

ORDINANCE NO. _____ **

An ordinance amending the Los Angeles County Code, Title 11 – Health and Safety, and Title 22 – Planning and Zoning, to update development standards with state statutory requirements for accessory dwelling units and junior accessory dwelling units in the unincorporated areas of Los Angeles County. The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 11.16.090 is hereby amended to read as follows:

11.16.090 - Keeping animals and birds—Location restrictions and sanitation requirements.

A person shall not keep any animal, fowl or bird, wild or domestic, other than cats, dogs, canaries or birds of the psittacine family, within 35 feet of any restaurant, food establishment, residence, or dwelling, or other building used for the habitation of human beings, or within 100 feet of any school building, hospital building or similar institution building. It is unlawful to keep or maintain a premises, yard, coop or building in which fowl or animals are maintained in a foul or insanitary condition. The provisions of this sSection regarding distances shall not apply to accredited laboratories regulated by the California Department of Health Services or accessory dwelling units and junior accessory dwelling units regulated by Section 22.140.640.

SECTION 2. Section 22.14.010 is hereby amended to read as follows:

22.14.010 - A.

...

Accessory dwelling unit and junior accessory dwelling unit. The following terms are defined for the purposes of Section 22.140.640160 (Accessory Dwelling Units and Junior Accessory Dwelling Units):

Accessory dwelling unit. A dwelling unit with independent exterior access that is either attached to, located within the existing living area, or detached from and located on the same lot as a single-family residence or multi-family residence ~~residential building~~, including mixed use development. This term includes a senior citizen residence, a second unit, and an accessory dwelling unit approved prior to May 30, 2019. This term also includes a manufactured home, as defined in section 18007 of the California Health and Safety Code, and an efficiency unit, as defined in section 17958.1 of the California Health and Safety Code. An accessory dwelling unit is accessory to the principal residential use and does not count toward the allowable density ~~for the purposes of zoning or General Plan consistency.~~ An accessory dwelling unit includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

Junior accessory dwelling unit. A dwelling unit, with independent exterior access, that is no more than 500 square feet in size and contained entirely within the footprint of a single-family residence, including an attached garage. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the single-family residence, ~~as set forth in section 65852.22(h)(1) of the California Government Code, or a successor provision.~~

...

SECTION 3. Section 22.18.030 is hereby amended to read as follows:

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

...

C. Use Regulations.

...

2. Accessory Uses. Table 22.18.030-C, below, identifies the permit or review required to establish each accessory use.

TABLE 22.18.030-C: ACCESSORY USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							
Accessory dwelling units ⁴	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.640
...							
Junior accessory dwelling units ⁴	SPR	SPR	SPR	SPR	SPR	SPR	Section 22.140.640
...							
Notes:							
1. Provided that there is no other practical access to such property available, and such access will not alter the character of the premises in respect to permitted uses in the subject zone.							
2. Rooms in a single-family residence may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility							

or a group home for children and either use has a capacity of more than six persons. Rooms in a single-family residence used as transitional housing may be rented to more than four residents.

3. Use permitted on lots located outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area, as depicted in the General Plan, in its entirety.

4. Use may be subject to a Revised Exhibit "A" (Chapter 22.184) application if the principal residential use is subject to a Conditional Use Permit (Chapter 22.158) application.

SECTION 4. Section 22.70.050 is hereby amended to read as follows:

22.70.050 – Development Standards.

A. General Development Standards.

1. Maintenance. All animals authorized to be kept in an EQD shall be maintained in a safe and healthy manner, in compliance with all applicable regulations provided in any other statute or ordinance.

2. Stable and Corral.

- a. Animals shall be kept in a stable or fenced corral.
- b. No part of any stable or corral shall be located within 35 feet from any existing habitable structure except for an accessory dwelling unit or junior accessory dwelling unit regulated by Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units).

c. No part of any stable or corral shall be located within 100 feet of an existing school building or hospital building.

...

