


April 23, 2025

TO: Staff

FROM: Amy J. Bodek, AICP 
Director of Regional Planning

SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2025-04 – DISASTER RECOVERY: OCCUPANCY TIME LIMIT FOR STANDALONE ACCESSORY DWELLING UNITS

PURPOSE

This memorandum provides an occupancy time limit for a “standalone” Accessory Dwelling Unit (ADU), which is an ADU on a property without a primary dwelling unit. A household may occupy a “standalone” ADU while they wait for their home to be rebuilt after a disaster.

BACKGROUND

[Executive Order N-9-25](#), issued by the Governor on January 16, 2025, suspended Government Code section 66328 to allow the issuance of a certificate of occupancy for an ADU before the certificate of occupancy for the primary dwelling unit on any residential property that was substantially damaged or destroyed by the Eaton Fire or the Palisades Fire. This suspension will remain in effect until January 16, 2028, unless terminated earlier. However, the Executive Order does not provide an occupancy time limit for “standalone” ADUs.

[County Code Section 22.256.030 \(Disaster Recovery – Implementation\)](#) states that any temporary housing permit shall expire two years after the beginning of the emergency declaration. This County Code Section also states that the Director of Regional Planning may grant up to three one-year extensions, for a maximum cumulative duration of five years, if the disaster survivor needs more time to rebuild their home. However, a “standalone” ADU is a permanent structure and does not meet the definition of “temporary housing,” which is listed under “Disaster Recovery” in [County Code Section 22.14.040 - D](#), although a household will temporarily occupy the permanent structure while they wait for their home to be rebuilt.

INTERPRETATION

Although County Code Section 22.256.030 does not apply to a “standalone” ADU, the Director of Regional Planning is using it for guidance to establish an occupancy time limit pursuant to [County Code Chapter 22.234 \(Interpretations\)](#). A household may temporarily occupy a “standalone” ADU while they wait for their home to be rebuilt until January 7, 2030, which is five years after the Board of Supervisors proclaimed the existence of a local emergency for the January 2025 Windstorm and Critical Fire Events.

When the household decides to rebuild their home, the “standalone” ADU can remain on the property and will not require further review, although it will need to be shown on the site plan for the primary dwelling unit rebuild project.

APPLICABILITY

This memorandum applies to any “standalone” ADU approved on or after January 16, 2025, on any residential property that was substantially damaged or destroyed by the Eaton Fire or the Palisades Fire.

If you have any questions regarding this policy, please contact Mitch Glaser at mglaser@planning.lacounty.gov.

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