

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

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|---|--------------------------------|--|
| CITY PLANNING CASE: | ENVIRONMENTAL DOCUMENT: | COUNCIL DISTRICTS: |
| CPC-2017-4075-CA | ENV-2017-4076-ND | All |
| PROJECT ADDRESS: | | |
| Citywide | | |
| APPLICANT | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| <input type="checkbox"/> New/Changed City of Los Angeles | | |
| APPLICANT'S REPRESENTATIVE | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| | | |
| APPELLANT | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| | | |
| APPELLANT'S REPRESENTATIVE | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| | | |
| PLANNER CONTACT INFORMATION: | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| Yi Lu | 213-978-1287 | yi.lu@lacity.org |
| ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION | | |
| Code Amendment | | |

FINAL ENTITLEMENTS NOT ADVANCING:**ITEMS APPEALED:****ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):**FISCAL IMPACT STATEMENT:**

- Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> City Planning Commission (CPC) | <input type="checkbox"/> North Valley Area Planning Commission |
| <input type="checkbox"/> Cultural Heritage Commission (CHC) | <input type="checkbox"/> South LA Area Planning Commission |
| <input type="checkbox"/> Central Area Planning Commission | <input type="checkbox"/> South Valley Area Planning Commission |
| <input type="checkbox"/> East LA Area Planning Commission | <input type="checkbox"/> West LA Area Planning Commission |
| <input type="checkbox"/> Harbor Area Planning Commission | |

PLANNING COMMISSION HEARING DATE:**COMMISSION VOTE:**

| | |
|----------------------------|--------------------------|
| April 12, 2018 | 6 - 0 |
| LAST DAY TO APPEAL: | APPEALED: |
| N/A | N/A |
| TRANSMITTED BY: | TRANSMITTAL DATE: |
| James K. Williams | May 14, 2018 |



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAY 14 2018

Case No.: **CPC-2017-4075-CA**
CEQA: ENV-2017-4076-ND
Plan Areas: All

Council Districts: All

Project Site: Citywide

Applicant: City of Los Angeles

At its meeting of **April 12, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following:

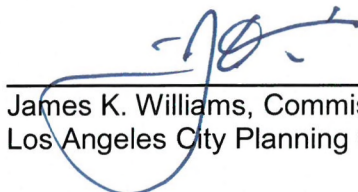
A proposed ordinance amending Sections 12.03, 12.14, 12.17 and 12.24 of the Los Angeles Municipal Code (LAMC) to facilitate pet adoption by increasing the number of adult dogs permitted to be kept overnight in pet shops in certain commercial zones (C2, C4, CS and CM) with development and operation standards; and to provide a relief mechanism for shops to vary from the standards or to locate in the remaining commercial zones (CR, C1 and C1.5).

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2017-4076-ND ("Negative Declaration"), and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Negative Declaration reflects the independent judgment and analysis of the City; and **adopted** the Negative Declaration;
2. **Approved** and **recommended** that the City Council **adopt** the proposed ordinance as modified by the City Planning Commission, subject to review by the City Attorney's Office for form and legality;
3. **Adopted** the staff report as the Commission's report on the subject; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Millman
Second: Khorsand
Ayes: Choe, Mitchell, Padilla-Campos, Dake Wilson
Absent: Ambroz, Perlman

Vote: 6 - 0


James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: *The decision of the Los Angeles City Planning Commission is final and not appealable.*

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Ordinance, Findings

c: Tom Rothmann, Principal City Planner
Phyllis Nathanson, Senior City Planner
Yi Lu, City Planner
Erin Coleman, City Planning Assistant

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.14, 12.17 and 12.24 of the Los Angeles Municipal Code to update regulations pertaining to Pet Shops.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 12.03 is amended by modifying the definition of “Kennel” and adding the definition of “Pet Shop” in alphabetical order to read as follows:

KENNEL. Any lot, building, structure, enclosure or premises where four (4) or more dogs, at least four (4) months of age, are kept or maintained, with the exception of a Pet Shop.

PET SHOP. Any retail or commercial establishment, store or department of any store, or any place of business, open to the public where dogs, cats, rabbits, birds, reptiles or any other animals are kept and offered for adoption or sale, for hire, or sold, irrespective of the age of the animals, provided that the facility operates pursuant to a pet shop permit issued by the Department of Animal Services, and is not used for the breeding of dogs, cats or rabbits or the commercial boarding of animals. The term “Pet Shop” shall include “Pet Store”, and “Animal Adoption Facility”.

