

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, on October 9, 2019 the State Legislature enacted three bills into law governing Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs): AB 881 (Bloom); AB 68 (Ting); and SB 13 (Wieckowski); all effective January 1, 2020; and

WHEREAS, AB 881 (governing ADUs); AB 68 (governing JADUs); and SB 13 (governing enforcement of ADU building standards); applies to all cities, including Charter Cities, and allows for attached and detached ADUs of at least 800 square feet and 16-feet in height and which prohibits side or rear setbacks of more than four feet in residential and multi-family zones; and

WHEREAS, on August 20, 2019 the Planning & Land Use Management (PLUM) Committee recommended that the ADU Ordinance include language to locate ADUs near the applicant's primary dwelling and not at the rear or side of a property to protect equine keeping because an ADU located at the rear of a property may preclude a neighbor from locating a horse stable within 75 feet from the habitable rooms of a neighbor's dwelling as regulated by Municipal Code Section 12.21C(5)(a); and

WHEREAS, a City Attorney-prepared ordinance to regulate ADUs and JADUs (Council File No. 16-1468) in compliance with State law is pending Council consideration and incorporates the provisions required by AB 881; AB 68; and SB 13, and notably its setback requirements which prohibit side or rear setbacks of more than four feet, and therefore, the originally proposed equine keeping accommodations could not be incorporated in the City ordinance because such provisions are precluded by State law; and

WHEREAS, although there is a definite need for more affordable housing opportunities in the City and Statewide, the distance provisions in the recently approved ADU and JADU State laws can be adjusted to accommodate both ADUs and equine keeping and;

WHEREAS, horse keeping has a long and storied tradition in the City, particularly in the communities of Sylmar, Lake View Terrace, Shadow Hills, and Chatsworth and must be protected and preserved; and

WHEREAS, land use planning must be aligned to achieve a City that promotes the unique character and scale of our neighborhoods in a responsible way, but the City cannot do this if the State asserts a one-size fits-all for every City and County in the State; and

NOW, THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-20 State Legislative Program SUPPORT and/or SPONSORSHIP of legislation and/or administrative action aimed at exploring accommodations to balance the preservation of equine keeping with the location of ADUs by amending California Government Code Section 65852.2(a)(1)(D)(vii) and e(1)(B).

BE IT FURTHER RESOLVED, that equine considerations be included in the conversation when statewide land use policies are being considered in the future, and for consultation with equine keeping experts, or the creation of a focus group comprised of jurisdictions with equine keeping zones, be consulted when land use deliberations are taking place.

PRESENTED BY:

Monica Rodriguez
MONICA RODRIGUEZ

Councilwoman, 7th District

SECONDED BY:

J.S.C.
B.P. Humphreys
Debra
John O'Zanich

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