

## ORDINANCE NO. 2022-05

**AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; AMENDING SECTION 5-51, CODE OF ORDINANCES OF THE CITY OF FORT MEADE, TO PERMIT UP TO TWO BABY DOLL SHEEP ON A RESIDENTIAL LOT; AMENDING THE CITY OF FORT MEADE UNIFIED LAND DEVELOPMENT CODE; AMENDING ARTICLE 2, REGULATIONS FOR SPECIFIC DISTRICTS, SECTION 2.02.10, TO PERMIT UP TO TWO (2) BABY DOLL SHEEP ON RESIDENTIAL LOTS LESS THAN ONE ACRE IN SIZE; PROVIDING FOR REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA, AS FOLLOWS:**

**SECTION 1. FINDINGS AND INTENT.** In adopting this Ordinance and amending the City's Unified Land Development Code, the City Commission of the City of Fort Meade, Florida hereby makes the following findings:

(1) The City previously adopted the City of Fort Meade Animal Control and Animal Services Ordinance by Ordinance No. 08-13 in 2008.

(2) As currently drafted, Section 5-51, Code of Ordinances, prohibits "farm animals" upon property zoned for residential use that is less than one acre in size.

(3) Section 163.3167(c), Florida Statutes, empowers the City to adopt land development regulations to guide the growth and development of the City.

(4) Pursuant to state law, the City adopted a unified land development code ("Land Development Code").

(5) The City received an appeal of an Order from its special magistrate in Case ##21-0261.

(6) In that case, the special magistrate found that the property owner was maintaining farm animals on residentially zoned property less than one acre in size, namely, two baby doll sheep.

(7) Following a duly noticed public hearing before the City Commission, the City Commission voted 3-2 to create a limited exception in its Code of Ordinances and Land Development Code to permit up to two (2) baby doll sheep on residentially zoned lots within the City that are less than one acre in size.

(8) The City Commission directed the staff and City Attorney to prepare an ordinance which would implement this change and supersede the order of the special magistrate in this matter.

(9) The City Commission of Fort Meade has determined it necessary and desirable to amend the Code of Ordinances and Land Development Code as described above given the small size and other unique characteristics of baby doll sheep.

(10) Pursuant to Section 166.041(c)2, Florida Statutes, the Planning and Zoning Board

and the City Commission have held duly advertised and noticed public meetings and hearings to obtain public comment for the purpose of amending the Unified Land Development Code as presented in the exhibit attached to and incorporated in this Ordinance as Exhibit "A".

(11) Having considered written and oral comments received during public hearings, the City Commission finds the changes necessary and appropriate to the needs of the City.

(12) The City Commission finds that the proposed text amendment to the Land Development Code is in the best interests of the health, safety, and welfare of the general public and the City's residents, further the purposes of, and is consistent with the City's Land Development Code, and is consistent with and compliant with State law, including, but not limited to Chapter 163, Part II, Florida Statutes.

**SECTION 2. AMENDMENT TO SECTION 5-51, CODE OF ORDINANCES OF THE CITY OF FORT MEADE, FLORIDA.** Section 5-51 of the Code of Ordinances of the City of Fort Meade, Florida, is hereby amended to read as follows:

**"Sec. 5-51. - Limitations.**

(a) In connection with any residential dwelling unit, no person shall keep or maintain more than four (4) dogs and or cats aged six (6) months or older. No person shall keep or maintain more than two (2) dogs in connection with any building use for commercial or industrial purposes.

(b) In zoning districts other than agriculture and rural estate districts, farm animals are permitted with a minimum pasture size of one (1) animal per acre, in addition to the required minimum square feet of the zoning district.

(c) Where farm animals are permitted, such animals shall be maintained in healthy condition. Where the agricultural zoning district abuts any other zoning districts, pens, cages, grazing areas and other structures or facilities for such animals shall be located no less than fifty (50) feet from any residential structure.

(d) No person shall breed or maintain any wild animal or poisonous reptile that, in the opinion of a city's code enforcement official, poses a threat to human safety. Excluded from this restriction are animal shelters, medical or scientific facilities, pet shops, zoos or other locations where the showing or maintenance of such animals is a permitted use under the provisions of this code.

(e) Notwithstanding anything to the contrary contained in this Code, owners of residential property shall be able to keep up to two (2) baby doll sheep on a lot under one acre in size."

**SECTION 3. LAND DEVELOPMENT CODE AMENDMENT.** Section 2.02.10 of the Land Development Code is hereby amended to read as follows:

**"2.02.10 Animal Limitations**

(A) In connection with any residential dwelling unit, no person shall keep or maintain more than four dogs aged six months or older. No person shall keep or maintain more than two dogs in connection with any building used for commercial or industrial purposes.

(B) In zoning districts other than Agriculture and Rural Estate Districts, "farm animals" as defined in this Code, are permitted with a minimum pasture size of one animal per acre, in

addition to the required minimum square feet of the zoning district. Farm animals may be raised for school projects for the time period of the school project, subject to the approval of the Development Director. Notwithstanding anything to the contrary contained in this Code, owners of residential property shall be able to keep up to two (2) baby doll sheep on a lot under one acre in size.

(C) Where farm animals are permitted; such animals shall be maintained in healthy condition. Where the agricultural zoning district abuts any other zoning district, pens, cages, grazing areas and other structures or facilities for such animals shall be located no less than 50 feet from any residential structure.

(D) No person shall breed or maintain any wild animal or poisonous reptile that, in the opinion of the Development Director, poses a threat to human safety. Excluded from this restriction are animal shelters, medical or scientific facilities, pet shops, zoos or other locations where the showing or maintenance of such animals is a permitted use under the provisions of this Code. “

**SECTION 4. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**SECTION 5. CONFLICTS.** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6. CODIFICATION.** An official, true and correct copy of this Ordinance and the City's Comprehensive Plan, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk will make copies available to the public for a reasonable publication charge.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall be effective 10 days after passage upon Second Reading.

**PASSED** on first reading by the City Commission of the City of Fort Meade, Florida, at regular session this 12th day of April 2022.

**PASSED** on second and final reading by the City Commission of the City of Fort Meade, Florida, at regular session this \_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF FORT MEADE, FLORIDA**

\_\_\_\_\_  
Robert Elliott, Mayor

**ATTEST:**

\_\_\_\_\_  
Melissa Cannon, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Thomas A. Cloud, Esquire  
City Attorney

