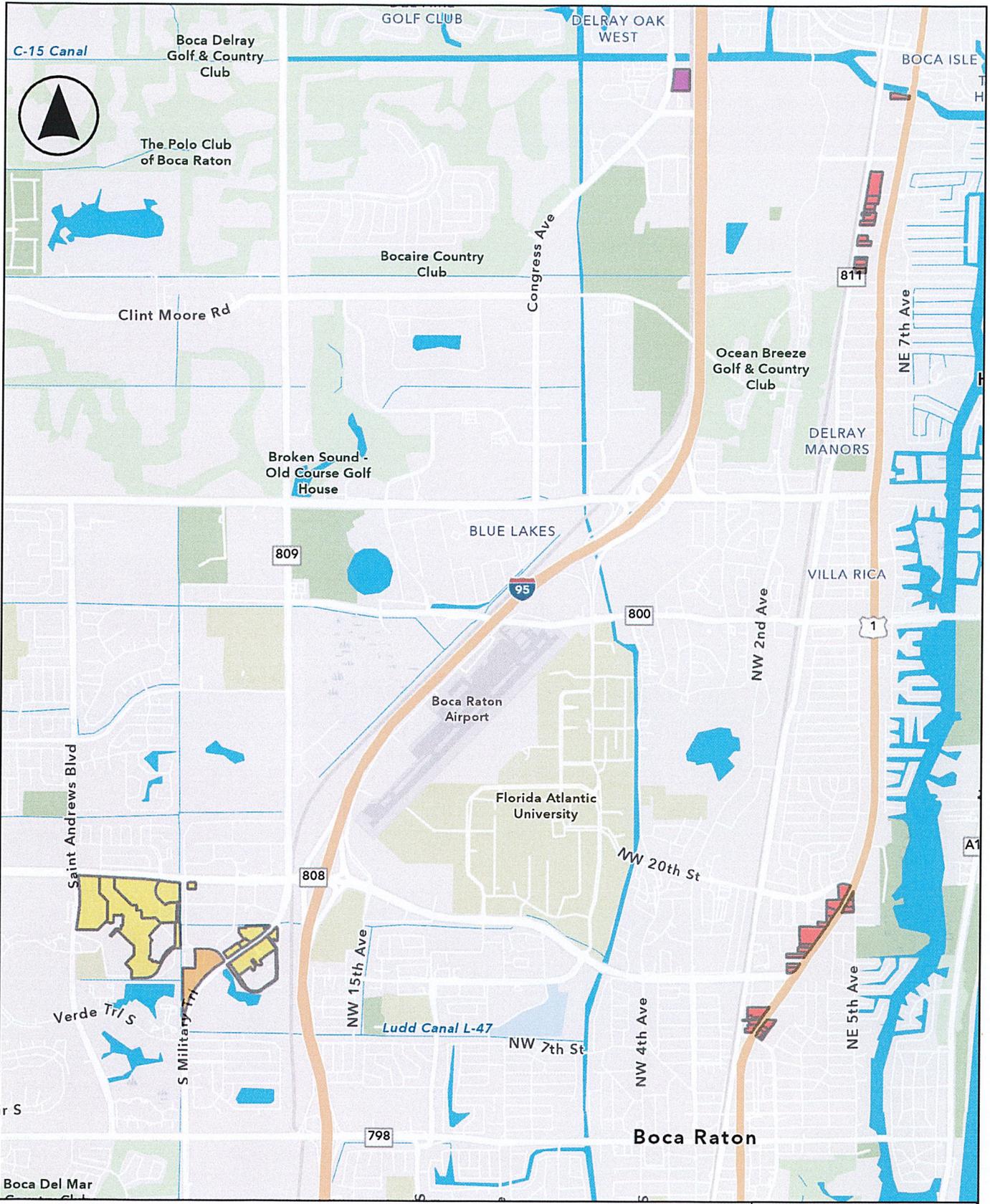
Mary Siddons, City Clerk

Approved as to form:



Joshua Pariente Koehler
City Attorney

COUNCIL VOTE			
	YES	NO	ABSTAINED
MAYOR SCOTT SINGER			
DEPUTY MAYOR FRAN NACHLAS			
COUNCIL MEMBER YVETTE DRUCKER			
COUNCIL MEMBER ANDY THOMSON			
COUNCIL MEMBER MARC WIGDER			



FSER Text Amendment

LEGEND

- City CG
- City CHO
- B-4
- MC

Created by Development Services
July 23, 2025

