



PLANNING AND ZONING BOARD STAFF REPORT
February 7, 2023 Planning and Zoning Board Meeting

City of Port St. Lucie Text Amendment
City of Port St. Lucie - Chapter 158 – Zoning Code & Chapter 153 – Definitions (Cat Cafes)
Project No. P22-307

SUMMARY

Applicant's Request:	An amendment to Chapter 153 – Definitions & Chapter 158- Zoning Code (Cat Cafes)
Applicant:	City of Port St. Lucie
Application Type:	Text Amendment to City's Land Development Regulations
Project Planner:	Bethany Grubbs, Planner III

Overview

This is a city-initiated text amendment to allow cat cafes as a permitted use within the CG (General Commercial) and CS (Service Commercial) zoning districts and as a special exception use within the IN (Industrial) zoning district. A cat café shall be defined as follows: "Cat café: a restaurant, excluding drive-through restaurant, which also houses adoptable cats for clientele to interact with, and which incorporates cat adoption services in addition to the restaurant services for the purpose of helping adoptable cats find homes."

Background

Cat cafes are a growing trend. To date, there are approximately 14 cat cafes operational in Florida. The Zoning Code allows for eating places and pet shops within the CG and CS zoning district, along with the similar use of microbreweries and kennels in the IN zoning district as special exception uses. Upon review, the use falls somewhere between a pet shop and a restaurant. Cats are housed on site and are available for restaurant patrons to interact with, and they are also available for adoption. The cat cafes provide another way to increase the visibility of cats in need and help place adoptable cats in forever homes.

Cat cafes offer a variety of food and beverage selections, typically café style cuisine in a coffee shop setting, but may include alcoholic beverages upon securing the proper state licensing. In addition to food and beverage sales, donations and a nominal fee to enter the café are how funds are generated to sustain the cats' needs. The use will be aligned with the current code regulations surrounding pet shops. Section 92.20 of the Code of Ordinances requires an adoption-based business model be required for the retail sale of cats. The felines shall be sourced from stray and unwanted pets that have been taken in by an animal shelter or animal rescue organization. An animal rescue organization means a nonprofit organization that has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, such as the local Humane Society.

The Florida Department of Agriculture and Consumer Services (FDACS) and the Department of Business and Professional Regulations (DBPR) have approved the concept with separation requirements. Cats and

food preparation areas cannot be intermingled, but food and drink for consumption are allowed in the cat lounge. At all times, there must be a closed door to the food prep area to restrict the cats from entering.

Parking Regulations

Cat Cafes proposed in the IN (Institutional) zoning district shall only be considered upon approval of a Special Exception Use (SEU) application. Cafes located within industrial areas shall require more consideration and in-depth evaluation of the site parking. Warehouse buildings require less parking at the time of site plan approval, at a rate of one (1) space per each five hundred (500) square feet of gross floor area. The SEU application will require the applicant to demonstrate that adequate parking exists onsite before receiving zoning approval. Cat cafes shall only be considered when sufficient parking exists to accommodate their use.

The amount of off-street parking shall be calculated at a rate of one (1) parking space for each two hundred (200) square feet of gross floor area. The parking ratios correspond to the required parking for the most closely related uses.

Sec. 158.221. - Off-Street Parking and Lighting; Handicapped Parking Spaces (Excerpt)

Restaurants, cocktail lounges, and bars	One (1) space for each two hundred (200) square feet of gross floor area.
Shopping center	One (1) space for each two hundred (200) square feet of gross floor area.
Brewpub	One (1) space for each two hundred (200) square feet of floor area devoted to a restaurant, pub, and kitchen.

Regulations

A new section would be created within Chapter 158 – Supplementary Use Regulations which would provide detailed regulations. To protect the welfare and well-being of the surrounding properties and the resident cats, the use will be subject to the following supplementary use regulations.

Supplementary Use Regulations

1. Keeping of domestic animals shall be consistent with the provisions of Chapter 92 (Animals), Chapter 94 (Noise), and Chapter 95 (Nuisances, Littering) of the City's Code of Ordinances.
2. Limited to cats (felines) only.
3. Maximum capacity of twenty (20) cats at any one time.
4. The parking requirement shall be one space for each two hundred (200) square feet of gross floor area as set forth in Section 158.221(A)(C)(15) of the Zoning Code.
5. The facility must meet all applicable state and/or local health inspection standards.
6. The cats shall always be kept separate from food preparation areas.
7. The two locations (cat roaming rooms and dining rooms) must be completely separated by a floor-to-ceiling wall or walls.
8. Refuse from the animal shelter is not permitted to pass through the food preparation areas.
9. The boarding of cats shall take place entirely indoors.

10. The proponent must provide written evidence of partnership with a 501 (c)(3) animal rescue organization including but not limited to the Humane Society or the SPCA that will be providing the adoptable cats to the Cat Café as part of the application materials. In addition, all cats housed at the cat café must be current on all required vaccinations, spayed/neutered, receive monthly flea treatment and be micro-chipped prior to arrival.
11. Cats shall enter and exit the cafe in a carrier.
12. A sign indicating a 24-hour emergency phone number and contact person shall be kept current and posted on the site in a place clearly visible from the exterior.

Proposed Amendment

See attached Exhibit A. Changes are shown in ~~striketrough~~ and underline format.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval of the proposed amendment based on the analysis and findings as noted in the staff report.

PLANNING AND ZONING BOARD ACTION OPTIONS: *

- Motion to recommend approval to the City Council
 - Motion to recommend approval to the City Council with changes
 - Motion to recommend denial to the City Council
- * Should the Board need further clarification or information from staff it may exercise the right to table or continue the hearing or review to a future meeting.