

ANALYSIS

This ordinance amends the Los Angeles County Code, Title 22 – Planning and Zoning, to establish new development standards and case processing procedures for accessory dwelling units and junior accessory dwelling units in the unincorporated areas of Los Angeles County.

Very truly yours,

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By



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SC:ss

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ORDINANCE NO. 2020-0059

An ordinance amending the Los Angeles County Code, Title 22 – Planning and Zoning, to establish new development standards and case processing procedures for accessory dwelling units and junior accessory dwelling units in the unincorporated areas of Los Angeles County.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.14.010 is hereby amended to read as follows:

22.14.010 A.

Accessory building or structure. A detached building or structure that is subordinate and incidental in use to the principal building or use on the same lot, and located in the same or a less restrictive zone.

Accessory dwelling unit and junior accessory dwelling unit. The following terms are defined for the purposes of Section 22.140.160 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

Accessory dwelling unit. A dwelling unit with independent exterior access that is either attached to, located within the existing living area, or detached from and located on the same lot as a single-family residence or multi-family residential building, including mixed use development. This term includes a senior citizen residence, a second unit, and an accessory dwelling unit approved prior to May 30, 2019. This term also includes a manufactured home, as defined in Section 18007 of the California Health and Safety Code. An accessory dwelling unit is accessory to a single-family residence the principal residential use; and does not count toward the allowable density

~~for the lot upon which it is located; is a residential use that is consistent with the existing general plan and zoning designation for the lot; and~~ for the purposes of zoning or General Plan consistency. An accessory dwelling unit includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

Junior accessory dwelling unit. A dwelling unit, with independent exterior access, that is no more than 500 square feet in size and contained entirely within the footprint of a single-family residence, including an attached garage. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the single-family residence, as set forth in section 65852.22(h)(1) of the California Government Code, or a successor provision.

Public transit. As defined in section 65852.2(j)(10) of the California Government Code.

...

Affordable housing and senior citizen housing. The following terms are defined for the purposes of Chapter 22.120 (Density Bonus) and Chapter 22.166 (Housing Permits):

Affordable housing cost. As defined in ~~§~~section 50052.5 of the California Health and Safety Code.

Affordable housing set-aside. Dwelling units reserved for extremely low, very low, lower, or moderate income households.

Affordable rent. As defined in ~~§~~section 50053 of the California Health and Safety Code.

Baseline dwelling units. The maximum number of dwelling units permitted by the General Plan land use designation.

Child care facility. As defined in §section 65915(h)(4) of the California Government Code.

Common interest development. As defined in §section 4100 of the California Civil Code.

Density bonus. See "Density bonus."

Housing development. A development project for five or more dwelling units, including mixed use developments. It may also be a subdivision or a common interest development, as defined in §section 4100 of the California Civil Code, approved by the County and consisting of dwelling units or unimproved residential lots. It may also be either a project to substantially rehabilitate and convert an existing commercial building to residential use, or the substantial rehabilitation of an existing multi-family dwelling, as defined in §section 65863.4(d) of the California Government Code, where the result of rehabilitation would be a net increase in available dwelling units.

Incentive. As specified in §section 65915(k) of the California Government Code, a reduction of a development standard or a modification of a zoning code requirement, or other regulatory incentive or concession, that results in identifiable and actual cost reductions to provide for affordable housing costs or rents.

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Major transit stop. As defined in §section 21155(b) of the California Public Resources Code.

Senior citizen. A person who is 55 years of age or older, pursuant to Sections 51.3, 798.76 or 799.5 of the California Civil Code, as applicable.

Senior citizen housing.

Mobilehome park for senior citizens. A mobilehome park that limits residency based on age requirements, pursuant to Section 798.76 or 799.5 of the California Civil Code.

Senior citizen housing development. As defined in Section 51.3(b) of the California Civil Code.

Special needs housing. As defined in Section 51312 of the California Health and Safety Code.

Specific adverse impact. As defined in Section 65589.5(d)(2) of the California Government Code.

Waiver or reduction of development standards. As specified in Section 65915(e) of the California Government Code, a waiver or reduction of development standards that has the effect of physically precluding the construction of a project at the densities or with the incentives permitted by Chapter 22.120 (Density Bonus).

...

Airport. This term shall have the same meaning as set forth in Section 21013 (State Aeronautics Act) of the California Public Utilities Code.

...

SECTION 2. Section 22.14.130 is hereby amended to read as follows:

22.14.130 M.

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Mills Act Program. The following terms are defined solely for Chapter 22.168 (Los Angeles County Mills Act Program):

Application. An application to enter into an historical property contract.

Historical property contract. A contract between the Director and the owners of a qualified historical property which meets all the requirements of Chapter 22.168 (Los Angeles County Mills Act Program) and Sections 50280 through 50290, inclusive, of the California Government Code.

...

