

Print

Los Angeles Charter and Administrative Code

CHAPTER 17

URBAN AGRICULTURE INCENTIVE ZONE CONTRACTS

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Sec. 19.170. Purpose.

The purpose of this chapter is to implement the "City of Los Angeles City Urban Agriculture Incentive Zone (UAIZ) Program", which promotes urban agriculture and increases access to healthy food in accordance with California Government Code Sections 51040, et seq., and County of Los Angeles Planning and Zoning Code (County Planning Code) Sections 22.52.3400, et seq., as amended from time to time. Under the UAIZ Program a property owner may voluntarily enter into an agreement with the City to use vacant or unimproved property for small-scale agricultural purposes (UAIZ Contract), and be subject to a reduced property tax assessment under California Revenue and Taxation Code Section 422.7 during the term of the agreement.

SECTION HISTORY

Chapter and Section Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.171. Eligibility Criteria.

(a) Eligibility for the City's UAIZ Program shall be assessed by the Designated Administrative Agency (DAA), defined in Section 19.172, based on the following criteria:

(1) Requirements set forth in California Government Code Sections 51040 et seq., as amended from time to time;

(2) Requirements set forth in the County Planning Code Sections 22.52.3400, et seq., as amended from time to time;

(3) Consistency with the definition of Urban Agriculture Incentive Zone as set forth in Los Angeles Municipal Code Section 12.03, as amended from time to time;

(4) The property must not be located, wholly or partially, on a site or facility listed on the Department of Toxic Substance Control's Envirostar Database; and

- (5) Any such other requirements imposed by the City or the DAA.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.172. Administration.

The DAA is the City department, board or office that has administrative responsibility under this chapter. For purposes of this chapter, the DAA is the Department of City Planning.

(a) The DAA shall promulgate rules and regulations for administration and implementation of this chapter, including, but not limited to, developing the application form and contracting requirements and procedures.

(b) The DAA shall coordinate with any relevant agencies to monitor compliance with this chapter, including investigation of alleged violations.

(c) The DAA shall have the authority to terminate UAIZ Contracts subject to the provisions of the UAIZ Contract, this chapter, and the DAA's rules and regulations governing this chapter.

(d) The DAA shall maintain a sample of the City's form UAIZ Contract containing all of the provisions required under this chapter.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.173. Required Provisions of Urban Agriculture Incentive Contract.

(a) UAIZ Contracts shall include:

(1) Those provisions required by Government Code Sections 51040, et seq., as amended from time to time;

(2) Those provisions required by the County Planning Code Sections 22.52.3400, et seq., as amended from time to time;

(3) Those provisions required by the DAA, and any subsequently adopted DAA rules and regulations; and

(4) A provision requiring the property owner to furnish the DAA with all information that the DAA requires to determine whether the property is eligible for the UAIZ Program.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.174. Procedures for Application and Execution of an Urban Agriculture Incentive Zone Contract.

(a) A property owner who is interested in participating in the City's UAIZ Program must perform the following steps:

(1) The property owner, or the property owner's agent as approved by the DAA, must file an application form with the DAA to enter into a UAIZ Contract;

(2) The property owner must use the application form required by the DAA and pay fees established by the DAA, if any; and

(3) The property owner must execute and notarize the UAIZ Contract, and submit it to the DAA. The UAIZ contract must be in a form approved and provided by the City, which includes the required provisions as set forth in Section 19.173.

(b) The DAA's responsibilities include:

(1) The DAA shall determine eligibility of the property owner for a UAIZ Contract pursuant to this chapter after the property owner submits a complete application to the DAA;

(2) If the property owner meets the City's eligibility criteria, the DAA shall confirm that the unrealized ad valorem property tax revenue does not exceed the maximum allocation, and that the subject property is current on all tax assessments;

(3) If the DAA determines that a property owner has received all of the required approvals for a UAIZ Contract pursuant to this chapter, the DAA shall notify the property owner and provide the property owner with the UAIZ Contract; and

(4) Once the DAA receives an original, notarized UAIZ Contract from the property owner, the City shall execute the UAIZ Contract and send the original copy of the fully executed UAIZ Contract to the property owner for recordation pursuant to the recordation process set forth in Section 19.175.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.175. Recordation of the Executed Urban Agriculture Incentive Zone Contract.

The following steps must be completed as a part of the UAIZ Contract recordation process:

(a) The property owner must record the UAIZ Contract with the Los Angeles County Registrar-Recorder/County Clerk;

(b) The property owner must provide the DAA with two certified copies of the recorded UAIZ Contract;

(c) The DAA shall provide a certified copy of the recorded UAIZ Contract to the Los Angeles County Office of the Assessor, in a form approved by the Assessor, and maintain a certified copy of the recorded UAIZ Contract in the City's files, in a form approved by the City;

(d) The DAA shall notify the property owner after the UAIZ Contract has been delivered to the Assessor's Office;

(e) Commencement date of the UAIZ Contract may be subject to limitations imposed by the County and the DAA; and

(f) The term of an approved UAIZ Contract shall commence on the first day of January following recordation of the UAIZ Contract.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.176. Enforcement.

Among other provisions, UAIZ Contracts must provide that a violation of this chapter shall constitute a material breach thereof and entitle the City to terminate the UAIZ Contract and pursue legal remedies that may be available.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.

Sec. 19.177. Severability.

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this chapter, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION HISTORY

Added by Ord. No. 185,022, Eff. 8-6-17.