



**AGENDA ITEM#: 5**

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**MEMORANDUM**

TO: Metropolitan Planning Commission

FROM: Dan Kelly, Development Services Manager

DATE: October 10, 2015

SUBJECT: Consideration of amendments to the City of Knoxville zoning ordinance regarding pet services – 11-A-14-OA

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**BACKGROUND**

It has come to the attention of MPC staff and City Council members that people wishing to open and operate pet service establishments such as pet grooming, pet day care, and similar services in certain zone districts have difficulty due to the lack of specific detail in the City of Knoxville zoning ordinance.

Pets and the opportunities to provide services to the owners of pets is a fast growing business throughout the country. Providers are utilizing vacant retail and industrial spaces for a wide variety of pet services, ranging from grooming and skin care to training. Cities are amending their zoning ordinance to acknowledge this trend. One of the staff reports in another city made the statement that there were more pets than people in the city. While there is no data to support that claim in Knoxville, there is no doubt that there are a lot of pets, that residents care deeply about their pets, and the demand for pet services is rising.

**REQUEST**

City Council requested that MPC staff prepare amendments to the City of Knoxville zoning ordinance regarding pet services. At its November 2014 meeting, MPC approved a set of amendments on the topic and forwarded them to City Council for consideration. After debate, City Council referred the amendments back to MPC to consider eliminating pet services as use that could be permitted in the C-1 (Neighborhood Commercial) District. Staff has made changes based on this request and will recommend that MPC approve the revised package of amendments regarding pet services.

**ANALYSIS**

The current language in the zoning ordinance regarding pets is very limited. The veterinary and dog kennel uses are dealt with effectively, but there is little mention of pet retail and service businesses. The land use “pet shop” is listed as a permitted use only in the C-4 and SC-1 zone districts, but is not defined.

Definitions for pet services, a broader provision for allowed uses within commercial and industrial zone districts and appropriate standards for outdoor pet service operations will clarify the opportunities for these types of businesses.

### **PROPOSED AMENDMENTS**

Add new definitions. Definitions for indoor pet services and indoor/outdoor pet services are proposed, as well as pet grooming and pet day care, two common types of pet services.

Establish a right for pet services. The City’s zoning ordinance should explicitly address the provision of pet services as permitted uses and uses permitted on review. Indoor pet services are proposed as permitted uses in the commercial and industrial zone districts. Indoor/outdoor pet services are proposed as uses permitted on review in the industrial zone districts because these types of services with outdoor facilities are likely to require significant space and could have potential conflicts with adjacent properties which can be addressed as a use permitted on review.

Establish standards for indoor/outdoor pet services. Minimal standards that will not create a barrier to service providers are proposed to address potential concerns about compatibility with adjacent property.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission recommend to City Council approval of the proposed amendments to the zoning ordinance as shown in Exhibit A.

### **EXHIBITS**

- Exhibit A – Proposed definitions, standards and permitted uses and uses permitted on review in various commercial and industrial zone districts.

## Pet Services

### PROPOSED DEFINITIONS

*Pet services, indoor* - A use totally enclosed in a building for services provided for small animals typically considered as household pets. Such a use may include retail sales, pet grooming, pet day care, indoor play facilities, indoor training facilities, and similar pet services. Areas for outdoor pet activities are not permitted.

*Pet services, indoor/outdoor* - A use provided for small animals typically considered as household pets. Such a use may include retail sales, pet grooming, pet day care, indoor play facilities, indoor training facilities, and similar pet services. Areas for outdoor pet activities are permitted.

*Pet grooming* - A service where small animals typically considered as household pets are bathed, clipped or combed for the purpose of enhancing their aesthetic value or health, or both, and for which a fee is charged. A pet grooming service may include any self-service pet washing business where the customer washes their own pets or may be offered incidentally at a pet shop.

*Pet day care* - A service where small animals typically considered as household pets are left by their owners for less than ~~twenty-four (24)~~ eighteen (18) hours each day for the general purpose of individual supervision or supervised interaction in groups of other animals.



### PROPOSED DISTRICTS FOR PERMITTED USES

#### C-1 Neighborhood Commercial District

B. *Uses permitted.*

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**15. Indoor pet services, limited to pet grooming.**

#### C-2 Central Business District

B. *Uses permitted.*

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22. Reserved: **Indoor pet services.**

#### C-3 General Commercial District

B. *Uses permitted.*

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13. **Indoor pet services; and** veterinary establishments, provided that all animals shall be kept inside soundproof air conditioned buildings.

# Pet Services

## SC-1 Neighborhood Shopping Center District

B. *Uses permitted.*

7. Any store or shop for retail trade or for rendering personal, or professional service, **or indoor pet services** which in the opinion of the planning commission will not be injurious to the district.

## PC-1 Retail and Office Park District

B. *Permitted uses.*

(8) Personal, business, and professional **and indoor pet** services.

## I-1 Planned Industrial District

B. *Uses permitted.*

### **9. Indoor pet services.**

C. *Uses permitted on review.*

### **4. Indoor/outdoor pet services.**

## BP-1 Business and Technology Park District

B. *Uses permitted.*

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### **(13) Indoor pet services.**

C. *Uses permitted on review.*

### **3. Indoor/outdoor pet services.**

## Pet Services



### **PROPOSED STANDARDS**

Article V, SECTION 3

DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW

*F. Other uses permitted on review.*

**14. Pet services, indoor/outdoor:**

**a. All areas for outdoor pet activity shall be located at least one hundred fifty (150) feet from any lot in a residential zoning district or in residential use.**

**b. All areas for outdoor pet activity shall be fenced for the safe confinement of animals.**

**c. Any side of any area for outdoor pet activity not enclosed by a building, structure or solid wall a minimum of eight (8) feet in height shall be provided a transitional buffer yard a minimum of fifteen (15) feet in width, sown with grass or ground cover for its full width, containing either of the following:**

**i. two (2) offset rows of deciduous or evergreen canopy trees planted a maximum of sixteen (16) feet apart, with a continuous evergreen hedge (planted a maximum of four (4) feet apart), fence, wall or earthen berm, or combination thereof, achieving a height of six (6) feet at maturity; or**

**ii. two (2) offset rows of evergreen trees with branches touching the ground.**