



SECOND BATHROOM PROTOCOL FACT SHEET
Allowing a second Bathroom in a one-bath house
Rule 24-A-3

What is the second Bathroom protocol and when did it go into effect?

The second Bathroom protocol allows an existing Single Family Dwelling on a single family residential site that has less than two bathrooms to add a new second Bathroom on the site that had a final building permit as of May 16, 2001. The second Bathroom protocol shall be limited to the following fixtures: (a) a single toilet, (b) a single bathtub, tub/shower combination or single shower stall, and/or (c) one or two wash basins.

The second Bathroom protocol does not apply to multi-family dwellings or residential sites with more than one living unit. The second Bathroom cannot be used to add a bathroom to an auxiliary or annex building; it cannot be designated as the Master Bathroom.

What is the procedure to add a bathroom using the second Bathroom protocol?

The process to obtain a Water Permit to add additional fixtures remains the same under the second Bathroom protocol except that there will be no debit from the jurisdiction's allocation. Here is a summary:

1. Plans are drawn by an architect/builder for the bathroom addition.
2. The plans must be submitted to the planning or building department of the jurisdiction where the property is located. (Contact the jurisdiction's planning department for more information on the plan check process.)
3. A completed Residential Water Release Form and Water Permit Application with jurisdiction signature for approval of the project is required.
4. The approved plans and completed application are submitted to Monterey Peninsula Water Management District (MPWMD). **Applications for Water Permits are not accepted unless the Residential Water Release Form is signed** by the jurisdiction and accompanied by approved plans. The Residential Water Release Form should indicate that the permit is being approved under the second Bathroom protocol.
5. As a condition of the second Bathroom protocol, applicants are required to sign two deed restrictions for recordation on the property title. One deed restriction will detail allowable water fixtures and limit use to two Bathrooms on the site; the second deed restriction grants MPWMD access to water consumption records. The board will review water consumption, associated with second Bathroom protocol permits, annually for ten years to determine whether the program results in an increased water use. The agreement to provide public access to water records will be recorded on the property title for the length of the review period.

6. When plans and the Residential Water Release Form are submitted to MPWMD, an inspection may be scheduled to verify the water fixtures on the property.
7. Deed restrictions are prepared and go through an extensive internal review process. The deed restrictions must have property owner signatures notarized, and returned to the Water District for recordation of the documents at the Monterey County Recorder's office. Once the documents have been recorded, the applicant will be notified that the permit is ready for pick up.
8. The water permit process by MPWMD takes up to four weeks. If an inspection needs to be performed, the process may take longer depending on inspection scheduling. Capacity fees, for the addition of the Bathroom, are currently \$305.02 per fixture unit (as of July 1, 2019), plus \$225 processing fee, and include deed restriction processing fees of up to \$225.00. (Capacity fees are annually adjusted July 1.) Applicants will pay all fees before the permit is released.
9. Once the Water Permit is issued, the approved plans will need to be taken to the building department of the appropriate jurisdiction to obtain the building permit.
10. When the project is completed, a final inspection by the Water District is required to document the additional fixtures. This inspection is in addition to the building department's inspection of the property. (Note: All Jurisdictions currently require that MPWMD final the water permit before the building permit will be finalized.)

What are the retrofit requirements?

As a condition of any water permit to add a Bathroom, additional toilets must be 1.28 gallon per flush high efficiency models, all shower heads must flow at 2.0 gpm, Kitchen, Utility, and Bar sink faucets must have aerators that restrict the flow to 1.8 gpm, and washbasin faucets must have aerators that restrict the flow to 1.2 gpm. No credit is given for required retrofits.

Can the second Bathroom protocol be used to add a bath if the one bath Single-Family Dwelling is demolished and rebuilt (with two baths)?

Yes. A documented Water Use Credit from MPWMD for the permanent abandonment (demolition) of a one bath single-family dwelling issued prior to May 16, 2001 shall be regarded as an "existing" Single-Family Dwelling unit for 120 months following demolition and shall allow reconstruction of a Single-Family Dwelling unit with the addition of a second Bathroom under this protocol as long as the credit is valid.

If you have further questions, please contact the MPWMD Water Permits and Conservation office at (831) 658-5601.



"Our mission is to manage, augment, and protect water resources for the benefit of the community and the environment on the Monterey Peninsula."