

REQUEST	Text amendment to Sections 2.201, 12.408 and 12.410 of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to: <ol style="list-style-type: none"> 1) add new definitions for Animal Care and Control Division, animal care and control fosterer, animal rescue group, and animal rescue group fosterer; 2) modify the definitions for commercial kennel and private kennel; 3) modify the prohibited customary home occupation list; and 4) add cross-references and clarify the prescribed conditions for private kennels.
PETITIONER	Charlotte-Mecklenburg Planning Department and Charlotte-Mecklenburg Police Department
AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department and Charlotte-Mecklenburg Police Department
COMMUNITY MEETING	Meeting is not required.

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to indefinitely DEFER this petition.
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VOTE	Motion/Second: Eschert/Sullivan
	Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION	Staff requested an indefinite deferral to allow time to consider modifications to the text amendment.
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FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - Chapter 3, "Animals" in Part II of the City Code of Ordinances regulates animals.
 - The Charlotte-Mecklenburg Police Department, Animal Care and Control Division, has an Animal Care and Control Fostering Program to provide a nurturing environment for dogs and cats before they are adopted. Examples include puppies and kittens that need to mature, and dogs and cats that need rehabilitation or socialization and training.
 - This text amendment adds new definitions for animal rescue group, animal care and control fosterer and animal rescue group fosterer and classifies them as private kennels, which are allowed in single family and multi-family residential districts and non-residential districts.
 - Private kennels are permitted, with prescribed conditions, in R-3, R-4, R-5, R-6, and R-8 (single family); R-8MF, R-12MF, R-17MF, R-22MF, and R-43MF (multi-family); MX-1, MX-2, and MX-3 (mixed use); O-1, O-2, and O-3 (office); B-1 (neighborhood business); B-2 (general business); B-D (business distributive); BP (business park); I-1 (light industrial); and I-2 (general industrial) zoning districts.
 - Commercial kennels are not permitted in single family or multi-family zoning districts.
 - Commercial kennels are permitted, by right or with prescribed conditions, in UR-2 and UR-3 (urban residential); UR-C (urban residential - commercial); MX-2 and MX-3 (mixed use); MUDD (mixed use development); UMUD (uptown mixed use); CC (commercial center); NS (neighborhood services); TOD-E (transit oriented development - employment); TOD-M (transit oriented development - mixed-use); B-1 (neighborhood business); B-2 (general business); I-1

(light industrial); and I-2 (general industrial) zoning districts.

- **Proposed Request Details**

The text amendment contains the following provisions:

- Adds new definitions for the Animal Care and Control Division of the Charlotte-Mecklenburg Police Department, animal care and control fosterer, animal rescue group, and animal rescue group fosterer.
- Modifies the definition of private kennel by classifying animal care and control fosterer, animal rescue group, and animal rescue group fosterer as a private kennel.
- Modifies the definition of commercial kennel by clarifying that animal care and control fosterer, animal rescue group, or animal rescue group fosterer are not classified as a commercial kennel.
- Clarifies that commercial kennels are a prohibited customary home occupation.
- Clarifies the private kennel supplementary standards and adds cross-references to other parts of the City Code that regulate private kennels.

- **Public Plans and Policies**

- The petition is consistent with the Chapter 3 "Animals" of Part II of the Charlotte City Code.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:**
 - There is no site plan associated with this text amendment.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

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