

CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: June 23, 2003

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

FROM: Robert Janovici, Chief Zoning Administrator,  
Department of City Planning  
Peter Kim, Zoning Engineer,  
Department of Building and Safety

SUBJECT: SECOND DWELLING IN SINGLE FAMILY ZONE PURSUANT TO AB 1866

State Assembly Bill 1866, (Chapter 1062, amending Government Code Sections 65583.1, 65852.2, and 65915 becomes effective on July 1, 2003. The changes in the State code mandates that the creation of second units on parcels zoned for a primary single family be considered ministerially without discretionary review or hearing.

Currently, 12.24W43 of the Planning and Zoning Code addresses permitting a second dwelling in a single family zone, under the authority of the Zoning Administrator subject to specified conditions. Pursuant to the State Law, most of the conditions contained therein will now be used to determine if a second dwelling can be permitted by right in a single family zone. Therefore, Section 12.24w43 will no longer be applicable and should the second dwelling not be able to meet the specified "by right" conditions, then a zone variance would be required through the City Planning Department.

Effectively, July 1, 2003, a second dwelling will be permitted in the A, RA, RE, RS, R1, RU, RZ, RMP or RWI Zones if it meets ALL of the following standards.

(1) the second dwelling unit consists of a group of two or more rooms for living and sleeping purposes, one of which is a kitchen, and the second dwelling unit has a maximum floor area of 640 square feet; and

(2) the second dwelling 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, an in no event is the lot area less than 7,500 square feet; and

(3) the second dwelling unit meets the yard, lot coverage, passageway, and height requirements applicable to the zone in which it is located; and

(4) 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; and

(5) at least one covered or uncovered off-street automobile parking space is provided for the second dwelling unit, in addition to the off-street automobile parking spaces required by Section 12.21A4(a) for the principal dwelling; and that such parking provided is in compliance with the parking facilities requirements as set forth in Section 12.21A5; and

(6) the second dwelling unit is combined with or be attached to a main building containing only one dwelling unit unless:

(a) The second dwelling unit 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

(b) The detached dwelling unit will be constructed in full compliance with setback, lot coverage, height and other requirements applicable to the zone; and

(7) not more than one entrance to the dwellings is visible from the street frontage(s) for each lot; and

(8) the second dwelling unit is not to be located in a Hillside Area, as defined in Section 91.7003 of the Building Code, in an Equinekeeping District, along a Scenic Highway designated in the General Plan (as identified in ZIMAS, or determined by City Planning counter), or where the width of the adjacent street is below current standards as defined in Section 12.37H (as determined by the City Engineer); and

(9) no building nonconforming as to use is converted to a second dwelling unit.