

MEMORANDUM

November 8, 1989

To: Members of the Planning & Zoning Commission
From: Julie Couch, Assistant City Manager
Re: Amendment of the Zoning Ordinance Regarding Veterinary Clinics

As the Commission is aware, we have had some interest expressed by a veterinarian who is considering moving to Rockwall, to amend the Zoning Ordinance to allow veterinary clinics within the General Retail classification. Currently veterinary clinics and kennels are allowed in Heavy Commercial and veterinary clinics with no outside storage are allowed in Commercial with a Conditional Use Permit. There are a number of shopping center and commercial buildings located in General Retail that cannot be used for veterinary facilities.

While we have not received a formal request to consider an amendment, the Commission indicated at the last worksession that you would like to consider an amendment at this time. We have surveyed several of the larger cities in the area and all of them allow veterinary facilities in their lighter commercial districts with varying conditions.

After reviewing the requirements of surrounding cities I would recommend that we consider the following changes:

- A. That we add a definition of veterinary clinic to the Zoning Ordinance as follows: Veterinary Clinic - an establishment where animals and pets are admitted for examination and medical treatment, not including boarding of animals except as necessary for recovery from treatment or surgery.
- B. That we add a definition of kennel as follows: Any premises in which more than 3 dogs or domesticated animals are housed, groomed, bred, raised, trained or sold. *medical observation*
- C. That we amend the following zoning classifications in regard to veterinary clinics:
 - 1. General Retail - allow veterinary clinics specializing in treatment of small animals, with no outdoor pens or runs, as a permitted use.
 - 2. Commercial - Allow veterinary clinics specializing in treatment of small animals, with no outdoor pens or runs, as a permitted use. Allow veterinary clinics for treatment of small and large animals, with no outdoor pens or runs, as a conditional use.
 - 3. Central Business District - Allow veterinary clinics specializing in treatment of small animals, with no outdoor pens or runs, as a permitted use.

CUP

- CWP
4. Heavy Commercial - Allow veterinary clinics for treatment of small and large animals, or kennels with no outdoor pens or runs, as a permitted use. Allow veterinary clinics or kennels with outdoor pens or runs as a conditional use.
 5. Light Industrial - Allow veterinary clinics for treatment of small and large animals, or kennels, with no outdoor pens or runs as a permitted use. Allow veterinary clinics or kennels with outdoor pens or runs as a conditional use.
 6. Heavy Industrial - Allow veterinary clinics for treatment of small and large animals, or kennels, with no outdoor pens or runs as a permitted use. Allow veterinary clinics or kennels with outdoor pens or runs as a conditional use.
 7. Agricultural - Allow kennels with or without outdoor pens or runs as a conditional use.

These changes will not only allow vet clinics in General Retail, under certain conditions, they will also add consistency to our other districts. I will be ready to discuss these changes Thursday night.

MEMORANDUM

February 28, 1990

TO: Mayor and City Council
FROM: Julie Couch, Assistant City Manager
RE: Amendments to the Veterinary Clinic and Kennel Requirements

After reviewing the questions that were raised at the last meeting regarding these proposed changes, we have revised our recommendations as follows:

Veterinary Clinic Requirements

There was some discussion raised about the proposed definition of vet clinics that prohibited the boarding of animals unless it was for medical reasons. Both local vets have been contacted and they both offer boarding as a part of their services. It is a small percentage of their overall business, generally between 12-15%, but it is a service they both want to continue to offer.

The concern that generated the inclusion of the no boarding provision in the definition was that a kennel operation could be established under the guise of a veterinary clinic. A true kennel operation may be detrimental to adjacent businesses.

After further review it is our recommendation that the definition be amended to read as follows:

"Veterinary clinic - an establishment where animals or pets are admitted for examination and medical treatment and the boarding of animals is limited to short term care incidental and subordinate to the clinic use."

This is a broader definition than the previous recommendation, but it does state that boarding is only incidental to the main use. Enforcement of this provision would be difficult and time consuming, but so would enforcement of boarding only for medical purposes. It is not anticipated that the problem will occur frequently. We simply want to ensure that the ordinance gives us the ability to regulate the conversion of a vet clinic to a kennel use. The requirement of a CUP for a vet clinic also gives us the ability to review and approve floor plans and site plans, which can provide further protection from such an occurrence.

