



# Memorandum

**To:** Jerry Barberio- Village Manager

**From:** Gregory Cutler, AICP- Director of Planning and Development  
With assistance from Morgan Wait, Planning Intern

**Date:** 1/4/2024

**Re:** Supporting Legislative Analysis & Draft Legislation- Animal Hospitals, Dog Daycare, Childcare/Nursery School

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## Background

The Village Manager directed staff to review Village Code and policies to advance initiatives aimed at reducing flood damage and risk. As a result of multiple meetings among department heads and the Village Manager's office, staff proposes the following list of code amendments and policy initiatives.

Reasonable access to childcare is a priority on both a local and national level. Parents today have minimal options and the cost to enroll children remains high. In November 2023, the Biden-Harris administration requested \$16 billion in supplemental funding to sustain demand within the childcare sector<sup>1</sup>. A NYS Senate report in 2021 found that 64% of New Yorkers live in 'childcare deserts'<sup>2</sup>.

According to a study on childcare gaps from the Bipartisan Policy Center, there is a 42% supply gap in childcare in Westchester County<sup>3</sup>. This equates to 19,250 children within the county who potentially need care but whose families cannot reasonably access formal childcare facilities by driving.

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<sup>1</sup> <https://www.whitehouse.gov/omb/briefing-room/2023/11/02/state-breakdown-the-biden-harris-administrations-funding-request-would-help-prevent-families-across-the-country-from-losing-child-care/>

<sup>2</sup> <https://www.nysenate.gov/sites/default/files/childcareourreport.pdf> (Page 8)

<sup>3</sup> <https://childcaregap.org/> (NYS, Westchester County), more information on the methodology here: <https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2020/10/Child-Care-Mapping-Methodology.pdf>

Almost half of all housing-occupied units in the United States report ownership of at least one pet<sup>4</sup>. Americans spend on average \$770 per year on their pets<sup>5</sup>, making the doggy daycare and veterinarian business a key area of economic opportunity locally.

### **Comparative analysis:**

#### *Village of Larchmont*

The neighboring Village of Larchmont allows for childcare facilities to operate under special permits, regardless of zone. The maximum number of enrolled children per facility as defined by the Village Code is 15 students ([381-51](#)).

While dog daycares are not explicitly mentioned, pet grooming establishments are allowed within the RB/RC and are not subject to Special Permit. Additional requirements include soundproofing for noise, no overnight boarding of animals, and that animals may not be kept outside ([381-39](#)).

Animal hospitals are not explicitly permitted in Larchmont; however, veterinary offices are allowed. Subject to Special Permit approval, veterinary offices can only be located in professional office buildings within the MF district ([381-51, C.1-4](#)).

#### *Town of Harrison*

The Town of Harrison zoning code does not mention animal hospitals, veterinary offices or clinics, it is possible they do allow the use under an interpretation that it fits some other similar use category<sup>6</sup>.

Daycare centers are allowed within Special Business Districts and mandate the following parking requirements (including a dropoff area with short-term parking):

“The greater of 1 for each employee of the SB-0 day-care center or 1 per employee required by the New York State licensing agency having jurisdiction over the operation of the SB-0 day-care center, plus a dropoff area and short-term parking spaces in combination sufficient to accommodate 1 vehicle per 7 children enrolled in the SB-0 day-care center.” ([235-37](#))

All daycares within the Town of Harrison are subject to the approval of a special exception use permit ([235-7](#)).

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<sup>4</sup> <https://www.census.gov/library/visualizations/2022/demo/2021-household-pets.html>

<sup>5</sup> <https://www.bls.gov/cex/tables/calendar-year/mean-item-share-average-standard-error/reference-person-age-generation-2021.pdf> (Page 8)

<sup>6</sup> <https://ecode360.com/attachment/HA0224/HA0224-235c%20Table%20of%20Use-Business.pdf>

## **Parking requirements review of American Planning Association's Planning Advisory Services Parking Standards (2002):**

*Please note that the above manual does not have explicit recommendations as it pertains to dog daycare. The Village Planning Department recommends using the parking requirements for day care centers for dog daycare given their similarities in parking demand, and drop-off/pick-up patterns.*

### *Child /Dog Daycare:*

Lexington, MA: 1 per 500 square feet

Glenville, NY: Minimum: 1.25 per employee, Maximum: 2 per employee

\* Niagara Falls, NY: 1 space per staff member, plus 1.5 spaces for each classroom, to the highest whole number.

### *Animal Hospital:*

\* Redding, CA: 1 space for every 350 square feet (Redding, CA)

*Note:* The ASPCA<sup>7</sup> recommends 2,000 - 3,000 sq. ft for a 1-vet practice, and 3,500 - 5,000+ sq. ft. for a 2-vet practice. A 5,000 sq. ft. practice would require 14.28 spaces.

Glenville, NY: Minimum: 1.5 per employee of largest shift, Maximum: 2.5 per employee of largest shift

\* Indicates the Planning Departments recommendation, which is included in the draft legislation below.

