



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 6, 2024

REF: M-17-24

TO: President Carrie Hartman and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Text amendment modification to TMC§1104.0100 *Use Table* – Commercial Use Types – Animal Services – Kennels; and TMC§1104.1201 *Setbacks*.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 5, 2024 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Modification to TMC§1104.0100 <i>Use Table</i> – Commercial Use Types – Animal Services – Kennels; and TMC§1104.1201 <i>Setbacks</i> .
Applicant	-	Toledo City Plan Commission One Government Center, Suite 1620 Toledo, OH 43604

STAFF ANALYSIS

The Plan Commission is requesting a modification to TMC§1104.0100 *Use Table*; and TMC§1104.1201 *Setbacks*. Both of these text amendments pertain to zoning regulations for Animal Shelters and Kennels being permitted within the Regional Commercial (CR) zoning district. The first text amendment modifies the Use Table in order to allow Kennels within the CR zoning district. The second text amendment in this modification is to further limit the location and setback of dog runs or exercise areas from residential areas.

Currently Animal Shelters are permitted in the CR zoning district, however, the use of land solely for Kennels is not permitted. Kennels are only permitted within the Limited Industrial (IL) and General Industrial (IG) zoning districts. The proposed text amendment would be consistent with the current permission of Animal Shelters with the requirement of Use Regulations. The existing use categories of TMC§1104.0100 *Use Table* are listed in Exhibit “A” with the proposed modifications highlighted in Exhibit “B”.

STAFF ANALYSIS

Specific land use regulations for Animal Shelters and Kennels are listed within the Use Regulations of TMC§1104.1200. These regulations pertain to the location of outdoor dog runs or exercise area, excessive noise, waste & odor controls, as well as security of outdoor facilities. The proposed text amendment would allow Kennels within the CR zoning district and be subject to the Use Regulations of TMC§1104.1200. These use regulations apply to both Animal Shelters and Kennels when located within the CR, IL and IG zoning districts. Staff supports this modification in order to be more consistent with the Animal Shelter use category which is already permitted by-right and will allow more opportunity to utilize vacant commercial properties for Kennels.

In addition to the allowance of Kennels in the CR zoning districts, the proposed text amendment would modify TMC§1104.1201 *Setbacks*. This modification will limit the setback of dog run or exercises areas for Animal Shelters and Kennels beyond two-hundred feet (200') from any residential zoning districts but also two-hundred feet (200') from any residential land uses. The intent with this text amendment is to allow Kennels in CR when a location is not immediately adjacent to residential areas. The existing use regulations of TMC§1104.1201 *Setbacks* are listed in Exhibit "A" with the proposed modifications highlighted in Exhibit "B".

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of M-17-24, a modification to TMC§1104.0100 *Use Table* – Commercial Use Types – Animal Services – Kennels; and TMC§1104.1201 *Setbacks*, to Toledo City Council for the following two (2) reasons:

1. The proposed text amendment is more consistent with similar Use Categories and is in alignment with the stated purpose of the Zoning Code; and
2. The proposed text amendment supports the use of commercial properties for Animal Shelters and Kennels when not immediately adjacent to residential areas.

Respectfully Submitted,

Thomas C. Gibbons
Secretary

RS
Two (2) Exhibits

**Exhibit “A”
 Existing Text**

1104.0100 | Use Table

<i>Use Category</i>	<i>RS12</i>	<i>RS9</i>	<i>RS6</i>	<i>RD6</i>	<i>RM (all)</i>	<i>R MH</i>	<i>CN</i>	<i>CO</i>	<i>CM</i>	<i>CS</i>	<i>CR</i>	<i>CD</i>	<i>IL</i>	<i>IG</i>	<i>IP</i>	<i>POS</i>	<i>IC</i>
Animal Services																	
Sales and Grooming	-	-	-	-	-	-	P [13]	-	P	P	P	P	-	-	-	-	-
Kennels	-	-	-	-	-	-	-	-	-	-	-	-	P [14]	P [14]	-	-	-
Animal Shelters	-	-	-	-	-	-	-	-	-	-	P [14]	P	P [14]	P [14]	-	-	-
Fully Enclosed Animal Shelters/ Kennels	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-
Veterinary	-	-	-	-	-	-	P [13]	P	-	P	P	P	P	P	-	-	-

[14] Subject to standards of Sec. 1104.1200 | Animal Shelters and Kennels

1104.1200 | Animal Shelters and Kennels

1104.1201 Setbacks

In the event an animal shelter or kennel has a dog run or exercise area, said run or exercise area shall be set back no less than 200 feet from any residential district.
 (Ord. 180-09. Passed 3-31-09.)

**Exhibit “B”
 Modifications**

(Additions in italic highlight. Deletions in bold strikethrough.)

1104.0100 | Use Table

<i>Use Category</i>	<i>RS12</i>	<i>RS9</i>	<i>RS6</i>	<i>RD6</i>	<i>RM (all)</i>	<i>R MH</i>	<i>CN</i>	<i>CO</i>	<i>CM</i>	<i>CS</i>	<i>CR</i>	<i>CD</i>	<i>IL</i>	<i>IG</i>	<i>IP</i>	<i>POS</i>	<i>IC</i>
Animal Services																	
Sales and Grooming	-	-	-	-	-	-	P [13]	-	P	P	P	P	-	-	-	-	-
Kennels	-	-	-	-	-	-	-	-	-	-	<i>P [14]</i>	-	P [14]	P [14]	-	-	-
Animal Shelters	-	-	-	-	-	-	-	-	-	-	P [14]	<i>P [14]</i>	P [14]	P [14]	-	-	-
Fully Enclosed Animal Shelters/ Kennels	-	-	-	-	-	-	P	-	P	P	P	P	P	P	-	-	-
Veterinary	-	-	-	-	-	-	P [13]	P	-	P	P	P	P	P	-	-	-

[14] Subject to standards of Sec. 1104.1200 | Animal Shelters and Kennels

1104.1200 | Animal Shelters and Kennels

1104.1201 Setbacks

In the event an animal shelter or kennel has a dog run or exercise area, said run or exercise area shall be set back no less than 200 feet from any residential district *or residential use*.
 (Ord. 180-09. Passed 3-31-09.)