Qualified historical property. Property which meets the definition of a "qualified historical property," as set forth in Section 50280.1 of the California Government Code and is located within the unincorporated areas of the County. A property located within a federal, State, or County registered historic district is not a "qualified historical property" under Chapter 22.168 (Los Angeles County Mills Act), unless the property is certified by the County, State, or Secretary of Interior as being of historic significance to the relevant historic district.

...

Mobilehome. As defined in Section 18008 of the California Health and Safety Code.

Mobilehome park. As defined in Section 18214 of the California Health and Safety Code.

Motel. A lodging establishment containing a group of attached or detached buildings containing guest rooms and offering temporary overnight visitor accommodations with a maximum rental period of 30 days. Access to some or all guest rooms is from a walkway open to the outside. This term includes "auto court," "motor lodge," and "tourist court."

Multi-family housing.

...

Townhouse. A single-family dwelling unit sharing a common wall with other single-family dwelling units on one or two sides and capable of being placed on a separate lot. This term includes "row house."

Two-family residence. A building containing two dwelling units, other than a single-family residence with an attached accessory dwelling unit. This term includes "duplex."

SECTION 3. Section 22.14.200 is hereby amended to read as follows:

22.14.200 T.

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Tasting Rooms and Wineries. The following terms are defined solely for Section 22.140.590 (Tasting Rooms and Remote Tasting Rooms) and Section 22.140.610 (Wineries):

...

Winery facilities. All structures and accessory structures as used by a winery, as defined above, including the paved parking areas required by Section 22.140.610 for mobile bottling or crushing facilities, but excluding any tasting room area or structure.

...

~~Two family residence. A building containing two dwelling units, other than a single family residence with an attached accessory dwelling unit. This term includes "duplex."~~

SECTION 4. Section 22.16.030 is hereby amended to read as follows:

22.16.030 Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.16.030-C, below, identifies the permit or review required to establish each accessory use.

| TABLE 22.16.030-C: ACCESSORY USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES | | | | | | |
|---|------------|------------|----------------|----------------|----------------|------------------------|
| | A-1 | A-2 | O-S | R-R | W | Additional Regulations |
| ... | | | | | | |
| Accessory dwelling units ² | SPR | SPR | SPR | SPR | SPR | Section 22.140.640 |
| ... | | | | | | |
| Junior accessory dwelling units ² | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | Section 22.140.640 |
| ... | | | | | | |

| | | | | | | |
|---|---|-----|-----|-----|---|--|
| Parking lots, excluding commercial parking lots ³⁴ | - | - | SPR | - | - | |
| ... | | | | | | |
| Refreshment stands ⁴⁵ | - | CUP | CUP | SPR | - | |
| ... | | | | | | |
| Room rentals ⁵⁶ | P | P | - | - | - | |
| ... | | | | | | |

Notes:

...

2. Use may be subject to a Revised Exhibit "A" (Chapter 22.184) application instead, if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application.

3. Use does not permit residential accessory structures. Any other non-habitable accessory structures shall be limited to 400 square feet in floor area.

34. Use shall be developed in compliance with Chapter 22.112 (Parking).

45. Use permitted when operated in conjunction with, and intended to serve the patrons of, a use permitted in the zone, but not as a separate enterprise.

56. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.

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SECTION 5. Section 22.18.030 is hereby amended to read as follows:

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

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C. Use Regulations.

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2. Accessory Uses. Table 22.18.030-C, below, identifies the permit or review required to establish each accessory use.

| TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|------------------------|
| | R-A | R-1 | R-2 | R-3 | R-4 | R-5 | Additional Regulations |
| ... | | | | | | | |

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES

| | | | | | | | |
|---------------------------------|------------|------------|------------|------------|------------|----------------|--------------------|
| Accessory dwelling units | SPR | SPR | SPR | SPR | SPR | SPR | Section 22.140.640 |
| ... | | | | | | | |
| Junior accessory dwelling units | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | Section 22.140.640 |
| ... | | | | | | | |

...

SECTION 6. Section 22.18.060 is hereby amended to read as follows:

22.18.060 Development Standards and Regulations for Zone RPD.

Premises in Zone RPD shall be subject to the following regulations:

A. Use Regulations.

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2. Conditional Uses. A Conditional Use Permit (Chapter 22.158)

application is required if the property in Zone RPD is to be used for a planned residential development, including a mobilehome park, subject to the approval by the Commission or Hearing Officer, which will afford the same or lesser density of population or intensity of use than is specified in the zone, subject to Subsections B through G, below.

3. Accessory Dwelling Units and Junior Accessory Dwelling Units.

Accessory dwelling units and junior accessory dwelling units are subject to a Ministerial Site Plan Review (Chapter 22.186) application, or a Revised Exhibit "A" (Chapter 22.184) application, if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application, pursuant to Subsection A.2, above.

...

