ORDINANCE NO. 186481

An ordinance amending Sections 12.03, 12.22 and 12.33, and repealing portions of Section 12.24, of Chapter 1 of the Los Angeles Municipal Code for the purpose of regulating Accessory Dwelling Units and Junior Accessory Dwelling Units in accordance with State law.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. The following definitions are added to Section 12.03 of the Los Angeles Municipal Code in proper alphabetical order as follows:

ACCESSORY DWELLING UNIT (ADU). An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the single-family or multifamily dwelling is or will be situated. ADUs include efficiency units as defined in Section 17952.1 of the Health and Safety Code, manufactured homes as defined in Section 18007 of the Health and Safety Code, and Movable Tiny Houses.

JUNIOR ACCESSORY DWELLING UNIT (JADU). A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A Junior Accessory Dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

MOVABLE TINY HOUSE. An enclosed space intended for separate, independent living quarters of one family as defined in Section 12.03 of this Code and that meets all of the following:

(a) Is licensed and registered with the California Department of Motor Vehicles;

(b) Meets the American National Standards Institute (ANSI) 119.5 requirements or the National Fire Protection Association (NFPA) 1192 standards, and is certified for ANSI or NFPA compliance;

(c) Cannot move under its own power;

(d) Is no larger than allowed by California State Law for movement on public highways; and

(e) Is no smaller than 150 and no larger than 430 square feet as measured within the exterior faces of the exterior walls.
Sec. 2. A new Subdivision 33 is added to Subsection A of Section 12.22 of the Los Angeles Municipal Code to read as follows:

33. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU).

(a) **Purpose.** The purpose of this subdivision is to provide for the creation of ADUs and JADUs consistent with California Government Code Sections 65852.2 and 65852.22, as amended from time to time.

(b) **Applicability.** The following development standards shall apply:

(1) A detached ADU shall be approved if in compliance with all of the provisions provided in Paragraphs (c) and (d).

(2) An attached ADU shall be approved if in compliance with all of the provisions provided in Paragraphs (c) and (e).

(3) A Movable Tiny House (MTH) shall be approved if in compliance with all of the provisions in Paragraph (c), except for those provisions in Paragraph (c) which apply solely to buildings and structures; and all of the provisions in Paragraph (f).

(4) A JADU shall be approved if in compliance with all of the provisions provided in Sections 65852.2(e)(1)(A) and 65852.22 of the Government Code.

(5) An ADU described by Section 65852.2(e)(1)(A) or (C) of the Government Code shall be approved if in compliance with all of the applicable provisions in Section 65852.2(e) of the Government Code.

(6) An ADU described by Section 65852.2(e)(1)(B) or (D) of the Government Code shall be approved if in compliance with all of the applicable provisions in Section 65852.2(e) of the Government Code; and all of the applicable provisions of Paragraphs (c), (d) and (e) of this subdivision, except for those provisions which do not allow such an ADU otherwise in compliance with all applicable provisions in Section 65852.2(e) of the Government Code; and all of the provisions provided in Paragraph (g).

(c) **Development Standards.**

(1) Comply with all applicable objective provisions required pursuant to Chapter 1 of this Code, including provisions stated in the underlying applicable zone and height district, Specific Plan, Historic Preservation Overlay Zone, Community Planning Implementation Overlay
and other applicable zoning ordinances, policies or other documents established pursuant to Chapter 1, Article 3 of this Code. In any instance where there is conflict, this subdivision shall govern. Notwithstanding the prior two sentences and notwithstanding anything to the contrary in this Subdivision 33:

(i) No minimum lot size requirement shall apply to an ADU;

(ii) No minimum square footage requirement for either an attached or detached ADU shall apply that prohibits an efficiency unit;

(iii) No other minimum or maximum size for an ADU, including size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, shall apply for either attached or detached dwellings that does not permit at least an 800 square foot ADU that is at least 16 feet in height with 4-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(2) An ADU which complies with this subdivision shall not require a discretionary planning approval. The ADU project shall be reviewed in a ministerial and administrative manner, limited to only considering the project’s compliance with the applicable objective standards. An application to create an ADU shall be acted upon within 60 days from the date the City receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an ADU unit is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU until the City acts on the permit application to create the new single-family dwelling. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

(3) Except where otherwise prohibited by this subdivision, an ADU is permitted in all zones where residential uses are permitted by right.

(4) No ADU is permitted on any lot that is located in both a Very High Fire Hazard Severity Zone designated by the City of Los Angeles Fire Department pursuant to Government Code Section 51178 and a Hillside Area as defined by the Hillside Area Map pursuant to Section 12.03 of this Code, unless it meets one of the following exceptions:
(i) The ADU is located within the boundaries of either the Northeast Los Angeles Community Plan Area or the Silver Lake – Echo Park – Elysian Valley Community Plan Area; or

(ii) The ADU complies with all of the following requirements:

   a. Notwithstanding Subparagraph (c)(10) below, the ADU is protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code;

   b. Notwithstanding Subparagraph (c)(12) below, one off-street parking space is provided for the ADU; and

   c. The ADU is located on a lot fronting on a street that is improved with a roadway width of 20 feet or more in unobstructed width, as measured along the entire frontage of the subject property, after any associated dedication and improvement. In the event the ADU is located on a Through Lot or a Corner Lot, the lot must front on at least one street that is improved with a roadway width of 20 feet or more in unobstructed width after any associated dedication and improvement.

(5) Except as otherwise permitted by this subdivision, only one ADU is permitted per lot.

(6) An ADU may only be created on a lot that contains a proposed or existing dwelling. Other non-residential uses and accessory residential uses may be permitted on the lot, consistent with the uses permitted by the zone.

(7) No passageway for an ADU, nor space between buildings, as per LAMC 12.21.C.2 and LAMC 12.21.C.5(d), is required in conjunction with the construction of an ADU. Building Code separation requirements still apply.

