

# County Offers Housing Options

By Dan Gjerde, Fourth District Supervisor

In much of the nation and in most of California, not enough housing is being built to accommodate a growing population. Rents are high, and many believe rents will continue to grow at a pace that is faster than the rate of inflation. To encourage the construction of new rental housing, the State of California and our local governments here in Mendocino County have approved new opportunities for home owners to create rental housing right alongside of a traditional single-family home.

In fact, for decades you have had the right to construct rental housing, even if your property was zoned for a single family home. You have long held the right to build a secondary residence, in addition to your own home, on the vast majority of parcels in Mendocino County. Only in cases where a property lacks adequate water or wastewater capacity is a property prohibited from hosting a second residence, or if a property is regulated by the local coastal program.

So what's new? Prompted by recent State law, the County of Mendocino now allows you to create a junior residence on your property, even in cases where your property is allowed to have a primary home plus a secondary residence.

Here's what that looks like. A junior residence is attached to your property's primary home. A junior residence is less than 500 square feet in size. And a junior residence only has an "efficiency kitchen," which under State law means the kitchen appliances are powered by 110 volt outlets.

Oh, and here is a critical part of State law: you must convert one of your home's existing bedrooms when creating a junior residence. For homes with an extra bedroom, the sacrifice of one bedroom won't cause an obstacle to creating a junior residence. For smaller homes, the County expects homeowners will simply pull building permits to construct a "master bedroom suite" of less than 500 square feet. That's because even if you construct a new bedroom in the future, such as a "master bedroom suite," it can later be declared a junior residence.

What are some other things to know?

**Septic benefit.** In California, septic systems are built to account for the number of bedrooms on a property. That said, the County of Mendocino has long allowed property owners to add one extra bedroom to a property without requiring the property owner to expand the septic system. In more recent years, the County of Mendocino has alternatively allowed property owners to create a small second residence without mandating an expansion of a septic system, as long as a property owner creates a net gain of no more than one bedroom. If you can create

a second residence or create a junior residence without creating a net gain of more than one bedroom, you can avoid spending money on your septic system.

**Tax benefit.** A rental on your property will give you new advantages when filing your annual federal and state income taxes. For specifics, you will want to consult with a tax expert. But very broadly, with a home you can typically only deduct your mortgage interest and property tax payments from your taxable income. With a rental, you can also take the value of the rental building and over several years and you can deduct its value from your taxable income. Also, it's likely that many of your property's monthly services will benefit the rental, things like internet and garbage collection. If that's the case, you can likely deduct up to half of those monthly expenses from your taxable income. Again, a tax expert can advise you on how to maximize your tax benefit.

**Other benefits.** A Bay Area survey of home owners with second housing units revealed these insights: 1) More than half of the home owners reported their rental was occupied by a family member or a friend; and 2) On average, home owners charged slightly below the market rate when compared to a similar residence that was in an apartment building. It would seem that many property owners see multiple benefits to sharing their land with others.

This article highlights one approach to encourage new housing. For greater detail, please contact the helpful staff at the Mendocino County Planning and Building Department.

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