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The Los Angeles Daily Journal

161352

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.05, 12.06, 12.07, 12.22, 12.23, 12.27 and 13.05 of the Los Angeles Municipal Code to modify the "K" District provisions and the equinekeeping provisions in the A1, A2 and RA Zones, and to amend the definitions of Accessory Use and Animal Keeping Structure.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS:

Section 1. The definition of "Accessory Use" in Section 12.03 of the Los Angeles Municipal Code is hereby amended to read:

Accessory Use - A use which is customarily incidental to that of the main building or to the main use of the land and which is located in the same zone or a less restrictive zone and on the same lot with a main building or use. The relationship between the more restrictive and the less restrictive zones shall be determined by the sequence of zones set forth in Section 12.23 B 1 (c) of this Code. The garaging, maintaining, or storage of any commercial vehicle on private property which exceeds a registered net weight of 5,600 pounds shall not be considered an accessory

1 use in the R Zones. The rental, storage, or
2 storage for rental purposes of a commercial
3 vehicle which exceeds a registered net weight of
4 5,600 pounds shall not be considered an accessory
5 use in any zone more restrictive than the MRL
6 Zone, except as approved by conditional use.
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8 An accessory use shall also include the
9 keeping of domestic animals, subject to other
10 provisions of this Article; and the keeping of
11 wild animals, under an appropriate permit issued
12 by the Department of Animal Regulation as
13 provided for in Section 53.38 of this Code, but
14 in no event including the following wild
15 animals: bear, civet, coyote, eagle, eland,
16 elephant, elk, giraffe, gnu, gorilla, hyena,
17 hippopotamus, jaguar, leopard, lion, lynx, moose,
18 orangutan, venomous reptile, puma, rhinoceros,
19 sea lion, tiger, vulture, walrus, wart hog, wolf
20 or yak.
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22 The sale of not more than one dog or cat
23 litter from a domestic household in a 12-month
24 period shall be considered accessory to a
25 residential use.
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1 Sec. 2. The definition of "Animal Keeping Structure"
2 in Section 12.03 of the Los Angeles Municipal Code is hereby
3 amended to read:

4 Animal Keeping Structure - any structure, as
5 defined by this Code, which has a roof and may
6 have one or more sides and is used in whole or in
7 part for the housing or shelter of animals.
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9 Sec. 3. Paragraph (a) of Subdivision 7 of Subsection
10 A of Section 12.05 of the Los Angeles Municipal Code is hereby
11 amended to read:

12 (a) That these activities are not for
13 commercial purposes, except that a maximum of two
14 currently licensed equines not owned by the
15 resident of the involved property may be boarded
16 (for which monetary compensation may be paid) or
17 kept on that property as an accessory use, and
18 except that chickens, rabbits or chinchillas may
19 be kept for commercial purposes on lots of five
20 acres or more.
21

22 Sec. 4. Subparagraph (1) of Paragraph (g) of
23 Subdivision 2 of Subsection A of Section 12.06 of the
24 Los Angeles Municipal Code is hereby amended to read:

25 (1) That these activities are not for
26 commercial purposes, except that a maximum of two
27 currently licensed equines not owned by the
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1 resident of the involved property may be boarded
2 (for which monetary compensation may be paid) or
3 kept on that property as an accessory use, and
4 except that chickens, rabbits and chinchillas may
5 be kept for commercial purposes on lots of five
6 acres or more.

7
8 Sec. 5. Paragraph (a) of Subdivision 7 of Subsection
9 A of Section 12.07 of the Los Angeles Municipal Code is hereby
10 amended to read:

11 (a) That these activities are not for
12 commercial purposes, except that a maximum of two
13 currently licensed equines not owned by the
14 resident of the involved property may be boarded
15 (for which monetary compensation may be paid) or
16 kept on that property as an accessory use.

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18 Sec. 6. Subdivision 19 of Subsection A of Section
19 12.22 of the Los Angeles Municipal Code is hereby amended to
20 read:

21 19. Residential Building Adjacent to an
22 Equinekeeping Use. Notwithstanding any provision
23 of this Code to the contrary, the City shall not
24 issue a building permit for a residential
25 building (excluding non-habitable rooms) that is
26 less than 35 feet from a legally established
27 equine use, unless the Zoning Administrator makes
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1 an exception in accordance with Subsection H of
2 Section 12.27.

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4 Sec. 7. A new Subsection I of Section 12.23 of the
5 Los Angeles Municipal Code is hereby added to read:

6 I. EQUINE NONCONFORMING USES ADJACENT TO
7 RESIDENTIAL BUILDINGS. Notwithstanding any
8 provisions of this Code to the contrary, if an
9 equine use not in a "K" District was legally
10 established prior to November 22, 1982, that use
11 shall be allowed to continue, even though the
12 City issued a building permit between November
13 22, 1982 and July 1, 1986 to construct a
14 residential building on an adjacent lot within
15 the 35-foot required distance between an equine
16 use and the habitable rooms of a residential
17 building on the adjacent lot. This provision
18 shall not apply to building permits authorized by
19 the Zoning Administrator pursuant to Subsection H
20 of Section 12.27. This nonconforming equine use
21 shall be subject to the following limitations:

22 1. The subject lot has been designated
23 by an Equine License to stable at least one
24 licensed equine during the 12 months prior
25 to the issuance of the building permit for
26 the residential building on an adjacent lot.

