

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

SECOND UNIT AMNESTY PERMIT SUBMITTAL CHECKLIST

This Submittal Checklist is provided as a tool for Second Unit Amnesty applicants. The information/materials listed in the box below must be gathered and assessed *before* a permit application is submitted. If you have questions about the submittal requirements, please refer to the corresponding page number accompanying each item for more information.

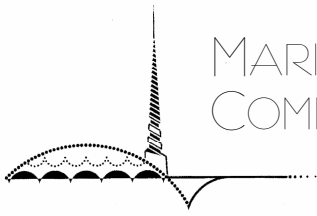
The Second Unit Amnesty information packet contains comprehensive information to help you understand and determine the feasibility of obtaining a Second Unit Amnesty Permit. Materials include:

- Self-Assessment Checklist
- Permit Fact Sheet which explains the application process and includes useful phone numbers
- Second Unit Amnesty Guidelines (required criteria to grant a permit)
- Frequently Asked Questions
- Sample set of plans
- Zoning/Development Application

Basic Submittal Requirements

- Completed "Zoning/Development Application" (attached).
- Proof that unit was in existence prior to June 2003 (see Guidelines pg. 4, Item D1).
- Completion of a Uniform Housing Code Inspection (see Guidelines pg. 4, Item D4).
- Five (5) sets of plans
 - Site plan showing property lines, location of main residence and second unit, and locations of parking spaces (see attached sample).
 - Accurately scaled floor plans for main residence and second unit, depicting size of main house and second unit in square feet (see attached sample).
 - Second unit size must be larger than 220 square feet and no greater than 750 square feet. Size can exceed 750 square feet to a maximum of 1,000 square feet in very limited cases (see pg 4, Item D2).
- Proof that owner resides on property in either the main residence or the second unit (see Guidelines pg. 4, Item D3).
- Contact local fire department for a property inspection to identify minimum safety requirements and fees (recommended).
- Contact local water district and sewer district to acknowledge service requirements and applicable fees (recommended).
 - If property is served by septic sewage disposal system, contact EHS for information prior to application.

Please note: the information that has a check box next to it must be included with the permit application. If the information and materials listed above are not included with the submittal application package, we will be unable to process your application.



SECOND UNIT AMNESTY PERMIT SELF ASSESSMENT CHECKLIST

This checklist is provided as a tool for Second Unit Amnesty applicants. It should be used as a road map to understand and determine the feasibility of obtaining a Second Unit Amnesty Permit. Much of this information should be gathered and assessed before a permit application is submitted. Please refer to the *Amnesty Guidelines* and *Frequently Asked Questions* sections of this information packet for further details, or visit www.co.marin.ca.us/second_unit for information.

The applicant is responsible for any fees or upgrades required by other agencies (Water District, Sewer/Sanitary District, Fire, etc) and is strongly recommended to research these details prior to submitting an application.

Basic Requirements

- Owner must reside on property in either the main residence or the second unit (see Guidelines for exceptions)
- Proof that unit was in existence prior to June 2003
 - Provide records such as utility bills, rental contracts, or Assessor's records
- Unit size between 220 square feet and 750 square feet
 - Size can exceed 750 square feet in some cases. See Amnesty Permit Guidelines item 2.D.2.

Second Unit Housing Inspection

- Independent entrance to the second unit
 - Exterior entry door minimum size of 3 feet wide by 6 feet, 8 inches high
- Light and ventilation for each habitable room
 - Bedroom window egress and second floor ladder (ladder not required if unit is sprinklered)
 - Smoke detector for each sleeping room and adjacent hallway
- Adequate ceiling height in all rooms
 - 7 feet 6 inches in all habitable rooms, 7 feet in kitchens, halls and baths
- Structure free of rot, mildew and substantial termite damage
- Stairs, handrails, guardrails, hallways meet Uniform Housing Code. Contact the Building & Safety division for questions regarding specific items.
- Bathroom
 - Tub/shower
 - Lavatory/Toilet
 - Water closet
 - Mechanical ventilation or operable window
- Kitchen
 - Sink
 - Stove/oven (No microwave substitution)
 - Refrigerator

Second Unit Housing Inspection (continued)



Plumbing

- Hot/cold water
- Gas/propane lines
- All fixtures must be trapped and/or vented
- Low-flow water fixtures in both units



Heating (Must provide 70 degrees, 3 feet above the floor)

- Thermostat / heating control in second unit
- Separate access to gas shut-off



Electrical

- Separate access to electrical panel (Min. 100 Amps)
- Required receptacles in every room
- GFCI receptacles (2-wire electrical systems will be acceptable if not hazardous and are age-appropriate to the building).
- All utility configurations should provide tenant with unobstructed access to shut-offs valves.



Fire suppression and safety

- Residential fire sprinklers are required for detached units over 600 square feet.
- One hour rated separation materials between second unit and main unit
- See Fire Protection section for Fire Department access and adequate water supply.

Utilities (water, sewer, septic)



Consult your local Water District for service approval and any connection fees (see your utility bills for contact information).



Consult your local Sanitary District for service approval and any connection fees.



Well or Spring as drinking water source.

- See Environmental Health Services staff for guidelines and assistance.
- Also see Fire Protection section for fire suppression requirements.



Septic Systems

- See Environmental Health Services staff for guidelines and assistance.
- *Redwood tanks will require replacement.*

Public Works related items



One parking space (covered or uncovered) for the second unit in addition to the required or existing parking for the primary residence. Tandem parking may be considered. Parking dimensions for constrained locations are 9 feet by 20 feet. Parking dimensions for unconstrained locations are 8 feet, 6 inches by 18 feet.



