

ORDINANCE NO. BL2014-652

An ordinance amending Sections 17.04, 17.08, 17.16 and 17.20 of Title 17 of the Metropolitan Code pertaining to animal hospitals, kennels/stables, veterinarians and animal boarding facilities in Nashville and Davidson County all of which is more particularly described herein (Proposal No. 2013Z-015TX-001).

WHEREAS mixed use zoning districts that encourage a range of uses, including residential uses, are becoming more prevalent in Nashville – Davidson County,

WHEREAS pet ownership in households is common, and

WHEREAS this text amendment will allow animal boarding facilities in most mixed-use, commercial and shopping center zoning districts in order to meet the rising demand for pet care in proximity to residential uses.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by deleting the term “Animal Hospital”, wherein it appears in Section 17.04.060 (definitions and general terms) and in Section 17.08.030 (district land use tables).

Section 2. Section 17.04.060 (definitions of general terms) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by adding the following term and definition in alphabetical order:

“Veterinarian” means a person who is licensed to give medical care and treatment to animals. A veterinarian use may include the operation of an enterprise for the care and treatment of the diseases and injuries of animals, where animals may be boarded during their treatment and convalescence.

Section 3. Section 17.04.060 (definitions of general terms) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by deleting the definition for “Animal Boarding Facility” wherein it appears and substituting with the following definition:

“Animal Boarding Facility” means any lot, building, structure or premises used, designated or arranged for the temporary boarding, care and grooming of domesticated dogs and cats for profit.

Section 4. Section 17.08.030 (district land use tables) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by adding “Veterinarian” as a use permitted (P) in the IWD and IR zoning districts, and as a use permitted by special exception (SE) in the AG and AR2A zoning districts.

Section 5. Section 17.08.030 (district land use tables) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by adding “Animal Boarding Facility” as a use permitted with conditions (PC) in the MUL, MUL-A, MUG, MUG-A, MUI, MUI-A, CL, CS, CF, SCC and SCR zoning districts.

Section 6. Section 17.08.030 (district land use tables) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by adding “Kennel/stable” as a use permitted by special exception (SE) in the IWD zoning district.

Section 7. Section 17.16.060 (Uses Permitted with Conditions (PC) - medical uses) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by deleting subsection B. in its entirety, and substituting with the following new subsection B:

B. Veterinarian.

1. The building footprint of veterinary offices and facilities shall be limited to two thousand five hundred square feet with no more than two establishments per lot.
2. Animal Boarding Facilities. Facilities for the boarding of companion animals not undergoing medical treatment are permitted as an ancillary use subject to the following conditions.
 - a. No more than thirty percent of the gross floor area of the veterinary clinic may be used as a boarding facility.
 - b. Landscape Buffer Yard. Outdoor exercise yards and/or runs shall be completely fenced and used only between seven a.m. and seven p.m. Where such outdoor activities abut a residential zone district, landscape buffer yard Standard B shall apply along common property lines. A minimum six-foot opaque vertical fence may substitute for landscaping; however the buffer yard width of landscape buffer yard Standard B shall still apply along common property lines.
 - c. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs, and walls shall be of an impervious material to permit proper cleaning and disinfecting.
 - d. Cages. Each animal boarded at the facility shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
 - e. Runs. Each run must have at least a six-foot high fence completely surrounding it. Fences must be maintained in escape-proof condition. Runs shall provide an adequate exercise area and protection from the weather. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
 - f. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.

g. On-Site Waste Collection. All on-site waste shall be housed either within the veterinarian building or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products from the boarding facility shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams, or rivers.

3. Security Residence. The building footprint of an accessory security residence, if provided, shall be in addition to the maximum permitted building footprint of the veterinary clinic. All standards of Section 17.16.030.C shall be met.

Section 8. Section 17.16.070 (Uses Permitted with Conditions (PC) - commercial uses) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by deleting subsection B. in its entirety, and substituting with the following new subsection B:

B. Animal Boarding Facility.

1. Landscape Buffer Yard. Outdoor exercise yards and/or runs shall be completely fenced and used only between seven a.m. and seven p.m. Where such outdoor activities abut a residential zone district, landscape buffer yard Standard B shall apply along common property lines. A minimum six-foot opaque vertical fence may substitute for landscaping; however the buffer yard width of landscape buffer yard Standard B shall still apply along common property lines.
2. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs and walls shall be of an impervious material to permit proper cleaning and disinfecting.
3. Cages. Each animal boarded at the facility shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
4. Runs. Each run must have at least a six-foot high fence completely surrounding it. Fences must be maintained in escape-proof condition. Runs shall provide an adequate exercise area and protection from the weather. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
5. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.
6. On-Site Waste Collection. All on-site waste shall be housed either within the animal boarding facility or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams or rivers.

Section 9. Section 17.16.174 (Uses Permitted by Special Exception (SE)) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by adding the following new Section 17.16.174:

17.16.174 Medical Special Exceptions.

(Refer to zoning district land use table)

A. Veterinarian.

1. The building footprint of veterinary offices and facilities shall be limited to two thousand five hundred square feet with no more than two establishments per lot.
2. Animal Boarding Facilities. Facilities for the boarding of companion animals not undergoing medical treatment are permitted as an ancillary use subject to the following conditions.
 - a. No more than thirty percent of the gross floor area of the veterinary clinic may be used as a boarding facility.
 - b. Landscape Buffer Yard. Outdoor exercise yards and/or runs shall be completely fenced and used only between seven a.m. and seven p.m. Where such outdoor activities abut a residential zone district, landscape buffer yard Standard B shall apply along common property lines. A minimum six-foot opaque vertical fence may substitute for landscaping; however the buffer yard width of landscape buffer yard Standard B shall still apply along common property lines.
 - c. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs, and walls shall be of an impervious material to permit proper cleaning and disinfecting.
 - d. Cages. Each animal boarded at the facility shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
 - e. Runs. Each run must have at least a six-foot high fence completely surrounding it. Fences must be maintained in escape-proof condition. Runs shall provide an adequate exercise area and protection from the weather. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
 - f. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.
 - g. On-Site Waste Collection. All on-site waste shall be housed either within the veterinarian building or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products from the boarding facility shall be discharged into a permitted sanitary sewer

line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams, or rivers.

3. Security Residence. The building footprint of an accessory security residence, if provided, shall be in addition to the maximum permitted building footprint of the veterinary clinic. All standards of Section 17.16.030.C shall be met.

Section 10. Section 17.16.175 (Uses Permitted by Special Exception (SE) - commercial uses) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by deleting subsection A. in its entirety, and substituting with the following new subsection A:

A. Kennel/Stable.

1. Setback. No part of any building or structure in which animals are housed shall be closer than two hundred feet, and no kennel run shall be located within one hundred feet, from any existing residence, other than one owned or occupied by an owner or operator of the kennel or stable. In the event more than ten horses are boarded on five acres or more, the building setback shall increase to two hundred feet from the property line.
2. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs and walls shall be of an impervious material to permit proper cleaning and disinfecting.
3. Cages. Each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
4. Runs. Each run must have at least a six-foot high fence completely surrounding it. Fences must be maintained in escape-proof condition. Runs shall provide an adequate exercise area and protection from the weather. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
5. Stalls. Each horse shall have sufficient space to stand up, lie down and turn around without touching the sides of the stall. Stalls are to be of material and construction that permits cleaning and sanitizing.
6. Riding Ring. For a horse, no riding ring, including jumps and corrals, shall be located closer than fifty feet to any property line.
7. Trail Rides. No horse shall be ridden or walked along public rights-of-way for any length of time or duration.
8. Gates and Locks. All gates for entrance/exit to the stalls, riding rings, and other training area must be kept locked when not in use. All horses connected with the riding stable shall be enclosed by appropriate fencing so they shall not be permitted to run at large.
9. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.
10. On-Site Waste Collection. All on-site waste shall be housed either within the kennel building or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid

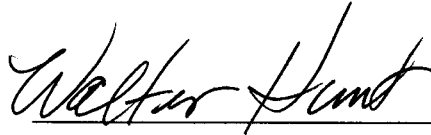
by-products from the kennel shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams or rivers.

11. Security Residence. The building footprint of an accessory security residence, if provided, shall be in addition to the maximum permitted building footprint of the veterinary clinic. All standards of Section 17.16.030.C shall be met.

Section 11. Section 17.20.030 (Parking Requirements Table) of Title 17 of the Metropolitan Code, Zoning Regulations, is hereby amended by adding the following commercial use "Animal Boarding Facility" and the following minimum parking requirement: 1 space per 400 square feet; UZO district: First 2,000 square feet: exempt: 1 space per 500 square feet for floorspace in excess of 2,000 square feet.

Section 12. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

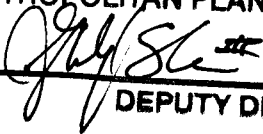
INTRODUCED BY:



Member of Council

Approved (10-0)

APPROVED ON December 12, 2013 BY THE
METROPOLITAN PLANNING COMMISSION.



DEPUTY DIRECTOR