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**SECONDARY DWELLING UNIT APPLICATION  
PROCESS IN R-1, SINGLE-FAMILY RESIDENTIAL  
OR R-S, RESIDENTIAL SUBURBAN ZONES**

**QUICK CHECK LIST FOR  
SUBMITTAL**

- Standard Application Form
- Site Plan
- Fee Deposit

**APPLICABILITY**

Zoning Ordinance 02-02, as amended, sets forth standards for creation of a subordinate, secondary dwelling unit or the conversion of existing living space into independent living space on lots in single-family residential and residential suburban neighborhoods.

**PURPOSE**

The ordinance enacted to include provisions for secondary dwelling units sets forth standards for creation of a secondary dwelling unit in a Residential Single Family (R-1) zone or Residential Suburban (R-S) zone. The secondary dwelling unit for which the conditional use permit has been applied shall be deemed not to exceed the allowable density for the lot on which it is located and shall be deemed to be a residential use which is consistent with the existing General Plan and zoning designation for the lot.

In Zoning Ordinance 02-02, as amended, Section 3.64 defines a Secondary Dwelling Unit as a separate residential unit, containing sleeping, kitchen and bathroom facilities, created on a lot zoned R-1 or R-S that already contains one legally created residential unit. A secondary dwelling unit may be created by:

- 3.64.1 Alteration of an existing residential structure whereby kitchen and bathroom facilities are not shared in common; or
- 3.64.2 Conversion of an attic, basement, attached garage, or other previously uninhabited portion of a residential structure; or
- 3.64.3 Addition of a separate unit onto an existing residential structure; or
- 3.64.4 Construction of a separate structure on a lot in addition to an existing residential structure.

An application for a use permit for a secondary dwelling unit may be made in the manner prescribed in Section 10.02 and subject to the standards set forth in Section 7.21 of the Zoning Ordinance, as amended.

**PROCESS**

1. Pre-application Review (optional)

This is an optional step recommended by staff. This step can include a review of preliminary plans and/or a meeting with City Staff. Staff may provide feedback in verbal

and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

2. Application Completeness Check
  - a. Applicant files application form and other information required and pays all required fees and deposits. Two (2) copies of all materials are required.
  - b. Within 30 days of submission at City Hall, the City Planner reviews application materials to determine whether the application includes all information required and is considered complete. The City Planner may refer application materials to the City Engineer, or other staff, to obtain opinions regarding application completeness.
  - c. If the application is deemed to be incomplete, the City Planner will provide a written explanation to the applicant within the 30-day review period.
  - d. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected. (All administrative decisions are subject to appeal, as set forth first in section 7.21.5, and then in Article XI of the Zoning Ordinance, as amended.)
  
3. Application Processing
  - a. Once the application is deemed complete, the City Planner will distribute materials to selected staff with a Routing Sheet that specifies the date by which response is needed, and any other relevant information.
  - b. City Staff reviews application materials in accordance with his or her area of responsibility.
  - c. City Staff provides written comments and recommendations to the City Planner within the timeframe specified in the ROUTING SHEET.
  - d. City Planner performs environmental review as required by CEQA.
  
4. Consideration by City Planner
  - a. City Planner prepares a written notification of the Planning Department's decision to the applicant which includes the following information.
    - Background information
    - Analysis of Application
      - Environmental Issues
      - Ordinance and Policy Issues
      - Recommendations and comments from other City staff and outside agencies
    - Action taken
      - Environmental determination
      - Approval (may include conditions) or denial

- b. Action by the City Planner is final, unless appealed to the Planning Commission. Actions become effective following the mandatory 10-day appeal period.

## **APPEALS**

The decision of the City Planner is final unless appealed by the applicant or other affected party to the Planning Commission. Appeals must be made within 10 calendar days of the date of the City Planner action, as set forth in Zoning Ordinance, as amended, Section 7.21.5. If the applicant or other affected party wants to appeal the Planning Commission Decision, they must do so within 10 calendar days of the date of Planning Commission action, as set forth in Zoning Ordinance Article XI.

Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 days of staff's determination.

Fees for appeals are equal to the fee of the application being appealed.

## **APPLICATION REQUIREMENTS**

A complete application consists of required forms, plans, and required fees and deposits, as described below.

