

SECOND DWELLING UNITS

(a.k.a – Accessory Dwelling Units & Junior Accessory Dwelling Units)

Napa County Code permits a second dwelling unit in a number of zoning districts provided certain criteria have been met. Answers to some of the most frequently asked questions are provided below.



WHAT IS A SECOND UNIT?

A second unit is a complete, independent living facility for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel on which the primary unit is situated. (Section 18.08.550)

The California Legislature calls these types of units Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU).



CAN I BUILD ONE ON MY PROPERTY?

A second dwelling unit is permitted on a legal lot, provided certain criteria are met, in the following zoning districts:

- (1) AW (Agricultural Watershed);
- (2) RC (Residential Country);
- (3) RS (Residential Single); and
- (4) PD (Planned Development) only on legal lots containing a single family dwelling

(If your parcel is in the Milliken-Sarco-Tulocay (MST) Groundwater Deficient Area, a second dwelling unit may not be permitted. Call the Planning, Building, and Environmental Services for further information).



HOW MANY SECOND UNITS CAN BE BUILT?

Only one second unit is allowed per legal lot.



ARE THERE DIFFERENT TYPES OF SECOND UNITS?

Yes, there are four types of second units as follows:

- (1) Detached – Unit is not connected to the primary dwelling unit but may be attached to other detached accessory structures
- (2) Attached – Unit is connected as an addition to the primary dwelling unit and may include conversion of existing floor area within the primary dwelling unit
- (3) Interior – Unit is limited to conversion of existing floor area within the primary dwelling unit or legally constructed accessory structure
- (4) Junior Accessory Dwelling Unit (JADU) – Limited to 500 sq. ft. and cannot have full kitchen and includes conversion of a bedroom within existing single family residence and may share bathroom facilities.



WHY ADD A JADU?

Junior Accessory Dwelling Units can be a cost efficient way to add a dwelling unit within an existing single family residence. JADU's include:

- 500 sq. ft. maximum size and must include conversion of an existing bedroom
- Exempt from all utility connection fees from all agencies
- Limited to efficiency kitchen: no greater than 120 volts electrical service and sink limited to 1.5 inch drain
- Can share bath with Primary Dwelling
- Must have separate external access as well as internal access with Primary Dwelling
- Exempt from parking requirements

- No fire sprinklers can be required unless required for all residences in the zone
- Cannot be separately sold or used for short term (transient) occupancy
- Owner must occupy one of the units



HOW LARGE CAN A SECOND UNIT BE?

Size limits depend on the type of unit:

- (1) Detached and Interior – Unit cannot exceed 1,200 square feet or exceed the square footage of the primary dwelling unit;
- (2) Attached – Unit cannot exceed 1,200 square feet and 50% of the size of the primary dwelling unit.
- (3) Junior Accessory Dwelling Units (JADU) – Unit limited to 500 square feet.



DO DETACHED SECOND UNITS HAVE TO MEET ADDITIONAL REQUIREMENTS?

Yes, a detached second unit must meet the following conditions:

- (1) Located within 500 feet of the primary unit;
- (2) Must be a separate structure from the primary unit; and
- (3) Can be attached to another accessory structure but cannot include interior access



ARE EXCEPTIONS MADE TO THE 500-FOOT REQUIREMENT?

The 500 feet is measured along a level, horizontal straight line. 500 feet is the maximum distance permitted unless a greater distance is required to avoid an agricultural constraint or to meet the standards of the Environmental Services Division relating to private water or sewer systems or to avoid an environmentally sensitive area as defined by Section 18.08.270.



ARE THERE SPECIAL LOT AREA REQUIREMENTS THAT MUST BE MET?

Yes, the property must meet the minimum lot area requirements of the Environmental Division with regard to water and sewer requirements.



CAN I HAVE A SEPARATE METER FOR THE UNIT?

Yes, the second unit may have a separate meter. Each unit must include separate shut-off valves for all utilities.



CAN I BUILD MY SECOND UNIT AT THE SAME TIME AS MY MAIN RESIDENCE?

Yes, the second unit may be constructed at the same time as the main residence (except for JADU's) provided all requirements of the various County departments, divisions, and agencies have been met.



ARE THERE PARKING REQUIREMENTS FOR THE SECOND UNIT?

Second Units require 1 off-street parking space per bedroom in addition to required parking for the primary dwelling unit except in certain urban areas with access to public transit (see Code Section 18.104.180.A.10 - 12).



DO I HAVE TO PROVIDE A GARAGE FOR THE SECOND UNIT?

No, a garage is not required; however, if you want to construct a garage for the second unit, it cannot have interior access to the second unit.



WHAT IF I WANT TO CONSTRUCT THE SECOND UNIT OVER MY EXISTING GARAGE?

This is allowed but the second unit cannot have interior access to the garage.



I JUST PURCHASED A PROPERTY THAT HAS A RESIDENCE ON IT, BUT I WANT TO BUILD A LARGER RESIDENCE. CAN I BUILD THE NEW RESIDENCE AND KEEP THE EXISTING ONE?

If the zoning of the property permits a second unit and the existing unit meets the criteria for a second unit, then the existing unit may remain. At the time you submit building plans for the new main residence, you will be required to provide a floor plan and elevation of the existing unit to document that the unit meets the height, floor area, and distance requirements for a detached second unit. If the existing residence must be reduced in size to meet the maximum 1,200 square foot size restriction, you will be required to show how the unit will be modified. Part of the structure may have to be removed. A building permit will then be required for modification of that residence.



HOW IS THE 1,200 SQUARE FEET MEASURED?

The total area of floor space of a detached second unit is measured from the inside of the exterior walls. While the exterior walls do not have to be counted in the overall square footage of the unit, all interior walls will be counted. Covered porches, provided they are not enclosed in any fashion, are not considered part of the living area of the unit. For building permit purposes however, the outside dimensions of the structure will be used



DOES THE COUNTY RESTRICT WHO MAY OCCUPY THE SECOND UNIT?

No, while many people refer to these units as “granny units”, the County does not restrict who may occupy the unit. However, for JADU’s the owner of the property must reside in one of the two residences, either the primary unit or JADU.



CAN I USE THE SECOND UNIT AS A RENTAL?

Yes, the second unit may be used as a rental provided the rental is on at least a monthly rental basis. Zoning regulations prohibit daily or weekly rental, or any rental of a residence on less than a monthly basis.



HOW DO I GET STARTED?

Prior to having construction plans drawn for a particular site, you may wish to consult with the Planning Division for a determination of whether the site is located in a landslide area that would require a geotechnical report, as well as the erosion control requirements; the appropriate zoning and stream setbacks; and if the project is subject to viewshed regulations. You may also want to contact Environmental Services Division regarding minimum water supply and sewage disposal requirements; Cal Fire for on-site water storage requirements; and Engineering for minimum access road requirements and road setbacks.



MORE INFORMATION NEEDED?

Informational brochures regarding the building permit process including submittal requirements, erosion control and stream setback requirements, etc. are available in Planning, Building and Environmental Services. The viewshed manual is also available.

For further information, contact the Planning Division weekdays at (707) 253-4417

This is a summary of the applicable regulations. In case of conflict or need for interpretation, provisions of Napa County Code prevail.