# GUEST COTTAGE

**N**apa **C**ounty permits guest cottages 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 GUEST COTTAGE?

A guest cottage is a detached structure not containing kitchen facilities (see below), accessory to a single-family residence and designed and used primarily for sleeping accommodations by members of the same family which occupy the residence or their nonpaying guests. (Section 18.08.300)

### CAN I BUILD ONE ON MY PROPERTY?

One guest cottage is permitted per legal parcel, provided certain criteria are met, in the following zoning districts:

(1) RC (Residential Country);
(2) AP (Agricultural Preserve); and
(3) AW (Agricultural Watershed).

### HOW LARGE CAN A GUEST COTTAGE BE?

The maximum size of a guest cottage is one thousand (1,000) square feet of living area as measured from the inside of the exterior walls.

### WHAT KIND OF FACILITIES CAN A GUEST COTTAGE CONTAIN?

A guest cottage may include bar facilities including a bar sink with no dimension larger than twelve (12) inches and a refrigerator not exceeding six (6) cubic feet in capacity. A guest cottage may not contain a kitchen. Only enough cabinets for the sink and undercounter refrigerator are appropriate.

### WHAT IS CONSIDERED A KITCHEN?

A kitchen is defined as an area containing one or more of, but not limited to, the following facilities that are capable of being used for the preparation or cooking of food:

a. ovens or microwave ovens;
b. stoves or hot plates;
c. refrigerators exceeding six cubic feet;
d. dishwashers;
e. garbage disposals;
f. sinks having a drain outlet of larger than one and one-half inches in diameter; or
g. space, including any cabinets, for the storing of food.

### WHAT ARE THE SETBACKS?

A guest cottage is required to meet the same setbacks as a single-family residence. That includes meeting the zoning district setbacks specified for the parcel and any stream setbacks pursuant to the Conservation Regulations.

### DOES A GUEST COTTAGE HAVE TO MEET ANY SPECIAL REQUIREMENTS?

A guest cottage must be:

a. A stand-alone structure;
b. Located within 500 feet of the main or secondary residence.

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

The Director may waive the requirement that the structure be 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, provided the applicant includes design features which preclude future expansion of the structure beyond the allowable living area of the unit. Examples of such features include: 1) use of external staircases to access a second floor unit; 2) exclusion of common walls which could be penetrated to create additional living space; 3) exclusion of attached areas that can be easily converted to additional living space.

### CAN THE 500-FOOT REQUIREMENT BE WAIVED?

The Director may waive the 500 foot limit if the applicant presents substantial evidence that an environmental or agricultural constraint prevents meeting this requirement and/or if a greater distance is required to meet the standards of the Environmental Division relating to private water or sewer systems.

### WHAT IS AN AGRICULTURAL CONSTRAINT?

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

### WHAT CRITERIA MUST BE MET IN ORDER TO HAVE A GUEST COTTAGE?

Pursuant to Section 18.104.080, before a building permit can be issued for a guest cottage, the following conditions must be met:

A) The lot contains an existing, legal single-family dwelling unit;
B) The proposed building site is not located in an environmentally sensitive area unless the property owner submits information acceptable to the department showing that the proposed guest cottage would not result in or be subject to any significant environmental impacts;
C) The square footage of the living area of the guest cottage does not exceed the sq. ft. of the living area of the main dwelling unit. However, in no event shall the living area of the quest cottage exceed 1,000 sq. ft. as measured from the inside of the exterior walls. The guest cottage shall be a separate stand-alone structure, single level, within 500 ft. of the main or secondary residence. The Director may waive the 500 ft. limit if the applicant presents substantial evidence that an environmental or agricultural constraint prevents meeting this requirement and/or if a greater distance is required to meet the standards of the Environmental Services Division relating to private water or sewer systems. The Director may waive the requirement that the structure be 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. Guest cottages legally constructed prior to the date of adoption of this ordinance which are attached to other structures are to be considered legally conforming and may expand up to the 1,000 sq. ft. limit;
D) Any construction shall conform to height, setback, lot coverage, site plan review, fees, charges and other zoning requirements applicable to residential construction in the zone in which the property is located;
E) County building code requirements which apply to single-family dwelling shall also apply to the guest cottage; and
F) Approval by the Environmental Services Division where either a private sewage or disposal system or private water system is to be used.

### 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 sensitivity maps on file in the Planning, Building, and Environmental Services or other available information.

### HOW DO I GET STARTED?

Prior to having construction plans drawn for a particular site, you may wish to consult the Planning Division to determine if the site is within an environmentally sensitive area, riparian corridor or wetland, if any additional studies will be required such as geotechnical report, erosion control requirements, the appropriate zoning and stream setbacks, and if the project is subject to viewshed regulations. You may also want to contact the Environmental Services Division regarding adequacy of the site's sewage disposal system to handle the proposed guest cottage; Cal Fire for on-site water storage requirements; and Public Works for minimum access road requirements.

### CAN I BUILD MY GUEST COTTAGE AT THE SAME TIME AS MY MAIN RESIDENCE?

Yes, the Department does permit the construction of a guest cottage at the same time as the main residence provided all requirements of the various County departments, divisions, and agencies have been met.

### I JUST PURCHASED A PROPERTY THAT HAS A RESIDENCE ON IT, BUT I WANT TO BUILD A NEW RESIDENCE. CAN I BUILD THE NEW RESIDENCE AND CONVERT THE EXISTING RESIDENCE TO A GUEST COTTAGE?

If the zoning of the property permits a guest cottage, then at the time you submit building plans for the new main residence you will also need to provide plans for the conversion of the existing residence to a guest cottage. A building permit will be required for the conversion. Plans should include existing and proposed floor plans, elevations, etc. to show how the existing residence will be converted and how it will meet the required criteria. If the existing residence exceeds 1,000 sq. ft., part of the structure may have to be removed. You may want to review your conversion proposal with the Planning Division before submitting your building.

## MORE INFORMATION NEEDED?

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

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

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