SECTION 5. Section 22.124.150 is hereby amended to read as follows:

22.124.150 – Certificate of Appropriateness—Application and Hearing.

...

C. Administrative Certificate of Appropriateness. If an application for a certificate of appropriateness seeks to authorize reconstruction, rehabilitation, restoration, construction of an accessory dwelling unit pursuant to Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units), an addition of less than 500 square feet of new floor area to a landmark structure or structure located in a historic district, or any combination thereof, the Director shall administratively approve the application if the work proposed conforms to the standards set forth in Section 22.124.160 (Certificate of Appropriateness—Standards). The Director shall administratively deny the application if the work proposed does not conform to the standards set forth in Section 22.124.160. The Director shall approve, modify and approve, or disapprove the application within 60 days of the receipt of a complete application for a certificate of appropriateness accompanied by all required fees, unless extended by the applicant. In the event the Director fails to act within the time set forth in this Subsection C, the application shall be deemed approved.

...

SECTION 6. Section 22.140.070 is hereby amended to read as follows:

CONFIDENTIAL - ATTORNEY CLIENT PRIVILEGED

22.140.070 – Animal Keeping, Noncommercial or Personal Use.

...

D. Setback from Residences. Any structure used for housing any animal, fowl, or bird, wild or domestic, other than cats, dogs, canaries, or birds of the psittacine family and including corrals and fencing, shall be established at least 35 feet from any residence, except for an accessory dwelling unit or junior accessory dwelling unit regulated by Section 22.140.640.

SECTION 7. Section 22.140.290 is hereby amended to read as follows:

22.140.290 – Home-Based Occupations.

...

C. Development Standards. Home-based occupations shall comply with the following standards:

...

5. Only one home-based occupation is permitted per primary dwelling unit. A ~~primary dwelling unit may not be used for a home-based occupation, if there is a home-based occupation in an accessory dwelling unit on the same lot.~~

SECTION 8. Section 22.140.640 is hereby amended to read as follows:

22.140.640 Accessory Dwelling Units and Junior Accessory Dwelling Units.

A. Purpose. This Section ~~is to~~ provides for the development of accessory dwelling units and junior accessory dwelling units with appropriate development restrictions, pursuant to sections 65852.2 and 65852.22 of the California Government Code.

B. Applicability. This Section applies to accessory dwelling units and junior accessory dwelling units in all zones where permitted, except that in a Coastal Zone, as defined in Division 2 (Definitions of Title 22), accessory dwelling units and junior accessory dwelling units shall be subject to the regulations set forth in an applicable Local Coastal Program.

C. Prohibited Areas. Accessory dwelling units, except for those described in Subsection H, shall be prohibited in areas as specified below:

~~1. Accessory dwelling units and junior accessory dwelling units shall be prohibited in the following areas:~~

~~a. On lots that are located in the area between Old Topanga Canyon Road, the Coastal Zone boundary, the City of Calabasas, and the City of Los Angeles; and~~

~~b. On lots that are located in the Santa Monica Mountains North Area and only have vehicular access from Lobo Canyon Road or Triunfo Canyon Road.~~

~~a₁. Where a lot, or any portion thereof, is located within a Very High Fire Hazard Severity Zone, as depicted in the General Plan, and a Hillside Management Area, as depicted in the General Plan, other than those described in Section 22.104.030.D, an accessory dwelling unit or a junior accessory dwelling unit, except for those described in Subsection H, shall be prohibited on the lot, unless it has two distinct means of vehicular access to a highway that meet the following requirements:~~

~~i_a. The two distinct means of vehicular access, as measured from the lot frontage to the point of intersection with a highway, shall not overlap with each other.~~

For example, see Figure 22.140.640-A, below;

