Item #4 C8-18-06
Animal Boarding / Dog Daycare
UDC Text Amendment

Proposal to amend the Unified Development Code (UDC) to address animal boarding and "doggie daycare" within the Animal Services use group and provide appropriate mitigation measures when necessary.

Planning Commission
Study Session
October 10, 2018

Background

June 2018 – Ward 2 brought issue Planning and Development Services and scheduled a Mayor and Council Study Session

August 7, 2018 – Mayor and Council initiated a UDC text amendment process to better address Animal Boarding and Doggie Daycare businesses and look at allowing for boarding in commercial zones to address increasing needs of animal owners

August through September 2018 – conducted initial research and worked to expand reach of stakeholders involved

What is Doggie Daycare?

- Doggie Daycare refers to a short-term daytime care for dogs
- However, many times these facilities also do short-term overnight boarding as an accessory to the daytime care

Currently, doggie daycare is addressed as an animal services use, but only allowed in zones where overnight boarding is allowed

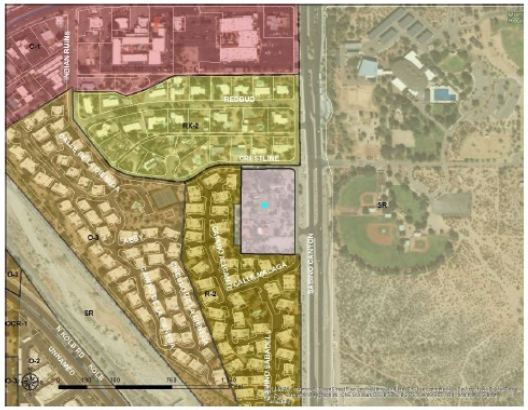
Current Regulations

- Boarding allowed in the following zones:
  - SR & SH zones with 100 foot setback from residential
  - C-3 zone with a 200 foot setback from residential
  - I-1 and I-2 zones
- Overnight confinement for clinic treatment (max 5 animals)
  - C-1, C-2, C-3, & P-I zones

Analysis Conducted

- **Conducted mapping analysis of existing animal service businesses:**
- **CONCLUSION:**

  <u>Consider a regulation that is flexible – no set standard being used</u>



- Zone: SR
- Permitted Use Status:
  Permitted with Use Specific Standards (UDC 4.9.4.D.5)
- Distance of building from R-zone:
  76.7 ft. - W side (R-2)
  119.45 ft. - N side (RX-2)

- Zone: C-2
- Permitted Use Status:
  Boarding Not Permitted in Use Specific Standards (UDC 4.9.4.D.2)
- Distance of building from R-zone:
  126.1 ft. - N side (R-1)
  94.0 ft. - S side (R-2)

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Regulations in Other Regional Municipalities

- **Sahuarita**
- **Oro Valley**
- **Phoenix**
- **Denver**

Regulations in Sahuarita

- Conditional Use in RH Rural Homestead Zone, GR-1 Rural Residential Zone, and SR Suburban Ranch Zone – varying setbacks and size limits
- Permitted use in B-1 Local Business Zone and B-2 General Business Zone

Regulations in Oro Valley

- Permitted use in C-N Neighborhood Commercial District, C-1 Commercial District and C-2 Commercial District
- Short-term boarding and lodging shall be conducted within enclosed soundproof buildings

Regulations in Phoenix

- C-1 & C-2 Commercial Zones
  - Pet Day Care Facility – indoor only – permitted use with required conditions such as hours of operation and noise mitigation
  - Pet Day Care Facility – with outdoor accessory uses –
    - use permit required
    - Required to meet conditions such as: required masonry wall, noise mitigation, 100 foot setback from residential, accompaniment of animals outside, and hours of operation

Regulations in Denver

- Allowed with use permits in most commercial and mixed-use zones and their most intense residential zone
- Overnight boarding is permitted within a completely enclosed building – animal services or sales uses over 20,000 sf shall have no more than 15% of floor area for overnight boarding
- Noise and Sound mitigation required
- Use must be completely enclosed except for outdoor animal runs or other off-leash areas are allowed with conditions
  - Notice to nearby property owners, not permitted within 20 feet of residential structure, hours of operation, etc.

Proposed changes to UDC

- Exploring three options for doggie daycare in commercial zones

1. Boarding as an accessory use is allowed by-right in commercial zones if entirely enclosed
2. W/ outdoor facilities >200 feet from a residential zone - additional use-specific standards are required
3. W/ outdoor facilities <200 feet from a residential zone – special exception and use specific standards are required.

Proposed changes to UDC

4.8.6. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES P = Permitted Use S = Permitted as Special Exception Use [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	**C-1**	**C-2**	**C-3**	**OCR-1**	**OCR-2**	**USE SPECIFIC STANDARDS**
***						
Commercial Services Land Use Group With Land Use Class/ Type:						
***						
Animal Services:						
~~Animal Service (General)~~General	P	P	P	P	P	C-1: 4.9.4.D.1, .2, .3, & .4 and 4.9.13.O C-2: 4.9.4.D.1, .2, .3, & .4 and 4.9.13.P or 4.9.4.D.7 & 4.9.13.B C-3: 4.9.4.D.1, .2, .3, .4 or 4.9.4.D.7
General	S[2]	S[2]	S[2]			C-1, C-2, & C-3: 4.9.4.D.8-.14 & 4.9.13.B
~~Animal Services~~ Boarding as an Accessory Use	P	P	P	P	P	C-1, C-2, C-3, OCR-1, OCR-2: 4.9.4.D.3 & 4.9.4.D.14

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Proposed changes to UDC

4.9.4. COMMERCIAL SERVICES USE GROUP

D. **Animal Service**

1. Overnight confinement for clinic treatment is permitted for a maximum of five animals.
2. Boarding of animals is prohibited.
3. The activity shall be within a completely enclosed building.
4. An outpatient clinic is permitted for small animals only.
5. The minimum perimeter yard for buildings, shelters, animal runs, and fenced areas from a property line adjacent to a residential zone is 100 feet.
6. Buildings, shelters, animal runs, and fenced areas shall be setback at least 100 feet from any property line.
7. The use shall be setback at least 200 feet from any residential zone.
8. Boarding use may only be 25% of gross floor area.
9. The minimum perimeter yard for buildings, shelters, animal runs, and fenced areas from a property line adjacent to a residential zone is 30 feet.
10. Shall be constructed so that direct unaccompanied access by animals to outside areas of the buildings is not allowed.
11. A solid masonry wall or fence six feet in height shall be constructed along the perimeter of all outdoor animal runs.
12. Solid waste shall be removed from outdoor exercise areas every five hours at a minimum during time periods when these areas are in use.
13. Animals must be accompanied by a facility employee or pet owner at all times when outside the building. All walks and exercise periods must take place on facility grounds.
14. The average noise level, measured at the property line, shall not exceed fifty-five dB (one LDN) when measured on an "A weighted" sound level meter and according to the procedures of the Environmental Protection Agency.

Recommendation

- **Staff recommends that the Planning Commission set this amendment to the UDC for a public hearing on November 14, 2018.**