

ORDINANCE NO. 2017-034

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I, "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 3, "IMPLEMENTATION PROCEDURES," SECTION 13-35, "SPECIAL LAND USE," AND ARTICLE III, "ZONING REGULATIONS," DIVISION 8, "MASTER BUSINESS LIST," SECTION 13-621, "MASTER BUSINESS LIST – B-2, B-3, AND B-4," PERTAINING TO THE PERMITTED USES FOR ANIMAL BOARDING FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Coconut Creek has the authority to protect the health, safety, and welfare of its residents; and

**WHEREAS**, the City of Coconut Creek has the authority to make regulations pertaining to land use and development within the City of Coconut Creek; and

**WHEREAS**, the City Commission desires to amend Chapter 13 of the Code of Ordinances, Article I, Division 3, Section 13-35, and Article III, Division 8, Section 13-621 to revise regulations pertaining to Animal Boarding Facilities; and

**WHEREAS**, the Planning and Zoning Board reviewed the proposed text amendment at a public hearing held on July 12, 2017, and voted to recommend approval of the changes; and

**WHEREAS**, the Planning and Zoning Board has determined that the change is consistent with and furthers the goals, objectives, and policies of the Comprehensive Plan.

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**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1: Ratification.** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2:** That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 13, “Land Development Code,” Article I, “Administration, Regulations and Procedures,” Division 3, “Implementation Procedures,” Section 13-35, “Special land use,” by enacting subsection 13-35(j), “Standards for Animal Boarding Facilities,” to read as follows:

Sec. 13-35. – Special land use.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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(j) Standards for Animal Boarding Facilities. Animal Boarding Facilities shall be subject to Special Land Use Approval and the following supplemental regulations:

(1) General Facility Requirements

- a. Animal Boarding Facilities shall be limited to the boarding of domestic animals, pursuant to Section 5-2, “Definitions,” of the City Code of Ordinances.
- b. Soundproofing shall be provided such that sounds generated by any animals confined inside cannot be heard outside of the property on which the facility is located.
- c. All Animal Boarding Facilities shall provide air conditioning including an air-handling system for disinfection and odor control in accordance with the Florida Building Code.
- d. Animal Boarding Facilities shall contain waste control facilities such as a flush system or must bag and dispose of waste into trash sanitation as directed through federal sanitation directives.
- e. Animal Boarding Facilities shall follow a tick and flea protocol for pets within their facility.
- f. Animal Boarding Facilities shall contain no crematory facilities.
- g. Animal Boarding Facilities shall provide 24-hour contact information for first responders and business hour contact information for customer and/or neighbor concerns.

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- h. Animal Boarding Facilities shall not include the sale of animals.
  - i. If the state imposes stricter regulations than provided in this section, then those shall control in the event of a conflict.
  - j. Animal Boarding Facilities shall be required to have a stand-by generator for temperature control in case of a power outage.
- (2) Animal Enclosures.
- a. Animal enclosures shall be of sufficient size to allow for each animal to stand and walk around freely, and exercise normal postural movements as well as allowing room for bedding and food and water bowls with a minimum floor space of 20 square feet for each individual enclosure.
  - b. Each individual animal enclosure shall provide for a private relief and exercise area with a minimum of 36 square feet covered with artificial turf.
  - c. Animal(s) shall never be confined in a space without 24 hours / 7 days a week, or constant, human supervision.
  - d. Animals shall never be confined in a space that does not provide shelter from the elements.
  - e. Enclosures shall be constructed of materials that are water resistant and can be readily cleaned.
  - f. Enclosures shall be separated by a solid wall to prevent water and waste from flowing into other enclosures.
  - g. Wire flooring is prohibited.
- (3) Outdoor requirements for Animal Boarding Facilities with Outdoor Exercise/Play Areas.
- a. Outdoor exercise/play areas for animals shall be no less than 100 feet from the nearest residentially zoned property.
  - b. Any common exercise/play area shall be of sufficient size to allow maintenance of sanitary conditions and avoid overcrowding of animals.
  - c. Outdoor exercise/play areas shall have adequate walls or fences to keep pets secured and restrict entry from outside.
  - d. Screening walls shall be of masonry construction and no less than 6 feet in height and no more than 8 feet in height.
  - e. No animals may be exercised in groups outdoors before 7:00 a.m. or after 7:00 p.m.
  - f. Outdoor exercise/play areas shall be provided with areas of shade from direct sunlight.
  - g. Adequate drainage in outdoor areas shall be provided in order to prevent standing water.

**Section 3:** That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 13, "Land Development Code," Article III, "Zoning

Regulations,” Division 8, “Master Business List,” Section 13-621, “Master business list – B-2, B-3, and B-4,” to read as follows:

Sec. 13-621. – Master business list – B-2, B-3, and B-4.

Master Business List	B-2	B-3	B-4
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Animal boarding services		S (3)	S (3)
Animal grooming (no overnight boarding)		P (3)	P (3)

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Pet stores		P (3)	P (3)
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Veterinary clinics (no boarding services)		P (3)	P (3)
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- *P* - Indicates permitted use.
- *S* - Indicates special land use (see section 13-35, “Special Land Use”).
- (1) Facilities with drive-thrus are special land uses.
- (2) Permitted use when occupying an in-line bay. Free-standing units are special land uses.
- (3) Must conduct business wholly within a building, but limited outside dog walking is permitted except that any business which includes animal boarding services and/or outdoor exercise/play areas, shall be subject to the supplemental regulations listed in Section 13-35(j), “Standards for Animal Boarding Facilities,” in addition to the standard requirements in Section 13-35, “Special Land Use.”
- (4) No motor vehicle or marine repair.
- (5) No outside storage or display of equipment or supplies.

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• (6) Parking spaces for business vehicles must be provided in excess of the required number for the use.

• (7) Must be licensed by the department of professional regulation.

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**Section 4: Conflicts.** That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 5: Severability.** That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

**Section 6: Codification.** That the provisions of this Ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

**Section 7: Effective Date.** That this Ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 14<sup>TH</sup> DAY OF SEPTEMBER, 2017.**

**PASSED SECOND READING THIS \_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Rebecca A. Tooley, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

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	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	_____
Rydell	<u>Aye</u>	_____
Sarbone	<u>Aye</u>	_____
Belvedere	<u>Aye</u>	_____
Welch	<u>Aye</u>	_____

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