

ORDINANCE NO. 2015-04

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ARTICLE 26 OF THE ESCONDIDO
ZONING CODE PERTAINING TO DOG
BOARDING WITHIN THE M-1 AND M-2 ZONES

Planning Case No. AZ14-0003

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN
as follows:

SECTION 1. That proper notices of a public hearing have been given and
public hearings have been held before the Planning Commission and City Council on
this issue:

SECTION 2. That the City Council has determined that this Zoning Code
Amendment is exempt from the California Environmental Quality Act ("CEQA") in
conformance with Section 15061(b)(3) "General Rule" and finds that no significant
environmental impact will result from approving this code amendment.

SECTION 3. That upon consideration of the staff report; Planning Commission
recommendation; Factors to be Considered, attached as Exhibit "A" to this Ordinance
and incorporated by this reference; and all public testimony presented at the hearing
held on this project, this City Council finds the Zoning Code Amendment to be
consistent with the General Plan and all applicable specific plans of the City of
Escondido.

SECTION 4. That Article 26 of the Zoning Code, Table 26-564 "Permitted and Conditionally Permitted Principal Uses" is amended to include the following use/language:

Use Title	I-O	M-1	M-2	I-P
Dog and Cat Boarding (indoor boarding only). Dog training, feeding and care, animal grooming and 'dog daycare' also allowed. Does not include *dog shelters, animal sales or breeding. *(Dog shelters generally means an establishment, especially one supported by charitable contributions, that provides a temporary home for dogs, cats, and other animals that are offered for adoption).		C	C	

SECTION 5. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 6. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido

EXHIBIT "A"

FACTORS TO BE CONSIDERED AZ14-0003

Zoning Code Amendment

1. The public health, safety and welfare would not be adversely affected by the proposed Zoning Code Amendment, because dog boarding and care already is allowed within the M-1 and M-2 zone in association with an animal hospital/veterinarian office as an accessory use. The amendment would now allow dog boarding and care as a primary use within the M-1 and M-2 zone through the Conditional Use Permit process. Each request would be evaluated on a case-by-case basis through the CUP process to ensure the public health, safety and welfare would not be adversely affected, and appropriate conditions applied as necessary.
2. The proposed Zoning Code Amendment would not be detrimental to surrounding properties because the zoning category is not being changed. The property involved would be suitable for the uses permitted by the proposed zone because dog boarding already is allowed as an incidental use within the M-1 and M-2 zones. The request now would allow dog boarding as primary use within the M-1 and M-2 zones where more intensive indoor and outdoor uses are directed and allowed. Dog boarding would require a discretionary Conditional Use Permit to be approved to ensure compatibility with adjacent properties.
3. The proposed amendment to allow the boarding of dogs and cats within the M-1 and M-2 zone would be consistent with the goals and policies of the General Plan because it would not diminish the Quality-of-Life Standards of the General Plan, nor adversely impact the community health or natural resources. The proposal would be consistent with the General Plan Economic Prosperity Goals that encourage a wide range of businesses that create and sustain a strong economic base and provide for the full employment of a diverse set of skills. Dog Boarding would provide a needed service for Escondido residents.
4. There are no Specific Plans that would be affected by the proposed code amendment.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 4th day of March, 2015 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MASSON, MORASCO, ABED
NOES : Councilmembers: NONE
ABSENT : Councilmembers: NONE

APPROVED:



SAM ABED, Mayor of the
City of Escondido, California

ATTEST:



DIANE HALVERSON, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, DIANE HALVERSON, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2015-04 passed at a regular meeting of the City Council of the City of Escondido held on the 4th day of March, 2015, after having been read at the regular meeting of said City Council held on the 4th day of February, 2015.



DIANE HALVERSON, City Clerk of the
City of Escondido, California

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