

**BOARD OF SUPERVISORS
COUNTY OF SIERRA
STATE OF CALIFORNIA**

ORDINANCE NO. 887

IN THE MATTER OF SECOND DWELLING UNITS

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA ORDAINS AS
FOLLOWS:**

Ordinance Section One

Chapter 12.10 of the Sierra County Code regarding Second Dwelling Units is hereby repealed.

Ordinance Section Two

Chapter 12.10 of the Sierra County Code regarding Second Dwelling Units is hereby reenacted as follows:

Chapter 12.10 Second Dwelling Units

(Prior Chapter 12.10 enacted by Ord. 781, eff. 1/18/92, repealed by Ord. _)

12.10.010 Purpose and Intent

To provide rental housing to improve affordable housing and meet the needs of renters in various income groups and to make better use of the existing inventory residential lot stock and infrastructure by allowing the creation of new secondary dwelling units on all lots which allow single family residences as a permitted use and which comply with the regulations contained herein.

12.10.020 Definition

As used in this section, a "second dwelling use" is either a detached or attached dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel or parcels as the primary unit is situated.

12.10.030 Creation of a Secondary Dwelling Unit

A secondary dwelling unit may either be "attached" or "detached" from the residential unit. An attached secondary dwelling unit may be created by:

- 1) Alteration of an existing residential structure whereby kitchen and bathroom facilities are not shared in common; or
- 2) Addition of a separate unit onto an existing residential structure.

A detached secondary dwelling unit it may be created by:

- 1) construction of a separate structure onto a parcel or parcels in addition to an existing residential structure; or
- 2) Conversion of an existing accessory structure.

12.10.040 Applicable Zone Districts

A secondary dwelling unit may only be permitted in the following zoning districts:

- R1 - Residential One-Family District
- R2 - Residential One and Two-Family District
- R3 - Residential Multiple Family District
- A1 - Agricultural District
- GF - General Forest District
- RR1 - Rural Residential District
- RR1.5- Rural Residential District
- RR2 - Rural Residential District
- RR2.5- Rural Residential District
- RR4 - Rural Residential District
- RR5 - Rural Residential District
- OS20 - Open Space Residential District
- OS40 - Open Space Residential District
- OS60 - Open Space Residential District
- OS80 - Open Space Residential District
- OS160 - Open Space Residential District

12.10.050 General Provisions

- 1) On lots of less than one acre in net area, an existing single family residence may be altered or expanded to include an attached second dwelling unit not to exceed 640 square feet in size.
- 2) Detached second dwelling units shall not be permitted on lots or parcels having less than 1.0 acres in net area. Detached second dwelling units shall be allowed on parcels having a net area greater than 1.0 acre.

- 3) On lots or parcels consisting of 1.0 net acres or larger in area, attached or detached second dwelling units may be constructed not to exceed 1,000 square feet in area.
- 4) Detached second dwelling units shall be situated within a 150 foot radius of the existing residence.

12.10.060 Standards

- 1) Any construction shall conform to height, setback, or any lot requirements applicable to residential construction in the zone which the property is located.
- 2) The second dwelling unit shall be architecturally similar and compatible with the existing primary unit or surrounding uses.
- 3) The lot must contain an existing single family detached unit that is in conformance with prevailing building, zoning and health standards.
- 4) Only one second dwelling unit may be allowed on any one parcel.
- 5) If rented, the second dwelling unit shall have its utilities separately metered from the existing residence.
- 6) Building code requirements which apply to additions to existing single family dwellings or detached living units, as appropriate, shall be adhered to.
- 7) All water supply, sewage disposal and sanitation requirements must be satisfied pursuant to applicable ordinances as administered by the County Health Department and/or special districts.
- 8) Prior to issuance of a building permit for a second dwelling unit, the owner shall provide a declaration that the improvement covered by the permit does not violate, or conflict with, any Conditions, Covenants and Restrictions (CC&R's) or deed restrictions that have been recorded on the subject property.
- 9) One off-street parking space shall be provided for each bedroom of the second dwelling unit in addition to parking required for the existing residence.
- 10) For detached second dwelling units, an attached garage or carport having maximum exterior dimensions of 12' x 30' may be permitted in addition to the maximum allowable square foot living area.
- 11) The second dwelling unit shall not create excessive noise, traffic and parking congestion or overload public facilities such as water and sewer facilities.

- 12) The site shall not contain a separate guesthouse except where the proposed second dwelling unit is a conversion of the existing guesthouse.
- 13) The second dwelling unit shall conform to any other conditions or standards which, in the judgement of the Administrative Hearing Officer, are necessary to mitigate possible adverse impacts on the surrounding area and to insure conformance with the General Plan.

12.10.070 Administrative Hearing Procedure

Second dwelling units subject to the issuance of a special use permit shall be processed in compliance with the provisions providing for administrative hearing procedures as such are delineated in Part 12, Chapter 12, Section 12, Subsection 070 of the Sierra County Code.

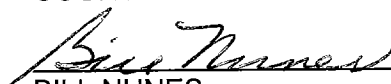
Ordinance Section Three

This ordinance shall take effect thirty (30) days after its passage. Before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in the Mountain Messenger, a newspaper of general circulation published in the County of Sierra, State of California.

Introduced at a regular meeting of the Board of Supervisors held on the 6th day of July, 1999, and passed and adopted by the Board of Supervisors of the County of Sierra, State of California, on the 6th day of July, 1999 by the following roll call vote, to-wit:

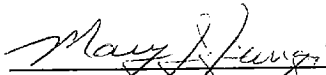
AYES: Supervisors Gutman, Huebner, Nunes, Mitchell and Whitley
NOES: None
ABSTAIN: None
ABSENT: None

COUNTY OF SIERRA



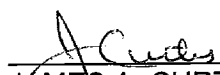
BILL NUNES
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:



MARY J. JUNGJ
CLERK OF THE BOARD

APPROVED AS TO FORM:



JAMES A. CURTIS
COUNTY COUNSEL