



Town of Moraga

PLANNING DEPARTMENT

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For Staff Use Only

File #: _____

Deposit #: _____

SECONDARY LIVING UNIT MINISTERIAL PERMIT APPLICATION FORM

PROJECT INFORMATION

PROJECT SITE ADDRESS: _____

PROPOSED ADDRESS FOR SECOND LIVING UNIT: _____

ZONING: _____ APN: _____

PROJECT DESCRIPTION: _____

APPLICANT INFORMATION

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____

EMAIL: _____

OWNER INFORMATION

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____

EMAIL: _____

APPLICANT / OWNER AUTHORIZATION

CHOOSE ONE:

- I am the property owner and hereby authorize the filing of this application.
- I am the applicant and am authorized by the owner to file this application.

Applicants are required to pay a \$250 fee for pre-application & consultation time. When the application is submitted, applicants must pay an initial deposit of \$1,800 to cover the costs of processing application. An applicant is responsible for all charges associated with processing the application. Clear, complete and consistent applications require less staff time and thus are less expensive to process.

By signing below the applicant agrees to pay any additional charges that may be incurred beyond the initial design review fee and deposit in order to complete the processing of the application.

Signature of Applicant/Owner: _____ Date: _____

OTHER CONTACT INFORMATION FOR PROJECT

PROJECT ARCHITECT OR DESIGNER	PROJECT CIVIL ENGINEER
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
PHONE: _____	PHONE: _____
EMAIL: _____	EMAIL: _____

LANDSCAPE ARCHITECT	GEOTECHNICAL ENGINEER
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
PHONE: _____	PHONE: _____
EMAIL: _____	EMAIL: _____

SECONDARY LIVING UNIT MINISTERIAL APPROVAL PROCESS:

Secondary Living Units are permitted in single-family and multi-family residential districts in the Town of Moraga when the proposed secondary living unit meets all of the requirements of the Municipal Code. State and local regulations encourage secondary living unit development in an effort to promote a stable, heterogeneous community with a balanced social and economic mix.

A secondary living unit permit obtained pursuant to the procedures and standards set forth in this application process (Moraga Municipal Code Section 8.124.040) is required prior to the development, construction or occupancy of any secondary living unit on any lot in any single-family or multi-family residential district within the Town. This application process provides for the ministerial approval of secondary living units in single-family and multifamily residential districts on lots with existing dwellings.

"Secondary living unit" or "second unit" means an attached or a detached residential dwelling unit that 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 as the single-family dwelling is situated. Applicants for second units shall be owner-occupants.

The Planning Director will review the application to ensure that all information required is supplied, and that the proposed development is consistent with the criteria adopted under MMC Section 8.124.060 and 8.124.070. Written notification of the application will then be mailed to all property owners and residents within 300 ft. of the proposed unit. The Planning Director will give such notice not less than 10 days before the date the application is scheduled for a decision.

The Planning Director shall approve an application and issue a secondary living unit permit in a single-family or multifamily residential zone if all of the requirements of Section 8.124.060 and 8.124.070 have been satisfied. The Planning Director shall deny an application for a secondary living unit in a single-family or multifamily residential zone if the requirements of Section 8.124.060 and 8.124.070 have not been satisfied.

Any interested person may appeal the decision of the Planning Director in accordance with the provisions of Moraga Municipal Code Chapter 8.12 Article 4. The appeal shall be limited to a consideration of whether the objective criteria in Sections 8.124.060 and 8.124.070 have been met.

DEVELOPMENT STANDARDS (MMC 8.124.060)

The secondary living unit must qualify for a categorical exemption in accordance with the requirements of the California Environmental Quality Act (CEQA). Second units can only be one story high and must be built on an existing slope less than 20% at the time of application. In addition, proposed structures cannot be built on top of a garage or basement.

