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June 19, 2014

Planning and Land Use Management (PLUM) Committee
Los Angeles City Council
200 North Spring Street, Room 395
Los Angeles, CA 90012

CF# 14-0389

**RE: DEPARTMENT OF CITY PLANNING REPORT TO PLUM COMMITTEE
REGARDING MOTION DATED APRIL 1, 2014 TO HELP PRESERVE EQUINE
KEEPING IN THE CITY.**

Dear Honorable Members:

This report is in response to the motion introduced by Council Member Felipe Fuentes on April 1, 2014 (Exhibit A). This motion instructed the Department of City Planning, with the assistance of the Departments of Building and Safety and Animal Services, to create a Zoning Information (ZI) File on all equine keeping properties, develop a uniform interpretation of the distance requirements between equine uses and habitable spaces, provide clarification of existing procedures related to equine keeping, and establish standards to protect equine uses. The motion also directs Department staff to work with the Los Angeles Equine Advisory Committee and residents of Shadow Hills and to prepare a report within 45 days.

Background

Many Los Angeles communities have a long tradition of equine keeping, which contribute to these communities' distinctive character and quality-of-life. This is especially the case in the San Fernando Valley, particularly in communities such as Lake View Terrace, Shadow Hills, Chatsworth, Sylmar, as well as many other Valley neighborhoods.

The equestrian neighborhoods of the San Fernando Valley are among the few remaining residential areas of Los Angeles with land zoned for equine keeping. As development pressures have mounted in these traditionally lower-density neighborhoods, larger lots (typically zoned RA, RE20, RE40, A1, or A2) in equine keeping areas and designated Equinekeeping "K" Districts are being subdivided into sizes that do not comply with lot area requirements for equine keeping or the Zoning Code buffer requirements between equine and non-equine uses. In many instances, new development has encroached on the ability to maintain equine keeping on adjacent properties, and commonly used trails have been obscured or interrupted. Over time, these pressures have resulted in a loss of valuable and irreplaceable equine keeping lots that have and continue to contribute to the rich and dynamic character of Los Angeles.

There are numerous rules that govern equine keeping in the City. The Los Angeles Municipal Code (Zoning Code) has specific regulations related to the keeping of equine. Generally, equine keeping is permitted in most residentially zoned lots of 20,000 square feet or greater in conjunction with the residential use of the lot. The Zoning Code also regulates the placement of equine structures/enclosures on a lot, specifically the distance between structures/enclosures and any habitable space located on both the equine keeping lot and adjacent lots. In addition, the Zoning Code defines certain equine-related terms, establishes the number of equine allowed on a lot, and places other limitations on equine keeping.

Certain neighborhoods in Los Angeles are also located within an Equinekeeping "K" District, which is a specific overlay district which is more permissive than the Zoning Code. Under Section 13.05 of the Zoning Code, the City Council may establish "K" Districts in order to establish reasonable and uniform limitations, safeguards, and controls for the keeping and maintenance of equines within Los Angeles. The intent of the "K" District is to provide regulations for the keeping of equine on residential properties and to dedicate areas where residents, who prefer to, can keep equine and generally retain the semi-rural environment of those communities where such existing uses are demonstrated to be compatible with surrounding uses. Generally, regulations related to equine keeping within a "K" District are more accommodating. For example, the minimum lot area for each equine is 4,000 square feet regardless of the residential zone, there are no minimum lot area requirements for stables, and structures may be located up to 10 feet from side lot lines as opposed to 25 feet for lots not located within in a "K" District. However, equine keeping properties within designated "K" Districts are facing similar development pressures of subdivisions and are consequently struggling to retain the rural, open space character of the City's traditionally equestrian communities.