We also recommend that the wording for vet clinics in those districts in which kennels are allowed as a primary use be amended to include kennel facilities as a permitted accessory use to a vet clinic. That will clearly identify in which districts such uses could be located.

Kennel Requirements

There was also some discussion regarding the definition of a kennel and the number of animals required to be classified as a kennel. The original wording attempted to tie the

definition to the animal control ordinance which regulates the number of dogs and cats allowed on a premises. There was also discussion as to the total number of dogs and cats allowed by the animal control ordinance.

After further review we recommend that the definition of kennel be revised as follows:

"Kennel - any premises in which more than 3 dogs or 3 cats, or more than 3 other domesticated animals over 3 months of age, not including livestock and poultry, are housed, boarded, raised or trained as a commercial enterprise. This definition does not include pet shops."

It is the City Attorney's opinion that the zoning ordinance should track the animal control ordinance in regard to the number of animals allowed before kennel approval is required. We have removed the wording that detailed whether the kennel is for personal or business use. The animal control ordinance does not regulate the number of household pets other than dogs or cats and the zoning ordinance needs to track the animal control ordinance in this regard. Someone wishing to have more than 3 dogs or 3 cats for non commercial purposes could still make application for a kennel use in an approved zoning district.

The animal control ordinance currently authorizes 3 dogs or 3 cats. If someone had the maximum number of dogs and cats they could have 6 animals total. They could not, however, have 4 dogs and 2 cats, or 5 dogs and 1 cat. If the Council wishes to restrict the total number of dogs and/or cats to no more than 3, the current ordinance would need to be amended to say "...more than three (3) dogs or cats at a location within the City..."

Attached is a revised list of the proposed changes and a revised ordinance.

PROPOSED ZONING ORDINANCE
AMENDMENTS - VETERINARY CLINICS

1. Add the following definition:

Veterinary Clinic - an establishment where animals and pets are admitted for examination and medical treatment, and the boarding of animals is limited to short term care incidental and subordinate to the clinic use.

2. General Retail District:

Add the following use under conditional uses: "Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

3. Commercial District:

Amend C-12, conditional uses, to read as follows: 12. "Veterinary clinics for treatment of small or large animals with no outdoor pens or runs."

4. Central business District:

Add the following use under conditional uses: "Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

5. Heavy Commercial District:

Delete number 9 from the permitted uses. Add the following use under conditional uses: "Veterinary clinics for treatment of small or large animals, with or without accessory kennel facilities or outdoor pens or runs."

6. Light Industrial District:

Add the following use: "Veterinary clinics for the treatment of small or large animals with or without accessory kennel facilities, with no outdoor pens or runs."

7. Heavy Industrial District:

Add the following use: "Veterinary clinics for the treatment of small or large animals with or without accessory kennel facilities or outdoor pens or runs."

PROPOSED ZONING ORDINANCE

AMENDMENTS - KENNELS

1. Add the following definition:

"Kennel" - any premises in which more than 3 dogs or 3 cats or more than 3 other domesticated animals over three months of age, not including livestock and poultry, are housed, boarded, raised, or trained as a commercial enterprise. This definition does not include pet shops.

2. Agricultural District:

Amendment C.1., conditional use, as follows:

Facilities for the raising of animals, "including kennels", in accordance with all applicable City of Rockwall Ordinances, "excluding feed lots".

3. Heavy Commercial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

4. Light Industrial District:

Add the following as a conditional use:

"Kennels without outdoor pens or runs."

