

## CHAPTER 19.81

### SECOND DWELLING UNITS

#### Sections:

- 19.81.010 PURPOSE
- 19.81.020 PROHIBITION
- 19.81.030 GENERAL REGULATIONS
- 19.81.040 SECOND DWELLING UNIT STANDARDS
- 19.81.050 APPLICATION REQUIREMENTS
- 19.81.060 PERMIT FILING FEES
- 19.81.070 REQUIRED FINDINGS AND CONDITIONS

#### 19.81.010 PURPOSE

The purpose of this Chapter is to provide an additional opportunity for affordable housing in the City by permitting secondary units for residential purposes on lots for single-family use which are compatible; to implement state law requiring consideration and provisions for such use; and to protect and preserve existing neighborhoods by ensuring through established standards that secondary units shall not be permitted where incompatible with existing adjacent and neighboring residential uses and with the goal of providing affordable housing.

#### 19.81.020 PROHIBITION

No secondary unit shall be constructed by any person who has not first obtained a secondary residential unit permit from the Development Services Department. (Ord. 1264, Jan 2010)

#### 19.81.030 GENERAL REGULATIONS

No application for a secondary unit permit may be filed nor may such a permit be granted or a certificate of occupancy be issued unless and until each of the following requirements are met. (Ord. 1264, Jan 2010)

##### **A. Zoning**

The lot is zoned single-family or multi-family and is an existing legally subdivided lot, which complies with the minimum lot requirements for the zoning district. (Ord. 1264, Jan 2010)

**B. Use**

The lot contains either one existing single-family detached dwelling unit or a duplex which comply with the development standards for the zoning district and the lot contains no other “second unit.” (Ord. 1264, Jan 2010)

**C. Owner**

The occupant of either the existing primary unit, the duplex, or the second unit shall be the owner of all units. Sale or ownership of second units separate from the primary residence is prohibited. (Ord. 1264, Jan 2010)

**D. Recorded Notice**

All deeds for properties containing a second unit shall, upon transfer of the property, have incorporated therein notice to the transferee that such property contains a second unit and that the transferee shall be subject to the requirements and restrictions of this Chapter, and the conditions of approval for the second unit.

19.81.040 SECOND DWELLING UNIT STANDARDS

**A. Attached Second Dwelling Unit**

An attached second dwelling unit shall comply with all the development standards for new single-family dwelling units as specified for the zoning district in which it is located including, but not limited to, setbacks, height limitations, and maximum lot coverage. The following standards shall also apply:

1. Second dwelling unit shall be attached to the existing residence.
2. The total floor area of the second unit shall not exceed 30 percent of the existing living area of the primary residence.
3. The architecture of the new unit shall be consistent with the existing unit architecture, color and material. (Ord. 1264, Jan 2010)
4. One enclosed garage, off-street parking space, with a minimum area of 250 square feet shall be provided in addition to that required for the primary unit.
5. There shall not be more than one exterior entrance on the front or on any street side of the structure, and no exterior stairway shall be located on the front of the structure.
6. On lots with less than 20,000 square feet in area, both units shall be connected to public sewer.
7. The character and appearance of the primary residence shall be maintained to appear as a single-family unit.

**B. *Detached Second Dwelling Unit***

A detached second dwelling unit shall comply with all the development standards for new single-family dwelling units, as specified for the zoning district in which it is located including, but not limited to, setbacks, height limitations, and maximum lot coverage. The following standards shall also apply.

1. Second dwelling unit shall be a detached, accessory structure, separate from the existing residence. A detached unit may be attached to an accessory structure, such as a detached garage.
2. The total floor area of the second unit shall not exceed 75 percent of the total square footage of the living area of the primary unit and in no event shall the living area exceed 1,200 square feet.
3. The architecture of the new unit shall be consistent with the existing unit architecture, color and material. (Ord. 1264, Jan 2010)
4. One enclosed garage, off street parking space, with a minimum area of 250 square feet shall be provided in addition to that required for the primary unit. The garage shall be attached to the second unit.
5. On lots with less than 20,000 square feet in area, both units shall be connected to public sewer.
6. Mobile homes (1976 or newer) as second units are allowed only in the RR/A Zone and A-1 or lots containing more than 20,000 square feet in area. The structure shall be compatible with the primary unit.
7. Second units over detached garages with vehicular access from a public alleyway right-of-way, shall be set back from the alleyway no less than 5 feet. The garage shall be equipped with automatic garage door openers to minimize any vehicular impacts to the alleyway.
8. Second units over detached garages shall utilize an interior stairway, and no exterior stairway shall be located on the structure.

19.81.050 APPLICATION REQUIREMENTS

**A. *Application Provisions***

The applicant shall submit an application for a secondary unit permit pursuant to the submittal requirements on file with the Development Services Department, which shall include, but not be limited to, the following (Ord. 1264, Jan 2010):

1. Name and address of the applicant.
2. Statement that the applicant is the owner or the authorized agent of the owner of the property on which the second unit is proposed to be located.

3. Address and legal description of the property (assessor's parcel number).

**B. Site Plans**

1. Floor plans and site plans, fully dimensioned, indicating the type, use and location of all rooms, buildings, structures, parking, and landscaping areas.
2. Building elevation plans of sufficient detail to indicate the type and color of materials to be utilized.
3. The Development Services Director or his/her designee may require additional information, material or plans, if necessary. The Director may also authorize omission of any plans and drawings required by this Section if he/she deems it unnecessary. (Ord. 1264, Jan 2010)
4. Photographs of any existing structure or structures (four sides) and of existing structures on adjacent properties as seen from the street.
5. Written statement as to proposed exterior construction material.
6. Drawings and/or photographs of proposed exterior elevations.

19.81.060 PERMIT FILING FEES

Permit filing fees shall be as set forth by City Council resolution.

19.81.070 REQUIRED FINDINGS AND CONDITIONS

**A. Findings**

The Development Services Department shall not approve a secondary residential unit permit unless the Development Services Director makes the following findings (Ord. 1264, Jan 2010):

1. That the proposed secondary unit is in conformity with the standards of the zone in which it is proposed to be located, and other applicable ordinances insofar as the location and appearance of the buildings and structures involved, except as otherwise specifically permitted by this Chapter.
2. That the plan for the proposed secondary unit reflects sufficient consideration of the relationship between the proposed buildings and structures and those that exist or have been approved for the general neighborhood, including relative height and orientation, to preserve and protect neighborhood character.
3. That the proposed exterior design and appearance of the secondary unit is not so at variance with the appearance of other existing structures in the general neighborhood as to cause the local environs to materially depreciate in appearance and value.
4. That all provisions of this Chapter are met.

***B. Conditions***

If all criteria designed in this Section are met, the application shall be approved subject to at least the following conditions:

1. All necessary City permit will be obtained prior co commencement of construction.
2. Construction work must begin under the secondary unit permit within 12 months after the effective date of the permit and carried on diligently to completion of at least one usable unit or the permit and any other privilege or variance granted thereby shall expire.