Improved regulations and more consistent and streamlined application of existing regulations can assure that existing equine areas are preserved, and that future development in these areas continues to contribute to the City's rich tradition. The following short-term and long-term strategies to address this issue are recommended:

Short-Term Objectives

Develop a uniform interpretation of existing requirements and clarify procedures

Zoning Information (ZI) File No. 2438 (Exhibit B) outlines the required permit process and institutes a procedure (i.e. Equine Keeping Checklist Form, Site Plan, and inspection process) to ensure that the creation of new habitable space does not inappropriately encroach upon equine keeping uses. The ZI clarifies that no permit shall be issued by the Department of Building and Safety (LADBS) for any building that creates new habitable space on lots that are zoned A1, A2, RE20, RE40, or RA and/or are located within an Equinekeeping "K" District without completing an Equine Keeping Checklist form provided by LADBS. This form shall be submitted and/or completed during plan submittal. Properties subject to the ZI File will be flagged on the City's Zoning Information Map Access System (ZIMAS) and will require a clearance on the Plan Check Inspection System (PCIS) form prior to the issuance of a permit by LADBS.

The intent of the Equine Keeping Checklist form is to provide LADBS with the necessary information to determine whether specific equine keeping regulations are applicable and to verify compliance with such requirements. Overall, it provides the opportunity for LADBS to appropriately apply and enforce the Zoning Code with regards to equine keeping in the City. For details on the permit application process refer to the attached Flowchart.

The ZI File also provides an interpretation of how to measure the existing distance requirements to ensure that the method of measuring distance requirements is applied in a uniform and consistent manner. For purposes of determining the distance between an equine structure/enclosure and habitable uses, the distance shall be measured from the structure or the "unsupervised" enclosure where the equine is maintained and not the "supervised" enclosure where the equine is exercised with supervision, generally the fence surrounding the perimeter of the rear yard. For more information refer to the attached ZI File for Definitions.

ZI File No. 2438 can be uploaded onto Zimas within a month from approval by City Council and immediately implemented by City staff.

Long-Term Solution

Utilize re:code LA to establish new standards to protect equine keeping uses

While the ZI and the clarification of how the distance requirements are measured will provide some protections in the short-term, longer term solutions are necessary. The City is currently undertaking a project to rewrite the Zoning Code. This process provides an opportunity to make the necessary Code Amendments that will further clarify and safeguard equine keeping uses in the longer term.

One of the goals of re:code LA is to update the City's Zoning Code to create a wider range and more flexible set of zoning tools that better reflect the diversity of the City's neighborhoods and aid in implementing land use and planning goals of the City. The Department of City Planning released the *Zoning Code Evaluation Report* this March which discusses in great detail the issues

that the new Zoning Code aims to address (Exhibit C). This report identifies the need to retain the rural lifestyle (Evaluation Report Topic 1.6) as a key objective and recommends that existing provisions related to equine keeping be reviewed in order to more effectively retain the rural lifestyle, and provide for long term viability of equine keeping and other uses in unique semi-rural areas of Los Angeles.¹ This report is expected to go to City Council for adoption in Summer/Fall of 2014.

This project provides the community with an opportunity to comprehensively modernize the City's approach to equine keeping in rural and suburban areas. The Department recognizes that various approaches and Code regulations are currently used that do not provide sufficient safeguards desired by many residents who wish to retain a rural lifestyle. Provisions such as rendering equine uses nonconforming if licenses are not consecutively maintained for three years, as well as others, will be analyzed as part of the re:code LA process.

This report, the ZI File, as well as the Equine Keeping Checklist form were prepared in collaboration with LADBS.

The Department of City Planning recommends that ZI File No. 2438 be approved and that code amendments pertaining to equine keeping in the City continue to be studied and analyzed as part of re:code LA.

For questions regarding this report, please contact Anita Cerna, City Planner, at anita.cerna@lacity.org or 818-374-5042.

Sincerely,

MICHAEL J. LOGRANDE
Director of Planning



ALAN BELL, AICP
Deputy Director of Planning

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¹ Department of City Planning, PLAN re:code, Zoning Code Evaluation Report, Draft March 7, 2014 (attached).

14-0389

APR 1 2014

MOTION

PLANNING & LAND USE MANAGEMENT

Horse keeping is an integral function throughout the city, and a long standing tradition. This is especially the case in the San Fernando Valley, particularly in communities such as Lake View Terrace and Shadow Hills, as well as many other neighborhoods in the Valley.