5. Heavy Industrial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

Mark E. Bessette, DVM
1620 Dale Circle South
Dunedin, FL 34698
December 3, 1989

Ms. Julie Couch
Assistant City Manager
Rockwall City Hall
Rockwall, Texas 75087

Dear Julie,

This letter is in reference to the proposal to amend the zoning ordinance to allow veterinary clinics in areas zoned general retail. As I understand the proposal, the veterinary clinics must have no outside storage and are not permitted to board animals. While the clinic I am planning is fully self contained with no outside storage, I do anticipate offering boarding on a limited basis as a service to my clients. This will not be a major boarding kennel operation and will only comprise approximately 10%, or 150 sq. ft., of my 1500 square foot practice. With such limited space available, I plan to limit boarding to post-surgical cases, animals requiring prescription medication, and animals requiring special medical observation. Although I want to comply with the zoning ordinance, I do feel it is necessary to offer limited boarding to my clients whose animals have special needs. These are animals such as diabetics, animals with a history of seizures, geriatric animals, animals requiring medical quarantine, and animals that require prescription medication to name a few. Since any of these patients may need a doctors attention at any time, their needs are better served in a veterinary hospital than in a general boarding kennel. I realize you are concerned about the possibility of a large boarding kennel in a general retail location. Let me assure you that is not my intention at all. I intend to have a veterinary hospital providing high quality medical and surgical care, with boarding being a small but necessary ancillary service to my clients. Hopefully, the ordinance can be worded such that limited boarding in veterinary hospitals is permissible.

Please submit this letter on my behalf for review at the city council meeting scheduled for December 14 at 7:00 PM. Thank you.

Sincerely,



Mark E. Bessette, DVM

Mark E. Bessette, DVM
1620 Dale Circle South
Dunedin, FL 34698
November 27, 1989

Ms. Julie Couch,
Assistant City Manager
Rockwall City Hall
Rockwall, Texas 75087

Dear Julie,

As we discussed previously, I am interested in starting my own veterinary practice. After evaluating several cities, I have found that my hometown of Rockwall offers the best opportunity for success. The specific location I have chosen is Suite #1102A in the Ridge Road Shopping Center. The owners of the shopping center are agreeable to my use of this space as a full service small animal veterinary hospital. The hospital will be fully self contained with no outside storage. My practice will be limited to small companion animals exclusively. I feel this use is compatible with the general retail zoning of the shopping center.

Enclosed you will find my resume. I would appreciate it if you would submit both this letter and my resume to the appropriate officials on the Planning and Zoning Board for review at the workshop on November 30th at 7:30 PM. Please let me know if I can provide any further information. Thank you.

Sincerely,



Mark E. Bessette, DVM

Mark E. Bessette, DVM

1620 Dale Circle South
Dunedin, FL 34698
(813) 734-7983

Born: January 27, 1960 - Tampa, Florida

Family: Married with two children - Lindsay (9-7-84) and Katy (12-10-87).

Education: 1978 - Graduated as salutatorian from Rockwall High School in Rockwall, Texas. GPA - 3.85.

1982 - Graduated with BA with Distinction in Biology from Hendrix College in Conway, Arkansas. GPA - 3.54.

1986 - Graduated 2nd in a class of 74 from the Louisiana State University School of Veterinary Medicine. GPA - 3.74.

Honors: 1982 - Deans Honor List 6 out of 8 semesters at LSU-SVM.

1983 - Merck Scholarship Award for highest scholastic achievement in the veterinary curriculum.

1984 - Initiated to Phi Zeta, the veterinary honor society.

1984 - Arkansas Junior Student of the Year.

1985 - Initiated to the honor society of Phi Kappa Phi.

1985 - Pfizer Award for scholastic achievement and leadership.

1986 - LSU Veterinary Auxiliary Spouse Award.

Work : 1981 - Laboratory assistant in charge of the animal care facility and marine aquaria at Hendrix College.

1982 - Volunteer work at Conway Animal Clinic, Conway, Arkansas

1983 - Summer research assistant in pharmacology department at LSU-SVM. Studied pharmacokinetics of gentamycin in cats.

1984 - Summer research assistant in parasitology department at LSU-SVM. Studied the efficacy of fenbendazole in pigs.

1986 - Internship at Hollywood Animal Hospital in Hollywood, Florida, a 12 doctor medical and surgical referral center.

1987 - Associate at Hollywood Animal Hospital.

1988 - Associate at Highland Animal Hospital in Dunedin, Florida.

Interests: Fishing, scuba diving, sailing, tennis, and reading.

References: Available upon request.

**CITY OF ROCKWALL
Planning and Zoning Agenda**

Agenda Date: December 14, 1989

Agenda No: IV. A.