SECTION 7. Section 22.20.030 is hereby amended to read as follows:

22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.20.030-C, below, identifies the permit or review required to establish each accessory use.

| TABLE 22.20.030-C: ACCESSORY USE REGULATIONS FOR COMMERCIAL ZONES | | | | | | | | |
|--|------------------------------------|------------|------------|-----------------|-----------------|------------|-------------------|---------------------------------|
| | C-H | C-1 | C-2 | C-3 | C-M | C-MJ | C-R | Additional Regulations |
| ... | | | | | | | | |
| Accessory buildings and structures, unless more specifically regulated by this Title 22 | As determined by the principal use | | | | | | | Sections 22.110.030, 22.110.040 |
| <u>Accessory dwelling units²</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | Section 22.140.640 |
| ... | P | P | P | P | P | P | P | |
| Alcoholic beverage sales, for off-site consumption | CUP ²³ | CUP | CUP | CUP | CUP | CUP | CUP | Section 22.140.030 |
| ... | | | | | | | | |
| Boats, minor repair of, accessory to the sale of boats | - | - | - | p ³⁴ | p ³⁴ | - | - | |
| ... | | | | | | | | |
| Manufacturing, processing, treating, packaging, and storage, accessory to a business on the premises | - | - | - | SPR | SPR | - | CUP ³⁴ | Section 22.140.340 |
| ... | | | | | | | | |
| <u>Junior accessory dwelling units²</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | <u>SPR</u> | Section 22.140.640 |
| ... | | | | | | | | |
| Refreshment stands | - | - | - | - | - | - | SPR ⁴⁵ | |
| ... | | | | | | | | |

| | | | | | | | | |
|----------------------------|---|---|---|---|---|---|---|--|
| Room rentals ⁵⁶ | P | P | P | P | P | P | P | |
| ... | | | | | | | | |

Notes:

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2. Use may be subject to a Revised Exhibit "A" (Chapter 22.184) application instead, if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application.

3. Use excludes bars and cocktail lounges.

34. Use is permitted within an enclosed building only.

45. Use is permitted only in conjunction with, and intended to, serve the patrons of a use permitted in the zone, but not as a separate enterprise.

56. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.

...

SECTION 8. Section 22.24.030 is hereby amended to read as follows:

22.24.030 Land Use Regulations for Rural Zones.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.24.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES

| | C-RU | MXD-RU | Additional Regulations |
|--|------------|----------------|---------------------------|
| ... | | | |
| Accessory dwelling units ² | SPR | SPR | Section 22.140.640 |
| ... | | | |
| Boats, minor repair of, accessory to the sale of boats ²³ | P | P | |
| ... | | | |
| <u>Junior accessory dwelling units ²</u> | <u>SPR</u> | <u>SPR</u> | <u>Section 22.140.640</u> |
| ... | | | |
| Room rentals ³⁴ | P | P | |

TABLE 22.24.030-C: ACCESSORY USE REGULATIONS FOR RURAL ZONES

Notes:

- ...
2. Use may be subject to a Revised Exhibit "A" (Chapter 22.184) application instead, if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application.
23. Use is permitted within an enclosed building only.
34. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.

...

SECTION 9. Section 22.26.030 is hereby amended to read as follows:

22.26.030 Mixed Use Development Zone.

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B. Land Use Regulations.

...

3. Use Regulations.

...

b. Accessory Uses. Table 22.26.030-D, below, identifies the permit or review required to establish each accessory use.

TABLE 22.26.030-D: ACCESSORY USE REGULATIONS FOR ZONE MXD

| | | Additional Regulations |
|--|------------------------------------|---------------------------------|
| Accessory buildings and structures | As determined by the principal use | Sections 22.110.030, 22.110.040 |
| Access to property lawfully used for a purpose not permitted in Zone MXD | SPR | |
| <u>Accessory dwelling units</u> | <u>SPR</u> | <u>Section 22.140.640</u> |
| ... | | |
| Home-based occupations | P | Section 22.140.290 |
| <u>Junior accessory dwelling units</u> | <u>SPR</u> | <u>Section 22.140.640</u> |
| ... | | |

...

SECTION 10. Section 22.46.030 is hereby amended to read as follows:

22.46.030 Administration.

...

B. Exceptions.

...

3. Accessory Dwelling Units and Junior Accessory Dwelling Units.

Where the regulations in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) are contrary to the provisions in a Specific Plan regulating the same matter, the provisions in the Specific Plan shall prevail, unless specified otherwise in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

SECTION 11. Section 22.112.070 is hereby amended to read as follows:

22.112.070 Required Parking Spaces.

A. Required Parking Spaces. Table 22.112.070-A, below, identifies the minimum number of parking spaces required to establish each use.

| TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES | |
|---|--------------------------------------|
| Use | Number of Spaces |
| ... | |
| Residential uses ⁴ | |
| Accessory dwelling units ^{10, 11} | 1 uncovered standard space per unit. |
| ... | |

