

RESOLUTION NO. 33-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A VETERINARY CLINIC AT 1911 SOUTH FEDERAL HIGHWAY, UNITS 200, 202, AND 204, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, AND EXTENDING THE HOURS OF OPERATION TO 9:00 P.M.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Delray Place, LLC, (“Owner”) is the owner of a parcel of land measuring approximately 1.78 acres located at 1191 South Federal Highway, as more particularly described in Exhibit “A”; and

WHEREAS, 1191 South Federal Highway, Units 200, 202, and 204 (the “Property”), comprise a 3,685 square foot commercial space within the Delray Place South shopping center; and

WHEREAS, the Property is zoned Planned Commercial (“PC”); and

WHEREAS, Owner designated Beth Schrantz and Bonnie Miskel, Esq. of Miskel Backman, LLP (collectively the “Applicant”), to act as its agents; and

WHEREAS, Applicant submitted a conditional use application (File No. 2025-095-USE) to allow a veterinary clinic to operate from 7:00 a.m. to 9:00 p.m. at the Property, as shown in Exhibit “B”; and

WHEREAS, pursuant to Section 4.4.12(D)(1) of the Land Development Regulations of the City of Delray Beach (“LDR”), all conditional uses allowed within the General Commercial (GC) District are allowable conditional uses in the PC District; and

WHEREAS, pursuant to Section 4.4.9(D)(14) of the LDR, veterinary clinics are permitted as a conditional use within the GC zoning district, subject to Section 4.3.3(W) of the LDR; and

WHEREAS, LDR Section 4.3.3(W) establishes conditional use criteria for domestic animal services, requiring the conditional use to adhere to the following:

- (a) Hours of operation are limited to 7:00 a.m. to 8:00 p.m., except for veterinary clinics providing emergency services; and
- (b) Domestic animal service facilities shall be fully enclosed with solid core doors and walls sufficiently insulated to minimize noise and odor detection from outside the facility. If frequent, habitual, or long continued animal sounds are plainly audible from adjacent properties, the building is not considered sufficiently insulated; and

- (c) Outside activities and services are limited to drop-off and necessary outdoor walks of animals in direct control of a person by means of a leash or cord. Pursuant to Section 4.6.6, any other outside use requires approval through the conditional use process specifically determining the outside aspects of the use are appropriate; and
- (d) Pet services that are limited as an accessory use by the zoning district must be accessory to an approved domestic animal service; and
- (e) On-site disposal of carcasses is prohibited; and
- (f) *Parking Requirements.* The minimum number of parking spaces required shall be determined by the gross floor area. Facilities offering a mix of domestic animal services shall provide parking spaces based on the cumulative use designation of each area.
  - (1) Pet services and veterinary clinics shall provide 4.5 spaces per 1,000 square feet.
  - (2) Pet hotels and animal shelters shall provide one space per 300 square feet.
  - (3) Common areas within a facility offering a mix of domestic animal services shall calculate parking spaces based on the use requiring the least amount of parking spaces.
- (g) *Overnight boarding.* Only veterinary clinics, pet hotels, and animal shelters may offer overnight boarding services subject to the following:
  - (1) An on-site attendant shall be present at all times during boarding services.
  - (2) Pet hotels and animal shelters shall not be located within a mixed-use building with residential uses.
  - (3) *Emergency Preparedness Plan.* Facilities approved for and offering overnight boarding services shall provide an Emergency Preparedness Plan to ensure continued humane care conditions are provided for the animals and their attendants, in case of an emergency, power outage, natural disaster, or other similar event.

WHEREAS, the proposed veterinary clinic does not provide emergency services, but seeks to operate from 7:00 a.m. to 9:00 p.m.; and

WHEREAS, LDR Section 2.4.6(A)(5) requires the approving body to make findings establishing the conditional use will not:

- (a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; nor
- (b) Hinder development or redevelopment of nearby properties; and

WHEREAS, on February 24, 2025, the Planning and Zoning Board voted 6 to 0 to recommend approval of the conditional use request for a veterinary office with operating hours extending to 9:00 p.m. to the City Commission; and

WHEREAS, on March 11, 2025, the City Commission considered the conditional use request and the respective findings as set forth in the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission makes positive findings that the requested conditional use (1) will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located and (2) will not hinder development or redevelopment of nearby properties.

Section 3. The City Commission approves the conditional use request to allow a veterinary clinic to operate at the Property and to allow hours of operation from 7:00 a.m. to 9:00 p.m.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Beth Schrantz and Bonnie Miskel, Esq., of Miskel Backman, LLP, at 14 SE 4<sup>th</sup> Street, Suite 36, Boca Raton, Florida 33432.

Section 5. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 6. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
Alexis Givings, City Clerk

\_\_\_\_\_  
Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

LOTS 1 THROUGH 14, INCLUSIVE, LOT 29 AND TRACT "A", OF GATEWAY SHOPPING CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 25, PAGE 76, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PROPERTY ALSO SOMETIMES DESCRIBED AS:

LOTS 1 THROUGH 14, INCLUSIVE, AND LOT 29, TRACT A, OF GATEWAY SHOPPING CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 25, PAGE 76, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH PARKING AREA TRACT A.

THE HEREINABOVE DESCRIBED PROEPRTY IS A REPLAT OF TRACT A AS SHOWN ON THE PLAT OF TROPIC ISLE, RECORDED IN PLAT BOOK 24, PAGE 235, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**EXHIBIT “B”**  
**LOCATION OF SUBJECT SITE – 1911 SOUTH FEDERAL HIGHWAY, UNITS 200, 202, AND 204**

