

# Agenda Report

December 14, 2020

**TO:** Honorable Mayor and City Council  
**FROM:** Planning and Community Development Department  
**SUBJECT: ZONING CODE AMENDMENTS TO UPDATE REGULATIONS FOR ANIMAL SERVICES USES**

**RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the Zoning Code Amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15305 (Class 5 – Minor Alterations to Land Use Limitations) and State CEQA Guidelines Section 15061(b)(3), that there are no features that distinguish this project from others in the exempt class, there are no unusual circumstances, and none of the exceptions to the exemptions apply;
2. Adopt the Findings of Consistency with the General Plan (Attachment A); and
3. Approve the amendments and direct the City Attorney to prepare an ordinance amending Sections 17.30.030, 17.50.300, and 17.80.020 to Title 17 (Zoning Code) of the Pasadena Municipal Code to make "Animal Services – Animal Hospitals" a permitted use in the CD-2 through CD-6 districts and updated operational standards.

**ADVISORY COMMISSION/BOARD/CITY COUNCIL COMMITTEE RECOMMENDATION:**

At a public hearing on November 19, 2020, the Planning Commission recommended that the City Council find that the Zoning Code Amendments are exempt from CEQA and approve the Zoning Code Amendments that would Animal Hospitals as a permitted land use in the CD-2, CD-3, CD-4, CD-5, and CD-6 zoning districts, and impose additional operational standards on all Animal Hospital uses.

## **BACKGROUND:**

The Planning and Community Development Department was directed by the City Manager to prepare Zoning Code Amendments to allow the establishment of Animal Hospitals in the Central District to address the need for more easily accessible amenities for a growing downtown residential community. These changes would eliminate the prohibition on Animal Hospitals in most zoning districts in the Central District Specific Plan area, and establish a more robust set of operational standards applicable to Animal Hospitals citywide. The Planning Commission held a study session on this topic on September 23, 2020 and a public hearing on November 19, 2020.

### **Growing Downtown Residential Community**

The Land Use Element of the City's General Plan provides guiding principles, goals, and policies to guide development throughout the City. Two guiding principles are of particular relevance to the Central District:

- Growth will be targeted to serve community needs and enhance the quality of life. Higher density development will be directed away from residential neighborhoods and into the Central District, Transit Villages, and Neighborhood Villages. These areas will have a diverse housing stock, job opportunities, exciting districts with commercial and recreational uses, and transit opportunities. New development will build upon Pasadena's tradition of strong sense of place, great neighborhoods, gardens, plazas, parks, and trees.
- Pasadena will be a place where people can circulate without cars. Specific plans in targeted development areas will emphasize a mix of uses, pedestrian activity, and transit; public and private transit will be made more available; neighborhood villages and transit villages will reduce the need for auto use.

These guiding principles, which emphasize focusing growth and higher density development around transit stations, particularly within the Central District, have been reflected in recent development trends. Between the adoption of the General Plan in 2015 and the end of 2019, building permits have been issued for 1,239 new residential units within the Central District Specific Plan area, representing 60% of all new permitted units throughout the City during that period. That trend is expected to continue into the future, with an additional 2,159 units either entitled or in the review process within the Central District, representing 53% of all new units in the development project pipeline.

### **Purpose and Goal of these Amendments**

While the influx of new residents in the Central District is consistent with the General Plan's guiding principal of concentrating growth in this area, it is equally important to ensure that the types of amenities necessary for daily life are also available to meet the needs of these new residents. Furthermore, it is necessary to ensure that these amenities are available within walking distance of these neighborhoods in order to remain consistent with the General Plan guiding principal of making Pasadena a place where people can circulate without cars. One way to achieve this is to ensure that services are easily able to locate where new development is occurring.

There are a variety of commercial uses that provide the necessary amenities and services to an urban residential neighborhood. These include grocery/convenience stores, retail, entertainment uses, restaurants, child-care facilities, financial institutions, gyms, and personal services such as hair and nail salons. All of these uses are currently permitted or conditionally permitted in all six zoning districts in the Central District. Another common necessity for residents with pets is the ability to easily access a veterinarian at a local Animal Hospital. However, Animal Hospital uses are currently not permitted in five of the six zoning districts in the Central District, requiring those who reside in the Central District to travel further to access these services, often with the use of a vehicle. By allowing Animal Hospital uses to be established closer to these neighborhoods, residents will have easier access to these services without the need to travel by car.

