

ORDINANCE 18-23

AN ORDINANCE AMENDING TITLE 19, "ZONING", TABLE 6-1 AND 6-2 "TABLE OF LAND USE REGULATIONS" TO INCLUDE "PET SERVICES, INDOOR", AND "PET SERVICES, INDOOR/OUTDOOR" AS A CONDITIONAL USE IN THE A (AGRICULTURE), CP-1 (PLANNED NEIGHBORHOOD COMMERCIAL), CP-2 (PLANNED COMMUNITY COMMERCIAL), CP-3 (PLANNED REGIONAL COMMERCIAL), AND C-H (PLANNED HIGHWAY COMMERCIAL) ZONING DISTRICTS, AND AS A PERMITTED USE IN THE M-1 (LIGHT MANUFACTURING/INDUSTRIAL) AND M-2 (HEAVY MANUFACTURING/INDUSTRIAL) ZONING DISTRICTS, AND ADDING "PET CEMETERY" AS A CONDITIONAL USE IN THE A (AGRICULTURE), R (RESIDENTIAL), AND P-B (PROFESSIONAL BUSINESS) ZONING DISTRICTS; AMENDING SECTION 19.02.020, "DEFINITIONS" TO INCLUDE "PET SERVICES, INDOOR", "PET SERVICES, INDOOR/OUTDOOR", "DOMESTIC ANIMALS", "PET", "PET CEMETERY", "PET CREMATORIUM", "PET DAY CARE", "PET FUNERAL HOME", "PET GROOMING" AND "VETERINARY CLINIC"; REPEALING AND REENACTING SECTION 19.14.100, "CONDITIONS RELATING TO SPECIFIC TYPES OF USES", ITEM 11. "PET SERVICES", ADDING ITEM 12. "PET CEMETERY"; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, Layton City recognizes the growth in household pet ownership and lifestyle preference for pet related recreation and activities of residents in the community; and

WHEREAS, it is the desire of the City to provide appropriate locations in the community for services and recreational opportunities that serve the needs and interests of residents and their household pets; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Title 19 of the Layton Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Title 19, Chapter 19.02, Section 19.02.020 shall be amended to read as follows:

19.02.020 Definitions

...

"Domestic Animals": Animals accustomed to living in or about the habitation of man, including but not limited to: cats, dogs, fowls, horses, swine, goats, sheep, mules, donkeys, and cattle.

...

"Pet": A domesticated animal kept for pleasure rather than utility, including but not limited to: birds, cats, dogs, fish, hamsters, mice, and other animals associated with man's environment.

"Pet Cemetery": Land dedicated for cemetery purposes, which is used or intended to be used for the burial of deceased pets. A Pet Cemetery may include a pet funeral home, or pet crematorium, or both if such

home or facility are located and operated within the boundaries of the pet cemetery and accessory to the pet cemetery. **Pet Cemetery** does not include the interment of a pet upon the property of the pet owner.

“Pet Crematorium”: A building or facility containing apparatus for the cremation of deceased pets.

“Pet Day Care”: A service where animals typically considered as household pets are left by their owners for a short term period of time for the general purpose of individual care/supervision, or supervised interaction in groups of other animals, which is provided by a licensed business or individual for a fee. **Pet Day Care** does not include the overnight boarding (kenneling) of animals.

“Pet Funeral Home”: A place used for funeral services for deceased pets. Such place may include space and facilities for display of deceased animals and rituals connected therewith before burial or cremation; the sale and/or storage of caskets, funeral urns, and other related funeral supplies; the storage of funeral vehicles; and facilities for animal cremation.

“Pet Grooming”: A service where animals typically considered as household pets are bathed, clipped or combed for the purpose of enhancing their aesthetic value or health, or both, by a licensed business or individual for a fee. **Pet Grooming** may also include any self-service pet washing business or establishment where the customer/owner washes their individual household pet(s) for a fee.

“Pet Services, Indoor”: A use totally within an enclosed building for services provided to animals typically considered as household pets. Such uses may include one or more of the following: pet grooming, pet day care, veterinary clinic, indoor play facilities, indoor training facilities, and similar pet services. Areas for outdoor pet activities (i.e. play and training facilities) shall not be permitted. **Pet Services, Indoor** may also include the occasional hosting of a private humane society/animal welfare organization’s adoption event, the retail sales of pet care supplies, and boarding (kenneling) services as an accessory use.

“Pet Services, Indoor/Outdoor”: A use that includes services provided to animals typically considered as household pets. Such uses may include one or more of the following: pet grooming, pet day care, veterinary clinic, play and training facilities, dog parks, and similar pet services. **Pet Services, Indoor/Outdoor** may also include the occasional hosting of a private humane society/animal welfare organization’s adoption event, the retail sales of pet care supplies, and boarding (kenneling) services as an accessory use.

...
“Veterinary Clinic”: Any building, or portion thereof, designed or used for veterinary examination, observation, and treatment of domestic animals, including euthanization of domestic animals.

SECTION III: Enactment. Title 19, Chapter 19.14, Section 19.14.100 shall be amended to read as follows:

19.14.100 Conditions Relating To Specific Types Of Uses

...
11. ~~Animal clinic or pet hospital.~~ Animal clinic or pet hospital in a CP-1 zone shall be subject to the following conditions:

- a. ~~There shall be no outdoor boarding of any type of animal for overnight or temporary stay. Animals shall be kept indoors at all times except when on a leash for exercise and relief. Only one (1) animal, per accompanied employee, may be outside at a time. Indoor boarding shall be limited to animals receiving treatment on the premises.~~
- b. ~~Rooms used for temporary or overnight boarding shall be enhanced with building materials, including extra insulation, that dampen or eliminate noises associated with the animals being boarded there. The sound attenuation of these rooms shall be sufficient to eliminate noises associated with boarded animals from inside any occupied residential dwelling.~~
- c. ~~Any animal product or refuse with a detectable odor shall be double-bagged before being placed in an outside dumpster.~~

d. ~~There shall be no on-site disposal (cremation or otherwise) of dead animals. Euthanized or otherwise dead animals shall be stored in freezers until removed from the site.~~

11. **Pet Services.** All pet services shall comply with the following requirements:

a. **Pet Services, Indoor.**

i. General requirements.

- (1) Indoor pet services shall be a permitted use in the M-1 (Light Manufacturing/Industrial), and M-2 (Heavy Manufacturing/Industrial) zoning districts, and a conditional use in the A (Agriculture), CP-1 (Planned Neighborhood Commercial), CP-2 (Planned Community Commercial), CP-3 (Planned Regional Commercial), and C-H (Planned Highway Commercial) zoning districts.
- (2) Indoor pet services shall comply with all applicable City, Davis County Animal Control, and Davis County Health Department regulations.
- (3) All animals shall be treated humanely. No conditions shall be maintained or permitted in the premises or on the property that are, or could be, injurious to the animal.
- (4) All buildings and rooms shall be enhanced with building materials, including sufficient insulation and glass thickness, to dampen or eliminate noises associated with the animals contained within. The sound attenuation of buildings and rooms shall be sufficient to eliminate noises associated with the animals from inside any occupied residential or commercial building.
- (5) All buildings, rooms, animal enclosures, cages, kennels, and runs shall be of sufficient size to provide adequate and proper accommodations for the animals kept therein, and shall be constructed and maintained to prevent the escape of any animal.
- (6) All buildings, rooms, animal enclosures, cages, kennels, and runs shall be maintained in a clean and sanitary condition; shall be designed and constructed with materials which are easily cleaned; and shall be properly designed and ventilated to prevent/remove animal odors.
- (7) Areas for outdoor pet activities (i.e. play/training facilities) shall not be permitted.
- (8) Animals may be walked outdoors at any time on a leash for exercise and relief provide that only three (3) animals, per accompanied employee, may be outside at a time. Any solid animal waste shall be disposed of promptly in an appropriate and sanitary manner.

ii. Pet day care, indoor play/training facilities, and boarding kennels requirements.

- (1) Pet day care, indoor play/training facilities, boarding kennels, and similar activities/operations shall require animals to be current on all required vaccinations.
- (2) Boarding (kenneling) may be provided only as an accessory use. There shall be no outdoor boarding of any animal. Outdoor animal enclosures used as exercise yards and runs which are associated with a boarding kennel shall not be allowed.

iii. Veterinary clinic requirements.

- (1) Veterinary clinics shall not dispose of dead animals (cremation or otherwise) on-site. Euthanized or otherwise dead animals shall be stored in freezers until removed from the site.

iv. A (Agriculture) zoning district requirements.

- (1) New buildings and facilities shall reflect an agricultural architectural style and form that is consistent with the area's rural character and existing agricultural buildings.
- (2) Outdoor lighting shall be screened by shields/hoods to prevent glare onto adjacent properties.

b. **Pet Services, Indoor/Outdoor:**

i. General requirements.

- (1) Indoor/outdoor pet services shall be a permitted use in the M-1 (Light Manufacturing/Industrial), and M-2 (Heavy Manufacturing/Industrial) zoning districts, and a conditional use in the A (Agriculture), CP-1 (Planned Neighborhood Commercial), CP-2 (Planned Community Commercial), CP-3 (Planned Regional Commercial), and C-H (Planned Highway Commercial) zoning districts.
- (2) Indoor/outdoor pet services shall meet all requirements of 19.14.100 (11.a.) with the exception that areas for outdoor pet activities (i.e. play/training facilities, and outdoor animal enclosures used as exercise yards and runs) may be allowed.
- ii. Outdoor play/training facilities, exercise yards and runs.
 - (1) Indoor/outdoor pet service operations with outdoor animal enclosures used as outdoor play/training facilities, exercise yards and runs shall be separated from any off-site residential used or zoned property at the property line by a six foot (6') solid vinyl, masonry block, or comparable fence.
 - (2) A minimum twenty-five foot (25') landscape buffer shall be provided between adjoining property boundary lines and any outdoor animal enclosure. No pets or animals shall be allowed within the landscape buffer. The landscape buffer shall be planted, manicured, and maintained with evergreen trees and large shrubs. Evergreen trees shall be planted no further than twenty feet (20') apart, and planted at a minimum of six feet (6') in height at the time of planting, with the potential to grow to at least a twenty-five foot (25') canopy diameter in width. Large shrubs shall be planted between evergreen trees to fill in the void spaces along the fence lines.
 - (3) Primary outdoor animal enclosures shall be constructed with a minimum six foot (6') tall transparent fence. Fencing shall be maintained to prevent the escape of any animal.
 - (4) Operations with outdoor animal enclosures shall keep animals indoors between the hours of 9:00 p.m. and 7:00 a.m. Building doors and windows which lead to outdoor animal enclosures shall remain closed after entering or exiting the outdoor space to limit noise from escaping the building's interior.
 - (5) Where existing residential and commercial uses are located within two hundred feet (200') of an outdoor animal enclosure the number of animals shall be limited to one (1) animal for every three hundred (300) square feet of enclosed area.
 - (6) Outdoor animal enclosures shall be located at least seventy five feet (75') from any residential uses, and from existing commercial outdoor patio areas used for eating, reception, entertainment, or other similar uses.
 - (7) Exterior play/training structures shall be located appropriately to prevent the escape of any animal, and shall be securely fastened/anchored to protect animals from injury.

12. Pet Cemetery: All pet cemeteries shall comply with the following requirements:

a. **General requirements.**

- i. Pet cemeteries shall be a conditional use in the A (Agriculture), R (Residential), and P-B (Professional Business) zoning districts.
- ii. Pet cemeteries shall be separated from any off-site residential used or zoned property at the property line by a six foot (6') solid vinyl, masonry block, or comparable fence.
- iii. All graves or burial lots shall be set back a minimum of thirty feet (30') from any property line or street right-of-way.

b. **Pet crematorium.** All pet crematoriums shall comply with the following requirements:

- i. Pet crematoriums shall be used for the preparation and cremation of pets only.
- ii. The crematorium shall not be used for the disposal of any waste materials, including medical/industrial waste.
- iii. Pet crematoriums shall emit no visible emissions or odors.
- iv. Pet crematoriums shall comply with all applicable City, County, and State regulations, and shall receive all necessary approvals from applicable State and Federal agencies.

