

**ORDINANCE NO. 2023-006**

**AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA, PERTAINING TO THE SUBJECT OF ANIMAL CARE USES; AMENDING THE CITY'S ZONING USE REGULATIONS CHAPTER 27, ARTICLE VI, SECTION 27-100, ADDING TO THE MASTER LIST OF BUSINESS USES, THE USES OF KENNEL/PET HOTEL AND ANIMAL GROOMING WITHIN THE B-6P AND I-LP ZONING DISTRICTS; ADDING ANIMAL GROOMING WITHIN THE B-5P ZONING DISTRICT; AMENDING PORTIONS OF SECTION 27-105(e) ENTITLED "ANIMAL CARE USES"; AMENDING THE PHYSICAL AND DIGITAL VERSIONS OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING A SAVING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE THEREFOR.**

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**WHEREAS**, the City of Plantation Planning and Zoning Board, sitting as the Local Planning Agency, held a duly noticed public hearing on March 7, 2023 to consider the proposed amendment to the Land Development Regulations and recommended approval, finding them consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council of the City of Plantation considered adoption of the proposed amendments at duly noticed public hearings on 5/10/23 [DATE] and 5/24/23 [DATE]; and

**WHEREAS**, the Director of Planning, Zoning and Economic Development has reviewed the item and determines that the approval of the ordinance maintains the integrity of the land development regulations and is consistent with the Goals, Objectives and Policies of the City of Plantation Comprehensive Plan as amended; and

**WHEREAS**, the City Council desires to approve and adopt the amendments to the Land Development Regulations and repeal any inconsistent provisions of the Land Development Regulations.

**WHEREAS**, notice of the proposed amendment has been published in accordance with Section 27-41(l) of the Land Development Regulations and Section 166.041 of the Florida Statutes

**WHEREAS**, the City Council desires to approve and adopt the amendments to the Land Development Regulations and repeal any inconsistent provisions of the Land Development Regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANTATION, FLORIDA, THAT:**

**SECTION 1:** Amending Article VI, Section 27-100, of the Code of Ordinances, entitled "Table 100-1 Master Business Listing", and amending portions of Article VI, Section 27-105(e) entitled "Animal Care Uses", as noted in Exhibit A.

**SECTION 2:** Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

**SECTION 3:** If any ordinances, or parts of ordinances, or if any sections, or parts of sections, of the Ordinances of the City, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

**SECTION 4:** It is the intention of the City Council of the City of Plantation that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Plantation, Florida. The Sections of this ordinance may be re-numbered, re-lettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**SECTION 5:** Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

**SECTION 6:** This Ordinance shall take effect immediately upon passage on second reading by the City Council and signature by the Mayor.

PASSED ON FIRST READING by the City Council this 10th day of May, 2023.

PASSED AND ADOPTED ON SECOND READING by the City Council this 24th day of May, 2023.

SIGNED by the Mayor this 24th day of May, 2023.

  
MAYOR

ATTEST:

April Beggerow  
CITY CLERK

APPROVED    DATE

REQUESTED BY: \_\_\_\_\_

DEPT. OK: \_\_\_\_\_

ADMIN. OK: \_\_\_\_\_

ATTY. OK: \_\_\_\_\_

AS TO FORM ONLY

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Ordinance No. 2023-006 was received by the Office of the City Clerk and entered into the Public Record this 24th day of May, 2023.

April Beggerow  
April Beggerow, City Clerk

Sec. 27-100. Master Business List.

Table 100-1																			
Master Business Listing																			
USE CATEGORY	P = Permitted use C = conditional use "-" = Prohibited use N/A = Not Applicable																		
	Commercial Districts																		
	B-1P	B-2P	B-2L	B-3P	B-4P	B-5P	B-6P	B-AM	B-HCS	B-PO	B-HC	B-FCC	B-AC	Mixed-Use Districts	Office Park	Community Facilities Districts	Industrial Districts	I-LP	I-L2P
COMMERCIAL USES																			
Animal Care Uses																			
Animal grooming	P	P	P	P	-	P	P	-	-	-	P	P	P	P	-	-	P	P	P
Kennel/Pet hotel	-	-	-	-	-	P	C	-	-	-	-	-	-	-	-	-	P	P	P
Pet shop	-	C	C	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-	-
Veterinary hospital/clinic	-	P	C	P	-	P	C	-	P	-	P	P	P	P	-	-	-	-	-

**Secs. 27-101—27-104. - Reserved.**

**Sec. 27-105. - Specific Use Regulations.**

(...)

(e) *Animal care uses.*

(...)

(2) *Animal grooming, subject to the following conditions and limitations.*

~~a. All facilities shall be contained within completely enclosed structures without windows in any area where animals are contained or treated.~~

~~a. b.~~ Adequate soundproofing shall be incorporated into in any area where animals are contained or treated, such that animal noises, ~~such as for example barking,~~ cannot be heard outside of the facility.

~~b. c.~~ Exterior cages shall not be permitted.

~~c. d.~~ Shall contain an approved air-handling system for disinfection and odor control.

~~d. e.~~ Shall contain adequate waste control facilities, such as a flush system or equal.

~~e. f. No overnight boarding. Overnight boarding shall not be permitted unless there is a Kennel/Pet Hotel component within the establishment.~~

~~f. g. The use shall comply with all supplementary use standards of Broward County, Animal Control entities and Florida Statutes.~~

~~g. This use in the I-L2P zoning district is subject to an allocation of commercial flexibility for the parcel upon which the use is located, if required by the Future Land Use Element of the City's Comprehensive Plan.~~

(3) *Kennel/pet hotel.*

~~a. All facilities shall be contained within completely enclosed structures without windows in any area where animals are contained or treated.~~

~~a. b.~~ Adequate soundproofing shall be incorporated into in any area where animals are contained or treated, such that animal noises, ~~such as for example barking,~~ cannot be heard outside of the facility.

~~b. c.~~ Exterior cages shall not be permitted.

- c. d. Animals may not be exercised outdoors before 7:00 a.m. or after 7:00 p.m.
- d. e. Shall contain an approved air-handling system for disinfection and odor control.
- e. f. Shall contain adequate waste control facilities, such as a flush system or equal.
- f. Pet Boarding shall be allowed only in conjunction with and accessory to another pet-oriented use.
- g. The use shall comply with all supplementary use standards of Broward County, Animal Control entities and Florida Statutes.
- h. The selected location must provide visual buffering/fencing/sound-proofing design to mitigate the noise impact of the kennel on the surrounding properties.
- i. Shall provide an outdoor common play area of sufficient size to relieve animals.
- j. Shall provide adequate quantities of visible, clean and fresh water available at all times.
- k. All animal housing facilities shall be structurally-sound and constructed of non-toxic materials.
- l. Permanent kennel cages shall not be present (portable pet crates may be used to transport pets).
- m. Breeding animals for sale is prohibited.
- n. Records of all pet stays, including documentation of license and shots, shall be maintained on file.
- o. Animal housing shall be maintained in good repair and kept clean and sanitary at all times so as to protect animals from disease and injury.
- p. Animals shall be provided with clean bedding and other supplies such as litter pans, litter, shredded paper, towels, straw, etc., as appropriate for each species.
- q. Provisions shall be made for the removal and proper disposal of animal food, waste, bedding, dead animals and debris.
- r. Primary enclosures shall be large enough and cleaned on a schedule (no less than daily) so that the animal can stay dry and avoid contact with excrement.
- s. Waste systems shall meet State and local regulations

t. Each animal shall be observed daily by the animal caretaker in charge for signs of disease, injury, or distress.