

(8) the second dwelling unit is not be located in a Hillside Area, as defined in Section 91.7003 of the Building Code, in an Equine keeping District, along a Scenic Highway designated in the General Plan (as determined by City Planning counter), or where the width of the adjacent street is below current standards as defined in Section 12.37H (as determined by the City Engineer); and

(9) no building nonconforming as to use is converted to a second dwelling unit.

( ZA memo, 6-23-03 )

## **Section 12.24W49                      Communication Receiving Facilities.**

**Q-** The Code has specific Sections which regulate communication transmitting facilities which are not considered public utility/service uses or structures. However, some confusion has arisen in the proper application for allowing a receiving device since the code is silent on this type of facility. Are receiving facilities permitted in a C-Zoned lot? Where will they be first allowed by right?

**A -** The Zoning Administrator has determined that receiving devices, such as radio, television, microwave or other similar receivers, shall be considered similar to the perspective transmitting devices. Therefore a discretionary approval shall be the appropriate vehicle for allowing such a receiving facility in the C or MR zones or more restrictive.

Since such communication uses have been determined to be similar in the requirement for discretionary approval, it would be logical that they would be allowed by right in the same zones as their transmitting counterparts. Therefore, a receiving device, such as a radio receiving structure, shall be allowed by right in the M1, M2, and M3 Zones.

(Chief ZA Memo 3-23-88)

## **Section 12.26A2                      Use regulations of Catering Trucks.**

**Q -** Are there any regulations regarding the use of catering trucks in the City of Los Angeles for ambulatory sales of food products?

**A -** The Zoning Code does not specifically refer to the use of these catering trucks. Typically, these vehicles are used to visit commercial sites and sell their goods to the employees that work at those sites. These visits generally coincide with the employees break times or lunch periods and are of a short duration.

The Building Code, by 91.7208 allows the use of "Industrial Catering Trucks" (I.C.T.) in Fire Districts #1 and #2. An I.C.T. is defined in the Building Code as a motor vehicle used to sell ready-to-eat food and beverages that have been prepared elsewhere not within the vehicle in an approved establishment. Persons selling out of these vehicles are referred to as "Hawkers" in the County of Los Angeles Public Health Code.

The Department's policy regarding Catering trucks is as follows:

- a) Sales conducted out of any catering truck parked on a public way are not regulated by this Department.
- b) Sales on private property from a catering truck equipped to prepare food are not permitted. Such activity (cooking and/or food preparation) must be conducted within a building. Health code refers to these vehicles as "itinerant restaurants".
- c) Sales on private property of packaged food and drink items from an I.C.T. are permitted with the following conditions:
  - 1) Only ready-to-eat food and beverages which have been prepared at an approved location not within the I.C.T. may be dispensed and sold.
  - 2) Use must be accessory (or customarily incidental) to an approved building or use on the lot. Therefore, sales must be intended only for the occupants of the existing building and/or use on the lot.
  - 3) Sales may be conducted on lots of any zone where construction pursuant to a valid building permit is in progress or on any other commercial or industrial zone lot. Sales from vacant lots are not permitted.
  - 4) Length of stay at a particular site must be of short duration and only as long as necessary to serve the occupants of the building on the lot where the I.C.T. is parked. Time of stay cannot extend so as to encourage sales to customers not connected with the building or use that is on the lot. During the time of stay, I.C.T. operator must maintain the premises in a clean and orderly condition.

In any case, an ICT must be moved to another location at least 500 ft. away measured in a straight line within each one hour period.

(Z.E. memo 9-2-93)

## **Section 12.26B**                      **Yard Area Modifications.**

This Section specifies in part: "...slight modifications from the yard requirements shall be limited to deviations permitting portions of buildings to extend into a required yard or other open space a distance of not to exceed 20 percent of the width or depth of such required yard or other open space. However, for structures and additions existing prior to January 1, 1995, slight modifications may be granted for yard deviations slightly over 20 percent." The following questions deal with the interpretation of this provision.

**Q<sub>1</sub>** - Is this restriction interpreted to apply to passageways and spaces between buildings in addition to yards?

**A<sub>1</sub>** - Yes, the language in the Ordinance: "a required yard or other open space", is intended to include passageways and required open space between buildings. Therefore any requests to deviate more than 20% of the required distance must be referred to City Planning. The