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Public Comments (Through 8/16)

From: [Jeff Jones](#)
To: [Morgan, Greg](#); [McDowell, John](#)
Subject: Accessory dwelling unit ordinance
Date: Tuesday, August 15, 2017 6:51:30 PM

Mr. Morgan and Mr. McDowell,

Below is my letter to the Board of Supervisors. Please forward this to the Board as suggested in your August 8th email.

Thank you,

Jeff Jones

August 14, 2017

Napa County Board of Supervisors
1195 3rd St. #310
Napa, Ca. 94559

Dear Supervisors:

I am writing to request that Section 18.104.180.A and its subsection 2 of the proposed Second Unit ordinance be revised to allow second units on AP zoned lots in addition to RS, RC and AW zoned lots. This revision would conform with the intent and purposes of both Government Code Section 65852.2 and the proposed Section 18.104.180.A to allow an additional small lower cost residence on AP parcels containing an existing residence to help meet our county's urgent need for more housing.

The continuing expansion of winery industrial facilities for wine production, commercial marketing and sales facilities on AP and AW properties in addition to the related tasting rooms, hotels and restaurants to serve winery related tourism in Napa County and its cities, have added large numbers of new employees who desperately need much more housing not currently available in our county. The requirements for these units detailed in the ordinance thoroughly protect our agricultural resources without any necessity for exclusion of second units from the AP zoned parcels. The addition of a small 1,200 square foot residence for vineyard, winery and related tourist facilities workers certainly has much less impact on AP parcels than the much larger winery production, marketing and sales facilities customarily approved. Many AP parcels, including my own, already have a permitted separate guest house without kitchen facilities which cannot be rented to workers but could be easily converted for workforce rental use by the simple addition of kitchen facilities.

In 2003, my wife and I bought our 2 ½ acre parcel on Orchard Avenue with an existing 2,100 square foot house, well, septic system and parking, which we lived in while I, personally, constructed our new separate residence with its separate water, septic system and parking starting in 2004. As required to obtain our final inspection and permit, I demolished the

kitchen with more than half of the original residence, reducing it to 1,200 square feet. After moving into our new residence, the 1,200 square foot remainder of the original residence has been unoccupied from 2006 through today.

If the proposed ordinance is revised as requested, we plan to add a kitchen and renovate the unoccupied 1,200 square foot unit to comply with current code requirements for rent to a single person or couple for long term purposes. This unit is less than 1,000 feet from a fire hydrant and less than ¼ mile from a public transit stop. The minimal changes necessary to convert the currently unused structure into a small rental, serving local workers, will have no significant impacts upon traffic, neighbors nor the agricultural preserve.

We appreciate your consideration of our request.

Jeff and Julie Jones
1091 Orchard Ave
Napa Ca. 94558

Cc: Greg Morgan, Board Clerk II
John McDowell, Principal Planner

From: [Tittel/Caloyannidis](#)
To: [Pedroza, Alfredo](#); [Ramos, Belia](#); [Wagenknecht, Brad](#); [Dillon, Diane](#); [Gregory, Ryan](#)
Cc: [McDowell, John](#); [Withrow, Kim](#)
Subject: ACCESSORY DWELLING UNITS
Date: Friday, July 28, 2017 4:15:46 PM
Attachments: [SEPTIC TANKS FOR ADUs.doc](#)

Dear Supervisors,

Attached please find my comment on the Accessory Dwelling Unit Ordinance.

Thank you,

George Caloyannidis

George Caloyannidis
2202 Diamond Mountain Road
Calistoga, CA 94515
Tel: (707) 942-0904

July 28, 2017

To the Napa County Supervisors

cc: John McDowell / Kim Withrow

RE: ACCESSORY DWELLING UNIT ORDINANCE

Dear Supervisors,

STATE DIRECTIVE

The new State law is intended to reduce local agency regulatory barriers for Accessory Dwelling Units (ADUs) in order to increase the available housing supply. Considering that the maximum size of an ADU is only 1,200 square feet, this law would provide housing for small families of lesser means.

ADDED RECOMMENDATION TO THE PLANNING COMMISSION-APPROVED VERSION TO ELIMINATE THE REQUIREMENT FOR A SEPARATE SEPTIC TANK FOR ADUs

Residences which are on public sewer systems do not require separate sewer connections for ADUs.

In addition, Code 13.16.230/2 does not require separate septic tanks for attached two-family dwellings commonly known as Duplexes.

The question which arises is why a separate septic tank is not required for attached ADUs but required for detached ADUs?

NO ENVIRONMENTAL HEALTH REASON FOR A SEPARATE SEPTIC TANK FOR DETACHED ADUs

I had several contacts with Mr. John McDowell along with consultations with Ms. Kim Withrow (meeting on July 26, 2017). The initial guesses as to why this requirement was inserted in the Code were:

- When a septic tank fails (meaning it runs out of capacity) it is easier to detect the source of the problem.
- Attached ADUs *usually* have a common sewer line which discharges into the common septic tank.

Following further discussion addressing these concerns, it became apparent that when a septic tank runs out of capacity there is no advantage in determining whether it is the discharge from the main residence or from the ADU that caused it. In either case, the remedy is to empty the tank.

The fact that attached ADUs usually *but not always* share a common discharge sewer line into a septic tank is not a rational justification for requiring separate septic tanks for detached ADUs which themselves *may not have* separate sewer discharge lines.

Either way, neither of the above initial concerns turned out to provide any operational advantage to the proper function of two vs. one septic tanks provided the one is dimensioned as per the provisions of the Code from 1 to 10 bedrooms.

An environmental health issue arises only when a septic tank is allowed to become full beyond capacity or when a septic field is not functional. But septic field malfunction is unrelated to whether an ADU is attached or detached or whether there is one or two septic tanks.

SEPARATE SEPTIC TANK REQUIREMENT IS AN IMPEDIMENT TO THE STATE DIRECTIVE

The cost of a separate septic tank ranges from \$ 12,000 if access conditions are ideal for a backhoe and a dump truck for the export of the displaced soil which at a minimum is 15 cubic yards (two ten-wheeler loads). Such cost can rapidly escalate to \$ 25,000 and above if the site is inaccessible, requiring hand-digging, manual labor to carry all the dirt to a location accessible to a dump truck and the use of a crane for hoisting the septic tank to its otherwise inaccessible hole.

One must consider that residences on septic systems are overwhelmingly in the hills and constructed on slopes where accessible level ground is scarce making the disadvantageous location and the higher installation cost more typical.

Adding such cost to a structure of a maximum 1,200 square feet is an inordinate and unjustified penalty, one which is not founded on environmental health considerations.

One can speculate that at the time the Code adopted the requirement, its intent for whatever reason, was to *discourage* separate families from utilizing them as their homes, which is exactly contrary to the intent of the State's law.

NAPA COUNTY ADVANTAGES IN INCREASING THE SMALL HOME SUPPLY

In view of the fact that Napa county's economy provides the majority of its jobs to lower income families, it is especially important to the county's interest to make every effort to remove any unnecessary restrictions to the housing of such families. By eliminating the county's requirement for separate septic tanks to allow small kitchens in 1,200 homes can facilitate this objective.

I urge you to re-examine and eliminate this provision in the Code which perpetuates a serious financial impediment to the housing supply and is contrary to the State law objective.

Thank you.