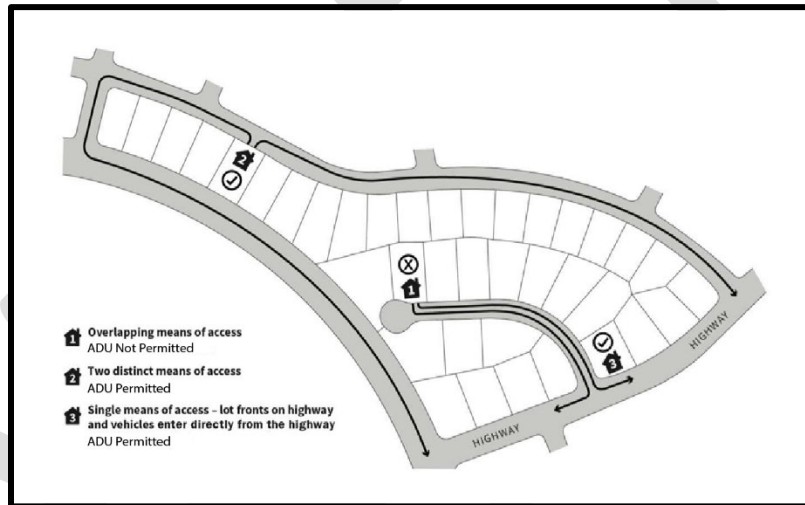
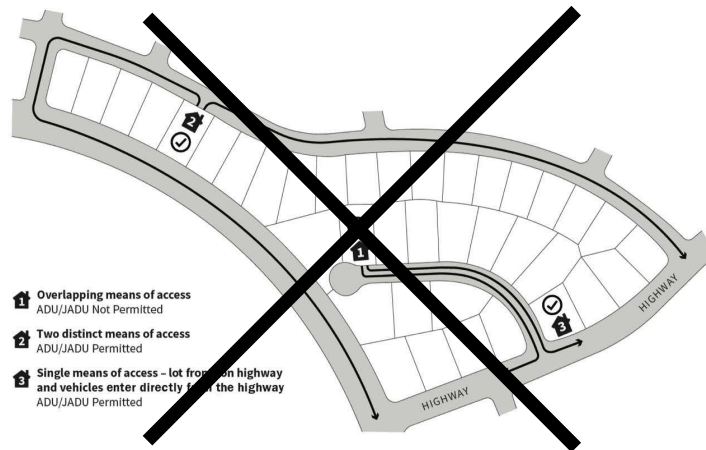
ii**b**. Each distinct means of vehicular access shall contain pavement of at least 24 feet in width, exclusive of sidewalks; and

iii**c**. Each distinct means of access shall be built to public street standards approved by Public Works.

b**2**. Where a lot or any portion thereof is located within a Very High Fire Hazard Severity Zone and is not located within a Hillside Management Area, an accessory dwelling unit ~~or a junior accessory dwelling unit~~, except for those described in Subsection H, shall be prohibited on the lot, unless it has two distinct means of vehicular access from the lot to a highway that meet the requirements in Subsection C.12-a, above, except that the means of vehicular access may include an unpaved road of at least 24 feet in width maintained by Public Works.

ea. Notwithstanding Subsections C.12-a and C.2-b, above, accessory dwelling units ~~and junior accessory dwelling units~~ shall be permitted on lots with a single means of vehicular access, if such lots front a highway and vehicles enter directly from the highway. For example, see Figure 22.140.640-A, below.

FIGURE 22.140.640-A: VEHICULAR ACCESS REQUIREMENTS IN THE
VERY HIGH FIRE HAZARD SEVERITY ZONE



D. Review and Decision.

1. General. A decision on an application for an accessory dwelling unit or a junior accessory dwelling unit shall be made within 60 days of application submittal of a complete application.

2. If an application for an accessory dwelling unit or a junior accessory dwelling unit is submitted concurrently with a Ministerial Site Plan Review (Chapter 22.186), or a Revised Exhibit "A" (Chapter 22.184) application, for a new single-family or multi-family residence on the lot, a decision on the application for the accessory

dwelling unit or junior accessory dwelling unit may be delayed until a decision on the application for the new single-family or multi-family residence is made.

