

AGUA DULCE TOWN COUNCIL

33201 Agua Dulce Canyon Road * Box Number 8 * Agua Dulce, CA 91390

Website: www.adtowncouncil.com

May 20, 2015

Mr. Larry Jaramillo
LA County Dept. of Regional Planning
Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Via Email to: LJaramillo@panning.lacounty.gov

RE: **Draft Animal Facility Ordinance**

- Don Henry, President
(661) 268-1731
BH33605@aol.com
- Mary Johnson, Secretary
(661) 492-5999
marviohson767@gmail.com
- Troy Fosberg, Treasurer
(818) 854-0031
[damages22@gmail.com](mailto:damage22@gmail.com)
- Steve Cummings, Clerk
(661)433-3234
hasaranch1@yahoo.com
- Scott Keller, Member
(661)317-5355
scottwilliamkeller@aol.com
- Ed Porter, Member
(661) 992-3692
porteredward@msn.com
- Lou Vince, Member
(310) 597-7154
Lou@LouVince.com

Dear Mr. Jaramillo:

The Agua Dulce Town Council appreciates the opportunity to comment on the Proposed Ordinance relating to Animal Facilities.

At the regular April and May Council meetings we discussed the Proposed Draft Ordinance titled 2015 Draft Animal Facility Ordinance. The consensus of the community indicates that the proposed ordinance has not been adequately studied nor has enough outreach been done in the affected communities to propose the new standards regarding the number of dogs allowed at a facility and equating that to a specific lot size.

While this proposed ordinance was intended to improve the quality and care of animals and ensure responsible and safe dog breeding, the new standards proposed do not achieve that goal, and could in fact promote irresponsible and negligent breeders, boarding facilities, and rescues.

In the staff report from Mr. Bruce Durbin, he indicates only 38 existing Animal Facilities licensed by the Department of Animal Care and Control were analyzed in order to create new development standards for Zone A-2. Of the over 500 facilities licensed by the Department of Animal Care and Control, 7 facilities are in Agua Dulce. All are located on A-2 properties. The facilities range from a small scale boarding facility on 1.5 acres with a self-imposed maximum number of 10 dogs to a large rescue on 10 acres with a self-imposed maximum of 60 dogs. The facilities in Agua Dulce are well run, professional, and responsible businesses.

The staff report indicates the minimum lot sizes were determined by conducting an analysis of existing dog breeding facilities, yet the standards determined will apply to all dog and cat facilities. By limiting the analysis to only dog *breeding* facilities, and not analyzing rescue facilities, the analysis does not take into account the potential impact of adult large breed dogs. In order to determine the correct ratio of animals per lot size, a more conservative ratio needs to be examined. Existing rescues need to be included in the analysis. Additionally,

some facilities may be licensed to allow 100+ dogs or cats, but by their own responsible, self-imposed limits, may house substantially less than the amount permitted.

We encourage staff to engage with responsible rescue organizations and boarding facilities. When you are imposing limits that are the same for boarding, breeding, and rescues; the limits imposed need to fit all facilities. The arbitrary lot size and ratio of animals permitted need further study.

Additionally, the proposed ordinance needs to analyze the following issues for inclusion:

- Minimum setbacks from adjacent properties need to be established.
- Adequate parking
- Mitigation for noise impacts to adjacent properties
- Conditional Use Permit requirement if Animal Facility is located adjacent to residential or A-1 property.

As written, the Agua Dulce Town Council and community are opposed to the proposed 2015 Draft Animal Facility Ordinance. We request the Regional Planning Commission Public Hearing scheduled for May 27, 2015 be continued and staff conduct additional outreach. We welcome staff to attend our next regular meeting on June 10, 2015 at 7:00 PM. At that meeting, we will encourage all local Animal Facility businesses to attend and submit comments.

Please include these comments as part of the public record and forward our comments on to the Regional Planning Commissioners.

Sincerely,

Don Henry

Don Henry, President
Agua Dulce Town Council – 2015

Cc: Mr. Bruce Durbin, Supervising Regional Planner, Ordinance Studies Section
bdurbin@planning.lacounty.gov
Mr. Edel Viscarra, 5th District Land Use Deputy evizcarra@lacbos.org
Ms. Rosalind Wayman, 5th District Senior Deputy rwayman@lacbos.org

AGUA DULCE TOWN COUNCIL

33201 Agua Dulce Canyon Road * Box Number 8 * Agua Dulce, CA 91390

Website: www.adtowncouncil.com

September 17, 2015

Mr. Larry Jaramillo
LA County Dept. of Regional Planning
Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Via Email to: LJaramillo@panning.lacounty.gov

RE: Draft Animal Facility Ordinance

Dear Mr. Jaramillo:

The Agua Dulce Town Council appreciates the opportunity to comment on the Proposed Ordinance relating to Animal Facilities (AFO).

As a Council, we have discussed the proposed ordinance at numerous meetings. The Council appreciates your efforts of additional community outreach regarding the ordinance and your participation in our June and July meetings. Additionally, we acknowledge your willingness to make revisions to the ordinance and are pleased the numbers of animals have been removed. However, the revised ordinance dated August 13, 2015 is still flawed.

