

**TOWN OF LOXAHATCHEE GROVES**

**RESOLUTION NO. 2015-09**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE BIG DOG RANCH SPECIAL EXCEPTION AND SITE PLAN, FOR LAND OWNED BY TLH 25 VILLA, LLC CONSISTING OF 33.16 ACRES MORE OR LESS, LOCATED AT THE SOUTHEAST CORNER OF OKEECHOBEE BOULEVARD AND “D” ROAD LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT “A” TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida (“Town”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to special exceptions and site plans for development on property within the Town; and

**WHEREAS**, the Council, pursuant to Article 2 (Development Review Process) of the Town of Loxahatchee Groves Unified Land Development Code is authorized and empowered to consider, approve, approve with conditions or deny special exceptions and site plans; and

**WHEREAS**, the notice and hearing requirements, as provided for in Article 2 of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

**WHEREAS**, the Town Planning and Zoning Board (P&Z Board), at its meeting of January 22, 2015 recommended approval of the Big Dog Ranch Special Exception and Site Plan Application SP 2014-01; and

**WHEREAS**, the Big Dog Ranch Site Plan Application SP 2014-01, was presented to the Town Council at a quasi-judicial public hearing conducted on April 22, 2015; and

**WHEREAS**, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of Town staff and Town P&Z Board; and

**WHEREAS**, this approval is subject to Article 2.E (Monitoring) of the Town of Loxahatchee Groves Unified Land Development Code (Town ULDC) and other provisions requiring that development commence in a timely manner.

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Loxahatchee Groves as follows:

**Section 1.** Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.

**Section 2.** The Town Council has considered the findings in the staff report dated April 14, 2015 and Town Planning and Zoning Board recommendation and makes the following findings of fact:

1. The Special Exception and Site Plan are consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves Comprehensive Plan, including standards for building and structural intensities and intensities of use.
2. This Site Plan as presented in Exhibit "B" hereto, complies with relevant and appropriate portions of applicable Town of Loxahatchee Groves land development regulations, including Section 8-060 "*Rescued Animal Care*", Article 155 "*Site Plans*", and Article 170 "*Special Exceptions*". This Site Plan, along with the Statement of Use, as adopted and presented in Exhibit "C", and Conditions of Approval, as adopted and presented in Exhibit "D" hereto, complies with standards imposed on it by all other applicable provisions of the Town ULDC. The Town Council finds the conditions, as presented in Exhibit "D" hereto, to be reasonable, and rationally related to the proposed development, and consistent with the Town's character.
3. This Site Plan and Statement of Use, as presented in Exhibit "B" and Exhibit "C" hereto, along with Conditions of Approval, as adopted and presented in Exhibit "D" hereto, are compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design, with Conditions of Approval as adopted and presented in Exhibit D hereto, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Site Plan and Statement of Use, as presented in Exhibit "B" and Exhibit "C" hereto, along with Conditions of Approval, as adopted and presented in Exhibit "D" hereto, minimize environmental impacts, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands, noise and the natural functioning of the environment.
6. This Site Plan and Statement of Use, as presented in Exhibit "B" and Exhibit "C" hereto, along with Conditions of Approval, as adopted and presented in Exhibit "D" hereto, will result in logical, timely and orderly development patterns.

**Section 3.** The Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution. Therefore, the Town Council of the Town of Loxahatchee Groves approves the Big Dog Ranch Special Exception and Site Plan SP 2014-01 for the parcel of land legally described in Exhibit "A", attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in Exhibit "A", attached hereto and made a part hereof. A copy of the Site Plan, and Statement of Use, subject to the approved Conditions of Approval presented in Exhibit "D", are attached hereto as Exhibits "B" and "C" and made a part hereof.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

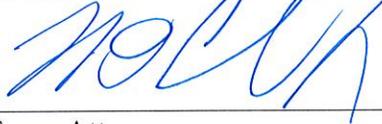
**Section 6.** This Resolution shall become effective upon adoption.

**RESOLVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA THIS 21<sup>st</sup> DAY OF APRIL, 2015.**

ATTEST:

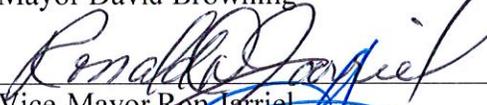
  
Janet K. Whipple, Town Clerk

APPROVED AS TO LEGAL FORM:

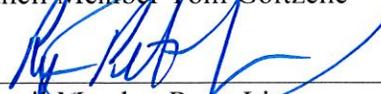
  
Town Attorney

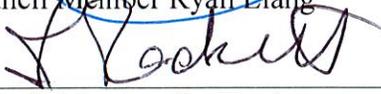
TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

  
Mayor David Browning

  
Vice-Mayor Ron Jarriel

  
Council Member Tom Goltzené

  
Council Member Ryan Liang

  
Council Member Jim Rockett



**EXHIBIT A**

**LEGAL DESCRIPTION AND LOCATION MAP**

**The following Legal Description is applicable to Resolution 2015-09:**

Parcel Control Numbers: 41-41-43-17-01-411-0010  
41-41-43-17-01-409-0010

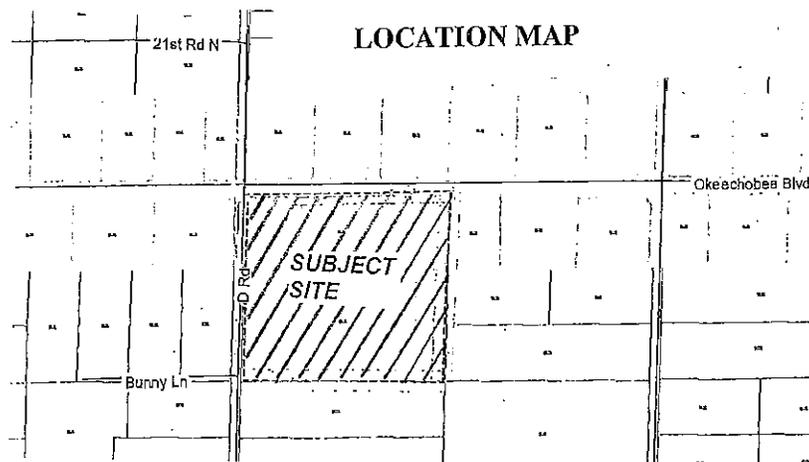
PARCEL I:

TRACT 11, BLOCK D, "LOXAHATCHEE GROVES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 29 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL II:

TRACT 9, BLOCK D, "LOXAHATCHEE GROVES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 29 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 1,444,527 SQUARE FEET OR 33.162 ACRE, MORE OR LESS, SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHT OF WAY OF RECORD.



**EXHIBIT B**

**BIG DOG RANCH FINAL SITE PLAN 2014-01**  
**(Refer to the following page)**



**EXHIBIT C**  
**BIG DOG RANCH FINAL SITE PLAN: SP 2014-01**  
**APPLICANT'S STATEMENT OF USE**

**REQUEST**

On behalf of the Petitioner, Land Design South, a division of WGI, Inc., is requesting:

- **Special Exception Approval** to allow a Rescued Animal Care facility.
- **Site Plan Approval** to allow a Rescued Animal Care facility.

**SITE CHARACTERISTICS & SURROUNDING PROPERTIES**

The subject property is located on the southeast corner of Okeechobee Boulevard and D Road, in the Town of Loxahatchee Groves. The site is currently zoned Agricultural Residential (AR) and has a Future Land Use designation of Rural Residential - one dwelling unit per 10 acres (RR-10). The subject site, which is approximately 33.16 acres in size, is vacant land. The property has access from both Okeechobee Boulevard and D Road.

**Development History**

There are no prior development approvals on this site.

**Surrounding Uses**

A breakdown of the surrounding uses is provided below.

**North:** to the north of the subject site is Okeechobee Boulevard. On the north side of Okeechobee Boulevard is vacant land, which has a FLU designation of RR-10 and a Zoning District of AR.

**West:** to the west of the subject site is D Road. On the west side of D Road is vacant land, which has a FLU designation of RR-10 and a Zoning District of AR.

**East:** to the east of the subject site is vacant land, which has a FLU designation of RR-10 and a Zoning District of AR.

**South:** to the south of the subject site is vacant land, which has a FLU designation of RR-10 and a Zoning District of AR. It is important to note that, there are no residential units that abut the southern end of the subject site.

**DEVELOPMENT PROPOSAL**

The development proposal includes the construction of a Rescue Animal Care facility, proposed to be constructed within a singular phase. Big Dog Ranch Rescue is a non-profit 501c3, no-kill dog rescue facility. The facility takes in adoptable dogs from high-kill shelters, rehabilitates them, medically treats each of the animal's needs, spays and neuters them, and provides a medium for loving homes to adopt each dog. The facility also accepts dogs directly from owners who can no longer care for their pets.