TABLE 22.112.070-A: MINIMUM REQUIRED PARKING SPACES

| | |
|---|---|
| Apartments ^{5,10} | |
| Bachelor | 1 covered standard space per dwelling unit. |
| Efficiency and one-bedroom | 1.5 covered standard space per dwelling unit. |
| <u>Junior accessory dwelling units</u> | <u>No spaces required.</u> |
| ... | |
| Two-family residences | 3 covered standard spaces and 1 covered or uncovered standard space per two-family residence. |
| ... | |
| Single-family residences ¹⁰ | 2 covered standard spaces per unit. |
| Single-family residences | 2 covered standard spaces per unit. |
| ... | |
| Notes: | |
| ... | |
| 10. When a garage or carport is converted to an accessory dwelling unit, any parking spaces required for the primary residence may be provided as covered spaces, uncovered spaces, or tandem spaces in compliance with Section 22.04.030.B and Section 22.140.640.H.6. <u>parking spaces for the primary residence shall not be required to be replaced. If parking is provided for the primary residence or residences, it may be provided as covered spaces, uncovered spaces, or tandem spaces, in compliance with Section 22.040.030.B (Use Restrictions) and Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units).</u> | |
| 11. See additional ADU parking provisions in Section 22.140.640.H.6G.1.d (Parking). | |

...

SECTION 12. Section 22.140.640 is hereby amended to read as follows:

22.140.640 Accessory Dwelling Units and Junior Accessory

Dwelling Units.

A. Purpose. This Section is to provide for the development of accessory dwelling units and junior accessory dwelling units with appropriate development restrictions, pursuant to sections 65852.2 and 65852.22 of the California Government Code section 65852.2.

B. ~~Applicability. This Section shall not apply to the~~applies to accessory dwelling units and junior accessory dwelling units in all zones where permitted, except that in a Coastal Zone, where the~~as defined in Division 2 (Definitions of Title 22), accessory dwelling units and junior accessory dwelling units shall be subject to the regulations set forth in the~~an applicable Local Coastal Program shall control.

C. ~~Permitted~~Prohibited Areas. ~~Except as specified in Subsection D, below, an accessory dwelling unit is permitted where single family residences are permitted with a Ministerial Site Plan Review (Chapter 22.186).~~

1. Accessory dwelling units and junior accessory dwelling units shall be prohibited in the following areas:

a. On lots that are located in the area between Old Topanga Canyon Road, the Coastal Zone boundary, the City of Calabasas, and the City of Los Angeles; and

b. On lots that are located in the Santa Monica Mountains North Area and only have vehicular access from Lobo Canyon Road or Triunfo Canyon Road.

2. Very High Fire Hazard Severity Zone.

a. Where a lot, or any portion thereof, is located within a Very High Fire Hazard Severity Zone, as depicted in the General Plan, and a Hillside Management Area, as depicted in the General Plan, other than those described in Section 22.104.030.D, an accessory dwelling unit or a junior accessory dwelling unit

shall be prohibited on the lot, unless it has two distinct means of vehicular access to a highway that meet the following requirements:

i. The two distinct means of vehicular access, as measured from the lot frontage to the point of intersection with a highway, shall not overlap with each other. For example, see Figure 22.140.640-A, below;

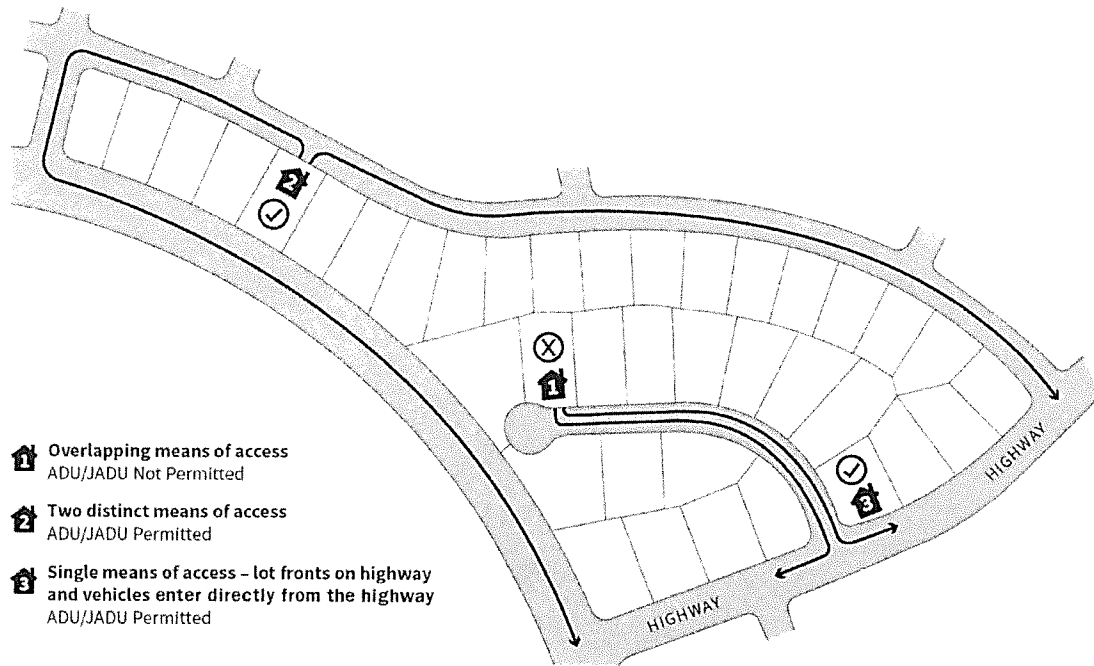
ii. Each distinct means of vehicular access shall contain pavement of at least 24 feet in width, exclusive of sidewalks; and