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<sup>7</sup> [https://www.aspcapro.org/sites/default/files/asna\\_building\\_resource\\_guide.pdf](https://www.aspcapro.org/sites/default/files/asna_building_resource_guide.pdf)

## Draft Conceptual Legislation

(Language in strike-through ~~abcdehijk~~ to be deleted; language in **bold** is to be added)

### Section 1.

Section 342-3 of the Code of the Village of Mamaroneck is amended by adding the following definitions:

#### **Animal Hospital**

**A building for the medical and/or surgical care of animals.**

#### **Pet Day Care Facility**

**A facility in which four or more domestic pet animals owned by persons other than the owner of the facility are temporarily boarded for pay or remuneration of any sort.**

### Section 2.

Section 342-30 of the Code of the Village of Mamaroneck is amended as follows:

- (1) The following are the only principal uses permitted in the C-1 General Commercial Districts:

**(s) Animal Hospitals. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)**

**(t) Nursery Schools. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)**

**(u) Pet day care facilities, subject to 342-52.3. (This use is subject to Special Permit approval by the Planning Board as set forth in Article X and shall conform to any additional requirements made in connection with such approval.)**

### Section 3.

Section 342-31 of the Code of the Village of Mamaroneck is amended as follows:

- (1) The following are the only principal uses permitted in the C-2 Central Commercial Districts:

(a) Uses permitted in the C-1 Districts, as permitted therein, but not microbreweries, microdistilleries, microcideries, or microwineries, **nursery schools, pet day care facilities, and animal hospitals.**

~~(h) Animal hospitals. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)~~

#### *Section 4.*

Section 342-52.3 of the Code of the Village of Mamaroneck is amended as follows:

#### **§ 342-52.3 Pet day care facilities.**

**Pet day care facilities shall be subject to the approval procedure set forth in Article X and in conformance with any additional requirements imposed in connection with that approval, and further provided that:**

##### **A. Outdoor spaces.**

**(1) Outdoor spaces are permitted provided there is adequate indoor space for all animals under the care of the pet day care facility, and all animals are indoors between the hours of 5:00 p.m. and 7:00 a.m.**

**(2) While outdoors, all animals must be under the direct control of the pet day care facility operator or the facility staff at all times.**

**(3) Floors shall be concrete, gravel, or materials that can be regularly cleaned and kept free of waste accumulation. Grass runs and exercise areas are permissible provided adequate ground cover is maintained, holes are kept filled, ground cover is watered sufficiently to dilute and clean the cover to avoid disease, solid waste is removed prior to watering and the ground cover is not allowed to become overgrown.**

**(4) Water used to clean outdoor areas may not drain or overflow into a public right-of-way or onto an adjacent property.**

##### **B. Sanitation.**

**(1) Facilities must be kept in a clean condition in order to maintain a healthy environment for the animals.**

**(2) Areas housing animals within the facility must be cleaned at least once each day.**

**(3) Trash and waste products on the premises must be disposed of promptly and hygienically, and in accordance with all applicable federal, state and local laws and regulations governing hazardous materials, so as to minimize the risk of disease, contamination, and vermin.**

**(4) Fecal wastes must be disposed of through either solid waste pick-up service or the sanitary sewer system. Disposal of cat litter shall be through solid waste pick up and not through the sanitary sewer system. Fecal wastes may not be used for on-site or off-site composting operation.**

**C. Noise. Neither the operation of the pet day care facility nor any overnight boarding of the Pet Day Care Facility may create any noise either repeatedly over at least a seven-minute period of time at an average of at least twelve animal noises per minute, or repeatedly over at least a fifteen minute period of time, with one minute or less lapse of time between each animal noise during the fifteen-minute period, that can be heard by any person at or beyond the property line of the lot on which the facility is located.**

**D. Revocation.**

**(1) The Planning Board must revoke the special permit if the Building Inspector determines that the terms of the special permit have been violated five times within any 12-month period.**

**(2) The facility must cease operating within 30 days of notice of revocation, unless the permit holder appeals to the Zoning Board of Appeals within that 30-day period. The applicant may continue its operations until a decision has been rendered with respect to the appeal. If the Zoning Board of Appeals sustains the revocation of the permit, the permit holder must cease operations within 30 days of the decision.**

**E. Duration.**

**(1) The special permit shall expire one year after the date on which it is granted. The Planning Board shall extend the special permit for an additional three-year period if the facility has substantially satisfied the requirements of the special permit and may grant additional extensions, each valid for five years or less thereafter, upon the same terms.**

*Section 5.*

Section 342-56 of the Code of the Village of Mamaroneck is amended as follows:

Retail and/or service business, **animal hospitals**

1 for each 350 square feet of gross floor area of a building with not more than 3,500 square feet; 1 for each 200 square feet of the next 3,500 square feet of the gross floor area of the building; 1 for each 100 square feet of the gross floor area of the building in excess of 7,000 square feet.

**Nursery schools**

**1 space per staff member, plus 1.5 spaces for each classroom.**

**Pet day care facilities**

**3 spaces for each 1,000 square feet of gross floor area**