The following is a summary of the uses associated the proposed development:

*Animal Housing Building (4 wings)*

This building includes a covered pavilion in the center of the structure with four (4) wings each measuring approximately 4,992 square feet in size. The total size of the structure is 19,968 square

feet. The structure is proposed to feature four (4) fenced in areas, of which one (1) is for small dogs, one (1) is for medium dogs and two (2) are for large dogs. Kennel techs provide daily care, feeding, cleaning, and exercise to the dogs and puppies. There is an agility course located to the southeast of the building. The dogs are separated from other areas by an opaque fence which prevents dogs from viewing those outside the play area, thereby reducing the barking of the dogs.

#### *Veterinary Clinic*

There is a 4,000 square foot veterinary clinic proposed along the northern portion of the site. The medical personnel for this clinic consists of veterinary technicians and a licensed Veterinarian, who provide medical treatment as needed such as surgeries, spaying/neutering and vaccinations to the dogs at the facility. The facility's plan is to offer low cost evening and weekend emergency care to dogs during times of crisis. The facility will also have a summer internship program for veterinarians coming out of college.

#### *Main Visitor Center*

There is a 4,500 square foot visitor building proposed at the northern portion of the site. The visitor building is where potential adopting families enter the facility and are greeted by personnel. The building also houses the facility's director, developmental director, volunteer coordinators, and adoption counselors.

#### *Intake Building*

There is a 2,728 square foot intake buildings proposed at the northwest portion of the site. All of the dogs brought to this facility are taken in at this building. The dogs are accessed by the licensed veterinarian and are then kept for several weeks under quarantine as a means to ensure that they are well. They are then medically treated for possible illnesses until they are ready to enter the general population of rescued animals.

#### *Puppy Land*

There are ten (10) puppy pods proposed, which are approximately 168 square feet each (for a total of 1,680 square feet) plus a 168 square foot support building. The pregnant and/or nursing dogs are housed here with their puppies. Each individual pod measures 12' x 14' in size, to keep the dogs in a healthy, stress-free environment until the puppies are old enough to be adopted.

#### *Maintenance Building*

There is a 1,000 square foot maintenance building at the west side of the site. The facility's equipment, tools and maintenance supplies are kept within this building.

#### *Caretaker House*

There is a 2,720 square foot caretaker residence proposed to be located between the puppy pods and the boarding dog housing along the north side of the site. The building is for the live-in, onsite night manager who provides security, medical watch and supervision on the dogs throughout each night.

#### *Weimaraner World*

There is a 4,024 square foot building proposed as Weimaraner World. This building will provide specialized care and housing for Weimaraners or other breeds of dogs that suffer from separation anxiety. This building will have living quarters for a full-time kennel staff as well as outside play areas.

*Senior Sanctuary*

There is a 3,556 square foot Senior Sanctuary building proposed at the northeastern corner of the lake. This building will house the senior dogs that are too old to have a chance for adoption or have medical issues that prohibit chances for adoption. There will be a kennel tech living with them at all times.

*Education Center*

There is a 7,500 square foot education center, proposed at the southwest portion of the site. The center will be used for educational classes for school age children with weekly training classes for newly adopted dogs and fund raising events to benefit the rescue.

*Boarding/Housing Building*

There is a 7,930 square foot building proposed to be utilized as boarding/housing, at the northeastern corner of the property. The building will house the guest dogs that need to be boarded. It is important to note that, a discounted rate is provided to individuals who adopt dogs from the facility, as well as for our men and women who have to leave their dog behind while serving our country in the military.

A 1.50 acre lake tract area is proposed within the southern half of the site. Along the eastern and western edges of the lake, two preserve areas totaling 1.0 acres is proposed as a means to further mitigate external impacts to adjacent properties.

Note that gates are proposed along Okeechobee Boulevard and along D Road. The gate along Okeechobee Boulevard will be open from 7am to 6pm and can be accessed after hours by managerial and veterinary staff. The gates along D Road will be closed at all times, unless a delivery is being made.

**SPECIAL EXCEPTION**

The proposed Rescued Animal Facility is located within the AR zoning district. Pursuant to Section 20-015, Permitted Uses, a Rescued Animal Facility is permitted with a Special Exception application. It is important to note that accessory dwelling units and caretaker's quarters are permitted by right.

Section 170-025.A lists review standards for Special Exceptions. The development proposal meets all ten (10) review standards, as outlined below.

- 1. That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located.**

The proposed use as a Rescued Animal Facility will not cause a detrimental impact to the value of surrounding uses within the area. To the contrary, the proposed facility will provide much needed services to the local community by providing animal care and boarding options at a reduced cost, as well as providing educational opportunities for residents. The petitioner is aware of the concern from surrounding neighbors as to the perceived negative impact the new facility will have.

That is why in addition to the minimum requirements set forth in the Loxahatchee Groves code, additional conditions of approvals have been agreed to in order to mitigate any concerns regarding impact on property value. The main concern as it relates to the property value seems to be the perception that the dogs housed on the property will cause excessive barking and

smells.

