

MEMO

To: Planning Commission, Mayor Santini & City Council
From: Randy Mannino and David Hardegree
Date: August 25, 2021
Re: *Text Amendment T21-03. Adding Animal Clinic or Hospital and Kennel as allowed uses in the M-U District with a special use permit*

Thomas B. Thompson, applicant, is proposing a revision to the Zoning Ordinance, *Section 9.2 Multiple Use (M-U) District*, to allow “Clinic or Hospital, Animal”, as well as “Kennels” as allowed uses in the M-U District with a special use permit. Animal clinics/hospitals are allowed by right in the Agricultural (AG), General Commercial (G-C), Light Industrial (L-I), Heavy Industrial (H-I) districts. Kennels are allowed by right in the Agricultural (AG) and General Commercial (G-C) districts. Allowing animal clinics/hospitals and kennels as special uses is likely a better option than allowing them by right in the Multiple Use (M-U) district because a special use application allows for more scrutiny and evaluation of individual requests.

The applicant has applied for a Special Use permit (SU21-06) in conjunction with this text amendment for an animal clinic with an indoor kennel.

The proposed ordinance changes are attached.

PROPOSED ZONING AMENDMENT (ADDED SECTION IN RED and UNDERLINED)

9.2.2. *Use regulations.* Within the M-U district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section shall be prohibited.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

- Accessory apartments (SU).*
- Amateur radio transmitter.
- Amenities (as defined by this chapter).
- Amusement, indoor.
- Apartments and condominiums, above, below, or behind commercial uses in the same building (SU).*
- Art galleries.
- Assembly halls.
- Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).
- Automotive specialty shops (allowed on properties fronting an arterial or major collector street only and shall be limited to four (4) bays).
- Barber shops.
- Beauty salons.
- Bed and breakfast inn (SU).*
- Brewpub.
- Catering, carry out, delivery.
- Clinics (excludes veterinary).
- Clinic or hospital, animal (SU).*
- Clubs or lodges (noncommercial) (SU).*
- Colleges and universities.
- Community center buildings.
- Condominiums.

- Construction contractors:
 - ▲ General building contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Heavy equipment contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Special trade contractors; including but not limited to, construction subcontractors, engineers, architects, and land surveyors (provided there is no exterior storage of equipment, materials, or construction vehicles).
- Convenience stores.
- Dancing schools.
- Day care facilities.
- Delicatessens.
- Distillery (SU).*
- Dry cleaners.
- Duplex dwellings.
- Family day care.
- Financial establishments.
- Funeral homes (allowed on properties fronting an arterial or major collector street only) (crematories may be allowed in conjunction with a funeral home with approval of a special use).*
- Group homes (SU).*
- Guest house.
- Gymnasiums/health clubs.
- Home occupations.
- Homeless shelters (SU).*
- Hospices (SU).*
- Hotels (allowed on properties fronting an arterial or major collector street only).
- Institutions of higher learning including business colleges, music conservatories, and similar institutions.
- [Kennels \(SU\).*](#)
- Laboratories (medical and dental).
- Laundromats.

- Libraries.
- Medical offices (excludes veterinary).
- Microbreweries (SU).*
- Multifamily dwellings.
- Museums.
- Nursing home facilities.
- Offices, general.
- Parking lots.
- Parks, private.
- Patio homes.
- Pawn shops and/or title pawn (SU).*
- Pet grooming.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Printing establishments.
- Pubs and taverns.
- Public utility facilities.
- Radio and television broadcast stations.
- Radio, television, or other communication towers.
- Religious institutions (SU).*
- Repair services, light (shoes, small appliances or similar).
- Restaurants (drive-thru restaurants as SU).*
- Retail, general.
- Retail package stores (including liquor and malt beverages and/or wine sales only in a multi-tenant shopping center development consisting of a minimum of seven (7) business suites and additionally, that detached, stand alone, retail package stores shall not be permitted).
- Retirement centers (SU).*
- Reupholstery shops.
- Schools, private (SU).*
- Service stations (allowed on properties fronting an arterial or major collector street only).

- Single-family attached dwellings.
- Single-family detached dwellings.
- Stadiums (allowed on properties fronting an arterial or major collector street only).
- Storage, warehouse (allowed on properties fronting an arterial or major collector street only).
- Theaters.
- Townhouses.
- Wholesale sales office.
- * Special use approval required.

Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville

Case Number: T21-03
Date Received: 7-20-21

Public Hearing Dates:

Planning Commission 9/7/21 5:30pm 1st City Council 9/16/21 7:00pm 2nd City Council 10/7/21 7:00pm

APPLICANT INFORMATION

Applicant Thomas B. Thompson Office Phone 770-544-0580
 (printed name)
 Address 3940 Paces Manor SE Mobile/ Other Phone * 404-660-0079
 City Atlanta State GA Zip 30339 Email tbtdevm@gmail.com
 Representative's printed name (If other than applicant) _____ Phone (Rep) _____
 _____ Email (Rep) _____
 Representative Signature _____ Applicant Signature [Signature]
 Signed, sealed and delivered in presence of: _____
 Notary Public [Signature]

NOTARY PUBLIC
 CHRISTOPHER BOLICK
 MY COMMISSION EXPIRES 10/22/2023
 COBB COUNTY, GEORGIA
 OCTOBER 22, 2023

1. Existing Text to be Amended:

Article IX, Section 9.2.2, Subsection A

Existing Text Reads as Follows:

A. Permitted Use. Structures and land may be used for only the following purposes: Accessory apartment (SU). * Amateur radio transmitter. Amenities.

2. Proposed Text:

Proposed Text Reads as Follows: Add - Animal clinic or hospital
Add - Kennel

(Continue on additional sheets as needed)

Application for Text Amendment(s)

Case Number: T21-03

To Zoning Ordinance

Date Received: 7-20-21

City of Cartersville

3. Reason(s) for the Amendment Request: Reconfiguration for an animal hospital and an indoor only kennel.

(Continue on additional sheets as needed)

**REQUIREMENTS FOR FILING
AN APPLICATION FOR TEXT AMENDMENT(S)
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

1. **Completed Application:** Include all signatures. Complete items 1, 2 and 3.
2. **Filing Fee:** A non-refundable filing fee of **\$400.00** must accompany the completed application.
3. **Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of **\$30.00** which covers the cost of the newspaper ad.
4. **Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

Ordinance no. _____

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 26 – ZONING, ARTICLE IX – MULTIPLE USE DISTRICT, SECTION 9.2.2. – USE REGULATIONS is hereby amended by deleting the section in its entirety and replacing it as follows:

1.

Sec. 9.2.2. – Use Regulations

9.2.2. *Use regulations.* Within the M-U district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section shall be prohibited.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

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- Amusement, indoor.
- Apartments and condominiums, above, below, or behind commercial uses in the same building (SU).*
- Art galleries.
- Assembly halls.
- Automotive and light truck rental facility (allowed on properties fronting an arterial or major collector street only).
- Automotive specialty shops (allowed on properties fronting an arterial or major collector street only and shall be limited to four (4) bays).
- Barber shops.
- Beauty salons.
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- Clinic or hospital, animal (SU).*
- Clubs or lodges (noncommercial) (SU).*
- Colleges and universities.
- Community center buildings.
- Condominiums.
- Construction contractors:
 - ▲ General building contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).
 - ▲ Heavy equipment contractors (provided there is no exterior storage of equipment, materials, and construction vehicles).

▲ Special trade contractors; including but not limited to, construction subcontractors, engineers, architects, and land surveyors (provided there is no exterior storage of equipment, materials, or construction vehicles).

- Convenience stores.
- Dancing schools.
- Day care facilities.
- Delicatessens.
- Distillery (SU).*
- Dry cleaners.
- Duplex dwellings.
- Family day care.
- Financial establishments.
- Funeral homes (allowed on properties fronting an arterial or major collector street only) (crematories may be allowed in conjunction with a funeral home with approval of a special use).*
- Group homes (SU).*
- Guest house.
- Gymnasiums/health clubs.
- Home occupations.
- Homeless shelters (SU).*
- Hospices (SU).*
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- Institutions of higher learning including business colleges, music conservatories, and similar institutions.
- Kennels (SU).*
- Laboratories (medical and dental).
- Laundromats.
- Libraries.
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- Microbreweries (SU).*
- Multifamily dwellings.
- Museums.
- Nursing home facilities.
- Offices, general.
- Parking lots.
- Parks, private.
- Patio homes.
- Pawn shops and/or title pawn (SU).*
- Pet grooming.
- Personal care homes (SU).*
- Places of assembly (SU).*
- Printing establishments.
- Pubs and taverns.
- Public utility facilities.
- Radio and television broadcast stations.

- Radio, television, or other communication towers.
- Religious institutions (SU).*
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- Theaters.
- Townhouses.
- Wholesale sales office.

* Special use approval required.

B. *Accessory uses.* Structures and land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
 SECOND READING: _____

 MATTHEW J. SANTINI, MAYOR

ATTEST: _____
 JULIA DRAKE, CITY CLERK