

## A. Proposed Code Amendments

Legend: Blue/Underline text – additions; ~~Red/Strikethrough~~ text - deletions

### 22.52.1780 Senior Citizen's Residence Considered a Nonconforming Residence.

- A. When a conditional use permit authorizing a senior citizen residence expires or the permit is abandoned by the property owner, the senior citizen residence shall be deemed a nonconforming residence, subject to the following restrictions:
1. The nonconforming residence shall not be expanded beyond the approved site plan in the conditional use permit;
  2. The nonconforming residence shall not be separately sold from the single-family residence on the same lot or parcel of land, but may be designated as a rental unit;
  3. Either the nonconforming residence or the single-family residence shall be owner-occupied in perpetuity;
  4. No more than one nonconforming residence shall be permitted on the same lot or parcel;
  5. The applicant shall record with the Register-Recorder/County Clerk, an agreement to these restrictions 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 Part 6 of Chapter 22.60;
- B. When a conditional use permit approving a senior citizen residence has no expiration date, the property owner may have the option of abandoning the conditional use permit pursuant to Section 22.52.1780 A, subject to the restrictions therein; or maintaining the residence under the conditional use permit subject to its conditions, except for any condition restricting the occupant(s) of the residence to a specific age or disability.
- C. A property owner may also convert a senior citizen's residence into a second unit, subject to the requirements and restrictions of Part 16 of Section 22.52.

22.52.1740 Use restrictions.

The following restrictions shall apply to the development of a second unit:

A. A lot or parcel of land upon which a second unit is developed shall contain no more than one single-family residence;

B. No more than one second unit is permitted on any lot or parcel of land;

C. A second unit may not be separately sold from the single-family residence on the same lot or parcel of land, but it may be a rental unit;

D. A second unit applicant shall be an owner-occupant of the single-family residence that is located on the same lot or parcel of land. Thereafter, either the single-family residence or the second unit shall be owner-occupied in perpetuity. The applicant shall record in the office of the county recorder, 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 Part 6 of Chapter 22.60;

E. A second unit within an equestrian district shall be located at least 35 feet from any side or rear property line, unless the unit is attached to and entirely within the outside horizontal dimensions of an existing single-family residence; and

F. A second unit shall not be permitted on a lot or parcel of land where there exists any of the following:

1. A mobilehome or residence for use by a caretaker, as defined in Section 22.08.030, and the caretaker's immediate family;

2. A senior citizen residence, as defined in Section 22.08.180; ~~or~~

3. A legal nonconforming residence pursuant to Section 22.52.1780

~~4.-3.~~ Detached living quarters, as defined in Section 22.08.040. (Ord. 2004-0012 § 9 (part), 2004.)

~~22.20.100 Uses subject to permits. (R-1) – Remove reference to "-- Residences, senior citizen, subject to the conditions listed in Section 22.56.235."~~

~~22.20.440 Uses subject to permits. (R-A) - Remove reference to "--Residences, senior citizen, subject to the conditions listed in Section 22.56.235."~~

~~22.24.100 Uses subject to permits. (A-1) - Remove reference to "-- Residences, senior citizen, subject to the conditions listed in Section 22.56.235."~~

~~22.24.150 Uses subject to permits. (A-2) - Remove reference to "-- Residences, senior citizen, subject to the conditions listed in Section 22.56.235."~~

~~22.56.235 Senior citizens residences--Additional conditions. (Delete whole Section)~~

~~In addition to the conditions imposed pursuant to Section 22.56.100, when approving a conditional use permit for a senior citizen residence, the hearing officer or the commission shall specify the following, which shall be made conditions of each grant. Except for the mandatory conditions imposed by subsections A through E, the commission or the hearing officer, in granting the conditional use permit, may change or modify any other of the conditions contained in this section:~~

~~A. Not more than two persons, one of whom is not less than 62 years of age or is a person with a disability as defined in this title, shall live in the senior citizen residence at any one time; and~~

~~B. The property owner shall furnish and record an agreement in the office of the county recorder of Los Angeles County, as a covenant running with the land for the benefit of the county of Los Angeles,~~

~~providing that should the senior citizen residence be occupied in a manner not in conformity with subsection A of this section, the building or portion thereof shall be removed or modified to be in conformance with the provisions of Zone R-1 relating to accessory use; and~~

~~C. Every three years following the effective date of the permit, the applicant(s) or his successor(s) in interest shall without individual notice or demand from the planning agency provide the director with an affidavit, made under penalty of perjury, indicating that conditions regarding restrictions on occupancy have been complied with. Said affidavit shall indicate the name(s), age(s), and/or the disabling condition (if disabled) of the occupant(s) of the senior citizen residence. Said affidavit shall be signed by the applicant(s) or his successor(s) in interest, and by the subject resident(s). If an affidavit is not provided within one month of the due date, the permit shall be null and void, and the residence shall be removed or modified to be in conformance with the provisions of Zone R-1 relating to accessory use; and~~

~~D. The lot or parcel of land on which a senior citizen residence is to be constructed shall contain a single-family residence as the primary use; and~~

~~E. A detached senior citizen residence shall be clearly subordinate to the principal dwelling on the lot, and shall contain no more than 1,200 square feet of floor area, and shall be separated from the primary residence as specified by Title 26 (Building Code). An attached senior citizen residence shall not exceed 30 percent of the existing floor area of the primary residence; and~~

~~F. A senior citizen residence shall be compatible in terms of external appearance with existing residences in the vicinity of the lot or parcel of land on which it is proposed to be constructed; and~~

~~G. The lot or parcel of land on which a senior citizen residence is to be located shall be at least 5,000 square feet in area; and~~

~~H. A single-family residence located on a lot or parcel of land on which a senior citizen residence is constructed shall comply with the parking requirements specified in Part 11 of Chapter 22.52; and~~

~~I. Where a senior citizen residence is to be constructed, one standard-size automobile parking space, which may be uncovered, shall be created to serve such residence. Such parking space shall not be located in the front or side yards, but may be developed in tandem with parking spaces required to serve the primary residence; and~~

~~J. A senior citizen residence shall not be constructed on a lot or parcel of land on which an existing caretaker's residence or detached living quarters for guests or servants is located; and~~

~~K. Mobilehomes which are to be used as a senior citizens residence shall comply with subsections A and B of Section 22.56.890. Mobilehomes on nonpermanent foundations shall also comply with subsection C of said section. (Ord. 92-0079 § 3, 1992; Ord. 89-0060 § 1, 1989; Ord. 85-0195 § 24, 1985; Ord. 83-0006 § 14, 1983.)~~

22.08.180 R. -- Residence, Senior Citizen. (Retain)

“Senior citizen residence” means an attached or detached second dwelling unit, [established in accordance with the provisions of Title 22 before January 1, 2007, that is](#) occupied by not more than two persons, one of whom is either over 62 years of age or is a person with a disability, as defined in this title.