While this proposed ordinance was intended to improve the quality and care of animals and ensure responsible and safe dog breeding, we fail to see how that is achieved in the ordinance. As stated in the Initial Study "the goal of the ordinance is to make the Department of Regional Planning's requirements consistent with the existing requirements of the Department of Animal Care and Control. As written, there are still inconsistencies, but the biggest mistake in the ordinance is amending Title 22 to allow dog breeding on any zones other than M-1. Currently, Los Angeles County Code allows for dog breeding only on M-1 zoned property. The inconsistencies are listed below:

- **Animal Facility Definition:** The AFO adds the definition of Animal Facility. That definition is, "*Animal facility means a boarding and/or breeding facility for cats and dogs as licensed and regulated in Title 10 (Animals).*" Title 10 defines Animal Facility with additional uses. "*10.08.031 Animal facility means a lot, building, structure, enclosure or premises for any animal related business or organization, including but not limited to, a non-profit humane organization animal facility (as defined in Section 10.08.175), a grooming shop, a pet shop, a boarding facility, and a breeding facility, which is required to be licensed under Section 10.28.060.*" Title 10 includes additional uses beyond boarding and breeding. Those additional uses are included in Title 22. Pet grooming, excluding boarding are permitted uses in Zones C-M, C-3, MXD-RU, and C-RU. Pet stores are permitted uses in Zones C-M and C-3. There are additional Zones where pet grooming and pet stores are allowed with conditional use permits. For consistency and clarity, Title 22 should define ALL the uses permitted as an Animal Facility and indicate exclusions where necessary in the zoning code.

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damage22@gmail.com
- Steve Cummings, Clerk
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- Scott Keller, Member
(661)317-5355
scottwilliamkeller@aol.com
- Ed Porter, Member
(661) 992-3692
porteredward@msn.com
- Lou Vince, Member
(310) 597-7154
Lou@LouVince.com

- **Determination of where Animal Facilities are permitted or conditionally permitted:** Currently, dog breeding is ONLY permitted in Zone M-1. Dog kennels, considered to be boarding facilities are a permitted use in Zone A-2 and conditionally permitted in Zone C-M. Regional Planning staff has incorrectly stated that “*Dog kennels are currently allowed in these zones, so by definition, a breeding facility will also be allowed in these zones with the same type of review that is currently required of dog kennels.*” This is where the land use issue takes a seriously wrong turn. Just because a definition was added to the Code, the existing land use does not automatically get changed to allow additional uses. While Zone A-2 would allow a boarding facility, a breeding facility needs to be **excluded** along with pet grooming and pet shops. The same reasoning would apply for Zone C-M conditional permits; breeding facilities need to be **excluded**. The language needs to be corrected to state “Zone A-2 permitted uses: Animal facility, excluding breeding, pet grooming, and pet shops.” Animal facility-breeding would only be allowed in Zone M-1.
- **Changes to existing Land Uses:** The proposed ordinance would effectively ADD dog breeding as a permitted use for Zone A-2 and ADD dog breeding as a conditional use for Zone C-M. Land use changes of that magnitude require further study and may require an Environmental Impact Report.
- **Initial Study: Land Use and Planning:** The preparer of the Initial Study incorrectly states “the proposed project is consistent with the County zoning ordinance and there would be no impact.” As stated above, the AFO would add dog breeding as a permitted use for Zone A-2 and add dog breeding as a conditional use for Zone C-M. Adding those land uses is *inconsistent* with County zoning and that factor becomes a “Potentially Significant Impact.”
- **Initial Study: Noise:** The preparer of the Initial Study states “Animal facilities have the potential to create noise from sources such as vehicles visiting the facility, barking and howling from animals kept at the facility, and daily operational activities conducted at the facility.” He then incorrectly states, “While these sources of noise may have some impact, they will not be greater than what is currently permitted and conditionally permitted in the A-2, C-M, and M-1 zones...Therefore, impacts are expected to be less than significant.” In reality, a breeding facility that has 100 permitted dogs may have over 500 dogs on the property including puppies under the age of 4 months. 500 barking dogs becomes a “Potentially Significant Impact.”

By adding a new land use (dog breeding) to Zone A-2 property, compatibility with adjacent properties is compromised. The determination of the Initial Study indicates the proposed project could not have a significant effect on the environment and a Negative Declaration was prepared. The inconsistencies with Land Use and Planning and Noise will have potential significant impacts. The AFO needs mitigation to eliminate the significant impacts or an Environmental Impact Report will be required.

Regional Planning staff has repeatedly stated that Animal Care and Control are the experts in the field. While we do agree, we must limit their expertise to Animal Welfare. Regional Planning is the expert in Land Use and needs to follow County Code as adopted by the Board of Supervisors.

As written, the Agua Dulce Town Council and community are opposed to the proposed revised 2015 Draft Animal Facility Ordinance Edited August 13, 2015. It does not achieve the goals of safe dog breeding and consistency between Title 10 and Title 22. We request the Regional Planning Commission instruct Regional Planning staff to revise and re-examine the AFO to correct the inconsistencies outlined above. Please include these comments as part of the public record and forward our comments on to the Regional Planning Commissioners.

Sincerely,

Don Henry

Don Henry, President
Agua Dulce Town Council – 2015

Cc: Mr. Bruce Durbin, Supervising Regional Planner, Ordinance Studies Section
bdurbin@planning.lacounty.gov
Mr. Edel Viscarra, 5th District Land Use Deputy evizcarra@lacbos.org
Ms. Rosalind Wayman, 5th District Senior Deputy rwayman@lacbos.org

Larry Jaramillo

From: Annamarie [annmusky@aol.com]
Sent: Wednesday, July 15, 2015 1:54 PM
To: Larry Jaramillo
Subject: Questions to New Animal Ordinance - Littlerock Town Council

Dear Sir,

Does the board realize or know that original every day people breed their pets without a license not caring about the animal but just to make money.

Why do we need so many licensed facilities? I was informed that last year in the AV shelter there was some where around 30,000 to 50,000 cats/dogs put down. So why do we need breeders? Yes we need trainers, boarding but not breeding faculties.

Please explain in plain English what you hope to accomplish with this new revision of Title 22. Is anyone considering the animals voice in these changes?

Proposal: A Countywide Ordinance amending Title 22 of the County Code (Planning and Zoning) to revise requirements for Animal Facilities.

The amendment will allow for the boarding and breeding of cats and dogs as a permitted use in the A-2 and M-1 zones, while requiring a Conditional Use Permit for the use in the C-M zone. Please spell out A-2, M1, C-M zone. Why permitted use versus CUP? Does someone check on these facilities every year?

New standards will also be created for the A-2 zone to establish minimum lot size requirements for a specific number of cats and dogs allowed in a facility. The amendment will make Regional Planning's requirements consistent with the existing requirements of the Department of Animal Care and Control.

What are the existing requirement of the Dept of Animal Care/Control? You say to make consistent but what are the actual requirements? Please spell out everything.

The proposed project will define Animal Facilities in the Zoning Code as "boarding and/or breeding facility for cats and dogs as defined and regulated in Title 10 of the Los Angeles County Code".

Furthermore, the project will amend the Zoning Code to require these facilities to comply with the following development standards in the A-2 zone:

1. A maximum of 20 cats and dogs for parcels less than one acre;
2. A maximum of 50 cats and dogs for parcels one net acre or more, but less than 2.5 net acres; and
3. A maximum of 100 cats and dogs for parcels 2.5 net acres or more.

Larry Jaramillo

From: Frank Duvall [palmdale.duvall@gmail.com]
Sent: Monday, July 20, 2015 6:50 PM
To: Larry Jaramillo
Subject: Draft Animal Facility Ordinance

We oppose this ordinance and feel it will lead to noise pollution, air pollution, and well water pollution. Any animals other than personal pets become a BUSINESS endeavor destroying our rural lifestyle. Thank You. Frank and Sandi Duvall.

Larry Jaramillo

From: Jacki Ayer [airspecial@aol.com]
Sent: Thursday, June 25, 2015 2:37 PM
To: NHickling@iacbos.org; Bruce Durbin; Larry Jaramillo
Cc: 3pointsliebremountain@gmail.com; atc@actontowncouncil.org
Subject: Re: dog kennel license revoked in Acton

Hello Norm;

The information I have assembled indicates that the Agua Dulce kennel shut down in 2010 was unlicensed, and the warrant cited unsanitary and unhealthy conditions; it does not appear to have addressed noise problems. The County's shut down of the Acton kennel in 2002 was also based on unhealthy and unsanitary concerns. Noise was apparently not a factor.

I stand by the statement I made last night at the ARTC meeting (which is reproduced below for convenience) , and I ask that it be included in the comments that will be considered and addressed by County staff in the animal facility ordinance development process:

I have found no evidence that the County has ever amended, revoked, or reconsidered any permit or license for any kennel, animal facility, breeding facility, or puppy mill based on noise concerns or issues. In fact, my research indicates that noise impacts are not even considered by the county when such licenses or permits are issued. That is, in essence, the problem.

I will close by pointing out that the placement of a kennel on A2 lands may be deemed a "by right" use, but the issuance of a kennel permit is **NOT** a "by right" entitlement. To the contrary, the issuance of a kennel license is, in every way possible, an entirely discretionary decision.

Regards

Jacqueline Ayer

-----Original Message-----

From: Hickling, Norm <NHickling@iacbos.org>
To: Jacki Ayer <airspecial@aol.com>
Cc: 3pointsliebremountain <3pointsliebremountain@gmail.com>
Sent: Thu, Jun 25, 2015 9:56 am
Subject: Re: dog kennel license revoked in Acton

That one and there was one in Agua Dulce. They were force to move out

Sent
from my iPhone

On Jun 25, 2015, at 9:51 AM, "Jacki Ayer"
<airspecial@aol.com<mailto:airspecial@aol.com>> wrote:

Hey Norm;

I wanted to clarify something, and hope you can help. I went over the permit information I had collected, and I still don't see any kennels/animal facilities/breeding facilities/puppy mills that have ever had their licenses revoked or even modified because of noise complaints. I have info on the Acton kennel shut down in 2002 for unsanitary conditions, animal cruelty, and because the dogs (Chihuahuas) were packed in too tightly. Is that the kennel to which you

Larry Jaramillo

From: Jean Johnson [possegirl@rapiddog.net]
Sent: Thursday, July 30, 2015 5:39 AM
To: Larry Jaramillo
Subject: A2 zoning

I was shocked to learn that A2 zoning in Acton would allow such a high density of dogs and cats on 1-2.5 acre properties. A2 zones are throughout our community. No one here wants to tolerate the insane amount of barking those facilities create. I have had to pass by a few of those facilities and the noise was deafening. If I had to live mere yards away from that noise it would destroy any hope of peaceful living, and would most certainly lower our property values.

I find it so hard to believe that this type of zoning exists without CUPs, at least. Please take this matter under advisement.

Jean and Randy Johnson
Acton residents

Larry Jaramillo

From: joan@joanfry.com
Sent: Monday, August 17, 2015 3:15 PM
To: Larry Jaramillo
Subject: Re: Animal Facility Ordinance, Again

Dear Larry,

Maybe you can tell me why "breeding kennel" turned into a dirty word? It must be dirty to somebody's sensibilities, because I just read an update to the ordinance, written (I believe) on August 15, 2015. Everyplace "breeding kennel" had appeared in a previous draft had mysteriously become an "animal facility." Why is that? An "animal facility" can be many things. Veterinarians own outright or lease the property where they practice. When a kennel was still a kennel, the vet clinic could rightfully be called an "animal facility." It would seem that "animal facility" was adopted as a smoke screen, to keep the average person unaware that anything now called an "animal facility" is, in actuality, a breeding operation. Worse, a breeding organization that can legally house up to one hundred adult dogs or cats, plus their puppies/kittens, all of them apparently living in "crates" (another non-word, one that has replaced "cages"). Why are all these vague words replacing more exact familiar words? If it's not a smoke screen to allow indiscriminate and irresponsible breeding of companion animals, what is it?

I would be grateful for any insights.

Joan Fry
How to Cook a Tapir: A Memoir of Belize
Backyard Horsekeeping, the Only Guide You'll Ever Need
The Beginning Dressage Book

Larry Jaramillo

From: joan@joanfry.com
Sent: Thursday, August 20, 2015 3:08 PM
To: Larry Jaramillo
Subject: RE: Animal Facilities Ordinance

Hi, Larry,

Thank you for being so fast on the draw--your job must be awfully boring because you always come through. I looked at Public Health's website this morning, but the proliferation of names, programs, etc. looked way too complicated, and I had no idea which one to contact. So I asked you, instead. Thanks for doing the legwork for me!

Joan

Joan Fry
[How to Cook a Tapir: A Memoir of Belize](#)
[Backyard Horsekeeping, the Only Guide You'll Ever Need](#)
[The Beginning Dressage Book](#)

----- Original Message -----

Subject: RE: Animal Facilities Ordinance
From: Larry Jaramillo <ljaramillo@planning.lacounty.gov>
Date: Thu, August 20, 2015 1:57 pm
To: "joan@joanfry.com" <joan@joanfry.com>

Good afternoon Joan,

Unfortunately I don't have any direct contact numbers for the Department of Public Health. I did, however, find some contact numbers from their website.

Public Health's website has a list of Environmental Health District Offices which can be found at:

<http://www.publichealth.lacounty.gov/eh/DSE/districtOffices.htm>

For Public Service contact numbers, please go to
<http://lapublichealth.org/eh/docs/pserv.pdf> .

Finally, the Public Health website lists their Customer Call Center phone number as 888-700-9995.

Larry L. Jaramillo
Senior Regional Planning Assistant
Ordinance Studies
Department of Regional Planning

320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
Phone: (213) 974-6432



From: joan@joanfry.com [mailto:joan@joanfry.com]
Sent: Thursday, August 20, 2015 1:39 PM
To: Larry Jaramillo
Subject: RE: Animal Facilities Ordinance

Dear Larry,

One more question and I think we're done. I would also like to contact somebody at Public Health with questions. Dealing with animal waste of that magnitude constitutes a potential safety hazard to humans--airborne dust particles carry the bacteria, which can be absorbed into the lungs and elsewhere. Anyone who gets it has a 50/50 chance of dying.

Thanks for your help.

Joan

Joan Fry
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[Backyard Horsekeeping, the Only Guide You'll Ever Need](#)
[The Beginning Dressage Book](#)

----- Original Message -----

Subject: RE: Animal Facilities Ordinance
From: Larry Jaramillo <ljaramillo@planning.lacounty.gov>
Date: Wed, August 19, 2015 5:37 pm
To: "joan@joanfry.com" <joan@joanfry.com>

Good afternoon Joan,

For questions regarding Animal Care & Control, you may contact Lt. Jaime Palafox at jpalafox@animalcare.lacounty.gov.

Larry L. Jaramillo
Senior Regional Planning Assistant
Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
Phone: (213) 974-6432



From: joan@joanfry.com [mailto:joan@joanfry.com]
Sent: Wednesday, August 19, 2015 3:24 PM
To: Larry Jaramillo
Subject: RE: Animal Facilities Ordinance

Dear Larry,

Right again. I heard from another ATC friend first, who directed me to the minutes of each meeting on ATC's website. My only defense is that I get very little local news up here because I live in the foothills, more precisely on 20 acres of A-2 property, and nobody will deliver papers this far from civilization.

You do understand why so many people are concerned about this ordinance, don't you? Just the idea of such a high number of dogs (I've been wondering if some of CARPOC's members breed pit bulls) crammed into small spaces is upsetting, especially when Animal Care and Control can't find homes for the dogs they rescue. And there are health risks to humans associated with housing so many dogs. But that's another agency.

I still don't understand how CARPOC got involved in what seems to be a county dispute involving county regulations. I should probably be asking this question to somebody in Animal and Control, but I don't know who. Any suggestions?

Joan

Joan Fry
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----- Original Message -----

Subject: RE: Animal Facilities Ordinance
 From: Larry Jaramillo <ljaramillo@planning.lacounty.gov>
 Date: Tue, August 18, 2015 5:33 pm
 To: "joan@joanfry.com" <joan@joanfry.com>

Good afternoon Joan,

In regards to your question on past meeting dates for the Animal Facility Ordinance, they were as follows:

Agua Dulce Town Council	-	6/10/15
Acton Town Council	-	6/15/15
Antelope Acres	-	6/17/15
Association of Rural Town Councils	-	6/24/15
South San Gabriel Community Group	-	6/25/15

Larry L. Jaramillo
Senior Regional Planning Assistant

Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
Phone: (213) 974-6432



From: joan@joanfry.com [mailto:joan@joanfry.com]
Sent: Tuesday, August 18, 2015 10:00 AM
To: Larry Jaramillo
Subject: RE: Animal Facilities Ordinance

Dear Larry,

Congratulations! You are the first person to respond to my email!

Nobody that I know, including two newspaper editors and a member of the Acton Town Council, was aware of an earlier presentation about the ordinance. Do you know when that presentation was given? Maybe we all have collective amnesia. Or maybe the High-Speed Rail controversy--which will split Acton down the middle unless we can convince them to go underground--occupied us. All this is to say that I didn't knowingly pass along incorrect information in my letter, and for that I apologize.

Best wishes,

Joan

Joan Fry
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The Beginning Dressage Book

----- Original Message -----

Subject: RE: Animal Facilities Ordinance
From: Larry Jaramillo <ljaramillo@planning.lacounty.gov>
Date: Tue, August 18, 2015 9:11 am
To: "'joan@joanfry.com'" <joan@joanfry.com>

Good morning Joan,

Thank you for your comments. Your email will be included in our final materials package to the Regional Planning Commission. Please note that community outreach was performed with several Town Councils including Acton, Agua Dulce, Antelope Acres, and the Association of Rural Town Councils (ARTC). Staff presented the draft ordinance and accepted comments at these meetings.

Larry L. Jaramillo
Senior Regional Planning Assistant

Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
Phone: (213) 974-6432



From: joan@joanfry.com [mailto:joan@joanfry.com]
Sent: Monday, August 17, 2015 1:33 PM
To: Larry Jaramillo
Subject: Re: Animal Facilities Ordinance

Dear Larry,

I think you ought to know how angry this proposed ordinance makes us. And by "us" I mean both the people who own A-2 property, or live near A-2 property, and animal lovers throughout LA County. We have no idea why the public wasn't told about this ordinance, and thus we weren't able to provide input--to Regional Planning, the Board of Supervisors, Animal Control--to anybody. Instead, for some reason CARPAC, a for-profit group of commercial dog and cat breeders, WAS allowed input. Conspicuously missing from the ordinance is a consideration for the animals themselves.

Thank you for your time.

Best wishes,

Joan Fry
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The Beginning Dressage Book

JONATHAN T. TREVILLYAN
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1954 West Soledad Canyon Road
Acton, California 93510-0911
Telephone (661)269-2732
Facsimile (661)269-2758

June 10, 2015

Larry L. Jaramillo, Senior Regional Planning Assistant
Ordinance Studies Section
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Re: Proposed Animal Facility Ordinance

Dear Mr. Jaramillo:

Please be advised that I am writing to you with regards to the proposed Animal Facility Ordinance.

As an attorney who has practiced law in the rural areas of Los Angeles County for twenty five years, most of neighbor disputes involve barking dogs. If this ordinance is adopted, it would obviously present enforcement challenges to Los Angeles County agencies with regards to Penal Code section 373A and Los Angeles County Code section 10.40.065 violations. You may want to get the Los Angeles Superior Court's opinion with regards to both civil and criminal law case impact. I am sure the District Attorney's Office does not want to spend their time enforcing barking dog nuisance cases.

One thing is for sure, this proposed ordinance will actually be very good for the local legal community.

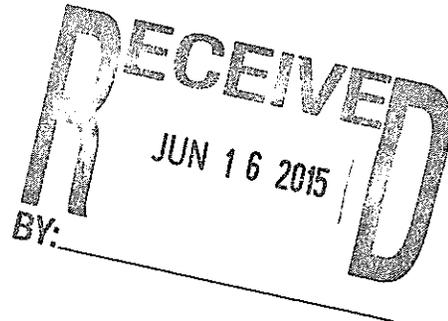
Sincerely Yours,



JONATHAN T. TREVILLYAN, ESQ.

JTT:jm

cc: Acton Town Council



Larry Jaramillo

From: Karen O'Reilly [Karen_OReilly@glic.com]
Sent: Friday, June 26, 2015 10:17 AM
To: Larry Jaramillo
Subject: RE: LA County New Draft Animal Facility Ordinance

Hello Mr. Jaramillo,

I write to you and urge you NOT to approve the new Drat Animal Facility Ordinance which would allow an incredible amount of dogs per parcel in our area. This would encourage numerous puppy mill facilities. This will remove local community input and bypass the CUP requirements now in place.

We in Acton and Agua Dulce do NOT want this.

Thank You,

Karen O'Reilly
3807 W Sierra Hwy,
PMB 6-4611
Acton, CA 93510

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Larry Jaramillo

From: Kathleen Trinity [ktrinity46@gmail.com]
Sent: Sunday, July 26, 2015 12:49 PM
To: Larry Jaramillo
Subject: Correction to July 22, 2015 testimony

Dear Mr. Jaramillo,

I realized that I over estimated the number of dogs per 2.5 acres. I mentioned 600 dogs possible if one facility owner and three friends opened facilities. The number should have been 400. I am very sorry; maybe I was thinking of how it would feel, or somehow thought it was 200 per 2.5 acres.

In any case, 400 dogs plus pet dogs in any one neighborhood would be quite a lot. A great many people in Acton have two or three pet dogs that stay outdoors.

Thank you and Mr. Durbin for your visit to the Acton Town Council and for your kind reception in Los Angeles.

Kathleen Trinity

Larry Jaramillo

From: Nancy Fox [fox241@roadrunner.com]
Sent: Sunday, July 05, 2015 4:43 PM
To: Larry Jaramillo
Subject: Draft Animal Facility Ordinance

Dear Sir,

It is my understanding that the county is considering revisions to the allowance of animal facilities on A-2 lands such that: 20 dogs may be kept on parcels less than 1 acre, 50 dogs on 1 acre, and 100 dogs on a 2.5 acre parcel WITHOUT the need for a conditional use permit.

I live on 2.5 acres in Acton zoned A-2. Many of my neighbors and I enjoy the ability to keep horses, poultry and other animals within reason on our land. However, the limits described above are just way too high. It is not only conceivable, but probable, that such uses would cause great detriment to our quality of life. Impacts from such usage would definitely include, as a minimum: noise, odor, flies and introduction of other pests such as vermin (from the excess food and the animal wastes.)

I strongly urge you to reconsider. At least with the requirement for a conditional use permit, neighbor concerns must be considered. Without the need for such a permit, neighbors have no remedy when their quality of life is ruined.

Thank You,
Mike Fox
PO Box 241
Acton, CA 93510

Larry Jaramillo

From: Nancy Fox [fox241@roadrunner.com]
Sent: Tuesday, July 14, 2015 10:35 PM
To: Larry Jaramillo
Subject: RE: Animal Facility Ordinance Public Hearing Postponed to September

Sir,

“Minor changes” are not good enough. Please listen to the communities and require a CUP.

Thx.

From: Larry Jaramillo [mailto:ljaramillo@planning.lacounty.gov]
Sent: Tuesday, July 14, 2015 9:13 AM
To: Undisclosed recipients:
Subject: Animal Facility Ordinance Public Hearing Postponed to September

Good morning,

On July 22, 2015, staff will be requesting that the Regional Planning Commission continue the agenda item for the proposed Animal Facility Ordinance to a public hearing date of September 30, 2015. A copy of the request is attached.

Larry L. Jaramillo
Senior Regional Planning Assistant
Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
Phone: (213) 974-6432



Larry Jaramillo

From: nickimertz@aol.com
Sent: Saturday, June 20, 2015 1:36 PM
To: Larry Jaramillo
Subject: Fwd: animal facility ordinance

-----Original Message-----

From: nickimertz <nickimertz@aol.com>
To: atc <atc@actontowncouncil.org>
Sent: Sat, Jun 20, 2015 1:28 pm
Subject: animal facility ordinance

My name is Nicki Mertz I live on Bent Spur Dr Acton Ca were I have resided here for 35 years. We are zoned A-2. I am total against this ordinance. Our properties are approximately 30 feet apart at one end of our house and the other 40 feet. If you Google map this neighborhood you will see how close these houses are together. Our neighborhood will fall under this ordinance for the both quantity of 50 and 100 dog. Having lived next to a dog kennel for some years with at least 30 dogs. It is a night mare. Morning feeding time 5am 30 dogs going crazy then the house and 30 dogs left unattended while home owners go to work. And these dogs would fight as a pack of dogs will. Late night feedings when they get home from work. 30 dogs crying and whining until feed. There is no way to keep the noise at a minimum with a pack of dogs. We are in a water crisis 50 to 100 dogs use a lot of water. Some one will say I am home to take care of my dogs. I don't think that can be written into the ordinance. I could go on and on why I am against this. I think this ordinance needs to have a mailer go out to every resident of Acton whether or not you are zoned A-2 as the noise carries and it will effect this entire valley. You think the train is a bad idea this is something we can control and it is a very bad idea.

Let me tell you why we bought in zoned A-2 property. When we bought in Acton that is about all that was available, it ended up being great for raising 4-H animals split hoof animals are allowed in this zoning. Our daughter loved her 4H so much she now teaches agriculture and animal science with her Master at High School level.

I think if there is a need for dog kennels make it 20 acres for 10 dogs. I am sure there is some where that says how much land is need for 1 dog to live a happy life.

Thank you for your time.

Larry Jaramillo

From: sally rosenthal [barristerec@att.net]
Sent: Wednesday, June 10, 2015 5:32 PM
To: Larry Jaramillo
Cc: 'Mary Johnson'
Subject: 2014 Draft Animal Facility Ordinance

I am commenting on the proposed ordinance to allow Rescue Facilities, Boarding Facilities and Breeders to have 100 dogs on 2 ½ acres of A2 zoned property in the unincorporated areas of LA County. My comments only refer to the "Breeders" aspect of this ordinance.

I have been breeding and showing dogs for over 30 years. I have been concerned with the increasingly more restrictive laws being passed with regards to breeding dogs. My hope has been that the back yard breeders and puppy mills, the focus of the anti-breeding legislation, would be put out of business, even though reputable breeders such as myself are also adversely affected. However, NO REPUTABLE BREEDER WOULD EVER HAVE 100 DOGS!! You are opening a loophole for all of the back yard breeders and puppy mills to move to unincorporated areas of LA County and flood the already burdened animal shelters with poorly socialized and poorly bred animals. A reputable breeder would never have more than 3 litters a year. I know where each puppy I have ever bred is, and they do not leave my home without a registered microchip with myself as a secondary contact. Reputable breeders raise their litters in their houses with lots of socialization – no one with 100 dogs could ever do that!

PLEASE DO NOT INCLUDE BREEDERS IN THIS ORDINANCE – it will be a nightmare for the county and a nightmare for the poor dogs.

Sincerely,

Sally Rosenthal
Agua Dulce, CA

Larry Jaramillo

From: Susan Tarr [gritgrit.susan@gmail.com]
Sent: Sunday, June 21, 2015 10:14 AM
To: Larry Jaramillo
Subject: Going to the Dogs

Dear Sir...Re: Draft Animal Facility Ordinance:

It is difficult to believe what kind of "Planning" (if any) went into the proposed new Animal Facility Ordinance.

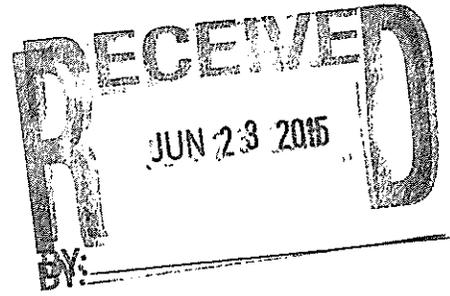
100 dogs on a 2.5 acres parcel? 20 dogs on a parcel of less than 1 acre? What was the community input (if any) re this proposed ordinance? Was there any attention given to the soon-to-be-adopted Agua Dulce CSD in regard to both animal breeding facilities and the maximum number of dogs allowed.

Surely, all are aware of the harm to animals, residents and property values of such an ordinance.

Please re-consider,

Susan Tarr

June 16, 2015



Mr. Larry Jaramillo
Los Angeles County Department of
Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Dear Mr. Jaramillo:

Animal Ordinance

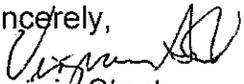
I am opposed to the Animal Ordinance sections that are in an A-2 zoning in which a person may have up to a 100 dog kennel, and be within only 50 feet from a habitable dwelling. On hundred dogs should not be allowed on anything less than 40 acres. This would be a business and should require a Conditional Use Permit with neighbors living within a mile (including absentee property owners) notified. Also, notification signage should be on a main road so area residents will see it.

Issues that are not even addressed include noise, parking, signage, and liquid waste disposal.

People who want to operate a large scale dog kennel or breeding facility should be required to obtain a Conditional Use Permit. A large section of Antelope Acres was changed from A-1 to A-2, which may draw kennels to the area. This is unacceptable in a quiet, rural area where the County limits how many personal dogs you may have without a business license.

