

TOWN OF HILLSBOROUGH

Planning Office
650/375-7411
Fax: 650/375-7415



1600 Floribunda Avenue
Hillsborough
California 94010

Second Units

March 2011

The term “second unit” means a residential dwelling unit that provides complete independent living facilities for one or more persons and is located on the same lot as the main house (called the “primary dwelling”). The second unit includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The second unit may accommodate an extended family, a care giver, or it may be rented.

There are 3 ways to create a second unit:

1. Constructing an entirely new second unit which is either attached to, or detached from, the primary dwelling.
2. Creating a new second unit within existing exterior walls (for example, in the basement or attic)
3. Approval of an existing structure (or portion of a structure) as a second unit, such as a domestic unit, pool house, recreation room, etc.

To create a Second Unit, first secure approval from the Planning Office, then secure approval from the Building Department.

Regulations and Requirements for All Second Units:

1. Before the unit is approved, a notice must be recorded at the County Recorder's office to notify future property owners of regulations associated with the second unit including:
 - That the second unit may not be sold separately;
 - either the second unit or the primary dwelling may be rented, but not both at the same time unless both are rented to the same party.

There is a City Attorney fee associated with the preparation of this document and the document must be prepared and recorded at the County Recorder's office before any permits or final approvals are issued.

2. **Parking:** Second units with one or two bedrooms require one parking space, and second units with three or more bedrooms require two parking spaces in addition to those required for the primary dwelling. These parking spaces may be unenclosed and cannot be in tandem. Exceptions to the parking requirements may be granted for second units including two or more bedrooms.

Constructing an entirely new second unit or creating a new second unit within existing exterior walls (where construction is involved):

For the required approval by the Planning Office, the Planning staff can approve most new second units administratively. If staff approval is not possible, the application will require approval by the Town's Architecture and Design Review Board.

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After approval from the Planning Office is secured, construction drawings may be prepared and submitted for the Building Permit application. There are no fees for the Planning Office review and there are no Building Permit fees for second units; Building Department plan-checking and other related fees do apply.

During the design process, please keep in mind the following second unit standards:

- The second unit must be constructed within the allowable maximum permitted floor area (FAR) and lot coverage, and it must comply with the height and setback requirements as specified in the Hillsborough Municipal Code for all residences (review the Development Standards for key information available online at www.hillsborough.net/planning/informational_handouts.asp).
- Detached second units may not exceed 1,200 square feet in floor area.
- Attached second units may not exceed 30% of the floor area of the primary residence (not including the garage area).
- The lot upon which the second unit is to be located must contain a single-family residence and the property owner must occupy either the residence or the second unit.
- New construction/exterior changes (if any) should be designed to be compatible with the architectural style and detailing of the primary unit.

Conversion of existing residential space (where there is no new construction proposed):

To secure approval of the conversion of existing space, first secure Planning Office, then Building Department approval:

1. To secure Planning approval of the second unit, submit a completed Second Unit application, demonstrate (with photos, a site plan, etc.) there is sufficient parking on the property for both the primary and the second unit, and complete the request for the preparation of the document (for which there is a fee for the City Attorney's Office) to be recorded to alert future owners of the regulations regarding a second unit. Submit these items to the Planning Office for approval. Once evidence of the recordation of the required document is received, Planning Office approval will be granted.
2. After securing Planning Office approval, the applicant shall obtain all necessary permits and arrange an inspection by the Building Department. The Building Department will check for any significant health or safety problems. If there are repairs required, the applicant will work with the Building Department to correct them. If there are no safety or Code problems, the second unit will be approved.

NOTICE TO APPLICANTS

Your property may be subject to recorded Covenants, Conditions and Restrictions which may prohibit the type of second unit which you desire to create. The Town does not concern itself with the private contractual relationships among property owners. Therefore, before proceeding with a second unit application, it is recommended that you ascertain whether title to your property is subject to any such Covenants. If so, you may wish to consult legal counsel to determine whether such Covenants impact your ability to create a second unit.

