



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

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PLANNING DEPARTMENT  
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## MEMORANDUM

TO: Rapid City Planning Commission

FROM: Marcia Elkins, Planning Director

DATE: February 1, 2002

RE: Pet Stores and Kennels

During a recent review of kennel licenses, staff identified several issues relative to pet stores and kennels that should be addressed through amendments to the Zoning Ordinance.

### Definitions

Kennels are currently defined in the Zoning Ordinance in the following manner:

“Kennel” means any lot or premises or portion thereof where four or more dogs, cats rabbits or other household/domesticated animals, six months of age or older, are maintained, boarded, bred, or cared for, in return for any compensation, or are kept for the purpose of sale.

Staff believes that the original intention of this definition was to define facilities where animals are bred for sale or where animals are boarded and cared for in return for compensation. Unfortunately, this broad definition can, in some cases, result in a pet store being classified as a kennel. If a pet stores keep four or more household or domesticated animals that are more than six months of age or older, they technically are defined as a kennel. (Staff would prefer to avoid being in the situation where they are required to check the ages of numerous animals to determine whether or not a pet store is operating within the definition of a kennel.)

As a result, staff is recommending that new definitions be provided for pet stores and kennels. The proposed definitions are:

**“Pet store” means a retail facility providing for the sale of animals and accessory products. A pet store does not include the boarding or breeding of animals for compensation.**



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**“Kennel” means any lot or premises or portion thereof where four or more dogs, cats, rabbits or other household or domesticated animals, six months of age or older, are maintained, boarded, bred, or cared for, in return for any compensation, or are kept for the purpose of sale. Retail stores meeting the definition of pet store as contained in Section 6.08.050 are not a kennel for purposes of zoning.**

## **Zoning Districts**

The Zoning Ordinance currently allows kennels as a Conditional Use in the General Agriculture Light Industrial and Heavy Industrial zoning districts. Kennels are not allowed in any of the commercial zoning districts because of the noise that can be associated with these facilities and the potential for conflict with other uses allowed in commercial zoning districts such as restaurants, eating establishments, bakeries, offices, etc. Staff recommends that no changes be made to the districts in which kennels are allowed as a Conditional Use; however, staff is recommending that pet stores be allowed in the General Commercial, Shopping Center I and Shopping Center II zoning districts as a permitted use.

Further, staff recommends that Section 6.08.050 of the Rapid City Municipal Code be amended to require licenses for both kennel and pet stores. All kennels are required to be licensed. Based on discussions with the City Attorney’s staff, it would appear appropriate to require licenses for pet stores as well.

**Recommendation: Staff recommends that the Planning Commission authorize staff to advertise for a public hearing to consider amendments to the Zoning Ordinance to modify the definition of kennel and provide a definition for pet stores; and, to allow pet stores in General Commercial, Shopping Center I and Shopping Center II zoning districts.**

**Further, staff recommends that the Planning Commission recommend that the City Council consider amendments to Section 6.08.050 to require licenses for pet stores.**