Horses that are kept in non-K (equine keeping) districts have to comply with very specific provisions as prescribed in the Zoning Code, which specifically require a 75 foot distance requirement between the equine use and a neighbors' habitable rooms attached to any dwelling.

There are instances where the Zoning Administrator grants permission for a neighbor's dwelling to be constructed within 35 feet from an existing equine use, and in turn the equine use is considered a 'non-conforming use' and are required to abide by the requirements of the Zoning Code. One of the more onerous requirements is that the non-conforming equine use shall be discontinued if during a three year period, the equine is not licensed by the Department of Animal Services. However, regardless if a horse is licensed or not, equine keeping should be allowed in non-K Districts.

The current land use regulatory controls applied to horses kept in non-K Districts is adversely impacting horse owners whenever building permits are issued to adjacent property owners who are granted the right to build within the required distance. To continue the keeping of equine, these property owners must ensure that they are meeting the distance requirements from a 'habitable room.'

There is tremendous concern from horse owners in non-K Districts that there is also a lack of consistent interpretation of the distance requirements prescribed in the Zoning Code by city inspectors, and in turn this is causing further unnecessary loss of equine keeping uses citywide.

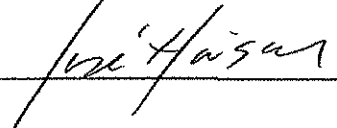
I THEREFORE MOVE that the Council instruct the Planning Department, with the assistance of the Department of Building and Safety and the Department of Animal Services, to prepare a report within 30 days that includes the following:

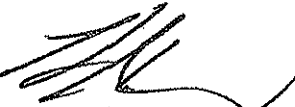
1. Establish standards to protect equine uses in non-K (equine keeping) districts.
2. Create a Zoning Information (ZI) file on all properties zoned RA (Suburban) and within equine-keeping districts noting that the lots allow equine uses, and should be given a closer level of review in the land use discretionary review process.
3. Develop a uniform interpretation of the distance requirements between equine uses and adjoining dwelling units, and provide clarification of existing procedures.

PRESENTED BY:


FELIPE FUENTES
Councilmember, 7th District

SECONDED BY:




April 1, 2014

mm

ORIGINAL

Exhibit A

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
ZONING INFORMATION (ZI) FILE

Effective Date: Pending

ZI NO. 2438
Equine Keeping in the City of Los Angeles

COUNCIL DISTRICT: All (Citywide)

BACKGROUND:

Many Los Angeles communities have a long tradition of equine keeping, which contribute to these communities' distinctive character and quality-of-life. This is especially the case in the San Fernando Valley, particularly in communities such as Lake View Terrace, Shadow Hills, Chatsworth, Sylmar, as well as many other Valley neighborhoods.

As development pressures have mounted in these traditional lower-density neighborhoods (lots zoned RA, RE20, RE40, A1, and A2), equestrian-oriented lots have been subdivided into sizes too small to accommodate equines, buffers between equine and non-equine uses have been diminished, equine keeping rights have been lost due to new, adjacent development, and commonly used trails have been obscured or interrupted by new developments. These pressures over time have resulted in a loss of valuable and irreplaceable equine keeping lots that contribute to the rich and dynamic character of Los Angeles.

Improved regulations can assure that existing equestrian-oriented neighborhoods are preserved and that future developments in these areas continue to contribute to the City's rich equestrian tradition.

Currently, the Los Angeles Municipal Code has very specific provisions with regards to the keeping of equine. This Zoning Information File outlines the required building permit process and general development guidelines for development on equine keeping lots.

INSTRUCTIONS:

No permit shall be issued by the Department of Building and Safety (LADBS) for any building which creates new habitable space on a lot located in whole or in part within an Equine Keeping "K" District or lot zoned RA, RE20, RE40, A1, or A2 without completing an *"Equine Keeping Checklist"* form provided by LADBS. This form shall be submitted and/or completed during plan submittal. For more information regarding the process refer to the flowchart below.

