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**ZONING CODE TEXT AMENDMENT**

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*Initiator:* Council Member Frey  
*Introduction Date:* August 31, 2017  
*Prepared By:* Stephanie Rouse, City Planner, (612) 673-3950  
*Ward:* All  
*Neighborhood:* All  
*Intent:* To amend language related to pet boarding and animal shelters.

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**APPLICABLE SECTION(S) OF THE ZONING CODE**

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- Chapter 520, Introductory Provisions
- Chapter 536, Specific Development Standards
- Chapter 541, Off-Street Parking and Loading
- Chapter 548, Commercial Districts
- Chapter 549, Downtown Districts
- Chapter 550, Industrial Districts

The following chapter was also introduced: Chapter 551, Overlay Districts. However, staff is not recommending changes to this chapter as part of this amendment and is therefore recommending returning it to the author.

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## BACKGROUND

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The proposed zoning code text amendment, introduced by Council Member Frey, would amend the zoning code to define Animal Boarding and allow it as a permitted use within commercial, downtown, and industrial zoning districts. Historically, animal boarding facilities have been allowed as Animal Shelters, a conditional use allowed only in the industrial districts. The proposed definition for animal boarding is:

A facility or service where animals are kept or maintained (day or overnight), for the care, training, exercising and/or socializing by a person other than the owner of the animals for a fee. Animal boarding may include incidental grooming, dog walkers or training services. Animal *boarding* does not include facilities that provide breeding of animals, selling of animals, or facilities whose primary source of revenue is licensed veterinarian services.

The purpose of the amendment is to establish clear standards for animal boarding facilities and to better regulate their location and impact on adjacent property. This amendment would expand the zoning districts they are allowed in from industrial to include commercial and downtown districts. Additionally, the amendment would allow for up to a 2,000 square foot outdoor animal run as an accessory use with specific development standards to mitigate potential negative effects.

This text amendment is focused specifically on the physical nature of animal boarding facilities. As discussed with Animal Care and Control and Business Licensing staff during a preliminary meeting, the care of animals and cleanliness of the facility will continue to be regulated by these departments through the license and inspection process.

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## PURPOSE

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### **What is the reason for the amendment?**

The proposed amendment is intended to distinguish between animal shelters and animal boarding facilities and provide standards for the establishment of new animal boarding facilities. The operation of animal boarding facilities are different in nature from an animal shelter and therefore could be allowed in commercial and downtown districts with specific development standards to ensure they are not a detriment to surrounding properties.

### **What problem is the amendment designed to solve?**

The amendment is intended to provide flexibility when locating animal boarding facilities and to provide clear definition for these types of uses. Currently, animal boarding is determined to be similar to an animal shelter, a use limited to industrial zoning districts and requiring a conditional use permit. This interpretation limits the ability of animal boarding facilities to serve customers near their place of residence. With the recommended specific development standards, animal boarding could be a permitted use in commercial and downtown zoning districts, as well as industrial districts.

### **What public purpose will be served by the amendment?**

The amendment would allow animal boarding facilities as a permitted use in a wider range of zoning districts. This would give more flexibility to locating animal boarding facilities to better serve residents and open more industrially zoned land for production uses.

### **What problems might the amendment create?**

Allowing animal boarding facilities could create noise or odor problems for neighboring residential units. The specific development standards proposed should mitigate any negative effects. The standards include a fifty foot separation of outdoor animal runs to any adjacent ground floor permitted or conditional residential use. A six foot solid fence and a limit on the size to 2,000 square feet are also required for outdoor animal runs. Any problems related to cleanliness and treatment of animals will continue to be addressed under the license and inspection process by Animal Care and Control.

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## TIMELINESS

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**Is the amendment timely?**

The amendment is timely because it coincides with an increased interest in animal boarding facilities. There is a desire to locate in commercial and downtown districts near residential populations that the facilities would serve.

**Is the amendment consistent with practices in surrounding areas?**

Many municipalities in Minnesota and in cities of similar size regulate animal boarding (also referred to as animal kennels) as a separate use from animal shelters. The proposed definition of Animal Boarding is consistent with the City of Saint Paul ordinance. Proposed specific development standards are in line with surrounding cities and similar regulations within the City of Minneapolis zoning code.

**Are there consequences in denying this amendment?**

The primary consequence in denying this amendment is animal boarding facilities would continue to be treated as animal shelters and their location would be restricted to industrial districts, restricting the ability of new animal boarding facilities to locate within the City.

