

# UNAPPROVED DWELLING UNIT ORDINANCE



## BACKGROUND & FREQUENTLY ASKED QUESTIONS – Updated July 2018

### **What does the UDU seek to accomplish?**

The recently adopted Unapproved Dwelling Unit (UDU) ordinance creates a process by which certain illegal housing units in multi-family zones can be brought into compliance, provided, certain life safety and affordability requirements are met.

### **Why create a new Ordinance?**

At a time when the City is facing a severe housing crisis, the ordinance will help protect the City's stock of affordable housing units. Each year, between 400 and 500 housing units are removed from the market as an unintended result of the Systematic Code Enforcement Program's periodic inspection of all multi-family units. This has resulted in the dislocation of low and moderate income households. Most of these units are removed because of zoning violations which could not be easily addressed under the previous rules in existence.

### **How was the Ordinance developed?**

The City facilitated meetings with a working group of apartment owners and tenant representatives to identify policy recommendations. The working group concluded that the City should focus its attention on the high number of evictions and unit removals in multi-family buildings. Additionally, some argued that for many of the evictions there was an opportunity to enhance the current code enforcement process to improve safety and affordability in the illegal units without having to necessarily evict tenants. In December 2014, the City Council adopted a motion authored by former Councilmember Felipe Fuentes (CF 14-1150) directing the Department of City Planning (DCP) to propose options to better facilitate the legalization of unapproved dwelling units. The DCP proposed policy recommendations to the Planning and Land Use Committee and the Housing Committee in mid-2015. The final ordinance was adopted unanimously by the City Council on May 10, 2017.

### **Why require affordable units?**

The affordable housing provision was an important rationale for the City to adopt this ordinance to act proactively to preserve our current housing stock and to ensure we advance various housing typologies which can offer housing affordability at all income levels.

### **What properties are eligible for the legalization process?**

To be eligible, the residential or mixed-use building with the unapproved dwelling unit must be located in a multi-family zone (R2 or above) and otherwise in compliance with the City's code. The owner must demonstrate that the unit existed between 2010 and December 10, 2015, and be willing to provide at least one restricted affordable unit for up to 55 years<sup>1</sup>. Eligible projects must demonstrate compliance with certain "good neighbor" development standards, including the removal of any illegal signage or parking pads in the front yard.

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<sup>1</sup> This includes Low or Very Low-Income units, as well as Moderate-Income units when not located in a Low Moderate Income area as defined by the Community Reinvestment Act.

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### **How can I participate in the program?**

The initial inquiry to the program should be directed to the Metro Development Services Center at 201 N. Figueroa Street, 4<sup>th</sup> Floor. For additional information on project eligibility and zoning compliance, please contact the Housing Services Unit at (213) 202-5456.

### **What is the process for compliance?**

After the initial inquiry, applicants must visit the Department of Building and Safety to go through the Plan Check process to ensure the projects comply with the ordinance and adhere to health, safety, planning and zoning codes. Once completed, DCP will review and process applications to verify conformance with the UDU Ordinance.

### **When will the Ordinance take effect?**

The Mayor signed the Ordinance in May 2017.