

MEMORANDUM

DATE: APRIL 2, 2009

TO: PLANNING COMMISSION

FROM: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: INITIATE A PROPOSED ZONING ORDINANCE AMENDMENT TO ALLOW DAYTIME AND OVERNIGHT DOG CARE IN THE BUSINESS PARK - MANUFACTURING (BP-M) ZONE

Staff is requesting the Planning Commission initiate a Zone Text Amendment as the Municipal Code provides authority to both the City Council and the Planning Commission to initiate such requests. The Planning Commission is being asked, by motion, to initiate the amendment and hold a public hearing at a subsequent scheduled meeting to receive public testimony on the action.

The Planning Department has received an application from Mr. Paul Berkovitz, who is requesting to amend the Zoning Ordinance to allow daytime and overnight dog care in the Business Park – Manufacturing (BP-M) zone. The Zoning Ordinance regulates similar uses in the City such as animal hospitals, veterinarians, pet stores and dog grooming businesses but is silent regarding daytime and night time care of dogs.

The applicant is interested in opening this franchise business in a tenant space within an existing building located at 29348 Roadside Drive. The site is occupied by a recently constructed, 11,600 square-foot, single-story industrial/retail building divided amongst three tenant spaces. The lot is located adjacent to a car-wash/lube services facility and the Fence Factory and is within the Business Park - Manufacturing (BP-M) and the Freeway Corridor Overlay (FC) zone. The proposed business would allow dog owners to bring their dogs to the facility for care and indoor recreation during daytime hours in addition to overnight stay when the owners are away. A business description is attached for reference.

The Zoning Ordinance currently does not allow for the temporary care of dogs other than for medical reasons, grooming or sales of pets. Two veterinary and grooming businesses currently operate in the City. These uses are located in the Commercial Retail Service (CRS) zone and allowed by right. The Zoning Ordinance does not allow kennels anywhere in the City. The animal shelter, on Agoura Road, is owned and operated by the County of Los Angeles. In order for the business to be allowed to operate in the City, the Commercial Land Use Table would need to be amended to include this type of use, in this case, in the Business Park Manufacturing zone.

The BP-M Zone is the most intensive land use zone in the City in that it allows for industrial-type uses such as wholesale distribution facilities, light manufacturing and assembly, and auto repair. The structures found in that zone are typically larger with ample interior space. The amount of traffic that would be generated from the dog day care facility would be minimal and surrounding uses would not be as noise sensitive. Compatibility of uses would be most successfully accomplished by locating these types of use in an industrial zone.

Staff recommends that dog care facilities be subject to approval of a Conditional Use Permit. Additional development standards and operational features can be included in the Conditional Use Permit on a case-by-case basis to further address neighborhood compatibility and that dog care facilities operators be subject to licensing by outside agencies regulating the care of animals, specifically dogs. Moreover, staff recommends the proposed use be limited to the BP-M zone south of the freeway. There is BP-M zoned land north of the freeway, but staff would recommend that the proposed use not be allowed there because of the proximity to the residential neighborhood.

The applicant would be responsible for filing an application for any amendments to the zoning ordinance to allow the dog day care in the BP-M zone. The request would first be reviewed by the Planning Commission at a public hearing to formulate recommendations to the City Council. The City Council would then conduct another public hearing prior to taking final action. The actual use would be subject to a Conditional Use Permit granted by the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission initiate the Zoning Ordinance amendment to allow dog day care and nighttime care, subject to the issuance of Conditional Use Permit in the BP-M zone. A noticed public hearing will be held subsequently to consider the formal application of the Zoning Ordinance amendment.