3. If the applicant requests a delay in writing, the 60-day time period shall be tolled for the period of the delay.

4. If an application for an accessory dwelling unit or junior accessory dwelling unit is denied, a full set of comments shall be returned to the applicant, within the time period described in Subsections D.1 through D.3, above, with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

E. Maximum Number of Accessory Dwelling Units and Junior Accessory Dwelling Units. Table 22.140.640-A, below, identifies the maximum number of accessory dwelling units and junior accessory dwelling units permitted on a lot:

TABLE 22.140.640-A: MAXIMUM NUMBER OF ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS PERMITTED ON A LOT		
Principal Use on a Lot	Maximum Number	
	Accessory Dwelling Units	Junior Accessory Dwelling Units
One proposed or existing, legally built single-family residence in any zone	1 <u>attached to or within a single-family residence or accessory structure, and</u>	1

that allows residential use	<u>1 detached from residences</u>	
Any <u>proposed</u> or existing, legally built housing type other than one single-family <u>multi-family</u> residence in any zone that allows residential use	4 or 25 percent of existing principal dwelling units, whichever is greater, converted from spaces attached to or within existing residential building(s)¹, and 2 detached from existing residential building(s) residences	-
<u>Note:</u>		
<u>1. When the calculation results in a fractional number, the result shall be rounded up to the nearest whole number. These accessory dwelling units may include, but are not limited to, conversions of habitable or unhabitable space or additions to residences.</u>		

F. Use Restrictions. An accessory dwelling unit or a junior accessory dwelling unit shall be subject to all of the following use restrictions:

1. Ownership. An accessory dwelling unit or a junior accessory dwelling unit shall not be sold separately from the principal residential building(s) on the same lot, except as provided in section 65852.26 of the California Government Code.

2. Duration of Tenancy. An accessory dwelling unit or a junior accessory dwelling unit may only be used as a rental unit for a period of at least term equal to or longer than 30 consecutive days.

3. Home-Based Occupation Prohibited. No home-based occupation shall be conducted within an accessory dwelling unit or a junior accessory dwelling unit.

G. Accessory Dwelling Unit Development Standards. The development standards in this Subsection apply to any accessory dwelling unit not described by Subsection H, below.

1. Accessory Dwelling Units.

a. Floor Area.

i. Minimum. An accessory dwelling unit shall have a minimum floor area of 150 square feet, with one habitable room with a minimum floor area of 70 square feet.

ii. Maximum.

(1) General.

(a) The maximum floor area of an accessory dwelling unit shall be 1,200 square feet, if the accessory dwelling unit is any of the following:

(i) A new detached structure; or

(ii) The result of the conversion of an existing, ~~legally-built~~ accessory structure with an addition to expand the floor area of said structure by more than 150 square feet.

(b) There is no maximum floor area for an accessory dwelling unit, if the accessory dwelling unit is any of the following:

(i) Entirely within an existing, ~~legally-built~~ single-family or multi-family residence-residential building; or

(ii) The result of the conversion of an existing, ~~legally-built~~ accessory structure, with an expansion of not more than 150 square feet beyond the same physical dimensions of said structure, solely for the purpose of accommodating ingress and egress.

(c) For an attached accessory dwelling unit not described in Subsections G.1.a.ii.(1)(a)(ii) or G.1.a.ii.(1)(b), above, the total floor area of the attached accessory dwelling unit shall not exceed 50 percent of the total habitable area of the single-family or multi-family residence(s) at the time of application submittal, or 1,200 square feet, whichever is less, provided at least an 800 square foot accessory dwelling unit is allowed.

(2) Planning Area Standards Districts, Community Standards Districts and Specific Plans. Accessory dwelling units shall not be subject to any Planning Area Standards District, Community Standards District, or Specific Plan provision pertaining to floor area, gross structural area, or lot coverage.

b. Height.

i. The maximum height of an attached or detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family residence shall be 25 feet.

