

# Staff Analysis

## DCA24-0011d/ Commercial Animal Services

### REQUEST:

This is a city-initiated Code amendment to the Denton Development Code (DDC); amendments include but are not limited to Table 5.2-A: Table of Allowed Uses, Section 5.3.5: Commercial Use-Specific Standards, Table 7.9-I: Minimum Required Off-Street Parking, and Section 9.2: Definitions related to Commercial Animal Services uses.

### STAFF RECOMMENDATION:

Staff recommends **approval** of the amendments related to Commercial Animal Services as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4.D of the DDC. The Planning and Zoning Commission voted [4-0] to recommend approval of the request. Motion for approval was made by Commissioner Riggs and seconded by Commissioner Padron.

### CONSIDERATIONS:

Section 2.7.4D of the DDC states that an application for a DDC text amendment may be approved upon consideration of the following criteria as to whether and to what extent the proposed amendment:

1. *Is consistent with the Comprehensive Plan, other adopted plans, and other city policies;*

The proposed Code amendments are consistent with the following Comprehensive Plan action related to ensuring the City has a complete and efficient development code and review process:

**Land Use Goal 6: Grow with Balance:** Establish land use designations that respond to the growing needs and character specifications of the Denton Community.

This code amendment is intended to establish a new land use designation in response to evolving trends in animal businesses, which now commonly offer a wider array of services than a traditional kennel or pet groomer (the only two commercial land uses recognized in the DDC for domestic animals).

Additionally, the proposed Code amendments are consistent with the Denton Development Code's purpose statements that promote the health, safety, and general welfare of its inhabitants and implement the City's Comprehensive Plan:

**Subsection 1.2.7** Encourage the appropriate use of land, buildings, and structures.

**Subsection 1.2.8** Establish procedures for the processing of planning and zoning actions that affect the development and use of property subject to the planning jurisdiction of the City.

The proposed amendments include use-specific standards intended to minimize potential nuisances associated with animal services and propose that the Specific Use Permit process be utilized in certain districts or when certain outdoor operations are proposed in order to ensure an additional level of scrutiny and public engagement occur as part of use approval.

2. *Does not conflict with other provisions of this DDC or other provisions in the Municipal Code of Ordinances;*

The proposed Code amendments do not conflict with this DDC or other provisions of the Code of Ordinances. The purpose of the proposed amendments is to establish a new land use, Commercial Animal Service, to accommodate the evolution of domestic animal-oriented businesses. As a part of establishing the new land use categories, Staff is also proposing to amend or remove the two existing uses (Personal Service, General and Kennel, respectively) that overlap with the definitions of Commercial Animal Services in order to ensure there is no conflict between the use permissions and requirements. This is consistent with the goals and policies of the Denton 2040 Comprehensive Plan and other sections of the DDC as noted above.

3. *Is necessary to address a demonstrated community need;*

This proposed city-initiated Code amendment to the Denton Development Code is needed for the following reasons:

- Domestic animal services are currently primarily defined and regulated under the antiquated definition of Kennel, with the exception of grooming, which is called out under the definition of Personal Service, General.
- The proposed amendment establishes a land use designation which applies specifically to domestic animal-oriented businesses, rather than utilizing a broader land use such as Personal Service, which is intended for human services and does not effectively capture the proposed land uses that are now commonplace within this industry.
- Staff has seen an increase in requests for uses such as dog daycares, animal training, and cat cafes, which do not fit within the current land use designations of the DDC.

4. *Is necessary to respond to a substantial change in conditions and/or policy; and*

The City desires to amend the DDC to ensure consistency in the application of the DDC as it relates to modern domestic animal related businesses, which, as noted above, have evolved beyond the traditional standalone kennel or grooming uses addressed in the DDC today. The proposed amendments establish the land use, Commercial Animal Service, as well as establish use-specific standards to capture the evolution of these land uses.

5. *Is consistent with the general purpose and intent of this DDC.*

The proposed Code amendments are consistent with the general purpose and intent of the DDC as described above in Consideration 1.