Staff held a study session with the Planning Commission on this issue on September 23, 2020. During that meeting, the Planning Commission expressed support for expanding the permission to establish Animal Hospitals in the Central District, and encouraged staff to prepare more detailed recommendations for further consideration, including specific standards that would apply to any Animal Hospital that is established in order to ensure operations are compatible with surrounding neighborhoods and do not cause impacts. The Planning Commission also asked staff to consider expanding permissions for Animal Hospitals in areas outside of the Central District. Staff performed an analysis of city-wide land use permissions for Animal Hospitals, and found that this use is currently permitted by-right in other commercial corridors toward the eastern portions of the City, such as Walnut Street, Foothill Boulevard, and East Colorado Boulevard. Additionally, Animal Hospitals are currently permitted by-right in areas within a quarter-mile of both the Allen and Sierra Madre Villa Metro L (Gold) Line stations.

Finally, Animal Hospital uses are generally not permitted in any zoning districts north of the I-210 and in the Northwest area of the City, including the Lincoln Avenue, North Lake, and Fair Oaks/Orange Grove Specific Plan areas. These areas of the City that are further away from Metro light-rail stations are generally characterized by lower housing densities and are more auto-oriented, while those areas that are closer to the Metro stations would already be within a half mile of a zoning district that allows Animal Hospitals by-right. The potential for impacts resulting from locating Animal Hospitals in such close proximity to neighborhoods with a more traditional residential character would likely outweigh the need for easier access to Animal Hospital services in these areas. Thus, existing regulations outside of the Central District are consistent with the guiding principles of focusing new growth around transit and enabling residents to circulate without cars, and further changes in these areas are not needed at this time.

### **Current Animal Hospital Regulations**

The Zoning Code identifies various 'Animal Sales and Services' land uses, each with their own definition and scope of services. The 'Animal Hospital' land use is defined as "establishments where small animals receive medical and surgical treatment." The term "Small Animal" is further defined as "an animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept as domestic pets within a dwelling unit."

The Central District Specific Plan currently sets forth land use permissions for the six zoning districts that comprise the plan area. "Animal Services – Hospitals," also referred to as "Animal Hospitals," is listed among the uses regulated in the plan area, with permissions identified in the following table:

<b>Zoning District</b>	<b>Existing Regulation</b>
CD-1 (Old Pasadena)	Not permitted
CD-2 (Civic Center/Midtown)	Not permitted
CD-3 (Walnut Housing)	Not permitted
CD-4 (Pasadena Playhouse)	Not permitted
CD-5 (Lake Avenue)	Not permitted
CD-6 (Arroyo Corridor/Fair Oaks)	Conditionally permitted

## **DISCUSSION:**

### **Land Use Compatibility**

Currently, Animal Hospital uses are only permitted by-right in the City's General Commercial (CG) and Industrial (IG) zoning districts. This includes a number of Specific Plan areas that have underlying CG and IG zoning districts, such as the East Colorado Specific Plan CG-3, CG-4, and CG-6, as well as the East Pasadena Specific Plan D1-CG, D2-CG, and D2-IG zoning districts. Animal Hospitals are also permitted in the IG subareas of the South Fair Oaks Specific Plan. When looking at the existing zoning districts where Animal Hospital uses are currently permitted, they appear to be in areas that are generally not close to residential neighborhoods, and are surrounded by commercial uses that can typically tolerate more impacts such as noise, odors, long hours of operation, and frequent vehicle stops for pick-up and drop-off.

While it is reasonable to limit Animal Hospital uses to those areas where potential impacts will not cause nuisances to neighboring residents and businesses, there are opportunities to establish more robust operational standards to minimize any negative impacts. The Zoning Code currently has two standards for Animal Hospital uses that apply citywide:

- A. All animal hospitals shall be entirely enclosed, soundproofed, and air conditioned.
- B. Grooming and temporary boarding of animals for a maximum of 30 days is allowed only if incidental to the animal hospital use.

