

8. The local building code requirements which apply to dwellings, as appropriate, are also met; and
9. A minimum of one additional covered or uncovered off-street parking space is provided. If not otherwise prohibited by the zoning ordinance or any other land use regulation, tandem parking is allowed and the parking space may be located in a required yard.

APPROVAL

If the proposed second dwelling unit meets all nine AB 1866 standards, the Department of Building and Safety shall approve the plans and issue a building permit. If the proposed unit meets all nine standards but is governed by an historic preservation overlay zone, specific plan, or other zoning regulation that requires architectural review or a similar type of review, then the Department of Building and Safety shall refer the applicant to the Department of City Planning. The Planning Department may impose conditions on the project as a result of this architectural or similar review, but may not deny the second unit if it otherwise meets all nine AB 1866 standards.

ALTERNATIVE APPROVAL

If a proposed second dwelling unit does not comply with the nine standards listed above, then AB 1866 does not apply and all applicable regulations in the zoning code govern. If an applicant still wishes to build a second unit, then two options may be available:

First Option. Obtain all necessary approvals as provided by the zoning code. For example, if a proposed second dwelling unit complies with all nine standards set forth above except the required rear yard, then the applicant would have to file for two discretionary land use approvals: (1) an adjustment, pursuant to LAMC Section 12.28, for a reduced rear yard; and (2) a variance, pursuant to LAMC Section 12.27, for an increase in density to permit an additional unit on a lot where the zoning only allows one dwelling unit.

Second Option. Obtain an approved conditional use permit from the Zoning Administrator pursuant to either LAMC Section 12.24-W,43 or LAMC Section 12.24-W,44, subject to all applicable requirements and limitations set forth in those sections.

MULTIPLE DWELLING ZONES

AB 1866 shall not be construed to allow an increase in the density of a zone that may permit two or more dwelling units on a single lot. For example, a third dwelling unit on a lot zoned R2 is not allowed by right pursuant to AB 1866.