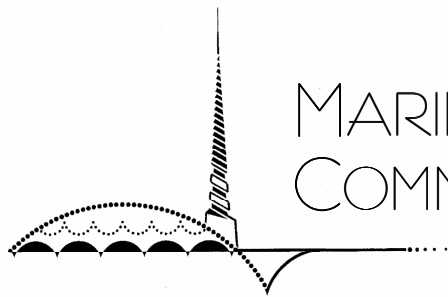
Flood Zones

- (Detached unit) If the unit is in Special Hazard Flood Area, the building may need to have the lowest floor at or above the Base Flood Elevation (BFE).
- (Attached unit) Applicant should provide DPW with a valuation of the structure before any work (non-permitted) occurred and a cost estimate of the work done. If the cost to value exceeds 50%, the lowest floor must be at or above the Base Flood Elevation (BFE).

Fire Protection



Acceptable Fire Department (County or District) access for driveway and turnaround
Adequate water supply for fire suppression (County or District)



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

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SECOND UNIT AMNESTY PERMIT FACT SHEET

DEFINITION

Marin County is continuing the Second Unit Amnesty Program for the period from January 1, 2008 to December 31, 2008. This program offers incentives for property owner/applicants to register existing, unpermitted second units by demonstrating safe and habitable dwelling conditions.

Unpermitted second units in existence prior to June 3, 2003 are eligible to apply for a Second Unit Amnesty Permit provided the unit meets all requirements of the Second Unit Amnesty Permit (Ordinance 3463, Exhibit A). Existing second units eligible for a Second Unit Amnesty Permit may comply with the requirements of this Second Unit Amnesty Program rather than the requirements for existing second units included in Section 22.32.140 of the Marin County Code. Second Unit Amnesty Permit applications submitted and found to be complete during the prescribed period will receive a 50% reduction of all associated Community Development Agency permit fees, and Department of Public Works Site Check and Encroachment Permit fees.

The applicant is responsible for any fees or upgrades required by other agencies (Water District, Sewer /Sanitary District, Fire, etc) and is strongly recommended to research these details prior to submitting an application.

SECOND UNIT AMNESTY PERMIT APPLICATION PROCESS

- STEP 1** PRE-APPLICATION RESEARCH - **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/regulations which may affect your project. It will save you time at the counter if you know your Assessor's Parcel Number which can be found on your property tax bill. See the Second Unit Amnesty Program *Self Assessment Checklist* and *Frequently Asked Questions* pages for helpful information about the program and application process.
- STEP 2** SUBMIT APPLICATION AT PUBLIC INFORMATION COUNTER - The submittal requirements for a Second Unit Amnesty Permit are listed in the Second Unit Amnesty Permit Submittal Checklist. Please check with the public information planner if you have questions regarding any of these items. Incomplete or unclear applications will not be accepted for processing. Complete applications will assist greatly in expediting the processing of your application.
- STEP 3** STAFF APPLICATION PROCESSING - A planner will be assigned to process your application. For ministerial Second Unit Amnesty Permit applications, the planner will transmit your plans and any other pertinent materials to the Department of Public Works and relevant public agencies for their review and comments. If your application includes a discretionary permit (such as a Design Review, Coastal Permit, or Variance), the application and other pertinent materials will also be transmitted to the local community group (e.g. design review board, homeowners association, etc.), when applicable, for their review and comments.
- STEP 4** DETERMINATION OF COMPLETENESS - The planner assigned to your project will review your application for completeness, which usually takes approximately 30 days. You will be sent a Notice of Project Status informing you whether your application is complete or incomplete and, if incomplete, what items must be submitted before processing can begin.

- STEP 5** ACTION – Generally, Second Unit Amnesty Permit applications that meet the Amnesty criteria will be approved or denied by the Community Development Agency Director (Director). This decision is final and not appealable. A Second Unit Amnesty Permit application that does not meet the second unit criteria will be processed as a discretionary permit, may require a public hearing, and is appealable to either the Planning Commission and/or the Board of Supervisors.
- STEP 6** PUBLIC NOTICE - If your application does not meet the Second Unit Amnesty criteria and/or includes a discretionary permit (such as a Design Review, Coastal Permit, or Variance), a notice will be sent to owners of all properties within 300 or 600 feet of your property once the application has been deemed complete. The notice will either state the earliest date that an administrative decision will be rendered for the project, or if a public hearing is required (either before the Deputy Zoning Administrator or the Planning Commission). The notice will state the date, time and place for the hearing. Additionally, the site of the proposed project will be posted with a copy of the notice at least 10 days prior to the date of the hearing or decision on the project. In some cases, the Second Unit Amnesty Permit will be issued ministerially after approval of the discretionary permit(s).
- STEP 7** APPEAL – For applications involving a discretionary permit(s), the action of the Director, Deputy Zoning Administrator, or Planning Commission is final unless an appeal is received by the Planning Department within ten business days from the decision date (five business days for properties in the coastal zone). The Planning Commission will act on the appeal to sustain, modify, or overrule the previous action by the Director or Deputy Zoning Administrator. Action taken by the Planning Commission may be appealed to the Board of Supervisors. Check at the public information counter regarding applicable fees and other details of the appeal process.
- STEP 8** VESTING – In order to make your approval binding, the applicant must satisfy the conditions of approval and submit an application for, and receive a building permit.

