



C O U N T Y O F N E V A D A
COMMUNITY DEVELOPMENT AGENCY
BUILDING DEPARTMENT

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NEVADA COUNTY
BUILDING DEPARTMENT POLICY

Subject:	Residential Accessory Structure Occupancy Classification	Policy #:	BD-CSC-18-001
Original Policy:	June 18, 2018	Last Revised:	1/17/2024

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1. Purpose:

The purpose of this policy is to provide further clarity when determining the occupancy type(s) of detached and attached accessory structures related to residential uses and parcels.

2. Definitions:

Accessory Dwelling Unit: Conventionally on-site constructed attached or detached structure, a manufactured home or a converted area within a legally existing residential unit or accessory structure meeting the requirements of Nevada County Land Use and Development Code Sec. L- II 3.19.1.

Dwelling Unit: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Residential Guest Quarters: A residential structure intended for sleeping purposes for members of a family occupying the primary residence on the subject property and their non-paying guests in accordance with Nevada County Land Use and Development Code Sec. L-II 3.18.

R-3 Occupancy: These occupancy types are where occupants are primarily permanent in nature. R-3 occupancies shall include buildings that do not contain more than two dwelling units and townhouses not more than three stories above grade in height with a separate means of egress.

Examples of R-3 detached accessory buildings include, but not limited to, the following: art studios, yoga studios, game rooms, guest houses, and detached bedrooms.

U occupancy: Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped, and maintained to

conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy.

Detached accessory U occupancies shall include, but not be limited to, the following: Agricultural buildings, aircraft hangars (accessory to a one- or two-family residence; see Section 412.5 of the California Building Code), barns, carports, fences more than 7 feet in height, grain silos (accessory to a residential occupancy), greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

3. U Occupancy Characteristics:

- Not intended or used for human habitation.
- Does not contain facilities for sleeping, cooking, or bathing. Plumbing limited to a garage single basin sink and a half bathroom.
- Conditioning allowed with non-residential energy calculations.
- Insulation and drywall may be installed if indicated on the reviewed set of plans.
- Floor plans must be consistent with the use and will be evaluated on a case-by-case basis. Open areas are consistent with a U occupancy.
- Partial installation of utilities for “future” equipment and fixtures are not allowed in U occupancy classified structures.

4. Accessory R-3 Occupancy Characteristics (not accessory dwelling units or guest quarters):

- The building may be conditioned as shown on the reviewed set of plans.
- Insulation and drywall shall be installed as shown on the reviewed set of plans.
- Energy calculations are required to be submitted with the project plans if any portion of the structure will be conditioned.
- Floor plans must be consistent with the use and will be evaluated on a case-by-case basis.
- Partial installation of utilities for “future” equipment and fixtures are not allowed in R-3 occupancy classified structures.
- A full bathroom may be installed.

5. Policy Interpretation:

The Director of Building and/or approved building department designee shall have the authority for the interpretation of this policy.

Policy Initiated By: Nicholas McBurney, Supervising Building Plans Examiner

Approved:  Date: 1/17/24

George Schureck
Director of Building