(8) No additional setbacks shall be required for an existing living area or accessory structure, or a structure constructed in the same location and to the same dimensions as an existing structure, converted to an ADU or portion of an ADU. A setback of no more than 4 feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.
(9) ADUs are required to comply with all applicable Building and Residential Codes for the proposed use.

(10) ADUs are not required to provide fire sprinklers if they are not required for the primary residence.

(11) ADUs located where a private sewage disposal system is being used, shall require approval by the local health officer.

(12) Parking Requirements:

(i) ADU Parking. One parking space is required for an ADU, except that no parking is required for an ADU that is:

a. Located within one-half mile walking distance of a public transit. For this purpose, public transit means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public; or

b. Located within one block of a designated pick-up and drop-off location of a car share vehicle; or

c. Located in an architecturally and historically significant district listed in or formally determined eligible for listing in the National Register of Historic Places or California Register of Historical Resources or located in any City Historic Preservation Overlay Zone; or

d. Part of the proposed or existing primary residence or an accessory structure.

(ii) ADU Parking Location. ADU parking is allowed in any yard area or passageway. When located in a required front yard, the parking must be located on an existing driveway. Parking may be provided through tandem parking where two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another. Driveway access areas located in the required front yard shall not be expanded to provide required parking. Other objective parking and driveway standards in the LAMC apply, including those found in Sections 12.21 A.5 and 12.21 A.6. However, Section 12.21 A.6(d) of this Code shall not apply to parking required for an ADU.
(iii) Replacement Parking. No replacement parking shall be required when a garage, carport or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU.

(d) Detached Accessory Dwelling Unit Requirements. Detached ADUs, except those described in Paragraph (f), below, must comply with all provisions of Paragraph (c) and all of the following provisions provided in this Paragraph (d). In addition, Detached ADUs must comply with all applicable provisions of Section 12.21 C.5 that are not in conflict with these Paragraphs (c) and (d).

1. The Floor Area for a detached ADU shall not exceed 1,200 square feet. Limits on Floor Area on a lot apply separately and may further limit allowable Detached ADU square footage, except as otherwise provided by this Subdivision 33.

2. Structures containing a detached ADU shall not be greater than two stories.

3. Detached ADUs shall not be located between a proposed or existing dwelling unit and the street adjoining the front yard, except in the following cases:

   (i) Where the ADU is on a Through Lot and complies with LAMC Section 12.21 C.5(k); or

   (ii) Where the ADU is being added to a lawfully existing garage or accessory structure building.

(e) Attached Accessory Dwelling Unit Requirements. Attached ADUs can be either attached to or completely contained within an existing or proposed dwelling, and must comply with all provisions in Paragraph (c) and all of the following provisions in this Paragraph (e):

1. If there is an existing primary dwelling, the Floor Area of an attached ADU may not exceed 50 percent of the existing primary dwelling.

2. Limits on Floor Area on a lot apply separately and may further limit allowable attached ADU square footage, except as otherwise provided by this Subdivision 33.

3. Nothing in this subdivision shall prohibit an attached ADU with a Floor Area of less than 850 square feet, or less than 1,000 square feet for an attached ADU that provides for more than one bedroom.
(f) **Requirements for Movable Tiny Houses as Accessory Dwelling Units.** A Movable Tiny House must comply with all of the provisions provided in Paragraph (c) except for any provisions in Paragraph (c) which apply solely to buildings and structures; and this Paragraph (f):

1. Only one Movable Tiny House is allowed to be located on a lot and no lot may be approved for more than one moveable tiny house in a twelve month period.
2. When sited on a lot, the undercarriage (wheels, axles, tongue and hitch) shall be hidden from view.
3. The wheels and leveling or support jacks must sit on a paved surface compliant with LAMC 12.21 A.6(c).
4. Mechanical equipment shall be incorporated into the structure and not located on the roof.
5. Movable Tiny Houses shall be connected to water, sewer and electric utilities.
6. Moveable Tiny Houses are not required to have separate street addresses from the primary dwelling unit.
7. Movable Tiny Houses are not required to have sprinklers, but shall follow the ANSI A119.5 or NFPA 1192 standards relating to health, fire and life-safety.
8. Movable Tiny Houses shall have the following design elements:
   
   (i) Cladding and Trim. Materials used on the exterior of a moveable tiny house shall exclude single piece composite, laminates, or interlocked metal sheathing.
   
   (ii) Windows and Doors. Windows shall be at least double pane glass and labelled for building use, and shall include exterior trim. Windows and doors shall not have radius corners.
   
   (iii) Roofing. Roofs shall have a minimum of a 12:2 pitch for greater than 50 percent of the roof area, and shall not be composed of wooden shingles.
   
   (iv) Extensions. All exterior walls and roof of a moveable any tiny house used as an ADU shall be fixed with no slide-outs,
tip-outs, nor other forms of mechanically articulating room area extensions.

(9) Movable Tiny Houses shall not be greater than two stories.

(10) Movable Tiny Houses shall not be located between the proposed or existing single-family dwelling unit and the street adjoining the front yard, except where the Movable Tiny House is on a Through Lot and complies with LAMC 12.21 C.5(k).

(g) Accessory Dwelling Units Otherwise Required By State Law.
An application for a building permit shall be approved to create an ADU pursuant to Section 65852.2(e)(1)(B) or (D) of the Government Code within a residential or mixed-use zone, in compliance with all of the applicable provisions in Section 65852.2(e) of the Government Code; and all of the applicable provisions of Paragraphs (c),(d) and (e) of this subdivision, except for those provisions which do not allow such an ADU otherwise in compliance with all applicable provisions in Section 65852.2(e) of the Government Code; and all of the following requirements:

(1) An ADU created pursuant to Section 65852.2(e)(1)(B) of the Government Code shall have a Floor Area of not more than 800 square feet and a height of no more than 16 feet; and

(2) An ADU created pursuant to Section 65852.2(e)(1)(B) or (D) of the Government Code shall not be located on any lot that is located in both a Very High Fire Hazard Severity Zone designated by the City of Los Angeles Fire Department pursuant to Government Code Section 51178 and a Hillside Area as defined by the Hillside Area Map pursuant to Section 12.03 of this Code, unless it meets one of the exceptions stated in Subparagraph (4) of Paragraph (c) of this subdivision;

(h) General Provisions. The following general provisions apply to all ADUs, JADUs, and lots where any ADU or JADU is located.