Agenda Item: Discuss Zoning Regulations Regarding Vet Clinics and Take Any Necessary Action

Item Generated By: Staff

Action Needed: Discuss and take any necessary action

Background Information:

At your last meeting you were provided with some recommendations regarding proposed changes to several districts in regard to vet clinics and animal boarding. This subject was originally raised by a prospective vet who was interested in locating a clinic in a GR district. Under our current requirements vet clinics are not allowed in GR and they are only allowed in C with a CUP. Initially I had planned to recommend that the GR classification be amended to allow the use with a CUP. However, once I began to review the issue in detail and to review what other cities were doing I felt that the changes that we should consider were more extensive. I have attached another copy of the proposed changes and will be ready to discuss them at the meeting Thursday night.

Just to let you know, the vet who was interested in a GR site is again interested and has been negotiating for a site, dependent upon any changes the Commission and Council may make.

Attachments:

1. Proposed Amendments

Agenda Item: Vet Clinics

Item No: IV. A.

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: February 8, 1990

Agenda No:III. A.

Agenda Item: P&Z 89-46-Z - Hold Public Hearing and Consider Recommending an Amendment to the Comprehensive Zoning Ordinance Regarding Veterinary Clinics and Kennels

Item Generated By: Staff

Action Needed: Hold public hearing and consider recommending the proposed changes to Council.

Background Information:

The public hearing for the proposed changes in the vet clinic and kennel requirements are scheduled for Thursday night. Attached you will find the recommended changes to the ordinance. The changes to vet clinics provide that they must obtain a CUP within any district. The changes proposed for kennels include revising the existing kennel requirements include a definition for kennel and recommended changes to several districts. I have recommended that we keep kennels in the Agricultural Classification. If we remove them as a permitted use in Ag. then we would need to add them in one of the permanent residential districts. I don't think that a kennel use is appropriate in the standard SF classifications and this would open the residential districts up to CUP requests in the future. I will be ready to discuss this at the meeting.

Attachments:

1. Recommended changes to the Ordinance

Agenda Item: Vet Clinics and Kennels

Item No: III. A.

PROPOSED ZONING ORDINANCE

AMENDMENTS - KENNELS

1. Add the following definition:

"Kennel" - any premises in which more than 3 dogs or domesticated animals, not including livestock or poultry, are housed, boarded, raised, or trained for personal use or for the purpose of selling such animals. This definition does not include pet shops.

2. Agricultural District:

Amendment C.1., conditional use, as follows:

Facilities for the raising of animals, "including kennels", in accordance with all applicable City of Rockwall Ordinances, "excluding *feed* lots".

3. Heavy Commercial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

4. Light Industrial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

5. Heavy Industrial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

PROPOSED ZONING ORDINANCE
AMENDMENTS - VETERINARY CLINICS

1. Add the following definition:

Veterinary Clinic - an establishment where animals and pets are admitted for examination and medical treatment, not including boarding of animals except as necessary for recovery from treatment or surgery, or medical observation.

2. General Retail District:

Add the following use under conditional uses: "Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

3. Commercial District:

Amend C-12, conditional uses, to read as follows: 12. "Veterinary clinics for treatment of small ^{or large} animals with no outdoor pens or runs."

4. Central business District:

Add the following use under conditional uses: "Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

5. Heavy Commercial District:

Delete number 9 from the permitted uses. Add the following use under conditional uses: "Veterinary clinics for treatment of small or large animals, with or without outdoor pens or runs."

6. Light Industrial District:

Add the following use: "Veterinary clinics for the treatment of small or large animals with no outdoor pens or runs."

7. Heavy Industrial District:

Add the following use: "Veterinary clinics for the treatment of small or large animals with or without outdoor pens or runs."

CITY OF ROCKWALL
City Council Agenda

Agenda Date: January 3, 1990

Agenda No: V. C.

