

7/2/2010

Petition No: 2010-044

Petitioner: Charlotte-Mecklenburg Planning Commission

ORDINANCE NO. _____

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE – ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201, "Definitions" to include new definitions for "pet services indoor" and "pet services indoor/outdoor" in order to identify a wider range of activities and uses as they relate to household pets. The new text shall appear as follows:

Pet services indoor.

Pet services indoor means a use for grooming, breeding, training, boarding, medical services, sales, or other services provided to small animals typically considered as household pets. Such a use shall be totally enclosed in a building and may include one or more of the following: retail sales, pet day care, veterinary clinic, indoor dog park, indoor training or storage, commercial indoor kennel, and similar services. Areas for outdoor pet activities are not permitted.

Pet services indoor/outdoor.

Pet services indoor/outdoor means a use for grooming, breeding, training, boarding, medical services, sales, or other services provided to small animals, typically considered as household pets. Such a use may include one or more of the following: retail sales, pet day care, veterinary clinic, dog park, training or storage, commercial kennel, and similar services. Areas for outdoor pet activities are permitted.

B. CHAPTER 9: GENERAL DISTRICTS

1. PART 1: Table of Uses and Hierarchy of Districts

- a. Amend Table 9.101, “Table of Uses” by inserting a new row labeled “pet services indoor” under “Other Uses”, and adding an “X” (permitted) in the following zoning districts:

Other Uses	UR-2	UR-3	UR-C	B-1	B-2	I-1	I-2	MUDD	UMUD	TOD	CC	MX-2	MX-3	NS
Pet services indoor	X	X	X	X	X	X	X	X	X	X	X	X	X	X

- b. Amend Table 9.101, “Table of Uses” by inserting a new row labeled “pet services indoor/outdoor” under “Other Uses”, and adding a “PC” (prescribed conditions) in the following zoning districts:

Other Uses	UR-2	UR-3	UR-C	B-1	B-2	I-1	I-2	MUDD	UMUD	TOD	CC	MX-2	MX-3	NS
Pet services indoor/outdoor	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

- c. Amend Table 9.101, “Table of Uses” by removing commercial kennels from uses permitted as of right and uses permitted under prescribed conditions:

	B-2	I-1	I-2
Kennel, commercial	PC	PC	PC

2. PART 8: BUSINESS DISTRICTS

- a. Amend Section 9.802, “Uses permitted by right” to include “pet services indoor/outdoor” as item (61.1) and add it in numerical order. The new text shall appear as follows:

(61.1) Pet services indoor.

- b. Amend Section 9.803, “Uses permitted under prescribed conditions” to include “pet services indoor/outdoor” as item (26.2) and add it in numerical order, and modify text “kennels, commercial” and replace with “Reserved” as item (16). The new text shall appear as follows:

(16) ~~Kennels, commercial (B-2), provided that:
The use is located at least 300 feet from a residential zoning district.~~ Reserved.

(26.2) Pet services indoor/outdoor (B-1 and B-2 only), subject to the regulations of Section 12.541.

3. PART 8.5: MIXED USE DEVELOPMENT DISTRICT

- d. Amend Section 9.8502, “Mixed use development district; uses permitted by right” to include “pet services indoor” and add it in alphabetical order. The new text shall appear as follows:

Pet services indoor.

- e. Amend Section 9.8503, “Mixed Use Development District; uses permitted under prescribed conditions” to include “pet services indoor/outdoor” and add it in alphabetical order. The new text shall read as follows:

Pet services indoor/outdoor, subject to the regulations of Section 12.541.

4. PART 9: UPTOWN MIXED USE DISTRICT

- a. Amend Section 9.902, “Uptown Mixed Use District; uses permitted by right” to include “pet services indoor” as item (13.1) and add it in numerical order. The new text shall appear as follows:

(13.1) Pet services indoor.

- b. Amend Section 9.903, “Uptown Mixed Use District; uses permitted under prescribed conditions” to include “pet services indoor/outdoor” as item (14.4) and add it in numerical order. The new text shall appear as follows:

(14.4) Pet services indoor/outdoor, subject to the regulations of Section 12.541.

5. PART 11: INDUSTRIAL DISTRICT

- a. Amend Section 9.1102, “Uses permitted by right” to include “pet services indoor” as item (50.1) and add it in numerical order. The new text shall appear as follows:

(50.1) Pet services indoor.

- b. Amend Section 9.1103, “Uses permitted under prescribed conditions” to include “pet services indoor/outdoor” as item (38.1) and add it in numerical order, and modify text “kennels, commercial and replace with “Reserved” as item (23). The new text shall appear as follows:

(23) ~~Kennels, commercial, provided that:~~
~~The use must be located at least 300 feet from a residential zoning district.~~ Reserved

(38.1) Pet services indoor/outdoor, subject to the regulations of Section 12.541.

6. PART 10: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

- a. Amend Section 9.1205, “Uses Permitted by Right” to include “pet services indoor” as item (18.1) and add it in numerical order. The new text shall appear as follows:

(18.1) Pet services indoor.

- b. Amend Section 9.1206, “Uses Permitted Under Prescribed Conditions” to include “pet services indoor/outdoor” as item (7.1) and add it in numerical order. The new text shall appear as follows:

(7.1) Pet services indoor/outdoor, subject to the regulations of Section 12.541.

C. CHAPTER 11: CONDITIONAL ZONING DISTRICTS

1. PART 4: COMMERCIAL CENTER DISTRICT

- a. Amend Section 11.402, “Uses permitted by right” to include “pet services indoor” as item (21.1) and add it in numerical order. The new text shall appear as follows:

(21.1) Pet services indoor.

- b. Amend Section 11.403, “Uses permitted under prescribed conditions” to include “pet services indoor/outdoor” as item (8.2) and add it in numerical order. The new text shall appear as follows:

(8.2) Pet services indoor/outdoor, subject to the regulations of Section 12.541.

D. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 5: SPECIAL REQUIREMENTS FOR CERTAIN USES

- a. Amend Part 5, “Special Requirements for Certain Uses” and create Section 12.541 that provides specific conditions for “pet services indoor/outdoor” as a new permitted use. The new text shall appear as follows:

Section 12.541. Pet services indoor/outdoor.

Pet services indoor/outdoor are permitted in the UR-2, UR-3, UR-C, B-1, B-2, I-1, I-2, MUDD, UMUD, TOD, CC, MX-2, MX-3 and NS, subject to the following conditions:

- (1) All outdoor uses are located at least 300 feet from any lot in a residential zoning district or in residential use.
- (2) All outdoor uses are completely fenced.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ___ day of _____, 2010, the reference having been made in Minute Book _____, and recorded in full in Ordinance

Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this ____ day of _____, 2010.