As it relates to barking, many systems have been put in place to mitigate for the sound. The first is that Big Dog Ranch is proposed to be built on over 33 acres in order to allow for large setbacks from adjacent properties, especially single family homes. The closest residential structure will be approximately 750 feet (2.5 football fields roughly) from any proposed fence or structure of Big Dog Ranch. The 750 feet separation will be open area, landscape as well as a proposed dense landscape buffer with security fence. The property to the south is an existing nursery, and while the setbacks are even larger to this property we have taken into account comments from this neighbor to redesign the site and place the majority of the proposed dog housing along Okeechobee Blvd. By placing the dog housing and services closer to Okeechobee Blvd this will further increase the separation from adjacent properties.

Also in regards to noise the buildings will be designed in order to fully mitigate the sound of the dogs while they are indoors. Please see the submitted sound study and the suggested design techniques for the structures. The applicant has accepted conditions of approval that will require the buildings to be constructed as per these suggestions. In addition, outdoor dog runs will be screened with opaque fences so dogs within the runs cannot see other dogs outside the runs, removing their instinctive nature to bark. The buildings will also be designed to meet the suggestions from the Loxahatchee Groves Rural Vista Guidelines.

In regards to the concern of odors, Big Dog Ranch has put forth a system for waste removal. The new kennel facility will be equipped with built in pressure washers and drains that will tie directly into the sewer system. All fecal matter and urine from inside the buildings will be sprayed into those drains. The drains will be periodically flushed into the sewer system. In addition to timed flushes the drains will also be equipped with a means to override the system and flush with the push of a button on demand. Big Dog Ranch will also be using various kennel cleaners and sanitizing agents each day to ensure the cleanliness of our facility and the health of the dogs.

"DogiPot" Stations, which are covered metal trash cans with a supply of empty smaller bags attached, will be placed strategically around the property. Fecal matter, picked up outside, will be placed into smaller individual bags then placed into the "DogiPot" receptacles. Larger trash bags within the stations will be collected up to four times throughout the day by Big Dog staff. The larger bags will then be placed in covered trash dumpsters. Dumpsters will be emptied, and removed from the property, by waste management a minimum of three times per week. Volunteers and staff are all trained to pick up any fecal matter immediately and not leave it laying on the ground.

2. **That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning.**

The proposed use as a Rescued Animal Facility is compatible with the existing uses located on contiguous properties, in the general area and within the zoning district. To the immediate north and west of the property is the right of way for D Road and Okeechobee Blvd. Beyond those rights of way are agriculture related uses and vacant, vegetated properties. To the east are a few barns and residential structures. The barns can and have housed horses. The design, as described above in #1, has been done so with the character of the area in mind. The project will be designed using the rural architectural standards of the Town. Buildings have been

separated into smaller, separated structures to create a ranch like setting. Landscaping will have a natural aesthetic and will use many native, drought tolerant plants consistent with the character of the Town.

**3. That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities.**

Adequate landscaping and screening will be provided on all sides of the subject property. There is a proposed 20' landscape buffer provided on all four sides of the subject property and significant open space throughout the site. The buffer will include a 6' high, vinyl coated chain link fence as well as minimum 4' high continuous hedge at time of planting. These plantings will be maintained at 6' so there will be no way to visually see into the site from surrounding properties. Shade trees will be included within the landscape buffer as well. Landscaping will have a natural aesthetic and will use many native, drought tolerant plants consistent with the character of the Town.

In addition, a 1.00 acre preserve area will be located on the south end of the property and will include natural plantings consistent with the Town.

The landscape will be designed to meet the suggestions from the Loxahatchee Groves Rural Vista Guidelines.

**4. That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.**

There is adequate parking provided for this use. Per the Town of Loxahatchee Groves' code, the parking ratio for the Rescued Animal Facility's buildings is as follows:

- Visitor's Center (Retail) – 1 space per 250 square feet
- Veterinary Medical Building – 1 space per 200 square feet
- Caretaker House (Single Family Dwelling) – 2 spaces per dwelling unit
- Intake Building (Office) – 1 space per 250 square feet

As such, the following parking is required for each phase:

51 parking spaces are required

- Visitor's Center (4,500 SF / 250) – 18 spaces
- Veterinary Medical Building (4,000 SF / 200) – 20 spaces
- Caretaker House (1 dwelling unit) – 2 spaces
- Intake Buildings (2,728 SF / 250) – 11 spaces

No parking spaces are required for the support buildings that will be constructed due to the fact that the remaining buildings will be dedicated to accessory uses and for uses that do not have parking requirements as dictated per the Town's Land Development Regulations.

