CITY OF STOCKTON









A Guide to Building Accessory Dwelling Units

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CITY OF STOCKTON

Part 1: Accessory Dwelling Unit Manual

Introduction to Accessory Dwelling Units 1.1

An accessory dwelling unit (ADU) is an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel which the primary single-family or multifamily dwelling unit is situated. An accessory dwelling unit also includes the following: An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

A Junior Accessory Dwelling Unit (JADU) is a unit that is no more than 500 square feet in size and contained entirely within a single-family residence or accessory structure. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure. A JADU must be equipped with at least a kitchenette. The property owner must reside in the primary dwelling or the JADU and a deed restriction will be required. This guide is intended for the development of a standard ADU but many of the same considerations apply to JADUs as well.

In 2016, the State approved new regulations pertaining to accessory dwelling units, which became effective on January 1, 2017. The intent of the new regulations was to facilitate and expedite the construction of new dwelling units that are secondary to a primary single-family or multifamily dwelling on the same lot to increase affordable housing in California. Cities were then encouraged to amend local zoning ordinances to provide a means of facilitating accessory dwelling units (ADUs) under local development standards. The City responded by adopting an ordinance in 2018 (amended in 2020 and 2022) related to ADUs. The City's ordinance provides relief from several zoning standards, the standards applicable to ADUs are outlined in greater detail in this guide. Additional amendments to California law related to ADUs became effective January 1, 2020 which included several changes including the allowance of an ADU on multifamily lots, impact fee exemptions, allowances for garage conversions, eliminated minimum lot size requirements, and reduced the maximum application review time from 120 days to 60 days. Additional legislative amendments are anticipated.

This guide is a resource for residents interested in adding an ADU to their property. The guide contains three parts: (1) An informational guide on the process of building an ADU, (2) a selection of "pre-approved" ADU plans that are available at no cost, and (3) an appendix with contact information and additional resources.

ADUs provide many benefits for the municipality, the owners, and for prospective renters. If you are planning to build an ADU, there are many alternatives to consider. This section discusses some of these alternatives such as the intended use of the unit, the size and location of the unit, construction methods, and professional help in the process.

Regulations 1.2

State laws have changed drastically in recent years to support the construction of ADUs throughout California. The City of Stockton has taken several measures to help promote the construction of new units, as well as to legalize previously constructed and unpermitted units through the City's Neighborhood Services Division. In 2018, Stockton adopted a new ordinance amending Title 16 of the Stockton Municipal Code. The code amendments provide: Less restrictive development requirements for ADUs consistent with state law, a streamlined local review process, and local design standards meant to facilitate ADUs. Key proposed changes included easing of setback requirements, elimination of parking requirements, and simplification of the review process. In 2020 and 2022, Stockton further amended Title 16 of the Stockton Municipal Code to align with California law amendments related to ADUs.

State Laws for ADUs

California Senate Bill 1069 (2016) amended Planning and Zoning law to ease restrictions on ADUs in order to address the state's housing shortage.

The Legislature further updated ADU law effective January 1, 2018, to clarify and improve various provisions to promote the development of ADUs. These include allowing ADUs to be built concurrently with a single-family home, opening areas where ADUs can be built to include all zoning districts that allow single-family uses, modifying fees from utilities, such as special districts and water corporations, and reducing parking requirements.

In accordance with California Senate Bill 1226 (2018), as of January 1, 2019, homeowners who created accessory dwelling units (ADUs) without the required building permits may have the opportunity to bring their ADUs into compliance. For ADUs that were constructed without building permits, local building officials now have the option to inspect the ADU and apply the building standards that were in effect at the time the unit was constructed. This bill, with application of appropriate building codes, may allow issuance of a building permit for the residential unit. (*See* California Health and Safety Code Section 17958.12)

State legislation that took effect January 1, 2020 gave California cities more flexibility and latitude for allowing homeowners to build ADUs. Several bills were introduced that clarified previous legislation and further eased the requirements to construct an ADU. Additional legislation was also passed in 2022-2025 further clarifying development standards and establishing a permit path for local agencies for unpermitted ADUs. Each of these land use bills make it easier than ever for homeowners to take advantage of this attractive opportunity. Recent state legislation is codified in California Government Code Section 65852.2.