1. Forms
  - a. Standard Application Form
2. Plans/Other Information:
  - a. Site Plan – An accurate scaled drawing drawn to a standard engineer or architect scale showing the following:
    - Title – “Site Plan”
    - Name, address and phone number of applicant and/or agent
    - Property address and assessor parcel number
    - Date, north arrow, scale
    - Entire parcel boundary with dimensions
    - Adjacent public and private driveways, streets, alleys and easements as well as right-of-way widths of each
    - Dimensions and location of all off-street parking spaces

- Location, dimensions and square footage of existing residential dwelling and accessory structures.
  - Location, dimensions and square footage of proposed Secondary Dwelling Unit
  - Include distance from all property lines to all structures.
- b. The City Planner may require additional information, plans and/or drawings if they are necessary to enable the Planner to determine whether the proposed secondary dwelling unit complies with the applicable provisions of this ordinance.
3. Required Fees and Deposits – Consult City Clerk or City Planner for current fee and deposit requirements.

#### **DEVELOPMENT STANDARDS**

1. A secondary dwelling unit is permitted only on lots within in the R-1 and R-S zones.
2. At the time of application for the Secondary Dwelling Unit permit, the applicant shall be an owner-occupant of the subject property;
3. The lot on which the secondary dwelling unit is sited shall comply with the minimum site area, width and depth standards prescribed for the R-1 and R-S zones.
4. The secondary dwelling unit shall be accessory to a principal one-family dwelling in that it is subordinate and incidental to the principal dwelling.
5. The secondary dwelling unit may either be attached to the principal dwelling, or detached from the principal dwelling.
6. The maximum gross floor area of the secondary dwelling unit shall not exceed 640 square feet.
7. When a single-family dwelling of less than 640 square feet exists on a lot, a larger single-family dwelling may be constructed as the principal dwelling, provided that the existing dwelling complies with the regulations for a secondary dwelling unit as prescribed herein.
8. A secondary dwelling unit attached to the principal dwelling shall comply with the applicable development standards for additions to a single-family residence; a detached secondary dwelling unit shall conform to the applicable development standards for an accessory structure.

9. Not more than one secondary dwelling unit shall be permitted on any one lot. A secondary dwelling unit shall not be permitted on a lot already having two or more dwelling units located thereon and shall not be permitted in addition to a guesthouse. A guesthouse shall not be permitted on any lot developed with a secondary dwelling unit.
10. The lot on which the secondary dwelling unit is sited shall be developed with at least two parking spaces, one per dwelling, as noted in section 7.16 of the Zoning Ordinance 02-02.
11. The secondary dwelling unit shall provide complete independent living facilities for one or more persons. It shall include permanent separate provisions for living, sleeping, eating, cooking, and sanitation; and shall have a separate entrance which is subordinate to the entrance to the main building if located facing the street.
12. The secondary dwelling unit may have utility services metered separately from, or with the principal dwelling unit.
13. The secondary dwelling unit shall comply with all local, state and federal codes and standards, including the building codes as adopted by the City of Ferndale. Development of the secondary dwelling unit shall not cause the principal dwelling to violate any local, state or federal codes and standards, including the building codes as adopted by the City of Ferndale.
14. A secondary dwelling unit that conforms to the requirements of this ordinance shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot.
15. Secondary Dwelling Unit permits shall not be issued for secondary dwelling units that result in adverse impacts to the adequacy of water and sewer services and/or that result in adverse impacts on traffic flow, and or that result in adverse impacts on any real property that is listed in the California Register of Historic Places.
16. All construction proposed under the Secondary Dwelling Unit permit shall be subject to architectural review. The secondary dwelling unit shall be constructed in such a manner as to be compatible with the existing neighborhood in terms of form, height, material and landscaping.
17. The secondary dwelling unit shall not be sold or owned separately from the principal residential unit, but may be rented.
18. The minimum separation between the main residence and a detached secondary dwelling unit shall be ten (10) feet.

19. A detached secondary dwelling unit which is located within any portion of a required rear yard shall not exceed one (1) story or sixteen (16) feet in height, whichever is less.
20. A detached secondary dwelling unit may not be constructed within five (5) feet of a rear or side property line.
21. The secondary dwelling unit shall conform to any other conditions or standards that are necessary to mitigate possible adverse impacts on the neighborhood.

### **TIME REQUIRED FOR PROCESSING**

Following are processing time limits established by state law:

- Maximum time to determine application completeness: 30 days
- Maximum time to either approve or deny application: 105 days (Negative Declaration)

Note: The preceding time limits are the maximum allowable as specified by state law, unless waived in writing by the applicant. In most instances, applications will be processed in less time than described above. In all instances, applications will be processed as quickly as possible.

### **FEES**

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City's administrative costs. Fees are minimum and non-refundable. If a project is determined to require more time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

### **ADDITIONAL INFORMATION**

For additional information concerning planning application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or [cityplanner@ci.ferndale.ca.us](mailto:cityplanner@ci.ferndale.ca.us)