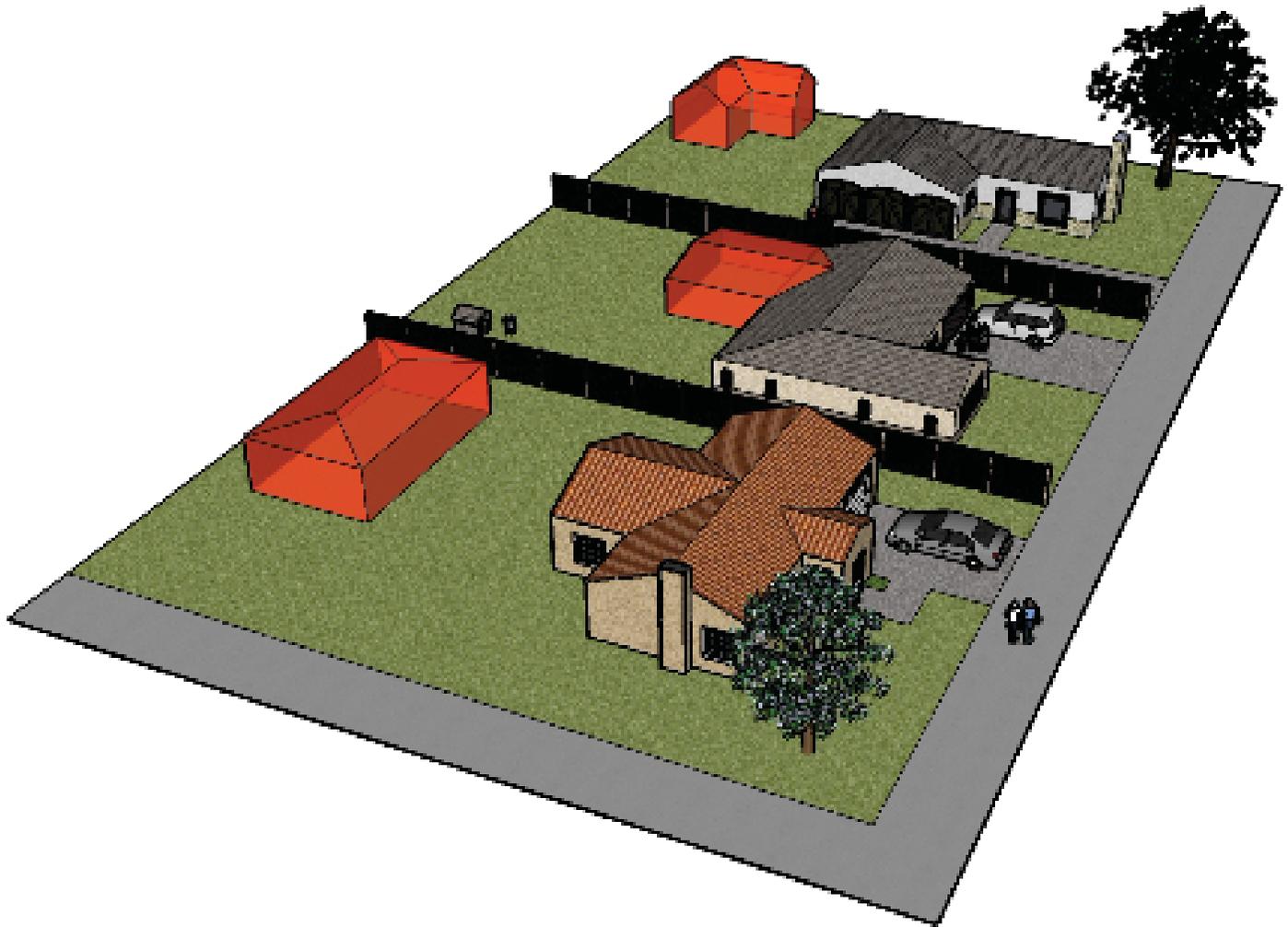


SECOND UNIT

INFORMATION AND SUBMITTAL FORM



CITY OF
REEDLEY
COMMUNITY DEVELOPMENT DEPARTMENT
1733 NINTH STREET
REEDLEY, CA 93654
(559) 637-4200 EXT. 222

TABLE OF CONTENTS

INTRODUCTION 1

FREQUENTLY ASKED QUESTIONS..... 2

STANDARDS 3-5

DEFINITIONS 6-7

CONTACTS 8

CHECKLIST 9

DECLARATION 10

ATTACHMENTS:

-OWNER OCCUPANCY COVENANT

**-ORDINANCE No. 2009-05
REEDLEY MUNICIPAL CODE RELATING
TO SECOND UNITS**

INTRODUCTION

As California continues to grow; housing prices continue to rise, and the supply of open and agricultural land slowly diminishes, it is imperative that we continually improve our abilities to utilize the land we have already developed. An excellent way to do this is through the building and maintaining of Second Units.

It is now reported that only one in five California households are able to afford adequate housing¹. In addition, cut backs by the federal government have severely hurt or eliminated programs that had been used by local governments to accommodate new growth, putting the added costs of infrastructure improvements onto the developer, and as a result, onto the consumer; increasing the amount of money required for housing.

To combat this imbalance of high cost for less than adequate housing, California is focusing on higher density living. Of the many options higher density allows, one choice is the addition of a second unit on your existing land. In accordance with state requirements, The City of Reedley encourages the establishment of second units, and as such, has created this packet of information and application to assist in the timely and legal establishment of second units.

¹Still Locked Out: New Data Confirm That California's Housing Affordability Crisis Continues, California Budget Project, March 2001

FREQUENTLY ASKED QUESTIONS

WHAT IS A SECOND UNIT?

A second unit is defined as a permanent residence that is accessory to a primary residence located on the same site. A second unit has a separate entrance, separate bathroom, and separate food preparation facilities (which include a stove, refrigerator, and sink) intended for the use of the occupants. A second unit may share a common wall with the primary residence, or it may be a freestanding independent structure, but must be located on the same lot, meeting all applicable city zoning requirements.

WHY HAVE A SECOND UNIT?

Second unit's can be an excellent source of income when rented. They can be an excellent alternative for ageing family members who would prefer to live close to family as opposed to a group home or single living. Second Unit's can offer a place for short-term visiting family and friends, or a private residence for college students. The possibilities and flexibility of a second unit are many, and help to maximize our limited land resources by utilizing existing infrastructure within the community, easing a rental housing deficit, and improving a communities economic base.

WHAT ARE THE SIZE RESTRICTIONS ON A SECOND UNIT?

A second unit shall not be larger than 30% of the primary unit on the parcel and may not exceed a maximum size of twelve hundred (1200) square feet. Lot coverage, building height, and setback requirements in each zone may also dictate how large your second unit may be.

CAN I SELL MY SECOND UNIT?

No, A second unit can not be sold separately from the primary unit. If the primary unit is sold, all land, permits, and approved uses will transfer with the sale.

DO I NEED SEPARATE UTILITY METERS?

Yes, second meters for gas, electric, and water service are required. All utility configurations should provide the tenant with unobstructed access to shut-off valves and circuit breakers. Sewer service does not require an additional meter.

WHAT IF I HAVE A SEPTIC SYSTEM?

Septic systems are not acceptable when adding a second unit. A system must be removed, and sewer service provided in order to accomodate a second unit.

WHAT FEES ARE INVOLVED WITH THE APPLICATION PROCESS?

Applicable building permit plan check fees, development impact fees, encroachment impact fees, and school district fees will be assessed, and are figured based upon the square footage being built. A recordation fee of \$11, made payable to the County of Fresno, will be assessed for the recording of an owner-occupancy restrictive covenant; notarization fees may apply. Other fees may be necessary depending on the site and conditions.