Development Standards 1.3

ADUs come in many shapes and sizes but are always a self-contained home that is smaller than the main house and legally part of the same property. An ADU always contains a kitchen, bathroom, and place to sleep. ADUs can range from efficiency studio units to 1,200-square foot units with multiple bedrooms. Detached, attached, interior conversions, and above garage accessory units can be either new construction or converted space. A building permit is required to build any accessory dwelling unit. It is recommended that you visit the Community Development Department to talk with staff about your project while in the planning stages. Staff can help you determine if an ADU is allowed on your property and to discuss zoning standards that are applicable to your project. They can also help answer questions about the building code and applicable construction standards, utilities, and fees.

Zoning Standards

ADUs are permitted on all residentially zoned properties that are occupied with a single-family dwelling or multifamily development or will be improved with a single-family dwelling or multifamily development prior to or at the same time as the ADU construction. One attached ADU, one detached ADU, and one JADU is allowed per single-family parcel. When a parcel has one or more existing multifamily buildings, at least one ADU but not more than 25 percent of the existing multifamily units are permitted when concerning the conversion of storage rooms, boiler rooms, passageways, attics, basements, or garage. Up to two detached ADUs are allowed on a lot that has a proposed multifamily dwelling, or up to eight detached ADUs are allowed on a lot with an existing multifamily dwelling, not to exceed the number of existing units on the lot.

The total floor area of an attached ADU shall not exceed 50 percent of the existing primary dwelling or 850 square feet, whichever is greater. Detached ADUs are allowed up to 1,200 square feet. Conversion of existing residential space or an existing accessory structure into an ADU has no limitations on size. There are no off-street parking requirements for ADUs and if a garage is converted to an ADU, replacement parking is not required.

Design Review

Architecture design plans for a new ADU may be submitted with an application and payment of process fees directly to the Community Development Department Building & Life Safety Division, except for any one of the following circumstances which first requires an application and payment of process fees to the Planning Division for Design Review:

a) An ADU proposed within the Magnolia historic overlay district or accessory to a landmark;
b) An ADU proposed within a design review overlay district, where the front, side and/or rear is visible from a public right-of-way or internal circulation route; or
c) An ADU proposed within the Channel Area Overlay District.

Note: An internal ADU that does not involve exterior modifications is not subject to Design Review regardless of circumstances (a), (b), or (c) above. Application for Design Review is a ministerial process (no public hearing or public noticing) and is processed at a staff level. More information can be obtained by contacting the Planning Division at (209) 937-8266.

Design Standards

- If exterior alterations, additions, or construction of a new structure is required for an ADU, the ADU improvements shall be architecturally compatible with the main dwelling.
- No portion of an ADU balcony, deck, or open stair landing that faces the rear lot line or the side nearest to the ADU shall be higher than three feet from the ground.
- For accessory dwelling units that do not meet the zoning designation's setback for the main dwelling unit, no portion of any window that faces the lot line where the setback requirement for the main dwelling unit is not met may extend above 10 feet from the ground.

Occupancy and Ownership

- The property owner is not required to reside in either the ADU or main dwelling unit. Owner occupancy is required for JADUs.
- An ADU may be rented, although rental is not required.
- The ADU shall not be sold separately from the main dwelling unit with some exceptions.

Floodplain Development:

- ADUs are required to meet development standards of 100-year floodplains per SMC 15.44.
- Please contact the Building & Life Safety Division at (209) 937-8561 to determine if the ADU is located in a 100-year floodplain.

Fire Sprinklers:

- Fire sprinklers are not required in an ADU, unless the main dwelling unit has sprinklers. Consultation with Fire Prevention is recommended and may be contacted at (209) 937-8271.

