

ORDINANCE NO. 11-26

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, CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.9, "GENERAL COMMERCIAL (GC) DISTRICT," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE; AMENDING SECTION 4.4.11, "NEIGHBORHOOD COMMERCIAL (NC) DISTRICT," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED 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 CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE FOR ALL SUB-DISTRICTS; AMENDING SECTION 4.4.19, MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT," TO CHANGE PET HOTEL, DOMESTIC ANIMAL TRAINING, AND DAYTIME BOARDING FROM A CONDITIONAL USE TO A PERMITTED USE AND CHANGE PET GROOMING FROM A CONDITIONAL USE TO AN ACCESSORY USE; AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," TO CHANGE PET HOTEL, DOMESTIC ANIMAL TRAINING, AND DAYTIME BOARDING FROM A CONDITIONAL USE TO A PERMITTED USE AND CHANGE PET GROOMING FROM A CONDITIONAL USE TO AN ACCESSORY USE; AMENDING SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT," TO CHANGE PET HOTEL, DOMESTIC ANIMAL TRAINING, AND DAYTIME BOARDING FROM A CONDITIONAL USE TO A PERMITTED USE AND CHANGE PET GROOMING FROM A CONDITIONAL USE TO AN ACCESSORY USE; AMENDING SECTION 4.4.29, "MIXED RESIDENTIAL, OFFICE AND COMMERCIAL (MROC) DISTRICT," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE; PROVIDING A CONFLICTS CLAUSE AND 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 LDR defines pet services as "a place of business that provides temporary care and services for domestic animals such as grooming, bathing, training, and daytime boarding"; and

WHEREAS, the LDR currently allows pet services as a conditional use in multiple zoning districts; and

WHEREAS, pet grooming does not generally possess characteristics that are inherently incompatible with existing uses, contiguous zoning, permitted uses, or future uses, necessitating a conditional use; and

WHEREAS, the City Commission recognizes that allowing pet grooming as a principal use in the General Commercial, Neighborhood Commercial, Central Business, and Mixed Residential, Office, and Commercial zoning districts eliminates an unnecessary step in the approval process; and

WHEREAS, the City Commission recognizes that allowing pet services as a principal use in the Mixed Industrial and Commercial, Industrial, and Light Industrial zoning districts eliminates an unnecessary step in the approval process; 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 May 18, 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. 11-26 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 4.4.9, “General Commercial (GC) District,” of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

Sec. 4.4.9. – General Commercial (GC) District.

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

(B) ***Principal uses and structures permitted.*** The following are allowed within the GC District as permitted uses, except as modified in the Four Corners Overlay District by Section 4.4.9(G)(3)(a).

(1)-(3) (These subsections shall remain in full force and effect as adopted)

(4) Services and Facilities including, but not limited to:

- (a) Auctions, barber and beauty shops and salons, caterers, dry cleaning limited to on-site processing for customer pickup only, dry cleaning and laundry pickup stations, financing e.g. banks and similar institutions including drive-through facilities, laundromats limited to self-service facilities, restaurants including drive-in and drive-

through, tailoring, tobacconist, vocational schools limited to arts and crafts, business, beauty, dancing, driving, gymnastics, photography, modeling, and karate-judo, small item repair, Neighborhood Electric Vehicle (NEV) sales, lease or rental transactions only (no inventory on-site for any purpose), and rental of sporting goods and equipment (such as but not limited to bicycles, skates, boogie boards). With the exception of bicycles with an electric-helper motor as defined in Section 72.02, Delray Beach Code of Ordinances, all rented sporting goods must be non-motorized.

- (b) Abused spouse residence with 40 or fewer residents, galleries, broadcast studios, butcher shops, cocktail lounges, exercise facilities e.g. gyms and clubs, indoor shooting ranges, museums, libraries, newsstands, commercial or public parking lots and parking garages, theaters excluding drive-ins.
- (c) Pet grooming, subject to Section 4.3.3(W).

(5)-(11) (These subsections shall remain in full force and effect as adopted)

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

(D) ***Conditional uses and structures allowed.*** The following are allowed as conditional uses within the GC District, except as modified in the North Federal Highway Overlay District by Section 4.4.9(G)(2) and in the Four Corners Overlay District by Section 4.4.9(G)(3)(c).

(1)-(13) (These subsections shall remain in full force and effect as adopted.)

(14) ~~Pet services~~Domestic animal training, daytime boarding, and pet hotels, subject to Section 4.3.3(W).

(E)-(G) (These subsections shall remain in full force and effect as adopted).