(1) In the event where an ADU or JADU would be created as a result of a conversion of an entire existing dwelling unit, any newly constructed dwelling unit located between the ADU or JADU, and the rear lot line, shall not exceed 1,200 square feet.

(2) In cases where additional dwelling units are added to a lot after the creation of the ADU or JADU, an ADU and JADU will be counted towards the overall number of dwelling units as permitted by the zone.
(3) ADUs and JADUs may be rented but shall not be sold separate from the existing or proposed dwelling unit on the same lot. Movable Tiny Houses may be sold when removed from the lot.

(4) Applicants for ministerial approval of a permit application for the creation of an ADU or JADU shall not be required to correct nonconforming zoning conditions. For this purpose, nonconforming zoning condition means a physical improvement on a property that does not conform to current zoning standards.

(5) A certificate of occupancy for an ADU or JADU shall not be issued before a certificate of occupancy for the primary dwelling.

(i) Zoning Administrator Authority. It is the intent of the City to retain all portions of this subdivision regarding ADUs and JADUs not in conflict with state law. The Zoning Administrator shall have authority to clarify, amend or revoke any provision of this subdivision as may be necessary to comply with any state law regarding ADUs or JADUs.

(j) Interpretation Consistent with State Law. This subdivision is not intended to conflict with state law. This subdivision shall be interpreted to be compatible with state enactments.

(k) California Coastal Act. Nothing in this subdivision shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 [Division 20 (commencing with Section 30000) of the Public Resources Code], except that the Department shall not be required to hold public hearings for coastal development permit applications for ADUs or JADUs.

(I) Enforcement. Enforcement of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an ADU described in paragraph (1) or (2) below, upon request of an owner of an ADU, shall be delayed subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The ADU unit was built before January 1, 2020.

(2) The ADU was built on or after January 1, 2020, in a local jurisdiction that, at the time the ADU was built, had a noncompliant ADU ordinance, but the ordinance is compliant at the time the request is made.

Sec. 3. Subdivisions 43 and 44 of Subsection W of Section 12.24 of the Los Angeles Municipal Code are hereby repealed.
Sec. 4. Subsection C of Section 12.33 of the Los Angeles Municipal Code is amended to read as follows:

C. **Subject Properties.** All new residential dwelling units and joint living and work quarters shall be required to dedicate land, pay a fee or provide a combination of land dedication and fee payment for the purpose of acquiring, expanding and improving park and recreational facilities for new residents. For the purposes of this subsection, dwelling units, Accessory Dwelling Units, Junior Accessory Dwelling Units, and joint living and work quarters shall be referred to as “dwelling units” or “residential dwelling units.”

Sec. 5. Paragraph (e) of Subdivision 3 of Subsection C of Section 12.33 of the Los Angeles Municipal Code is amended to read as follows:

(e) Accessory Dwelling Units and Junior Accessory Dwelling Units.

Sec. 6. Subdivision 4 of Subsection K of Section 12.33 of the Los Angeles Municipal Code is added to read as follows:

4. Any Accessory Dwelling Unit or Junior Accessory Dwelling Unit project where the park fee has not yet been paid and a Certificate of Occupancy has not been issued by the Department of Building and Safety prior to the effective date of this ordinance shall not be subject to a park fee.

Sec. 7. **SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provisions and, to the end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted and every provision and portion thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 8. **URGENCY CLAUSE.** The City finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: The City is currently in the midst of a housing crisis, with the supply of affordable options unable to support the demand for housing in the City. The US Census reports that vacancy rates for housing in the Los Angeles area are currently among the lowest of any major city. Housing options currently available and affordable for many in the City include Accessory Dwelling Units and Junior Accessory Dwelling Units. Additionally, while Accessory Dwelling Units and Junior Accessory Dwelling Units are assets in mitigating the housing crisis, Los Angeles is a very unique city for the amount of mountain terrain and hillside areas located within its boundaries. The City's hillside areas are often characterized by larger amounts of natural vegetation and substandard streets. They are typically far from public transit, services or jobs. Impacts
of new construction are often multiplied in hillside neighborhoods, with pronounced impacts on water and sewer services, congestion, parking availability, roadway degradation, and public safety due to construction vehicles and machinery forced to park and transverse narrow hillside streets. Hillside areas also have a higher fire and natural disaster risk, while the winding roads slow emergency response times. For these reasons the ordinance prohibits Accessory Dwelling Units located in both a Very High Fire Hazard Severity Zone designated by the City of Los Angeles Fire Department pursuant to Government Code Section 51178 and a Hillside Area as defined by the Hillside Area Map pursuant to Section 12.03 of this Code, unless they meets requirements deemed necessary to protect the public peace, health, and safety. Given their unique characteristics and development challenges, these areas have long had distinct zoning and land use policies, including the development regulations. Therefore, immediate action is necessary to bring the City’s regulations into compliance with State law while preventing the development of Accessory Dwelling Units located in both a Very High Fire Hazard Severity Zone and Hillside Area unless they meets requirements deemed necessary to protect the public peace, health, and safety; and allow the regulated development of Accessory Dwelling Units. For all of these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.
Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____________________________
STEVEN BLAU
Deputy City Attorney

Date __________

File No. ______

Pursuant to Charter Section 559, I disapprove this ordinance on behalf of the City Planning Commission and recommend that it not be adopted.

VINCENT P. BERTONI, AICP
Director of Planning

Date __________

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, by a vote of not less than three-fourths of all its members.