Staff is proposing to strengthen the existing standards, while adding additional provisions to minimize impacts by:

- Clarifying the meaning of what qualifies as "entirely enclosed" to include roof covering to prevent open-air enclosures
- Establishing a soundproofing threshold of 5 dBA over ambient measured at the property line to ensure noise does not cause a nuisance
- Limiting hours open to the public to 8:00am to 6:00pm
- Maintaining the limit on grooming and temporary boarding of animals to a maximum of 30 days, only for clients of the animal hospital, and only if ancillary to the animal hospital use
- Requiring hospital staff to be present and accessible via telephone at all times that animals are present

While these measures will not guarantee the elimination of any and all impacts, they would substantially lessen the likelihood of potential negative impacts while allowing these uses to be established more easily. It should also be noted that the character of residential neighborhoods

in the Central District is more urban in nature, and not directly comparable to other multi- or single-family neighborhoods throughout the City that are more insulated from commercial uses. Many residents choose the more urban lifestyle of the Central District because of the convenience of being closer to commercial uses, and are aware of the trade-offs that those amenities bring.

With respect to the particular zoning districts within the Central District that would be best suited to allow for Animal Hospitals, staff finds that the only district that would be incompatible with this use would be CD-1 (Old Pasadena). This is primarily due to the predominantly retail and entertainment-oriented character of this sub-area and zoning district. With high levels of pedestrian activity, and lesser amounts of residential uses, this zoning district lends itself more to retail uses rather than service uses such as Animal Hospitals. As such, the following table represents the proposed land use permissions for Animal Hospitals in the Central District:

<b>Zoning District</b>	<b>Existing Regulation</b>	<b>Proposed Regulation</b>
CD-1 (Old Pasadena)	Not permitted	Not permitted (no change)
CD-2 (Civic Center/Midtown)	Not permitted	<u>Permitted</u>
CD-3 (Walnut Housing)	Not permitted	<u>Permitted</u>
CD-4 (Pasadena Playhouse)	Not permitted	<u>Permitted</u>
CD-5 (Lake Avenue)	Not permitted	<u>Permitted</u>
CD-6 (Arroyo Corridor/Fair Oaks)	Conditionally permitted	<u>Permitted</u>

### **Conclusion and Recommendations**

With a growing urban residential community in the Central District, the need for a greater variety of services has become more apparent. One key service that is needed by many residents in this area is easy access to Animal Hospitals that provide veterinary services as well as ancillary grooming and boarding services. The current Zoning Code provisions do not permit the establishment of Animal Hospitals in most zoning districts in the Central District, causing residents to drive to other neighborhoods throughout the City and in neighboring areas to access these services. Changing the land use permissions to allow Animal Hospitals as a permitted use in all zoning districts except for Old Pasadena while requiring a robust set of operational standards would encourage the establishment of this critical service while minimizing the potential for negative impacts to neighbors and businesses. These amendments would make the Central District a more complete residential neighborhood that truly allows residents to circulate without cars, thereby furthering two of the General Plan's guiding principles.

### **COUNCIL POLICY CONSIDERATION:**

The proposed Amendments would advance a number of General Plan Land Use Element goals and policies, as further described in the findings provided in Attachment A. These policies include:

- Goal 2. Land Use Diversity
  - Policy 2.3 (Commercial Businesses)
  - Policy 2.11 (Health Facilities)
- Goal 4. Elements Contributing to Urban Form

- Policy 4.2 (A Diversity of Places)
- Policy 4.3 (An Active Central District)
- Goal 28. Places to Live, Work, Shop, and Recreate

**ENVIRONMENTAL ANALYSIS:**

The Zoning Code Amendments have been assessed in accordance with the criteria contained in the CEQA Guidelines, and qualify for Categorical Exemption pursuant to Section 15305 (Class 5 – Minor Alterations in Land Use Limitations), and State CEQA Guidelines Section 15061(b)(3). There are no features that distinguish this project from others in the exempt class, there are no unusual circumstances, and none of the exceptions to the exemptions apply. The Zoning Code Amendments are limited to land use permissions for one particular land use, and will not result in any changes to density or intensity standards in the Zoning Code. At a public hearing on November 19, 2020, the Planning Commission recommended that the City Council find the Zoning Code Amendments exempt from CEQA based on this analysis.

**FISCAL IMPACT:**

There is no fiscal impact as a result of this action, and will not have any indirect or support cost requirement.


Respectfully submitted,

  
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Attachment:

Attachment A – Planning Commission Recommended Findings for Zoning Code Amendments