~~ii. The maximum height for detached accessory dwelling units on a lot containing an existing multi-family dwelling structure or structures shall be 16 feet.~~

iii. There is no maximum height for an accessory dwelling unit, if the accessory dwelling unit is any of the following:

(1) Entirely within an existing, ~~legally-built~~ single-family or multi-family residence ~~residential building~~; or

(2) The result of the conversion of an existing, ~~legally-built~~ accessory structure with an expansion of not more than 150 square feet beyond the same physical dimensions of said structure, limited to accommodating ingress and egress.

iviii. Planning Area Standards Districts, Community Standards Districts, and Specific Plans. Any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, shall not exceed the maximum height specified in a Planning Area Standards District, Community Standards District, or Specific Plan, or 25 feet, whichever is less, provided that the maximum height allows a minimum 16-foot-high accessory dwelling unit. at least the following heights are allowed:

(1) A height of 16 feet for a detached accessory dwelling unit;

(2) A height of 18 feet for a detached accessory dwelling unit, with an additional two feet in height to accommodate a roof pitch that is aligned with the roof pitch of the existing or proposed single-family or multi-family residence, if it is on a lot that is within one-half mile walking distance of a major transit stop or a high-quality transit corridor as those terms are defined in section 21155 of the Public Resources Code; and

(3) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-story, multi-family residence.

~~viv.~~ Proximity to Scenic Resources. Notwithstanding Subsection G.1.b.iii~~v~~, above, if any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, is located within 200 feet of an adopted route with scenic qualities, Scenic Route, Scenic Drive, or Scenic Highway, the new accessory dwelling unit or expanded portion shall not exceed the height of the single-family or multi-family ~~residential building~~ residence, or 18 feet, whichever is less, provided that the maximum height allows a minimum 16-foot high accessory dwelling unit at least the heights in Subsection G.1.b.iii(1)-(4) are allowed.

c. Required Yards.

i. ~~The depth of a yard between the existing structure and an existing lot line shall be deemed the required yard depth.~~ An accessory dwelling unit of 800 square feet or less may encroach into the required front yard setback only if the accessory dwelling unit cannot be constructed in any other location on the property. On corner lots, through lots with three or more frontages, flag lots, and irregularly shaped lots, where the provisions of this Title 22 do not clearly establish location of yards and lot lines, the Director shall make such determination as provided in Section 22.110.080 (Required Yards).

ii. No setback is required if the accessory dwelling unit is any of the following:

(1) Entirely within an existing, ~~legally-built~~ single-family or multi-family residence; or

(2) The result of the conversion of an existing, ~~legally-built~~ accessory structure with no expansion of the floor area of said structure, or constructed in the same location and to the same dimensions as an existing structure.

iii. Notwithstanding any contrary provisions in this Title 22, a four-foot setback is required for an accessory dwelling unit not described in Subsection G.1.c.ii, above:

(1) Any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, shall be at least-four feet from the rear, interior side, and corner side lot lines, ~~notwithstanding, any contrary provisions in this Title 22.~~

(2) An accessory dwelling unit that is built above a garage shall be at least four feet from the reversed corner side lot line, ~~notwithstanding, any contrary provisions in this Title 22.~~

iv. Any new accessory dwelling unit, or expanded portion of an existing structure that is part of a proposed accessory dwelling unit, shall comply with all of the requirements in Section 22.110.090 (Projections into Yards) unless the Director determines that a greater projection is necessary to ensure that the accessory dwelling unit functions as an independent living facility, provided that projections shall be no closer than two and a half feet from the property line. Where no setback is required, projections shall not encroach the property line.

d. Parking.

i. Parking Outside Very High Fire Hazard Severity Zones. No parking shall be required for an accessory dwelling unit that is located outside of a Very High Fire Hazard Severity Zone.

ii. Parking Within Very High Fire Hazard Severity Zones.

