

SECOND DWELLING UNITS

In 2002, the Governor signed a law that requires all second dwelling units to be reviewed and approved ministerially when the unit complies with the standards set forth in Ord. No. 3604. A ministerial action describes a government decision or action that involves little or no personal judgement and no public hearing.

A second dwelling unit is any residence which provides independent living facilities on the same parcel as the single family residence. Second dwelling units may also include efficiency units and manufactured homes as defined by Government Code §17958.1 and §18007 respectively.

Please check with your Homeowner's Association and/or CC&R's for all private zoning requirements prior to construction.

HOW TO GET A SECOND DWELLING UNIT BUILDING PERMIT

A standard building permit application form is used for second dwelling units. **The information required for a second dwelling is in addition to that required for a building permit (see Building Permit Brochure).**

The first step is to fill out a Building Permit Application and Deed Restriction form. Submit the application and 3 complete sets of plans.

A. The Submittal Package

- (1) **Plot Plan (to scale):** Draw and dimension the perimeter of entire parcel on which the second unit will be located. Show all existing and proposed buildings on site and within 50 feet of the project site and include dimensions to property lines. All easements, building envelopes, and special requirements of the subdivision as shown on the final map and improvement plans must be included.
- (2) **Floor Plan (to scale):** Each room must be

dimensioned and the resulting floor area calculation included. Identify the use of each room. Show the location and size of windows and doors.

- (3) **Foundation Plan:** Provide building cross sections including, average slope calculations, structural wall elements, roof, foundation, fireplace and any other sections necessary to illustrate earth-to-wood clearance and floor to ceiling heights.
- (4) **Elevations:** Submit north, south, east and west exterior elevations and show all openings, exterior finishes, original and finish grade, stepped footing outline and roof pitch.
- (5) **Details:** Submit materials and color board for existing and proposed units.
- (6) **Photographs:** Submit color photos of the site and adjacent properties from each of the property lines. Label each photo and reference to a separate site plan indicating location and direction of the photo.
- (7) **Deed Restriction:** Submit a deed restriction form. Refer to D.2 for additional information.

Leaving any of the above out of your application may cause delays in plan checking.

SECOND DWELLING UNIT BUILDING PERMIT IS ISSUED when it meets the following:

B. Development Standards

- (1) **Location:**
 - a. Any lot that principally allows a single family residence may develop up to one main residence and one second unit.
 - b. Public utilities, services, and paved roadways shall be adequate to serve the unit.

- c. The second dwelling unit must be consistent with the General Plan. **Exception:** Density calculations are not applicable to second units.
- d. No second dwelling unit may be located on or adjacent to a site listed on the California Register of Historic Places (John Medica and Luther Burbank Gardens).

(2) Setbacks:

- a. The setbacks for a second dwelling unit shall be consistent with setbacks for the main unit in the zoning district in which the unit is located. **Exception:** Setbacks for a PD District, which was in effect on or before 10/4/1985, without setbacks specified by policy statement or development plan, shall maintain a 15 foot rear setback, an interior side yard setback of 5 feet for 1st story portion and 10 feet for 2nd story portion and an exterior side yard setback of 15 feet.
- b. A second unit must be located within 100 feet of the main dwelling but not closer than 10 feet to a main dwelling on an adjacent lot.

- (3) **Unit Size:** The second unit shall contain one bedroom or less and be between 150 square feet and 700 square feet in size.

- (4) **Internal Conversion:** A second dwelling unit created by the internal conversion of an existing single family dwelling may not occupy more than 45% of the habitable floor area of the building (excluding garage area).

- (5) **Height:** A second dwelling unit may not exceed 2 stories or 27 feet in height.

- (6) **Lot Coverage:** The lot coverage requirements for the main dwelling shall apply to the second dwelling unit.

- (7) **Off-Street Parking:** One more off-street parking space than required for a single family dwelling. The additional space may be uncovered, tandem and compact and located in the front setback (when in the driveway).

Exception: Where on-street parking is not provided, the additional parking space shall be outside any setback and may be compact and uncovered.

C. Design Standards

- (1) **Architectural Compatibility:** The second dwelling unit must incorporate the same or substantially similar architectural features, building materials and colors as the main dwelling or compatible dwellings on adjacent lots.
- (2) **Privacy:** Any balcony, window or door of a 2nd story second dwelling unit shall utilize techniques to lessen privacy impacts, e.g., obscured glazing, windows above eye level, screening treatments or relocating openings so that they are between the main residence and the second unit.

D. Other

- (1) **Foundation:** The second dwelling unit must be placed on a permanent foundation.
- (2) **Occupancy:** A deed restriction must be recorded prior to the issuance of a building permit. The deed restriction is a legally binding document that guarantees that either the main or secondary unit will be owner occupied.

E. Fees (Fees referenced in this brochure may not be all inclusive.)

- (1) **Plan Check and Building Permit Fees:** Based on project value for all construction covered under the permit.
 - a. **Plan Check Fees:** To be paid at building permit submittal.
 - b. Prior to building permit issuance, the following fees may need to be paid: **building permit, area plan, capital facility, park, sewer and water hookup, encroachment**

permit and school impact fees.

- (2) **Additional fees** may be required if your project needs planning permit or approval.

ISSUANCE OF SECOND DWELLING UNIT BUILDING PERMIT

The Department of Community Development will contact the applicant upon successful completion of all conditions of approval and upon compliance with codes and requirements. Any outstanding fees must be paid and final forms signed the day of issuance. The owner-builder is required to sign forms, but contractors may opt to have an authorized representative sign in their place. All forms shall be signed in front of the counter staff issuing the permit.

If the owner or contractor intends to hire anyone to work on the project, they must provide a certificate of Workers' Compensation Insurance. The certificate must contain a current expiration date and will be verified prior to permit issuance. Contractors must present evidence of a current contractor's license (pocket card) and must have a current City of Santa Rosa business license at the time of permit issuance. An approved copy of the plans must be kept at the job site.

TIME LIMITS

Any permit, ready for issuance, shall be picked up within 180 calendar days from application. If the period ends without permit issuance, a new plan check fee shall be paid. Written requests may be submitted for a one time extension prior to the 180th day. Work must begin within 180 calendar days from the date the permit was issued.

INSPECTIONS

Each stage of construction requires an inspection by the Building Division. A twenty-four hour advance notice is required for all inspections. While specific

appointments cannot be scheduled, the Department can accommodate requests for morning or afternoon appointments. Required inspection types are listed on the face of the Building Permit.

CHANGES

Once a permit has been issued any change to the plans must be reapproved. Two sets of the proposed changes must be resubmitted and additional plan review fees may be charged. Any change must be properly prepared and signed by the professional who originally prepared the plans.

SUMMARY OF PROCESS

- Submit permit application, deed restriction form and pay initial fees.
- Deed restriction form is routed to City Attorney and Director of Community Development for signature.
- Plans are checked by a Building Plan Checker and referred to other departments as needed.
- Plans are corrected and resubmitted (if required).
- Plan corrections are rechecked by Building Plan Checker.
- Plans approved.
- Applicant takes completed deed restriction form to the County Recorder's office for recordation.
- Applicant submits a conformed copy of the deed restriction and pays the remaining fees.
- Building permit is issued and construction may begin.
- All construction must be inspected during all phases of the project. Upon successful final inspection, the inspector's sign-off serves as the certificate of occupancy.

Department of Community Development
P.O. Box 1678
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95402-1678

SECOND DWELLING UNIT BUILDING PERMIT

The City Council encourages property owners to talk to their neighbors about any plan to build a second dwelling unit.

DEPARTMENT OF COMMUNITY DEVELOPMENT
PO Box 1678, Santa Rosa, CA 95402
100 Santa Rosa Ave, Room 3
<http://ci.santa-rosa.ca.us/cd/>

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