

SEC. 12.22. EXCEPTIONS.**A. Use.**

1. **Private Garage Not Required - Topography** - Where a lot abuts upon a street or place which due to topographic conditions or excessive grades is not accessible by automobile, and such lot is to be occupied by not more than a one-family dwelling, no private garage shall be required.

2. **Public Utilities and Public Services** - The provisions of this article shall not be so construed as to limit or interfere with the construction, installation, operation and maintenance for public utility purposes of water and gas pipes, mains and conduits, electric light and electric power transmission and distribution lines, telephone and telegraph lines, oil pipe lines, sewers and sewer mains, and incidental appurtenances.

3. **Family Day Care Homes. (Title and Subdiv. Amended by Ord. No. 173,085, Eff. 3/19/00.)** Notwithstanding any other provisions of this article to the contrary, and in all zones wherein residential uses are permitted by right the following shall apply:

(a) **Small Family Day Care Homes:** Any dwelling unit may be used as a small family day care home, with up to eight children, as defined in Section 12.03, if it is licensed by the State of California as a small family day care home. **(Amended by Ord. No. 176,545, Eff. 5/2/05.)**

(b) **Large Family Day Care Homes:** Any dwelling unit may be used as a large family day care home, with up to 14 children, as defined in Section 12.03, if it is licensed by the State of California as a large family day care home, and if it complies with the conditions set forth in Subparagraph (1) below. **(Amended by Ord. No. 176,545, Eff. 5/2/05.)**

(1) **Conditions.** A large family day care home shall comply with the following conditions:

(i) Provide drop-off facilities, such as curb spaces or driveway area, which are necessary to avoid interference with traffic and promote the safety of the children;

(ii) Comply with any standards adopted by the State Fire Marshal pursuant to Subdivision (d) of Section 1597.46 of the California Health and Safety Code relating to large family day care homes;

(iii) Comply with all provisions of the Los Angeles Municipal Code relating to large family day care homes and dwelling units;

(iv) The use shall not create an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties;

(v) Name plates and signs shall conform to the provisions of Section 12.21 A.7.;

(vi) Play equipment, swings, sandboxes, or structures shall be located in the rear yard only;

(vii) No loud speaker or public address system shall be installed or operated on any open portion of the premises, and any phonograph, radio or other recorded music used in connection with any activity shall be sufficiently modulated to ensure that the use does not disturb the adjoining and neighboring residents;

(viii) The existing residential character of the building and site shall be maintained, including the exterior facade, landscaping, fences, walls, lawn area, and driveways;

(ix) The floor space of any dwelling unit used for the operation of a large family day care home shall not be increased for such use, and the floor space shall not be altered to reasonably preclude its continued use as a dwelling unit; and

lot may be improved as though it is a separate lot, with the rear line of each approximately equidistant from the front lot lines. The location of all buildings and the number of dwelling units therein shall comply with the requirements of the zone in which the through lot is located, except that in any case there may be at least one single-family dwelling on each half. **(Amended By Ord. No 116,389, Eff. 6/29/60.)**

The provisions of this subdivision shall not apply to lots in the RE Zone, or to lots in any zone that are also within the "H" Hillside or Mountainous Area. **(Amended by Ord. No. 127,777, Eff. 8/1/64.)**

20. Projections Into Yards.

(a) A canopy above an entrance and extending over a driveway which leads to a detached garage or a parking space not abutting a dwelling, for the temporary shelter of automobiles, commonly referred to as a porte-cochere, may project into a required side yard, but not nearer than 30 in to any lot line, provided such structure is not more than one story in height and 20 feet in length, and is entirely open on at least three sides except for the necessary supporting columns and customary architectural features. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(b) Cornices, belt courses, sills, or other similar architectural features (not including bay windows or vertical projections), may project into a required side yard, other than the side yard adjoining the street lot line of a corner lot, not more than two inches for each one foot of width of such yard, and may project into a required front yard, rear yard, side yard adjoining the street lot line of a corner lot, passageway, or other open space not more than 30 inches, except as provided in Section 12.08.5 C.1.(c), provided the width of a side yard adjoining the street lot line of a corner lot is not reduced to less than three feet. Eaves may project into a required side yard, other than the side yard adjoining the street lot line of a corner lot, not more than four inches for each one foot of width of such side yard, provided the width of such side yard is not reduced to less than two and one-half feet. Eaves may also project into a required front yard, rear yard, side yard adjoining the street lot line of a corner lot, passageway, or other open space not more than 30 inches, provided the width of a side yard adjoining the street lot line of a corner lot is not reduced to less than two and one-half feet. Chimneys may project into a required passageway not more than one foot and may project into a required front yard, rear yard, side yard, or other required open space, except as provided in Section 12.08.5 C.1.(c), not more than two feet, provided the width of any required side yard is not reduced to less than three feet. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(c) Fire escapes may extend or project into any front, side or rear yard not more than four (4) feet.

