



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

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TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Mitch Glaser, AICP, Assistant Administrator 
Current Planning Division

**SUBJECT: LIVING SUITE ORDINANCE
PROJECT NO. R2014-02159-(1-5)
ADVANCE PLANNING CASE NO. 2014-00007-(1-5)
SEPTEMBER 10, 2014 – AGENDA ITEM #8**

BACKGROUND

A living suite is a portion of a residence that provides flexible living arrangements for the household which occupies the residence. A living suite typically includes a living room with a “kitchenette” (microwave and refrigerator but no stove), a bathroom, and one or more bedrooms. A living suite includes an interior connection (typically a door) to the remainder of the residence and may also have a separate exterior entrance.

Over the last several years, national and regional homebuilders have constructed single-family homes with living suites. For example, Lennar builds and markets these units as “Next Gen: The Home Within a Home” and D.R. Horton builds and markets these units as “Home Share: Two Households. One Home.” Examples are attached for your Commission’s reference. The homebuilders have found these units to be extremely popular with homebuyers, which is likely to continue as demographic trends make multi-generational families more common. According to a recent analysis of U.S. Census data by the Pew Research Center, 18.1% of the U.S. population lived in multi-generational households in 2012¹.

CURRENT REGULATIONS

The Los Angeles County Zoning Code (Zoning Code) does not allow living suites. Section 22.08.040 states that a dwelling unit can only have one kitchen, and Section

¹ <http://www.pewsocialtrends.org/2014/07/17/in-post-recession-era-young-adults-drive-continuing-rise-in-multi-generational-living/>

22.08.110 defines a kitchen as “any room or space used, or intended or designed to be used for cooking or the preparation of food.” Therefore, a living suite’s “kitchenette” is considered to be a kitchen even though it lacks a stove. By contrast, many other jurisdictions define a kitchen as a room with a stove and a refrigerator, which enables the provision of living suites without stoves in new residences.

Although the Zoning Code allows second units, living suites and second units are different housing products. A second unit is a completely separate residence with a separate electrical meter that is typically rented out to a separate household. A living suite is not a separate residence, as it maintains an interior connection to the remainder of the residence, does not have a separate electrical meter, and is not intended to be rented out to a separate household. Homebuilders typically include a rental restriction in the development’s Covenants, Conditions, and Restrictions (“CC&R”s).

PROPOSED ORDINANCE

Homebuilders are interested in constructing residences with living suites in unincorporated Los Angeles County. Therefore, the Building Industry Association (BIA) asked the Department of Regional Planning (Department) to investigate this issue and to develop a regulatory framework that would allow units with living suites. The Department met with the BIA in May to discuss this matter.

The Department acknowledges the growing market demand for residences with living suites as well as the demographic changes that are making multi-generational families more common. However, at this time the Department believes it would be appropriate to limit residences with living suites to new master-planned communities, ensuring that such residences are consistent with community character and have sufficient services and infrastructure. New master-planned communities are typically located in a Residential Planned Development (RPD) Zone.

The proposed ordinance would add a definition of “living suite” to the Zoning Code. The definition would clarify that a living suite is a portion of a residence with a second kitchen, that the living suite cannot exceed 25 percent of the gross floor area of the residence, and that living suite must have an interior connection to the remainder of the residence but may also have a separate exterior entrance. The proposed ordinance would also amend the definition of “dwelling unit” to allow more than one kitchen if a living suite is provided.

In addition, the proposed ordinance would allow dwelling units with living suites only in the RPD Zone with a Conditional Use Permit (CUP). The CUP requirement ensures a discretionary review process to verify that such units are consistent with community character and have sufficient services and infrastructure. The proposed ordinance would clarify that a living suite can be provided in any housing type (single-family, duplex, multi-family, manufactured home) allowed in the RPD Zone.

Lastly, the proposed ordinance would amend parking requirements to require an additional off-street parking space for dwelling units with living suites if there are five or more bedrooms in such unit (including any bedrooms within the living suite).

STAFF RECOMMENDATION

Staff recommends that your Commission initiate public hearing to consider an ordinance amending the Zoning Code to allow living suites in the RPD Zone with a CUP. Staff will set a public hearing date later this year after the ordinance is drafted and environmental review pursuant to the California Environmental Quality Act is completed.

RECOMMENDED MOTION

I move that the Regional Planning Commission accept staff's report on the need for public hearings to consider an ordinance amending Title 22 of the Los Angeles County Code to allow living suites in the Residential Planned Development Zone with a Conditional Use Permit and instruct staff to set a public hearing date before the Regional Planning Commission later this year.

If you have any questions, you may contact me at mglaser@planning.lacounty.gov or (213) 974-4971 Monday through Thursday.

Attachment:

1. Examples of Living Suites



