PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

Date: October 10, 2018

To: Planning Commission

From: Scott Clark
Executive Secretary, Planning and Development Services

Subject: C8-18-06 Animal Boarding / Doggie Daycare Unified Development Code Text Amendment (City Wide)

Issue – The proposed text amendment to the Unified Development Code (UDC) is a change to the permitted use tables and use specific standards related to the Animal Service land use class and animal boarding in Commercial zones. It has recently come to the attention of the Planning and Development Services Department that our code does not allow for the animal boarding as an accessory use to Animal Services in the C-1 and C-2 zones. Many Animal Service businesses, including the recent trend of "doggie daycare" facilities as well as pet stores, require a small area to board animals overnight but cannot offer this service as boarding is prohibited. This UDC Text amendment addresses animal boarding and "doggie daycare" within the Animal Services use group with the appropriate mitigation measures.

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

Background – In the Spring of 2018, an applicant attempting to develop a "doggie daycare" facility in the City of Tucson, came to PDSD to attempt to find a place for their business. A "doggie daycare" is a relatively new business designed to provide care and socialization for the animals, during the day, while their owners are at work. These facilities also want the option to board animals overnight. In this case, the animal boarding is an accessory use to the "doggie daycare" use, which is the primary use.

After review of the code, staff realized that animal boarding is an allowed use only in the C-3 commercial zone and setback 200-feet from residential zones, significantly limiting the ability of the permitted Animal Services use to provide this additional service. Please review Attachment A for an overview of current UDC regulations for the Animal Services land use class and animal boarding. Additionally, because both the primary and accessory uses are classified as Animal Service, even as an accessory use, it is not allowed in the C-1 or C-2 zones. Considering the significant number of existing Animal Services businesses that are already located in those zones that require some degree of overnight boarding, staff was generally in support of a UDC text amendment to address the problem.

On August 8, 2018, the Mayor and Council directed staff begin a process to amend the UDC to address existing needs for animal boarding uses and "doggie daycare" in commercial zones. Between August and October, staff has reached out to existing pet care businesses and others in the community to see how these needs may be addressed. Additionally, staff has conducted a review of other communities both of similar sizes to Tucson (Phoenix and Denver), and in the immediate region (Sahuarita and Oro Valley).

Present Considerations – Pursuant to the Mayor and Council's direction, staff prepared the following draft amendment:

UDC Text Amendment – Animal Service Use and Animal Boarding in Commercial Zones: Based on stakeholder feedback and research of other communities both of similar size such as Phoenix and Denver, or nearby such as Sahaurita and Oro Valley (see Attachment B for sample code from these communities), we believe a two-tiered approach to animal boarding is best. Currently, the UDC restricts animal boarding within the C-1 and C-2 zones, and allowed with a 200-foot setback from residential in the C-3 zone. The proposed language in Attachment C would allow for animal boarding as an accessory use by right under the Animal Service Land Use when operations are entirely enclosed in the C-1, C-2, and C-3 Commercial Zones. Those operations allowed by-right would also have use specific standards to address potential issues such as hours of operation, noise, and odor. Additionally, with the proposed language in Attachment C, if a business were to seek outdoor operations, they would be required to meet additional use specific standards and go through a special exception, if they were within 200 feet of a residential zone. Staff believes this both allows for this new trend in pet care, in addition to continuing to protect the community from potential negative impacts generated by this use.

Plan Tucson Consideration(s) – This item is related to the Elements of (1) Business Climate and (2) Land Use, Transportation, & Urban Design. Specifically, this item is supported by the following policies:

> *BC – 1 Recognize that government plays an instrumental role in creating a business supportive climate through investment in public infrastructure and services, through its regulations and policies, and in building public-private partnerships.*
>
> *LT – 28.1.11 Support the retention and expansion of existing business.*
>
> *LT – 28.2.14 Protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses.*

Attachments:

A - UDC Regulations Regarding Animal Services
B – Research of other communities regulations
C – Proposed UDC text amendment related to Animal Boarding and Doggie Daycare