iii. Each distinct means of access shall be built to public street standards approved by Public Works.

b. Where a lot or any portion thereof is located within a Very High Fire Hazard Severity Zone and is not located within a Hillside Management Area, an accessory dwelling unit or a junior accessory dwelling unit shall be prohibited on the lot, unless it has two distinct means of vehicular access from the lot to a highway that meet the requirements in Subsection C.2.a, above, except that the means of vehicular access may include an unpaved road of at least 24 feet in width maintained by Public Works.

c. Notwithstanding Subsections C.2.a and C.2.b, above, accessory dwelling units and junior accessory dwelling units shall be permitted on lots with a single means of vehicular access, if such lots front a highway and vehicles enter directly from the highway. For example, see Figure 22.140.640-A, below.

FIGURE 22.140.640-A: VEHICULAR ACCESS REQUIREMENTS IN THE VERY HIGH FIRE HAZARD SEVERITY ZONE



D. ~~Prohibited Areas.~~ An accessory dwelling unit is not permitted on a lot, if any of the following apply:

1. ~~The lot is located in a Very High Fire Hazard Severity Zone and contains a Hillside Management Area other than those described in Section 22.104.030.D, and it does not have two means of access to a highway that meet the following requirements:~~

a. ~~Both means of access contain at least 24 feet in unobstructed width, as measured from the lot until it reaches the nearest highway; and~~

~~b. Both means of access are built to public street standards approved by Public Works.~~

~~2. The lot is located in a Very High Fire Hazard Severity Zone, and does not contain a Hillside Management Area, and does not have two means of access to a highway that meet both the following requirements:~~

~~a. The required unobstructed width specified in Subsection D.1.a, above; and~~

~~b. Both means of access meet the requirement specified in Subsection D.1.b, above, or are dirt roads maintained by Public Works.~~

~~3. The lot is located in the area between Old Topanga Canyon Road, the Coastal Zone boundary, the City of Calabasas, and the City of Los Angeles;~~

~~4. The lot is located in the Santa Monica Mountains North Area and can only take vehicular access from Lobo Canyon Road or Triunfo Canyon Road.~~

~~E. Application Requirements. An approved Ministerial Site Plan Review (Chapter 22.186) is required to establish an accessory dwelling unit that is located in a permitted area as provided in Subsection C, above.~~

~~FD. Timeline for Review and Decision. Complete applications for an accessory dwelling unit shall be approved or denied by the Department within 120 days.~~

~~1. General. A decision on an application for an accessory dwelling unit or a junior accessory dwelling unit shall be made within 60 days of application submittal.~~

2. If an application for an accessory dwelling unit or a junior accessory dwelling unit is submitted concurrently with a Ministerial Site Plan Review (Chapter 22.186), or a Revised Exhibit "A" (Chapter 22.184) application, for a new single-family residence on the lot, a decision on the application for the accessory dwelling unit or junior accessory dwelling unit may be delayed until a decision on the application for the new single-family residence is made.

3. If the applicant requests a delay in writing, the 60-day time period shall be tolled for the period of the delay.

E. Maximum Number of Accessory Dwelling Units and Junior Accessory Dwelling Units. Table 22.140.640-A, below, identifies the maximum number of accessory dwelling units and junior accessory dwelling units permitted on a lot:

| Table 22.140.640-A: MAXIMUM NUMBER OF ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS PERMITTED ON A LOT | | |
|--|--|---|
| <i>Principal Use on a Lot</i> | <i>Maximum Number</i> | |
| | <i>Accessory Dwelling Units</i> | <i>Junior Accessory Dwelling Units</i> |
| <u>One proposed or existing, legally-built single-family residence in any zone that allows residential use</u> | 1 | 1 |
| <u>Any existing, legally-built housing type other than one single-family residence in any zone that allows residential use</u> | <u>1 or 25 percent of existing dwelling units, whichever is greater, converted from spaces within existing residential building(s); and</u> <u>2 detached from existing residential building(s)</u> | = |

G.F. Use Restrictions. An accessory dwelling unit or a junior accessory dwelling unit shall be subject to all of the following use restrictions:

1. An accessory dwelling unit may be developed if the lot:

~~a. — Contains no habitable structures other than the legally built single-family residence; or~~

~~b. — Will only have one new detached primary single-family residence permitted concurrently with the accessory dwelling unit, and no other habitable structures.~~

~~2. — No more than one accessory dwelling unit is permitted on any lot.~~

~~3. — An accessory dwelling unit shall not be separately sold from the single-family residence on the same lot.~~

~~4. — An accessory dwelling unit may only be used as a rental unit for a period of at least 30 consecutive days. The applicant shall record in the Registrar/Recorder/County Clerk, an agreement to this effect as a covenant running with the land for the benefit of the County of Los Angeles, and the covenant shall also declare that any violation thereof shall be subject to the enforcement procedures of Chapter 22.242 (Enforcement Procedures). Recordation of the covenant must occur prior to issuance of a certificate of occupancy by the County.~~

~~5. — An accessory dwelling unit shall not be used for a home-based occupation if there is a home-based occupation in the single-family residence.~~

1. Ownership. An accessory dwelling unit or a junior accessory dwelling unit shall not be sold separately from the principal residential building(s) on the same lot.

2. Duration of Tenancy. An accessory dwelling unit or a junior accessory dwelling unit may only be used as a rental unit for a period of at least 30 consecutive days.

3. Home-Based Occupation Prohibited. No home-based occupation shall be conducted within an accessory dwelling unit or a junior accessory dwelling unit.

HG. Development Standards.

~~1. Single-Family Residence Standards~~Accessory Dwelling Units. ~~An accessory dwelling unit shall comply with Section 22.140.580 (Single-Family Residences), except Section 22.140.580.B (Minimum Building Width) and Section 22.140.580.C (Minimum Floor Area) shall be superseded by this Subsection H.~~

2a. Floor Area.

ai. Minimum. An accessory dwelling unit shall have a minimum floor area of 150 square feet, with one habitable room with a minimum floor area of 70 square feet.

bii. Maximum.

1.(1) General.

(1a) The maximum floor area of an accessory dwelling unit shall be 1,200 square feet, if the accessory dwelling unit is any of the following:

(ai) A new detached structure; or

(bii) ~~Entirely within an existing, legally-~~

~~built single-family residence; or~~ The result of the conversion of an existing, legally-built

accessory structure with an addition to expand the floor area of said structure by more than 150 square feet.

~~(c) The result of the conversion of an existing, legally built accessory structure with no expansion of the floor area of said structure.~~

(b) There is no maximum floor area for an accessory dwelling unit, if the accessory dwelling unit is any of the following:

(i) Entirely within an existing, legally-built single family or multi-family residential building; or

(ii) The result of the conversion of an existing, legally built accessory structure, with an expansion of not more than 150 square feet beyond the same physical dimensions of said structure, solely for the purpose of accommodating ingress and egress.

~~(2c) For an attached accessory dwelling unit not described in Subsections H.2.b.i.(1)(b)G.1.a.ii.(1)(a)(ii) or H.2.b.i.(1)(c)G.1.a.ii.(1)(b), above, the total floor area of the attached accessory dwelling unit shall not exceed 50 percent of the habitable area of saidthe single-family residence at the time of application submittal, or 1,200 square feet, whichever is less, provided at least an 800 square foot accessory dwelling unit is allowed.~~

~~ii(2). ExceptionsCommunity Standards District and Specific Plans. For an accessory dwelling unit not described in Subsections H.2.b.i.(1)(b) or H.2.b.i.(1)(c), aboveAccessory dwelling units shall not be subject to any~~

Community Standards District or Specific Plan provision pertaining to floor area, gross structural area, or lot coverage.

~~(1) Hillside Management Areas. The total floor area of the accessory dwelling unit in a Hillside Management Area shall not exceed 50 percent of the habitable area of the single-family residence at the time of application submittal, or 800 square feet, whichever is less.~~

~~(2) Community Standards Districts and Specific Plans. Notwithstanding Subsection H.2.b.ii.(1), above, the accessory dwelling unit shall be subject to all applicable Community Standards District or Specific Plan provisions pertaining to floor area and lot coverage, and in no case shall:~~

~~(a) The total floor area of a new detached accessory dwelling unit exceed the maximum floor area specified in Subsection H.2.b.i.(1), above; and~~

~~(b) The total floor area of an attached accessory dwelling unit exceed the maximum floor area specified in Subsection H.2.b.i.(2), above.~~

3b. Height.

aj. General.—The maximum height of an accessory dwelling unit on a lot with an existing or proposed single-family residence shall be 25 feet.

~~bii. Exceptions~~ The maximum height for detached accessory dwelling units on a lot containing an existing multi-family dwelling structure or structures shall be 16 feet.