CITY CLERK

[Document file path]

MAYOR

Ordinance Passed __________

12/11/2019

Approved __________

12/13/2019

Published Date: 12/19/2019
Ordinance Effective Date: 12/19/2019
Council File No.: 16-1468
February 27, 2020

TO: Department of City Planning Staff;
Structural Plan Check Engineers and Building Inspectors;
Interested Parties

FROM: Estineh Mailian, Chief Zoning Administrator, Department of City Planning
Chad Doi, Zoning Engineer, Department of Building and Safety

SUBJECT: Implementation of 2019 Accessory Dwelling Unit (ADU) Ordinance and State ADU Law

The City’s Accessory Dwelling Unit (ADU) Ordinance No. 186,481 became effective December 19, 2019. Among additional matters, it added Los Angeles Municipal Code (LAMC) Section 12.22 A.33. This new section includes local development standards and incorporates certain state law development standards and requirements for ADUs and Junior Accessory Dwelling Units (JADUs) in Government Code (GC) Sections 65852.2 and 65852.22.

The first section of this memorandum summarizes the development standards and requirements for the different types of ADUs along with JADUs permitted in the City. The second section further outlines the development standards for ADUs and JADUs required to be approved per GC Section 65852.2(e)(1) incorporated by reference into the ADU Ordinance. The third section describes additional state law provisions applicable to ADUs and JADUs but not included in the ADU Ordinance. Section four answers common questions related to implementation of the ADU Ordinance and state law.

This memorandum supersedes and replaces all documents previously issued by Los Angeles City Planning (LACP) and the Los Angeles Department of Building and Safety (LADBS) pertaining to implementation of ADU and second dwelling unit regulations, such as Zoning Administrator’s Interpretations, Zoning Administrator Memorandums, Inter-Departmental memoranda, and Intra-Departmental correspondence.

I. Summary of ADU and JADU Development Standards and Requirements

ADUs are permitted through a ministerial process in all zones which allow for any type of residential use and where there is a proposed or existing dwelling unit (or units) on the Lot. JADUs are similarly permitted in single-family zones where there is a proposed or existing single-family dwelling on the Lot. Multiple ADUs may be permitted on a Lot, zoned for residential uses, and developed with an existing multifamily dwelling.
Table 1 and Table 2 on the following pages provide a summary of the key provisions found in the ADU Ordinance and state law. Table 1 summarizes key provisions applicable to detached ADUs (located in an accessory building) and Movable Tiny Houses (MTHs). Table 2 summarizes key provisions applicable to attached ADUs (physically attached to the primary dwelling) and JADUs.

The “Combinations of ADUs and JADUs” subsection that follows the tables explains when more than one ADU/JADU is allowed on the same Lot.
### Table 1: Detached Accessory Dwelling Units and Movable Tiny Houses

<table>
<thead>
<tr>
<th>Required Main Use on the Lot</th>
<th>Detached ADU Options (located in an accessory building)</th>
<th>Movable Tiny House per Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Conversion of Accessory Building per State Law</td>
<td>800 SF max New Construction per State Law</td>
</tr>
<tr>
<td></td>
<td>CA Govt. Code 65852.2(e)(1)(A)</td>
<td>CA Govt. Code 65852.2(e)(1)(B) and applicable part² of LAMC 12.22 A.33(c)-(d), (g)</td>
</tr>
<tr>
<td>Number of ADUs Allowed by Option</td>
<td>1 per Lot</td>
<td>1 per Lot</td>
</tr>
<tr>
<td>Additional ADU/JADU Options for the Lot³</td>
<td>Plus 1 JADU (in single-family zones)</td>
<td>Plus 1 JADU (in single-family zones)</td>
</tr>
<tr>
<td>Very High Fire Hazard Severity Zone/Hillside Area Restriction⁴</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>ADU Size Limit</td>
<td>None, plus 150 SF max addition for ingress/egress</td>
<td>800 SF</td>
</tr>
<tr>
<td>ADU Height/Story Limit</td>
<td>None</td>
<td>16 feet</td>
</tr>
<tr>
<td>ADU Minimum Side and Rear Yard Setbacks</td>
<td>None</td>
<td>4 feet⁶</td>
</tr>
<tr>
<td>ADU Automobile Parking⁷</td>
<td>None</td>
<td>Yes (see LAMC 12.22 A.33(c)(12))</td>
</tr>
</tbody>
</table>

¹ The information shown in this table is only a summary of the key provisions for each option. Refer to the listed code section(s) for all the required development standards and regulations.
² Except for those provisions which do not allow such an ADU otherwise in compliance with all applicable provisions in Government Code Section 65852.2(e) and LAMC 12.22 A.33(g).
³ Refer to the “Combinations of ADUs and JADUs” subsection for details regarding when more than one ADU/JADU option is allowed on the same Lot.
⁴ Exceptions provided in LAMC 12.22 A.33(c)(4)(i) and (ii).
⁵ Unless limited by other applicable zoning rules such as floor area limits for the Lot, Lot coverage limits, or location of accessory building regulations; however, standards that limit floor area or Lot coverage may not preclude an ADU that is up to 800 square feet maximum, if no more than 16 feet in height and with 4 foot minimum side and rear yard setbacks per LAMC 12.22 A.33(c)(1)(iii).
⁶ No additional setbacks are required for a structure that is constructed in the same location and to the same dimensions as an existing structure per LAMC 12.22 A.33(c)(8).
⁷ One space is required for an ADU unless 1) located within ¼ mile walking distance from a bus or rail stop, 2) one block from a designated car share pickup or drop off location, 3) within an applicable historic district, or 4) when an ADU is fully contained within an existing accessory structure. In addition, replacement parking is not needed when a garage, carport or parking structure is demolished in conjunction with ADU construction.
## Table 2: Attached Accessory Dwelling Units and Junior Accessory Dwelling Units

