

STAFF EVALUATION

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Case No.: Zoning ordinance amendment, ZOA2021-00015
Planning Commission Date: December 16, 2021
City Council Date: January 20, 2022

General Information

<i>Description of Proposal</i>	To address animal-related uses and their additional standards within Chapter 3 of the Zoning Ordinance. This amendment would remove the use of 'accessory use/structure for keeping of recreational animals' in order to capture those standards within Chapter 1, General Provisions. It would also rename the existing use 'animal boarding/stables', to 'stables', to be clearer that the use is intended to address stables for horses and similar equine animals. The amendment would add an additional standard for the existing use agriculture/farming which requires structures be kept at least 100 feet from property lines.
<i>Zoning Definitions</i>	<u>Related ZOA21-00020 adds the following definition:</u> <i>Companion animals. Dogs, both domestic and feral; cats, both domestic and feral; nonhuman primates; guinea pigs; hamsters; rabbits not raised for human food or fiber; exotic or native animals; reptile; exotic and native birds; or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals.</i>
<i>Current Regulations</i>	The current ordinance permits animal boarding/stables by right with additional standards in the M-3 district and with a use permit in the R-R district. The current ordinance permits accessory use/structure for keeping of recreational animals by right with additional standards in the R-LL, R-43, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, R-M, C-1, C-2, C-3, RT-1, DT-1, and DT-2 districts.

Analysis

In past years, staff have received numerous requests or complaints from residents regarding animal-related uses and care. Last year, staff began addressing these concerns by clarifying requirements for kennels and animal daycare facilities; these amendments continue that effort to clarify how animals are regulated within the Zoning Ordinance. Staff has worked closely with the Hampton Animal Response Team (HART, formerly Animal Control) to coordinate this effort.

The current ordinance allows 'animal boarding/stables' by-right within the M-3 district and with a use permit in the R-R district. This is proposed to remain unaltered, while the name is updated to 'stables' to assist users of the ordinance in understanding the use pertains to stables for horses and other equine animals rather than the boarding of other kinds of animals. Similarly, staff is recommending edits within the existing additional standards for stables to clarify that the use is for horses or similar equine animals.

The proposed amendment also removes the current existing use 'accessory use/structure for keeping of recreational animals' and the associated additional standards in order to incorporate those standards with some modifications within Chapter 1 of the Zoning Ordinance. This will similarly assist users in understanding the Zoning Ordinance, as Chapter 1 currently contains standards for accessory structures in most districts.

The amendment would also add one additional standard to the existing use 'agriculture/farming' that would require that any structure or yard for the keeping of animals be setback at least 100 feet from property lines, other than such accessory structures as regulated in Chapter 1.

This amendment is in conjunction with ZOA 21-00019 and ZOA 21-00020, which incorporate the general standards for accessory keeping of animals and add a definition for companion animals, respectively. These amendments taken together do not significantly alter how animals are allowed within the City limits, but rather clarify and codify existing interpretations of the Zoning Ordinance, and coordinate enforcement efforts between HART and Zoning enforcement.

Staff recommends approval of ZOA 21-00015.