



Town of Yountville
Planning & Building Department
6550 Yount Street, Yountville, CA 95449
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Guidance for Obtaining Permits for Unpermitted Accessory Dwelling Units and Junior Accessory Dwelling Units

Background

This handout provides guidance for property owners who want to obtain permits for Accessory Dwelling Units (ADUs) and/or Junior Accessory Dwelling Units (JADUs) that were built without permits before January 1, 2020. The information in this handout reflects amendments to California ADU and JADU law that went into effect on January 1, 2025.

In accordance with California Government Code Section 66332, the Town of Yountville will not deny a permit for an unpermitted ADU/JADU built before 2020 solely because it does not meet building standards or state or local standards for ADUs/JADUs. However, this permitting process does not apply to buildings deemed “substandard” pursuant to Section 17920.3 of the Health and Safety Code. Thus, the Town may deny a permit if the ADU/JADU does not meet the standards specified in Section 17920.3 of the Health and Safety Code, which lists substandard building conditions.

Construction Date Documentation

One of the following types of documents with sufficient dated detail shall be required to demonstrate that an unpermitted ADU/JADU was built prior to January 1, 2020.

Acceptable Documents for Construction Date Documentation:

- Assessor notes
- Contractor invoices
- Rental or lease agreements
- Real estate transfer forms
- Insurance documents
- Other documentation may be considered on a case-by-case basis

Health and Safety Standards

The Town of Yountville Planning and Building Department may deny a permit for an unpermitted ADU or JADU constructed before January 1, 2020 if the ADU or JADU does not comply with all of the health and safety standards listed below. However, the Town will approve any necessary permits to correct any violations of health and safety standards. Once the building is no longer substandard, the unpermitted ADU or JADU will qualify for a permit.

In order for an ADU or JADU to obtain permits they must meet certain habitability and safety standards as defined in Section 17920.3 of the Health and Safety Code and provided in Table 1, below.

These standards generally include, but are not limited to:

- Sanitation facilities including a working bathtub/shower, kitchen sink, hot and cold running water, toilet and connection to a sewage system.
- Electrical, heating/ventilation and plumbing systems that work and have been maintained in a good and safe condition.
- Livable conditions without mold or infestations of insects or rodents.
- Adequate exit facilities.

These standards also require that certain conditions, if present, need to be corrected; these conditions generally include, but are not limited to:

- Deteriorated walls, windows, doors, ceilings, roofs, floors, foundations, chimneys or other structural elements.
- Electrical, mechanical or plumbing systems that do not conform with applicable laws and regulations in effect at the time of their installation.
- Improper construction, materials or structural hazards.
- Fire or other hazards.

Applicants cannot be required to pay impact fees or connection or capacity charges except when utility infrastructure is required to comply with Section 17920.3 of the Health and Safety Code and Section 66324 of the Government Code

Inspecting the ADU/JADU

Property owners applying for a permit for an unpermitted ADU or JADU are advised that upon receipt of an application for a permit for the unit, the Yountville Planning and Building Department may inspect the unit and provide recommendations for achieving compliance with health and safety standards. Prior to submitting a permit application, the property owner may obtain a confidential third-party code inspection from a licensed contractor, to determine the

unit's existing condition or potential scope of building improvements before submitting an application for a permit. Table 1 lists the detailed requirements that the Yountville Planning and Building Department or third-party licensed contractor will inspect.

Pursuant to Section 6331 of the Government Code and Section 17980.12 of the Health and Safety Code,, after the Yountville Planning and Building Department has issued a permit for an unpermitted ADU or JADU constructed before January 1, 2020, the unit may be subject to inspection by a Town official to confirm that the unit complies with the more stringent building standards contained in the State Building Standards Code. The owner can request a delay in enforcement of these standards.

Table 1: Checklist for Local Agency or Third-Party Inspection¹

This table describes the conditions that must be corrected prior to being issued a permit.

Health and Safety Standards (California Health and Safety Code Section 17920.3)	Needs Correction? (Yes/No/Comments)
Sanitation (Section 17920.3(a)) Inadequate sanitation shall include, but not be limited to: <ul style="list-style-type: none"><input type="checkbox"/> Lack of, or improper water closet, lavatory, bathtub or shower.<input type="checkbox"/> Lack of, or improper kitchen sink.<input type="checkbox"/> Lack of hot and cold running water to plumbing fixtures.<input type="checkbox"/> Lack of minimum amounts of natural light and ventilation.<input type="checkbox"/> Dampness of habitable rooms.<input type="checkbox"/> Infestation of insects, vermin, or rodents.<input type="checkbox"/> Visible mold growth.<input type="checkbox"/> General dilapidation or improper maintenance.<input type="checkbox"/> Lack of connection to required sewage disposal system.<input type="checkbox"/> Lack of adequate garbage and rubbish storage and removal facilities.	

¹ The list of substandard conditions in Section 17920.3 has been reorganized in Table 1 for ease of use.

Health and Safety Standards (California Health and Safety Code Section 17920.3)	Needs Correction? (Yes/No/Comments)
<p>Structural (Section 17920.3(b) & (o))</p> <p>Structural hazards shall include, but not be limited to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Deteriorated or inadequate foundations. <input type="checkbox"/> Defective or deteriorated flooring or floor supports. <input type="checkbox"/> Flooring or floor supports of insufficient size to carry imposed loads with safety. <input type="checkbox"/> Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration. <input type="checkbox"/> Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety. <input type="checkbox"/> Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration. <input type="checkbox"/> Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety. <input type="checkbox"/> Fireplaces or chimneys which list, bulge, or settle, due to defective material or deterioration. <input type="checkbox"/> Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety. <input type="checkbox"/> Inadequate structural resistance to horizontal forces. 	
<p>Nuisance (Section 17920.3(c))</p> <ul style="list-style-type: none"> <input type="checkbox"/> The unit has a nuisance. 	
<p>Electrical (Section 17920.3(a)(10) & (d))</p> <p>Does the unit have:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Wiring that did not conform to all applicable laws in effect at the time of installation. <input type="checkbox"/> Wiring that is not in good and safe condition and working properly. <input type="checkbox"/> Lack of required electrical lighting. 	
<p>Plumbing (Section 17920.3(e))</p> <ul style="list-style-type: none"> <input type="checkbox"/> Plumbing which did not conform with all applicable laws and regulations in effect at the time of its installation. <input type="checkbox"/> Plumbing which has not been maintained in good or safe condition, or has cross-connections and siphonage between fixtures. 	

Health and Safety Standards (California Health and Safety Code Section 17920.3)	Needs Correction? (Yes/No/Comments)
<p>Mechanical (Section 17920.3(a)(6), (a)(7) & (f))</p> <ul style="list-style-type: none"> <input type="checkbox"/> Mechanical equipment, including vents, which did not conform with all applicable laws and regulations in effect at the time of its installation, has not been maintained in good and safe condition, or is currently not in good and safe condition and is not working properly. <input type="checkbox"/> Lack of adequate heating. <input type="checkbox"/> Lack of, or improper operation of required ventilating equipment. 	
<p>Weather Protection (Section 17920.3(g))</p> <p>Faulty weather protection, which includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Deteriorated, crumbling or loose plaster. <input type="checkbox"/> Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors. <input type="checkbox"/> Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering. <input type="checkbox"/> Broken, rotted, split, or buckled exterior wall coverings or roof coverings. 	
<p>Fire Hazards (Section 17920.3(h))</p> <ul style="list-style-type: none"> <input type="checkbox"/> The building, structure, or portion thereof, or a device, apparatus, equipment, combustible waste, or vegetation which is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause. 	
<p>Construction Materials (Section 17920.3(i))</p> <ul style="list-style-type: none"> <input type="checkbox"/> Materials of construction used in the unit are not specifically allowed by the Health & Safety Code. <input type="checkbox"/> The unit's materials of construction have not been adequately maintained in good and safe condition. 	
<p>Fire, Health or Safety Hazards (Section 17920.3(j))</p> <ul style="list-style-type: none"> <input type="checkbox"/> An accumulation of weeds, vegetation, rubbish, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, or similar materials or conditions constitute fire, health, or safety hazards on the premises. 	

Health and Safety Standards (California Health and Safety Code Section 17920.3)	Needs Correction? (Yes/No/Comments)
Maintenance (Section 17920.3(k)) <ul style="list-style-type: none"> <input type="checkbox"/> The building or portion thereof is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code. 	
Exit Facilities (Sections 13143.2 & 17920.3(l)) <ul style="list-style-type: none"> <input type="checkbox"/> Lacking adequate exit facilities, excepting those buildings or portions thereof whose exit facilities conformed with all applicable laws and regulations at the time of the unit's construction. <input type="checkbox"/> Exit facilities that have not been maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. <input type="checkbox"/> Lacking structural fire safety and fire-resistant exits, provided that the ADU/JADU is located in a multiple-story structure that existed on January 1, 1975, in which rental units are situated above the ground floor. 	
Fire Protection (Section 17920.3(m)) <ul style="list-style-type: none"> <input type="checkbox"/> Lacking fire-resistive construction or fire-extinguishing systems or equipment, excepting a building, structure, or portion thereof which conformed with all applicable laws and regulations at the time of its construction. <input type="checkbox"/> Lacking fire-resistive integrity and fire-extinguishing systems or equipment that have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy. 	
Improper Use (Section 17920.3(n)) <ul style="list-style-type: none"> <input type="checkbox"/> Buildings, structures, or portions thereof occupied for living sleeping, cooking, or dining purposes not designed or intended to be used for those occupancies. 	
Room and Space Dimensions (Section 17920.3(a)(9)) <ul style="list-style-type: none"> <input type="checkbox"/> Room and space dimensions are less than required by code. 	

For More Information

Property owners interested in obtaining a permit for an unpermitted ADU or JADU may contact the Town of Yountville Planning and Building Department at (707) 944-8851 or Planning@yville.com with any questions about the process.