<table>
<thead>
<tr>
<th>Required Main Use on the Lot</th>
<th>Attached ADU Options (physically attached to the primary dwelling)</th>
<th>Junior ADU per State Law</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Attached ADU Contained in Existing SFD per State Law</td>
<td>Attached ADU Contained in Proposed SFD per State Law</td>
</tr>
<tr>
<td>Required Main Use on the Lot</td>
<td>Existing single-family dwelling</td>
<td>Proposed single-family dwelling</td>
</tr>
<tr>
<td>Applicable Code Section(s) for Listed Option</td>
<td>CA Govt. Code 65852.2(e)(1)(A)</td>
<td>CA Govt. Code 65852.2(e)(1)(A)</td>
</tr>
<tr>
<td>Number of ADUs/JADUs Allowed by Option</td>
<td>1 per Lot</td>
<td>1 per Lot</td>
</tr>
<tr>
<td>Additional ADU/JADU Options for the Lot</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Very High Fire Hazard Severity Zone/Hillside Area Restriction</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>ADU/JADU Size Limit</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>ADU/JADU Height/Story Limit</td>
<td>N/A</td>
<td>Zoning height limit</td>
</tr>
<tr>
<td>ADU/JADU Min. Side and Rear Yard Setbacks</td>
<td>N/A</td>
<td>Zoning setbacks</td>
</tr>
<tr>
<td>ADU/JADU Automobile Parking</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

8 The information shown in this table is only a summary of the key provisions for this option. Refer to the listed code section(s) for all the required development standards and regulations.

9 When part of a proposed single-family dwelling, applicable development standards will apply to the entire building.

10 Refer to the "Combinations of ADUs and JADUs" subsection for details regarding when more than one ADU/JADU option is allowed on the same Lot.

11 Exceptions provided in LAMC 12.22 A.33(c)(4)(i) and (ii).

12 Unless limited by other applicable zoning rules such as floor area limits for the Lot, Lot coverage limits, or yard setbacks; however, standards that limit floor area or Lot coverage may not preclude an ADU that is up to 800 square feet maximum, if no more than 16 feet in height and with 4 foot minimum side and rear yard setbacks per LAMC 12.22 A.33(c)(1)(iii).

13 Except that an attached ADU with a floor area of less than 850 square feet, or less than 1,000 square feet for an attached ADU that provides for more than one bedroom, is allowed to exceed this 50% limit and any overall floor area limit for the Lot per LAMC 12.22 A.33(e)(3).

14 One space is required for an ADU unless 1) located within ½ mile walking distance from a bus or rail stop, 2) one block from a designated car share pickup or drop off location, 3) within an applicable historic district, or 4) part of a proposed or existing residence. In addition, replacement parking is not needed when a garage, carport or parking structure is demolished in conjunction with ADU construction.
Combinations of ADUs and JADUs

On single-family zoned Lots with a single-family dwelling, state law allows one JADU to be created per GC Section 65852.2(e)(1)(A). The JADU may be permitted in addition to either a detached ADU or a Movable Tiny House on the same Lot.

On Lots with an existing multifamily dwelling, up to two detached ADUs created per GC Section 65852.2(e)(1)(D) may be permitted, along with one or more ADUs created within the existing space of a multifamily dwelling described in subparagraph (C).

II. Development Standards for ADUs and JADUs Required to be Approved by Government Code Section 65852.2(e)(1)

As indicated in Tables 1 and 2 above, the ADU Ordinance contains provisions for establishing detached ADUs, attached ADUs, and MTHs and provides the required development standards for each option (see paragraphs (d), (e), and (f) respectively, of LAMC Section 12.22 A.33). The remaining options listed in the tables for detached ADUs, attached ADUs, and JADUs are incorporated by reference in the ADU Ordinance (LAMC 12.22 A.33(b)(4), (5), and (6)) but are more fully explained in state law (see subparagraphs (A), (B), (C), and (D) of GC Section 65852.2(e)(1)). The applicable standards and requirements for these state law options are presented below as a reference for implementation.

As referenced in LAMC Sections 12.22 A.33(b)(4), (5) and (6) and 12.22 A.33(g), there are four provisions for ADUs and JADUs in state law (GC 65852.2(e)(1)(A)-(D)) that provide special allowances from otherwise applicable ADU development standards. Their applicability depends on whether the ADU/JADU will be located on a Lot with a single-family or multifamily dwelling and meets the specified requirements. The ADU Ordinance includes these four state provisions by reference in LAMC 12.22 A.33(b)(4)-(6). The full relevant portions of GC 65852.2(e)(1) are copied below:

(A) One ADU or JADU per lot with a proposed or existing single-family dwelling, if all of the following apply:

(i) The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The JADU complies with the requirements of Section 65852.22.

(B) One detached, new construction, ADU that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described in subparagraph (A). A local agency may impose the following conditions on the ADU:
(i) A total floor area limitation of not more than 800 square feet.
(ii) A height limitation of 16 feet.

(C)

(i) Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.
(ii) A local agency shall allow at least one ADU within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two ADUs that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

A. ADUs Required to be Approved by State Law

1. State Law ADUs within Single-Family and Multifamily Dwellings and Existing Accessory Buildings (Detached ADUs, Attached ADUs, and JADUs per GC 65852.2(e)(1)(A) and (C))

A JADU converted within an existing single-family dwelling described in GC 65852.2(e)(1)(A) or an ADU converted within an existing building described in either GC 65852.2(e)(1)(A) or (C) shall be approved if in compliance with all of the applicable provisions in state law. A building that includes an ADU or JADU within the space of a proposed single-family dwelling shall be subject to development standards that apply to a single-family dwelling. Both of these ADU and JADU options are referred to in LAMC 12.22 A.33(b)(4) and (5) and are exempt from the restriction in the Very High Fire Hazard Severity Zone, which is applicable to other types of ADUs.