Agenda Item: Discuss and Consider Initiating Hearings to Amend the Zoning Ordinance Regarding Veterinarian Clinics in Commercial Zoning Categories

Item Generated By: Staff

Action Needed: Discuss and take any necessary action

Background Information:

Over the last several months the Planning and Zoning Commission has been considering certain amendments to the commercial zoning classifications regarding veterinary clinics. This issue was first raised because a veterinarian was considering moving to Rockwall and wanted to locate in a General Retail location. Under our current requirements vet clinics are only allowed in Commercial with a CUP and are allowed in Heavy Commercial as a permitted use. After reviewing a number of other cities' requirements the Commission has recommended that the zoning ordinance be amended to allow vet clinics in General Retail and that a number of other changes be considered to make our requirements consistent. Attached is a memorandum outlining some suggested changes that were considered by the Commission. The Commission has recommended these changes as stated with one alteration, that vet clinics continue to require a CUP in any district.

The vet who was interested in a GR site is still interested and has been negotiating for a site, dependent upon any changes the Commission and Council may make.

Attachments:

1. Proposed Amendments

Agenda Item: Vet Clinics

Item No: V. C.

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: January 18, 1990

Agenda No: V. E.

Agenda Item: Discuss and Consider Initiating Hearings to Amend the Zoning Ordinance Regarding Veterinarian Clinics in Commercial Zoning Categories

Item Generated By: Staff

Action Needed: Discuss and take any necessary action

Background Information:

Over the last several months the Planning and Zoning Commission has been considering certain amendments to the commercial zoning classifications regarding veterinary clinics. This issue was first raised because a veterinarian was considering moving to Rockwall and wanted to locate in a General Retail location. Under our current requirements vet clinics are only allowed in Commercial with a CUP and are allowed in Heavy Commercial as a permitted use. After reviewing a number of other cities' requirements the Commission has recommended that the zoning ordinance be amended to allow vet clinics in General Retail and that a number of other changes be considered to make our requirements consistent. Attached is a memorandum outlining some suggested changes that were considered by the Commission. The Commission has recommended these changes as generally as stated, with two changes; that vet clinics continue to require a CUP in any district and that the definition of a vet clinic be worded as follows: an establishment where animals and pets are admitted for examination and medical treatment, not including boarding of animals except as necessary for recovery from treatment, **observation**, or surgery.

The vet who was interested in a GR site is still interested and has been negotiating for a site, dependent upon any changes the Commission and Council may make.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: February 19, 1990

Agenda No: V.e.

Agenda Item: P&Z 89-46-Z - Hold Public Hearing and Consider Approval of an Ordinance Amending the Comprehensive Zoning Ordinance Regarding Veterinary Clinics and Kennels (1st Reading)

Item Generated By: Staff

Action Needed: Hold public hearing and consider approval of the proposed ordinance.

Background Information:

The public hearing for the proposed changes in the vet clinic and kennel requirements are scheduled for Monday night. Attached you will find the recommended changes to the ordinance broken down by changes to kennel requirements and vet clinic requirements. The changes to vet clinics provide that they must obtain a CUP within any district. Vet clinics would also be allowed in the General Retail District. The ordinance also lists the use in the industrial districts. A definition for vet clinics has also been added.

The changes proposed for kennels include a definition for kennel and recommended changes to several districts. It is recommended that we keep kennels in the Agricultural Classification. If we remove them as a permitted use in Ag then we would need to add them in one of the permanent residential districts if we want to allow the opportunity to a resident to have a kennel. Under our definition a kennel includes any premises with more than three dogs and there will be future requests for permission to have a residential kennel. A kennel use is less appropriate in the standard SF classifications and this would open the residential districts up to CUP requests in the future. The other changes include requiring kennels as a conditional rather than a permitted use in HC and adding them to the industrial districts as conditional uses.

The Planning and Zoning Commission has recommended approval of the changes. The veterinarian that began the discussion of this item is planning to make application for a CUP upon consideration of this ordinance by Council, if it is approved.

Attachments:

1. Recommended changes to the Ordinance
2. Proposed Ordinance

Agenda Item: Vet Clinics and Kennels

Item No: V.e.

PROPOSED ZONING ORDINANCE
AMENDMENTS - VETERINARY CLINICS

1. Add the following definition:

Veterinary Clinic - an establishment where animals and pets are admitted for examination and medical treatment, not including boarding of animals except as necessary for recovery from treatment or surgery, or medical observation.

2. General Retail District:

Add the following use under conditional uses: "Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

3. Commercial District:

Amend C-12, conditional uses, to read as follows: 12. "Veterinary clinics for treatment of small or large animals with no outdoor pens or runs."