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**COMPREHENSIVE PLAN**

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The amendment will implement the following applicable policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.1 Ensure that the City’s zoning code is consistent with The Minneapolis Plan and provides clear, understandable guidance that can readily be administered.
- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.**

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.
- 1.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

**Economic Development Policy 4.1: Support private sector growth to maintain a healthy, diverse economy.**

- 4.1.5 Continue to streamline City development review, permitting and licensing to make it easier to develop property in the City of Minneapolis

This amendment will contribute to a mix of land uses to support private sector growth while ensuring new animal boarding facilities are compatible with the surrounding area and do not negatively affect residential units, as consistent with the above policies of the comprehensive plan.

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**RECOMMENDATIONS**

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The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows, and further recommends that Chapter 551 be returned to the author:

**A. Text amendment to amend language related to pet boarding and animal shelters.**

Recommended motion: **Approve** the text amendment to amend language related to pet boarding and animal shelters.

Chapter 520 related to the Zoning Code: *Introductory Provisions*

Chapter 536 related to the Zoning Code: *Specific Development Standards*

Chapter 541 related to the Zoning Code: *Off-Street Parking and Loading*

Chapter 548 related to the Zoning Code: *Commercial Districts*

Chapter 549 related to the Zoning Code: *Downtown Districts*

Chapter 550 related to the Zoning Code: *Industrial Districts*

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## **ATTACHMENTS**

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1. Ordinance amending Chapter 520 related to the Zoning Code: Introductory Provisions
2. Ordinance amending Chapter 536 related to the Zoning Code: Specific Development Standards
3. Ordinance amending Chapter 541 related to the Zoning Code: Off-Street Parking and Loading
4. Ordinance amending Chapter 548 related to the Zoning Code: Commercial Districts
5. Ordinance amending Chapter 549 related to the Zoning Code: Downtown Districts
6. Ordinance amending Chapter 550 related to the Zoning Code: Industrial Districts

**ORDINANCE**

**By Frey**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 contained in Chapter 520, Introductory Provisions, be amended by adding thereto a new definition for "Animal Boarding" to read as follows:

**520.160. - Definitions.**

Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Animal Boarding. A facility or service where animals are kept or maintained (day or overnight), for the care, training, exercising and/or socializing by a person other than the owner of the animals for a fee. Animal boarding may include incidental grooming, dog walkers or training services. Animal boarding does not include facilities that provide breeding of animals, selling of animals, or facilities whose primary source of revenue is licensed veterinarian services.

Section 2. That Section 536.20 contained in Chapter 536, Specific Development Standards, be amended by adding thereto a new development standard for "Animal Boarding" to read as follows:

**536.20. - Specific development standards.**

The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Animal Boarding

(1) Outdoor animal runs cannot exceed two thousand (2,000) square feet in area.

(2) Outdoor animal runs shall be fully enclosed with a minimum six (6) foot tall solid fence. The run shall be maintained in a dust free, erosion controlled manner.

(3) Outdoor animal runs shall be located no less than fifty (50) feet from any adjacent ground floor permitted or conditional residential use.

(4) Dogs shall be supervised at all times while in the animal run and any barking dogs shall be immediately taken into the building.

Section 3. That the Commercial Uses, Retail Sales and Services section of Table 541-1 contained in Section 541.170 of Chapter 541, Off-Street Parking and Loading, be amended to read as follows:

**Table 541-1 Specific Off-Street Parking Requirements**

Use	Minimum Parking Requirement	Maximum Parking Allowed	Notes (see 541.170)
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<b>COMMERCIAL USES</b>			
<b>Retail Sales and Services</b>			
General retail sales and services	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Alternative financial establishment	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
<u>Animal Boarding</u>	<u>1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.</u>	<u>1 space per 200 sq. ft. of GFA</u>	<u>1</u>
Antiques and collectibles store	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Art gallery	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Art studio	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Bank or financial institution	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Bed and breakfast home	1 space per 3 guest rooms + 1 space for the primary dwelling unit	1 space per guest room + 1 space for the primary dwelling unit	1
Bookstore, new or used	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Building material sales	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft. + 1 space per 1,000 sq. ft. of outdoor sales, display	1 space per 200 sq. ft. of GFA + 1 space per 500 sq. ft. of outdoor sales, display	1
Child care center	1 space per 500 sq. ft. of GFA + 2 drop off spaces (either off-street or on-street by permission of the city engineer)	1 space per 200 sq. ft. of GFA + up to 4 drop off spaces (either off-street or on-street by permission of the city engineer)	2