Subparagraph (A) in GC 65852.2(e)(1) allows one ADU or JADU on a Lot if the ADU or JADU is located within a proposed or existing single-family dwelling. Alternatively, the ADU may be located within the existing space of an accessory structure, which may include an expansion not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. The 150 square foot expansion is limited to accommodating ADU ingress and egress, such as when the addition includes an entryway or window used for a code-compliant entrance or exit.

Subparagraph (C) in GC 65852.2(e)(1) allows at least one ADU on a Lot with an existing multifamily dwelling if the ADU (or ADUs) are located within the portions of the existing multifamily dwelling structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, recreation rooms, interior passageways, attics, basements, or garages. ADUs may be created within non-livable spaces regardless of zoning inconsistencies such as parking and open space that may result, but the number of ADUs shall not exceed 25 percent of the number of existing permitted units in the structure.
2. **State Law ADUs Detached from Single-Family and Multifamily Dwellings (GC 65852.2(e)(1))(B) and (D))**

Detached ADUs per subparagraphs (B) and (D) of GC Section 65852.2(e)(1) are subject to objective zoning standards, except for those provisions that do not allow an ADU outlined in these sections, as well as all of the provisions provided in Paragraph (g) (see LAMC 12.22 A.33(b)(6)). Paragraph (g) specifies that the restriction on ADUs in the Very High Fire Hazard Severity Zone applies to both of these detached ADU options.

Subparagraph (B) allows for a maximum of one detached, new construction, ADU on a Lot with a single-family dwelling if the ADU has a total floor area not exceeding 800 square feet, a maximum height of 16 feet and minimum four-foot rear and side yard setbacks. Other zoning standards, including front yard setback requirements, still apply to the ADU. However, as stated in the previous paragraph, an otherwise applicable development standard may not be applied to the extent that it precludes an ADU otherwise meeting the standards of GC Section 65852.2(e)(1)(B). For example, a Residential Floor Area (RFA) zoning limit or Historic Preservation Overlay Zone (HPOZ) standard that would normally limit an ADU to 700 square foot would be superseded to allow an ADU up to 800 square feet.

Subparagraph (D) allows for a maximum of two detached ADUs on a Lot with an existing multifamily dwelling which are subject to a height limit of 16 feet and minimum four-foot rear and side yard setbacks. As with the detached ADU option in subparagraph (B), other zoning standards apply to the extent that they do not preclude an ADU that otherwise meets the standards of GC 65852.2(e)(1)(D).

**B. Junior Accessory Dwelling Units (JADUs) Required to be Approved by State Law**

A JADU is a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family residence. A JADU shall comply with all of the applicable provisions in GC Sections 65852.2(e)(1)(A) and 65852.22, summarized as follows:

- A JADU shall be located on a Lot zoned for single-family residences (One-Family Dwellings) including A1, A2, RA, RE, RS, R1, RU, RZ and RW zones.
- A JADU shall be located within the walls of a proposed or existing single-family dwelling.
- One JADU is permitted per residential Lot with a single-family residence already built, or proposed to be built, on the Lot.
- A JADU shall have exterior access separate from the main entrance to the proposed or existing single-family dwelling and may have an internal connection(s) with the dwelling (including double doors or locked doors).
- A JADU shall maintain side and rear setbacks sufficient for fire and safety, as determined by LADBS.
- The single-family residence in which the JADU will be permitted must be owner occupied, unless the owner is a governmental agency, land trust, or housing organization (see definition in GC 65589.5). The owner may reside in either the remaining portion of the structure or the newly created JADU.
• The owner of the JADU shall record in the Office of the Los Angeles County Registrar-Recorder/County Clerk, as a condition of receiving a building permit for the JADU, a deed restriction that is approved by LADBS, which shall contain a reference to the deed under which the property was acquired by the owner stating (at least) that:
  ○ The JADU shall not be sold separately from the single-family residence;
  ○ The JADU shall be considered legal only so long as either the primary residence or the JADU is occupied by the owner of record of the property. Such owner-occupancy, however, shall not be required if the property owner is a governmental agency, land trust or housing organization; and
  ○ Restricts the size and attributes of the JADU in accordance with Government Code Sections 65852.2 and 65852.22.
    ○ The restrictions shall run with the land and be binding upon any successor in ownership of the property.
• The JADU shall include at least an efficiency kitchen, which shall include all of the following:
  ○ A cooking facility with at least two appliances, including but not limited to small plug-in appliances such as a microwave and hotplate.
  ○ A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
• No parking is required for a JADU.
• A JADU shall not be considered a separate or new “dwelling unit” for the purposes of any fire or life protection ordinance or regulation, or for providing service for water, sewer, or power, including a connection fee.
• Regulations that apply to a single-family residence that contains a JADU may be applied to the structure, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a JADU.

III. Additional State Law Provisions Applicable to ADUs and JADUs

State law includes additional ADU provisions that do not impact planning or zoning related development standards and therefore were not included in the City’s ADU ordinance. For reference, the following is a summary of some important changes:

A. Common Interest Developments (CIDs)

Assembly Bill (AB) 670 (2019) prohibits common interest developments (CIDs) from prohibiting or unreasonably restricting the construction of an ADU or JADU. CIDs include condominiums, planned unit developments, stock cooperatives and community apartments. Homeowner associations may impose reasonable restrictions on construction of ADUs or JADUs, provided they do not unreasonably increase the cost to construct, or effectively prohibit the construction of an ADU or JADU consistent with existing law regarding ADUs and JADUs (Civil Code Section 4751).
B. Owner Occupancy

Senate Bill (SB) 13 (2019) removes, until January 1, 2025, authority for local agencies to require owner-occupancy of the ADU or the primary dwelling. JADUs, on the other hand, are required to file a deed restriction to document owner occupancy for the primary residence or JADU.

