



MILLCREEK COMMUNITY DEVELOPMENT

3330 SOUTH 1300 EAST
MILLCREEK, UTAH 84106

MEMORANDUM

To: **Community Councils**
From: **Francis Xavier Lilly, AICP, Director**
Date: **26 September 2018**

Re: **ZT-18-011 – Amendments to Millcreek Code Establishing Dog Walking Boarding as a Conditional Use in R-1 zones.**

Applicant: **Ellen Greeneisen, Hiking Hounds, LLC**

Summary

Ellen Greeneisen, a Millcreek resident, has operated a dog walking and boarding business out of her home in Millcreek, which is located in an R-1-10 zone. Upon being informed that the use is currently not allowed in the R-1-10 zone, she petitioned the City Council to amend the R-1 zones to allow for *dog walking and boarding* as a conditional use. Staff is concerned about the potential adverse impacts of a residential dog walking or boarding business on adjacent properties, and would support the proposed amendment *only if* it can be crafted to mitigate the potential of adverse impacts.

Current Code Considerations

Millcreek is currently subject to the Salt Lake County Animal Code, which does not limit the number of cats or dogs that can be owned by a resident. However, uses such as *sportsman's kennel*, which is defined as "a kennel for the keeping of three to five dogs which has a valid permit from the department of animal services and is located on a lot of at least one acre", is allowed as a conditional use in the R-1-15, R-1-21, and R-1-43 zones. The City also has a legal definition of *kennel*: "the keeping of three or more dogs, at least four months old." This use is not called out specifically anywhere in the R-1 zones, but is presumably allowed as an accessory use to an existing residential use. However, this definition is in conflict with the animal code which imposes no limit on the number of dogs a resident can own, provided they don't cause a nuisance.

The applicant is proposing to board dogs as a business, and currently the Home Business ordinance excludes "raising, breeding, training, housing, keeping or care of animals" from home business regulations, and states that this use is "subject to a conditional or permitted use approval process", provided the use is permitted or conditionally permitted in the zone. Thus, to make the applicant's proposed change consistent with ordinance requirements elsewhere, it must be defined as a conditional or permitted use.

Staff notes that residential dog boarding already occurs in Millcreek. A brief survey of rover.com, a clearinghouse for residential dogsitting businesses, indicated about a dozen dog-sitters doing business in Millcreek.

Proposed Changes

The applicant is proposing allowing *dog walking and boarding* as a conditional use in the residential zone, and proposes a definition in her letter, which is attached to this staff report. Staff believes that the definition needs to be further refined to ensure that the use is being properly applied in a residential zone.



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In addition, staff is recommending that some standards be applied to the use, so that if dog walking and boarding were approved as a conditional use, detrimental effects such as noise, odor, and pick-up and drop-off activities can be mitigated.

If the community councils recommend establishing dog walking and boarding as a conditional use, staff recommends, at a minimum, that the following standards should apply:

1. For residential lots between 6,000 square feet and 10,000 square feet, no more than two dogs may be boarded at a time.
2. For residential lots 10,000 square feet or larger, no more than four dogs may be boarded at a time.
3. Dogs must be cared for within the residence. Dogs may not be cared for in an accessory building or garage.
4. No more than two dogs at any one time may be allowed in residential yard areas.
5. The applicant must obtain a kennel license from Salt Lake County Animal Services.
6. Pick-up and drop-off of dogs must occur between the hours of 7:30 am and 6:30 pm.
7. The applicant must maintain a Millcreek business license in good standing.
8. The applicant must walk each dog at least an hour per day while the dogs are being boarded.

In addition, the Community Councils are advised to recommend other reasonable standards.

Francis Xavier Lilly, AICP, Community Development Director

Ellen Greeneisen
Hiking Hounds, llc
4594 Westview Drive

Dear Mr. Lilly:

Thank you for considering a zoning text amendment so that I can continue to provide personalized care to my dog clients, whilst my people clients are away.

Hiking Hounds, llc.