If you have any questions, please call the Planning Office, 650/375-7411.

Second Unit Application for Planning Review

Planning staff may review and administratively approve most new second units, including new single-story structures and additions on the ground floor. Other second unit projects may be subject to review by the ADRB. Like any addition, second units should look like an extension of the existing house and be consistent with good design principles.

Follow the submittal requirements listed below.

Requirements for Consideration for an Administrative Approval:

Especially if your architect/designer has not prepared plans for the ADRB before, it will be important that the Town's Development Standards and ADRB Application, including detailed instructions, are reviewed in the design development and plan preparation processes.

1. Completed "General Data" sheets and Authorization sheet with the owner's original signature (attached). Check the Town's Development Standards for explanations of "F.A.R.", "Structural Coverage", etc. and how they are calculated.
2. Traverse closure calculations or (only if the lot is perfectly rectangular) an architect's verification of lot size must be attached to the "General Data" sheets.
3. One set of clear, dimensioned plans, drawn to scale with sufficient detail to fully document the project in relation to the existing house. Under most circumstances, construction drawings are not acceptable.

All plans must:

- Include a location map (see Page 7);
- Show the location of the project (with dimension lines) relative to **accurate** property lines;
- Show the project in relation to the existing floor plan and elevations;
- Specify materials, trims and colors, etc.;
- Include graphic interior garage dimensions, the parking strip along the street, trees (if any) near the proposed work, and include cut sheets for light fixtures, skylights, or other features.

Assemble the components and fold and address the plans as indicated on Page 7.

4. Color photos of the site, the view from the street, the area of the proposed project, each elevation of the existing house, etc. The photos must be of a high quality and must demonstrate sufficient detail to show how the proposed addition (including finishes, trims, etc.) relates to the existing structure. Colors should be as true as possible, especially when proposed colors are "to match existing." A photo key on a reduced site plan is helpful. Polaroid photos may not be used.
5. Completed Request for Preparation of a Document to be recorded (and the required fee for the City Attorney's Office) - copy attached.
6. There is no fee for Planning Department review of Second Units.

When the materials are complete, drop them off at the Planning Office or call (375-7411) to schedule an appointment to meet with the Planner. **Please understand that approval cannot be made without the required information.**

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Town of Hillsborough

**Application Form
Administrative Review of a Second Unit**

Please Print Clearly or Type

Address of Site: _____

Authorization of property owner(s): In signing this application, I/we, as property owner(s) have full legal capacity to, and hereby do, authorize the filing of this application. I/we understand that conditions of approval are binding. I/we agree to be bound by those conditions, subject only to the right to object at the hearing or during the appeal period.

Please circle: Mr. and Mrs. / Mr. / Mrs. / Ms. / Dr.

Name(s): _____

Signature(s): _____

Mailing Address: _____
(Street or P.O. Box)

(City, State and Zip Code)

Phone Number(s): _____ Fax: _____

Project Designer/Contractor: _____

Mailing Address: _____
(Street or P.O. Box)

(City, State and Zip Code)

Phone Number(s): _____ Fax: _____

General Data – Second Unit

Project Address: _____

Assessor's Parcel Number: _____

Lot Size: _____ sq.ft. Net Lot Size (if applicable): _____ sq.ft.

"Traverse Closure Calculations" or the architect's verification **must be** attached. If the site includes an access easement (for right-of-way or driveway access to another lot), also provide "Traverse Closure Calcs." for the **net lot size**, which is the lot size to be used in calculating the F.A.R. and lot coverage.

Project Description: _____

Roof Material (manufacturer, style, color): _____

Exterior Materials: _____

Distance from the new construction to property lines at the closest points:

Front: _____ Back: _____

Left Side: _____ Right Side: _____

Height (in feet), at highest point, from:

Existing grade _____

New/final grade _____

Total number of bedrooms (or rooms which meet the definition of bedroom) in the second unit:

_____. Total number of bedrooms (or rooms which meet the definition of bedroom) in

the primary dwelling: _____.

