

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



ZONING COMMISSION  
District of Columbia

CASE NO. 05-21A

EXHIBIT NO. 20

2006 AUG 31 PM 1:54

D.C. OFFICE OF ZONING

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**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** JLS for  
Ellen McCarthy, Director

**DATE:** August 10, 2006

**SUBJECT:** **Z.C. Case No. 05-21A –Second Supplemental Report–** to permit and define Pet Grooming Establishments, Pet Shops, Veterinary Hospitals and Animal Shelters as special exception uses within the C-2, C-3, C-4, C-M and M Zone Districts, initiated by the Office of Planning.

This report compiles the final text recommendations of the Office of Planning regarding Pet Grooming Establishments, Pet Shops, Veterinary Hospitals and Animal Shelters. In the preparation of this report the Office of Planning reviewed the supplemental information submitted to the record and makes the following recommendations regarding the proposed text amendment.

**Pet Grooming Establishment**

1. Definition:
  - a. Existing: None
  - b. Proposed: “An establishment, which, for a fee, trims or cleans domestic pets, such as dogs and cats. A pet grooming establishment is considered an animal boarding use if more than ten animals are on the premises at a time, or the overnight stay of animals is permitted.”
2. Regulations:
  - a. Existing: None
  - b. Proposed: Permit as a special exception use within the C-2, C-3, C-4, C-M and M Zone Districts, subject to the following criteria:

- a. All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;
- b. Pet grooming establishments shall not abut an existing residential use, or a residential zone district;
- c. External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited;
- d. Pet grooming establishments shall not engage in boarding or grooming of animals that are sheltered for a fee; and
- e. The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.

### **Pet Shop**

1. Definition:

- a. Existing: None
- b. Proposed: “A store for the sale of dogs, cats, birds, tropical fish and/or other domesticated pets, and related supplies and equipment.”

2. Regulations:

- a. Existing: Permitted as a **matter-of-right** within the C-2, C-3, C-4, C-M and M Zone Districts.
- b. Proposed: Permit as a **special exception** within the C-2, C-3, C-4, C-M and M Zone Districts, subject to the following criteria:
  - a. All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;

- b. Pet shops shall not abut an existing residential use, or a residential zone district;
- c. External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited;
- d. Pet shops shall not engage in boarding or grooming of animals that are sheltered for a fee; and
- e. The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.

### **Veterinary Hospital**

1. Definition:

- a. Existing: None
- b. Proposed: “An establishment used by a licensed veterinarian for the practice of veterinary medicine, and not as an animal boarding establishment. A veterinary hospital may include the practice of specialty and/or emergency veterinary medicine. A veterinary hospital may also include incidental boarding of animals as necessary for convalescence, pet grooming, and the sale of pet supplies, but not as an independent line of business.”

2. Regulations:

- a. Existing: Permitted as a **matter-of-right** use within the C-2, C-3, C-4, C-M and M Zone Districts.
- b. Proposed:
  - 1. Permit as a **matter-of-right** use within the C-2, C-3, C-4, C-M and M Zone District.
  - 2. Add small animal boarding, such as cats, rabbits, ferrets and “pocket pets”, such as gerbils, hamsters and mice, as an accessory use, provided the area devoted to boarding is less than 50 percent of the area of the veterinary hospital.

3. Permit by **special exception** a veterinary hospital to have small animal that occupies 50 percent or more of the area of the veterinary hospital, subject to the following conditions:
  - a. All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;
  - b. Veterinary hospitals shall not abut an existing residential use, or a residential zone district;
  - c. External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited;
  - d. The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.

### **Animal Shelter**

1. Definition:
  - A. Existing: None
  - B. Proposed: "Any premises that houses and feeds stray or abandoned animals without a fee, and is operated by a non-profit organization or governmental agency."
2. Regulations:
  - A. Existing: None
  - B. Proposed:
    1. Permit as a **matter-of-right** use within C-M and M Zone Districts, subject to the following criteria:
      - a. The animal shelter shall be located, designed and operated so as to create no objectionable conditions to adjacent properties resulting from animal noise, odor or waste.

1. The animal shelter shall utilize industry standard sound absorbing materials such as acoustical floor and ceiling panels, acoustical concrete and masonry, and acoustical landscaping; and
    2. Animal shelters shall place all animal waste in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;
  - b. Outdoor runs and external yards for the exercise of animals shall be permitted, subject to the following requirements:
    - (1) No part shall be located within 200 feet of an existing residential use or residence zone district;
    - (2) No animals shall be permitted in outdoor runs or external yards between the hours of 8:00 p.m. and 8:00 a.m.;
    - (3) External yards and outdoor runs shall be enclosed with fencing or walls for the safe confinement of the animals and the absorption of noise. Fencing and/or walls shall be a minimum of 8 feet in height and constructed of solid and opaque materials with maximal noise-absorbing characteristics; and
    - (4) No more than 3 animals shall be permitted within any exterior yard or outdoor run at a time;
  - c. Animal shelters shall not abut an existing residential use, or a residential zone district; and
  - d. Animal shelters shall not engage in boarding or grooming of animals that are sheltered for a fee.
2. Permit as a **special exception** use within the C-2, C-3 and C-4 Zone Districts, subject to the following criteria:
    - a. All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least

weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;

- b. Animal shelters shall not abut an existing residential use, or a residential zone district;
- c. External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited;
- d. Animal shelters shall not engage in boarding or grooming of animals that are sheltered for a fee; and
- e. The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.