1. How many secondary living units currently exist on the lot? _____
2. How many secondary living units are proposed? _____
3. What is the aggregate height of the proposed unit (max allowed 19ft)? _____
4. Does the primary living unit require an automatic sprinkler system? (please circle) Yes No
5. Does the lot have an average slope of 20% or more, or does any portion of the lot exceed 20% slope? Yes No
6. Is the lot adjacent to a lot that shares a property line with any other lot on which a secondary living unit has been approved or is located? (please circle) Yes No
7. What is the lot coverage of the proposed unit and all paving (max 1300 sq. ft.)? _____ sq. ft.
8. What is the floor area ratio of the proposed unit (max 7%)? _____ sq. ft.
9. What is the interior living area of the proposed unit (min 150 sq. ft. – max 750 sq. ft.)? _____ sq. ft.
10. The interior living area of the proposed unit may not be more than 25% of the existing interior living area of the primary living unit. (Proposed secondary unit _____ sq. ft. divided by existing Primary unit _____ sq. ft. ; then multiplied by 100 to give _____%. What is the percent size of the proposed unit in comparison to the primary unit? _____
11. The secondary living unit shall be located at least as close to the existing primary unit as it is to any adjacent property line. Any secondary living unit wall located within 50 feet of a property line shared with a lot on which an existing residence is located, shall have all windows set at a sill height of not less than five (5) feet six (6) inches above the interior floor level. What is the lowest sill height of all proposed windows? _____ ft. _____ in.

12. One off street parking space is required for the proposed secondary unit. The space must measure at least 9 ft. by 19 ft. and not more than 17 ft. by 19 ft., and may not be located within a setback area. What are the measurements for the proposed space?
_____ ft. by _____ ft.
13. The secondary living unit parking shall be adjacent to the existing primary unit and shall be accessed by a driveway that also provides access to the primary unit parking, without increasing the existing curb cut of the driveway.
14. The secondary living unit shall be located at an elevation that is at least one (1) foot above the 100-year flood level for any nearby creek. How many feet above the 100-year flood level is the proposed project? _____ ft.

DESIGN STANDARDS (MMC 8.124.070)

A secondary living unit is allowed on a single-family or multifamily residential lot containing an existing primary unit if the following design requirements are met:

1. If the secondary living unit is attached to the existing primary unit and if both units have an entrance at the front, both units shall be served by a common entrance. If the entrance to the secondary living unit is at the side or rear of the existing primary residence, it may be a separate entrance.
Is the proposed entrance to the secondary living unit at the front of the property? Yes No
2. All retaining walls associated with the construction of a secondary living unit shall be no higher than three (3) feet. If a fence is located within two (2) feet of a retaining wall the combined retaining wall and fence height shall not exceed six (6) feet. There shall be no more than two new retaining walls located within thirty feet of one another in conjunction with the construction of a new secondary living unit.
 - a. How many retaining walls are proposed? _____
 - b. If more than one, what is the minimum distance between them? _____ ft.
 - c. What is the proposed maximum height of the retaining walls? _____ ft.
3. Any blank wall that is without windows and is more than 15 feet long or 180 square feet in area, whichever is less, shall have landscaping installed and maintained along the wall which reaches a minimum height of four (4) feet within three (3) years.
Do any of the proposed walls exceed 15 ft. in length or consist of 180 sq. ft.? Yes No
If yes, please indicate landscaping techniques that will be used to meet the criteria.

6. A secondary living unit porch or above grade landing shall not exceed 25 square feet. The maximum depth of a secondary living unit porch or above grade landing shall not exceed four (4) feet. No above grade decks or balconies shall be permitted on a secondary living unit.
 - a. What is the total square footage of all proposed porches? _____ sq. ft.
 - b. What is the maximum depth of the proposed porch(es)? _____ ft.

7. The skirt height of a secondary living unit shall not exceed four (4) feet.
What is the skirt height (if any) of the proposed second unit? _____ ft.
9. There shall be a minimum of six (6) feet near level clearance area from any top or bottom of a slope to a secondary living unit. The post development slope of the near level clearance area shall not exceed 5%. This requirement is also applicable to split level lots, with the exception of the primary pad split.
What is the shortest distance from the nearest slope to the edge of the proposed living unit? _____ ft.
10. A detached secondary living unit shall be located a minimum of 10 feet away from the existing primary unit.
If detached, what is the shortest distance between the proposed secondary living unit and the existing primary unit? _____ ft.
11. The utilities associated with the construction of a new secondary living unit shall be underground. Are any utilities proposed above ground?

The Planning Director must see how the following requirements are met by the proposed project. Please clearly indicate how the following additional requirements (MMC 8.124.070) are met by the proposed project:

1. All exterior colors, materials and architectural and landscape designs of the secondary living unit shall match the exterior color, materials and architectural and landscape designs of the existing primary unit.
2. All exterior lighting shall be directed downward or inward toward the property.
3. All secondary living unit landscaping shall be irrigated and maintained for a minimum of one (1) year.
4. Permanent trash and recycling enclosures for use by the secondary living unit occupants shall be located on the property. The colors, materials and design of the trash and recycling enclosures shall match the secondary living unit.
5. No fence, screens, walls, landscaping or other means may be used to visually subdivide the secondary living unit from the primary unit.
6. The design of the mailbox for the secondary living unit shall match the design of the mailbox for the existing primary unit. In addition, the mailbox for the secondary living unit shall be co-located with the mailbox for the existing primary unit.
7. The secondary living unit shall not encroach upon the required 25 ft. by 40 ft. usable rear or side yard area of the existing primary unit.
8. No secondary living unit shall be located within the drip line of any native, orchard or historic tree as defined by Moraga Municipal Code Section 12.12.020.