1 2. The equine enclosure shall not be
2 expanded, extended, or relocated in such a
3 manner as to reduce the nonconforming
4 distance between the enclosure and the
5 habitable rooms of the residential building
6 on an adjacent lot.

7 3. The nonconforming equine use shall
8 be discontinued if, during a successive
9 3-year period, no equine is licensed by the
10 Department of Animal Regulation to be
11 stabled on the subject lot.

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13 Nothing in this Subdivision relieves any
14 person from the obligation to comply with the
15 requirements of any County or State law.

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17 Sec. 8. Subdivision 1 of Subsection H of Section
18 12.27 of the Los Angeles Municipal Code is hereby amended to
19 read:

20 1. Authorized Use. Notwithstanding any
21 provision of this Code to the contrary, the
22 Zoning Administrator shall determine that the
23 City may issue a building permit for any
24 residential building which has a habitable room
25 closer than 35 feet from a legally established
26 equine use if the Zoning Administrator determines
27 that the residential building cannot reasonably
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1 be constructed at a location 35 feet or greater
2 from a legally established equine use. This
3 determination may be made after giving
4 consideration to:

5 (a) Size and configuration of land
6 parcel;

7 (b) Environmental conditions including
8 but not limited to topography, geology,
9 drainage, and soil;

10 (c) Public facilities and easements
11 that restrict buildable area location;

12 (d) Economic hardship; and

13 (e) Feasibility of relocating the
14 equine enclosure.

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16 Sec. 9. Subdivision 2 of Subsection B of Section
17 13.05 of the Los Angeles Municipal Code is hereby amended to
18 read:

19 2. No Equinekeeping District shall contain
20 less than 5 acres of land, including the area of
21 all dedicated streets and highways contained
22 therein. All lots or parcels of property
23 contained within the district's boundaries shall
24 be contiguous. The boundaries of the district
25 shall be drawn so as to coincide as nearly as
26 practicable with street alignments or other
27 clearly discernible boundaries.

1 Sec. 10. Subdivision 7 of Subsection C of Section
2 13.05 of the Los Angeles Municipal Code is hereby amended to
3 read:

4 7. Notwithstanding any provisions of this
5 Code to the contrary, equine uses of the land on
6 "K" Equinekeeping District lots shall be allowed
7 to be continued if, after the legal establishment
8 of the equine use, the City issued a building
9 permit to construct a residential building on an
10 adjacent lot within the legally required distance
11 between an equine use and the residential
12 building on an adjacent lot. If, in accordance
13 with the provisions of Subsection H of Section
14 12.27, the Zoning Administrator grants permission
15 for a residential building on an adjacent lot to
16 be constructed closer than 35 feet from a legally
17 existing equine enclosure, the equine enclosure
18 may be considered to be nonconforming if it is
19 relocated not closer than 35 feet from the
20 habitable rooms attached to any residential
21 building. The non-conforming equine use shall be
22 subject to the following limitations:

23 a. The equine enclosure shall not be
24 closer than 35 feet from the habitable rooms
25 of any residential building.
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1 b. The subject lot has been designated
2 by an Equine License to stable at least one
3 licensed equine during the 12 months prior
4 to the issuance of the building permit for
5 the residential building on an adjacent lot.

6 c. The equine enclosure shall not be
7 expanded, extended, or relocated so as to
8 reduce the nonconforming distance between
9 the enclosure and the habitable rooms of the
10 residential building on an adjacent lot.

11 d. The nonconforming equine use shall
12 be discontinued if, during a successive
13 3-year period, no equine is licensed by the
14 Department of Animal Regulation to be
15 stabled on the subject lot.

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17 Sec. 11. Subdivision 8 of Subsection C of Section
18 13.05 of the Los Angeles Municipal Code is hereby added to read:

19 8. Notwithstanding any provisions of this
20 Code to the contrary, if an equine use in a "K"
21 District was legally established before
22 November 22, 1982, that use shall be allowed to
23 continue, even though the City issued a building
24 permit between November 22, 1982 and July 1, 1986
25 to construct a residential building on an
26 adjacent lot within the 35-foot required distance
27 between an equine use and the habitable rooms of
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1 a residential building on the adjacent lot. This
2 provision shall not apply to building permits
3 authorized by the Zoning Administrator pursuant
4 to Subsection H of Section 12.27. This
5 nonconforming equine use shall be subject to the
6 following limitations:

7 1. The subject lot has been designated
8 by an Equine License to stable at least one
9 licensed equine during the 12 months prior
10 to the issuance of the building permit for
11 the residential building on an adjacent lot.

12 2. The equine enclosure shall not be
13 expanded, extended, or relocated so as to
14 reduce the nonconforming distance between
15 the enclosure and the habitable rooms of the
16 residential building on an adjacent lot.

17 3. The nonconforming equine use shall
18 be discontinued if, during a successive
19 3-year period, no equine is licensed by the
20 Department of Animal Regulation to be
21 stabled on the subject lot.

22
23 Nothing in this Subdivision relieves any
24 person from the obligation to comply with the
25 requirements of any County or State law.

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Sec. 12 The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of MAY 30 1986 and was passed at its meeting of JUN 6 1986

Approved JUN 12 1986

ELIAS MARTINEZ, City Clerk

By Edward W. Anderson deputy

File No. 81-48398
85-1411

Tom Bradley
Mayor
(G 89929)
(D044961)
June 19

APR 14 1986

See attached report
Calvin S. Hamilton
Director of Planning

Wojcik 1/19
G-89929