TIME FRAME FOR PROCESSING

The time frame for processing a Second Unit Amnesty Permit application is dependent upon the submittal of a complete application by the project sponsor/property owner. A complete application generally takes 8 to 12 weeks to process. However, an incomplete application will take longer. Please carefully read the Second Unit Amnesty Permit Submittal Checklist to prepare your application submittal so that we may more efficiently process your application.

As applications are being processed at a reduce fee. Should you submit an application and later withdraw, it is highly possible that we will be unable to refund your fees. Please contact all relevant agencies in this case.

FOR FURTHER INFORMATION

Visit the Marin County Community Development Agency’s public information counter at the Civic Center - Room 308, San Rafael, California, Monday through Friday (closed holidays), 8:00 a.m. - 4:00 p.m., or call (415) 499-6269.

For additional information contact the following staff and state that you are interested in the Second Unit Amnesty Program.

Division Liaisons:

Planning	Kristina Tierney	473-4333
Building	Larry Grace	499-6550
Environmental Health	Janet Mullin	499-6273
Department of Public Works	Berenice Davidson	499-3770
General Amnesty information	Stacey Laumann	507-2698
Fire	Scott Alber	499-6566

Exhibit A to Ordinance 3480
SECOND UNIT AMNESTY PROGRAM
(Amnesty Permit Guidelines 2008)

1. SUMMARY

For the period of January 1, 2008, to December 31, 2008, Marin County is proposing to institute a Second Unit Amnesty Program. This program will offer incentives for property owner/applicants to register existing unpermitted units by demonstrating safe and habitable dwelling conditions. The program also offers incentives for the development of new second units through a comparable reduction in fees. The basic components of the proposed program are as follows:

1. Second Unit Amnesty Permit. Unpermitted second units in existence prior to June 3, 2003 will be eligible to apply for a Second Unit Amnesty Permit provided the unit meets all requirements of the Second Unit Amnesty Permit ordinance. Existing second units eligible for a Second Unit Amnesty Permit may comply with the requirements of this Second Unit Amnesty Program rather than the requirements for existing second units included in Section 22.32.140 of the Marin County Code. Second Unit Amnesty Permit applications submitted and found to be complete during the prescribed period will receive a 50% reduction of all associated Community Development Agency permit fees, and Department of Public Works Site Check and Encroachment permit fees.
2. New Second Unit Permit Applications. All new second units or units constructed or established after June 3, 2003, may apply for a Second Unit Permit, and shall be required to comply with all development standards included in Section 22.32.140 of the Marin County Code. New Second Unit Permit applications submitted and found to be complete between January 1, 2008 and December 31, 2008 will receive a 50% fee reduction of all second unit-associated Community Development Agency permit fees, and Department of Public Works Site Check and Encroachment permit fees.
3. Fee reduction applicability. Second Unit Amnesty Permits issued after December 31, 2007 will adhere to the requirements of this Second Unit Amnesty Program only if complete applications are received during the period of January 1, 2008 and December 31, 2008. New Second Unit Permits will receive a fee reduction as outlined in this program only if complete applications are received during the period of January 1, 2008 and December 31, 2008.

2. SECOND UNIT AMNESTY PERMIT

- A. Purpose. The Second Unit Amnesty Permit process is intended to encourage the legalization of existing residential second units that were not built or established with proper permits. The purpose of this effort is to:
 1. Ensure that existing second units are safe and habitable;
 2. Implement the Countywide Plan's Housing Element, including Policy H3.28 and Program H3.Z;
 3. Assist in meeting the County's housing needs by increasing the stock of legal and affordable housing; and
 4. Encourage the development and permitting of second units by reducing second unit permit fees for the duration of the Second Unit Amnesty Program.
- B. Time Frame. The Amnesty period will constitute a one-year window, effective January 1, 2008, to December 31, 2008, within which owner/applicants of existing residential second units created on or before June 3, 2003, may submit a completed Second Unit Amnesty Permit application to legalize their units. Permits issued after December 31, 2007 will adhere to the provisions of this Amnesty Program only if complete applications are received during the period of January 1, 2008 and December 31, 2008.
- C. Applicability

1. General geographic areas. The requirements of this Amnesty Program shall apply to single-family and multifamily residential zoning districts, including the R1, R2, RA, RR, RE, RSP, C-R1, C-RA, C-RSP, C-RSPS, A, A2, ARP, C-ARP, RMP, and C-RMP districts in the unincorporated portions of the County. Nothing in this program shall supersede or alter Coastal Zone permit requirements and development standards pursuant to Marin County Code Titles 20.I (Subdivisions) and 22.I (Zoning).
2. Applicable units. This Amnesty applies to non-permitted residential second units established or constructed prior to June 3, 2003, when the current Housing Element was adopted. A non-permitted second unit is one not constructed or established in conformity with appropriate County codes at the time it was established. No more than one residential second unit per lot, as defined in Section 22.130.030 of the Marin County Code shall be permitted under the provisions of this program.

D. Eligibility. In order to grant a Second Unit Amnesty Permit, an existing non-permitted residential second unit shall comply with the following standards.

