



PINAL COUNTY
WIDE OPEN OPPORTUNITY

DEVELOPMENT SERVICES CODE INTERPRETATION NUMBER 001-22

Date: July 29, 2022

Subject: Definition of "Clinic" under Section 2.10.010. - Definitions & Section 2.90 CB-1 -
Local Business Zone; Veterinary Services.

Background/Issues:

Pinal County Development Services Code (PCDSC) currently does not have a definition of the term "Clinic". While Section 2.05.030.B of the PCDSC allows the Community Development Director to interpret terms used in the zoning ordinance "...according to their common, plain, natural and accepted usage when not otherwise defined herein", the applicability of the definition has come into inquiry if it can be applied to low intensity animal health care services.

Background/Issues:

A question has arisen as to whether a veterinary clinic is a permitted use in the CB-1 Local Business Zone ("CB-1"). "Clinic[s]" are allowed in CB-1, but the Pinal County Development Services Code ("PCDSC" or the "Code") does not define this term. See PCDSC 2.90.010(B)[16]. Neither does the Code define "veterinary hospital" or "veterinary clinic", although these specific uses are referenced and allowed in other zoning districts. That being said, "pet hospitals" (another undefined term) are specifically prohibited in CB-2, which evidences an intent to prohibit pet or veterinary hospitals in CB-1, because CB-1 contains less intense uses than CB-2. See PCDSC 2.95.010(C).

Accordingly, while it is clear that "veterinary hospitals" are prohibited in CB-1, it is less clear whether "veterinary clinics" are allowed in CB-1, and if so, what the functional differences are between veterinary clinics and veterinary hospitals. "Hospital" is defined in the Code as "a building or group of buildings arranged, intended, designed or used for the housing, care, observation and treatment of *sick human beings*." See PCDSC 2.10.010 (emphasis added). Importantly, the Code does not contain a parallel definition limiting the term "Clinic" to the treatment of human beings. A "Veterinary hospital" is defined by statute as "any establishment operated by a veterinarian licensed to practice in this state that provides clinical facilities and *houses* animals or birds for dental, medical or surgical treatment. A veterinary hospital *may have adjacent to it or in conjunction with it or as an integral part of it pens, stalls, cages or kennels for quarantine, observation or boarding.*" A.R.S. § 11-1001(15) (emphasis added). Further, other government entities like the City of Scottsdale allow pet services in their

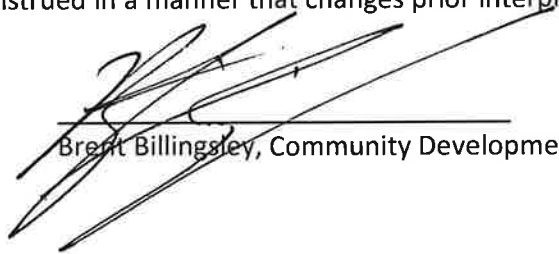
lowest intensity commercial zoning category (Service Residential, Section 5.1100 *CS Basic Zoning Ordinance*).

Community Development Director Interpretation:

Based on the foregoing, for zoning administration purposes, the term “Clinic” as used in PCDSC 2.90.010(B)[16] is hereby interpreted to include both veterinary and human clinics in the CB-1 zoning district. However, to be classified as a veterinary clinic as opposed to a veterinary hospital, which is prohibited in CB-1, a facility’s primary focus must be on preventative medicine and wellness checks with only minor surgical procedures performed. Moreover, the clinic may only provide outpatient services with no overnight stays or other boarding of animals and must not provide 24-hour services. These distinctions are in keeping with the intent of the Code and the definition of “Veterinary hospital” found in A.R.S. § 11-1001(15).

This interpretation applies only to new requests for veterinary clinics in the CB-1 zone, and should not be construed in a manner that changes prior interpretations or conflicts with the Code.

Issued by:



Brent Billingsley, Community Development Director

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