



**PLUM CREEK CANINES
SUP
DOG DAYCARE**

To: City of Dickinson Planning and Zoning Commission
 From: City of Dickinson Community Development Services
 Date: July 3, 2024
 Re: SUP-003-2024 Special Use Permit Pet Day Care

OWNER

Kritena Messail
 644 4th Street West
 Dickinson ND 58601

APPLICANT

Neveah Baranko/Plum Creek Canines
 644 4th Street West
 Dickinson ND 58601

Public Hearing	July 10, 2024	Planning and Zoning Commission
City Commission	July 16, 2024	

Request: To consider a special use permit application for a pet day care center for a maximum of eight (8) dogs. The pet day care would be located at 644 4th Street West. The property is zoned High Density Residential (R3).

Staff recommends Approval subject to conditions.

CURRENT ZONING	R-3
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	0.12

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R3	Single-family residential
East	R3	Single-family residential
South	R3	Single-family residential
West	R3	Single family residential

OPERATION: According to the applicant's transmittal letter, the proposed pet day care will service up to a maximum of eight (8) dogs.

Proposed hours of operation are 7:30 a.m. to 6:30 p.m. Mondays through Friday. The applicant indicated she will be the sole employee.

The property is developed with a single-family residence and an 800 square foot detached accessory structure. The day care will operate within the 800 square foot detached accessory structure.

The applicant proposed a minimum of four (4) off street parking spaces to be located on the detached accessory structure's driveway.

The applicant proposed to utilize two outdoor exercise area:

- An outdoor 255 square foot exercise area with a six-foot chained link fence; and
- A 275 square foot patio area where dogs will be on leashes.

According to Section 39.06.005g. of the City Zoning Ordinance any portion of the premises where pets are permitted outdoors shall have be fenced in accordance the City code. Such fence shall be maintained in good condition so as to mitigate the visual and audial effects of the operation, and to properly contain any pets permitted in that area.

According to Section 39.06.005g. of the City Zoning Ordinance the applicant shall maintain the following:

- Current vaccination records;
- An insurance policy specific to the risks associated with operating a pet day care center which shall include, but not be limited to, coverage protecting the general public in the event of animal bites and property damage caused by loose or escaped animals;
- The play area for pets shall provide for a minimum of 75 square feet per pet, provided that the maximum number of pets allowed at any one facility shall be ten, including animals owned by the permit holder. The permit issued by the City shall be displayed prominently at the site, and shall contain the calculation of the Planning Department as to the authorized number of animals.

Section 39.06.005g. of the City Ordinance also requires the following:

- The permit holder shall appear annually before the Planning and Zoning Commission for renewal of the permit. The Planning Department may require an annual site inspection prior to renewal;
- Any permit issued under this Section shall be non-transferrable as to the permit holder and/or the premises to be permitted. A permit holder may not relocate their operation using the same permit. A permit approved at a particular location may not be transferred to a new individual or business; and
- Complaints regarding dog bites, nuisance animals, or excess noise shall be investigated by the Police Department.

COMPATIBILITY WITH LOCAL USES: The proposed Pet Day Care would be located in an existing single-family structure within a residential neighborhood. As a pet day care generally serves as a residential support service, the proposed location is in an appropriate location.

COMPLIANCE WITH ZONING REGULATIONS: According to Table 4-2 as found in Section 39.04.005 of the Zoning Code, operation of a Pet Day Care center in the R-3 zoning district requires approval of special use permit by the City Commission.

Staff reviewed the proposed Pet Day Care using the criteria in Table 12-1 as found in Section 39.12.003 of the Zoning Code. Staff found the proposed Pet Group Day Care met those criteria. In accordance with Section 39.12.003 of the Zoning Code, the SUP shall become void two years after its effect date if the applicant has not carried out development or occupancy during that period. Also, in accordance with Section 39.12.003 of the Zoning Code, the City Commission may revoke a Special Use Permit should the operation of the use subject to such permit violate the conditions under which the permit was granted

Public Input: As of the date of this this, City staff has not received any public comments.

Staff Recommendation: The City Community Development Team staff recommends approval subject to the following conditions:

- **The maximum number of pets shall be limited to eight (8).**
- **Operation of the pet day care center shall be as described in this staff report as well as in the material found in Attachment A.**
- **All outdoor areas shall be fenced in accordance with the City Zoning Ordinance.**
- **The permit holder shall appear annually before the Planning and Zoning Commission for renewal of the permit. The Planning Department may require an annual site inspection prior to renewal.**
- **The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.**
- **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 **the SUP -003-2024 Plum Creek Canines Pet Day Care** petition, subject to the conditions above, as being consistent with the City of Dickinson Comprehensive Plan and as being compliant with the City of Dickinson Zoning Ordinance 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 -003-2024 the Plum Creek Canines Pet Day Care** petition as NOT being consistent with the City of Dickinson Comprehensive Plan and as not being compliant with the City of Dickinson Zoning Ordinance and as being contrary to interest of the public health, safety and welfare."*