

**LEGISLATIVE #**

**110640D**



## Planning and Development Department

# **PB-11-142 TCH**

# **City Commission**

# **February 2, 2012**

(City Legistar No. 110640)

# Petition Summary

- Amend the Land Development Code to allow Pet Day Care for dogs in areas designated for single family use( RSF-1,RSF-2,RSF-3 and RSF-4) by Special Use Permit as a specially regulated use citywide.

- Resident Complaint
- Code Enforcement Action
- Appeal of Administrative Decision to the Board of Adjustment
- Appeal of Board of Adjustment Decision to the City Commission
- Referral to the Community Development Committee

# Community Development Committee

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- Committee heard the issue on March 22 and April 26, 2011
- On April 26, 2011, Committee refers item to the City Commission
- On July 21, 2011, City Commission reviews Committee recommendation and approved a motion to direct staff to initiate a petition to the Plan Board

# Key Issues

- Compatibility with single-family neighborhood and the Comprehensive Plan
- Potential impact on the single-family neighborhoods
- Options for allowing the use
- Potential for other similar type requests

- The property owner must reside at the property and operate the dog daycare, rental or leased residential homes are prohibited;
- Minimum lot size  $\frac{1}{4}$  acre (10890 square feet);
- Minimum distance requirement from another dog daycare facility with a single-family zoning district is 2000 feet, measured from nearest property line to nearest property line;

- The number of domesticated pets( dogs only) shall not exceed 8 dogs including the operator's dogs;
- Hours of operation Monday through Friday shall be restricted to 7:00 AM -7:00 PM, Weekend hours shall be limited to 9:00 AM to 7:00 PM, overnight stays shall not be allowed;
- Indoor care areas shall be limited to 20% of gross floor area of the entire principal structure to a maximum of 300 square feet, separate accessory buildings are not allowed;



# Conditions

- Outdoor play areas must be designated and must meet setbacks and be fenced to establish at least a 10 foot buffer from the property line. Noise suppression for all pets must be used for all outdoor activities located on the home site.
- Kennels, breeding, and animal rescue activities are prohibited.
- Business tax, appropriate insurance and dog roster (with owners' contact information) must be on file at all times.

# Plan Board Concerns

- Compatibility
- Sufficient Enforceable Conditions
- Non-transferrable Permit
- Renewable Special Use Permit (frequent)
- Overnight stays
- Minimum interior and exterior space

- **Recommend the City deny the petition**