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## Second Dwelling Unit Permit

As provided in the Clayton Municipal Code, Title 17, chapter 17.47

Below: Office Use Only

File No: \_\_\_\_\_ Fee: \_\_\_\_\_

Received By: \_\_\_\_\_

Date: \_\_\_\_\_ Receipt No: \_\_\_\_\_

Please clarify any questions with the Planning Staff prior to completing this form. Please print or type legibly. Attach additional sheets if necessary. Incomplete applications will not be accepted.

### 1. Applicant/Property Owner Contact Information:

Applicant Name: \_\_\_\_\_ Applicant Email: \_\_\_\_\_  
 Property Owner Name: \_\_\_\_\_ Applicant Phone: \_\_\_\_\_

### 2. Project Designer Contact Information:

Designer's Name: \_\_\_\_\_ Company Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 Office Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

### 3. Submittal Requirements:

The number of copies of each of the items below, which constitutes a complete Application Submittal Packet, will be determined by the Community Development Director. If not specified, assume only one copy is needed. If applicable, all plans and analyses shall be at scale 1"=20' for site planning and 1/8"=1' or greater for elevations and floor plans. Please submit the following information in the order in which it is outlined below. Additional items may be required by the Community Development Director.

- ☐ Community Development General Application
- ☐ Second Dwelling Unit Permit Application
- ☐ Impervious Area Worksheet
- ☐ Processing Fee \$ \_\_\_\_\_ (Make checks payable to the City of Clayton)
- ☐ Title Report or copy of a Preliminary Title Report prepared for the current owner
- ☐ Signed and notarized Declaration or Agreement of Restrictions (See 17.47.040 of the Municipal Code or Part 4)
- ☐ Area & Height: 1. Existing Structure: (A) \_\_\_\_\_ (H) \_\_\_\_\_ 2. Proposed: (A) \_\_\_\_\_ (H) \_\_\_\_\_

- ☐ **Set of Plans:** -Show the proposed second dwelling unit in relation to the principal dwelling unit
- ADMINISTRATIVE REVIEW----- Submit 2 full size (24" x 36") and 2 reduced (11" x 17") sets of plans to scale
- PLANNING COMMISSION REVIEW-----Submit 2 full size (24" x 36") and 12 reduced (11" x 17") sets of plans to scale

#### A. SITE PLAN:

1. North arrow with north at top of sheet
2. Name, address, phone no. of property owner, applicant & project designer
3. Address and assessor's parcel number of project site
4. Property lines
5. Adjacent streets
6. Existing and proposed structures with distances to all property lines
7. Location of topographical features (e.g. creeks and slopes)
8. Driveways and walking paths
9. Total parking provided
10. Location, trunk width, and type of trees greater than 6 inches in diameter at 42 inches above natural grade
11. Location, height, and material of all fences and retaining walls
12. Location, width, and purpose of all easements
13. Area of project site
14. Area of existing garage and living areas for principal dwelling unit and any existing second dwelling unit (separate by floor, if applicable)
15. Area of proposed second dwelling unit (separate by garage, living areas, and floor, if applicable.)
16. Typical dimensions throughout

#### B. FLOOR PLAN (Provide for second dwelling unit only)

#### C. ROOF PLAN: (Provide for second dwelling unit and principal dwelling unit)

1. Direction of roof slope (Indicate by arrow pointing down-slope)
2. Existing and proposed roof pitch
3. Existing and proposed roof material

#### D. ARCHITECTURAL ELEVATIONS: (Provide for second dwelling unit and principal dwelling unit)

1. Show and identify all affected sides of structure (east/west or front/back)
2. Height of existing and proposed structures
3. Existing and proposed exterior colors and materials (siding, trim, wainscot, and accent elements)

#### 4. Important Implementing Information from the City of Clayton Municipal Code:

##### 17.47.040 - Deed Restrictions

Staff will provide a declaration of restrictions which must be signed by the applicant and recorded by the County Recorder (at the applicant's expense) prior to finalization of a second dwelling unit permit. The declaration addresses several issues including:

- a. The second dwelling unit shall not be sold separately
- b. The second dwelling unit is restricted to a maximum size
- c. The second dwelling unit shall be considered legal only so long as the property owner either:
  1. occupies either the principal dwelling, or the second dwelling unit on the subject property (or)
  2. occupies the residence on the property immediately adjacent to, on the same side of the street, and sharing common side lot lines, as the subject property.
- d. The restrictions shall be binding upon any successor in ownership of the subject property and lack of compliance shall void the permit and result in legal action against the property owner.

##### Process

##### **Administrative Review:**

City staff will review the submittal items and render a decision of approval, approval with conditions, or denial. A decision made by City staff may be appealed to the Planning Commission.

##### **Planning Commission Review:**

If the second dwelling unit request involves a structure that exceeds the following dimensional thresholds, Planning Commission review of the second dwelling unit request is required:

##### 1. If the second dwelling unit is detached from the principal dwelling unit:

- a. The second dwelling unit exceeds 750 square feet in size (maximum size 1,000 square feet).
- b. The second dwelling unit exceeds 15 feet in height and one story (maximum height 24 feet and two stores).
- c. The second dwelling unit contains more than 1 bedroom (maximum number of bedrooms is 2).

##### 2. If the second dwelling unit is attached to the principal dwelling unit:

- a. the second dwelling unit exceeds the height of the existing principal dwelling unit or two stores, whichever is less (maximum height 35 feet and 2.5 stories).

The Planning Commission meetings are held on the second and fourth Tuesdays of each month. At least ten days prior to the meeting, staff will mail public hearing notices to all property owners within 300 feet of the subject property. Staff will prepare a staff report on the proposed second dwelling unit. The staff report will be available at the Clayton Community Library on the Saturday before the meeting and at the City's website ([www.cityofclayton.org](http://www.cityofclayton.org)). The Planning Commission will review the application materials and staff report and render a decision of approval, approval with conditions, or denial. The Planning Commission's decision may be appealed to the City Council.

**Please read chapter 17.47 of the Municipal Code for further information.**

#### 5. Certification:

##### **I (We):**

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify that I (We) have read and understand Title 17, Chapter 17.47 found in Part 4 of this application and in the City of Clayton's Municipal Code.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_