


CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
INTRA-DEPARTMENTAL CORRESPONDENCE

DATE: November 16, 2016

TO: All Structural Plan Check Staff

FROM: Ara Sargsyan, Chief 
Development Services Case Management
Zoning Engineer

SUBJECT: **SECOND DWELLING UNIT PURSUANT TO ZA INTERPRETATION ZA 2016-4167-(ZAI) DATED NOVEMBER 2, 2016 (WITH 15 DAY APPEAL PERIOD) - SUPERCEDES PRIOR MEMO DATED JUNE 15, 2010**

The Chief Zoning Administrator, Linn Wyatt, has issued the attached ZAI to allow a second dwelling unit (SDU) by-right on a single-family zoned lot, provided the project complies with all the standards listed in the ZAI. This ZAI renders the discretionary provisions of LAMC §§ 12.24E, 12.24W.43, and 12.24W.44 inapplicable and unenforceable and provides two categories with different standards, either of which allow a SDU to be approved ministerially.

The first category indicates a SDU will be permitted in the A, RA, RE, RS, R1, RMP, and RW1 Zones, if it meets all of the following standards (clarification of the standards are shown in italic):

- (1) the SDU substantially conforms with the fixed, quantifiable, and objective standards in any applicable specific plan;

Plan Check Engineers shall create a Department of City Planning (DCP) specific plan clearance on PCIS for compliance with this standard (e.g. "Approval for Specific Plan _____ for standard No. (1) of ZA 2016-4167-(ZAI)";

- (2) the SDU consists of a group of two or more rooms for living and sleeping purposes, one of which is a kitchen, and the SDU had a maximum floor area of 640 square feet;

the maximum Floor Area or Residential Floor Area, as appropriate, is limited to 640 square feet;

- (3) the SDU is located on a lot having an area at least 50 percent larger than the minimum area required for a lot in the zone in which it is located, and in no event is the lot area less than 7,500 square feet;
- (4) the SDU meets the yard, lot coverage and height requirements applicable to the zone in which it is located;

- (5) the primary dwelling unit and all other existing or proposed buildings meet the use, lot coverage, height, yard and other requirements applicable to the zone in which they are located;

existing buildings may maintain nonconforming rights per LAMC §12.23. DCP clearance approval is required in PCIS for any prior discretionary approvals;

- (6) one covered or uncovered off-street automobile parking space shall be provided for the SDU, in addition to the off-street automobile parking spaces required by Section 12.21A4(a) for the principal dwelling; provided, however, that a Zoning Administrator may modify the dimensions of the parking facilities (as set forth in Section 12.21A(5)) by up to 20 percent, as may be necessary to facilitate vehicular movement on and to the subject property;

existing buildings may maintain nonconforming rights per LAMC §12.23. DCP clearance approval is required in PCIS for any prior discretionary approvals;

- (7) passageways shall be required as stated in Section 12.21C2(b);
- (8) the SDU is combined with or attached to a main building containing only one dwelling unit unless:
- (a) the SDU results from the conversion of a legally established, detached accessory living quarters, servants' quarters, or guest house which had been issued a certificate of occupancy prior to July, 1, 1983; or
- the certificate of occupancy requirement shall be applied per Information Bulletin P/BC 2014-109;*
- (b) the detached dwelling unit will be constructed in full compliance with setback, lot coverage, height and other requirements applicable to the zone;

- (9) the SDU shall not be located in a Hillside Area, as defined in Section 91.7003 of this Code, in an Equinekeeping District, along a Scenic Highway designated in the General Plan, or where the width of the adjacent street is below current standards as defined in Section 12.37H;

*Plan Check Engineers shall create a DCP miscellaneous clearance in PCIS to verify compliance with this standard (e.g. **"The lot is not along a Scenic Highway designated in the General Plan"**). Furthermore, Plan Check staff shall utilize the existing Department of Public Works (ENG) Street Width Determination clearance in PCIS, to verify the width of the adjacent street is not below the current standards;*

- (10) no building nonconforming as to use may be converted to a SDU.

The second category indicates a SDU will be permitted on large lots in the RA, RS, or R1 Zones, if it meets all of the following standards (clarification of the standards are shown in italic):

- (1) the SDU substantially conforms with the fixed, quantifiable, and objective standards in any applicable specific plan;

*a DCP Specific Plan clearance shall be created in PCIS by the Plan Check Engineers for compliance with this standard (e.g. **“Approval for Specific Plan _____ for standard No. (1) of ZA 2016-4167-(ZAI)”**;*
- (2) the lot has a depth of 180 feet or more;
- (3) in the RA Zone, the lot has an area of 35,000 square feet or more, in the RS Zone the lot has an area of 15,000 square feet or more; and in the R1 Zone the lot has an area of 10,000 square feet or more;
- (4) one dwelling unit is on the front of the lot and one dwelling units is on the rear of the lot, and the distance between the front and rear dwelling is at least 20 feet;
- (5) the rear dwelling is located at least 50 feet from the rear lot line;
- (6) both dwellings are located as to comply with all other area regulations of the zone in which the property is locate;

existing buildings may maintain nonconforming rights per LAMC § 12.23. DCP clearance approval is required in PCIS for any prior discretionary approvals;
- (7) the lot is not located in a “H” Hillside or Mountainous area or in a “K” Equinekeeping District;
- (8) any necessary dedications or improvements have been provided.

*Plan Check Engineers shall create a Department of Public Works (ENG) miscellaneous clearance in PCIS to verify compliance with this standard (e.g. **“Any necessary dedications or improvements have been provided”**).*

Projects that do not comply with one or more of the ZAI standards must obtain approval from the DCP. A DCP miscellaneous clearance shall be created in PCIS, by the Plan Check Engineer, listing the specific standards that are not met. DCP will determine the appropriate discretionary approval (adjustment, variance, conditional use, etc.) needed to address all of the standards that are not met.

This ZAI shall terminate and no longer be applicable:

- (1) after December 31, 2016, after which AB 2299 shall govern; or
- (2) if otherwise rescinded or amended by the Zoning Administrator; or
- (3) if the City Council enacts valid SDU legislation to amend or replace LAMC §§ 12.24E or 12.24W.43 and 12.24W.44.

For any additional information or questions regarding the ZAI, please consult with your immediate supervisor.

Attachment: ZA 206-4167-(ZAI)