Number of on-site parking spaces provided: In garages _____

Other, "open" parking spaces which are indicated (with dimensions) on the plans (not including those in the required back-up space behind garage doors:

_____) ("Tandem" spaces are not counted.)

If applicable, preliminary grading calculations:

_____ c.y.; cut; _____ c.y. fill.

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LOT COVERAGE Calculations This is the “footprint” – See the Development Standards:
You may attach additional pages, if necessary.

	Structure	Hardscape*	Landscape	Total
Existing sq. ft.				
To be removed sq. ft.				
To be added sq. ft.				
TOTAL sq. ft.				**
% of total lot				100%

Total allowable: _____ *(to be completed by staff)*

*Hardscape is impervious surface such as driveways, parking spaces, roofed porches, entries, lanais, porticos, swimming pools, courts, patios, decks, walkways, steps, solar panels, gazebos, pergolas, etc. See the Development Standards for information.

**This is the lot size, or the net lot size, from previous page

FRONTYARD HARDSCAPE Calculations Required *only* for proposals involving work within the frontyard setback area, which is usually the front 25 or 30 feet of the lot:

	Square Feet	% of Setback Area	% Allowed
Hardscape			40% maximum
Landscape			60% maximum
TOTAL			100%

FLOOR AREA (F.A.R.) Calculations Include all enclosed floor space, including garages - See the Development Standards for specifics. Additional columns may be added for accessory buildings, etc., if necessary:

FAR	Basement	First Floor	Second Floor	Total
Existing sq. ft.				
To be removed sq. ft.				
To be added sq. ft.				
TOTAL sq. ft.				

Total (proposed) floor area = _____ % F.A.R. (based on lot size, or net lot size, if applicable)

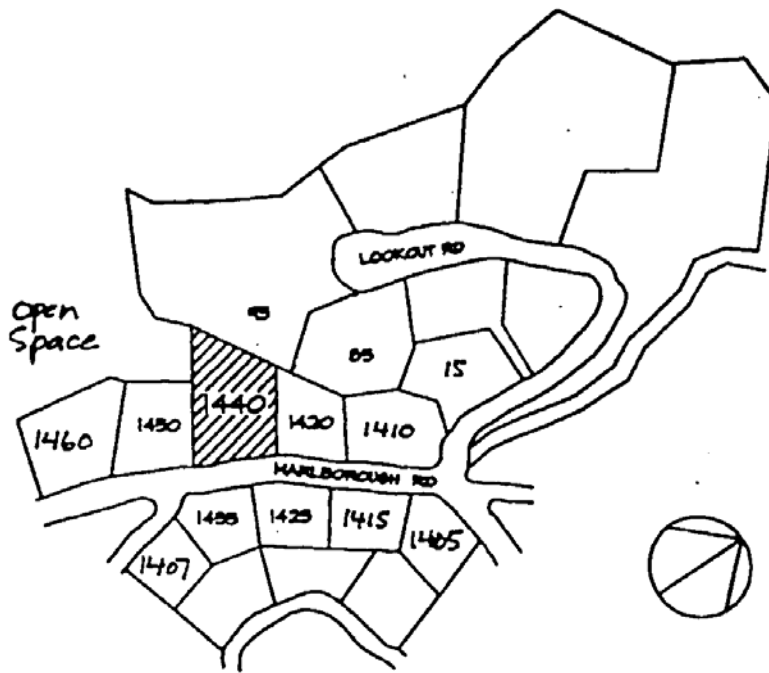
SQUARE FOOTAGE Calculations This is the actual house/structure size – do not use FAR calculations. Count all enclosed floor space, including garages, basements, attics, etc., at 100%:

Square Footage	Basement	First Floor	Second Floor	Total
Existing sq. ft.				
To be removed sq. ft.				
To be added sq. ft.				
TOTAL sq. ft.				

Staff Use Only

Total allowable FAR: _____ sq. ft.

