



## Cover Memorandum/Staff Report

File #: 23-1607

Agenda Date: 12/5/2023

Item #: 7.A.

**TO: Mayor and Commissioners**  
**FROM: Anthea Gianniotis, Development Services Department**  
**THROUGH: Terrence R. Moore, ICMA-CM**  
**DATE: December 5, 2023**

RESOLUTION NO. 237-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A PET GROOMING SERVICE AT 14420 SOUTH MILITARY TRAIL, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

### **Recommended Action:**

Review and consider Resolution No. 237-23 for a Conditional Use to allow a pet grooming service at 14420 South Military Trail.

### **Background:**

The subject property, 14420 South Military Trail, is a +/- 850 square foot commercial space within the Shoppes of Delray shopping center, whose main address is 14400 South Military Trail. The property is zoned General Commercial (GC) and has a Land Use Map (LUM) designation of General Commercial (GC).

The applicant is requesting Conditional Use approval to establish an +/- 850 square foot pet grooming service at 14420 South Military Trail, known as "Ruff to Fluff". The Land Development Regulations (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.*" Pursuant to **LDR Section 4.4.9(D)(14)**, pet services are permitted in the GC zoning district, subject to Conditional Use approval.

The Ruff to Fluff application states the business is a pet grooming service. The business will not provide pet boarding or overnight stays. All business operations will take place indoors and the business hours are proposed to be 9am to 5pm, Monday through Saturday (closed on Sundays).

Pursuant to **LDR Section 2.4.6(A)(5), Establishment of a Conditional Use: Findings**, *in addition to provisions of Chapter 3, the City Commission must make findings that 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.*

The residential development to the west is separated by Military Trail, and all other surrounding commercial uses are similar in use type, being retail or service-based in nature. Therefore, the proposed use is not anticipated to have a detrimental effect upon the stability of a neighborhood or to hinder development or redevelopment of nearby properties.

**LDR Section 4.3.3(W)** establishes development standards for all domestic animal services, including grooming facilities:

- (1) *Hours of operation are limited to 7:00 a.m. to 8:00 p.m., except for veterinary clinics providing emergency services; and*
- (2) *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*
- (3) *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*
- (4) *Pet services that are limited as an accessory use by the zoning district must be accessory to an approved domestic animal service; and*
- (5) *On-site disposal of carcasses is prohibited; and*
- (6) *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.*
  - (a) *Pet services and veterinary clinics shall provide 4.5 spaces per 1,000 square feet.*
  - (b) *Pet hotels and animal shelters shall provide one space per 300 square feet.*
  - (c) *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.*

The attached Planning and Zoning Board staff report provides a full analysis of the request.

The Planning and Zoning Board (PZB) will consider the conditional use request on November 27, 2023, after this item is uploaded to the City Commission agenda. The PZB recommendation and comments will be reported to the City Commission as part of the presentation.

**City Attorney Review:**

Resolution No. 237-23 was approved to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A.

**Timing of Request:**

Resolution No. 237-23 will become effective immediately upon adoption.