(d) **(Amended by Ord. No. 138,685, Eff. 7/10/69.)** Except in an RW Zone, where a required passage may not be reduced in any manner, open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard not more than four feet, and such balconies may extend into a required front yard, passageway, other open space, or the side yard adjoining the street lot line of a corner lot, not more than 30 inches, provided the width of a side yard adjoining the street lot line or a corner lot is not reduced to less than 30 inches.

(e) Open, unenclosed porches, platforms, or landing places (including access stairways thereto) not covered by a roof or canopy, which do not extend above the level of the first floor of the building, may extend or project into the required front yard, side yard, rear yard, passageway, or other open space, not more than six feet, provided that in no event shall any such porch, platform or landing space be more than six feet above the natural ground level adjacent thereto. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(f) Fences and Walls in the A and R Zones. **(Amended by Ord. No. 154,798, Eff. 2/20/81.)**

(1) **Fences and Walls.** For the purposes of Article 2 through 6 of this chapter, the terms "fence" and "wall" shall include latticework, ornamental fences, screen walls, hedges or thick growths of shrubs or trees. Fence and wall height shall be measured from the natural ground level adjacent thereto.

(2) **Front Yards.** **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** In the R Zones, fences, walls, and landscape architectural features of guard railing around depressed ramps, not more than three and one-half feet in height above the natural ground level adjacent to the feature, railing or ramp, may be located and maintained in any required front yard. In the A Zones (including the RA Zone), a fence or wall not more than six feet in height may be located and maintained in the required front yard. In both the A and R Zones, a fence or wall not more than eight feet in height may be located and maintained in the required front yard when

In both the A and R zones, an unobstructed chainlink fence not more than ten feet in height may be located and maintained in all yards when required by the Department of Building and Safety pursuant to the provisions of Sections 91.3303 and 91.6103 and Division 89 of Article 1 of Chapter IX of this Code.

(3) Side Yards, Rear Yards and Other Spaces . (Amended by Ord. No. 173,492, Eff. 10/10/00.)

A fence or wall not more than eight feet in height may be located and maintained within the required side yard, rear yard or other open space of any lot in an RW Zone and within the required side yard, rear yard or other open space of a lot within any other A or R zone which is 40 feet or more in width, provided the lot is not located within the boundary of a "Hillside Area", as defined in Section 91.7003 of this Code.

A fence or wall not more than six feet in height may be located and maintained within the required side yard, rear yard or other open space of any lot in an A or R Zone, other than an RW Zone, which is less than 40 feet in width or which is located within the boundary of a "Hillside Area", as defined in Section 91.7003 of this Code, except that in either case a fence or wall not more than eight feet in height may be located in the yards or other open space when authorized by a Zoning Administrator pursuant to Section 12.21A2.

In the A Zones (including the RA Zone), a fence or wall not more than eight feet in height may be located on the side street lot line of any reversed corner lot; provided, however, that if the lot is located within the boundary of a "Hillside Area", as defined in Section 91.7003, the fence or wall shall not exceed six feet in height.

In the R Zones, other than the RW Zones, a fence or wall located within five feet of the side street lot line of a reversed corner lot may not exceed three and one-half feet in height. In the RW Zones, a fence or wall located within three feet of the side street lot line of either a corner lot or a reversed corner lot may not exceed three and one-half feet in height.

(4) Access Ways. Access ways shall be maintained in accordance with the provisions of Section 12.22C20(1).

(5) Maintenance of Fences and Walls. Fences shall be maintained in accordance with the provisions of Section 12.21A9.

(6) Masonry and Concrete Walls . (Amended by Ord. No. 173,492, Eff. 10/10/00.) A masonry or concrete fence or wall over three and one-half feet in height shall be built in accordance with the provisions of Section 91.106.1 of this Code.

(7) Fences and Walls Enclosing Parking Areas . Fences and walls enclosing parking areas shall be provided in accordance with the provisions of Section 12.21A6.

(8) Fences and Walls Around Pools . (Amended by Ord. No. 173,492, Eff. 10/10/00.) A fence or wall not exceeding four and one-half feet in height, as required by Section 91.6109 of this Code, may be erected and maintained to enclose a swimming pool, fish pond or other body of water existing in a required yard prior to June 1, 1956.

