



CITY OF DANA POINT

COMMUNITY DEVELOPMENT DEPARTMENT

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SECOND DWELLING UNITS (“GRANNY FLATS”) INFORMATION SHEET



WHAT IS A SECOND DWELLING UNIT?

Second dwelling units (or “granny flats” as they’re commonly referred), are structures located on residentially-zoned parcels, designed exclusively for residential purposes, and containing kitchen and sanitation facilities. Second dwelling units can be constructed as an attached addition to an existing residence or as stand-alone structures. In all cases however, a second dwelling unit must be located on the same parcel as the primary residence.

WHY SHOULD I BUILD A SECOND DWELLING UNIT?

Second dwelling units provide needed opportunities for new, affordable housing utilizing existing infrastructure. Students, young families and the elderly – groups historically challenged by the high cost of housing – can all make effective use of the opportunities afforded by second dwelling units. Moreover the rental income from a second dwelling unit can also provide mortgage relief to the property owner, making continued homeownership more feasible.

DO I NEED A PERMIT OR IS A HEARING REQUIRED TO BUILD A SECOND DWELLING UNIT?

State law (CA Government Code Section 65852.2) requires all applications for new second dwelling units be processed as “ministerial projects,” meaning that provided the project application meets the various development requirements in the city’s municipal ordinance (zoning, heights, setbacks, etc.), the application cannot be denied. In the City of Dana Point, second dwelling units are permitted on all properties zoned for single-family residential development. Provided the proposed second dwelling unit meets applicable development requirements in the Dana Point Municipal Code, no hearing before the Planning Commission is required, and all project review and permitting shall be conducted administratively (by Planning and Building/Safety staffs only).

WHAT ARE THE DEVELOPMENT REQUIREMENTS TO BUILD A SECOND DWELLING UNIT?

The following are development requirements for second dwelling units:

- ▶ The second dwelling unit shall not exceed thirty (30) percent of the living area of the primary residence when attached or one thousand two hundred (1,200) square feet when detached;

- ▶ Second dwelling units whether attached or detached, shall not encroach into any setback area required for the primary structure;
- ▶ An additional parking stall, in accordance with the standards described in Chapter 9.35, shall be provided for the second dwelling unit;
- ▶ The second dwelling unit shall be compatible in height, setback and architectural design with the primary structure and the surrounding land uses;
- ▶ Each second dwelling unit shall have adequate storage and private open space;
- ▶ A second dwelling unit may only be occupied by an individual adult or two senior adults;
- ▶ A second dwelling unit must be attached to or detached from the primary single family unit;
- ▶ A second dwelling unit may not be sold as a separate dwelling unit;
- ▶ Second dwelling units must be affordable to persons of low and moderate income, and remain affordable for the life of the project;¹
- ▶ Certain properties within the City of Dana Point are located within the "coastal zone²," necessitating application for an Administrative Coastal Development Permit (ACDP). This application shall be reviewed and processed ministerially by Planning staff. In other words, if the project conforms to all applicable development standards, the request shall not require a hearing before the City Planning Commission. Public noticing and a Notice of Final Action (NOFA) will be filed in accordance with the Coastal Development Permit process. Check with staff planners or review City of Dana Point zoning maps (available at City Hall) to find out if your property is located within the coastal zone.



WHO DO I CONTACT FOR MORE INFORMATION?

City Planning staff can be contacted:

- ▶ Monday through Thursday, 7:30 AM – 5:30 PM and Friday, 7:30 AM – 4:30 PM at (949) 248-3500 or;
- ▶ By visiting City Hall at 23832 Golden Lantern (Suite 212), Dana Point, CA 92629.

¹ "Life of the project" shall be determined as the length of time the second dwelling unit is occupied

² "Coastal zone" means that land and water area of the State of California from the Oregon border to the border of the Republic of Mexico extending seaward to the state's outer limit of jurisdiction (3 miles offshore) including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards.