



# Administrative Report

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M.1., File #19-0334

Council Action Date: 10/8/2019

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**To:** MAYOR AND CITY COUNCIL

**From:** BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR

## **TITLE**

DISCUSSION AND POSSIBLE ACTION ON POTENTIAL AMENDMENTS TO THE ZONING ORDINANCE AND THE COASTAL LAND USE IMPLEMENTING ORDINANCE TO ADD ANIMAL KENNEL AS AN ALLOWED USE IN THE CITY IN CERTAIN ZONING DISTRICTS

## **EXECUTIVE SUMMARY**

In response to a City Council referral, staff has prepared the following report outlining options for amending the Zoning Ordinance and Coastal Land Use Implementing Ordinance to add "Animal Kennel" as an allowed use within specific zones. After researching provisions for animal kennels, including State regulations and other municipalities' ordinances, staff have outlined the various options City Council has for regulations to ensure the animal kennel uses do not adversely affect surrounding properties, uses, and residents. Staff recommends that the City Council review the options and provide direction on provisions for the ordinances.

## **BACKGROUND**

### **Current Regulations for Animal-Related Uses**

Currently, Redondo Beach Municipal Code Sections 10-2.402 and 10-5.402 define "Kennel" as "any lot or premises on which four (4) or more dogs or cats at least four (4) months of age are kept, boarded, or trained, whether in special buildings or runways or not." Currently per the code sections, kennel uses may be permitted only as incidental to an "Animal Hospital".

Animal-related uses are currently only allowed in Commercial and Mixed-Use zones in Redondo Beach. The uses include "Animal Feed and Supplies" as permitted by right, and "Animal Grooming", "Animal Hospitals", and "Animal Sales" as conditionally permitted (i.e. these uses require a Conditional Use Permit). Animal-related uses are currently not listed as allowed uses within the Industrial Zones. Again, the definition of "Animal Hospital" in Sections 10-2.402 and 10-5.402 allows a kennel as incidental to the hospital use.

It is recommended that any amendments adding "Animal Kennel" as a stand-alone use require a Conditional Use Permit (CUP), to enable conditions to be placed on the operation of the business to ensure the protection of health, safety, and welfare of adjacent properties and residents, as well as the animals. The following table reflects the zoning districts in which other municipalities allow animal kennels and the approval processes required.

City	Zoning Districts Allowed	Approval Method	Additional Regulations
Carson	Industrial Zones	CUP	
El Segundo	M-1 Light Industrial Zone	CUP	
Hawthorne	M-1 Limited Industrial Zone	Permitted	Soundproofing, 8-foot solid wall surrounding the property
Hermosa Beach	Not permitted	N/A	N/A
Huntington Beach	General Commercial District General Industrial District Limited Industrial District	CUP by Zoning Administrator	200-foot buffer from any residential use
Inglewood	M-1 Light Manufacturing Zone	Permitted unless within 300-feet of a Residential zone, then a CUP	Prohibited within 100-feet of a residential zone
Lawndale	Not permitted	N/A	N/A
Manhattan Beach	Community Commercial General Commercial	CUP	Specific Code Section detailing Regulations
Newport Beach	CC Commercial Corridor CG Commercial General CM Commercial Recreational and Marine Office Airport Zone Office Regional Zone Industrial General	CUP	Specific Code Section detailing Regulations
Torrance	Commercial Zones C-3, C-4, C-5 Manufacturing Zones M-1, M-2	CUP	300-foot buffer from residential, school, and parks; adequate measures to control noise, odor, dust

### **Options for the Regulation of Animal Kennels**

#### **California Health and Safety Code Standards**

The California Health and Safety Code sets standards for pet boarding facilities to protect the welfare of the animals. Attached to this report is a copy of the California code section related to Pet Boarding Facilities. These regulations are required by the State, and it is recommended that any amendments adding “Animal Kennels” to the Redondo Beach Municipal Code require compliance with this section of the California Health and Safety Code. The California code addresses the following:

- Maintenance of facilities and equipment
- Implementation of pest control
- Containment of pets

- Sanitization of facilities
- Storage of food
- Provision of an area for isolating sick pets from healthy pets
- Accommodation of the well-being of pets (heating, cooling, lighting, ventilation, shade, protection from elements)
- Specifications for enclosures
- Regulations on length of time in enclosures
- Limitations on number of pets per enclosure
- Requirements for observing each pet
- Provision of food and water
- Notification of owner of pet if sick or injured
- Established protocols for natural disasters and emergency evacuations; pick up/drop offs; and when personnel on site

### **Zoning Districts and Buffer Zones**

Staff requests direction from City Council as to which zoning districts animal kennels would be allowed. As stated previously, animal-related uses are currently allowed in certain Commercial (C) and Mixed-Use (MU) zones, but not in the Industrial (I) or Industrial-Commercial (IC) zones. However, City Council may want to consider adding “Animal Kennels” to the uses allowed in industrial zones, too, as it seems the industrial zones would be well suited to accommodate this use. Typically, the industrial zones do not border residential properties, and existing land uses allowed in industrial zones are more intensive in terms of noise. Thus, animal kennels may likely not cause a detrimental impact in the existing industrial zones.

In researching other cities’ regulations, many of the municipalities that allow animal kennels require a “buffer zone” from residential properties. These buffer zones vary from as little as 100 feet (Inglewood) to as much as 500 feet (LA City). The City of Torrance has a 300-foot buffer area from any school, park, residential zone, or residential use. There are several cities in the area that do not require a buffer zone, including Manhattan Beach. Hermosa Beach and Lawndale do not allow animal kennels as a use at all.

Although a buffer zone would help minimize the animal kennel impact on residential properties, implementing a buffer zone may significantly restrict the number of locations in which the use would be feasible. For example, almost all the commercially zoned properties along Artesia and Aviation Boulevards abut residential properties. Therefore, implementing a buffer zone would in essence create a situation where animal kennel businesses could not be established along Artesia or Aviation Boulevards. Similar situations exist along 190<sup>th</sup> Street, Pacific Coast Highway south of Torrance Boulevard, and S. Catalina Avenue in the Riviera Village. Additionally, should the Council decide to allow animal kennels within the industrial zones, a buffer would affect those industrial properties along the northside Manhattan Beach Boulevard, as they are only 100 feet away from the residential properties on the southside of the boulevard.

An alternative to a residential buffer would be to establish a minimum distance between animal kennel businesses, similar to the separation requirements for massage businesses, body art studios, and thrift stores. This would limit the number of animal kennels within a geographic area without severely diminishing the number of potential locations, as a buffer zone would. Although staff has not

found other municipalities that require a separation between animal kennels, given that the majority of commercial properties in Redondo Beach have shallow lot depths, and almost all are close to residential properties, the separation option may be more viable than the buffer option in Redondo Beach, should Council even deem this as necessary.

### **Additional Regulations**

Although the California Health and Safety Code does regulate certain aspects of pet boarding facilities, the City Council may also want to incorporate additional regulations including, but not limited to, the following:

- Feeding and watering
- Administering medications
- Enclosure size
- Exercise requirements
- Waste disposal and drainage
- Heating and ventilation
- Noise attenuation (Hawthorne requires soundproofing and perimeter wall)
- Property enclosure requirements
- Limitation on the number of animals
- Specifications on hours of operation
- Operator and/or employee animal training and/or certification requirements

Some sample ordinances from other municipalities are attached for review, to see how they have addressed these issues. The City Council can consider the zoning districts, CUP requirements, buffers, and these additional items related to animal kennels during the discussion and provide direction to staff on how to proceed.

The proposed ordinances amending the Zoning Code will require Planning Commission review and recommendation prior to consideration by the City Council.

### **COORDINATION**

The preparation of the Administrative Report and options for the ordinances have been coordinated with the City Attorney's Office.

### **FISCAL IMPACT**

The cost of preparing this report is included within the Community Development Department's portion of the adopted 2019-2020 Annual Budget and is part of the department's annual work program.

### **APPROVED BY:**

*Joe Hoefgen, City Manager*

### **ATTACHMENTS**

- California Health and Safety Code Pet Boarding Facilities
- City of Huntington Beach buffer zone requirement
- City of Torrance buffer zone requirement

- City of Manhattan Beach Animal Care Regulations
- City of Newport Beach Regulations of Kennels
- PowerPoint Presentation
- Public Comment Letter