

STAFF REPORT

“Animal Care”
Summation

UDC Text Amendment

CASE NUMBER: PLN-14-00005

PREPARED BY: The Development Office

MEETING May 19, 2014 – Planning Commission

DATES: May 27, 2014 – City Council

RECOMMENDATION: The Planning and Development Office recommends approval of the proposed text amendment pursuant to the review criteria outlined in Article 2, Section 2.4.1d of the Cheyenne Unified Development Code (UDC).

Proposed Ordinance: A UDC text amendment to allow Service Uses: Animal Care – Hospital/Clinic as a conditional use within the CBD Central Business District.

The proposed ordinance is attached.

Background: In September of 2013, Planning Commission reviewed a code text amendment proposal to allow Animal Care uses in the NB Neighborhood Business, MUB Mixed-Use Business Emphasis, and LI Light Industrial zoning districts and recommended approval to City Council. Council approved the Ordinance October 14, 2013. The current proposal was submitted during the 2014 UDC Annual Review and represents a continued effort to streamline the UDC to further accommodate Animal Care facilities within the City of Cheyenne.

Small animals such as dogs and cats play an important role in the lives of many citizens within the City of Cheyenne. Many pet owners seek pet services related to the health and well being of their animals such as veterinary clinics and dog day care facilities. The demand for these services has led to increased inquiries from entrepreneurs wishing to establish businesses to meet the needs of pet owners. As such, the Development Office has put forth this proposed UDC text amendment.

Data: The UDC defines *Animal Care - Hospital / Clinic* as a Service Use where animals are admitted for examination, treatment, or health care by a doctor of veterinary medicine, which may include kennels, runs or other accessory accommodations (Article 1, Section 1.4.4c). This use is permitted by right in the CB Community Business zoning district and permitted after conditional discretionary review in the AG Agricultural, AR Agricultural Residential, NB Neighborhood Business, and MUB Mixed-Use Business Emphasis zoning districts (Article 5, Section 5.1.4, Table 5-1). Veterinary clinics are categorized within this use category.

Analysis: In many respects a veterinary clinic use is comparable to a *Medical Care, Office* use and a *Medical Care, Clinic* use in terms of its functional and operational characteristics and its potential impacts. For instance, the UDC defines a *Medical Care, Office* as a Service use where physicians, dentists, or other health care professionals carry on their professions and may include a dental or medical laboratory, but may not include in-patient care, operating rooms for major surgery or be open for after-hours emergency care. The UDC defines a *Medical Care, Clinic* similarly except for clinics

may be open for after-hours emergency care whereas offices may not. Both of these uses are permitted by right in the NB, CB, CBD, MUB, and MUE zoning districts.

Veterinary clinics which target urban areas typically service small animals such as dogs and cats, have typical office hours Monday through Friday from 8-5, in which pets are dropped off and picked up throughout the day. A veterinary clinic may or may not provide outdoor animal space or kennels, which are used for long term or overnight boarding of animals, and typically do not offer after-hours emergency care. Potential impacts that veterinary clinics may pose, which a medical office or clinic would not pose, are auditory and olfactory impacts due to dog barking and animal excrement disposal. However, if the auditory and olfactory impacts can be eliminated or mitigated it stands to reason that a veterinary clinic use could be allowed to operate in similar zoning districts as those of medical care clinics and offices such as the CBD zoning district.

In terms of land uses, the CBD zoning district is very similar to the CB Commercial Business zoning district. Both allow a wide range of commercial, service, and employment uses designed to support the needs of the larger Cheyenne area. However in terms of spatial patterns, the CBD zoning district is much more compact and so the primary consideration with this proposal is whether the additional use will have a similar impact on the surrounding area.

Recommendation:

The Development Offices recommends approving this UDC text amendment finding that an Animal Care, Hospital/Clinic use functions to support the needs of the entire Cheyenne area and has operating characteristics which are able, under certain conditions, to fit into the intended uses and compact development patterns associated with the CBD zoning district. Furthermore, the proposed text amendment will further PlanCheyenne's Community Foundations and Principles to grow as a community of choice by providing a balanced mix of land uses and provide flexibility to respond to market demands (ShapeCheyenne pg. 2-7).