



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

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TO: DRP Staff

FROM: Bruce W. McClendon, FAICP  
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**Subject: Subdivision & Zoning Ordinance Interpretation No. 04-2008  
Development Standards for Accessory Buildings**

This interpretive memo provides comprehensive development standards for accessory buildings as defined in Section 22.08.101 of the Zoning Code.

**Applicability**

- These standards supersede any previous interpretations including, but not limited to, the "Guest House" policy, "Guidelines Regarding Plumbing Facilities" and "Height limit of Garage Located in Required Yard."
- These standards do not apply to main buildings or additions attached to main buildings where permitted in the zone. Main buildings may be used for any "permitted uses" listed in the zone in compliance with all development standards specified in the Zoning Code.
- These standards also do not supersede second unit requirements specified in Chapter 22.52 Part 16, applicable Community Standards District regulations, accessory building provisions specified in the Code, and conditions imposed by approved discretionary applications.

**Definitions**

Accessory building or structure (as defined in Section 22.08.101)- means a detached subordinate building or structure, the use of which is customarily incidental to that of the main building or to the main use of the land, and which is located in the same or a less restrictive zone and on the same lot or parcel of land with the main building or use.

Agricultural accessory building or structure- means a detached subordinate building or structure used for sheltering animals or agricultural equipment, hay, feed, etc. Examples of these structures include barns, non-commercial greenhouses, coops, corrals and pens. This does not include pasture fencing which is not considered a land use.

Habitable versus non-habitable accessory buildings - All accessory buildings shall be considered habitable except garages, carports, agricultural accessory buildings, and storage buildings solely used for storage of vehicles, household items, or animals.

Three-quarter or full bathroom- Contains a toilet, sink, and shower and/or bathtub.

Half bathroom or water closet- Contains only a toilet and sink.

Pool house- A building with a maximum gross floor area of 250 square feet with a toilet, sink, and shower and/or bathtub, used as a changing and rinsing facility in conjunction with a swimming pool. Unless there is an existing pool, the pool shall be constructed and completed prior to pool house construction.

**Standards applicable to all accessory buildings:**

1. Accessory buildings shall not be constructed on a vacant lot; the main building(s) shall be constructed and completed prior to the accessory building construction.
2. Accessory buildings shall not include any commercial activity unless permitted in conjunction with a permitted use per the zone.
3. Home-based occupations pursuant to Section 22.20.020 shall not be permitted in accessory buildings.
4. Multiple accessory buildings may be permitted on a lot provided they comply with all development standards and are accessory to the main building(s).
5. The gross floor area (as measured from the outer walls) of each accessory building shall be smaller than the gross floor area of the main building(s) to which it is accessory. Collectively, the accessory buildings may exceed the gross floor area of the main building(s).
6. A notarized covenant recorded with the County's Recorders office shall be required to ensure that any of the following accessory buildings (existing and proposed) are used only as specifically approved and will not be rented, converted or used as separate dwelling units or for commercial uses:
  - Habitable accessory buildings,
  - Accessory buildings with plumbing, and
  - Accessory buildings with a gross floor area of greater than 799 square feet,
7. Only one sink or one bathroom shall be permitted beyond the main building(s) except for the combinations of pool house and guest house ("Detached living quarters" per the Zoning Code), pool house and second unit, or pool house and agricultural accessory building(s) with sink(s).
8. All accessory buildings shall have a minimum separation of six feet, except a guest house shall have a minimum separation of 20 feet from the single-family residence.

**Standards applicable to non-habitable accessory buildings**

1. Only one-story garages or carports with a maximum height of 15 feet may be permitted within required yards pursuant to Section 22.48.140.A. and B.
2. If an addition is proposed to a garage or carport located less than five feet from any lot line and the addition is not for vehicle parking purposes, the entire building shall comply with required yard and maximum height provisions.
3. Pursuant to Section 22.48.140.C, non-habitable one-story accessory buildings with a maximum height of 15 feet may be permitted in required rear yards in compliance with the following:

- a) They comply with required side yards per the zone;
  - b) They shall be located at least five feet from any lot line;
  - c) The floor plan shall be open without any interior partitions; and
  - d) The maximum coverage of the required rear yard shall be 50 percent, unless open space is replaced pursuant to Section 22.48.140.D.
4. Garages may have plumbing only for a washer, dryer, and/or utility sink provided an open floor plan without interior partitions shall be required, the minimum parking space dimensions shall be maintained, they shall comply with the required front yard and be located at least five feet from the side and rear lot lines. Bathrooms shall not be permitted inside garages.
  5. Agricultural accessory buildings may have plumbing only to provide running water specifically used for the care of animals and agricultural items.
  6. Storage buildings shall not be permitted to have plumbing or windows.

**Standards applicable to habitable accessory buildings**

1. Habitable accessory buildings may be permitted in compliance with the following:
  - a) They comply with all required yards per the zone;
  - b) No kitchen or kitchen facilities shall be permitted. Kitchen facilities include wet bars, microwaves, stoves, ovens and kitchen sinks;
  - c) The floor plan shall be open without any interior partitions except for a bathroom; and
  - d) The maximum gross floor area shall be 799 square feet, except in the Malibu Coastal Zone where the maximum gross floor area shall be 750 square feet;
  - e) The maximum height shall be as specified in the zone;
  - f) Only one half bathroom or one utility sink shall be permitted.
2. Guest houses ("Detached living quarters" per Zoning Code Section 22.08.040.D) shall comply with all applicable Code requirements, comply with 1.a. through e. above in this section, and only one bathroom or one utility sink shall be permitted.
3. Pool houses shall comply with 1.a. through c. above in this section.
4. If a property has an existing second unit or a habitable accessory building, no additional habitable accessory buildings shall be permitted except for a pool house.
5. If habitable buildings are proposed to be attached to non-habitable buildings, the entire building shall comply with all required yards per the Zone.

**Modifications:** A yard modification shall be required to modify the development standards specifically related to yards, unless otherwise required per the Zoning Code. A variance shall be required for all other modifications. Yard modifications and variances are discretionary applications and therefore there is no guarantee of approval. Yard modifications and variances shall be denied for failure to meet the required burden of proof.