Section 4. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.11, “Neighborhood Commercial (NC) District,” of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

Sec. 4.4.11. – Neighborhood Commercial (NC) District.

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

(B) ***Principal uses and structures permitted.*** The following uses are allowed as a permitted use within the NC District subject to the limitations in Subsection (H):

- (1) Retail uses and/or facilities such as: convenience foods; household supplies; garden and lawn supplies; pharmacies; small appliance sales and repairs; baked goods; delicatessen goods.
- (2) Provision of services such as: barber and beauty shops; dry cleaning limited to on-site processing for customer pickup only; dry cleaning and laundry pickup stations; vocational

schools limited to arts and crafts, business, beauty, dancing, driving, gymnastics, photography, modeling, and karate-judo; financing e.g. banks and similar institutions excluding drive-through facilities; laundromats limited to self-service facilities; Neighborhood Electric Vehicle (NEV) sales, lease or rental transactions only (no inventory on site for any purpose), dining at sit down restaurants including takeout and ice cream parlors but excluding drive-in, drive-through facilities; newsstands; pet grooming, subject to Section 4.3.3(W).

- (3) Business and professional offices.
 - (4) Urban Agriculture pursuant to Section 4.3.3(D).
 - (5) Veterinary clinics, subject to Section 4.3.3(W).
- (C) (This subsection shall remain in full force and effect as adopted).
- (D) ***Conditional uses and structures allowed.*** The following uses are allowed as conditional uses within the NC District subject to the limitations per Subsection (H).
- (1) Child care and adult day care.
 - (2) Display and sale of lawn furniture, playground equipment, sheds and accessories.
 - (3) ~~Pet services~~ Domestic animal training and daytime boarding, subject to Section 4.3.3(W).
 - (4) Equipment rental and display.
- (E)-(H) (These subsections shall remain in full force and effect as adopted).

Section 5. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” 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,” of the Land Development Regulations of the City of Delray Beach, Florida, be and the same is hereby amended as follows:

Table 4.4.13(A)—Allowable Uses and Structures in the CBD Sub-Districts					
Uses	Central Core	Railroad Corridor	Beach Area	West Atlantic Neigh.⁵	South Pairs Neigh
General retail uses and/or facilities, as in GC district (4.4.9) ¹	P	P	P	P	P
Business, professional, and medical uses, as in GC district (4.4.9)	P	P	P	P	P
Services and facilities, as in GC district (4.4.9) ² , excluding drive-through facilities	P	P	P	P	P
Townhouse and Multiple-family dwellings ³	P	P	P	P	P

Astrologist, clairvoyants, fortune tellers, palmists, phrenologists, psychic reads, spiritualists, numerologists and mental healers as in GC district (4.4.9)	-	-	-	-	P
Community residences	See 4.4.13(C)(4)(a)				
Nursing homes, abused spouse residences, continuing care facilities, and assisted living facilities that do not comport with the definition of "community residence"	P	P	P	P	C
Live/work units (see 4.3.3(KKK))	P	P	P	P	P
Hotels, motels, and residential-type inns ³ (see 4.3.3(M) and 4.3.3 (X))	P	P	P	C	C
Bed and breakfast inns (see 4.3.3 (Y))	P	P	P	C	C
Public Parking Garages, as mapped on a Regulating Plan	P,S	P,S	P,S	P,S	P,S
Fabrication and/or Assembly	-	P	-	-	-
Wholesaling, Storage, and Distribution ⁴	-	P	-	-	-
Contractor and trade services	-	P	-	-	P
Automobile brokerage, including vehicle display within an enclosed structure	-	P	-	-	-
Tattoo Establishments (see 4.3.3(ZB))	P,A	P,A	P,A	P,A	P,A
CBD Oil Establishments (see 4.3.3 (CC))	P,A	P,A	-	-	-
Accessory Dwelling Units (see 4.3.3(Q))					
<u>Veterinary Clinics [see 4.3.3(W)]</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Family day care homes (see 4.3.3(T))	A	A	A	A	A
Home-based businesses (see 4.3.3(K))	A	A	A	A	A
Mechanical parking lifts (see 4.6.9(D)(11) and 4.6.9(F)(4))	A,S	A	A,S	A,S	A,S
Parking areas, passenger drop-off, loading/unloading, refuse and service areas	A,S	A	A,S	A,S	A,S
Automated Parking Garages	-	S	-	-	-
Refuse and service areas					
Recreational facilities (for a multiple-family development)	A	A	A	A	A
Services and repair (incidental to the associated principal use)	A,S	A	A,S	A,S	A,S
Single-family dwelling (occupied by owner, proprietor, or employee of the principal use)	A	A	A	A	A
Storage of inventory (not shared or leased independent of the principal use)	A,S	A	A,S	A,S	A,S
Automobile repair, service	-	C	-	-	-
Neighborhood Automotive Rental facility (See 4.3.3(C))	-	-	-	-	C

Child care Facilities (see 4.3.3(E)) and adult day care facilities (see 4.3.3(F))	C	C	C	C	C
Commercial recreational facilities, such as bowling alleys, skating rinks, and amusement game facilities	C	C	C	C	C
Drive-through facilities (serving banks, financial institutions, retail uses, etc.) ² See 4.4.13(J)(7)(a)	C	C	C	C	C
Food Preparation and/or Processing including bakeries and catering	-	C	-	-	-
Funeral homes, including accessory uses such as a chapel or crematory	C	C	C	C	C
Gasoline stations (See 4.4.13(J)(7)(b) and/or car washes (See 4.4.13(J)(7)(c))	C	C	-	-	C
Large family child care homes (see 4.3.3(TT))	C	C	C	C	C
Dry-cleaning Processing Plants	-	C	-	-	-
Segway tours and Segway sales (see 4.3.3(ZZZZ))	C	C	C	C	C
Theaters, excluding drive-ins	C	C	C	C	C
Pet Services Training [See 4.3.3(W)]	C	C	C	C	C
Pet Daytime Boarding [See 4.3.3(W)]	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Pet Hotels [see 4.3.3(W)]		C			C
Veterinary Clinics [see 4.3.3(W)]	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
24-hour or late-night businesses, within 300 feet of residential zoned property [see 4.3.3(VV)]	C	C	C	C	C
Urban Agriculture [4.3.3 (D)] excluding outdoor Urban Farms	P,A	P,A	-	P,A	P,A
Outdoor Urban Farms [4.4.3(D)]	C	C	C	C	C
Clubs and Lodges as in GC (4.4.9)	-	-	-	-	C
Flea Markets, Bazaars as in GC (4.4.9)	-	-	-	-	C
Sales and service of all terrain vehicles and personal watercraft as in GC (4.4.9)	-	-	-	-	C
Vehicle care (See 4.4.13(C)(4)(f)(5))	-	-	-	-	C
Churches or places of worship (See 4.4.13(C)(4)(c))	-	-	-	C	C
LEGEND: P = Principal Use A = Accessory Use C = Conditional Use - = Prohibited Use S = Secondary Street Use					
¹ Sales of automotive parts, lawn care equipment, firearms, or secondhand material (other than verifiable antiques) are not allowed on properties facing a designated Required Retail Street on the Regulating Plan or anywhere within the West Atlantic Neighborhood.					
² Drive-thru and Drive-in restaurants are not permitted within the CBD.					
³ For density limits, see Table 4.4.13(C).					

⁴ Not self-storage facilities; products and materials shall not exceed 55 gallons of any substance which is listed on the Generic Substances List of the Palm Beach County Wellfield Protection Ordinance (Ref.: Palm Beach County LDC, Article 9, Section 9.3) ⁵ See Section 4.4.13(C)(4)(a) for limits on commercial use locations in the West Atlantic Neighborhood Sub-district.
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Section 6. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.19, “Mixed Industrial and Commercial (MIC) District,” of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

Sec. 4.4.19. – Mixed Industrial and Commercial (MIC) District.

- (A) (This subsection shall remain in full force and effect as adopted).
- (B) ***Principal uses and structures permitted.*** The following uses are allowed within the MIC District as a permitted use: to, the principal use:
 - (1)-(5) (These subsections shall remain in full force and effect as adopted).
 - (6) ***Other processes and activities.*** The following activities may also be conducted:
 - (a) Dry cleaning and laundering.
 - (b) Emissions testing.
 - (c) Domestic animal training, daytime boarding, pet hotels, and animal shelters, subject to Section 4.3.3(W). Any associated outdoor use areas require conditional use approval.
 - (7)-(10) (These subsections shall remain in full force and effect as adopted).
- (C) ***Accessory uses and structures permitted.*** The following uses are allowed when a part of, or accessory to, the principal use:
 - (1)-(6) (These subsections shall remain in full force and effect as adopted).
 - (7) Pet grooming, subject to Section 4.3.3(W).
- (D) ***Conditional uses and structures allowed.***
 - (1) The following uses are allowed as conditional uses within the MIC Zone District:
 - (a) ~~Pet services with outside use areas, pet hotels, and animal shelters, subject to Section 4.3.3(W);~~

- (ba) Material and component recovery for reuse, such as the disassembly and resale of computer components, appliances, and electrical components. This does not include resource recovery facilities as described and regulated by Section 4.3.3(Z);
- (eb) Automobile paint, body, and repair shops;
- (dc) Boat repair and service;
- (ed) Self-Service Storage Facilities (SSSF), pursuant to Section 4.3.3(A).

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

(E)-(H) (These subsections shall remain in full force and effect as adopted.)

Section 7. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.20, “Industrial (I) District,” of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

Sec. 4.4.20. – Industrial (I) District.

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

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

(1-3) (These subsections shall remain in full force and effect as adopted.)

(4) ***Other process and activities.*** The following activities and processes may also be conducted:

- automobile paint, body, and repair shops
- boat repair and service
- cold storage
- dry cleaning
- emissions testing
- frozen food lockers, including personal lockers
- laundering
- publishing
- tailoring

- domestic animal training, daytime boarding, pet hotels, and animal shelters, subject to Section 4.3.3(W). Any associated outdoor use areas require conditional use approval.

(5)-(7) (These subsections shall remain in full force and effect as adopted.)

(C) ***Accessory uses and structures permitted.*** The following types of uses are allowed when a part of, or accessory to, the principal use:

(1)-(7) (These subsections shall remain in full force and effect as adopted.)

(8) Pet grooming, subject to Section 4.3.3(W).

(D) ***Conditional uses and structures permitted.*** The following uses are allowed as conditional uses:

(1)-(9) (These subsections shall remain in full force and effect as adopted.)

~~(10) Pet services with outside use areas, pet hotels, and animal shelters, subject to Section 4.3.3(W);~~

(11) Lumberyards;

(12) Meat cutting and wholesale storage;

(13) Monument and ornamental stone cutting;

(14) Rental and sales of modular buildings;

(15) Material and component recovery for reuse, such as the disassembly and resale of computer components, appliances, and electrical components. This does not include resource recovery facilities as described and regulated by Section 4.3.3(Z);

(16) Scrap metal recycling, when all operations and storage are in a completely enclosed building, which generates no emissions, and which does not create a noise disturbance in violation of Chapter 99 of the City Codes;

(17) Storage of light trucks, up to, and including two-ton trucks, and light construction equipment not over 24 feet long, eight feet wide, and ten feet high;

(18) Towing services and attendant storage;

(19) Truck terminals and storage facilities.

(E)-(H) (These subsections shall remain in full force and effect as adopted).

Section 8. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.26, “Light Industrial (LI) District,” of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

Sec. 4.4.26. – Light Industrial (LI) District.

- (A) (This subsection shall remain in full force and effect as adopted).
- (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)-(7) (These subsections shall remain in full force and effect as adopted.)
- (8) Domestic animal training, daytime boarding, pet hotels, and animal shelters, subject to Section 4.3.3(W). Any associated outdoor use areas require conditional use approval.
- (C) ***Accessory uses and structures permitted.*** The following types of uses are allowed within the Industrial District as a permitted use:
- (1)-(8) (These subsections shall remain in full force and effect as adopted.)
- (9) Pet grooming, subject to Section 4.3.3(W).
- (D) ***Conditional uses and structures allowed.*** The following types of 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).~~
- (E)-(H) (These subsections shall remain in full force and effect as adopted).

Section 9. Chapter 4, “Zoning Regulations,” Article 4.4, “Base Zoning District,” Section 4.4.29, “Mixed Residential, Office and Commercial (MROC) District,” of the Land Development Regulations of the City of Delray Beach, Florida, is hereby amended as follows:

Sec. 4.4.29 – Mixed Residential, Office and Commercial (MROC) District.

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

(B) ***Principal uses and structures permitted.*** The following types of uses are allowed within the MROC district as permitted uses:

(1)-(9) (These subsections shall remain in full force and effect as adopted.)

(10) Pet grooming, subject to Section 4.3.3(W).

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

(E) ***Conditional uses and structures allowed.*** The following uses are allowed as conditional uses within the MROC District. Uses approved in this section shall be part of the maximum percentage for each use.

(1) Health spas, fitness centers, gymnasiums, and exercise facilities which are open to the general public

(2) ~~Pet services~~ Domestic animal training and daytime boarding, subject to Section 4.3.3(W).

(3)-(9) (These subsections shall remain in full force and effect as adopted.)

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

Section 10. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 11. 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 12. Specific authority is hereby given to codify this Ordinance.

Section 13. 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 _____