

# SECOND DWELLING UNIT

**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 as the primary unit is situated. (Section 18.08.550)



## CAN I BUILD ONE ON MY PROPERTY?

A second 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); and
- (3) RS (Residential Single).

(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 LARGE CAN A SECOND UNIT BE?

The size of a second unit dwelling unit cannot exceed 1200 square feet, and in no case can it exceed the square footage of the main dwelling unit.



## DO DETACHED SECOND UNITS HAVE TO MEET ADDITIONAL REQUIREMENTS?

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

- a. Be a separate, stand alone structure;
- b. Be located within 500 feet of the living area of the main residence.



## CAN THE "STAND ALONE" REQUIREMENT BE WAIVED?

The Director may waive the requirement that the structure stand alone if an alternative design (such as a single level to be built on top of an existing structure) would result in the reduction of overall building footprint.



## HOW IS THE 500 FEET MEASURED?

The 500 feet is measured along a level, horizontal straight line.



## ARE EXCEPTIONS MADE TO THE 500-FOOT REQUIREMENT?

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.



## WHAT IS AN AGRICULTURAL CONSTRAINT?

An agricultural constraint may exist when the only other location available for the construction of the second unit would require, for instance, removal of vines or other agricultural crop.



## WHAT IS AN ENVIRONMENTALLY SENSITIVE AREA?

An environmentally sensitive area is defined as those floodways, active fault zones, landslide areas, extended clear zones for heliports and airports, archaeologically sensitive areas, and rare and endangered plant and animal habitat areas as delineated on the Napa County Environmental Resource Maps on file in Planning, Building, and Environmental Services, or other available information.



## 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 provided all requirements of the various County departments, divisions, and agencies have been met.



**ARE THERE PARKING REQUIREMENTS FOR THE SECOND UNIT?**

Yes, two off-street parking spaces (outside of the required front yard setback) must be provided for each living unit located on the parcel.



**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 must be a stand alone structure.



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

If the Director waives the stand alone structure requirement, then there may be no interior access between the second unit and the garage. All of the other criteria must be met.



**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 1200 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 1200 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.



**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 the Napa County Code prevail.***