

# SECOND UNIT HOUSING

## AN INFORMATIONAL GUIDE



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## SECOND UNIT HOUSING

### Introduction

The California City Planning Department has assembled this material in order to assist interested applicants with the processing of Second Unit Housing applications. The California City Municipal Code (CCMC) allows for the construction of second unit housing on residential lots typically zoned for a single family residence. More families are caring for their parents and second unit housing is ideal for parents wishing to remain independent. It is important to note, Second Unit Housing as a condition of approval, is **not** a **rental unit**. This unit is for the purpose of providing a type of housing such as, a “mother-in-law quarters” or guest unit. This is **not rental property**.

### Development Process

The CCMC Section 9-2.307, Second Unit Housing, (a) No person shall construct, or cause to be constructed, maintain, or cause to be maintained, second unit housing within the City unless a **special use permit** is first obtained. In order to obtain a special use permit, the applicant must first apply for a Concept Plan Review (DRC or Site Plan). The Concept Plan Review is important to the approval of Second Unit Housing. City staff reviews the application for compliance with fire, safety and building codes. City staff must review the plans, develop conditions of approval and offer a positive recommendation for approval by Resolution to the Planning Commission at a scheduled public hearing.

### Facts About Second Unit Housing

- A Second Unit shall have a minimum of 500 sq. ft. of floor area and not more than 1,000 sq. ft. of floor area (CCMC Sec. 9-2.307).
- Is there adequate parking? Parking in the residential districts as a permitted use allows the following: CCMC Sec. 9-2.501, Private garage not to exceed 3 automobiles in capacity

unless the lot size is at least 12,500 sq. ft., the minimum lot frontage is 100 ft. and the house size is at least 2,000 sq. ft., which event a 4-automobile garage is permitted.

- Show ingress and egress to the second unit on the plans?
- Encourage energy efficient appliances be installed in the Second Unit Housing. Provide energy efficient building techniques during the review process, if not already incorporated into the building plans.
- Provide other helpful brochures on Affordable Housing, Energy Tips, Reducing Greenhouse Gas Emissions and the Effects of Global Warming.
- Is the property on sewer or septic? Does the existing system have adequate capacity? Does the second unit require a separate septic system be installed?
- The second unit must not cover more than is allowed for lot coverage percentage, as specified in the Zoning Code for the residential districts.
- 1) Residential Agricultural (RA) minimum lot size one acre, not to cover more than forty-five percent (45%) of the lot with structures.
- 2) One Family Residential (R1) minimum lot size 6,000 sq. ft., not to cover more than forty-five percent (45%) of the lot with structures.

- 3) One Family Residential (R2) minimum lot size 10,000 sq. ft., not to cover more than forty-five percent (**45%**) of the lot with structures.
- 4) One Family Residential (R3) minimum lot size 20,000 sq. ft., not to cover more than thirty percent (**30%**) of the lot with structures.
- 5) Estate Density (R4) minimum lot size two acres, not to cover more than twenty-five percent (**25%**) of the lot with structures.
- 6) Estate Density (R5) minimum lot size five acres, not to cover more than twenty-five percent (**25%**) of the lot with structures.
- Development process application packets are available electronically or at the City's Planning Department counter for **anyone** not having access to a computer and the internet.

## APPLICATION PROCESS

### STEP 1. Pre-application Conference

Prior to preparing any plans to the City for review, contact should be made with the Planning Technician to discuss the proposed development. This step will insure that all applicants are familiar with the zoning, land development regulations in the City, and application requirements, as well as, other issues that may relate to the specific development proposal, including filing a Categorical Exemption from the California Environmental Quality Act (CEQA) for the applicant. To file this exemption there is a one time **Kern County filing fee of \$50.00**, payable by money order or cashiers check. The applicant will be advised when payment is due following approval by the Planning Commission. Additional fees are

required if the project needs other permits. For example, if a **project requires conceptual review prior to applying for a special use permit**, conditional use permit, a variance, or if the applicant is merging lots where a lot merger application and certificate of compliance will be necessary.

### STEP 2. Concept Plan Review Application

The application is returned to the Planning Technician. Applications must be complete, at the discretion of the Planning Technician before they are accepted and placed on any meeting agenda. Failure to meet deadlines or submit complete application packets will cause delays in the processing and project approval. Provided the application is complete, the Planning Department will process the application(s) as quickly and efficiently as possible. An application packet is considered complete if all items on the concept plan checklist has been provided. Return with the checklist the following: application form, initial study, environmental information form, backup material such as, developer drawings, plans and applicable fees. **The Conceptual Review (DRC) fee is \$750.00.**

### STEP 3. DRC Conference

Concept plans will be placed on Planning Commission agendas only after a DRC conference has taken place, a completed application has been submitted and payment of fees are received. Your conceptual review will be scheduled in accordance with the DRC calendar schedule. Submission deadlines are included in the DRC and Planning Commission calendars, available in the application packets. Staff will provide a list of conditions of approval that must be signed by the applicant and the city official conducting the DRC meeting. These conditions are forwarded to the Planning Commission as an exhibit, in the formal resolution that will ultimately grant the special use permit. At the discretion of the Planning Director, the Planning Commission may review the concept plan and may offer opinions, suggestions, comments and any other input they feel is appropriate. Commission

comments are not binding at this point, and are intended only to benefit the applicant as they prepare applications. Any concept plan must be acted upon within 120 days. After that time the concept plan will require a re-review.

### STEP 4. Special Use Permit

No additional application is required. Minor changes will be made on the original conceptual review application such as, to show completion of the DRC and that conditions of approval are attached by Resolution. The applicant must provide any new information requested by DRC. A public hearing will be noticed in the local newspaper of general circulation and letters to affected property owners within 300 feet will be mailed by the Planning Technician. The filing fee for a Special Use Permit is **\$750.00 plus \$20.00 per lot**. Under the Code, some uses are permitted subject to the granting of a special use permit. CCMC Article 25, Sec. 9-2.2500, describes how the Planning Commission shall consider, grant, or deny application. If your application is denied, you have 10 days to file an appeal to City Council. There is a non-refundable **\$200.00** appeal fee. Following approval by the Planning Commission, the Planning Technician will file a Categorical Exemption with the County Clerk's Office. You will be requested to submit a **\$50.00 money order or cashiers check** made payable to the Kern County Clerk's Office.

### Questions or Requests

Questions regarding this process may be directed to the Planning Technician in person at City Hall, Planning Department, 21000 Hacienda Boulevard, Monday through Friday 8:00 a.m. to 5:00 p.m. or by telephone at (760) 373-7141, by fax at (760) 373-7529, or email your request or questions to [Planning2@CaliforniaCity.com](mailto:Planning2@CaliforniaCity.com)