

May 13, 2025

TO: Staff

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

SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2025-05 – DISASTER RECOVERY: ALLOWABLE HEIGHT FOR “LIKE-FOR-LIKE” REBUILD PROJECTS SUBJECT TO THE DISASTER RECOVERY ORDINANCE (EATON FIRE)

PURPOSE

This memorandum clarifies the allowable height for “like-for-like” rebuild projects that are subject to [County Code Chapter 22.256 \(Disaster Recovery\)](#), also known as the Disaster Recovery Ordinance (DRO), which applies to properties impacted by the Eaton Fire.

BACKGROUND

[Executive Order No. N-20-25](#), issued by the Governor on February 13, 2025, clarifies that the County has the authority to determine what is considered “like-for-like.”

[County Code Section 22.256.050.B \(Disaster Recovery – Like-For-Like Replacement\)](#) states that “The height of any like-for-like replacement shall not exceed the maximum height limit of this Title 22 or the damaged or destroyed structure, **whichever is smaller.**” (emphasis added).

However, this conflicts with the definition of “like-for-like replacement,” which is listed under “Disaster Recovery” in [County Code Section 22.14.040 - D](#): “Like-for-like replacement. The rebuild, repair, or replacement of a legally-established structure that was damaged or destroyed. Such like-for-like replacement structure shall be in the same location; **have the same** or smaller floor area, size, **height**, and bulk; and cover the same footprint **as the prior legally-established structure.**” (emphasis added).

INTERPRETATION

Given the inconsistency between County Code Section 22.256.050.B and County Code Section 22.14.040 – D, the Director of Regional Planning is issuing the following interpretation for properties subject to the DRO pursuant to Executive Order No. N-20-25 and [County Code Chapter 22.234 \(Interpretations\)](#):

Notwithstanding County Code Section 22.256.050.B, the maximum height of any “like-for-like” replacement structure is the height of the prior structure plus up to 10 percent.

APPLICABILITY

This memorandum applies to any “like-for-like” rebuild project subject to the DRO, which applies to properties impacted by the Eaton Fire, and will remain in effect until the DRO is updated to clarify the allowable height for “like-for-like” rebuild projects.

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

AJB:DJD:MG:lm