



## Affordable Second Dwelling Unit Program

### Introduction

The Sonoma County Permit and Resource Management Department (PRMD) and the Sonoma County Community Development Commission (CDC) administer the County's affordable second dwelling unit program. This program is available to property owners who wish to receive specified incentives from the County needed to build a second dwelling unit on their property. Owner participation is voluntary.

This County program will allow a larger second unit, a larger garage for the second unit or, in some cases, a second unit where zoning or other regulations would otherwise not permit a second unit. This program also may allow a property owner to legalize an existing illegal second dwelling unit. In return, the owner agrees to maintain the unit as affordable to low-income households for a period of 30 years.

The owner and County will execute an affordable housing agreement regulating usage of the affected second dwelling unit. This agreement will specify affordability requirements, the approved rent and income levels, and the period of affordability. The County will record the agreement that will run with the land.

This brochure summarizes the main elements of the second dwelling unit program for property owners, realtors, residents and local officials who have an interest in affordable second units in the unincorporated areas of Sonoma County. Anyone contemplating developing a unit under the County's affordable second dwelling unit program should meet with staff from PRMD and CDC to review the program's requirements in detail.

### I. Affordability Requirements:

The property owner agrees to meet the following affordability requirements:

- A. Second units are affordable and restricted to households at or below 80% of the median area income, adjusted for household size.
- B. Units remain affordable for a minimum period of 30 years.

- C. The owner, members of the owner's household, and owner's dependents may not occupy the affordable second dwelling unit.
- D. The affordable unit must be offered for year-round rental, not seasonal or vacation rental.

### II. Incentives:

The affordable second dwelling unit program provides the following incentives:

- A. Maximum size of second units may be increased from 840 to 1,000 square feet.
- B. Maximum size of the attached garage space may be increased from 400 to 500 square feet.
- C. Minimum lot size in rural areas may be reduced to 1.5 acres gross (except in Class 3 and 4 Water Scarce Areas).
- D. Minimum lot size in urban areas may be reduced to 5,000 square feet.

An affordable second dwelling unit must meet all other zoning, building and environmental health standards.

### III. Income Limits:

Households occupying an affordable second dwelling unit may not have annual incomes that exceed the limits established for low-income households, adjusted for household size. Determined annually by the U.S. Department of Housing and Urban Development (HUD), low-income does not exceed 80% of the median income for Sonoma County. The current income limits are indicated on Attachment 1.

### IV. Rent Limits:

Monthly rent for the affordable second dwelling unit may not exceed one twelfth (1/12) of 30% of 60% of the annual median area income, adjusted for the assumed household size. Assumed household size equals the number of bedrooms in the unit plus one. For example, the assumed household size for a studio is one person; for a one-bedroom unit, it is two people. The owner may charge no rent, but the tenant must be income-eligible.

Attachment 1 lists the current gross rent limits. These rents will be reduced by a utility allowance for estimated tenant-paid utilities (see Attachment 2).

## **V. Procedures and Process:**

### **A. Project Approval Process:**

To obtain approval of an affordable second dwelling unit, a property owner submits the appropriate application to:

Permit and Resource Management Department  
County of Sonoma  
2550 Ventura Avenue  
Santa Rosa, CA 95403  
Telephone: 707/565-1900; Fax: 707/565-1103

PRMD will process each application for a second dwelling unit and determine whether or not it meets the program requirements. When the evaluation is complete and the owner has agreed to the affordability requirements, PRMD will send the CDC a PRMD/CDC Referral letter that describes the project, the number of bedrooms in the affordable second dwelling unit, and the owner's obligations concerning long-term affordability of the unit.

When the CDC receives the PRMD/CDC Referral letter, and the owner has submitted an Affordable Housing Agreement Application (Attachment 3) and the application fee to CDC for preparation of the Affordable Housing Agreement, the CDC will prepare the Affordable Housing Agreement. In most cases, the CDC will prepare the Affordable Housing Agreement and submit it to the owner for notarized signature within one week of receiving the PRMD/CDC Referral letter, the owner's Application and the application fee.

When the owner returns the signed Agreement, the CDC's Executive Director will execute the Agreement and record it. The Agreement can be recorded in a lien position subordinate to the owner's construction and permanent financing.

### **B. Adjustments to Rent and Income Limits:**

The CDC will set rent limits annually using income limits that the U.S. Department of Housing and Urban Development issues for Sonoma County. Each year, the CDC will notify all participating property owners of the new rent and income limits as soon as they become available.

### **C. Monitoring Procedures:**

When an affordable second unit becomes occupied, the owner will maintain a tenant file containing the initial income verification and annual income recertifications for each tenant who resides in the affordable second dwelling unit. At least annually, the owner will submit a Compliance Report, on forms the CDC will provide, verifying that the project is in compliance with the Agreement. The Report is due each January for the previous calendar year.

Periodically, the Commission's program staff will visit each affordable second dwelling unit to inspect tenant files and the condition of the unit. The staff may review any records pertaining to the affordable second dwelling unit, including tenant files, ledgers and payment records.

Annually, the owner of an affordable second dwelling unit will pay a fee for each affordable unit to cover the cost of the CDC's program administration.

**These procedures are subject to change. Departure from the established procedures will require pre-approval.**