



Cover Memorandum/Staff Report

File #: 25-334

Agenda Date: 4/22/2025

Item #: 8.A.

TO: Mayor and Commissioners
FROM: Anthea Gianniotas, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: April 22, 2025

ORDINANCE NO. 11-25: 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 CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.9, "GENERAL COMMERCIAL (GC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; AMENDING SECTION 4.4.11, "NEIGHBORHOOD COMMERCIAL (NC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; AMENDING SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (C), "ALLOWABLE USES," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO CLASSIFY VETERINARY CLINICS AS A PRINCIPAL USE INSTEAD OF A CONDITIONAL USE; AMENDING SECTION 4.4.16, "PROFESSIONAL AND OFFICE (POD) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; AND BY AMENDING SECTION 4.4.29, "MIXED RESIDENTIAL, OFFICE AND COMMERCIAL (MROC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (E), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

Recommended Action:

Consider Ordinance No. 11-25, a City-initiated request to amend and update Section 4.4.9, "General Commercial (GC)," Section 4.4.11, "Neighborhood Commercial (NC)," Section 4.4.13, "Central Business (CBD) District," Section 4.4.16, "Professional and Office District (POD)," and Section 4.4.29, "Mixed Residential, Office, and Commercial District (MROC)" of the Land Development Regulations (LDR) to establish veterinary clinics as a principal use instead of a conditional use.

Background:

The proposed ordinance is City-initiated at the direction of the City Commission. The amendment to the LDR will allow Veterinary Clinics as a principal use, instead of as a conditional use, in the General

Commercial (GC), Neighborhood Commercial (NC), Central Business (CBD) District, Professional and Office District (POD), and Mixed Residential, Office, and Commercial District (MROC).

There are extensive requirements in Section 4.3.3(W), "Domestic Animal Services," that are designed to prevent domestic animal services uses (including veterinary clinics) from becoming a nuisance to the surrounding property owners. The state also has regulatory standards and licensing requirements. To date, the Conditional Use process has not denied nor placed additional standards on Veterinary Clinics, therefore, the administrative Zoning Certificate of Use (ZCU) process (which includes review of compliance with Section 4.3.3(W)), is sufficient to protect the general welfare of animals and prevent potential impacts from the use. A full analysis of the request is provided in the attached staff report.

The Planning and Zoning Board heard the item on February 24, 2025 and voted 6-0 to recommend approval of the proposed ordinance, with the recommendation that after hours veterinary clinics be subjected to the conditional use process. However, LDR Section 4.3.3(VV), "24-Hour or Late-Night Businesses" requires any such use located within a 300-foot straight line route from any residentially-zoned property to obtain conditional use approval from the City. As such, additional restrictions on after hours veterinary clinics is not needed.

City Attorney Review:

Ordinance No. 11-25 is approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

Second reading and adoption of Ordinance No. 11-25 is anticipated for the first meeting in May 2025.