

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF APPLICATION NO. 24-040 (ZTEXT) AND ORDINANCE NO. 1052, AN APPLICATION BY GUNSTER ON BEHALF OF WEST PALM RADIATION ASSOCIATES, LLC, AMENDING THE VILLAGE’S ZONING CODE TO AMEND SECS. 26-22 AND 26-87 OF THE VILLAGE CODE TO ADD A DEFINITION FOR THE TERM “VETERINARY ONCOLOGY CENTER, NO OVERNIGHT STAY” AND ADD “VETERINARY ONCOLOGY CENTERS, NO OVERNIGHT STAY” AS A SPECIAL EXCEPTION USE WITHIN THE OFFICE COMMERCIAL (CO) ZONING DISTRICT AND ADD ENTIRELY NEW SEC. 26-75.8. VETERINARY ONCOLOGY CENTERS, NO OVERNIGHT STAYS, WITIN THE OFFICE COMMERCIAL (CO) ZONING DISTRICT TO PROVIDE FOR SUPPLEMENTAL LAND USE REGULATIONS FOR THIS USE.

Issue:

The Applicant is requesting a Zoning Text Amendment to the Village Code to amend Secs. 26-22 and 26-87 of the Village Code to add a definition for the term “Veterinary Oncology Center, no overnight stay” and add “Veterinary Oncology Centers, no overnight stay” as a Special Exception Use within the Office Commercial (CO) Zoning District, and add entirely new Sec. 26-75.8. Veterinary Oncology Centers, no overnight stays, within the Office Commercial (CO) zoning district. to provide for supplemental land use regulations for this use. The Applicant has indicated that they intend to operate with the proper approvals a Veterinary Oncology Center at 12953 Palms West Drive.

Below is a summary of the proposed text amendments (the additions are underlined, deletions stricken):

Section 26-22. Definitions

Veterinary oncology center, no overnight stay. A facility established to provide examination, diagnostic, and cancer treatment services for domesticated animals kept for pleasure rather than for commercial purposes. Treatment services may include, but is not limited to, surgery, chemotherapy, radiation therapy, immunotherapy, or palliative care. The facility may not be used for overnight boarding.

Initiator:	Village Manager	Agenda Date	Village Council
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Section 26-75.8. - Veterinary oncology center, no overnight stay.

- (a) Legislative intent. It is the intent of the village council to provide for the public health, safety, and welfare by establishing supplemental standards for the use, site development, construction, and placement of veterinary oncology centers, without overnight stays, within the Office Commercial (CO) zoning district of the village.
- (b) Applicability. This section shall apply to veterinary oncology centers located within the Office Commercial (CO) zoning district.
- (c) Supplemental land use regulations:
 - 1. At the time of application for the special exception, the building proposed to house the veterinary oncology center shall contain a radiation vault.
 - 2. Prior to issuance of a Certificate of Occupancy, the radiation vault shall be certified, as required by the Florida Department of Health, Bureau of Radiation Control.
 - 3. The office, veterinarian, or other employee shall be licensed or certified, as required by the Florida Department of Health, to operate the radiation equipment. Documentation shall be provided prior to issuance of a Certificate of Occupancy.
 - 4. The veterinarian shall be certified as a Radiation Oncologist by the American College of Veterinary Radiology, American College of Veterinary Internal Medicine, or an equivalent certifying organization.
 - 5. Services shall only be provided to domesticated animals, such as dogs, cats, birds, rodents, fish, turtles, or other animal that is kept for pleasure rather than for commercial purposes. The treatment of wild animals or farm animals/livestock, such as horses, cattle, sheep, goats or other animals ordinarily raised or used on a farm, shall be prohibited.
 - 6. All activities shall occur within an enclosed building. Outdoor activities, including but not limited to the provision of outdoor runs or exercise areas, or the walking of patients outside while under the care of the hospital or veterinarian, shall be prohibited.
 - 7. An indoor facility shall be provided for the purposes of allowing pets to go to the bathroom. Such facility shall be cleaned and sterilized, and pet waste properly disposed of, on a daily basis.
 - 8. The exterior of all buildings and structures shall be kept free of all unsanitary conditions. It shall be the responsibility of the owner/operator to keep the premises free of hazards which include but are not limited to the excretions of pets and other animals on paths, walks, driveways, parking lots and parking areas, and other parts of the premises which are accessible to or used by persons on the premises.

Section 26-87. - CO Office Commercial District

(3) Special exception uses.

- (k) Veterinary oncology center, no overnight stay (see additional requirements at section 26-75.8).

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The Local Planning Agency considered Application No. 24-40 on October 22, 2024 and recommended Approval by a vote of 5-0.

Village Council considered Application No. 24-040 and Ordinance No. 1052 on first reading on November 21, 2024 and recommended Approval by a vote of 5-0.