1. The existing residential second unit proposed for legalization was constructed or established prior to June 3, 2003 when the current Housing Element was adopted. Acceptable means of documenting compliance with this standard include, but are not limited to, the following:
 1. County Assessor's records;
 2. Rental contracts and/or receipts;
 3. Income tax records;
 4. Utility bills; and/or
 5. Written affidavits from former owners, tenants, or neighbors, signed and notarized under penalty of perjury.
2. The unit shall provide a minimum of 220 square feet of floor area and shall not exceed a maximum of 750 square feet of floor area. Units in existence prior to March 27, 1987, or the effective dates of resolutions establishing second unit standards for specific communities (September 29, 1983 in Bolinas, January 10, 1984 in the Tamalpais Area, and June 25, 1985 in Stinson Beach) may exceed the size limitation, to a maximum size of 1,000 square feet of floor area.
3. The property owner shall maintain either the residence or the residential second unit as a primary residence. The occupancy requirement does not apply to second units in the communities of Bolinas and Inverness, and an exemption may be granted for second units in the Tamalpais Area pursuant to the provisions of Marin County Code Section 22.32.140.F.2.a.
4. Satisfactory completion of a Second Unit Housing Inspection by a Building & Safety Division Inspector shall be required.
 - a. The existing second unit shall comply with the Uniform Housing Code (UHC), including the following minimum standards:
 - i. The unit shall have independent heating controls.
 - ii. The unit shall have adequate light and ventilation.
 - iii. The unit shall have kitchen amenities including a sink, refrigerator, and stove.
 - iv. The unit shall have at least one bathroom with a sink, tub or shower, and toilet.

A complete checklist of requirements will be available from the Building and Safety Division. The Chief Building and Safety Official may make interpretations of the Housing Code consistent with the Code's intent and purpose.

- b. If building or electrical work is necessary to bring the unit into compliance, a Building Permit will be required.

5. The unit shall comply with all current Marin County fire safety standards, including Section 19.04.065 of the Marin County Code, with the following exception:

Units with a floor area less than 600 square feet, located at least 6 feet from any adjacent structure, and within a 500 foot proximity to a fire hydrant capable of flowing 500 gallons-per-minute for a duration of 2 hours shall be exempt from required automatic fire sprinklers. All other fire safety requirements shall apply.
6. The owner/applicant shall demonstrate that there is an adequate amount of water (combination of supply and storage) for fire suppression purposes, in compliance with local and State fire code regulations.
7. One parking space shall be provided in addition to the required or existing parking for the primary residence. Exceptions to this standard can be made through the Design Review process outlined in Marin County Code Title 22.
8. The potable water supply must be adequate to accommodate the second unit in regards to water quality and system capacity, in accordance with Chapter 7.28 of the Marin County Code and applicable State water codes. If a local water district serves the property, the owner/applicant must show evidence that the district has issued an approval for the water supply to the second unit.
9. Sewage disposal services must be shown to be safe and adequate. If a local Sanitary District serves the property, the owner/applicant must show approval of the second unit from the District. If the property is served by an onsite wastewater system, the owner/applicant shall comply with the safety standards in D.10 below.
10. If the property is served by an onsite wastewater (septic) system, the owner/applicant shall demonstrate compliance with the provisions of the County's Remodel and Additions Policy and adhere to Class I, II or III standards.
 - a. The following exceptions to the Remodel and Additions Policy and Marin County regulations shall apply to a Second Unit Amnesty Permit, as permitted by the Health Officer.
 - i. The qualifying second unit may exceed 500 square feet without a requirement to meet current codes, subject to conformance with the size limits contained in the Second Unit Amnesty Program in Section D.2.
 - ii. Sewage flow will be calculated based on the actual number of bedrooms in the qualifying second unit and not based on Section 204C or the table included on Page 8 of the Remodel and Additions Policy.
 - iii. The septic system size and allowable floor area contained in the table on Page 8 of the Remodel and Additions Policy shall not apply.

All other sections of the Remodel and Additions Policy shall remain in effect.
 - b. A Septic Permit is required if repair work is necessary to comply with the Remodel and Additions Policy.
 - c. In order to prolong the life of the wastewater system and ensure its proper functioning, an owner/applicant is required to install low-flow plumbing fixtures in both the residence and the residential second unit.
11. The second unit and building shall comply with the current Marin County Code Chapter 23.09, Floodplain Management requirements.

12. Regardless of the governing zoning, the second unit and building shall be subject to the Streamside Conservation Area (SCA) and wetland policies of the Countywide Plan and LCP.
- E. Review Procedure. Second Unit Amnesty Permits shall be approved ministerially by the Community Development Agency Director without discretionary review or public hearing except where discretionary permits are required by Marin County Code Title 22 for construction required to meet the eligibility requirements included in Section D.
- F. Fees.
1. All required Community Development Agency fees for Second Unit Amnesty Permit applications, including fees for planning-related services; building permit, plan check, and other related services (pursuant to section 19.04.032 of the Marin County Code); and environmental health services (pursuant to section 7.24.050 of the Marin County Code) shall be assessed at 50% of the then-applicable fees.
 2. The second unit-related Building Permit Site fee and Encroachment Permit fee (if required) will also be assessed by the Department of Public Works at 50% of the then-applicable fees.
 3. Complete Amnesty Permit Applications must be received during the period of January 1, 2008 and December 31, 2008 for all fee reductions to apply.
- G. Reconstruction after Damage or Destruction. A residential second unit that is legalized with a Second Unit Amnesty Permit will be considered a nonconforming unit. The reconstruction of a nonconforming residential second unit damaged or destroyed by natural disaster or as the result of an emergency may be allowed subject to compliance with the requirements of Marin County Code Section 22.112.020.D. If the damage represents 75 percent or more of the fair market value of the residential second unit in the fiscal year when the damage occurs, the replacement unit shall meet the standards for a new second unit, including compliance with current planning, building, and septic codes.
- H. Assessment. Properties in receipt of a Second Unit Amnesty Permit may be subject to re-assessment of the property tax by the County Assessor's office.
- I. Recordation of Second Unit Amnesty Permits. A Second Unit Amnesty Permit granted in compliance with the above sections shall be recorded in the County Recorder's Office in reference to the subject property.

