

WHAT IS A MINOR SECOND SINGLE FAMILY DWELLING?

“Minor second single family dwelling” means a building or portion thereof designed for or occupied for residential purposes that meets all the following criteria:

1. The unit is an attached addition to an existing residential unit, or a detached additional single family residential dwelling on the same parcel as an existing residence;
2. The existing residence is occupied by an owner of the property, as their principal place of residence, with a recorded covenant restricting the occupancy of the principal residence to the property owner;
3. The units are located upon a parcel that is a minimum of one acre in size, and sufficient to support all necessary infrastructures for two dwelling units, including but not limited to sewage, water, and drainage;
4. The unit is of similar materials, colors and design of the existing dwelling;
5. The floor space of an attached unit shall not exceed 30% of the original unit;
6. The floor space of a detached unit shall not exceed 1,200 square feet,
7. The unit does not create or permit a third dwelling unit on the parcel,
8. The square footage of a minor second single family dwelling shall not be included in the calculation of dwelling floor area to lot area ratio.

WHAT IS THE PROCESS TO APPLY FOR A MINOR SECOND SINGLE FAMILY DWELLING?

1. If on-site water and sewage disposal facilities are to be installed, contact the Environmental Health Department. Please provide the Assessor’s Tax Parcel Number for the parcel and address, if applicable. The Environmental Health Department will evaluate the project site to determine if sewage disposal and water services can be provided sufficient to support two single dwelling units. In some cases, the Environmental Health Department may require a site evaluation of the property and a fee for field inspection. If the parcel meets the criteria for approval, the Environmental Health Department will provide the applicant with a letter confirming that adequate sewage disposal and water services can be provided to develop a minor second single family dwelling on the parcel.

If community sewer and/or water services are provided to the parcel, a letter from the community system provider must be obtained. The letter must include the Assessor’s Tax Parcel Number for the parcel and specify that community sewer and/or water service, whichever applies, can be provided to the parcel to serve two single family dwelling units. Please provide the Environmental Health Department with a copy of the letter from the community system provider.

2. Provide a copy of the letter of approval from the Environmental Health Department and a copy of the letter from the community system provider, if applicable, to the Planning Department. The Planning Department will prepare a covenant for recording which stipulates that the existing residence is occupied and will continue to be occupied by an owner of the property as long as the minor second single family dwelling unit exists on the parcel and is occupied.
3. Submit a building permit application to the Engineering Department for the minor second single family dwelling. Prior to approval of the building permit by the Planning Department, the covenant will be sent to the property owner for signature (signature must be notarized). The owner will return the signed covenant to the Planning Department to obtain the necessary county signatures. The property owner will then be contacted to pay the necessary recording fee. Upon recording of the covenant, the Planning Department will approve the building permit for the minor second single family dwelling.

FREQUENTLY ASKED QUESTIONS

1. QUESTION:

The minor second single family dwelling allows for a maximum of 1,200 square feet of living space area (conditioned space--excludes garage, unconditioned storage rooms, etc.) . Can I have an attached garage as part of this dwelling?

ANSWER:

Yes. An attached garage adequate in size to provide parking for two vehicles can be included in the floor plan for the minor second single family dwelling. This garage area will not count against the lot coverage of the parcel.

2. QUESTION:

Can the minor second single family dwelling be developed on the parcel and then the principal dwelling be built later?

ANSWER:

Yes. When ultimate development of the parcel would be two dwellings (one principal and one minor second single family dwelling), contact the Environmental Health Department to obtain the necessary authorization for two single family dwellings. Obtain a letter of approval from the Environmental Health Department and an approved plot plan for both dwellings showing the location of the proposed well and septic systems. Provide these documents to the Planning Department for review to determine

compliance with zoning ordinance requirements. At the time the building permit for the second dwelling (principal residence) is submitted, a covenant will be prepared (as outlined above). Future development of the parcel must comply with the plot plan as approved by the Planning and Environmental Health Departments. When phased development is proposed, it is recommended that development of the second dwelling (principal structure) occur as soon as possible. Review and approval of the plot plan for phased development, does not guarantee development of the

second dwelling due to potential changes in ordinances and availability of services.

3. QUESTION:

Can the minor second single family dwelling be a manufactured home?

ANSWER:

Yes. Contact the Planning Department to determine if architectural review applications or standards are required. The manufactured home must be placed on a permanent foundation.

4. QUESTION:

In those zone districts that provide for either a minor second single family dwelling (permitted use) or a second single family dwelling (Zoning Permit approval required), is the principal dwelling limited in occupancy if a second minor single family dwelling is proposed?

ANSWER:

Yes. The existing residence must be occupied by an owner of the property, as their principal place of residence in order for a minor second single family dwelling to be developed on the parcel. If a Zoning Permit is approved for the second single family dwelling, neither unit (the first or the second single family dwelling) has an occupancy limitation.

5. QUESTION:

Can a parcel be developed with a principal residence, a minor second single family dwelling, and a second single family dwelling?

ANSWER:

No. When a second single family dwelling is allowed by Zoning Permit approval or as a permitted use, a minor second single family dwelling cannot be developed on the parcel. The minor second single family dwelling provision does not allow for a third single family dwelling.

6. QUESTION:

If the minor second single family dwelling is attached to the existing residence, how do I determine the square footage allowed?

ANSWER:

The square footage would be limited to 30% of the living area (not total building area—excludes garage, unconditioned storage rooms, etc.) of the existing dwelling.

Included in the following zone districts:

RUS; RRS; RRS-2, 2½, 3; RRS-5; RRS-10; RMS; RUM; RRM; AR-5; ARE-20; AEX-20; ARE-40; AEX-40; ARV-20; ARF; & RM