

ORDINANCE NO. 2006 - 12

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES, CHAPTER 39, "UNIFIED LAND DEVELOPMENT CODE (ULDC)," SECTION 045-030, "GENERAL PROVISIONS" AND SECTION 045-050 "USES PERMITTED," TO REGULATE ACCESSORY LIVING QUARTERS FOR HORSE GROOMS AND TO CLARIFY THE NUMBER OF PERMITTED DWELLING UNITS ON A PLOT OF RECORD; PROVIDING FOR INCLUSION IN THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches is an equestrian community inhabiting both private and commercial stables; and

WHEREAS, horse grooms are customarily employed to care for horses, and sometimes reside on the property adjacent to the horse stables to provide optimal care for the horses and to accommodate the intensive working hours that can be required; and

WHEREAS, the Town Council of the Town of Southwest Ranches desires to acknowledge "groom's quarter" as a permitted accessory use of land, and to provide for appropriate regulations; and

WHEREAS, the Town Council of the Town of Southwest Ranches also desires to clarify the number of principal and accessory dwellings that are permitted on a plot of land.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: That ULDC Section 045-030(F) is hereby amended to insert the following Subparagraph "(5)":

(F) *Animals.* Breeding, raising and/or keeping of animals shall be permitted as follows:

(5) *Groom's quarter.* One (1) horse groom quarter per plot is permitted as an accessory dwelling unit subject to the following:

- a. The groom quarter must be accessory to either a principal equestrian use, or to a single-family dwelling as part of an accessory equestrian use.
- b. The accessory dwelling shall be designed and utilized for the express purpose of providing limited on-site living accommodations for not more than two (2) horse grooms who care for horses by conducting such daily activities as ensuring the horses are healthy and in good condition, mucking stables, providing fresh water, preparing feed and replacing bedding, exercising of the horses, and cleaning, bathing and brushing horses. If working with show jumpers or race horses, grooms prepare horses for events, and may accompany them. Grooms working in riding schools may greet clients, lead riders out on foot and accompany them on horseback.
- c. The groom quarter is considered a dwelling unit, albeit accessory and special-purpose in nature, and therefore requires sufficient plot area to comply with the density limitations of the adopted comprehensive plan. For example, a plot with a Rural Ranches future land use plan map designation must contain at least four (4.0) net acres or five (5.0) gross acres if the plot is to contain both a groom's quarter and a single-family home.
- d. The groom quarter shall be structurally attached to, and part of the barn housing the horses under the care of the groom, and shall not be merely attached to the barn by a roof, for example a breezeway. The groom quarter must have direct access to the interior of the barn.
- e. Being an accessory dwelling, the groom's quarter shall not be subject to the minimum floor area requirements of Section 045-040, "Minimum dwelling requirements." Furthermore, the portion of the barn devoted to a groom's quarter shall be clearly delineated and shall not exceed six hundred (600) square feet of gross floor area under roof, nor comprise more than one-half (1/2) the gross floor area under roof of the entire barn structure. No garage, carport, pool or other accessory structure to a dwelling unit is permitted in connection with a groom's quarter.
- f. No groom's quarter shall be authorized unless both the dwelling unit itself and the entire barn containing the dwelling unit has first received a Certificate of Occupancy pursuant to the Florida Building Code, as may be amended from time to time.
- g. The groom's quarter shall not have a separate electric meter from any principal single-family detached dwelling on the plot, and shall not be rented.
- h. The groom's quarter and stable shall be under unified title, in a form approved by the Town Attorney, with any principal single-family detached dwelling on the plot. In the absence of a principal single-

family detached dwelling, the groom's quarter shall be under unified title with the stable as a principal agricultural use.

- i. The groom's quarter shall not be utilized as a dwelling unit at any point in time that the equestrian use of the barn ceases. Use of the barn for other than the keeping of horses, whereby such other use(s), including lack of use, occur(s) frequently and with regularity as determined by the Administrator, shall require demolition of the accessory dwelling unit or conversion to another permitted use, which may require platting and subdivision, also as determined by the Administrator, and in all cases shall require a building permit. The intent of this provision is to help ensure that the accessory dwelling is used only as a groom quarter as intended by these regulations, since accessory dwellings are not permitted in the town for any other purpose under any other circumstance.

- j. The property owner(s) shall execute an agreement that shall run with the land, binding all current and future owners to the requirements set forth herein, which shall also authorize the Town to inspect the premises to ensure that all conditions contained herein have been met.

Section 3: That ULDC Section 045-050, "Uses Permitted," is hereby amended as follows:

Plots in rural and agricultural districts may be used for one (1) or more of the following specified uses:

Key to abbreviations:

P = Permitted NP = Not Permitted C = Conditional

<u>Permitted Principal Uses</u>	<u>A-1</u>	<u>A-2</u>	<u>RE</u>	<u>RR</u>
<u>One (1) single-family detached dwellings on a lot of record</u>	P	P	P	P
Nonprofit neighborhood social and recreational Facilities	P	P	P	P
Community residential facilities	P	P	P	P
Crop raising and plant nurseries [commercial and noncommercial, subject to Sec. 045-030 (J)]	P	P	P	P

Underlined words are additions and ~~stricken~~ words are deletions.

Essential services [subject to Sec. 045-040 (K)]	P	P	P	P
Fish breeding (commercial and noncommercial)	P	P	P	P
Keeping, breeding of animals [subject to Sec. 045-030 (F)]	P	P	P	P
Commercial equestrian operations limited to horse riding & boarding stable, private riding instruction, training and breeding of horses	P	P	P	P
Veterinary clinics (no overnight stay or animal runs)	P	P	NP	NP
Veterinary hospitals	NP	P	NP	NP
Kennels, commercial boarding and breeding	NP	P	NP	NP
Wireless communication facilities [subject to Article 40, "Telecommunication Towers and Antennas."]	P	P	P	P
<i><u>Permitted accessory uses to a ±Single-family dwelling</u></i>				
Detached guesthouse [subject to Sec. 045-030 (G)]	P	P	P	P
Exhibition of Class I and Class II wildlife [subject to Sec. 035-070 pertaining to conditional uses]	C	C	NP	C
<u>Keeping, breeding of animals [subject to Sec. 045-030 (F)]</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Yard sales [subject to Sec. 035-060 pertaining To conditional uses]	C	C	C	C
Home offices [subject to Sec. 035-030 Pertaining to conditional uses]	C	C	C	C
Family day care homes	P	P	P	P
Accessory structures and uses, other	P	P	P	P

Underlined words are additions and ~~stricken~~ words are deletions.

Section 4: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 6: Effective Date. This Ordinance shall take effect immediately upon it's adoption.

PASSED ON FIRST READING this 20th day of April, 2006, on a motion made by Council Member Jeff Nelson and seconded by Council Member Aster Knight.

PASSED AND ADOPTED ON SECOND READING this 11th day of May 2006, on a motion made by Council Member Aster Knight and seconded by Vice Mayor Don Maines.

Fink	<u>Y</u>	Ayes	<u>4</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Blanton	<u>A</u>	Absent	<u>1</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		

Mecca Fink, Mayor

Attest:

Susan A. Owens, Town Clerk

Approved as to Form and Correctness:

Gary A. Poliakoff, J.D., Town Attorney

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