3. NEW SECOND UNIT PERMIT APPLICATIONS

- A. Applicability. All new second units (including units constructed or established after June 3, 2003) may apply for a Second Unit Permit and shall be required to comply with all development standards included in Section 22.32.140 of the Marin County Code.
- B. Fees.
1. All required Community Development Agency fees for Second Unit Amnesty Permit applications, including fees for planning-related services; building permit, plan check, and other related services (pursuant to section 19.04.032 of the Marin County Code); and environmental health services (pursuant to section 7.24.050 of the Marin County Code) shall be assessed at 50% of the then-applicable fees.
 2. The second unit-related Building Permit Site fee and Encroachment Permit fee (if required) will also be assessed by the Department of Public Works at 50% of the then-applicable fees.
 3. Complete Second Unit Permit Applications must be received during the period of January 1, 2008 and December 31, 2008 for all fee reductions to apply.

SECOND UNIT AMNESTY PROGRAM

FREQUENTLY ASKED QUESTIONS

WHAT IS A SECOND UNIT?

A residential second unit is defined as a permanent residence that is accessory to a primary residence 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 have been established by:

- The alteration of a single-family residence where a second food preparation facility was installed.
- The conversion of an attic, basement, garage, or other previously uninhabited portion of a single-family residence.
- The addition of a separate unit onto the existing single-family residence.
- The conversion or construction of a separate structure on the parcel in addition to the existing single-family residence.

WHY DO I WANT A SECOND UNIT AMNESTY PERMIT?

There are many unpermitted second units in Marin County which may or may not meet basic health and safety guidelines. This Amnesty Program is intended to encourage healthy and safe conditions in existing units.

- This is an opportunity to legalize unpermitted second units for half the permitting cost.
- Some permit standards have been adjusted to accommodate existing buildings while focusing on tenant health and safety.
- A legal second unit can increase your property value.
- Free technical assistance will be available on how to legalize an unpermitted second unit.
- At the close of the Amnesty period, properties found in violation of County Code will be required to comply with more stringent Second Unit development standards, and increased fees will be assessed.

WHAT ARE THE ELIGIBILITY REQUIREMENTS FOR THIS PERMIT?

- To receive a Second Unit Amnesty Permit, the owner must demonstrate that the residential second unit was constructed or established prior to June 3, 2003, the date the Housing Element was adopted.
- The property owner must be a resident of either the primary or secondary unit (some exceptions apply).
- The unit must provide a healthy environment for occupants. This will be determined by compliance with specific health and safety standards for the building, parking, fire, water and sewer facilities as set out in the Amnesty ordinance.

HOW LARGE CAN MY SECOND UNIT BE?

A second unit should be a minimum of 220 square feet and a maximum of 750 square feet to be eligible for a Second Unit Amnesty Permit. Units over 750 square feet may be considered if established prior to 1987.

CAN I RENT THE SECOND UNIT?

Yes. Second units can be rented as residences. Units should not be used for short stay, tourist, or Bed & Breakfast purposes.

CAN I SELL THE UNIT?

A second unit can not be sold separately from the primary unit. If the property is sold, all permits and approved uses will transfer with the sale.

WHAT IS THE DIFFERENCE BETWEEN THE SECOND UNIT AMNESTY PERMIT AND A REGULAR SECOND UNIT PERMIT?

- Both permits establish the second unit as a legal, permitted use.
- New second units and units in existence after June 3, 2003 must comply with all current development regulations and should obtain a Second Unit Permit.
- A Second Unit Amnesty Permit will render the unit a legal, non-conforming unit. If the unit is damaged or destroyed, replacement of the unit will have to comply with current residential second unit development standards and catastrophic loss replacement policies.

HOW WILL I BE TREATED BY CODE ENFORCEMENT IF I APPLY FOR A PERMIT?

Information submitted to County departments in support of an Amnesty Permit application will not be used as the basis for enforcement action *unless there is a clear and imminent danger to public and/or environmental health*. Active code enforcement cases will be processed without prejudice, however information submitted with an application will be forwarded to your code enforcement file in the event a withdrawal or denial.

DO I NEED SEPARATE UTILITY METERS?

- Separate utility meters for gas and electric service are recommended, but not required. Consult your local utility service providers for their second unit guidelines, requirements, and any applicable fees prior to submitting a permit application.
- Many water and sewer districts do not require a separate meter, but have connection and service fees for second units. Approval by these districts of each second unit is required prior to Second Unit Permit issuance. Contact your water and sanitary districts prior to submitting a permit application.
- All utility configurations should provide tenant with unobstructed access to shut-offs valves and circuit breakers.

WHAT IF I HAVE A SEPTIC SYSTEM?

- There are several ways septic systems can be accommodated. Applicants are encouraged to talk to Environmental Health Division staff about septic standards and compliance options prior to submitting a permit application.
- Redwood septic tanks will require replacement.
- Septic systems will be required to pass performance tests.
- During the Amnesty period, owners will not be required to have a Class I system.

WHAT ARE THE PARKING REQUIREMENTS FOR THE AMNESTY PERMIT?

- One parking space is required for the second unit, in addition to the minimum or existing parking required for the primary residence. Staff recommends that the second unit parking space is on-site and independently accessible. If this is not possible, tandem parking, space in an improved frontage, or other off-street parking will be considered.
- The accepted size for a parking space is 8.5 feet by 18 feet, or 9 feet by 20 feet for a constrained space (for example in a garage).
- Exceptions to these parking standards can be applied for through the Design Review process.

WHAT IF MY UNPERMITTED UNIT WAS BUILT AFTER JUNE 3, 2003?

- Owners of unpermitted units established after June 3, 2003 are encouraged to apply for a new Second Unit Permit.
- Owners of these units will benefit from the 50% fee reduction during this period, but will be required to comply with the Second Unit Permit requirements of section 22.32.140 of the Marin County Code.

WHAT OTHER PERMITS OR FEES MAY IMPACT MY APPLICATION?

- Water and/or sewer fees from your local service district may be required. Contact your provider for fees.
- Properties served by wells or springs may need to amend or modify domestic water permits to reflect the increased number of dwelling units. Environmental Health Services can provide information on this requirement.
- School fees are at the discretion of each school district. Contact your school district for fee information.
- The Road Impact Fee will apply to any building permit needed for your second unit. The fee is 1% of the building permit valuation of \$10,000 or more. Note that there are no fees if the building permit valuation is less than \$10,000, and the fee can be reduced or waived if the building permit relates to the creation of affordable housing unit(s).
- Public Facilities Transportation Fees (traffic mitigation) apply if your second unit is in one of the five zones established by the county (generally Atherton Avenue, Northgate San Rafael area, San Geronimo Valley, Strawberry and Tamalpais Community area). Fees are adjusted every year and generally range between \$1,600 to \$3,330 for a second unit.

- Second units in Special Hazard Flood Areas (100 year flood zones) will be required to meet all floodplain management requirements. Significantly, if the cost of the improvements on a contract basis exceeds 50% of the depreciated value of the building, then the lowest floor is required to be at or above the Base Flood Elevation. Documentation must be provided for all flood zone second units to verify this ratio. In addition, all construction below the base flood elevation will need to be of flood resistant materials. Other requirements apply and you should contact the Department of Public Works if you have questions.
- Environmental review may be required in sensitive areas.
- Property upgrades may require property re-assessment by the County Assessor's Office. Please call the Assessor-Recorder's Office at 499-7215 regarding any property tax questions.
- Special fire code permits, additional plan review and inspections may be required for fire sprinklers, vegetation management, or fire protection plans.

WHAT IF MY UNIT IS IN THE COASTAL ZONE, OR A STREAM CONSERVATION AREA?

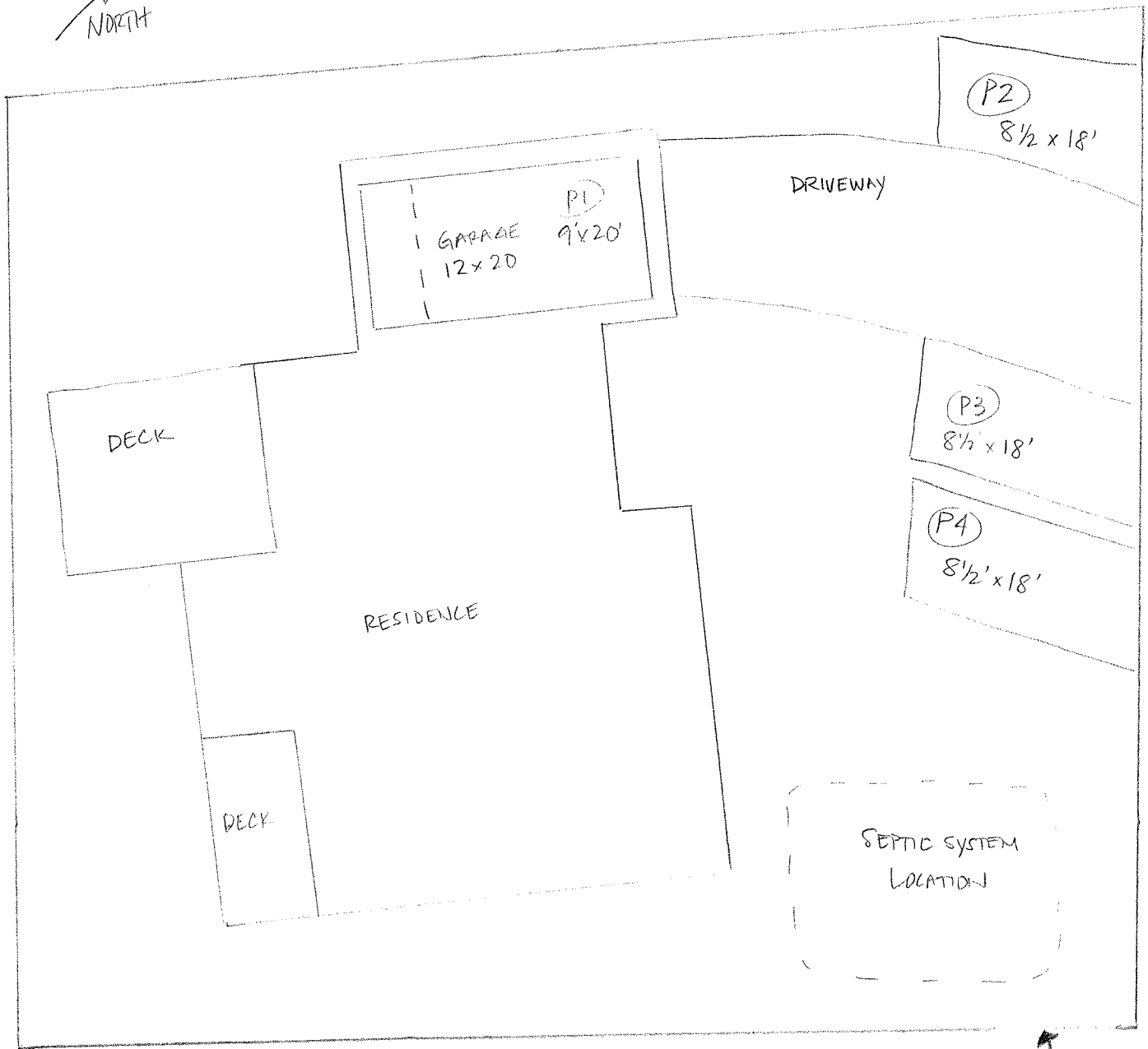
- The application for and issuance of a Coastal Permit is required for all Second Unit Amnesty Permits in the Coastal Zone.
- Second units are subject to the Streamside Conservation Area (SCA) and wetland policies of the Countywide Plan and LCP.

