

THE URBAN WILDLANDS GROUP, INC.

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City of Los Angeles
Los Angeles City Hall
200 North Spring Street, 8th Floor
Los Angeles, CA 90012

Michael LoGrande
Director of Planning
City of Los Angeles
200 North Spring Street, 5th Floor
Los Angeles, CA 90012

Re: CF 11-0754-S1 and ZA 2013-3104(ZAI)

Gentlemen:

It has come to our attention that the City Council has adopted an ordinance, signed by the Mayor, that changes Section 53.00 of the Los Angeles Municipal Code, including the definition of "Cat Kennel." This raises many concerns.

First, the City does not seem to have subjected the ordinance change to review under the California Environmental Quality Act (CEQA). This change in ordinance would allow more cats and dogs to be kept on properties in greater numbers than currently allowed and would allow these numbers in additional land uses. The City of Los Angeles does not have any ordinances that would require that "pet shops" as defined in the new ordinance keep cats inside or always enclosed, nor does any City ordinance prohibit cats from running at large. Such an increase in cat numbers would have a significant adverse impact on the environment in terms of public health, impacts to wildlife, water quality, and nuisance. Because the new ordinance could have an adverse impact on the environment, it should have been reviewed under CEQA.

Second, the City is currently undertaking CEQA review of a project that would amend the very ordinance just changed by this action (the proposed Citywide Cat Program's draft Mitigated Negative Declaration). The amendment of the ordinance here changes the baseline for the environmental review already underway for the proposed Cat Program. Because the ordinance in question refers to obtaining cats from "rescue organizations," the animals at "pet shops" are likely to include feral cats that have been captured by these organizations. Such an organization might under this new ordinance open an adoption center (which would fit the definition of "pet shop") and thereby exempt itself from all limits on the number of animals that can be kept at that location. This is a transparent end-run around both the existing limits on the number of cats allowed per property (and limitation on the locations where additional animals are allowed with a kennel permit) and could easily be seen as an action taken in furtherance of the City's Trap-Neuter-Return (TNR) policy. Such a change is enjoined under the permanent injunction in *The*

Urban Wildlands Group v. City of Los Angeles unless and until environmental review is properly concluded. It is completely foreseeable that any number of “pet shops” would be set up by cat rescue groups for the purpose of evading the limitations on the number of cats permitted per property. This is an action in furtherance of TNR because the ordinance does not specify that animals at a pet shop be kept inside or kept from running at large.

Third, the ordinance leaves the responsibility for protecting public health in the hands of the General Manager of the Department of Animal Services. This is not advisable, as the General Manager’s Cat Program has been roundly criticized by the Los Angeles County Department of Public Health for neither recognizing the risks to public health nor protecting the public from those risks. Neither the General Manager nor the Department of Animal Services has exhibited technical expertise or scientific understanding necessary to protect public health from zoonotic diseases and this responsibility cannot be devolved to a Department lacking the competency to do so.

Fourth, a Zoning Administrator has also, in a separate but related action, interpreted the existing Zoning Code to mean that the term “kennel” does not apply to pet shops. This determination did not include any associated actions that would ensure that animals at “pet shops” will be kept indoors or even on the property where they are being maintained. The definition of pet shops includes adoption centers for animal rescue groups, and groups that “rescue” feral cats often let them roam free. It is therefore foreseeable that cat rescuers would use the adoption center designation to exempt themselves from limits on the number of cats per property. The CEQA review of this action was a claim of an exemption. This is inconsistent with the ongoing CEQA review of a separate attempt to exempt feral cats from the per property limit in the form of the MND for the Citywide Cat Program. Despite our clear interest in actions by the City that either increase the number of free-roaming cats or their distribution within the City, we did not receive any notice of this action.

Taken together, these actions would allow the maintenance of far more cats and dogs at properties where those numbers would never have been allowed before. The reinterpretation of the Zoning Code took place without public input or required notice to interested parties.

We urge you to reconsider the legality of implementing this ordinance and the Zoning Administrator’s determination in light of the failure to conduct environmental review of the ordinance, the interference with a current environmental review, and the conflict with the existing permanent injunction. The ordinance represents piecemealing of the City’s overall program to reduce euthanasia of cats in shelters because the objective is for cats from shelters to be pushed out to the public at these newly permitted pet shops/adoption centers. Environmental review of this ordinance change and zoning determination should be folded into the ongoing environmental review for the Cat Program because there is no logical difference between this program element and the other elements aimed at reducing cat euthanasia in the Cat Program by promoting more cats, both indoor and outdoor, throughout the City.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Longcore", written over a horizontal line.

Travis Longcore, Ph.D.
Science Director