#### PROPOSED AMENDMENTS

Amend § 199.1, DEFINITIONS, as follows:

**Animal Shelter - Any premises that houses and feeds stray or abandoned animals without a fee, and is operated by a non-profit organization or governmental agency.**

\* \* \*

**Pet Grooming Establishment - An establishment, which, for a fee, trims or cleans domestic pets, such as dogs and cats. A pet grooming establishment is considered an animal boarding use if more than ten animals are on the premises at a time, or the overnight stay of animals is permitted.**

**Pet Shop - A store for the sale of dogs, cats, birds, tropical fish and/or other domesticated pets, and related supplies and equipment.**

\* \* \*

**Veterinary Hospital - An establishment used by a licensed veterinarian for the practice of veterinary medicine, and not as an animal boarding establishment. A veterinary hospital may include the practice of specialty and/or emergency veterinary medicine. A veterinary hospital may also include incidental boarding of animals as necessary for convalescence, pet grooming, and the sale of pet supplies, but not as an independent line of business.**

Amend Chapter 6, MIXED USE DISTRICTS, as follows:

602.1 The following uses shall be specifically prohibited in CR Districts:

- (a) ~~Animal~~ **Veterinary** hospital or veterinarian;

Amend Chapter 7, COMMERCIAL DISTRICTS, as follows:

721.1 In addition to the uses permitted in C-1 Districts by § 701.1, the following service establishments shall be permitted in a C-2 District as a matter of right:

- (x) **Veterinary hospital, including the boarding of non-canine animals such as cats, rabbits, ferrets and “pocket pets,” such as gerbils, hamsters and mice as an accessory use, provided the boarding occupies less than fifty (50) percent of the area of the veterinary hospital.**

\* \* \*

721.3 In addition to the uses permitted in C-1 Districts by § 701.4, the following retail establishments shall be permitted in a C-2 District as a matter of right:

- (p) ~~Pet Shop~~

\* \* \*

## **737 PET GROOMING**

**737.1 A pet grooming establishment may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section;**

**737.2 All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;**

**737.3 A pet grooming establishment shall not abut an existing residential use, or a residential zone district;**

**737.4 External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited; and**

**737.5 The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.**

**738 PET SHOP**

**738.1 A pet shop may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section;**

**738.2 All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;**

**738.3 A pet shop shall not abut an existing residential use, or a residential zone district;**

**738.4 External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited; and**

**738.5 The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.**

**739 VETERINARY HOSPITAL WITH ANIMAL BOARDING OCCUPYING FIFTY (50) PERCENT OR MORE OF THE AREA OF THE HOSPITAL**

**739.1 A veterinary hospital engaged in the boarding of non-canine animals such cats, rabbits, ferrets and “pocket pets,” such as gerbils, hamsters and mice animal boarding occupying fifty (50) percent or more of the area of the hospital may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section;**

**739.2 All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;**

**739.3 A veterinary hospital with animal boarding occupying fifty (50) percent or more of the area of the hospital shall not abut an existing residential use, or a residential zone district;**

**739.4 External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited; and**

**739.5 The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.**

**740 ANIMAL SHELTER**

**740.1 An animal shelter may be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the requirements of this section;**

**740.2 The animal shelter shall utilize industry standard sound absorbing materials such as acoustical floor and ceiling panels, acoustical concrete and masonry, and acoustical landscaping;**

**740.3 All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;**

**740.4 An animal shelter shall not abut an existing residential use, or a residential zone district;**

**740.5 External yards, outdoor runs or other external facilities for the keeping of animals shall be prohibited; and**

**740.6 The Board may impose additional requirements as it deems necessary to protect adjacent or nearby properties.**

\* \* \*

**761 C-5 (PAD) DISTRICT USES**

**761.1 Any use permitted in a C-4 District under § 751 shall be permitted in the C-5 (PAD) District as a matter of right, except that a gasoline service station shall be permitted only as an accessory use to a parking garage subject to the conditions of § 701.1(i), and except that pet grooming establishments, pet shops, veterinary hospitals and animal shelters shall not be permitted.**

**761.2 Uses as specified and controlled under §§ 753 and 754 shall be permitted as a special exception in the C-5 (PAD) District is approved by the Board of Zoning**

Adjustment under § 3104, **except that pet grooming establishments, pet shops, veterinary hospitals and animal shelters shall not be permitted.**

\* \* \*

Amend Chapter 8, INDUSTRIAL DISTRICTS, as follows:

801 USES AS A MATTER OF RIGHT (C-M)

\* \* \*

801.7 The following additional uses shall be permitted as a matter of right in a C-M District, subject to the standards of external effects in § 804:

\* \* \*

**(m) An animal shelter shall be permitted as a matter of right subject to the following additional standards:**

**(1) The animal shelter shall be located, designed and operated so as to create no objectionable conditions to adjacent properties resulting from animal noise, odor or waste.**

**a. The animal shelter shall utilize industry standard sound absorbing materials such as acoustical floor and ceiling panels, acoustical concrete and masonry, and acoustical landscaping; and**

**b. Animal shelters shall place all animal waste in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odor shall be controlled by means of an air filtration system or an equivalently effective odor control system;**

**(2) Outdoor runs and external yards for the exercise of animals shall be permitted, subject to the following requirements:**

**a. No part shall be located within 200 feet of an existing residential use or residence zone district;**

**b. No animals shall be permitted in outdoor runs or external yards between the hours of 8:00 p.m. and 8:00 a.m.;**

- c. External yards and outdoor runs shall be enclosed with fencing or walls for the safe confinement of the animals and the absorption of noise. Fencing and/or walls shall be a minimum of 8 feet in height and constructed of solid and opaque materials with maximal noise-absorbing characteristics; and**
  - d. No more than 3 animals shall be permitted within any exterior yard or outdoor run at a time;**
- (3) Animal shelters shall not abut an existing residential use, or a residential zone district; and**
- (4) Animal shelters shall not engage in boarding or grooming of animals that are sheltered for a fee.**