The City shall not issue a building permit for a residential building (excluding non-habitable rooms) that does not comply with the distance requirements, unless the Zoning Administrator makes an exception in accordance with LAMC Section 12.24X.5. For more information please contact the Department of City Planning's Development Service Center (DSC) at 818-374-5050, located at the Marvin Braude Building in Van Nuys.

Exhibit B

City of Los Angeles Equine Keeping Areas

FOR INFORMATIONAL PURPOSES ONLY

Legend

Existing Equine Keeping "K" Districts

Lots Located within a "K" District

Zones

A2 (min. 2 acres)

A1 (min. 1 acre)

RE40 (min. 40,000 sf)

RE20 (min. 20,000 sf)

RA (min. 17,500 sf)

Council District Boundary

Los Angeles City Boundary

Major Streets

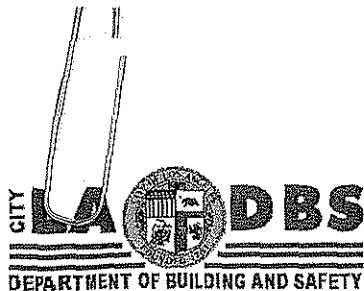
Freeway

The map was prepared by the City of Los Angeles, Department of Planning, 2000. It is not a legal document and should not be used for legal purposes.

Disclaimer: The City of Los Angeles is not responsible for any errors or omissions in this map. The City of Los Angeles is not responsible for any damages or losses resulting from the use of this map. The City of Los Angeles is not responsible for any damages or losses resulting from the use of this map.



Map of the City of Los Angeles, California, showing the locations of the various districts and zones. The map is for informational purposes only and should not be used for legal purposes.



EQUINE KEEPING CHECKLIST FORM

No permit shall be issued for any building creating new habitable space on a lot located in whole or in part within an Equine Keeping "K" District and/or any lot zoned RA, RE20, RE40, A1, or A2 without completing this form. This form shall be submitted and/or completed during plan submittal. For more information on the process, refer to the flowchart below.

Address:

PCIS:

Please read the following two (2) questions carefully and answer either YES or NO:

(1) Is there any equine keeping on any of the adjacent properties?

NO

Yes

(2) Is there any equine keeping on your property?

NO

Yes

If the answer to either of the above questions is "yes", you will need to provide a dimensioned site plan that is to-scale and which shows the location of the equine keeping structure and/or enclosure on your lot and any of the adjacent properties and indicates the distances between your proposed habitable room additions, new single family dwelling unit, Accessory Living Quarters or Servant Quarters and such structures and/or enclosures. The information on the site plan will be verified by LADBS inspection before construction can commence.

For information on the setback requirements from an equine keeping structure and/or enclosure, please see LADBS Information Bulletin No. P/ZC 2002-018.

http://ladbs.org/LADBSWeb/LADBS_Forms/InformationBulletins/IB-P-ZC2014-018EquineKeeping.pdf

Any incorrect information may lead to the revocation of the corresponding permits.

