

ORDINANCE NO. 04-11

AN ORDINANCE OF THE NAVAJO COUNTY BOARD OF SUPERVISORS, AMENDING SECTIONS 1502, 1802, 1902, 2002, AND 3002 OF THE NAVAJO COUNTY ZONING ORDINANCE, CONCERNING KENNELS

WHEREAS, Article 20, Section 2002, of the Navajo County Zoning Ordinance, Ordinance No. Z90-1, allows kennels in any zoning district subject to the approval of a Special Use Permit; and,

WHEREAS, the Public Works staff and the Planning and Zoning Commission have recommended that the Zoning Ordinance be amended to allow kennels as a use by right in the C-R, Industrial-1 and Industrial-2 zoning districts and as a Special Use in other zoning districts upon the approval of a Special Use Permit; and,

WHEREAS, the Public Works staff and the Planning and Zoning Commission have further recommended that the definition of "kennel" be amended to clarify the nature of the facilities that are regulated by the Zoning Ordinance: and,

WHEREAS, following a duly noticed public hearing held this date, the Board of Supervisors finds that the recommended amendments of Sections 1502, 1802, 1902, 2002 and 3002 are in the public interest and should be approved,

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that Article 15, Section 1502, Article 18, Section 1802, Article 19, Section 1902, Article 20, Section 2002, and Article 30, Section 3002 of the Zoning Ordinance are hereby amended to include the following new provisions:

ZONING DISTRICTS:

Article 15 – (C-R / Commercial-Residential Zoning District) – Section 1502 (Use Regulations):

45. Kennel, as defined in Article 30, provided that the kennel and any outdoor exercise area or other outdoor area is completely fenced and set back from all lot lines abutting a residential zoning district or preexisting residential use a distance of not less than twenty feet (20').

Article 18 – (IND-1 / Light Industrial Zoning District – Section 1802 (Use Regulations):

9. Kennel, as defined in Article 30, provided that the kennel and any outdoor exercise area or other outdoor area is completely fenced and set back from all lot lines abutting a residential zoning district or preexisting residential use a distance of not less than twenty-five feet (25').

Article 19 – (IND-2 / Heavy Industrial Zoning District) – Section 1902 (Use Regulations):

21. Kennel, as defined in Article 30, provided that the kennel and any outdoor exercise area or other outdoor area is completely fenced and set back from all lot lines abutting a residential zoning district or preexisting residential use a distance of not less than twenty-five feet (25').

Article 20 (Special Uses and Planned Unit Developments) – Section 2001 (Special Uses):

18. Kennel, as defined in Article 30, provided that the site is not less than two and one-half (2-½) acres and the kennel and any outdoor exercise area or other outdoor area is completely fenced and set back from all lot lines in accordance with the requirements of the zoning district in which the kennel is located or the specific requirements set forth in the Special Use Permit.


DEFINITIONS:

Article 30 (Definitions) – Section 3002 (Definitions):

46. Kennel: Any premises used for the breeding, selling or boarding of dogs, cats, and/or other small domesticated household pets (not including farm animals), or for the breeding or keeping of dogs for racing purposes. This includes commercial kennels and other for-profit breeding, selling or boarding operations, as well as Humane Societies, rescue shelters, "no kill shelters," animal control facilities and similar nonprofit operations. It does not include the routine breeding or keeping of animals solely for the personal enjoyment of the owner or occupant of the premises. A kennel shall be a permitted use in the C-R (Commercial-Residential), IND-1 (Light Industrial), and IND-2 (Heavy Industrial) zoning districts subject to the regulations of that zoning district, and shall require the approval of a Special Use Permit in any other zoning district, pursuant to Section 2001.18. (Kennel operators should be aware that some provisions of the Navajo County Animal Control Ordinance, Ordinance No. 02-06, may also apply, regardless of whether the kennel is an allowed use or has been authorized by a Special Use Permit. The interpretation and enforcement of the Animal Control Ordinance is the responsibility of the Navajo County Public Health Services District.)

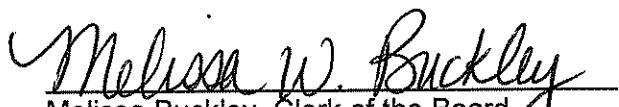
SO ORDAINED by the Navajo County Board of Supervisors at Holbrook, Arizona, on August 23, 2011, by a vote of 3 ayes and 0 nays. *2 absent.*

NAVAJO COUNTY BOARD OF SUPERVISORS

By 

David Tenney
Chairman of the Board

Attest:



Melissa Buckley, Clerk of the Board