SECOND DWELLING UNITS SHALL BE SUBJECT TO THE FOLLOWING DEVELOPMENT STANDARDS:

Reedley Municipal Code 10-6D-5

Second units shall be subject to all development standards of the R or RM zoning district in which the property is located, except as modified below:

- A. Floor Area. The total floor area of an attached second unit shall not exceed thirty (30) percent of the total floor area of the existing dwelling unit area or, in the case of a detached unit, one thousand two hundred (1200) square feet. All development on a lot, including second units, must conform to the development standards of the underlying zoning district, including, but not limited to, setbacks, building separations, maximum lot coverage and grading limitations.
- B. Lot Coverage. The entire lot shall conform to the lot coverage limitation of the zoning district in which the property is located.
- C. Height. Attached second units shall conform to the height limits of the underlying zoning district.
- D. Setbacks. A second unit shall maintain the setbacks required in the underlying zoning district for a primary dwelling. Detached second units shall not be considered as detached accessory buildings for the purposes of determining setbacks.

Exceptions: (1) a second unit may be developed above an existing detached garage whose setbacks conform with those for detached accessory buildings; (2) a second unit may be developed above a new detached garage whose vehicle doors are set back five feet from an alley right-of-way.

- E. Building Separations. A minimum separation of ten feet shall be maintained between the primary dwelling and a detached second unit.
- F. Off-Street Parking.
 - 1. Off-street parking for the primary dwelling shall conform to the current parking standards as set forth in section 10-12-2.
 - 2. Off-street parking for the second unit shall be provided as follows:
 - a. One additional off-street parking space, covered or uncovered, shall be provided for each studio or one-bedroom second dwelling unit; two additional off-street parking spaces, covered or uncovered, shall be provided for each second unit with two or more bedrooms.

- b. The additional off-street parking spaces for second units must be on a paved surface; measure ten feet in width if covered, nine feet in width if uncovered, and twenty feet in depth; tandem spaces may be approved for second units; in the R zoning district, the total amount of paved area for parking and driveways shall not exceed the limits set forth in section 10-12-2.
- c. Parking spaces for second units may not occupy driveways and back-up areas that serve garages for the primary dwelling, nor may they occupy circular drives or hammerhead turnarounds that serve the primary unit (which are intended to provide means by which vehicles can enter a street head-first).
- d. Tandem parking for second units may be approved by the community development director.
- e. Parking spaces for second units may not occupy areas for required rear and interior side yards.
- f. Primary dwellings with three-car garages may allow one bay and the driveway space in front of the bay to be used for a second unit off-street parking.
- g. If the lot takes access from a collector or arterial street, as designated in the circulation element of the general plan, parking for second units shall not be designed so that vehicles can only back into the street; for this reason, second units may be permitted on any lots that take access from a collector or arterial street, provided safe street access can be provided.
- h. For lots with frontage on only one street, the community development director or his/her designee may deny a site plan application that proposes the situations described below in order to provide access to parking for a second unit:
 - i. The total amount of paving for parking for both the primary and second unit would exceed seventy-five percent of the front yard setback;
 - ii. For lots with access to an alley, a proposal to add a new driveway into a collector street, as designated in the circulation element of the general plan; or
 - iii. For comer lots, a proposal to provide a new driveway that would create a public safety hazard to pedestrians or vehicles.

- G. Architectural Design. The design of the second unit shall be compatible with the design and scale of the primary dwelling (using substantially the same landscaping, color, materials and design on the exterior), and shall otherwise be subject to the provisions of section 1 0-6C-II of this Title.

- H. Attached Second Units. If the second unit is attached to the primary dwelling, each shall be served by separate outside entrances. The interior walls) of an attached unit which separates it from the main unit shall be fire-rated according to the most recent uniform building code.

