



## Quick Facts

### Impact

City-wide

### Initiating Entity

City Planning Department

### Applicable Code

UDC provisions affected by the ordinance include: Use Table 7.3.2-A; Use-specific Standards 7.3.303 Commercial and Industrial Uses; Table 7.4.10-A Parking and Loading; Section 7.6.301 Definitions

**Council District: City Wide**

## Project Summary

The City of Colorado Springs' Kennel Ordinance (See Attachment 1 – Ordinance) revises the City's Unified Development Code (UDC) to permit kennel uses where they were previously allowed under the old Chapter 7 but excluded in the UDC update passed in 2023. Prior to the June 5, 2023, ReTool project implementation date, kennels were permitted conditionally and by-right in commercial zones and permitted by-right in industrial zones under the previous Chapter 7. The City's current UDC consolidated and removed these uses from mixed-use zoning districts and made them conditionally permitted in several industrial zones, creating nonconforming issues for some existing kennels and impacting properties that could have established kennel uses. As such, this ordinance addresses the impact by again allowing these uses, conditionally and by-right, where they were previously allowed under the previous Chapter 7.

| File Number  | Application Type   | Decision Type |
|--------------|--------------------|---------------|
| CODE-25-0004 | UDC Text Amendment | Legislative   |

# Background

## History

Prior to the City’s UDC Update (ReTool), the previous Chapter 7 included use types for Kennels (Indoor and Outdoor), Veterinary Services, Pet Services and Animal Shelters individually. These uses were permitted by right in many of the industrial and large-scale commercial districts and were allowed conditionally in other commercial zone districts under the City’s previous Chapter 7. Following the City’s UDC Update (ReTool), which was effective on June 5, 2023, use types for animal facilities were combined removing the ability for kennels to be allowed by right in any zone district outside of A (Agriculture) and only allowing conditional use in the LI (Light Industrial) and GI (General Industrial) zone districts.

## Applicable Code

The subject Amendment to UDC Text application was initiated by the City of Colorado Springs Planning Department at the request of the City Administration and City Council after the implementation date (06/05/2023) of the City’s Unified Development Code. All subsequent references within this report that are made to “the Code”, “UDC,” and the Unified Development Code. Per UDC Section 7.5.702. Amendment to UDC Text, this section establishes standards and provides a mechanism for the City to review and decide on an application to amend the text of the current UDC.

## Project Timeline

|                                  |                                             |
|----------------------------------|---------------------------------------------|
| Community/Stakeholder Engagement | On-going                                    |
| City Planning Commission         | August 13, 2025                             |
| City Council                     | September/October 2025 ( <i>tentative</i> ) |
| Implementation                   | October 2025 ( <i>tentative</i> )           |

# Stakeholder Involvement

## Public Notice

|                   |                                                                             |
|-------------------|-----------------------------------------------------------------------------|
| CPC Public Notice | This item was featured in a newspaper release for City Planning Commission. |
|-------------------|-----------------------------------------------------------------------------|

# Agency Coordination

This proposed ordinance was presented to the City Attorney’s office to confirm that it complies with local state and federal laws.

# Amendment to UDC Text

## Summary of Application

This Amendment to UDC Text application reinstates a previously permitted use, which was removed in error from the City’s Unified Development Code following the ReTool project. For the most part, the proposed amendment is a direct replacement from the previous Chapter 7 of the UDC. However, the proposed amendment also includes filling in the use allowances within the airport overlay zones (APZ, RPZ and ADNL) as the old Code did not specify when these uses were allowed in these zones. The proposed amendment also addresses parking calculations using what is currently allowed under the current code for each specific use. Use-specific requirements are also being proposed. The current restriction requiring any

kennel building or outdoor play area to be 55' from the property line is proposed to be changed to 25' to any property line, matching the most significant setback requirement in the code. Staff also proposes removing the use-specific requirement that states, "Except in the A (Agriculture) zone district, all activities shall be conducted within a totally and permanently enclosed, soundproofed building." Kennels often feature outdoor areas for animals to be in an enclosed space outside. (see Attachment 1 – Ordinance).

## Ordinance Changes

The proposed Kennel Ordinance adds, deletes or replaces language to current Code sections including but not limited to Use Table 7.3.2-A; Use-specific Standards 7.3.303 Commercial and Industrial Uses of the City's Unified Development Code that allows these types of uses, where it was previously permitted in the City's previous Unified Development Code (Chapter 7); Table 7.4.10-A Parking and Loading; and Section 7.6.301 Definitions. The convention for changes is indicated by the following rules: added language is **BOLD** and language to be removed from city code is indicated by a ~~STRIKETHROUGH~~ (see Attachment 1 – Ordinance).

## Application Review Criteria

### UCD Section 7.5.702 Amendments to UDC Text

An application for an Amendment to UDC Text shall be subject to the following criteria for approval:

1. *The Colorado Springs Comprehensive Plan and other plans adopted by City Council.*

The current Colorado Springs Comprehensive Plan (herein "PlanCOS") places significant emphasis on ensuring a strong local economy. More specifically, a strong local economy requires the preservation of commercial and industrial land uses in a way that is compatible with their surrounding context. Provided that many of the changes proposed simply revert our code back to what was previously adopted, this Amendment to UDC Text complies with the Colorado Springs Comprehensive Plan (herein "PlanCOS") and other plans adopted by City Council.

2. *The current conditions and character of current structures and uses in each zone district.*

Kennels will only be permitted in zone districts in which they were previously allowed under the previously adopted UDC. This will alleviate an issue created by the changes made to Chapter 7 of the UDC during the ReTool project where many existing kennels were deemed legally non-conforming due to their location in a zone district that no longer allows their use and does not allow future kennels to be constructed on property within zones they were previously permitted in. This Amendment to UDC Text application proposes language that specifically defines this use and prescribes use-specific standards, to allow for their use in a way that is compatible with current conditions and character of current structures and commercial and industrial uses.

3. *The most desirable use of land in each zone district.*

The allowance of kennels in the industrial zones will permit kennels to be located where they are needed and were previously allowed. The allowance of kennels in mixed use districts conditionally will ensure that they are located and constructed in a way that is compatible with the surrounding context. This Amendment to UDC Text application assists in ensuring the most desirable use of land in each zone district.

4. *The conservation of sensitive environmental features.*

Under the proposed ordinance, City Planning staff's ability to consider the protection of sensitive environmental features remains unchanged. Staff remains able to discuss and implement reasonable restrictions on private property that mitigate impacts on sensitive environmental features.

5. *Promotion of responsible development and growth.*

The allowance of kennels in zone districts where they were previously permitted will promote the continued growth and availability of land for kennels to operate as needed and in doing so ensures a vibrant economy. By clearly defining these uses in the City's UDC and prescribing use-specific standards, the City is ensuring responsible development and growth in a way that is compatible with existing neighborhoods.

**CODE-25-0004**

After evaluation of the UDC Text Amendment application for the Kennel Ordinance, staff has determined that the application meets the approval criteria as set forth under City Code Section 7.5.702.D *Approval Considerations*.