The sound from barking dogs will carry a long distance because of the flat terrain and will create a nuisance, which is why we are requesting notification to cover a larger area. This should not be something that would be dealt with after the fact by calling Animal Control. It should be addressed in the ordinance so people know up front exactly how facilities are to be built to eliminate potential problems. Animal waste will become a problem if not addressed, specifically waste water from cleaning. How will it be collected? Thank you for your attention.

Sincerely,


Virginia Stout

9136 West Avenue F-4
Antelope Acres, CA 93536

Larry Jaramillo

From: Larry Jaramillo
Sent: Thursday, August 13, 2015 7:00 PM
To: 'countryjournal@bigplanet.com'
Subject: FW: Draft Animal Facility Ordinance

Hi Lillian,

Please see the below responses to your questions:

If I am understanding this updated draft correctly, it would be possible for a breeder to house an unlimited number of animals on A-2 zoned parcels without a CUP provided Animal Control approves the facilities built to house the animals.

In the existing Title 22 Zoning Code, "Dog Kennels" are listed as a Permitted Use in Zones A-2 and M-1, and require a Conditional Use Permit in Zone C-M.

Although existing Title 22 regulations do not restrict the number of animals allowed within a "Dog kennel" or "Dog breeding facility," the number of animals allowed are regulated and licensed by the Department of Animal Care & Control. It would be incorrect to characterize the revision to the zoning ordinance as now allowing an unlimited number because Animal Care & Control permitting is not optional, and is part of the County's approval of a facility in the same way that zoning is.

The proposed Animal Facility Ordinance will align the land use of "Animal Facility" in Title 22, with the use as licensed and regulated by the Department of Animal Care and Control. The proposed ordinance is not intended to create new requirements that would be in conflict with the number of animals allowed by Animal Care & Control.

Does this provision open the door to the puppy mills that Los Angeles County disapproved in the recent past?

The Title 10 Animal Code regulates the care of animals, while providing requirements to ensure their safe and responsible breeding. Zoning in Title 22, on the other hand, only relates to the land use aspects and not animal care. The Animal Facility land use proposed by the Animal Facility Ordinance is comparable to the "Dog Kennel" use that is currently allowed in the A-2, C-M, and M-1 zones.

How are neighbors protected?

Animal Care & Control has existing requirements to address potential impacts, such as noise. If neighbors have concerns regarding a facility, they may file a complaint with Animal Care & Control. During the public outreach meetings that Regional Planning and Animal Care & Control attended, neighbors stated that they had difficulties with the complaint filing process. As indicated by Animal Care & Control at these community meetings, they will be evaluating the complaint process to improve and streamline it.

There apparently are still no safeguards for evacuations.

Animal Care & Control regulates the evacuation of animals through their existing requirements.

Larry L. Jaramillo
Senior Regional Planning Assistant
Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
Phone: (213) 974-6432

-----Original Message-----

From: countryjournal@bigplanet.com [mailto:countryjournal@bigplanet.com]
Sent: Thursday, August 13, 2015 11:57 AM
To: Larry Jaramillo
Subject: RE: Draft Animal Facility Ordinance

Thank you, Larry,

If I am understanding this updated draft correctly, it would be possible for a breeder to house an unlimited number of animals on A-2 zoned parcels without a CUP provided Animal Control approves the facilities built to house the animals. Does this provision open the door to the puppy mills that Los Angeles County disapproved in the recent past? How are neighbors protected? There apparently are still no safeguards for evacuations.

Could I trouble you to confirm for me my understanding of this draft as written?

Thank you for your help,
Lillian

On 2015-08-13 11:23, Larry Jaramillo wrote:

> Hi Lillian,

>

> The revised draft ordinance is posted on our website at

> http://planning.lacounty.gov/view/animal_facility_ordinance/ under the

> link that reads "Download Animal Facility Ordinance (Draft)."

>

>

> Larry L. Jaramillo

> Senior Regional Planning Assistant

> Ordinance Studies

> Department of Regional Planning

> 320 W. Temple Street, 13th Floor

> Los Angeles, CA 90012

> Phone: (213) 974-6432

>

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> -----Original Message-----

> From: countryjournal@bigplanet.com

> [mailto:countryjournal@bigplanet.com]

> Sent: Tuesday, August 11, 2015 11:07 AM

> To: Larry Jaramillo

> Subject: RE: Draft Animal Facility Ordinance

>

> Thank you, Larry.

>
> When and where might the final presentation version of the ordinance
> be available prior to September 30? The community would like to have
> some advance awareness of any changes you have made.

>
> Have a good day,
> Lillian Smith

>
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>
> On 2015-08-11 08:17, Larry Jaramillo wrote:
>> Good morning Lillian,
>>
>> The Animal Facility Ordinance will be presented to the Regional
>> Planning Commission on Wednesday, September 30th.

>>
>>
>> Larry L. Jaramillo
>> Senior Regional Planning Assistant
>> Ordinance Studies
>> Department of Regional Planning
>> 320 W. Temple Street, 13th Floor
>> Los Angeles, CA 90012
>> Phone: (213) 974-6432

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>> -----Original Message-----
>> From: countryjournal@bigplanet.com
>> [mailto:countryjournal@bigplanet.com]
>> Sent: Tuesday, August 04, 2015 7:09 PM
>> To: Larry Jaramillo
>> Subject: Draft Animal Facility Ordinance

>>
>>
>>
>> Hi Larry,
>>
>> I would appreciate your confirming for me the date of the Regional
>> Planning Hearing on the Draft Animal Facilities Ordinance. A date in
>> October has appeared, and I do not want to print the wrong
>> information.

>> Is September 30 still the hearing date?

>>

>> Thank you for your help,

>> Lillian Smith

>> Publisher

>> Agua Dulce/Acton Country Journal

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June 17, 2015

Bruce Durbin
Supervising Regional Planner
Ordinance Studies Section
L.A. County Department of Regional Planning
Ordinance Studies Section
320 West Temple Street, 13th Floor
Los Angeles, California 90012

Re: Title 22 Amendment, Breeding and Boarding Facilities

Dear Mr. Durbin;

California Responsible Pet Owners' Coalition/CaRPOC was founded by a group of like-minded animal lovers to fight oppressive anti-animal legislation in the State of California. Our founding supporters include pet owners, rehoming volunteers, working dog owners, service and therapy animal owners and clients, trainers, veterinarians, as well as show cat and dog breeders and enthusiasts.

Many Los Angeles County residents who own excellent breeding and boarding facilities have been licensed by L.A. County Department of Animal Services for many years, some more than **45** years. L.A. County Title 10 was amended (10.40.010 Animal Care) in 2010 with specific, improved, guidelines for breeding and boarding facilities. Regional Planning became aware of deviations between the two County Codes and took action to correct the incongruity.

This proposed amendment will bring L.A. County Ordinances, Title 22 and Title 10 in concurrence, which will be more efficient for monitoring boarding and breeding facilities of dogs and cats.

CaRPOC urges Regional Planning to forward this amendment to the L.A. County Regional Planning Commission. CaRPOC further urges the Commission to approve this amendment and forward it to the L.A. County Supervisors.

Thank you for your consideration

Stormy Hope
CaRPOC Vice President

Cc: Larry Jaramillo, Ordinance Studies Section
Norm Hickling, Field Deputy, Antelope Valley
Dick Greaver, SCKOBA President

Larry Jaramillo

From: Charlene Smutny [charsmutny@sbcglobal.net]
Sent: Tuesday, June 23, 2015 10:41 PM
To: Larry Jaramillo
Cc: Bruce Durbin; nhickling@jacbos.org; Greaver1@live.com
Subject: New Zoning Ordinance

Dear Sir,

I attended the Acton Town Council Meeting on Monday June 15th 2015. My intent was to find out more information about the proposed zoning changes and why changes were needed. I was quite impressed with the speakers from the planning committee and their ability to make the changes easy to understand and make a decision.

Based on their presentation and follow up research, I support the proposed changes to the zoning as outlined. These changes are desperately needed to close loopholes in the current zoning which will allow the appropriate authorities to easily enforce the rules. As outlined, article 10 and 22 would now be using the same terminology thus lessening the chances for someone to take advantage of a hole in the laws.

I listened carefully to all of the speakers and I can see where the number of animals as outlined might alarm some people. But those were only guidelines not absolutes. From my experience people that have 20 dogs/ cats do not want to be close to their neighbors. They do not want the constant aggravation of trying to keep their pets quiet. I think the guidelines were appropriate and were not an absolute not a guarantee that you could get a license for X number of animals just because you have X amount of space. There were also concerns regarding evacuations for fires and other emergencies. I have received calls regarding possible fire dangers from the kennel owners in my area long before I realized there was danger. They made sure I knew I could evacuate to their homes if needed. We are a small community and we need to coexist and work together so we can all enjoy our passions no matter what animal form we choose.

Getting involved in legislation is not something I enjoy or look forward to. However, I felt moved to get involved with this change. I applaud all the people who have worked to amend the zoning changes. They cannot please everyone but I feel that they did a great job of setting up a unified set of guidelines that can be used for many years to come to govern land use. Towns and Cities can always have tighter rules but this is a county ordinance and it is for more than our little corner of the world.

Thank you for listening.

Charlene Smutny
Acton Resident

Southern California Kennel Owners & Breeders Association, Inc.



40058 West 17th St. Palmdale, CA 93551

June 16, 2015

Larry L. Jaramillo
Senior Regional Planning Assistant
Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Re: Title 22 Amendment – Dog/Cat Boarding/Breeding Facilities, **Support**

The Southern California Kennel Owners and Breeder Association (SCKOBA) is dedicated to promoting animal welfare, to the protection of animal owners', and kennel owners' and breeders' rights & to facilitate government/animal accord.

In 2009, Los Angeles County Department of Animal Care and Control, after a series of meetings with stakeholder, amended Title 10 (Dogs and Cats). At that time, there was a disparity between Title 10 (Dogs and Cats) and Title 22, zoning for dog and cat breeding/boarding facilities. This disparity had been ongoing for many years, creating uncertainty for facility owners.

This ordinance amendment repairs long standing conflicting ordinances and gives better guidance to county officials, as well as facility owners.

SCKOBA members support the proposed Title 22 amendments (Dog and Cat Breeding/Boarding Facilities) as it provides L.A. DACC and L.A. Zoning with concurrent regulations in order to better monitor and guide dog and cat breeding/boarding facilities. It gives assurance to facility owners that they are following the proper Los Angeles County Codes with no conjectures regarding which one is correct.

Respectfully yours

A handwritten signature in black ink, appearing to read "Dick Greaver", is written over the typed name.

Dick Greaver, President
Southern California Kennel Owners
& Breeders Association, Inc.

Cc: Bruce Durbin, Supervising Regional Planner
Norm Hickling, AV Field Deputy

Thunder Sky Kennels

June 20, 2015

Larry L. Jaramillo
Senior Regional Planning Assistant
Ordinance Studies
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Re: Title 22 Amendment – Dog/Cat Boarding/Breeding Facilities, **Support**

Los Angeles County Department of Animal Care and Control, after a series of meetings with stakeholders In 2009, amended Title 10 (Dogs and Cats). At that time, there was a disparity between Title 10 (Dogs and Cats) and Title 22, zoning for dog and cat breeding/boarding facilities. This disparity had been ongoing for many years, creating uncertainty as to which we should follow.

This ordinance amendment does away with the conflict and gives better guidance to county officials, as well as facility owners.

I am very happy to stand behind the amendment and believe it is the right thing to do.

Thank You
Sincerely



Dick Greaver
Thunder Sky Kennels
40058 17th Street West
Palmdale, CA 93551
(805)377-8035

Cc: Bruce Durbin, Supervising Regional Planner
Norm Hickling, AV Field Deputy