DEFINITIONS

- Building:** A permanently located structure, having a roof, for the housing or enclosure of persons, chattels or property of any kind. Mobile homes, travel trailers and other vehicles, even though permanently immobilized, shall not be deemed buildings.
- Building, Main:** A building within which is conducted the principal use permitted on the lot or site as provided by this title.
- Dwelling Unit:** One or more rooms and a kitchen designed for occupancy by one family for living and sleeping purposes.
- Easement:** A right of way offered or dedicated to the city or other public entity or a public utility for purposes of providing access to a division of land, for placing utilities, or for any other specified purpose.
- Floorspace:** The net useable internal area of a building, typically recorded in square feet and inches.
- Living Area:** The size of the building, typically recorded in square feet, based upon the exterior dimensions of the building.
- Lot:** A single parcel of land for which a legal description is filed on record, or the boundaries of which are shown on a subdivision map, or record of survey map filed in the office of the county recorder.
- Lot Coverage:** That portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy.
- Ministerial Review:** An administrative decision made without discretionary review or hearing, using predictable, objective, fixed, quantifiable and clear standards.
- Parking, Covered:** An area of property paved and covered by a roof, with consistent materials to the surrounding development, devoted to the purpose of parking motor vehicles.
- Parking, Off-street:** A site, or portion of a site, devoted to the off-street parking of motor vehicles.
- Residence:** A structure containing a dwelling unit designed for occupancy or occupied by one family or more.
- Setback:** The minimum distance as prescribed by this title between any property line and the closest point on the foundation or any supporting post or pillar of any building or structure related thereto.
- Site:** A parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.
- Site Area:** The total horizontal area included within the property lines of a site.
- Street:** A public or private way permanently dedicated or reserved as a primary means of access to abutting property.

Structure: Anything constructed or erected which requires a fixed location on the ground, including a building, but not including a fence or wall used as a fence.

Structure, Main: A structure housing the principal use of a site or functioning as the principal use.

Unit, Attached: A secondary structure containing a dwelling unit designed for occupancy or occupied by one family or more, and attached to the main building by a common wall or a connecting roof.

Unit, Detached: A secondary structure containing a dwelling unit designed for occupancy or occupied by one family or more, and NOT attached to the main building by a common wall or a connecting roof, but a freestanding unit with a fixed location on the ground.

Unit, Primary: The structure or dwelling unit containing the main or primary residence of a site, consisting of One or more rooms and a kitchen designed for occupancy by one family for living and sleeping purposes.

Unit, Secondary: The structure or dwelling unit containing a permanent residence that is accessory to a primary residence located on the same site. A second unit has a separate entrance, separate bathroom, and separate food preparation facilities (which include a stove, refrigerator, and sink) intended for the use of the occupants

Use, Conditional: Any remediation needed to meet certain requirements as a condition precedent to the granting of a use permit which will allow the establishing of a conditional use in any given district.

Yard: Open and unoccupied space on a lot.

Yard, Front: A yard, the depth of which is the minimum required horizontal distance between the front lot line and the line parallel thereto on the lot, which yard extends across the full width of the lot.

Yard, Rear: A yard, the depth of which is the minimum required horizontal distance between the rear lot line and a line parallel thereto on the lot, which yard extends across the full width of the lot.

Yard, Side: A yard, the width of which is the minimum required horizontal distance between the side lot line and a line parallel thereto on the lot, not including any portion of required front yard or required rear yard.

CONTACT LIST

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Frances Wiles
Administrative Assistant
Phone:(559)637-4200, Ext. 222
frances.wiles@reedley.com

Building Division

Ruth Walters
Building Division Administrative Assistant
Phone:(559)637-4200, Ext. 225
ruth.walters@reedley.com

PUBLIC WORKS DEPARTMENT

Public Works Division

Roseann Herrera
Public Works Administrative Assistant
Phone:(559)637-4200 ext. 214
Email: roseann.herrera@reedley.com

SECOND UNIT SUBMITTAL CHECKLIST

Before starting the application process, we recommend that you call or visit the Community Development Agency's public information counter for information on restrictions and other policies and regulations which may affect your project. Once your application is completed, it may be submitted to the Community Development Department located at 1733 9th Street Reedley, CA 93654. State law requires that staff determines whether the application is complete within thirty (30) days from submittal. You will be notified if the application is deemed incomplete, and what items must be submitted before processing can begin.

Applications shall be reviewed ministerially for compliance with the requirements stated in the city zoning ordinance as pertaining to second unit construction. Applications submitted without the required information may not be accepted for processing or may result in the application being deemed incomplete and processing suspended. Regular processing takes between 4 and 8 weeks.