SITE INFORMATION

Lot Requirements (MMC 8.124.060)

Please provide the following setback information for the lot, including the existing primary living unit measurements and those proposed for the secondary living unit:

Date primary residence was originally constructed: __ / __ / __

*If the residence was constructed after 11/30/1974, please use the MORAGA site standards chart below. If constructed before 11/30/1974, use the COUNTY chart.

MORAGA (residence constructed **after** 11/30/1974):

Please indicate the zone in which the project is located

Please insert project information here →

Zone	Minimum Lot Area	Minimum Frontage	Minimum Front Yard	Minimum Side Yard	Sum of Side Yards	Exterior Side Yard	Minimum Rear Yard
Zone 1 (1 DU/AC)	30,000 sq. ft.	140 feet	25 feet	20 feet	40 feet	25 feet	20 feet
Zone 2 (2 DU/AC)	20,000 sq. ft.	120 feet	25 feet	15 feet	35 feet	20 feet	20 feet
Zone 3 (3 DU/AC)	10,000 sq. ft.	80 feet	20 feet	10 feet	20 feet	15 feet	15 feet

----- **OR** -----

COUNTY (residence constructed **before** 11/30/1974)

Please indicate the zone in which the project is located

Please insert project information here →

Zone	Minimum Lot Area	Minimum Frontage	Minimum Front Yard	Minimum Side Yard	Sum of Side Yards	Exterior Side Yard	Minimum Rear Yard
Zone 1 (1 DU/AC)	30,000 sq. ft.	140 feet	20 feet	10 feet	25 feet	25 feet	20 feet
Zone 2 (2 DU/AC)	20,000 sq. ft.	120 feet	20 feet	10 feet	25 feet	20 feet	20 feet
Zone 3 (3 DU/AC)	15,000 sq. ft.	100 feet	20 feet	10 feet	25 feet	-----	N/A

Site plans must indicate:

1. General location of property,
2. Property boundaries,
3. Existing topography and proposed grading (for property of less than ten (10) acres, a contour interval no greater than five feet and a horizontal map scale of one inch equals fifty (50) feet, or larger, shall be used; for property larger than ten (10) acres, a contour interval no greater than ten (10) and a horizontal map scale of one inch equals one hundred (100) feet, or larger, shall be used),
4. All existing and proposed structures, the height of each structure and the number of dwelling units in each structure,
5. Location and approximate height of all adjacent structures on abutting sites,
6. Location, dimensions and quantity of existing and proposed off-street parking, and if it conforms to MMC 8.76,
7. Existing and proposed vehicular and pedestrian ways, and trails, with grades, widths and types of improvements,
8. Proposed vehicular access between the site and the public street,
9. Locations, names and widths of abutting streets,

10. Existing and proposed utilities,
11. Existing and proposed recreational facilities,
12. Existing and proposed storm drainage facilities,
13. Location of existing trees on the site with circumference greater than ten (10) inches measured two feet above ground,
14. Locations and heights of existing and proposed retaining walls,
15. Locations and dimensions of trash disposal and recycling areas,
16. Roof overhangs,
17. Distances between buildings and from building walls to property lines,
18. Proposed street names;

Architectural drawings must show:

1. Floor plans at one-eighth inch or one-fourth inch equals one foot zero inches,
2. Four elevations (or more if necessary) to include all sides of development at no less than one-eighth inch equals one foot zero inches,
3. Landscaping plan, including plant names and sizes and an irrigation plan,
4. Recent photograph of the site itself and of adjacent properties showing the current condition of the properties,
5. Color and texture chips of actual samples of materials,
6. Additional information that may be requested by the board or the planning commission including but not limited to:
 - a. Recent photographs of sight line profiles in sufficiently large scale, taken from commonly used vantage points in the town (shopping centers, road intersections, scenic lookouts, etc.) with outlines of the proposed structure in proper scale and perspective, superimposed on it,
 - b. Architectural drawings showing the location, size, color, shape and type of illumination of each proposed sign.