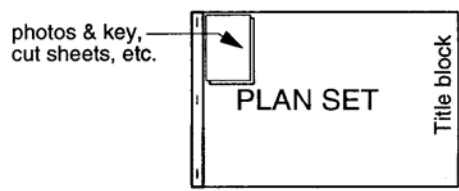
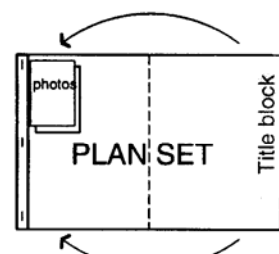
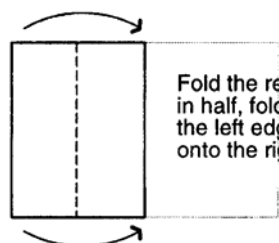
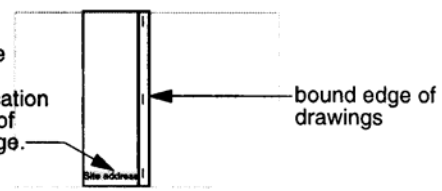
Notes:



Location Map

This is an example of a location map which must be on the first page of each planset. Show the project site relative to nearby properties and streets. Include the addresses of all adjacent (including to the back and across the street) properties. If a pre-printed map is used, be sure that the entire street name is included for all adjacent streets. The location map should be oriented on the page in the same manner as the project site plan

Plan Folding Instructions

<p>1</p>  <p>photos & key, cut sheets, etc.</p> <p>PLAN SET</p> <p>Title block</p> <p>Sheets of plans should be stapled in sets along the left edge. Attachments such as photos and/or cut sheets should be stapled in the upper left corner.</p>	<p>2</p>  <p>photos</p> <p>PLAN SET</p> <p>Title block</p> <p>Fold each plan set in half, folding the right edge over onto the left (stapled) edge, printed side to the inside.</p>
<p>3</p>  <p>Fold the remainder in half, folding the left edge over onto the right, or folded edge.</p>	<p>4</p>  <p>Clearly print the site address in ink in this location on the outside of the plan package.</p> <p>bound edge of drawings</p> <p>Site address</p>

For reduced plans:

1. Staple photos, cut sheets and other attachments in the upper left corner.
2. Fold the plansets in half, either way, depending on the orientation
3. Clearly print the site address on the outside, as in Step #4, above.
4. Plan sets should open like a book, from right to left.

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SAN MATEO COUNTY

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PROCEDURES FOR RECORDING DOCUMENT REQUIRED BY PROVISIONS OF THE HILLSBOROUGH MUNICIPAL CODE

The following steps should be taken to comply with the requirement of recording a second unit document:

1. Property owner submits \$350 filing fee (check payable to the City Attorney's Office - Carr, McClellan, et al) and requests form (on the reverse side of this sheet) to the Planning Office.
2. Planner reviews the request and transmits check and request form to the City Attorney's Office.
3. The City Attorney will order the legal description and prepare the document; when it is complete, it will be transmitted to the planner.
4. The planner will sign (notarized) the document and mail it to the property owner to indicate that the document is ready for owner's signature (notarized) and recordation. Instructions will be provided.
5. Property owner signs (notarized) the document, records it (at the office of the County Recorder), and submits copy (with Recorder's stamp) to Department of Community Services.

Please note: No building permit for construction of the home, the addition or the second unit can be issued without this required recordation.

If you have any questions, please call 375-7411 for assistance.

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Town of Hillsborough
**Request for Preparation
of a Second Unit Document for Recordation**

Please Print Clearly or Type

Property Owner's Name (s): _____

Address of property: _____

Assessor's Parcel Number: _____

Property Owner's Mailing Address (if different from site):

Property Owner's Daytime Phone Number: _____

Today's Date: _____

(For Town Staff)

Type of Document: Second Unit

Date Reviewed by Planner: _____

Date Sent to Attorney: _____

Date Returned to Property Owner: _____