(1) Parking for an accessory dwelling unit located within a Very High Fire Hazard Severity Zone shall be provided in accordance with Chapter 22.112 (Parking), unless any of the following exceptions are met, in which case no parking shall be required:

(a1) The accessory dwelling unit has no bedroom;

~~(2) The accessory dwelling unit is detached, with a maximum floor area of 800 square feet and a maximum height of 16 feet, and is located on a lot with a proposed or existing single-family residence;~~

~~(3) The accessory dwelling unit is detached, with a maximum height of 16 feet and minimum rear and side yard depths of four feet, and is located on a lot with an existing multi-family residential building;~~

~~(4) The accessory dwelling unit is entirely within an existing, legally-built single-family or multi-family residential building;~~

~~(5) The accessory dwelling unit is the result of the conversion of an existing, legally built accessory structure with an expansion of not more than 150 square feet beyond the same physical dimensions of said structure, limited to accommodating ingress and egress;~~

(~~b6~~) The accessory dwelling unit is located within one-half mile walking distance of public transit, as that term is defined in section 65852.2(j)e of the California Government Code;

(~~c7~~) The accessory dwelling unit is located within an ~~architecturally and historically significant~~ historic district;

(d) The accessory dwelling unit is part of the proposed or existing single-family or multi-family residence or an accessory structure.

(~~e8~~) When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit; or

(~~f9~~) When there is a car share vehicle location within one block of the accessory dwelling unit.

(g) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family residence or a new multi-family residence on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this Subsection G.1.d.ii(1).

(~~2iii.~~) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted into an accessory dwelling unit, no replacement parking shall be required for the accessory dwelling unit or single-family or multi-family ~~residential building~~ residence.

(~~3iv.~~) When parking is required for the accessory dwelling unit or single-family or multi-family ~~residential building~~ residence, such parking may be located on a driveway, or in an area previously used as a driveway to a garage or carport that has since been demolished in conjunction with the construction of an accessory dwelling

unit or converted into an accessory dwelling unit and may be provided as tandem parking.

e. Distance from Publicly Dedicated Open Space. In any Fire Hazard Severity Zone, as defined in Title 32 (Fire Code) of the County Code, an accessory dwelling unit shall be located at least 200 feet from publicly dedicated open space, provided an accessory dwelling unit of at least 800 square feet with side and rear yard setbacks of at least four feet is allowed.

f. ~~Roof and Exterior Siding Materials. An accessory dwelling unit shall comply with Section 22.140.580.D (Roof and Exterior Siding Materials) County Historic Landmarks, Historic Districts, and Mills Act Contract Properties.~~

i. Administrative Certificate of Appropriateness. An administrative Certificate of Appropriateness shall be required for an accessory dwelling unit that is located on the same property that is a County landmark or located within a County historic district; and/or is an existing contributing space or structure or is converted from an existing contributing space or accessory structure;

ii. Development Standards – New Accessory Dwelling Units or Accessory Dwelling Units Converted from Existing Non-Contributing Accessory Structures.

(1) The height of a new accessory dwelling unit shall not exceed the maximum height in Subsection G.1.b, or the height of the existing single-family residence or multi-family residence, whichever is less, provided at least the heights in Subsection G.1.b.iii(1)-(3) are allowed.

(2) The architectural style and following elements of a new accessory dwelling unit or accessory dwelling unit converted from an existing non-contributing

accessory structure shall be the same as the single-family or multi-family residence, as applicable: roof style, pitch, and shingle material; eave style and depth; siding material type, frame material, orientation and material; chimney style and material; fenestration patterns; window type, vertical/horizontal orientation and size; external door style and material; and external fixtures, such as lights.

(3) Solar shingle roofing is an acceptable alternative to asphalt composition or wood shingle roofing.

(4) Vinyl windows and windows with artificial muntins are prohibited.

(5) Design elements.

(a) Design elements that are not on the single-family or multi-family residence are prohibited.

(b) Design elements such as dormers, bay windows, arched windows, and shutters shall be the same as the design elements on the single-family or multi-family residence scaled to the accessory dwelling unit.

(6) An attached ADU by addition is permitted only if a detached ADU is infeasible.

