

**TOWNSHIP OF KILBUCK
ORDINANCE NO. O-23-01**

AN ORDINANCE AMENDING THE KILBUCK TOWNSHIP CODE OF ORDINANCES, CHAPTER 215, ZONING, TO PROVIDE THAT A DOG DAYCARE USE SHALL BE A SPECIAL EXCEPTION IN THE C-1 AND SUD ZONING DISTRICTS, DEFINING THE TERM "DOG DAYCARE", AND ESTABLISHING CERTAIN OTHER REQUIREMENTS PERTAINING TO SUCH USE

WHEREAS, the Township of Kilbuck Zoning Ordinance, Ordinance No. O-00-2, as amended, (the "Zoning Ordinance") regulates zoning and land use matters within the Township of Kilbuck, Allegheny County, Pennsylvania (the "Township"); and

WHEREAS, the Township desires to designate the zoning district in which a dog daycare use may be conducted; and

WHEREAS, the Township Planning Commission, pursuant to the provisions of the Zoning Ordinance, has reviewed the following amendments to the Zoning Ordinance and has made a recommendation to the Township Board of Supervisors (the "Board") to approve the same; and

WHEREAS, the Board has given due public notice and held the requisite public hearing on the following amendments to the Zoning Ordinance; and

WHEREAS, the Allegheny County Department of Economic Development has been duly informed of the proposed amendments; and

WHEREAS, the Board finds that the following amendments will cause the Zoning Ordinance to permit appropriate and desirable use and development of property, will promote public health, safety and welfare and practical community development in the Township, and will be in furtherance of the Township's comprehensive plan.

NOW, THEREFORE, the Board hereby ordains that the Kilbuck Township Zoning Ordinance, Chapter 215 of the Kilbuck Township Code of Ordinances, be amended as follows:

SECTION 1. Article II, Definitions, § 215-6, is revised by adding the following term:

Dog Daycare – A structure and/or premises where dogs are cared for in the absence of the dog owner and where dogs may be trained, exercised, socialized, and/or groomed, and any incidental retail associated therewith. This definition does not include premises used for the sale of animals for profit, nor premises used for the overnight boarding or kenneling of dogs.

SECTION 2. Article III, District Regulations, § 215-12, Permitted Uses and Special Exceptions, the Table of Permitted Uses and Special Exceptions, is revised as follows:

The Table of Permitted Uses and Special Exceptions is amended to add the following Special Exception Use in the C-1 General Commercial District and SUD Special Use District:

<u>District</u>	<u>Special Exceptions</u>
C-1 General Commercial District	Dog Daycare
SUD Special Use District	Dog Daycare

SECTION 3. Article III, District Regulations, § 215-16, Special Exception Procedure, is amended to add a new Paragraph K, as follows:

K. Dog Daycare.

- 1) The owner or operator of any dog daycare shall be licensed by the Commonwealth of Pennsylvania and maintain the facility in compliance with all applicable rules and regulations of the Commonwealth of Pennsylvania and the Allegheny County Health Department.
- 2) The owner or operator shall submit to the Township Zoning Officer an animal waste management and disposal plan that complies with all applicable rules and regulations of the Commonwealth of Pennsylvania and Allegheny County.
- 3) Any outdoor recreational space for the animals shall be enclosed by a six-foot-high solid fence with self-latching gates, and shall be located at least 50 feet from any residential use and at least ten feet from any non-residential property line.
- 4) Any outdoor recreational space shall be screened by at least one row of plantings, which shall consist of a mixture of 30% deciduous and 70% evergreen, spaced within the row a minimum of ten feet apart, measured from vertical center lines of adjacent trees. The depth of such screen plantings shall be at least 25 feet as measured from the property line.
- 5) The number of dogs permitted to be outside at any one time shall not exceed 10 dogs per one supervising staff member.

- 6) The dog daycare may not be open for business before 6:00 a.m. or after 9:00 p.m.
- 7) The Zoning Hearing Board may impose restrictions upon noise and other such matters as they deem necessary to ensure that there is no adverse impact on the functioning of the zoning district or adjacent parcels.

SECTION 4. Article IV, Supplementary Regulations, § 215-39, Off-Street Loading and Parking, Paragraph B, Off-Street Parking, Subparagraph (2) is amended to add the following:

<u>Uses</u>	<u>Off-Street Parking Space Requirements</u>	<u>Required Parking Spaces</u>
Dog Daycare		3.3 for each 1,000 square feet of gross floor area

SECTION 5. Any ordinance or part of any ordinance conflicting with this Ordinance is repealed to the extent of such conflict.

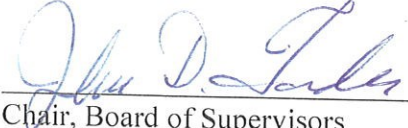
SECTION 6. It is intended that the provisions in this Ordinance are severable and if any provisions are held or declared illegal, invalid or unconstitutional by a court of competent jurisdiction, the decision shall not affect or impair any of the remaining sections.

ORDAINED and ENACTED this 25th day of July, 2023 by the Board of Supervisors of the Township of Kilbuck in lawful session duly assembled.

ATTEST:




 Township Secretary

TOWNSHIP OF KILBUCK


 Chair, Board of Supervisors

Certification of Recording. This Ordinance recorded in the Township Ordinance book on August 16th, 2023 by the undersigned.



 Township Secretary