

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** OCTOBER 1, 2007

**FROM:** CITY MANAGER

**SUBJECT:** ZONING CODE AMENDMENT: ADOPTION OF A NEW DEFINITION FOR ANIMAL SHELTER; AMENDMENT OF THE CD-1 AND CD-6 (CENTRAL DISTRICT) ZONING DISTRICT TO CONDITIONALLY ALLOW ANIMAL SHELTERS; AMENDMENT OF CHAPTER 17.46 (PARKING AND LOADING) TO INCLUDE A PARKING REQUIREMENT FOR ANIMAL SHELTERS; AND AMEND THE DEFINITION OF PUBLIC AND SEMI-PUBLIC LAND USE CLASSIFICATION TO INCLUDE ANIMAL SHELTER.

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## **RECOMMENDATION**

It is recommended that the Council, after a public hearing:

1. Acknowledge that the proposed Zoning Code Amendment, to provide a definition for Animal Shelter and amend the CD-1 and CD-6 Zoning District land uses and the Parking Regulations does not have the potential for causing a significant effect on the environment and thus under CEQA's General Exemption is exempt from further environment assessment;
2. Find that the adoption of the Zoning Code Amendments related to Animal Shelter is consistent with the goals, objectives and policies of the General Plan and the purposes of the Pasadena Municipal Code Title 17 (Zoning), as outlined in the body of the report.
3. Approve an amendment to the zoning code adopting the new definition for Animal Shelter; allowing Animal Shelter use with the approval of a Conditional Use Permit in the CD-1 and CD-6 (Central District Specific Plan) Zoning Districts; requiring a parking study as part of the Conditional Use Permit application; and amending the definition of Public and Semi-Public Land Use Classification to include Animal Shelter use;
4. Direct the City Attorney to prepare an ordinance that implements these recommendations as described in the agenda report and return within 60 days for first reading.

## **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission recommended approval of these amendments.

## **BACKGROUND**

The Pasadena Humane Society has been in existence at the present site, 361 South Raymond Avenue, since 1914. In October 1990, Conditional Use Permit #2244 was approved to allow an expansion to the facility.

The Pasadena Humane Society has purchased the property adjacent to the north, 309 South Raymond Avenue, in order to expand its facility. This property is located in the CD-1 Zoning District, and since the animal boarding use is not allowed in the CD-1 zoning district, expansion into the adjacent property is not allowed. This amendment would permit, by Conditional Use Permit, this expansion.

The purpose of this amendment is to create a new definition that distinguishes non-profit animal shelters from the for-profit Animal Services uses currently listed in the City's Zoning Code. This will allow for the Humane Society to expand.

## **ANALYSIS**

### **Definition of Animal Shelter in Chapter 17.80 (Glossary of Specialized Terms and Land Use Types)**

Currently, the City's Zoning Code contains a series of for-profit Animal Sales and Services Land Uses, including: Animal Boarding; Animal Grooming; Animal Hospital and Animal Retail Sales. The Pasadena Humane Society is classified as Animal Boarding. However, because the facility operated by the Pasadena Humane Society is a non-profit public service, it is distinctly different in character and impact from these for-profit land uses. Staff believes that these differences should be reflected in the land use definitions. Therefore, the proposal is to create a new definition for "Animal Shelter" below to be added to City's Zoning Code Chapter 17.80 – Glossary of Specialized Terms and Land Use Type.

*Animal Shelter: A facility operated by a public jurisdiction or by an accredited, tax exempt humane organization for the purposes of impounding, harboring, selling, placing seized, strayed, distressed, homeless, abandoned or unwanted animals. May include incidental activities such as, but not limited to, vaccination, training classes, spay/neuter services, and boarding services.*

The proposed code amendment would also add Animal Shelter use to the list of Land Use Classifications (land use) Public and Semi-Public-Use, also in the City's Zoning Code Chapter 17.80 – Glossary of Specialized Terms and Land Use Type. Animal Shelter would be specifically for facilities operated by a public jurisdiction or a tax-exempt

organization and a facility providing a public service, which would be classified as public and semi-public use.

**Amend Table 3-1 (Allowed Uses and Permit Requirements for CD Zoning Districts) in Chapter 17.30 (Central District Specific Plan)**

Staff is proposing that the Animal Shelter use be conditionally permitted in the CD-1 and CD-6 (Central District Specific Plan) Zoning Districts. This would make the existing Humane Society facility an allowable use as well as permit the expansion through the Conditional Use Permit application. The Conditional Use Permit process would also allow the City to review and analyze potential new facilities on a case-by-case basis.

In order to prevent animal shelter facilities throughout the entire CD-1 Zoning District, staff is recommending that Animal Shelter be allowed only south of Green Street and west of Arroyo Parkway. This would limit new animal shelter facilities to only the CD-1 Zoning District area closest to CD-6 Zoning District.

**Amend Table 4-6 (Off-Street Parking Space Requirements) in Section 17.46.040 (Number of Off-Street Parking Spaces Required)**

Since this use is unique from other existing land uses contained in the City's Zoning Code, a simple one size parking standard might not fit all potential uses. Therefore, staff is recommending that the parking requirement for an animal shelter be based on a parking study to be submitted as part of the Conditional Use Permit application. This will allow flexibility in the parking requirement depending on the size and operation of the facility.

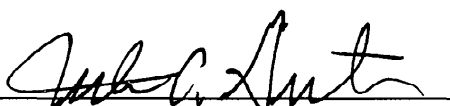
**ENVIRONMENTAL REVIEW**

The proposed Animal Shelter definition has been determined not to have the potential for an impact on the environment and thus under CEQA's Section 15061(b)(3) - General Exemption is exempt because there is no potential for causing a significant effect on the environment.


**FISCAL IMPACT**

The proposed new definition will allow non-profit animal shelters in the CD-1 and CD-6 zoning districts. As a result there will be no fiscal impact by the proposed change. Future project requesting an entitlement will be reviewed at the time of submittal to determine appropriate fees to be paid.

Respectfully submitted:

  
For Cynthia J. Kurtz  
City Manager

Prepared by:



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Reviewed by:



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Richard L. Bruckner  
Planning and Development Department

**Attachments**

A. Zoning Map of 309 and 361 S. Raymond Ave.

Exhibit A – Zoning Map