(a) Addition Location. If feasible, the addition shall be located in the rear yard and shall not be visible from the public right-of-way. If locating the addition in the rear yard is infeasible, then the addition may be located in the side yard.

(b) Development Standards. Additions shall be differentiated from the historic building by setting the addition back from the historic structure's façade and using different window detailing. The window-to-wall ratio of an addition should be same to that of the historic building. Side additions shall be set back from the primary façade

at least 4 feet. New dormers constructed on the primary residence for attic conversions shall be located on the rear façade only and the roof of the dormer(s) shall be set back 10 percent on each of the four sides of the portion of the primary residence's roof that the dormer is located on, subject to Subsection G.1.c.iii, above. To the maximum extent feasible, additions shall not obscure or damage character-defining features (such as ornamental details, railings, windows, doors, porches, brackets, or roof lines).

iii. Development Standards – Existing Contributing Accessory Dwelling Units and Accessory Dwelling Units Converted from Existing Contributing Accessory Structures.

(1) Demolishing or moving an existing contributing accessory dwelling unit, or moving an existing contributing accessory structure to convert to an accessory dwelling unit, is prohibited.

(2) Character-defining features of an existing accessory dwelling unit or an existing contributing space or accessory structure that is converted to an accessory dwelling unit shall be preserved in place.

(3) Façades for an existing accessory dwelling unit or contributing accessory structure that is converted to an accessory dwelling unit visible from the public right-of-way may not be altered. Visible from the public right-of-way shall mean visible from the public right-of-way in the absence of site features that may be impermanent, such as landscaping or fencing.

H. Development Standards - State-Exempt Accessory Dwelling Units.

1. The following accessory dwelling units shall be permitted subject only to the following development standards:

a. On a lot with a proposed or existing single-family residence:

i. One accessory dwelling unit per lot with a proposed or existing single-family residence, provided all of the following are met:

(1) The accessory dwelling unit is within the proposed or existing space of a single-family dwelling or existing space of a single-family residence or accessory structure, and may include an expansion of not more than 150 square feet beyond the physical dimensions of the existing accessory structure solely to accommodate ingress and egress;

(2) The space has exterior access from the proposed or existing single-family residence;

(3) The side and rear setbacks are sufficient for fire and safety;

ii. One new detached accessory dwelling unit with four-foot side and rear yard setbacks on a lot with a proposed or existing single-family residence. The floor area of the accessory dwelling unit shall not exceed 800 square feet, with a height limitation as provided in Subsections G.1.b.iii.(1) or G.1.b.iii.(2), above, as applicable.

b. On a lot with a proposed or existing multi-family residence:

i. A minimum of one accessory dwelling unit and maximum of 25 percent of the existing number of dwelling units, if the accessory dwelling unit(s) are proposed within the portions of existing multi-family residences that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, and each dwelling unit complies with state building standards for dwelling units.

ii. A maximum of two detached accessory dwelling units on a lot with an existing or proposed multi-family residence, provided each accessory dwelling unit has four-foot side and rear yard setbacks and a maximum height as provided in Subsections G.1.b.iii.(1)-(3), above.

2. Junior Accessory Dwelling Units.

a. One junior accessory dwelling unit per lot zoned for single-family residences with a proposed or existing single-family residence may be constructed provided all of the following are met:

i. The junior accessory dwelling unit is within the space of an existing or proposed single-family residence;

ii. The space has exterior access from the proposed or existing single-family residence.

ab. Floor Area.

i. ~~Maximum Facilities.~~ A junior accessory dwelling unit shall ~~not exceed 500 square feet in size and shall~~ contain at least an efficiency kitchen, which includes a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.

ii. ~~Planning Area Standards Districts, Community Standards Districts, and Specific Plans.~~ The junior accessory dwelling unit shall not be subject to any Planning Area Standards District, Community Standards District, or Specific Plan provision pertaining to floor area, gross structural area, or lot coverage.

bc. Separate Entrance. A junior accessory dwelling unit shall have a separate entrance from the single-family residence.

ed. Access to Bathroom. Access to a bathroom shall be required, which may be part of the square footage of the junior accessory dwelling unit or located within the existing single-family residence. If the unit's bathroom is provided as part of the single-family residence, the junior accessory dwelling unit shall have interior access to the main living area of the single-family residence.