C. Onsite Water Treatment Systems

AB 68 (2019) addresses ADUs connected to an onsite water treatment system, including that a local agency may require a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

D. Impact Fees

SB 13 (2019) removes “impact fees” for ADUs (and JADUs) smaller than 750 square feet and reduces them for ADUs 750 feet or larger to a proportional rate in relation to the square footage of the primary dwelling unit, or average dwelling unit. An impact fee has the same meaning as the term “fee” is defined in subdivision (b) of Government Code Section 66000, except that it also includes parks fees specified in Section 66477. “Impact fee” does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation. The following impact fees are affected by this change: LAUSD School District Fee, Residential Development Fee (LAMC 21.13.3) and Dwelling Unit Construction Tax (LAMC 21.10.3). ADUs and JADUs are exempt from Park Fees (LAMC 12.33) and the Affordable Housing Linkage Fee (LAMC 19.18).

E. Connection Fees

State law also revised the basis for calculating any applicable connection fee or capacity charge so that it shall be “proportionate to the burden of the proposed ADU” based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

F. Enforcement

SB 13 (2019) established a new requirement that local enforcement agencies (LADBS and HCIDLA), when issuing a notice to correct (Order to Comply) for a ADU that is in violation of any provision of any building standard\textsuperscript{15}, include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to Section 17980.12 of the Health and Safety Code. If an owner requests delay, then the enforcement agency shall delay enforcement of building standards (subject to compliance with 17980.12). This section applies to ADUs meeting the following criteria:

(1) The accessory dwelling unit was built before January 1, 2020.

\textsuperscript{15} Standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code.
(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the ADU was built, had a noncompliant ADU ordinance, but the ordinance is compliant at the time the request is made.

IV. Common Questions Related to Implementation of the ADU Ordinance and State Law

This section answers common questions related to implementation of the ADU Ordinance and state law. Italicized terms refer to terms used in LAMC 12.22 A.33 and state law.

Q.1 What is a dwelling, primary dwelling, or primary residence?

A. For the purpose of implementing LAMC 12.22 A.33, dwelling, primary dwelling, or primary residence mean any single-family or multifamily dwelling (see Q.2).

Q.2 What is a single-family and multifamily dwelling or use?

A. A single-family dwelling or use means a Dwelling, One-Family. A multifamily dwelling or use means any Structure with more than one Dwelling Unit or Guest Room, and used for long-term dwelling. Transient short-term rental uses established or used for less than 30 days are not considered dwellings for the purpose of implementing LAMC 12.22 A.33. Areas zoned for these uses means zones in which these uses are a permitted use in the respective zone classification.

Q.3 How are square footage, square-feet and size calculated?

A. Square footage, square-feet and size are used in the ADU Ordinance to refer to various direct ADU size regulations (such as the 1,200 square foot limitation). These terms refer to the definition of Floor Area in LAMC 12.03, but does not include the definition of Residential Floor Area (RFA), nor does it include any non-conditioned spaces such as porches, patios or breezeways with solid or lattice roofs. Physically connected spaces that are conditioned but do not have an interior connection to the ADU are also not counted as ADU square footage. This definition does not apply to a Movable Tiny House (MTH), which is subject to distinct size provisions as described in the definition of a MTH.

Indirect limits on ADU size through other zoning provisions such as Floor Area Ratio (including RFA in the R1, RE, RS and RA zones) or lot coverage may apply separately which may further limit allowable ADU square footage. Refer to LAMC 12.22 A.33(b) for more information on applicable development standards.

Q.4 What is living area as referenced in LAMC Section 12.22 A.33(c)(8)?

A. Living area is defined in state ADU law as “the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.”

Q.5 How is height measured for an ADU?

A. Height of an ADU is generally measured as any other structure would be measured under the LAMC, given the governing height limit standards in the applicable zone, Height District, Hillside
Area, Specific Plan area, or other Overlay. For the purposes of applying the 16 feet maximum height standard as required by state law (referenced in LAMC Section 12.22 A.33(c)(1)(iii), (g)(1), and GC Section 65852.2(e)(1)(D)), height shall be measured according to the standard Zoning Code definition of Height of Building or Structure in LAMC Section 12.03.

Q.6 For the purpose of assessing a per-unit impact fee to an ADU that is 750 square feet or larger on a Lot with an existing single-family dwelling, how is the square footage of the single-family dwelling determined?

A. Los Angeles County Tax Assessor’s records may be used to establish the square footage of the single-family dwelling for the purpose of calculating the required impact fee for the ADU.

Q.7 For the purposes of assessing a per-unit impact fee to an ADU that is 750 square feet or larger on a Lot with a multifamily dwelling structure, how is the square footage of the primary residence determined?

A. The fee must be proportional to the average size of all dwelling units on the Lot. Floor plans showing the sizes of all units may be required to make this determination. An applicant may choose to pay the full fee in lieu of providing these plans.

Q.8 Does the presence of a JADU change the designation of a One-Family Dwelling Unit? How is a JADU reported?

A. A JADU shall be identified as a JADU on Building Permits, Certificate of Occupancy and other pertinent City records. The addition of a JADU changes the designation of the One-Family Dwelling to a One-Family Dwelling and JADU. For purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit per GC 65852.22(d). However, JADUs may be counted as housing units in reports to the Department of Finance as well as for the Regional Housing Needs Assessment (RHNA) and other housing unit reporting.

Q.9 What is the minimum size of an efficiency unit as referenced in LAMC Section 12.22 A.33(c)(1)(ii), and what is the applicability of this provision?

A. The minimum size of an efficiency unit is 220 square feet, plus a code compliant closet and bathroom; however, the Ordinance does not specify any minimum square footage requirements for an ADU or JADU, except for Movable Tiny Houses (MTHs). This provision refers to any other current or future zoning ordinances that would prohibit an efficiency unit ADU.

Q.10 What is car share as referenced in LAMC Section 12.22 A.33(c)(12)(i)(b)?

