

ANIMAL ISSUES MOVEMENT

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January 31, 2016

Councilman Paul Koretz, Chair
Councilman David Ryu, Member
Councilman Marqueece Harris-Dawson, Member
Personnel and Animal Welfare Committee
Los Angeles City Council
200 N. Spring Street
Los Angeles CA 90012

Honorable Councilmembers:

RE: CF-11-0754 OPPOSITION - CITY ATTORNEY REPORT AND ORDINANCE RELATIVE TO RECOMMENDATION REGARDING IMPLEMENTING LOS ANGELES MUNICIPAL CODE (LAMC) SECTION 53.73 BY AMENDING THE DEFINITION OF THE TERM "KENNEL" IN THE CITY'S ZONING CODE TO EXCLUDE "PET SHOPS"

It is hard to believe that the City Council, City Attorney and Mayor would want to pass legislation that removes all safety and health provisions from every commercially located business in Los Angeles. Also, residents—adults and children—within 500 feet, would lose protections that assure an expected quality of life in one of the largest and most progressive cities in the nation. The proposed blanket authorization of placing “pet shops” maintaining unlimited adult dogs in any C-2-zoned property would do all of that.

The City of Los Angeles has the means and ability to accomplish its goal of facilitating the “new-model pet shops” with large numbers of adult dogs in commercial areas, without jeopardizing public health/safety and surrounding property values. Instead of removing all protections put in place by the Planning Department and County Health Department, and destroying the environmental integrity of entire communities—including the risk of storm drain contamination with high concentrations of urine and feces—the City could easily streamline the Conditional Use Permit process for this type of business. Fees may be reduced, and priorities given to applications from businesses seeking to assist with this mission of the City.

This would create a win-win, encouraging the sale of shelter and rescue dogs to the public by showcasing them in appropriate commercial locations, while maintaining the vital safeguards that zoning regulations provide to the use and enjoyment of surrounding properties. In contrast, simply exempting pet shops from the definition of kennels would lead to havoc, with businesses and residents having no recourse for nuisance noises and health/safety concerns that appeared next door overnight.

The following issues are also noted:

- (1) The wording of the agenda item is specifically vague, so that it would not be identified by the public as a Zoning amendment that would have the potential to negatively impact any business/residence in the city.

- (2) CF 11-0754 has never received required hearing by the Planning and Land Use Management Committee (PLUM) or been reviewed by the Planning Department. Such requirement by the City Charter was indicated in the March 26, 2013, report by the City Attorney.

The placement of this change to zoning ordinance on the agenda of the Personnel and Animal Welfare Committee ONLY provides no notice to Los Angeles businesses and your constituents who would be affected by the “change in kennel definition” designed to allow unlimited adult dogs to be maintained/boarded by “rescues” in (possibly inappropriate) C-2 locations, adjacent to existing stores/offices or medical facilities and homes or multi-family residences.

The damage to businesses and families from the constantly stimulated barking of numerous adult dogs confined in a store, odor, sanitation, drainage and pollution issues, plus the possibility of escape into parking lots and busy streets, are only a few of the issues. Additionally, the provision that a responsible adult remain on the premises 24-hours a day in any kennel that maintains 20 dogs or more would be removed, along with all the other protections that minimize or mitigate dangers for both people and animals.

We urge you to carefully consider your position on this issue because the health, safety, livelihood and the financial viability of the owners, employees and families of thousands of businesses are at stake. The entire future of many who have elected you to protect them and provide fairness lies in the outcome of this one ordinance.

Prior opposition to this ordinance is in communications appearing in CF 11-0754, CF 11-0754-S1, CF 11-0754-52 and Superior Court Case BS147232, and are incorporated herein by reference.

Sincerely,

Phyllis M. Daugherty, Director

cc: Michael Feuer, City Attorney