Consignment clothing store	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Contractor's office	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Day labor agency	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Exterminating shop	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Farmer's market	1 space per 2,000 sq. ft. of sales area, except where approved as a temporary use	1 space per 200 sq. ft. of GFA + 1 space per 500 sq. ft. of outdoor sales or display area	2
Firearms dealer	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Funeral home	8 spaces per chapel or parlor	20 spaces per chapel	2
Greenhouse, lawn and garden supply store	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft. + 1 space per 1,000 sq. ft. outdoor sales or display area	1 space per 200 sq. ft. of GFA + 1 space per 500 sq. ft. outdoor sales or display area	1
Grocery store	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Laundry, self service	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Market garden	1 space per 5,000 sq. ft. of growing or storage area	1 space per 2,500 sq. ft. of growing or storage area or as determined by Chapter 536 Specific Development Standards.	1 The minimum requirement of 4 spaces shall not apply
Office supply sales and service	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Pawnshop	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2

Performing, visual or martial arts school	Parking equal to 20% of the capacity of persons	1 space per 200 sq. ft. of GFA	2
Pet store	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Photocopying	1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Rental of household goods and equipment	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Secondhand goods store	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Shopping center	As determined by the zoning administrator based on the principal uses in the shopping center	1 space per 200 sq. ft. of GFA	2
Small engine repair	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Tattoo and body piercing parlor	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Tobacco shop	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Veterinary clinic	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	1
Video store	1 space per 500 sq. ft. of GFA	1 space per 200 sq. ft. of GFA	1



Section 4. That the Commercial Uses section of Table 541-3 contained in Section 541.180 of Chapter 541, Off-Street Parking and Loading, be amended to read as follows:

**Table 541-3 Bicycle Parking Requirements**

Use	Minimum Bicycle Parking Requirement	Notes (see 541.180)
<b>COMMERCIAL USES</b>		
General retail sales and services	3 spaces or 1 space per 5,000 sq. ft. of GFA, whichever is greater	1
Alternative financial establishment	3 spaces	1
<u>Animal Boarding</u>	<u>3 spaces</u>	<u>1</u>
Bank or financial institution	3 spaces	1
Bookstore, new or used	3 spaces	1
Child care center	3 spaces	1
Consignment clothing store	3 spaces	1
Day labor agency	3 spaces	1
Farmer's market	1 space per 2,000 sq. ft. of sales area, except where approved as a temporary use	1
Greenhouse, lawn and garden supply store	3 spaces	1
Grocery store	3 spaces or 1 space per 5,000 sq. ft. of GFA, whichever is greater	1
Market garden	3 spaces	1
Performing, visual or martial arts school	3 spaces or 1 space per 1,000 sq. ft. of GFA, whichever is greater	1
Photocopying	3 spaces	1

Secondhand goods store	3 spaces	1
Shopping center	3 spaces or 1 space per 5,000 sq. ft. of GFA, whichever is greater	1
Tattoo and body piercing parlor	3 spaces	1
Tobacco shop	3 spaces	1
Video store	3 spaces	1
Offices	3 spaces or 1 space per 15,000 sq. ft. of GFA, whichever is greater	2
Coffee shop	3 spaces	1
Liquor store	3 spaces	1
Restaurant, delicatessen	3 spaces	1
Restaurant, fast food	3 spaces	1
Restaurant, sit down	3 spaces	1

Section 5. That the Commercial Uses, Retail Sales and Services Section of Table 541-9 contained in Section 541.490 of Chapter 541, Off-Street Parking and Loading, be amended to read as follows:

**Table 541-9 Specific Off-Street Loading Requirements**

Use	Minimum Loading Requirement
<b>COMMERCIAL USES</b>	
<b>Retail Sales and Services</b>	
General retail sales and services	Low
<u>Animal Boarding</u>	<u>Low</u>
Antiques and collectibles store	Low
Art gallery	Low

Bank or financial institution	Low
Bed and breakfast home	None
Bookstore, new or used	Low
Building material sales	High
Child care center	None
Consignement clothing store	Low
Contractor's office	Medium
Currency exchange	Low
Day labor agency	Low
Exterminating shop	Medium
Farmer's market	High
Firearms dealer	Low
Funeral home	Low
Greenhouse, lawn and garden supply store	High
Grocery store	High
Laundry, self service	None
Office supply sales and service	Medium
Pawnshop	Low
Performing, visual or martial arts school	None
Pet store	Low
Photocopying	Low

Rental of household goods and equipment	Medium
Secondhand goods store	Medium
Shopping center	As approved by C.U.P.
Small engine repair	Low
Tattoo and body piercing parlor	Low
Veterinary clinic	Low
Video store	Low

Section 6. That the Commercial Uses, Retail Sales and Services section of Table 548-1 contained in Section 548.30 of Chapter 548, Commercial Districts, be amended to read as follows:

**Table 548-1 Principal Uses in the Commercial Districts**

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
<b>COMMERCIAL USES</b>						
<b>Retail Sales and Services</b>						
General retail sales and services	P	P	P	P	P	
Alternative financial establishment		P		P	P	✓
<u>Animal Boarding</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Antiques and collectibles store	P	P	P	P	P	
Art gallery	P	P	P	P	P	
Art studio	P	P	P	P	P	✓
Bank or financial institution	P	P	P	P	P	
Bookstore, new or used	P	P	P	P	P	

Building material sales	P	P		P	C	
Child care center	P	P	P	P	P	✓
Consignment clothing store	P	P	P	P	P	✓
Contractor's office	C	C	C	C	C	
Day labor agency					C	✓
Exterminating shop					P	
Farmers' market	P	P	P	P	P	✓
Firearms dealer					C	✓
Funeral home	P	P	P	P	P	✓
Greenhouse, lawn and garden supply store	P	P		P	P	
Grocery store	P	P	P	P	P	✓
Laundry, self service	P	P	P	P	P	
Market garden	P	P	P	P	P	✓
Memorial monuments		P			P	✓
Motorized scooter sales	P	P	P	P	P	
Neighborhood electric vehicle sales	P	P	P	P	P	
Office supplies sales and service	P	P	P	P	P	
Pawnshop					P	✓
Performing, visual or martial arts school	P	P	P	P	P	
Pet store	P	P	P	P	P	✓
Photocopying	P	P	P	P	P	

Rental of household goods and equipment		P	P	P	P	
Secondhand goods store	P	P	P	P	P	✓
Shopping center	C	C	C	C	C	✓
Small engine repair		C		P	P	✓
Tattoo and body piercing parlor	P	P	P	P	P	
Tobacco shop		P	P	P	P	✓
Veterinary clinic	P	P	P	P	P	✓
Video store	P	P	P	P	P	

Section 7. That the Commercial Uses, Retail Sales and Services section of Table 549-1 contained in Section 549.30 of Chapter 549, Downtown Districts, be amended to read as follows:

**Table 549-1 Principal Uses in the Downtown Districts**

Use	B4	B4S	B4C	B4N	Specific Development Standards
<b>COMMERCIAL USES</b>					
<b>Retail Sales and Services</b>					
General retail sales and services	P	P	P	P	
Alternative financial establishment		P	P	P	✓
<u>Animal Boarding</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Antiques and collectibles store	P	P	P	P	
Art gallery	P	P	P	P	
Art studio	P	P	P	P	✓
Bank or financial institution	P	P	P	P	

Bookstore, new or used	P	P	P	P	
Building material sales			P		
Child care center	P	P	P	P	✓
Consignment clothing store	P	P	P	P	✓
Contractor's office	C	C	C	C	
Day labor agency			C		✓
Dormitory	C	C	C	C	✓
Exterminating shop			P		
Farmers' market	P	P	P	P	✓
Firearms dealer			C		✓
Funeral home		P	P	P	✓
Greenhouse, lawn and garden supply store			P		
Grocery store	P	P	P	P	✓
Laundry, self service	P	P	P	P	
Market garden	P	P	P	P	✓
Motorized scooter sales	P	P	P	P	
Neighborhood electric vehicle sales	P	P	P	P	
Office supplies sales and service	P	P	P	P	
Pawnshop			P		✓
Performing, visual or martial arts school	P	P	P	P	
Pet store	P	P	P	P	✓

Photocopying	P	P	P	P	
Rental of household goods and equipment		P	P	P	
Secondhand goods store		P	P	P	✓
Shopping center	P	P	P	P	✓
Small engine repair			P		✓
Tattoo and body piercing parlor		P	P	P	
Tobacco shop	P	P	P	P	✓
Veterinary clinic	P	P	P	P	✓
Video store	P	P	P	P	

Section 8. That That the Commercial Uses, Retail Sales and Services section of Table 550-1 contained in Section 550.30 of Chapter 550, Industrial Districts, be amended to read as follows:

**Table 550-1 Principal Uses in the Industrial Districts**

Use	I1	I2	I3	Specific Development Standards
<b>Commercial Uses</b>				
<b>Retail Sales and Services</b>				
<u>Animal Boarding</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Art gallery	P	P		
Art studio	P	P		
Building material sales	P	P		
Child care center	P	P		✓
Contractor's office	C	P	P	



Day labor agency	C	C	P	✓
Farmers' market	P	P		✓
Liquor store, off-sale	C	C		✓
Motorized scooter sales	P	P	P	
Neighborhood electric vehicle sales	P	P	P	
Office supply sales and service	P	P		
Photocopying	P	P		
Veterinary clinic	P	P		✓