He. Covenant Requirement for Junior Accessory Dwelling Unit. The owner shall record a covenant in a form prescribed by the County, which shall run with the land for the benefit of the County and provide for the following:

1j. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that this may be enforced against future purchasers;

2jj. A restriction on the size and attributes of the junior accessory dwelling unit consistent with this Section; and

3jii. A requirement that either the ~~primary~~ remaining portion of the single-family residence or the junior accessory dwelling unit be the owner's bona fide principal residence, unless the owner is a governmental agency, land trust, or housing organization.

4f. Owner Occupancy. If a property contains a junior accessory dwelling unit, either the single-family residence or junior accessory dwelling unit shall be the principal residence of at least one legal owner of the lot, as evidenced at the time of approval of the junior accessory dwelling unit by appropriate documents of title and residency, unless the property is owned by a governmental agency, land trust, or housing

organization. A junior accessory dwelling unit is not permitted on a lot owned by a corporate entity.

3. The accessory dwelling units and junior accessory dwellings units described in Subsections H.1 and H.2, above, may be combined on the same lot in the following ways:

a. An accessory dwelling unit described in Subsection H.1.a.i, above, or a junior accessory dwelling unit described in Subsection H.2.a, above, or both, may be combined with an accessory dwelling unit described in Subsection H.1.a.ii, above.

b. Accessory dwellings units described in Subsection H.1.b.i, above, may be combined with accessory dwelling units described in Subsection H.1.b.ii, above.

2]. Release of Owner-Occupancy Covenant. The County releases its interest in any covenant for an accessory dwelling unit that required owner-occupancy in perpetuity of either the single-family residence or the accessory dwelling unit that is located on the same lot, recorded in the Registrar-Recorder/County Clerk, running with the land for the benefit of the County.

J. Planning Area Standards Districts, Community Standards Districts, and Specific Plans. Planning Area Standards Districts, Community Standards Districts, and Specific Plans objective development standards shall still apply. Where the regulations in this Section are contrary to the provisions in a Planning Area Standards District, Community Standards District, or Specific Plan regulating the same matter, the provisions of this Section shall prevail, with the following exceptions:

~~1. Use. Neither Community Standards Districts nor Specific Plans shall prohibit or require a discretionary permit for an accessory dwelling unit or a junior accessory dwelling unit in areas where residential uses are permitted; and~~

~~2. Development Standards. As specified otherwise in this Section.~~

K. Notwithstanding any contrary provision in this Title 22, the approval of an accessory dwelling unit or a junior accessory dwelling unit shall not be subject to the correction of any nonconforming zoning condition, including buildings or structures nonconforming due to standards or use, as defined in Section 22.14.020 of Division 2 (Definitions), provided that the lot is in a zone that ~~allowed~~ allows residential use.

L. To the extent that any provision of this Title 22 is in conflict with ~~law~~ sections 65852.2 or 65852.22 of the California Government Code, the applicable provision of State law shall control, but all other provisions of this Title 22 shall remain in full force and effect.

SECTION 9. Section 22.300.020 is hereby amended to read as follows:

22.300.020 - Application of Planning Area Standards Districts, Community Standards Districts, and Supplemental Districts to Property

...

B. ~~Additional Regulations~~ Relationship to other Title 22 Provisions.

...

2. Accessory Dwelling Units and Junior Accessory Dwelling Units. ~~Where the regulations in Section 22.140.640 (Accessory Dwelling Units and Junior Accessory Dwelling Units) are contrary to the provisions in a CSD regulating the same matter, the provisions in the CSD shall prevail, unless specified otherwise in Accessory dwelling~~

units and junior accessory dwelling units shall be subject to Section 22.140.640

(Accessory Dwelling Units and Junior Accessory Dwelling Units).

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