

Town of North Castle

**Local Law No. 5 of the year 2017
Adopted September 13, 2017**

A local law to add a definition and use of “Commercial Dog Care Facility” to the Zoning Code and add such a facility as a permitted use in the RELIP Zoning District

Section 1. The following new definition is added in proper alphabetical order to Section 355-4 of the Zoning Code:

Commercial Dog Care Facility:

A facility that provides dog-related services, including bathing, grooming, feeding, exercise, training, day and/or overnight boarding and retail sales of pet supplies and not including the sale of dogs.

Section 2. The following new Section 355-30(E)(4) is hereby added to the Zoning Code:

- (4) Commercial Dog Care Facilities shall be subject to the following standards and conditions:
- (a) Work spaces, runs, pens or other facilities shall be located within a completely enclosed, soundproof building, and such Commercial Dog Care Facility shall be operated in such a manner as to produce no objectionable noise, odors or other nuisances beyond the boundaries of the site on which it is located.
 - (b) A Commercial Dog Care Facility located in a multi-tenanted building shall have a separate main entrance for drop off and pick up of dogs. To help keep the dogs separate from other tenants and the general public, such separate main entrance shall be located at least 30 feet from any entrance used by other tenants in the building, shall have direct access to the exterior of the building and shall not be located in a hallway or entranceway that is shared with other tenants of the building. In addition to the main entrance, there shall be a side or rear entrance for use by the staff of the Commercial Dog Care Facility to take the dogs outside for exercise or walking.
 - (c) All animal fecal material from dogs occupying or being cared for at a Commercial Dog Care Facility shall be removed from the building, grounds and roadways and placed in plastic bags or containers and disposed of properly in the trash.
 - (d) All Commercial Dog Care Facilities shall be connected to public water and sewer.
 - (e) Not more than 20% of the floor area, or 1,000 square feet, whichever is less, of the Commercial Dog Care Facility may be devoted to the retail display and sale of dog related products.

- (f) No veterinary or medical services or care shall be provided at a Commercial Dog Care Facility.
- (g) All Commercial Dog Care Facilities shall submit documentation to the Building Department of having obtained a Westchester County Department of Health Animal Facilities Permit.
- (h) On-site staff shall be provided during all times that dogs are present at the Commercial Dog Care Facility.
- (i) All Commercial Dog Care Facilities shall provide appropriate access to a safe outdoor dog walking area or areas.
- (j) No Commercial Dog Care Facility shall exceed 5,000 square feet of gross floor area.

Section 3. The following use is added to the list of “Permitted Principal Uses” in the RELIP Zoning District as set forth in Attachment 4 to Section 355-23 “Schedule of Office and Industrial District Regulations (Part 2)”:

4. Commercial Dog Care Facility

Section 4. The following new off street parking requirement is added in proper alphabetical order to Section 355-57(A) of the Zoning Code:

Use	Minimum Off-Street Parking (spaces)
Commercial Dog Care Facility	1 space for each 250 square feet of gross floor area

Section 5. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 6. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 7. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: September 13, 2017