Recommended Action:

Staff is recommending Approval of Application No. 24-040 (ZTEXT) and Ordinance No. 1052 on second reading.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	12/19/2024	Action

ORDINANCE NO. 1052

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 26. ZONING. AT SECTION 26-22. DEFINITIONS. TO ADD A DEFINITION FOR THE TERM “VETERINARY ONCOLOGY CENTER, NO OVERNIGHT STAYS”, ADDING SECTION 26-75.8. VETERINARY ONCOLOGY CENTER, NO OVERNIGHT STAYS, WITHIN THE OFFICE COMMERCIAL (CO) ZONING DISTRICT. IN ORDER TO PROVIDE THE LEGISLATIVE INTENT AND SUPPLEMENTAL REGULATIONS FOR VETERINARY ONCOLOGY CENTER, NO OVERNIGHT STAYS; AND AMENDING SECTION 26-87. CO OFFICE COMMERCIAL DISTRICT. TO ADD “VETERINARY ONCOLOGY CENTER, NO OVERNIGHT STAYS” AS A SPECIAL EXCEPTION USE WITHIN THE OFFICE COMMERCIAL ZONING DISTRICT; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 26. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village of Royal Palm Beach, Florida, has received privately initiated application #24-040 (Text Amendment) requesting certain text amendments to the Village’s Zoning Code in order to allow for “Veterinary oncology center, no overnight stays” in the Office Commercial (CO) Zoning District and provide the legislative intent and supplemental regulations for such facilities; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to update its Zoning Code as more specifically detailed in privately initiated application #24-040 (Text Amendment); and

WHEREAS, the Village of Royal Palm Beach has held all required public hearings and has provided public notice in accordance with applicable State statutes and Village ordinances; and

WHEREAS, the Village Council of the Village of Royal Palm Beach has determined that the proposed revisions to Chapter 26. are in the best interests of the health, safety and welfare of the Village of Royal Palm Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 26. Zoning. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Sec. 26-22. Definitions. to add a definition for the term “Veterinary oncology center, no overnight stays”; providing that Sec. 26-22 shall hereafter read as follows:

Sec. 26-22. – Definitions.

[When used in this chapter, the following terms or conjugations and variations thereof shall have the meanings herein described to them.]

Veterinary oncology center, no overnight stay. A facility established to provide examination, diagnostic, and cancer treatment services for domesticated animals kept for pleasure rather than for commercial purposes. Treatment services may include, but is not limited to, surgery, chemotherapy, radiation therapy, immunotherapy, or palliative care. The facility may not be used for overnight boarding.

[All other definitions shall remain the same as previously adopted.]

Section 2: Chapter 26. Zoning. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended to add entirely new Sec. 26-75.8. – Veterinary oncology center, no overnight stays, within the Office Commercial (CO) zoning district. in order to provide the legislative intent and supplemental regulations for Veterinary oncology center, no overnight stays; providing that Sec. 26-75.8 shall hereafter read as follows:

Section 26-75.8. - Veterinary oncology center, no overnight stays, within the Office Commercial (CO) zoning district.

- (a) *Legislative intent.* It is the intent of the village council to provide for the public health, safety, and welfare by establishing supplemental standards for the use, site development, construction, and placement of veterinary oncology centers, without overnight stays, within the Office Commercial (CO) zoning district of the village.
- (b) *Applicability.* This section shall apply to veterinary oncology centers located within the Office Commercial (CO) zoning district.
- (c) *Supplemental use regulations.*
 - 1. At the time of application for the special exception, the building proposed to house the veterinary oncology center shall contain a radiation vault.
 - 2. Prior to issuance of a Certificate of Occupancy, the radiation vault shall be certified, as required by the Florida Department of Health, Bureau of Radiation Control.

3. The office, veterinarian, or other employee shall be licensed or certified, as required by the Florida Department of Health, to operate the radiation equipment. Documentation shall be provided prior to issuance of a Certificate of Occupancy.
4. The veterinarian shall be certified as a Radiation Oncologist by the American College of Veterinary Radiology, American College of Veterinary Internal Medicine, or an equivalent certifying organization.
5. Services shall only be provided to domesticated animals, such as dogs, cats, birds, rodents, fish, turtles, or other animal that is kept for pleasure rather than for commercial purposes. The treatment of wild animals or farm animals/livestock, such as horses, cattle, sheep, goats or other animals ordinarily raised or used on a farm, shall be prohibited.
6. All activities shall occur within an enclosed building. Outdoor activities, including but not limited to the provision of outdoor runs or exercise areas, or the walking of patients outside while under the care of the hospital or veterinarian, shall be prohibited.
7. An indoor facility shall be provided for the purposes of allowing pets to go to the bathroom. Such facility shall be cleaned and sterilized, and pet waste properly disposed of, on a daily basis.
8. The exterior of all buildings and structures shall be kept free of all unsanitary conditions. It shall be the responsibility of the owner/operator to keep the premises free of hazards which include but are not limited to the excretions of pets and other animals on paths, walks, driveways, parking lots and parking areas, and other parts of the premises which are accessible to or used by persons on the premises.

Section 3: Chapter 26. Zoning. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended to add entirely new Sec. 26-88 – CO Office Commercial District. in order to add “Veterinary oncology center, no overnight stays” as a special exception use within the Office Commercial Zoning District; providing that Sec. 26-87 shall hereafter read as follows:

Sec. 26-87. – CO Office Commercial District.

[Subsections (1) and (2) to remain in full force as adopted.]

(3) *Special exception uses.*

(k) *Veterinary oncology centers, no overnight stay (see additional requirements at section 26-75.8).*

[Subsections (4) and (5) to remain in full force as adopted.]

Section 4: Each and every other Section and Sub-section of Chapter 26. Zoning. shall remain in full force and effect as previously adopted.

Section 5: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 6: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7: Specific authority is hereby granted to codify this Ordinance.

Section 8: This ordinance shall take effect immediately upon adoption.

FIRST READING this 11th day of November, 2024.

SECOND AND FINAL READING this 19th day of December, 2024.

VILLAGE OF ROYAL PALM BEACH

MAYOR JEFF HMARA

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK