

DSG Policy Memorandum
Administrative Interpretation
#05-03



DEVELOPMENT SERVICES GROUP
9611 SE 36TH St., Mercer Island, WA 98040
(206) 236-5300

TO: DSG Staff
FROM: Richard Hart, Development Services Director
DATE: June 24, 2005
RE: Allowed Zones for Dog Grooming Facilities

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Need to copy from email of June 24, 2005 to Ian Bojarski and Jim Stapper.

June 24, 2005
Aa. Int #105-03

Richard Hart

To: Ian Bojarski
c: Jim Stapper; Katie Knight; Gabe Snedeker
Subject: Question about "Dog Grooming as Permitted Use in the MF-2 Zoning District"

Mr. Bojarski and Mr. Stapper:

Both of you had recently asked the Development Service Department if an office space in the Mercerdale Medical Office Complex in the 3100 block on 78th Ave SE at the south end of our Town Center, zoned MF-2, could be used for a "Dog Grooming" facility. The City response initially was that we were not sure and would have to check the specific code language for permitted uses in the MF-2 Multi-Family zoning district. Most likely the City would have to make a code interpretation, based upon a variety of factors, including but not limited to :

- 1.) the existence of any other like uses allowed in the MF-2 zoning district,
- 2.) the intent of the multi-family district regulations in allowing some limited office uses mixed in with the multi-family apartment and condo uses,
- 3.) where such uses are also allowed by right in our zoning district classifications,
- 4.) the level of impact of this proposed use compared to other uses spelled out and permitted in the MF-2 zoning district, and
- 5.) the specific definitions in our zoning code, for terms such as office, business, service, and profession used to describe permitted uses in our zoning code, and
- 6.) how these terms, if not defined in the Mercer Island Code, are used and applied in similar situations in other city zoning codes in the region.

Based upon the above factors, I find that a dog grooming facility, including the care of pets, does not meet the definition of "office use" Title 19, Unified Land Development Code, on page 19-160. Such a dog grooming facility does not appear to be compatible with the intent of the MF-2 zoning district, which is primarily intended for residential dwelling units and non-profit civic and social organizations, with limited associated offices. Further, our Business Zone and Town Center Zone is the most liberal business districts that do allow facilities related to animals and personal services. In addition, other area zoning codes approach this topic in the same manner and don't allow such dog grooming facilities in either multi-family residential or office zones.

Therefore I must deny your request to locate such a "dog grooming" facility in the MF-2 district as a non-permitted use by right. My specific code interpretation in this site specific case is appealable to the Planning Commission within 14 days from this determination, or by July 8, 2005. Such an appeal must be filed with the City clerk on forms prescribed by that office and payment of a \$529 appeal fee. Subsequent to that appeal being filed the Planning Commission would hold a hearing on such appeal within approximately 30-45 days, depending upon their case load, meeting dates and schedule.

Should you need further information, please feel free to contact me.

Respectfully,

Richard Hart
Development Services Director
(206) 236-3593