



PLUM CREEK CANINES SUP STAFF REPORT

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: November 6, 2024
Re: **SUP-006-2024 Plum Creek Canines Special Use Permit**

OWNER

Edward Goldade/Jared Goldade
 10493 Highway 10
 Dickinson, ND 58601
 Jmgoldade87@gmail.com

APPLICANT

Neveah Baranko
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 Dickinson, ND 58601
 plumcreek.canines@gmail.com
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Public Hearing	November 13, 2024	Planning and Zoning Commission
Final Action	November 19, 2024	City Commission

EXECUTIVE SUMMARY

The applicant is requesting the approval of a Special Use Permit (SUP) for a kennel at 10493 ND Highway 10, in the City of Dickinson’s Extra-Territorial Zone. In addition to overnight boarding, the applicant will also provide pet training and pet day care. The lot is currently zoned Rural Residential (RR), and the proposed subdivision is +/- 2.5 acres.

Staff Recommendation: Staff recommends approval of the Plum Creek Canines SUP subject to conditions.

LOCATION

The property is legally described as a 1.25 acre tract of land located in the SW¼ of Section 34, Township 140 North, Range 95 West, of the 5th Principal Meridian, in the City of Dickinson’s ETZ, Stark County, North Dakota. The property address is 10493 ND Highway 10.

CURRENT ZONING	RR
FUTURE LAND USE MAP DESIGNATION	Residential
GROSS SITE ACREAGE	+/- 2.5
LOTS PROPOSED	1

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agriculture
East	AG & RR	Agriculture; Single-family residence
South	RR	Single-family residence
West	RR & AG	Single-family residence; Agriculture

STAFF ANALYSIS

CURRENT ORDINANCE REVIEW

The transmittal letter submitted by the applicant indicates that a maximum of 35 dogs would be in their care at any given time. Dogs will be boarded in two detached accessory structures, adding up to a site area of approximately 2,550 square feet.

According to Municipal Code Section 39.03.007, a kennel is described as *“boarding and care services for dogs, cats and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich raising facilities; pet motels, or dog training centers.”* The business operations as described by the applicant match this description and are subject to any kennel regulations outlined in the Municipal Code.

The applicant has submitted a site plan establishing the areas where business operations will take place. Kenneling will take place inside the two pre-existing accessory structures behind the primary residence: one being 960 square feet, and the other being 1,590 square feet. Only 480 square feet of the second structure will be dedicated to kenneling, as the other 1,110 square feet will contain an indoor play area. These accessory structures are located over 100 feet from the lot lines of the adjacent properties.

A 570 square foot outdoor run will be utilized in the space between the structures when the weather allows it. This area is blocked from view of the properties to the East, West, and South of the property.

According to Table 9-1: Minimum Off-Street Parking Requirement in Section 39.09.003, kennels require a number of parking spaces equal to or greater than 1 space per employee and one stall per 5,000 square feet of site area. The applicant has indicated that, while she will initially be the sole employee, she plans to one day expand to have up to four additional employees. This means the required number of parking spaces would be six. The included site plan has six planned parking spots, which meets this requirement.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has gotten comments from two nearby homeowners since the application's advertisement. One homeowner was concerned by the number of dogs being boarded at once, and the other was concerned about the effect that a kennel could have on his property's sale value.

Staff Recommendation: The Community Development staff recommends **approval** of this Special Use Permit with the following conditions:

- Operation of the kennel shall be as described in this staff report as well as in the material found in Attachment A;
- No more than 35 dogs shall be boarded at one time;
- The business shall not employ more than five (5) employees at a given time, including the applicant;
- The SUP approval shall expire with any change in ownership of the business or property. All subsequent owners of the property shall be required to reapply for SUP approval; and
- Operation of the Pet Day Care Center shall comply with all applicable City, County, State and Federal regulations.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-006-2024 Plum Creek Canines Special Use Permit** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **SUP-006-2024 Plum Creek Canines Special Use Permit** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*