The Applicant will provide a total of 83 parking spaces for the entirety of the facility. Eight (8) of the proposed spaces will be utilized for handicap access. While this is above the minimum requirements of the Town, the additional spaces are due to the fact that the buildings are spaced out over the entire ranch, and certain buildings that do not require parking per code,

will ultimately need spaces in order to meet individual building needs and ADA requirements.

- 5. That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety and welfare of the community.**

Big Dog Ranch will not have a negative environmental effect on properties located contiguously or within the immediate area. Agricultural and live animal uses exist throughout the AR Zoning District and the Rescued Animal Facility is consistent with the goals of the Town Code. Refer to response #1 as well as the conditions of approval to review the environmental requirements agreed to. In addition Big Dog Ranch will meet (as per Ordinance 2013-03) the environmental requirements listed in the Town code for the Special Exception.

- 6. That the use will not have a detrimental effect on vehicular, pedestrian or equestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community.**

The proposed Rescued Animal Facility will not produce excessive levels of traffic nor will it create a hardship to pedestrians and equestrian riders. To the contrary, the Applicant proposes to allot land area for the provision of equestrian trails. The use is not commercial or residential in nature and will not generate vehicular traffic that is hazardous to the people of the Town of Loxahatchee Groves. As stated previously, adequate parking will be accommodated on site and will not impact surrounding uses or roadways.

- 7. That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance.**

The subject site will not create a hazardous or nuisance-causing environment with regards to the turning movements of vehicles. The project has also dedicated right of way for both the future expansion of D Road and Okeechobee Blvd.

- 8. That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan.**

The facility will not have a negative effect on the surrounding area nor will it disregard the standards set in place by the Town's Comprehensive Plan. Development of the subject site will not set a precedent of higher intensity construction due to the fact that the use is neither commercial nor residential in nature and serves as a valid need within the community. Adherence to the Future Land Use, Rural Residential – one dwelling unit per 10 acres (RR-10), will be maintained in an effort to preserve the rural and agricultural environment of the local area. In addition, there has been discussion along the Okeechobee Blvd corridor that development be limited to a Floor Area Ratio (FAR) of 0.05. The proposed development has an FAR of 0.41, therefore meeting the Town's policy.

- 9. That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction or character.**

The veterinary facility will not produce incompatible externalities to neighboring properties or to uses within the area (Please refer to Response #1). A majority of all of the activity on the Applicant's property will occur within built facilities and will have sufficient separation and buffering from the boundaries of the subject site. Outdoor training and wellness facilities utilized to better the lives of the dogs located at the facility will be maintained and operated within and along Okeechobee Boulevard and in the central area of the subject site, away from neighboring properties.

**10. That the use will not overburden existing public services and facilities.**

The proposed use, as a Rescued Animal Facility will not overburden existing public facilities. A letter from PBCWUD and a Traffic Statement has been provided as part of the submittal and indicate such.

**RESCUED ANIMAL CARE**

Pursuant to Section 80-060, Rescued Animal Care, the proposed facility must adhere to additional land development regulations. The development proposal meets all seven (7) review standards, as outlined below.

**(A) *Minimum plot size requirements.* Rescued animal care operations may be permitted on properties exceeding ten acres in size.**

The proposed Rescued Animal Care facility measures approximately 33.16 acres in size exceeding the ten (10) acre requirement as dictated by the Town Code.

**(B) *Accessory uses.* Veterinary services and/or domesticated animal boarding may be permitted as accessory uses as follows: (1) Veterinary services provided by a licensed veterinarian for the care of domesticated animals or native wildlife and/or boarding services for animals currently kept in the rescued animal care facility, or domesticated animals previously adopted, may be offered; and (2) Veterinary services provided by a licensed veterinarian for the care of domesticated animals and/or domesticated animal boarding services may be offered to the public provided that the rescued animal care operation is located on a property that fronts, and has access to, a Town designated Urban Collector or Arterial Highway.**

Veterinary services on the subject site are proposed to be offered to animals to be kept within the facility and for animals previously adopted by the facility. In addition, veterinary services are proposed to be offered to the public. The Big Dog Ranch is proposed to be located along Okeechobee Boulevard which is classified as an Urban Collector by the Town of Loxahatchee.

**(C) *Accessory residential use.* A rescued animal care facility may include an accessory single-family dwelling to be used as a Caretaker's Quarter.**

A 2,720 square foot Caretaker House is proposed along the western edge of the subject property.