4. Central business District:

Add the following use under conditional uses: "Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

5. Heavy Commercial District:

Delete number 9 from the permitted uses. Add the following use under conditional uses: "Veterinary clinics for treatment of small or large animals, with or without outdoor pens or runs."

6. Light Industrial District:

Add the following use: "Veterinary clinics for the treatment of small or large animals with no outdoor pens or runs."

7. Heavy Industrial District:

Add the following use: "Veterinary clinics for the treatment of small or large animals with or without outdoor pens or runs."

PROPOSED ZONING ORDINANCE

AMENDMENTS - KENNELS

1. Add the following definition:

"Kennel" - any premises in which more than 3 dogs or domesticated animals, not including livestock or poultry, are housed, boarded, raised, or trained for personal use or for the purpose of selling such animals. This definition does not include pet shops.

2. Agricultural District:

Amendment C.1., conditional use, as follows:

Facilities for the raising of animals, "including kennels", in accordance with all applicable City of Rockwall Ordinances, "excluding feed lots".

3. Heavy Commercial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

4. Light Industrial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

5. Heavy Industrial District:

Add the following as a conditional use:

"Kennels with or without outdoor pens or runs."

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE 83-23, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL BY AMENDING THE FOLLOWING SECTIONS: 2.1, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 14.1; PROVIDING FOR REGULATIONS REGARDING VETERINARY CLINICS AND KENNELS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the guidelines established in the City of Rockwall's Comprehensive Zoning Ordinance the City Council has considered amending the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That Ordinance 83-23, the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by removing the wording indicated in [] brackets and adding the wording indicated with " " quotations, to hereafter read as follows:

- A. That subsection 2.1.C.1. is hereby amended to hereafter read as follows:
 - 1. Facilities for the raising of animals, "**including kennels**", in accordance with all applicable City of Rockwall Ordinances, "**excluding feed lots**."
- B. That subsection 2.11.C. is hereby amended by adding a new subsection 13. to read as follows:
 - "13. **Veterinary clinics for treatment of small animals, with no outdoor pens or runs.**"
- C. That subsection 2.12.C.12. is hereby amended to read as follows:
 - 12. Veterinary clinics "**for treatment of large or small animals**" *[without*

outside storage] **"with no outdoor pens or runs."**

D. That subsection 2.13.C. is hereby amended by adding a new subsection 8. to read as follows:

"8. Veterinary clinics for treatment of small animals, with no outdoor pens or runs."

E. That section 2.14. is hereby amended by deleting subsection 2.14.B.9. in its entirety and by adding a new subsection 2.14.C.8. to read as follows:

[B.9. Veterinarian office and/or kennels.]

"C.8. Veterinary clinics for treatment of small or large animals, with or without outdoor pens or runs."

F. That section 2.14.C. is hereby amended by adding a new subsection 2.14.C.9. to read as follows:

"9. Kennels with or without outdoor pens or runs."

G. That subsection 2.15.C. is hereby amended by adding two new subsections 2.15.C.11 and 2.15.C.12. to read as follows:

"11. Veterinary clinics for the treatment of small or large animals without outdoor pens or runs."

"12. Kennels with or without outdoor pens or runs."

H. That subsection 2.16.C. is hereby amended by adding two new subsections 2.16.C.5. and 2.16.C.6. to read as follows:

"5. Veterinary clinics for the treatment of small or large animals with or without outdoor pens or runs."

"6. Kennels with or without outdoor pens or runs."

I. That subsection 14.1 is hereby amended by adding a new definition numbered 124. to read as follows:

"Kennel: Any premises in which more than 3 dogs or domesticated animals, not including livestock or poultry, are housed, boarded, raised, or trained for personal use or for the purpose of selling such animals. This definition does not include pet shops."

"Veterinary Clinic: An establishment where animals and pets are admitted for examination and medical treatment,

not including boarding of animals except as necessary for recovery from treatment or surgery, or for medical observation."

Section 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance are declared to be severable.

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this _____ day of _____.

APPROVED:

ATTEST:

Mayor

City Secretary

1st reading _____
2nd reading _____