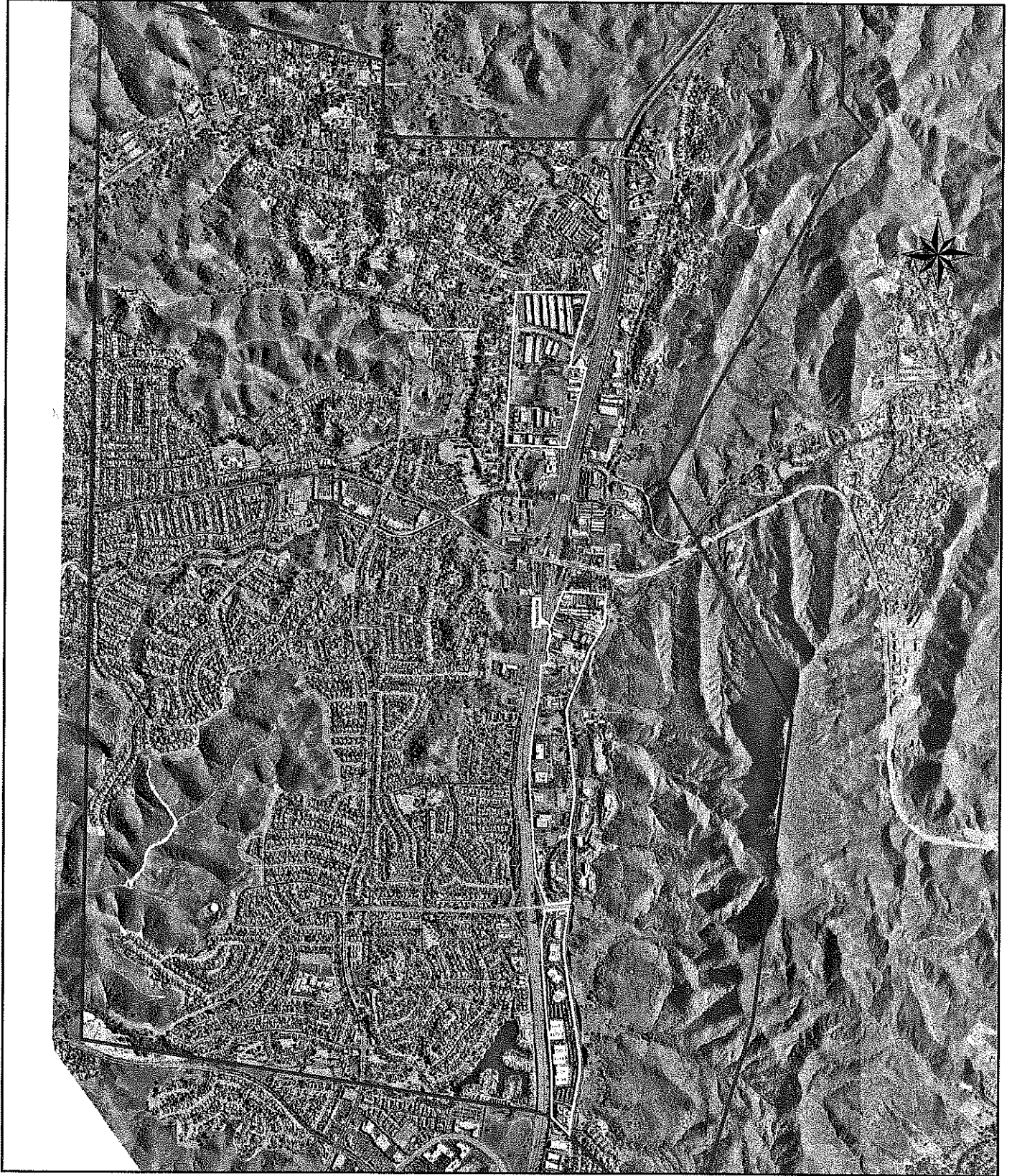
Attachments: Project Description
Location of BP-M Zone
Proposed Limitation of Location of the Use

Description of the Proposed Project:

The subject site is located at 29348 Roadside Drive within the Business Park-Manufacturing (BP-M) zoning designation. The site is currently developed with an 11,600 square-foot multi-tenant retail/manufacturing building on a 38,000 square-foot lot. We are seeking to utilize a 6,000 square-foot unit within the existing building for an upscale dog hotel (kennel). Because the current zoning designation does not permit kennels, we are requesting that the City approve a zoning ordinance amendment to allow kennels within the BP-M zoning designation.

ZONING ORDINANCE AMENDMENT - CASE NO. 09-ZOA-003

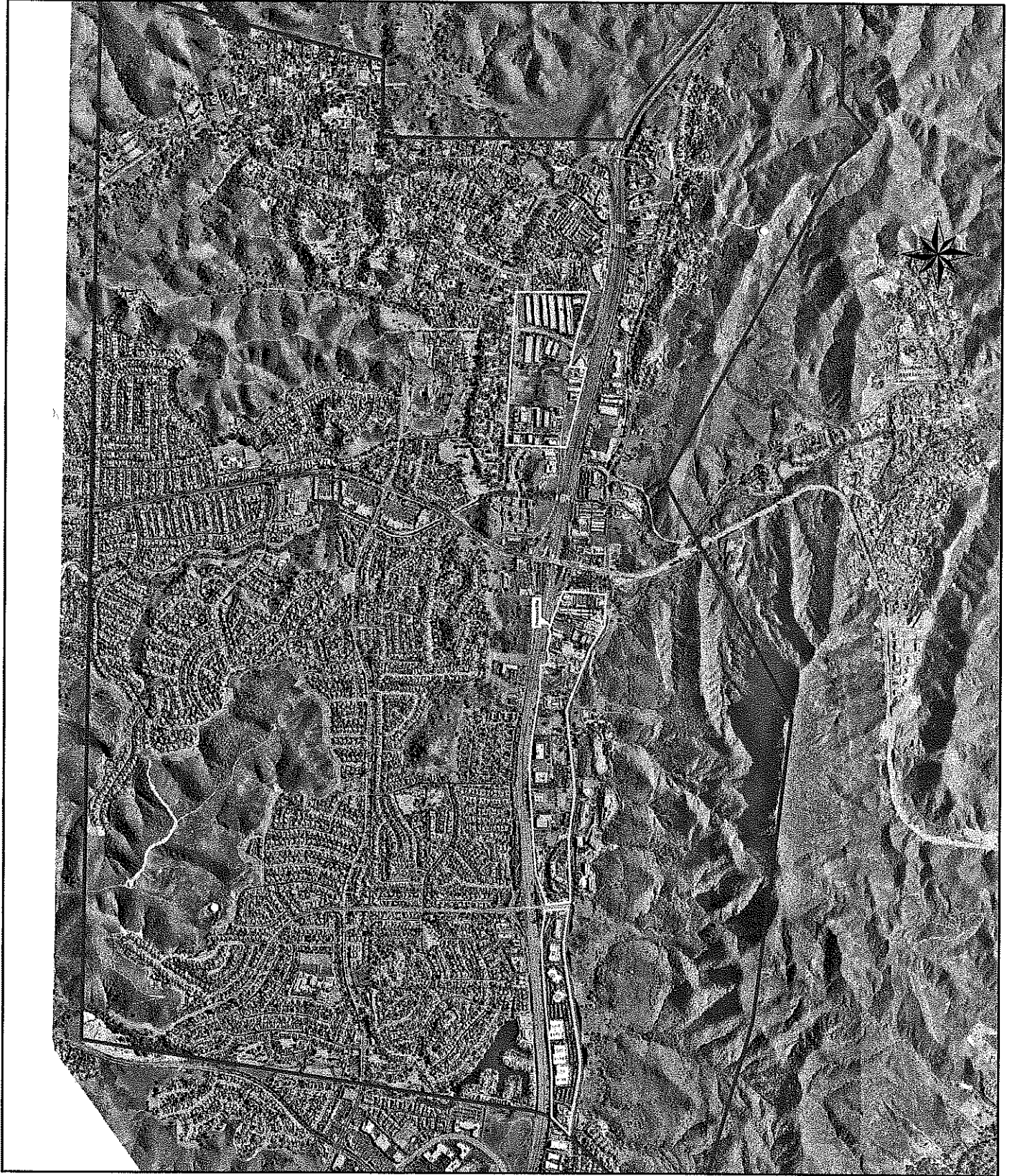
Existing BP-M
Zones



BP-M Zone

ZONING ORDINANCE AMENDMENT - CASE NO. 09-ZOA-003

Existing BP-M
Zones



BP-M Zone