**(D) *Waste disposal.* A rescued animal care operation shall comply with each of the following standards:**

- (1) Palm Beach County Environmental Control Rule (ECR) 1: Onsite Sewage Treatment and Disposal and ECR 2: Drinking Water Supply systems;**
- (2) All applicable rules and regulations of the Florida Department of Environmental Protection (FDEP) and Florida Department of Agriculture and Consumer Services;**
- (3) All applicable rules and regulations of the Palm Beach County Health Department;**
- (4) All applicable rules and regulations of Palm Beach County Animal Care and Control Ordinance;**
- (5) All applicable rules and regulations of the Palm Beach County Solid Waste Authority;**
- (6) All applicable rules and regulations of the Florida Fish and Wildlife Conservation Commission.**

The proposed Rescued Animal Care facility shall adhere to the rules and regulations enacted by the applicable public agencies.

Note that the project meets the PBC Animal Care and Control Standards outlined in Ordinance 98-22.

- (E) *Number of animals:* The number of animals permitted, including the number of animals boarded, shall be based upon the physical facility requirements listed in the Palm Beach County Animal Care and Control Ordinance or as permitted by the Florida Fish and Wildlife Conservation Commission, and so indicated as a condition of the Special Exception approval.**

The appropriate permitting shall be requested by the Palm Beach County Animal Care and Control Division.

- (F) *Outdoor runs:* Outdoor runs or animal exercise areas may be used. If used, such facilities shall be located a minimum of 200 feet from a directly abutting residential zoning district, be hard surfaced or grassed with drains provided even ten feet and be connected to a central or individual sanitary facility approved by the Palm Beach County Health Department. A minimum six-foot high chain-link fence, or other enclosure appropriate to the animal being served, shall be required around outdoor runs, A continuous solid opaque hedge a minimum of four feet at installation shall be provided around a chain-link fenced outdoor run area, Outdoor runs shall not be used earlier than 7:00 a.m. and later than 8:00 p.m. seven days per week.**

The proposed outdoor facilities for rescued animals on the subject site shall abide by the requirements in place and meet the minimum 200' setback requirement. Each outdoor exercise area will be appropriately screened with opaque fencing, surfaced and located internal to the site.

- (G) *Architecture:* A rescued animal care facility shall be designed to reflect the Town's Rural Vista Guidelines in effect at the time of Special Exception approval.**

Acknowledged, the proposed Rescued Animal Care facility shall abide by the Town's Rural Vista

Guidelines.

**SITE PLAN**

Section 155-020 lists review standards for Site Plans. The development proposal meets all four (4) of the substantive requirements, as outlined below.

**A. Conformance to the approved and/or recorded plat, if applicable.**

The proposed request will not have an adverse impact on the approved and recorded plat (Loxahatchee Groves, Book 12, Page 29). The Applicant will address any and all platting issues as they arise.

**B. Consistency with the Town of Loxahatchee Groves' Comprehensive Plan.**

The proposed Site Plan and Special Exception request for a Rescued Animal Facility is consistent with the Town's Comprehensive Plan, including standards for building and structural densities and intensities of use. The subject site will have a floor area ratio of 0.041 with a total square footage of 59774. The floor area ratio for the proposed Rescued Animal Facility is well below the maximum intensity of 0.2 for non-residential uses within the land use category found within the Town's Comprehensive Plan. The proposed request is consistent with the Purposes, Goals, Objectives and Policies of the Comprehensive Plan. The project provides services that contribute to livable communities and adhere to growth management principles.

**C. Conformity to the Town of Loxahatchee Groves ULDC.**

Agricultural and live animal uses exist throughout the AR Zoning District and the Rescued Animal Facility is consistent with the goals of the Town Code. The proposed use conforms to the purpose and intent of the district with regards to preserving and enhancing the rural and agricultural character of the community and will continue to reinforce the low density nature of the surrounding area. Below is a summary of the project's compliance with the ULDC:

	<b>Required</b>	<b>Provided</b>
<b>Pervious Area</b>	30% Min.	85%
<b>Impervious Area</b>	70% Max.	15%
<b>Building Coverage</b>	15% Max.	4.9%
<b>Building Height</b>	35' Max.	35' Max.
<b>Front Setback</b>	100' Min.	135'
<b>Side Internal Setback</b>	50' Min.	287'
<b>Side Street Setback</b>	80' Min.	131'
<b>Rear Setback</b>	50' Min.	248'
<b>Lot Size</b>	5 ac. Min.	33.16 ac.
<b>Lot Width</b>	200' Min.	1,293'
<b>Lot Depth</b>	200' Min.	1,114'

Furthermore, it is a mission of the Applicant to maintain as much of the existing vegetation and natural features as possible on the property and to dedicate portions of the subject site to open space areas.

