

FOUNTAIN CITY TOWN HALL, INC

October 5, 2015

Item 11-A-14-OA, Agenda Item #: 5, Pet Services

Dear Commissioner:

We re-submit our November 12, 2014 comments, attached below, for your consideration.

Again we ask that **“Indoor pet services”** be excluded from the C-1 zoning district. The present staff recommendation limiting **“Indoor pet services”** in C-1 to **“pet grooming”** is inconsistent with the intent and character of the C-1 zone and does not protect the adjacent residential area from additional traffic and noise.

As proposed, **“Indoor pet services, limited to pet grooming”** in the C-1 zoning district would be a use permitted-by-right with no restrictions and no standards.

Please Note:

- The definition of **“pet grooming,”** does **not** include any limitation on hours of operation. Therefore, it does not even offer the protection provided from the **“Pet daycare”** use. Pets are often dropped-off by owners and left in the care of the groomer at pet grooming businesses. How will one determine if a pet is being “boarded” vs. “groomed”?
- **“Pet grooming”** is proposed as a Permitted Use in C-1, not a Use-Permitted-On-Review.
- There are no standards, such as sound proofing, air conditioning, etc., for any **“Indoor pet services”**, (except for the already existing conditions required for veterinary establishments).
- The **“PROPOSED STANDARDS”, Article V, Section 3,** are **“DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW”** and although the heading says **“14. Pet services, indoor/outdoor:”** the standards deal **only** with **outdoor** use.
- **“Pet grooming”** includes **“self-service pet washing business.”** We have one such business in our community in a C-3 zoning district. The service is housed in an out-building and shares a lot with a self-serve carwash. A similar out-building could be built in C-1. We think appropriate uses and buildings in the C-1, Neighborhood Commercial Districts encourage human interaction.

Remaining unanswered is the question of why the **“Indoor pet services”** continues to be proposed in the C-1 zoning district but **not** the Traditional Neighborhood District, (TND), which is very similar to C-1 in intent and in description of uses. What makes this even more puzzling is that unlike the C-1 zoning district, the TND zoning district provides for protection of surrounding uses through a full array development plan review and controls.

At the 12-9-14 City Council meeting, establishing specific hours of operation for **“Pet daycare”** rather than simply limiting the hours to less than 18 or 24 per day was discussed. Limiting hours of operation to specific hours, for instance from 5 a.m. to 9 p.m., is easier to enforce than a limitation of “up to 18 hours” and would more clearly distinguish between **“Pet daycare”** and **“Boarding facility.”** (City Code Section 5-1, Definitions.) We ask that consideration be given to setting specific hours of operation.

Thank you for considering our request.

Yours truly,

Charlotte Davis and Carlene Malone, Co-Chairs, Fountain City Town Hall, Inc., Land Use Committee

**Fountain City Town Hall, Inc**

November 12, 2014

**Item 11-A-14-OA, Agenda Item#: 6, Pet Services**

Dear Commissioner:

We ask that “Indoor pet services” be excluded from the C-1 Neighborhood Commercial District. There are few C-1 Districts in Knoxville. They are intended to serve the neighborhood and provide a “narrow range of retail, service and convenience goods only...”. We believe the “indoor pet services” use is too intense for areas located in close proximity to residential uses. Note that there are no standards proposed for “indoor pet services.”

The C-1 District is the small commercial area that developed spontaneously in primarily older areas of our city, to serve the residents of the neighborhood. It is the kind of development that the Traditional Neighborhood District attempts to replicate. In fact, the Permitted Uses listed in the C-1 District are strikingly similar to the uses enumerated in the Traditional Neighborhood District, (3.11, C1 a.). Despite the similarities in intent and uses between the two districts, for good reason “Indoor pet services” is not proposed to be added to the Traditional Neighborhood District.

Additionally, in the interest of enforcement and to avoid conflict, we ask that the definitions used in the Knoxville City Code, Sec. 5-1-Definitions, be considered and possibly adopted in the zoning code. For instance, it appears the difference between “Boarding facility” as defined in the City Code and “Pet daycare” may be no more than a few minutes (more than 24 hours or less than 24 hours). If these uses are intended to be distinct from each other, it could be an enforcement nightmare. Keep in mind that “less than 24 hours” for “Pet daycare” does not mean the animal(s) cannot spend the night.

Given the definition of Kennel—“Any lot or premises on which five (5) or more dogs, more than six (6) months of age, are kept.”, care needs to be taken to distinguish between kennels and boarding facilities and pet daycare.

Thank you for considering our concerns.

Yours truly,

Charlotte Davis, Carlene Malone, Co-Chairs, Fountain City Town Hall, Land Use Committee