Sanitary Sewer and Water Utilities:

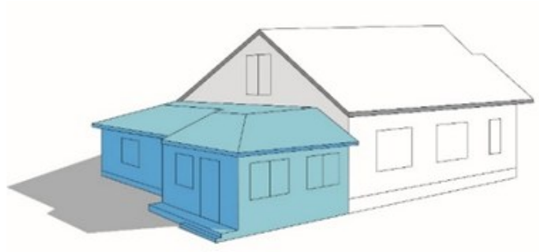
- Separate sanitary sewer and water connections between the ADU and the public utility mains are not required, provided that the existing on-site utilities can be extended from the existing main dwelling unit to the ADU.
- If the property owner requests separate sanitary sewer and water utility connections for the ADU, then all connection improvements and associated connection fees shall be required. Municipal Utilities Department may be contacted at (209) 937-8436 for further information.

Fees:

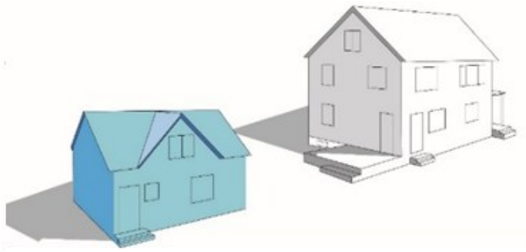
- City Public Facilities Fees are not applied on building permits for the construction of an ADU.
- If the property owner requests separate utility connections for the ADU, then utility connection fees are required.
- Pass-thru fees that the city collects on behalf of other agencies and school district developer fees apply to ADUs of 750 sq. ft. or greater.

Types of ADUs Allowed

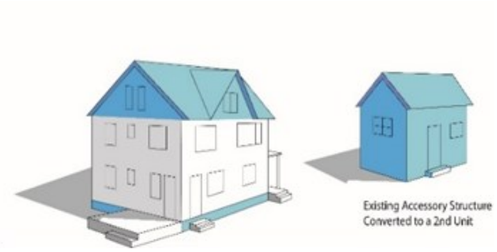
Attached



Detached



Internal / Conversion



DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING UNITS

Type of ADU	ATTACHED	DETACHED	INTERNAL
	Addition to existing residence	Structure separated from the existing residence	Conversion inside existing residence or existing accessory structure
Min. Lot Size	No limitations	No limitations	No limitations
Max. Unit Size	No more than 50% of existing living area, or 850 sq.ft., whichever is larger	Max. floor area of 1,200 sq.ft.	No limitations
Min. Setback **Front** **Side** **Rear**	Same as required for the primary structure by the zoning district 3-Feet w/o fire-rated wall - 5-feet w/ fire-rated wall 3-Feet w/o fire-rated wall - 5-feet w/ fire-rated wall		N/A – Existing Structure Sufficient for fire access Sufficient for fire access
Separation	5-feet from other structures		N/A — Existing Structure
Max. Height	Same as required by the applicable zoning district		N/A — Existing Structure
Site Coverage	ADU structure is not included in the calculation of site coverage allowed by the applicable zoning district		N/A — Existing Structure
Off-Street Parking	None required for ADU and no replacement parking with garage conversion		None required for ADU and no replacement parking with garage conversion
Max ADUs/Lot	Refer to Section 1.3 of this guide		
Access	Independent exterior entrance to the ADU is required		
Density	ADU shall not be included in the calculation or determination of lot density		

Considerations 1.4

Size and Location

ADUs can be built as detached or attached units to the primary residence, within an existing home or accessory structure, or as a garage conversion. The City's ADU regulations allow for a range of sizes, from studios up to 1,200 sf. The zoning of your property and the size of your existing lot and house will be determining factors in how large of an ADU you can build.

Design Professionals

Any of the following design professionals can assist the preparation of construction plans for an ADU.

Architect

Architects are professionals licensed by the state whom have a degree in architecture and have passed a series of licensing exams. Architects are legally responsible for the work they design. Architects may provide a range of services including full-service from the initial concept to final construction. This can include coordinating with additional consultants such as structural engineers, surveyors, civil engineers, contractors, or any other project related consultants.