**D. Conformity to the water control district's requirements and regulations**

The proposed request for a Rescued Animal Facility for the subject property will not have any adverse impact upon the water control district's requirements and regulations nor will it affect any other public facilities.

***Based on the above and attached information, the Petitioner respectfully requests the approval of this request.***

**EXHIBIT D**  
**FINAL SITE PLAN CONDITIONS OF APPROVAL**

**GENERAL**

1. The conditions of approval herein shall apply to the Owner, Applicant and their successors and assigns.
2. Development of the site is limited to the uses approved by the Town of Loxahatchee Groves in Exhibit A (Big Dog Ranch Final Site Plan). The approved Final Site Plan is dated April 10, 2015. All modifications to the Final Site Plan must be approved by the Town Council unless the proposed changes are required to meet conditions of approval or are in accordance with ULDC Section 155-005(B), as determined by the Town Manager.
3. Prior to submittal of any building permit applications for processing by Palm Beach County, the Town Engineer shall review and the Town Manager shall approve the following plans for consistency with the ULDC: Schematic water, sewer, paving and drainage plan, landscape plan, parking facility lighting plan and floor plans.
4. The location of 1.0 acres of preserve area shall be identified on the Final Site Plan.
5. Enter into an agreement with the Town of Loxahatchee Groves for an annual payment in lieu of taxes (PILOT) contribution to the Town of Loxahatchee Groves in the amount of \$7,000 in the initial year for Fiscal Year (FY) 2016, to escalate at a rate of 3% per year.

**USE LIMITATIONS AND REQUIREMENTS**

1. The floor-area-ratio of all buildings and enclosed structures shall not exceed 0.0414.
2. Veterinary services and dog boarding as accessory uses may be provided by a licensed veterinarian for adopted or previously adopted animals. Such services shall not be available to the general public.
3. An accessory caretaker unit may be provided.
4. The number of dogs allowed shall be based upon square footage of the facility and PBC Animal Control Center and Florida Fish and Wildlife Conservation Commission regulations; however, in no event, shall the number of dogs exceed the following maximums: puppies – 100; and adult dogs – 400.
5. Outdoor animal runs shall be located a minimum of 200 feet from a directly abutting residential zoning district, be permeable hard surfaced or grassed with drains every 10 feet and be connected to a central or individual sanitary facility approved by the PBCHD.
6. A minimum 6-foot high vinyl chain-link fence enclosing the entire property shall be provided, as indicated on the Final Site Plan dated April 10, 2015.
7. Separate, minimum 6-foot high vinyl opaque fences shall be required around each outdoor run area.

8. Outdoor runs shall not be used earlier than 7:00 a.m. or later than 8:00 p.m. seven days per week.

9. Swing gates shall be installed at the Okeechobee Boulevard and "D" Road entrances.

a. The gate along Okeechobee Boulevard shall be used as the primary facility access and open to the public from 10am to 6pm. Said gate shall be accessed after hours only by managerial and veterinary staff.

b. The gates along D Road shall be located a minimum of 35 feet from the western property line.

10. A periodic sound monitoring program shall be approved by the Town Council prior to issuance of the initial Certificate of Occupancy.

11. A 15-foot horse trail easement shall be dedicated to the Town of Loxahatchee Groves along the Okeechobee Boulevard and "D" Road frontages of the property.

12. The facility shall contain a designated "quarantine" area or space for dogs that, due to illness or temperament, need to be separated from the general population.

13. No more than 15 dogs, accompanied by handlers, shall be allowed in an individual dog run area at any given time.

## **ARCHITECTURAL**

1. Building sidings and signs materials shall mimic wood lap siding.

2. Trim shall be applied at the corners of buildings.

3. Wall breaks on the larger buildings shall be enhanced by using arcades, banding, and projections.

4. Arcades (porch) shall be used as a means of creating human scale along the fronts of buildings.

5. Metal roofing shall be used on all buildings.

6. Mansard roofs and other vertical elements shall be used to break up the roof line.

7. Integration of complex window elements on buildings shall be used.

8. Mechanical and service areas shall be screened from public view.

9. Signage shall mimic building architecture.

10. The acoustic design guidelines recommended by Edward Dugger Associated, P.A. (EDA) in the report entitled "Big Dog Ranch – New Facility Acoustic Report – p2", dated April 1, 2015 shall be incorporated within the construction of the project.

## **ENGINEERING**

1. Consistent with the Palm Beach County Mandatory Traffic Performance Standards criteria in place at the time of this approval, no building permits for the site shall be issued after December 31, 2020. A time extension for this condition may be approved by the Town Engineer based upon an approved traffic study which complies with Mandatory Traffic Performance Standards in place at the time of the request.
2. During the plat process the Okeechobee Boulevard and "D" Road rights-of-way, as indicated on the Final Site Plan shall be dedicated to Palm Beach County and the Town, respectively.
3. An Irrigation plan shall, to be reviewed by the Town Engineer and approved by the Town Manager shall be included with documents submitted to Palm Beach County for building permit approval.
4. A 30-foot roadway right-of-way dedication shall be made to the Town of Loxahatchee Groves along the "D" Road frontage, including a 25-foot corner clip at the intersection of "D" Road and Okeechobee Boulevard.
5. In the event that additional right-of-way is required, over and above that which is required by Engineering Condition 4, sufficient additional right-of-way on "D" Road shall be dedicated to the Town for a northbound right turn lane at its intersection with Okeechobee Boulevard.
6. A contribution in the amount of \$100,000 shall be made to the Town of Loxahatchee Groves for improvements to "D" Road from Okeechobee Boulevard to the southern property line of the property.

## **LAND CLEARING AND LANDSCAPING**

1. Any land clearing activities shall comply with the permit requirements of Article 87 "Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal" of the Loxahatchee Groves Unified Land Development Code. Included in the required land clearing permit application, a "Created Ecological Community Installation and Management Plan" shall be submitted for the 1.0 acre "Reserve" to satisfy the requirements of ULDC Section 85-025 (C) "*Preserved/created ecological communities.*" If an Alternative Mitigation plan is proposed, such plan shall be approved by the Town Council prior to the issuance of a General Permit.
2. Project landscaping shall conform to the Landscape Plan dated December 30, 2014.
3. Prior to demolition of any structures, the Florida Dept. of Health shall be contacted regarding Asbestos removal.
4. The Agility Course and all Dog Runs and Supervised Dog Areas shall be covered by natural turf grass or permeable artificial surface.
5. A continuous solid opaque hedge, a minimum 4-feet high at installation, shall be required around the perimeter and outside of the fence of the entire 33.16 acre property. All hedging shall be permanently maintained at a height of 6-feet.

## **EXTERIOR LIGHTING**

1. A Photometric Plan shall be submitted for review by the Town Engineer and approved by the Town Engineer and Town Manager prior to submittal of the initial building permit application.
2. All exterior lighting shall be directed downward and contain shields to contain lighting within the property boundaries.

## **PALM TRAN**

1. Not Applicable.

## **PARKING AND LOADING**

1. All parking and loading shall occur on site as indicated on the approved Final Site Plan dated April 10, 2015.
2. Prior to the issue of the initial building permit, the Final Site Plan shall be revised to indicate loading area dimensions that meet the ULDC minimum requirement of 12 feet x 45 feet.

## **SIGNS**

1. Sign permit applications shall be submitted to the Town as required by ULDC Section 90-070 *Sign permit requirements*
2. Mandatory building identification signs (maximum sign face of 4 sq. ft.) shall be attached to each structure.

## **UTILITIES AND SERVICES**

1. A Developer's Agreement shall be executed by the Property Owner and the Palm Beach County Water Utility Department and approved by the Town of Loxahatchee Groves for the provision of central water and wastewater services to the project prior to issuance of the first project building permit.
2. Solid waste collection and disposal shall be accomplished by contract between the Property Owner and a third-party hauler prior to issuance of the initial certificate of occupancy.
3. The on-site animal waste collection and disposal system shall consist of the following:
  - a. Indoor Program: Built-in pressure washers and drains tied directly to the sewer system. All fecal matter and urine from inside the buildings shall be sprayed into the drains. Drains shall be periodically flushed into the sewer system. Kennel cleaners and sanitizing agents shall be used daily.
  - b. Out-of-Doors Program: "DogiPot" stations (i.e. covered metal trash cans with a supply of collection bags shall be placed around the property. Fecal matter will be policed and placed in "DogiPot" receptacles. "DogiPot" bags shall be collected and placed in covered trash dumpsters up to four times daily by Big Dog staff. Dumpsters shall be emptied and removed from the property a minimum of three times per week by the contracted third-hauler for ultimate disposal.

4. The operation shall comply with the following waste disposal standards, as appropriate: (1) PBC ECR 1 and ECR 2 and (2) rules of FDEP, FFWCC, PBCHD and PBCSWA.

5 Prior to a Certificate of Occupancy for Phase 1, the Florida Dept. of Health shall be contacted regarding the need for bio-medical hazardous waste permits.

6. Buildings of 5,000 sq. ft. and larger shall contain automatic sprinkler systems.