~~iii. The height of an existing structure shall be deemed~~ There is no maximum height for an accessory dwelling unit, if the accessory dwelling unit is any of the following:

(1) Entirely within an existing, legally-built ~~single-family residence~~ or multi-family residential building; or

(2) The result of the conversion of an existing, legally built accessory structure with ~~no expansion of the floor area of said structure~~ an expansion of not more than 150 square feet beyond the same physical dimensions of said structure, limited to accommodating ingress and egress.

~~ii. For an accessory dwelling unit not described in Subsection H.3.b.i., above:~~

~~(1)~~ iv. Community Standards Districts and Specific Plans. Any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, shall not exceed the maximum height specified in a Community Standards District or Specific Plan, or 25 feet, whichever is less, provided that the maximum height allows a minimum 16-foot-high accessory dwelling unit.

~~(2)~~ v. Proximity to Scenic Resources. Notwithstanding Subsection H.3.b.ii.(1) G.1.b.iv, above, if any new accessory dwelling unit, or expanded

portion of an existing structure that is part of a proposed accessory dwelling unit, is located within 200 feet of an adopted route with scenic qualities, Scenic Route, Scenic Drive, or Scenic Highway, the new accessory dwelling unit or expanded portion shall not exceed the height of the single-family residence or multi-family residential building, or 18 feet, whichever is less, provided that the maximum height allows a minimum 16-foot-high accessory dwelling unit.

~~4. Distance from Single-Family Residence. The distance between a detached accessory dwelling unit and the single family residence shall be as follows:~~

~~a. A minimum of six feet; and,~~

~~b. In Hillside Management Areas, a maximum of 25 feet, unless the accessory dwelling unit is the result of the conversion of an existing, legally built accessory structure with no expansion of the floor area of the structure.~~

~~5c. Required Yards.~~

~~aj. The depth of a yard between the existing structure and an existing lot line shall be deemed the required yard depth, if the accessory dwelling unit is any of the following:~~

~~i.(1) Entirely within an existing, legally-built single-family residence; or~~

~~ii.(2) The result of the conversion of an existing, legally-built accessory structure with no expansion of the floor area of said structure, or constructed in the same location and to the same dimensions as an existing structure.~~

bii. For an accessory dwelling unit not described in

Subsection H.5.aG.1.d.i, above:

~~i. Any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, shall be at least five feet from the rear, interior side, and corner side lot lines.~~

ii.(1) Any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, shall be at least four feet from the rear, interior side, and corner side lot lines, notwithstanding any contrary provisions in this Title 22.

~~iii.(2) An accessory dwelling unit that is built above a garage shall be at least five~~four feet from the reversed corner side lot line, notwithstanding any contrary provisions in this Title 22.

~~6d.~~ Parking.

~~a. Parking for an accessory dwelling unit shall be provided in accordance with Chapter 22.112 (Parking), with the following exceptions:~~

~~i. No parking shall be required for an accessory dwelling unit that is located outside of a Very High Fire Hazard Severity Zone; or,~~

~~ii. In any of the following instances, pursuant to California Government Code section 65852.2(d):~~Parking for an accessory dwelling unit located within a Very High Fire Hazard Severity Zone shall be provided in accordance with Chapter 22.112 (Parking), unless any of the following exceptions are met, in which case no parking shall be required:

(1) The accessory dwelling unit has no bedroom;

(2) The accessory dwelling unit is detached, with a maximum floor area of 800 square feet and a maximum height of 16 feet, and is located on a lot with a proposed or existing single-family residence;

(3) The accessory dwelling unit is detached, with a maximum height of 16 feet and minimum rear and side yard depths of four feet, and is located on a lot with an existing multi-family residential building;

(4) The accessory dwelling unit is entirely within an existing, legally-built single-family or multi-family residential building;

(5) The accessory dwelling unit is the result of the conversion of an existing, legally built accessory structure with an expansion of not more than 150 square feet beyond the same physical dimensions of said structure, limited to accommodating ingress and egress;

(46) The accessory dwelling unit is located within one-half mile walking distance of public transit;

(27) The accessory dwelling unit is located within an architecturally and historically significant historic district;

~~(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure;~~

(48) When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or

(59) When there is a car share vehicle located location within one block of the accessory dwelling unit.

iii. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted into an accessory dwelling unit, no replacement parking shall be required for the accessory dwelling unit or single-family or multi-family residential building.

biv. Required When parking is required for the accessory dwelling unit or single-family residence or multi-family residential building, such parking may be located on a driveway, or in an area that is no longer previously used as a driveway to a garage or carport, due to the conversion of that garage or carport to that has since been demolished in conjunction with the construction of an accessory dwelling unit or converted into an accessory dwelling unit.

le. Distance from Publicly Dedicated Open Space. In any Fire Hazard Severity Zone, as defined in Title 32 (Fire Code) of the County Code, an accessory dwelling unit shall be located at least 200 feet from publicly dedicated open space, provided an accessory dwelling unit with side and rear yard setbacks of at least four feet is allowed.

f. Roof and Exterior Siding Materials. An accessory dwelling unit shall comply with Section 22.140.580.D (Roof and Exterior Siding Materials).

