



CITY PLANNING DEPARTMENT

From: Kevin Walker, Director of Planning
To: Members of City Council
Date: October 16, 2025
Re: Proposed Kennel Ordinance Clarification

Purpose

The purpose of this memorandum is to expand and clarify a part of the proposed regulation of Kennel land uses.

Reason for the Use Regulations

During the City's RetoolCOS project, which updated the Chapter 7 Zoning and Subdivision of City Code to become the Unified Development Code (UDC), City Planning determined that an unintended consequence was the elimination of the Kennel use and related standards prior to June 5, 2023, (the ReTool project implementation date). Kennels were permitted conditionally and by-right in all our commercial zones and permitted by-right in our industrial zones under the previous Chapter 7. The City's current UDC consolidated and removed these uses from our mixed-use zoning districts and made them conditionally permitted in several industrial zones, creating nonconforming issues for some existing kennels. As such, this ordinance addresses this situation by again allowing these uses, conditionally and by-right, where they were previously allowed. This created an opportunity to revise use specific standards that applied to Kennels with this ordinance change. There are many examples of Kennels within Colorado Springs needing relief from the use specific standards that are currently codified that will be discussed during the Comparative Facility Analysis section below of this memorandum.

Introduction

On September 8, 2025, City Council heard and discussed the proposed Kennel Ordinance in detail. In response to certain questions raised, City Planning analyzed comparative communities for similar use standards and allowance thresholds, comparison of multiple jurisdiction kennel ordinances, industry noise standards and local allowances. The following represents an explanation of these items:

Comparative Communities Regulations

In looking at other municipalities, the permitting threshold and use specific standards vary. In commercial zones, most communities require approval by a Planning Board or Commission, whereas in industrial zones or more intensive use areas administrative approvals or use by right are authorized. Use specific standards or setbacks also vary and range from 0' to 200' when adjacent to a residential use or zone. Use specific separation requirements are not unique to kennel uses, as per the UDC separation requirements that exist for fuel dispensing uses, marijuana uses, liquor licenses, etc.

Municipality	Commercial/Mixed Use Districts	Industrial	Use Specific Standards
Albuquerque, NM	Conditional	Permitted	25' away from residential
Austin, TX	Permitted	Permitted	None
Boise, ID	Permitted	Permitted	10' from property lines
Des Moines, IA	Permitted	Permitted	75' from residential
Kansas City, MO	Permitted	Permitted	200' from property lines

Colorado Municipalities	Commercial/Mixed Use Districts	Industrial	Use Specific Standards
Aurora	Conditional	Permitted	150' from property lines, 300' from residential
Castle Rock	Conditional	Conditional	None
Lakewood	Conditional	Permitted	20' from side and rear property lines
Golden	Conditional	Permitted	200' from residential
Pueblo	Conditional	Permitted	None

Comparative Facility Analysis

Throughout the City today there are many examples of kennel facilities in operation. According to entitlement and permitting records, City Planning is able to provide the following examples of existing kennel facilities and their context within the surrounding neighborhoods. All of the listed examples have approved entitlements, with either an approved Conditional Use or Use Variance application to allow the kennel to be located on the given parcel and within their respective zone districts. City Planning staff would also be remiss if it were not noted that each of the kennel facilities do not comply with the current 55-foot separation requirement to each property line.

Catology, 5929 Delmonico Drive

- Use Variance (UVAR-23-0004) approved to allow an indoor cat kennel within a MX-M (Mixed-Use Medium Scale) zone district where it is not permitted conditionally or by right. The building this facility was allowed in also does not comply with separation requirements to the northern property line.



Under the Sun Doggie Daycare, 790 Dublin Boulevard

- Use Variance (CPC UV 15-00029) approved to allow a kennel in a PIP-2 (now BP Business Park) zone. As depicted below, both kennel building and accessory run programming are not compliant with separation requirements.



King's Ohana Pet Hotel and Spa, 856 Arcturus Drive

- Conditional Use (CPC CU 16-00120) was approved to allow the kennel in a C-5 (now MX-M Mixed-Use Medium Scale) zone. A subsequent Use Variance (UVAR-24-0003) was approved to allow for an expansion of an existing kennel facility. Similar to the other identified kennel facilities, the City Code required separation requirements are not met.



Industry Noise Standards and Local Allowance

City Planning staff has included information from City Code showing permissible noise levels as well as real world examples of decibel readings.

Per City Code Section 9.8.104 *Permissible Noise Levels*, a noise measured or registered as provided in this Section "...which is equal to or in excess of the db(A) established for the time period and zones listed in this section, is declared to be excessive and unusually loud and is unlawful."

<u>Zone</u>	<u>7:00 A.M. To Next 7:00 P.M.</u>	<u>7:00 P.M. To Next 7:00 A.M.</u>
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Residential	55 dB(A)	50 dB(A)
Commercial	60 dB(A)	55 dB(A)
Light industrial	70 dB(A)	65 dB(A)
Industrial	80 dB(A)	75 dB(A)

Summary

When considering the potential impacts and level of noise mitigation of the current versus proposed separation, City Planning staff is able to clarify we have found that the average dog bark is about 90 dB(A) and sound loses 6 dB(A) for every distance it is doubled. So if the receiving person is 25 ft away from the dog bark, it will be about 17 dB(A) less than it was at the source. When the separation distance is adjusted to a distance of 55 feet, resulting noise mitigation would be a reduction of 6 dB(A). Using the higher end of the spectrum of average dog bark sound (90 dB(A)). The sound would result in 72 dB(A) which is higher than the allowable 70 dB(A) permitted in the LI (Light Industrial) zone district where kennels would be permitted by right, but it does not consider any sound mitigation that fencing and landscaping requirements would account for. Attached is a diagram depicting how each of the setbacks would look from a plan-view.

Regulatory Standards for Consideration

- Additional screening;
- Greater separation distances from certain uses (i.e. residential);
- Prohibit external runners;
- No citizen complaints regarding kennels;

Staff Recommendation

- Staff recommends the regulation of “Kennels” to adhere to the Conditional Use process in Commercial and Mixed Use, and to allow a 25’ setback for MX (commercial) and Industrial zones, and a 55’ setback from all residential zones.