(9) Fences and Walls Around Schools. An open mesh type fence to enclose an elementary or high school site may be located and maintained in any required yard.

(10) Fences and Walls Around Tennis Courts. The provisions of Section 12.20 C 20(m) shall control with respect to tennis court fences.

(11) Fences and Walls at Street Intersections. Fences and Walls at street intersections shall comply with the provisions of 62.200 of this Code.

(g) **(None)**

(h) A one-story covered passageway, commonly referred to as a breezeway, not over five feet in width, extending from a main residential building to a private garage or other accessory building may be erected and maintained in a required rear yard. Such passageway shall be located not less than five feet from all lot lines and shall be unenclosed, except that on a corner lot there may be a wall or fence not over six feet in height along the street side of such passageway.

(i) Landscape features such as trees, shrubs, flowers or plants, shall be permitted in any required front, side, or rear yard, passageway or other open space, provided that they do not produce a hedge effect contrary to the provisions of Paragraphs (f) and (g) above. **(Amended by Ord. No. 107,884, Eff. 9/23/56.)**

(j) Name plates, signs, and advertising matter, as permitted by this article, may be located in any required front yard, side yard, rear yard, passageway or other open space; provided that the total area of all identification signs in any required yard, shall not exceed 12 square feet, and any sign appertaining to the sale of farm products raised or produced on the premises shall be located at least ten feet from any side lot line. **(Amended by Ord. No. 107,884, Eff. 9/23/56.)**

(k) Awnings or canopies without enclosing walls or screening may be attached to the exterior walls of a Group R or Group H Occupancy, provided that: such awnings or canopies do not extend more than four feet into a required front yard or building line space at the front of a lot, and have no vertical support within said yard or space; such awnings or canopies do not extend more than 30 inches into a required side yard, rear yard, building line space at the side of a lot, passageway or other open space, but in no event nearer than 30 inches to an interior lot line; and where such awnings or canopies project into a required front or side yard, passageway or other open space, they may extend only over the windows or doors to be protected and for 12 inches on each side thereof. **(Amended by Ord. No. 121,925, Eff. 6/4/62.)**

(l) Notwithstanding the provisions of this subdivision, no architectural feature, fire escape, porch, balcony, or other projection permitted in a yard, passageway or other open space, shall be located and maintained so as to preclude complete access about and on each side of and in close proximity to main buildings and accessory living quarters at all times. Where a fence or wall is provided or maintained, a gate or other suitable opening at least two and one-half feet in width shall be deemed adequate for access through said fence or wall; provided further that where such fence or wall is located adjacent to an alley and is over six feet in height, adequate access shall be provided through such wall or fence onto the adjacent alley. At least five feet of clear and open space shall be maintained between any two main buildings, including the projections, on any one lot. **(Amended by Ord. No. 154,798, Eff. 2/20/81.)**

(m) **(Added by Ord. No. 151,466, Eff. 10/27/78.)** Tennis or paddle tennis courts, including fences and light which are accessory to a primary residential use on the same lot in the A or R Zones may extend into a portion of the required rear yard of such lot if such court and its appurtenances meet all of the following conditions:

(i) The court surface is not more than 2 feet above the natural adjacent grade at any point.

(ii) The court is enclosed with a fence no higher than 10 feet above the court surface and all portions of such fence above a height of six feet are an open chain link type fence.

(iii) Any light standards and fixtures are no higher than 20 feet above the court surface.

(iv) The court is located a distance from the rear lot line at least equal to the width of the side yard required for a one-story main building in the zone but in no event less than 5 feet.

21. Lot Widths and Yard Requirements for RE15-H Zones. Lot widths and yard area requirements for the R1 Zone shall apply to lots in the RE15-H Zone if said lots are shown as numbered lots on a tentative subdivision tract map or parcel map approved by the Advisory Agency or the Director of Planning for the City of Los Angeles prior to January 1, 1967 and recorded in the Office of the Los Angeles County Recorder prior to July 1, 1967. **(Added by Ord. No. 134,673, Eff. 7/31/67.)**

22. Width and Area Flag Lots in Mountainous Areas. Where a flag lot is situated in the "H" Hillside or the Very High Fire Hazard Severity Zone pursuant to Section 57.4908 of the Municipal Code, the lot width may be calculated by measuring the width of the main buildable portion of said flag lot on a straight line parallel to the general direction of the frontage street