Sec. 2. Add Subparagraph (4) in Paragraph (b) of Subdivision 1 of Subsection A of Section 12.14 to read as follows:

(4) Any Pet Shop where four (4) or more dogs at least four (4) months of age are kept or maintained shall comply with the following:

(i) Development Standards:

- a. The total number of adult dogs and cats in a Pet Shop shall not exceed one (1) for every forty five (45) square feet of floor area of the shop, rounded up to the nearest whole number, or forty (40), whichever results in the fewest number of animals.
- b. Animal boarding areas shall not occupy the first 25 percent of the depth of the portion of the building used as a Pet Shop, or the first 25 feet, whichever is less, as measured from the front of the shop; animal boarding areas shall be separated from retail, grooming, or food storage areas. This limitation shall not apply to animal display areas.

- c. Onsite activities shall be conducted wholly within an enclosed building.
 - d. Outdoor dog runs and training activities are not permitted.
- (ii) Operation Standards:
- a. Animals shall not be left outside at any time. This shall not preclude dogs being brought in and out for walks.
 - b. Where a Pet Shop has an entrance on any side that abuts, has a common corner with, or is across a public right-of-way from any residentially zoned land, pets can only be brought through that entrance between 7am to 9pm daily.
 - c. The operator shall submit the proposed dog walking route(s) to the Department of Animal Services for review.
 - d. The maximum number of dogs to be walked by one caretaker at the same time shall be limited to the number that can be safely controlled by the caretaker, not to exceed three (3) dogs at one time. Any dog defecation generated during dog walking shall be removed immediately and disposed of properly.
 - e. No unreasonable noise or odor shall be detectible beyond the property line. Sound proofing material and/ or air filtration systems shall be used when it is determined necessary by the Department of Animal Services.

Sec. 3. Subdivision 2 of Subsection A of Section 12.17.6 of the Los Angeles Municipal Code is amended to read as follows:

2. Any commercial use permitted in the C2 Zone except sanitariums and hospitals, provided that these uses are conducted in accordance with all building enclosure and fence enclosure limitations of the C2 Zone. Pet Shops in the M1 Zone or less restrictive zones are not required to comply with the standards listed in Sec.12.14. A.1.(b).(4).

Sec. 4. Add a new Subdivision 31 to Subsection X of Section 12.24 of the Los Angeles Municipal Code to read as follows:

31. Pet Shops.

(a) A Zoning Administrator, upon application, may permit Pet Shops in the CR, C1 and C1.5 Zones; or Pet Shops in the C2, C4, C5 or CM Zones that are not in compliance with the requirements enumerated in Section 12.14.A.1.(b).(4) of this Code.

(b) Procedures. An application pursuant to this subdivision shall follow the procedures for adjustments set forth in Section 12.28 C1., 2 and 3. A hearing is not required if the applicant submits with the application the written approval of the owners of all properties abutting, across the street or alley from or having a common corner with the subject property.

Sec. 5. The City Clerk shall certify....

Findings

LAND USE FINDINGS

The Department of City Planning recommends that the City Planning Commission, find:

1. In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent and provisions of the General Plan. The ordinance facilitates pet adoption, and provides for a land use important to the community by enabling pet shops having four or more adult dogs overnight to operate in commercial zones. By doing so, it supports the following goals and objectives: Goal 3A of the Citywide General Plan Framework, to further shape “a physically balanced distribution of land uses that contributes towards and facilitates the City’s long-term fiscal and economic viability;” and Objective 3.1, to “accommodate a diversity of uses that support the needs of the City’s existing and future residents, businesses, and visitors.” In addition, by enabling pet shops to operate in commercial zones, the ordinance supports a goal found throughout the Citywide General Plan Framework, which is to reinforce existing neighborhood districts, community centers, or regional centers that, “accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable places to work and visit.” Furthermore, the ordinance protects public health, safety and welfare by establishing a set of development and operational standards for pet shops in commercial zones keeping four or more adult dogs overnight.

2. In accordance with Charter Section 558 (b)(2), the proposed ordinance will be in conformance with public necessity, convenience, general welfare and good zoning practice through land use regulations. The development and operational standards represent good zoning practice that will ensure pet shops located in commercial zones will be compatible with the surrounding neighborhood and will also protect public health, safety and general welfare. In addition, allowing pet shops to locate in commercial zones will increase the accessibility and visibility of the shops to the general public, making pet adoption more convenient.

ENVIRONMENTAL FINDINGS

In accordance with the California Environmental Quality Act (CEQA), Negative Declaration ENV-2017-4076-ND (Appendix C) was prepared. The Department of City Planning determined that the proposed ordinance (Appendix A) would not have a significant impact on the environment. The notice for the attached Negative Declaration was published in the Los Angeles Times on Thursday, March 22, 2018, and reflects the lead agency’s independent judgment and analysis. The records upon which this decision

is based are located at the Code Studies Division of the Department of City Planning in Room 701, 200 North Spring Street.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed ordinance (Appendix A) will have a negative effect on the environment.