A. Car share means a vehicle rental program designed for people to rent vehicles for short periods of time, such as a few hours, pay only for their usage, and access the car at any hour, not just during business hours. The vehicles may be commercially or personally owned. Commercial car share companies generally offer a fleet of vehicles which may be picked up and returned to a designated parking spot, or are picked up and returned to non-designated parking spots. Personal vehicle sharing (peer-to-peer car sharing) allows private car owners to make their vehicles available for rental. Some car share companies operating in Los Angeles include, but are not
limited to: BlueLA, Zipcar, Ryde, Waive, Getaround, Transfr, PiTcarz, Maeve, Turo, Envoy, and Animo. For the purposes of determining the applicability of this parking exemption, pick-up and drop-off locations are provided by the ADU applicant and verified online. If LADBS staff has questions on information an applicant supplies to demonstrate a car share program or location, they should consult with the Department of Transportation.

Q.11 What is a *mixed-use zone* per Paragraph (g) of LAMC Section 12.22 A.33?

A. *Mixed-use zone* refers to any zone classification that allows for both residential and non-residential uses on the same Lot.

Q.12 How is *walking distance* calculated per LAMC Section 12.22 A.33(c)(12)(i)(a)?

A. *Walking distance* is measured by the shortest distance that can be traveled by walking on public streets and sidewalks from a transit stop to the closest point on the subject Lot, as determined by generally available mapping systems, such as Google Maps.

Q.13 Determination of when a garage, carport, or covered parking structure is demolished *in conjunction with the construction of an ADU* or JADU for the purposes of determining when no parking is required for an ADU (LAMC Section 12.22 A.33(c)(12)(iii)).

A. For the purpose of this provision, *in conjunction* means when a building permit application to remove covered parking and a building permit application for the construction of an ADU on the same Lot are submitted at the same time, or where one building permit application is submitted while the other building permit application or building permit is still open and valid.

Q.14 Determination of when requirements for a passageway or space between buildings are considered *in conjunction with the construction of an ADU* (LAMC Section 12.22 A.33(c)(7)).

A. The defined passageway and space between buildings regulation does not apply to the ADU or any residential building on the same Lot during the approval or construction of an ADU, whether through a zoning review, building permit plan check or inspection.

In the event that new (non-ADU) structures or additions to structures are constructed on the site subsequent to the creation of the ADU, any applicable regulations pertaining to passageways or space between buildings would apply to the new structure or addition, consistent with the Zoning Code standards in place at the time that the plan check fee for the structure or addition is paid in accordance with LAMC 12.26 A.3.

Q.15 When is automobile parking required for an ADU which is part of the proposed or existing primary residency or an accessory structure (LAMC Section 12.22 A.33(c)(12)(i)d)?

A. Automobile parking is not required for ADUs created within an existing or proposed main home or an existing accessory structure. ADU parking may be required if the ADU exceeds the existing square footage of an existing main home (primary residence) or accessory structure, as well as for a newly constructed detached ADU. Other parking waivers in LAMC Section 12.22 A.33(c)(12)(i) may also apply.
Q.16 May an ADU be created on a Lot that is a substandard Lot (for instance, due to an illegal Lot split in the past)?

A. State law allows a local ADU ordinance to establish certain ADU development standards. However, these standards shall not include minimum lot size (see GC Section 65852.2(a)(1)(B)(i)). Therefore, a minimum Lot size requirement for a given zone classification shall not be the basis of a denial of a new ADU.

Q.17 What general development standards from LAMC Section 12.22 A.33(c) apply to Movable Tiny Houses (MTHs)?

A. LAMC 12.22 A.33(b)(3) states that a MTH shall be approved if in compliance with all of the provisions in Paragraph (c), except for those provisions that apply solely to buildings and structures (as well as all of the provisions in Paragraph (f)). This is because MTHs are not considered “structures” under the Zoning Code or Building Code. The following standards in LAMC 12.22 A.33(c) do not apply to MTHs, as they apply solely to buildings and structures (LADBS may determine that other standards do not apply to MTHs):

- Building Code regulations (LAMC Section 12.22 A.33(c)(9))
- Fire sprinkler requirements (LAMC Section 12.22 A.33(c)(10))

Q.18 Does the density calculation described in LAMC Section 12.22 A.33(h)(2) only apply to dwelling unit calculations?

A. No, this provision applies if either additional dwelling units or guest rooms are added to a lot after the creation of the ADU or JADU.

Q.19 What regulations apply when an existing ADU or JADU is later proposed to be converted to another use?

A. The proposed conversion will be subject to all zoning code and fire sprinkler regulations in place at the time of the proposed change of use. If the ADU or JADU was constructed within an existing building, non-conforming rights from the building and use that existed prior to the ADU or JADU may be considered at the discretion of LADBS.

Q.20 Can there be other residential uses on the Lot besides the proposed or existing dwelling mentioned in LAMC 12.22 A.33(c)(6)?

A. Yes, the Lot may contain any other residential use(s), in addition to the non-residential uses and accessory residential uses mentioned in 12.22 A.33(c)(6)

Q.21 Can an ADU request a Zone Variance from the provisions in 12.22 A.33?

A. No, the LAMC does not permit deviations from development standards provided in LAMC 12.22 A.33 (Exceptions) because these provisions are already exceptions from the Code; however, an
ADU may request the appropriate entitlement(s) to deviate from development standards provided in other sections of the Code that are not specifically defined in LAMC 12.22 A.33.

**Q.22 How does vesting apply to projects that submitted prior to the ADU Ordinance?**

A. Projects that have paid a plan check fee and had their plans accepted by LADBS prior to the effective date of the ADU Ordinance (December 19, 2019) are provided a vested right to proceed with its development in compliance with the development rules and regulations in force on the date that the plan check fee was paid. Applicants that wish for their projects to take advantage of new provisions in the ADU Ordinance (and state law) will need to file a supplemental permit application, which will void the vesting rights under the prior development rules and subject the project to the new ADU Ordinance and any other new regulations.