2. Junior Accessory Dwelling Units.

a. Floor Area.

i. Maximum. A junior accessory dwelling unit shall not exceed 500 square feet in size and shall contain at least an efficiency kitchen, which includes cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.

ii. Community Standards Districts and Specific Plans. The junior accessory dwelling unit shall not be subject to any Community Standards District or Specific Plan provision pertaining to floor area, gross structural area, or lot coverage.

b. Separate Entrance. A junior accessory dwelling unit shall have a separate entrance from the single-family residence.

c. Access to Bathroom. Access to a bathroom shall be required, which may be part of the square footage of the junior accessory dwelling unit or located within the existing single-family residence. If the unit's bathroom is provided as part of the single-family residence, the junior accessory dwelling unit shall have interior access to the main living area of the single-family residence.

H. Covenant Requirement for Junior Accessory Dwelling Unit. The owner shall record a covenant in a form prescribed by the County, which shall run with the land for the benefit of the County and provide for the following:

1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence;

2. A restriction on the size and attributes of the junior accessory dwelling unit consistent with this Section; and

3. A requirement that either the primary residence or the junior accessory dwelling unit be the owner's bona fide principal residence, unless the owner is a governmental agency, land trust, or housing organization.

I. Owner Occupancy.

1. If a property contains a junior accessory dwelling unit, either the single-family residence or junior accessory dwelling unit shall be the principal residence of at least one legal owner of the lot, as evidenced at the time of approval of the junior accessory dwelling unit by appropriate documents of title and residency, unless the property is owned by a governmental agency, land trust, or housing organization.

2. Release of Owner-Occupancy Covenant. The County of Los Angeles releases its interest in any covenant for an accessory dwelling unit that required owner-occupancy in perpetuity of either the single-family residence or the accessory dwelling unit that is located on the same lot, recorded in the Registrar-Recorder/County Clerk, running with the land for the benefit of the County of Los Angeles.

J. Community Standards Districts and Specific Plans. Where the regulations in this Section are contrary to the provisions in a Community Standards District or Specific Plan regulating the same matter, the provisions of the Community Standards District or Specific Plan shall prevail, with the following exceptions:

1. Use. Neither Community Standards Districts nor Specific Plans shall prohibit or require a discretionary permit for an accessory dwelling unit or a junior accessory dwelling unit in areas where residential uses are permitted; and

2. Development Standards. As specified otherwise in this Section.

K. Notwithstanding any contrary provision in this Title 22, the approval of an accessory dwelling unit or a junior accessory dwelling unit shall not be subject to the correction of any nonconforming zoning condition, including buildings or structures nonconforming due to standards or use, as defined in Section 22.14.020 of Division 2 (Definition), provided that the lot is in a zone that allowed residential use.

L. To the extent that any provision of this Title 22 is in conflict with law sections 65852.2 or 65852.22 of the California Government Code, the applicable provision of State law shall control, but all other provisions of this Title 22 shall remain in full force and effect.

SECTION 13. Section 22.172.050 is hereby amended to read as follows:

22.172.050 Termination Conditions and Time Limits.

...

C. Exception. The termination periods enumerated in this Section shall not apply to one-family and two-family dwellings, ~~or to accessory dwelling units,~~ or junior accessory dwelling units.

SECTION 14 Section 22.300.020 is hereby amended to read as follows:

22.300.020 Application of Community Standards Districts to

Property.

...

B. Additional Regulations.

...

2. Accessory Dwelling Units and Junior Accessory Dwelling Units.

~~CSD regulations shall apply to accessory dwelling units as follows: Where the regulations in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) are contrary to the provisions in a CSD regulating the same matter, the provisions in the CSD shall prevail, unless specified otherwise in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units).~~

a. ~~— CSD regulations shall only apply to accessory dwelling units not described in Section 22.140.640.H.2.b.i.(1)(b) and 22.140.640.H.2.b.i.(1)(c); and~~

b. ~~— Where the regulations in Section 22.140.640 (Accessory Dwelling Units) are contrary to the provisions in a CSD regulating the same matter, the provisions in Section 22.140.640 shall prevail, except for Section 22.140.640.H.2 (Floor Area) and Section 22.140.640.H.3 (Height).~~

[2214010SCCC]

SECTION 15 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Kathryn Barger

Chair

ATTEST:

Celia Zavala

Celia Zavala
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of October 13, 2020 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Noes

Supervisors Hilda Solis
Mark Ridley-Thomas
Sheila Kuehl
Janice Hahn
Kathryn Barger

Supervisors None

Effective Date: November 12, 2020

Operative Date: _____

Celia Zavala

Celia Zavala
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

CELIA ZAVALA
Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
Deputy



APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By *[Signature]*
Lawrence L. Hafetz
Chief Deputy County Counsel