COMPLETE / SUBMIT THE FOLLOWING:

Parcel Information

__ My APN Number is: _____

__ My Parcel is zoned: _____

__ My Setback/Coverage requirements are:

__ Front Yard: _____ Feet

__ Rear Yard: _____ Feet

__ Side Yard: _____ Feet

__ Lot Coverage _____ %

One (1) copy of the completed application packet, including:

__ Second Unit Submittal Checklist

__ Signed Second Unit Declaration

__ Notarized Owner-Occupancy Restrictive Covenant

Pay applicable fees

Plan requirements for construction permit

__ Plot Plan (3 Sets)

__ Floor Plan (3 Sets)

__ Foundation Plan (2 Sets)

__ Framing Plan (2 Sets)

__ Energy Conservation [Title 24] (2 Sets)

(Specific items and requirements for the above Plan Requirements for Construction Permit may be obtained from the Building Division of the Community Development Department.)

SECOND UNIT DECLARATION

DECLARATION UNDER PENALTY OF PERJURY

I _____ declare:
PRINTED NAME OF PROPERTY OWNER

I am the owner of the property commonly known as _____
(address) and with the Assessors Parcel Number (APN): _____

located in the City Of Reedley, and I intend to construct a secondary unit at this property. I agree that the secondary unit shall be located, constructed, and at all times maintained as follows:

- The secondary residential unit will be located on the same parcel on which I maintain my principal residence and I hereby consent to the recording of an owner-occupancy restrictive covenant, and applicable fees.
- I consent to the physical inspection of the premises, if deemed necessary.
- I state that I have read, and fully understand all of the requirements related to the application, approval/denial, building, and maintenance of a secondary unit located on my parcel, as per city zoning ordinance requirements and standards.
- I understand that at any time the regulations for application and approval of a second unit may change, and state that I shall abide by those requirements in place at the time of my application processing.

Executed under penalty of perjury on the _____ day of 20____ at Reedley City, California

SIGNATURE OF PROPERTY OWNER

DATE

Recording requested by and for the benefit of the City of Reedley. When recorded mail to:

CITY OF REEDLEY
1733 NINTH STREET
REEDLEY, CA 93654-2636

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

**COVENANT
(OWNER-OCCUPANCY RESTRICTIVE COVENANT)**

This Covenant is entered into as of _____ (the "Effective Date"), by _____ (The "Owner"), for the benefit of and in running in favor of the City of Reedley and adjacent properties.

Recitals

A. The Owner owns and occupies a house (the "House") on real property (the "Site") located at _____, Reedley, CA 93654. The Site is described in attached Exhibit A, which is made part of this Covenant.

B. The Owner intends to place a second unit (as defined in Government Code Section 65852.2) upon the Site.

C. The Owner has signed a Second Unit Declaration, which states that Owner has read, and fully understands all of the requirements related to the application, approval/denial, building, and maintenance of a second unit located on the Site, as set forth in the Reedley Municipal Code and state law.

Covenant

In consideration of permission by the City of Reedley to place a second unit on the Site, the Owner covenants and agrees:

1. The Owner and their heirs, successors and assigns shall occupy either the House or second unit located on the Site as his, her or their primary residence at all times. In no instance may both units be rented. The Owner agrees to provide proof verifying their residency on the Site as deemed reasonably necessary by the City.

2. This covenant is for the benefit of the Site, the City, the public and public property. It is enforceable by the City of Reedley and adjacent Owners as a covenant running with the land. If

the Owner violates the terms of this Covenant, the Owner understands that the Site may be deemed to contain an illegal second unit which shall constitute a misdemeanor and a public nuisance, as provided in the Reedley Municipal Code, Chapter 6D of Title 10.

3. This covenant will bind those persons who sign below, each of their heirs, executors, administrators, successors in interest, transferees and assigns, and all future owners or lessees of any interest in the Site, including the House and the second unit.

OWNER:

Date

Date

(Signatures must be notarized)

EXHIBIT A

Legal Description

Real property in the City of Reedley, County of Fresno, State of California:

APN: