

# History Comes Alive!

by Hynda Rudd,  
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Tales From the City Archives

## In the Zone



Kathy A. Kolnick

### ■ The City led the nation in creating zoning ordinances.

*When I worked as the Los Angeles City Archivist and Records Management Officer, I was very fortunate to meet individuals who explored the growth of this incredible megalopolis called Los Angeles. Kathy A. Kolnick is one of those spectacular people – she researched how Los Angeles developed zoning regulations a century ago. Much of her information came from the City's historical records found in the City Archives. Kathy A. Kolnick is a doctoral candidate in the School of Policy, Planning and Development at the University of Southern California, where she is also a Research Assistant at the Center in Crime and Social Control. The following is a synopsis of some of her findings.*

When I was first a graduate student in urban planning in Chicago, I learned that zoning was “invented” in New York City in 1916 and then spread westward. Later, when I moved to Los Angeles and started my doctoral studies at USC, I was surprised to discover that not only had the Los Angeles City Council created the first “residential district” regulations in the country in 1904, where particular business uses were not allowed, but that the City had a long history of ever-more-thoughtfully regulating the locations of different land uses.

The City Council made use of several tools (like fire district regulations, public health codes and nuisance complaints) that all U.S. cities traditionally used to address land use conflict and growth. LA then took this several steps further in the early 20th century to create a system of land use regulations that separated land uses into separate districts.

Of course, not everyone was happy about these land use regulations. The businesses targeted—for example, livery stables, lumberyards, brickyards, slaughterhouses and Chinese laundries, to name just a few—protested at City Council meetings, in the newspapers, and in court. They felt that their

rights were not sufficiently protected, while the City attorneys and the City Council were starting to think about the welfare of the City as a whole and how they could make Los Angeles a healthy environment for both residential development and business growth.

Until the early 1880s, when Los Angeles was still a small town with a relatively simple economy, traditional land use controls were sufficient to take care of conflicts. The City council passed fire district regulations in 1874 and 1882 that aimed to protect the central business district by prohibiting the storage of flammable materials like hay, lumber and kerosene, and requiring fireproof building construction. Another tool, part of our American inheritance from the English legal tradition, was the nuisance suit, which holds that one owner cannot use land in a way that deprives surrounding landowners of the enjoyment of their own properties. So, a factory with billowing smoke or foul smells could be forced to move if surrounding landowners were successful in court.

Public health codes were used increasingly by the late 1800s to control land use, especially against the Chinese living in Los Angeles. Though the size of that community was always small, the local outcry against their presence was large, influenced by the anti-Chinese fervor spreading throughout the Pacific Coast. Since at least 1874 in Los Angeles, Chinese laundries were the target of various restrictions. While no regulation to force the Chinese to move outside the City limits was ever passed—City attorneys reminded the City Councilmen that it would be unconstitutional—these efforts were the basis for the later campaigns to restrict the location of Chinese laundries.

City council petition #1666, signed by about 30 people who listed addresses around Fourth, Figueroa and Flower Streets, was submitted late in 1903. It stated that Chinese laundries in residential districts were a nuisance and adversely affected property values. The petitioners requested an ordinance to protect property owners from Chinese laundries.

On July 16, 1904, the Los Angeles Times reported that the Council's legislation committee was considering the creation of residence districts. City attorney William Burgess Mathews suggested that each of the nine Councilmen “submit a district in his ward in which the people desire protection from business encroachment.” Mathews was inspired to suggest this solution by a recent Illinois court decision that allowed for “local option” in creating residential districts.

The next week, the City Council adopted Ordinance #9774 N.S., creating the boundaries of three residential districts in three wards where Chinese laundries would be prohibited. The other six wards, for unknown rea-

sons, did not participate.

Perhaps one cause was the distraction caused by the recall of the Sixth Ward Councilman that same summer; another might have been the outcry surrounding the destructive fire and proposed rebuilding of the Cudahy Slaughterhouse on Macy (now Cesar Chavez) at the LA River. Working-class residents of the surrounding neighborhoods signed petitions calling for a Citywide vote on the locations of slaughterhouses. This contentious ballot took place in December. Slaughterhouses were allowed to remain within only the Sixth and Eighth wards, just west of the river, but the growing anti-factory sentiment worried business organizations that wanted to promote the City in eastern newspapers as a good place to relocate or open branch offices.

By 1908, they had influenced the City Council to pass an industrial districting ordinance (#17,135 N.S.), where factories could safely operate in six districts without fear of neighbors' complaints. The entire remainder of the City became one large residential district.

“This settled the question—for about five minutes,” according to the LA Times. The industrial districts proved too small, and did not account for growth. The threat of losing new enterprises to nearby cities or unincorporated areas of the county, where settlement was less dense and risks to invest and operate were lower, was very real. And all the many factories already in place in what had now become a part of the expanded residence district were left in limbo, at the mercy of the neighbors, where any change in operations or replacement of equipment could prompt demands for their ouster.

In November 1909, a joint committee of the City Council, the Merchants and Manufacturers Association and the Chamber of Commerce began an investigative tour of the City. The two major business associations hoped to create business areas so well integrated with the transportation system that they could inaugurate a nationwide campaign of industrial recruitment into Los Angeles. The result of this collaborative effort was the industrial district ordinance passed in December 1909 (#19,500 N.S.) that enlarged the industrial area to seven districts on both sides of the river, completely blanketed the Eighth Ward, the north and east portion of the Seventh Ward, and adjacent areas of the Fifth and Sixth Wards along the former southern boundary of the City at Slauson Avenue.

Meanwhile, the residence district that covered all

remaining parcels, first created in 1908, remained in force. The City Council, through the City Attorney's office, began to exercise more muscle in enforcing the relocation or closure of businesses around the City. Three business owners fought back. Quong Wo (owner of a laundry at Flower and Seventh), Robert Montgomery (owner of a lumberyard at Figueroa and Avenue 61) and Joseph Hadacheck (owner of a brickyard at Crenshaw and Pico) each took the City to court, arguing that the industrial ordinance overstepped the limits of municipal authority.

The businessmen lost their cases at the California high court in 1911, 1912 and 1913; the City's program of creating districts to separate land uses was vindicated. Cities around the country, confronted by many of the same growth issues, took notice of what was going on in Los Angeles. When Hadacheck, who appealed to the federal Supreme Court, ultimately lost his case in 1915, the whole country was put on notice that cities could regulate land use for the benefit of the public health and welfare as Los Angeles had been doing for the past ten years.

By the time Los Angeles adopted its first zoning code in 1921, the City had enlarged the industrial districts from 1909 with 75 additional districts of varying size (and more than 130 “exceptions” to residence districts—non-conforming uses, grandfathered in). While the City planners had surveyed the City to create the maps that accompanied the 1921 ordinance, much of their work had already been done for them in the numerous innovative districting ordinances that had been hotly contested since the turn of the 20th century.

Did You Know?

**...On June 19, 1930, Ordinance 66883 (N.S.) created the City's first transportation agency called the Bureau of Street Traffic Engineering. The director of the Bureau reported to the Police Commission.**

*Did You Know is provided by Larry Williams, Bureau of Contract Administration.*