



SECOND UNIT AMNESTY PROGRAM SUMMARY

Purpose

Sierra Madre is initiating a Second Unit Amnesty Program for a six month period, from October 2012 to March 2013. Second units have been identified as a means of helping the City to provide its share of affordable housing units identified in the State-mandated regional housing needs allocation (RHNA). The program will offer incentives to property owners to register existing, non-permitted second units by demonstrating safe and habitable conditions.

The City's goals in establishing the amnesty program are:

- 1) To encourage healthy and safe conditions in existing housing units.
- 2) To meet the City's share of affordable housing units (RHNA) required by the State.
- 3) To reduce or eliminate the requirement to establish zoning for higher density multi-family housing.

A "second unit" is a self-contained residential dwelling either attached to the main house or in a separate structure on the property. To qualify as a second unit, the unit must include all of the following:

- ❖ **A bedroom**
- ❖ **A full bathroom**
- ❖ **A separate cooking facility**

Why Would I Want A Second Unit Amnesty Permit?

- A legal second unit can increase your property value and make it more attractive to potential buyers.
- Provides an opportunity to register existing second units with the City.
- Allows for the relaxation of development standards during the amnesty period, such as reduced setbacks, and increased height and square feet limits.

What Are The Basic Eligibility Requirements For An Amnesty Permit?

- Property owner must document that the existing second unit did not have an individual address as of the 2000 census, does not have a building permit of record, AND was constructed prior to January 1, 2006. Acceptable documentation includes, but is not limited to the following:
 - Written affidavits from former and/or current owners, tenants, or neighbors, signed and notarized under penalty of perjury
 - County Assessor records

- Rental contracts and/or receipts
- Income tax records
- Utility bills
- Property owner must maintain either the residence or the second unit as a primary residence.

What Standards Does a Second Unit Need to Meet?

- Second unit must not exceed 800 square feet in size.
- Height must not exceed 15 feet, or up to 25 feet if built above a garage.
- Side and rear yard setbacks may be reduced to zero where privacy and environmental considerations are not compromised.
- Must undergo an inspection performed by the City's Building Official; property owner must be willing to upgrade to health and safety codes to be granted an amnesty permit.

Please Note: The City stresses that applicants will not be penalized for inquiring about the amnesty program. Information applicants provide on the Amnesty Permit application will not be used as the basis for enforcement action unless there is a clear and imminent danger to public safety and/or environmental health.

What Are The Necessary Steps To Receive An Amnesty Permit?

1. Property owner submits complete application to the Development Services Department.
2. An appointment is scheduled for the Building Official to inspect the second unit.
3. Given the Building Official's findings of any necessary upgrades to bring the unit up to code, the property owner decides whether they want to pursue the Amnesty Permit.
4. If the applicant chooses to pursue the Amnesty Permit, neighbors within 100' of the property will be noticed of the request to legalize the existing second unit. If no neighbor appeals within 7 days, the permit is granted. If an appeal is received, the request for the amnesty permit will go before the Planning Commission for review at a public hearing. If the request is denied, the existing second unit will continue to be allowed as a nonconforming unit.
5. Once the Amnesty Permit is approved, the property owner has one year to complete any necessary improvements to bring the unit into compliance with the Uniform Building Code and California Health and Safety Code. Once the unit has received a final inspection by the Building Department, notice will be sent to Los Angeles County to legalize the second unit.

City staff will provide assistance to potential applicants in completing the amnesty application.

For additional information please contact the Sierra Madre Development Services Department at (626) 355-7138.

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