WHAT FINANCIAL INCENTIVES ARE THERE TO COMPLETE THIS PROCESS?

- Planning, Building and Environmental Health Services fees are reduced by 50% during this period for both new and existing second units.
- Department of Public Works Site fees and Encroachment fees are reduced by 50%.
- For project applications combining second units with other development activity, fee reductions apply to only the second unit portion of the project.
- Low-cost loans are available to very low income homeowners for residential upgrades through the Marin Housing Authority's Rehab Loan Program. For more information or to request a brochure or application, please call (415) 491-2550.

What should I do before submitting my Second Unit Amnesty application?

- Research your property through purchase documents, old contracts, receipts and building plans.
- Contact the County Assessor-Recorder's office to research the history of permits and assessors notes on your property.
- Check with your homeowners' or neighborhood association for any covenants, conditions, and restrictions (CC&Rs) that may apply in your neighborhood. Please note that these private agreements are not enforced by the County.
- Collect documents that prove the property owner resides at the property in either the primary or secondary unit.
- Collect documents that prove the unit has been established prior to June 3, 2003.
- Organize building site plans, including dimensions, heights, materials and any applicable permits received.
- Contact your water and sewer service providers to receive service confirmations for the second unit. Confirmation of service will be required for an Amnesty Permit.
- Check that your unit has unrestricted access to gas shutoffs and electric circuit breakers, and that the unit has independent heating controls.
- Demonstrate adequate parking for your unit.
- Pass a Second Unit Amnesty Housing Inspection performed by Building Division staff.
- Contact your fire district for a second unit review to identify any fire safety requirements.
- If you have a septic system, contact our Environmental Health Services staff for advice.
- Contact the Department of Public Works for site requirements and Special Hazard Flood Areas information. In particular, DPW can assist you in understanding parking requirements, drainage, and flood zone issues.
- Complete a Second Unit Amnesty Permit Self-Assessment Checklist
- Submit a Second Unit Amnesty Permit Application to the Marin County Planning Department



SAMPLE SITE PLAN

SHEET 1 of 3

SITE PLAN

FOR JANE DOE

115 MARIN STREET

TOWN, CA ZIP

APN # xxx-xxx-xx

LOT AREA = X SQUARE FEET

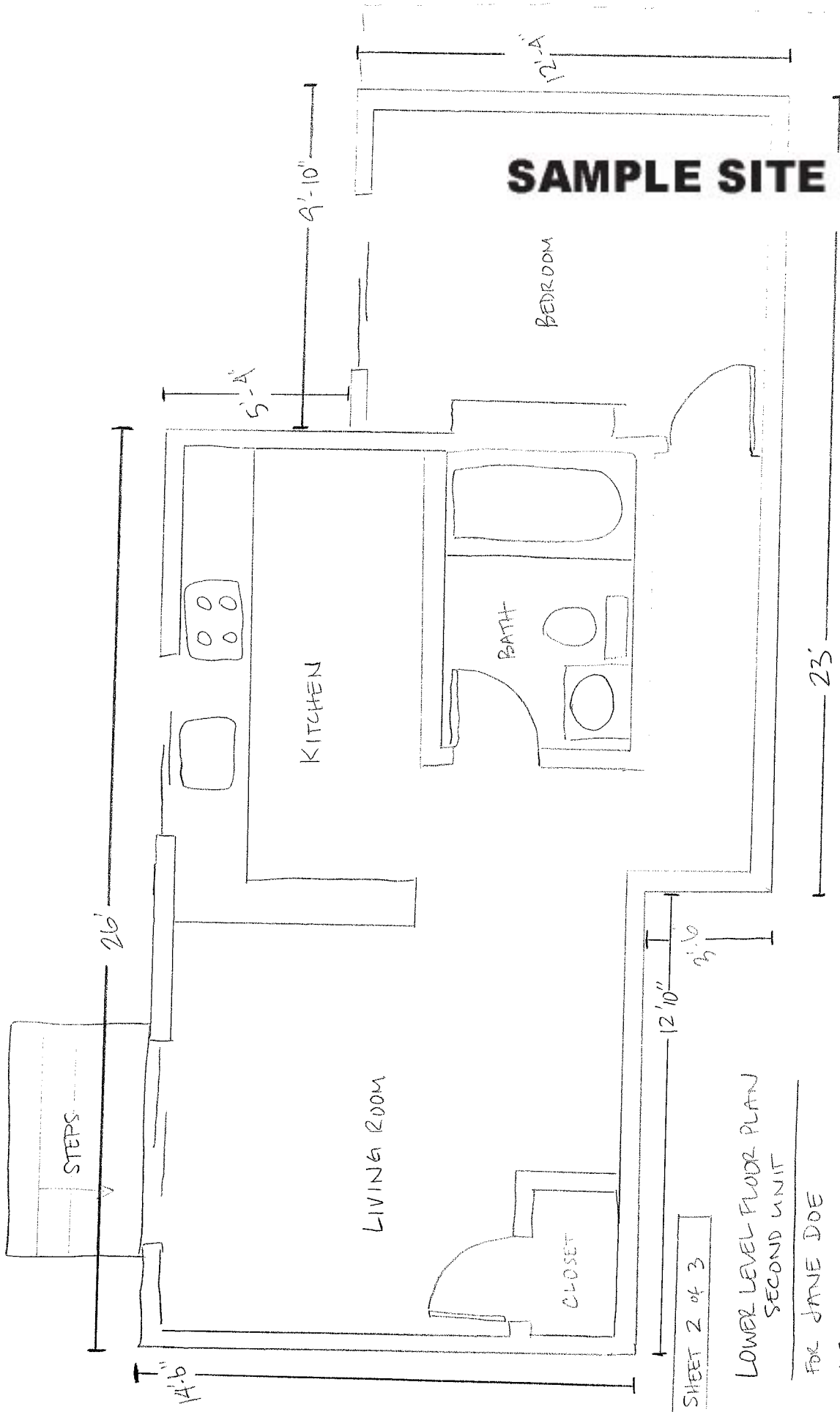
SCALE 1" = 10'

LEVEL ONE = X SQUARE FEET

LEVEL TWO = X SQUARE FEET

TOTAL FLOOR AREA = X + X SQUARE FEET

SAMPLE SITE PLAN



SHEET 2 of 3

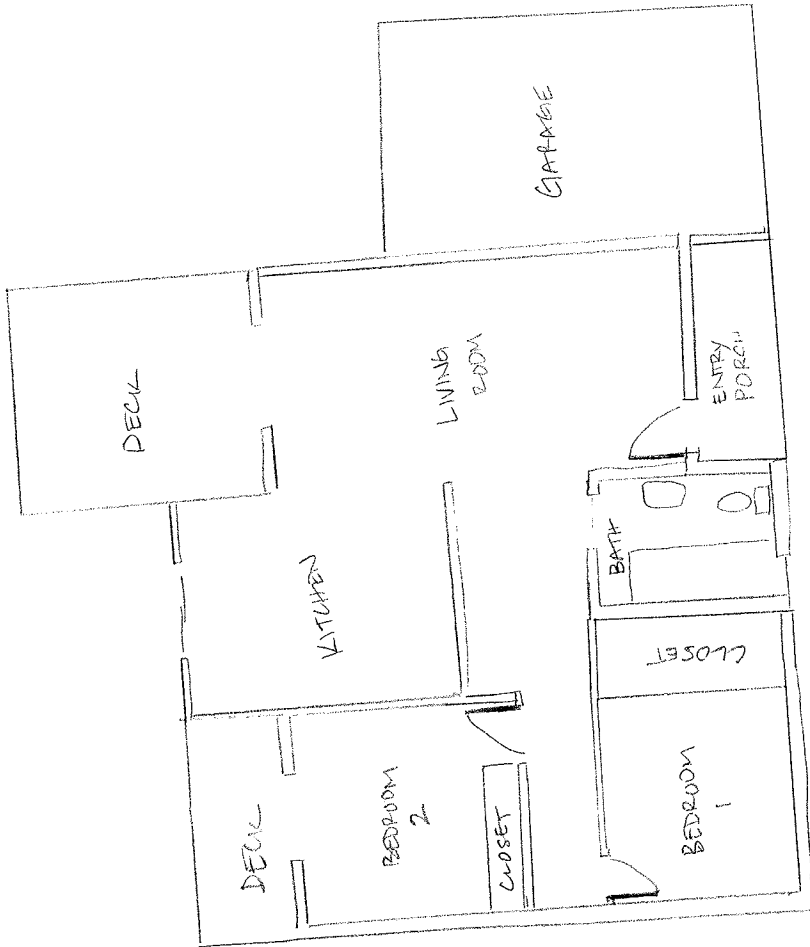
LOWER LEVEL FLOOR PLAN
SECOND UNIT

FOR JANE DOE
115 MARIN STREET
TOWN, CA ZIP
APN # XXX-XXX-XX

FLOOR AREA = X SQUARE FEET
SCALE 1/4" = 1'



SAMPLE SITE PLAN



SHEET 3 of 3

UPPER LEVEL FLOOR PLAN
MAIN RESIDENCE

FOR JANE DOE
115 MARLIN STREET
TOWN, CA, ZIP

APN # xxx-xxx-xx

FLOOR AREA = X SQUARE FEET
SCALE 1" = 10'