Property owner or the authorized agent's name: _____

Property owner or the authorized agent's signature: _____

Date: ____/____/____

ZONING INFORMATION (ZI) FILE NO. 2438

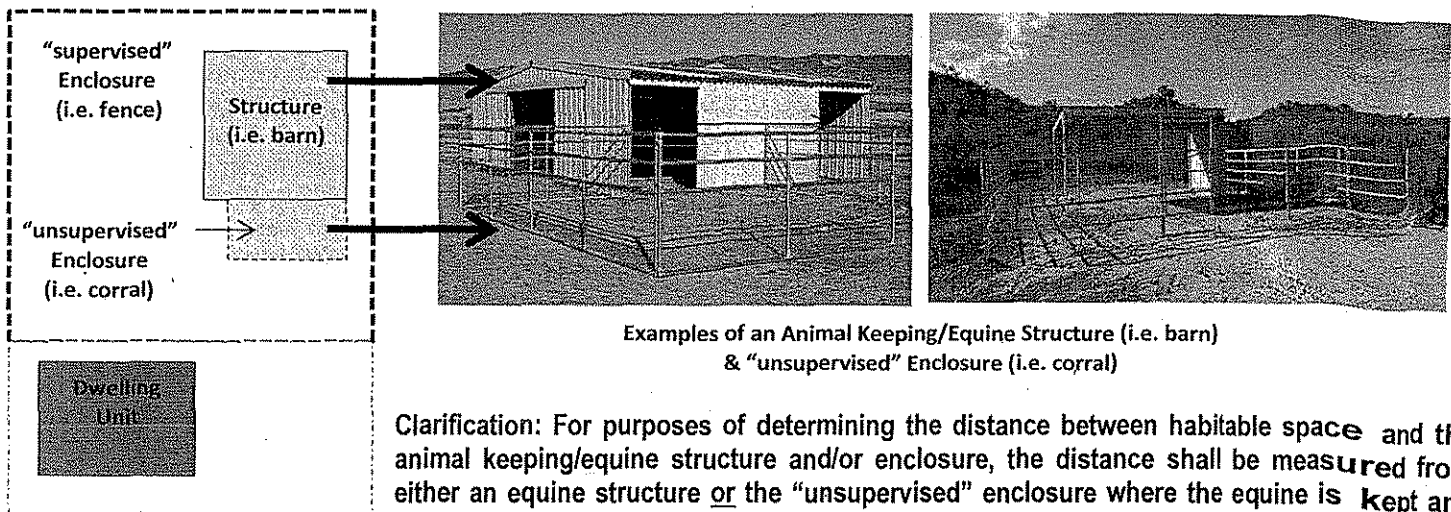
LAMC DEFINITIONS SECTION 12.03

ANIMAL KEEPING ENCLOSURE OR EQUINE ENCLOSURE

Any structure or fence which establishes the perimeter of an animal keeping and maintenance area.

ANIMAL KEEPING STRUCTURE

Any structure which has a roof and may have one or more sides and is used in whole or in part for the housing or shelter of animals.



Clarification: For purposes of determining the distance between habitable space and the animal keeping/equine structure and/or enclosure, the distance shall be measured from either an equine structure or the "unsupervised" enclosure where the equine is kept and maintained (where equines are permanently housed), and not the "supervised" enclosure where the equine is exercised or used for riding, generally the fence surrounding the perimeter of the rear yard.

Equine keeping structures no greater than 120 square feet in area, 12 feet in height, do not contain any heating, plumbing, or electrical installation, do not require a permit but shall comply with distance requirements. Generally, equine enclosures also do not require a building permit.

EQUINE

Any horse, pony, donkey, burro, or mule which is 12 months of age or older and is issued a current Equine License by the City Department of Animal Services. An animal which is under 12 months of age and is the offspring of or is unweaned and being nursed by a female equine lawfully kept on the property where said animal is kept shall not be considered an equine and shall be allowed by right on said property.

NONCONFORMING USE

A use of building or land which does not conform to the regulations of this chapter and which lawfully existed at the time the regulations with which it does not conform became effective.

STABLE, PRIVATE

A detached accessory building which has a roof and may have one or more sides and is used in whole or in part for the housing or shelter of an equine or equines owned by the occupants of the premises and not kept for remuneration, hire or sale.

HABITABLE ROOM

An enclosed subdivision in a residential building commonly used for living purposes, but not including any lobby, hall, closet, storage space, water closet, bath, toilet, slop sink, general utility room or service porch. A recess from a room or an alcove (other than a dining room area) having 50 square feet or more of floor area and so located that it could be partitioned off to form a habitable room, shall be considered as a habitable room. Accessory living quarters and servants quarters are residential (habitable) buildings whereas other accessory buildings such as recreation rooms, storage sheds, and garage are not.

ZONING INFORMATION (ZI) FILE NO. 2438
EQUINEKEEPING CHECKLIST
PERMIT APPLICATION FLOWCHART

Who needs to fill out an Equine Keeping Checklist form?