-Est. November 2009

-79 pack members

-8 subcontractors

- Community Service: Wasatch Community Gardens, Green Urban Lunch Box, Salt Lake County Open Spaces, Best Friends Animal Society, JCC, Rape Recovery Center and Olympus LAX

Over the past ten years I have developed a wonderful community of people who genuinely want the best care while maintaining obedience for their dogs. I pride myself on practicing good trail etiquette, leave no trace, and especially leave no impact (meaning my dogs are not impactful to others on trail). I hike all my pack members 3-5 miles, for approximately one and a half hours. Dogs that I care for in my home are required to hike everyday so that the return home content and ready to nap. Currently, I like to take up to four dogs at my home. Moving to our home on Westview, I built a 120 sq. ft. building with ac/heat to house the dogs out of the elements when they are sleeping. We fenced the entire lot, and have a temporary fence for the 'dog zone'. Clients are only allowed to pick-up or drop-off their dog during three one-hour window. This is my home, and I like to keep things neat, to that end all dog waste and toys are picked-up twice daily.

Definition:

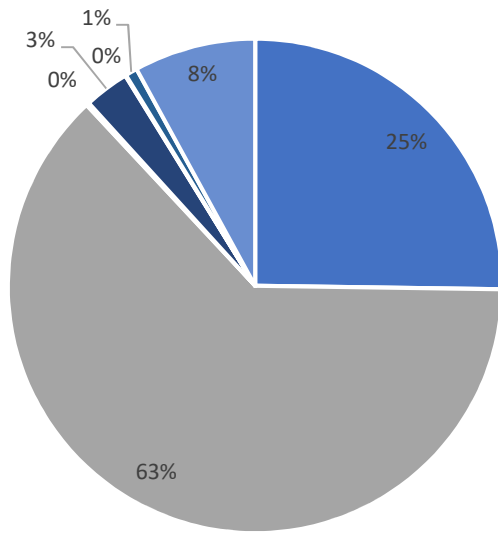
The housing, exercise and care of dogs. Dogs are exercised daily, such that they are calm, and well behaved. Facility shall be designed to include a cover and enclosed space for the dogs to seek shelter from temperatures and weather conditions as well as to house dogs at nighttime.

All waste removal shall comport with and meet health code standards and periodic inspections. In order to decrease noise and traffic disturbances to effectuate housing, drop off and pick up of dogs from residence shall be limited to regular and reasonable business hours with certain limitation.

Please contact me if you have any questions or would like to tour my home.

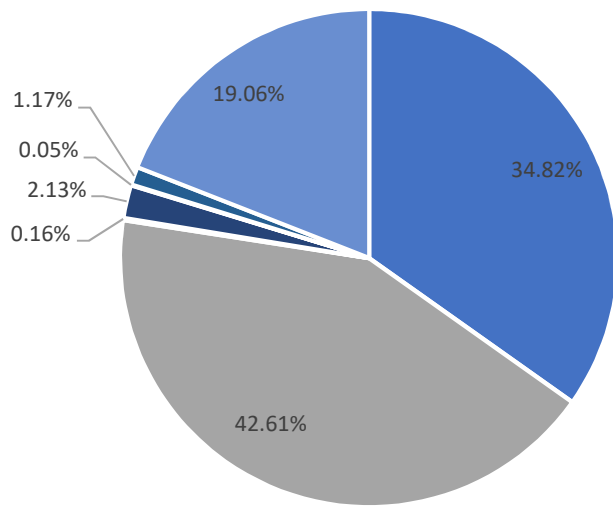
I plan on attending The Mt. Olympus Community Council, Millcreek Community Council, Canyon Rim Citizens Association, East Millcreek Community Council and the Planning commission Meeting. I look forward to meeting you in person soon.

Percentage of Sales by Quantity



■ Dog Housing & Exercise ■ Hike ■ Private Walk ■ Run ■ Agility ■ Training ■ Misc.

Percentage of Sales by Dollar



■ Dog Housing & Exercise ■ Hike ■ Private Walk ■ Run ■ Agility ■ Training ■ Misc.