Designer

Designers can come from varying backgrounds and skillsets. Most designers have a design-based education and/or work experience, but none are professionally licensed. The services designers provide are dependent upon the level of their experience in the design, engineering, and construction fields.

Civil Engineer

Civil Engineers work with the design, construction, and maintenance of natural and built environments. This can include residential, commercial, industrial, transportation, and infrastructure projects. A civil engineer can provide drafting, structural, grading, and stormwater services.



Design/Build

A design/build firm will design and construct your ADU. Design/build firms are usually headed by a licensed architect or contractor. There are no standards for design/build firms, so the level of services they provide varies depending on the skill set of the owner and staff. The staff is usually a collection of designers who provide design services for small scale projects.

Manufacturer

Modular and manufactured homes can be an efficient way of constructing your ADU. Manufacturers of these homes are monitored by the state of California, and a contractor is required for the on-site foundation work, utility hookups, and placement or assembly of the unit. Most manufacturers offer a variety of options for homeowners to customize their unit. This method of construction simplifies the design process and generally takes the least amount of time from conception to completion.





Types of Construction

Timber Frame

Timber frame, or stick-built construction, is the traditional method of home construction. This method is done on-site and relies on wooden posts and beams for its basic construction. Most residential contractors are familiar and comfortable with this type of construction.

Modular

Modular construction relies on pieces of the house or ADU being fabricated off-site, and then being delivered to the building site. The prefabricated pieces are delivered to the site and placed into position, either by hand or with a crane.

Manufactured

Manufactured construction is a process where an entire house or ADU, or sections of them, are predominantly built and assembled in factories. The entire unit, or the sections, is then transported to the building site and assembled.

Permitting 1.5

Permit Center Counter

A visit to the City's Permit Center Counter is a great first step towards constructing an ADU on your property. City Staff are available to guide you and answer your questions regarding your property, building plans, or the construction process. Please visit the Community Development Department (CDD) for additional information on how to submit an application for new construction of an attached or detached ADU.

Planning Division

Planning staff can provide information about your property, including the zoning and lot size, which are critical in determining the type and size of ADU you can build. A Planner can also assist you with all of the other development standards that may influence the design of your ADU.

Building & Life Safety Division

Building staff will ultimately issue your permit to construct and occupy your ADU. The staff can walk you through the permitting and inspection process, and provide you with a list of building codes and drawing requirements that you or your consultants will need to consider prior to applying.

Engineering Division

Engineering staff can help you with questions about property lines, right-of-ways, grading, storm water, and utility and drainage easements. Only a professional survey of your property can accurately determine where all of the boundaries lie, and it is recommended that one be conducted as part of your planning process.

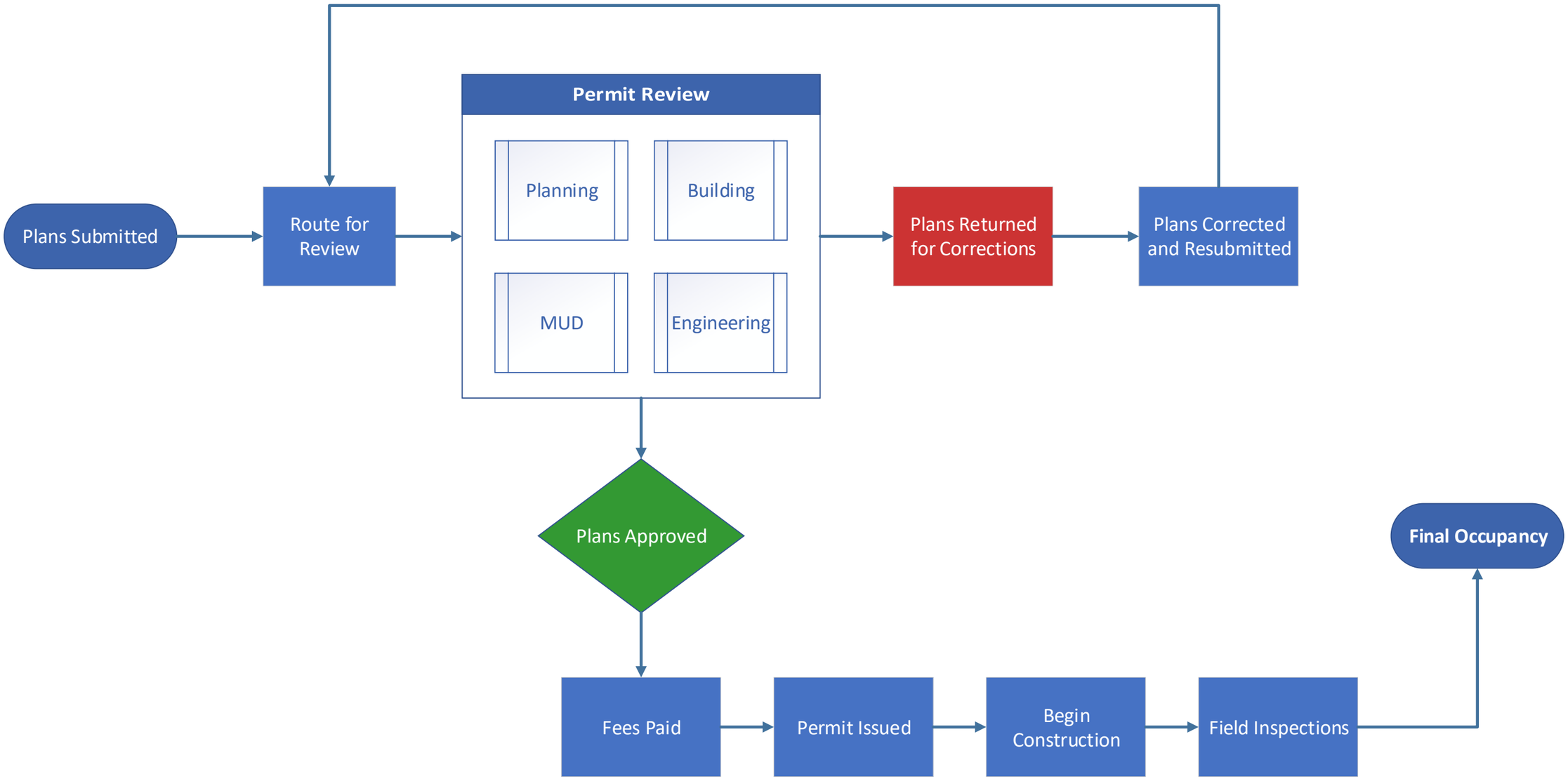
Fire Prevention Division

Fire Prevention staff are available to answer questions about fire sprinkler requirements for your ADU. Generally, fire sprinklers are not required for an ADU unless the main house has fire sprinklers.

Municipal Utilities Department

Municipal Utilities staff are available to answer questions about existing utilities on our around your site, and sewer & water connection requirements for your ADU.

Building Permit Process



CITY OF STOCKTON

Part 2: Pre-Approved Accessory Dwelling Units

Introduction to Permit Ready ADUs 2.1

The city has developed a program to encourage the construction of ADUs by offering a selection of pre-approved ADU building plans. These permit-ready plans are complete sets of construction drawings to the latest codes. These drawing packages are pre-approved by the Building Department and are available "off-the-shelf" at no cost. The selection of permit-ready plans includes a studio, 1-bedroom, and 2-bedroom option. This program aims to assist in the construction of ADUs to address the citywide housing shortage by providing complete construction drawings, expediting the process, and reducing preconstruction costs.

The permit-ready plans were designed with simplicity and cost in mind. The plans have simple floor plan layouts, simple roof designs, and utilize conventional construction techniques to reduce the cost and length of construction. These plans were developed collaboratively by city staff with some drafting assistance from the students at the Lincoln High School Engineering and Construction Academy.

- **These pre-approved plans may not be an option in certain Design Districts. You are encouraged to contact the Planning Department regarding any specific design requirements early on in the process. You can contact Planning at (209) 937-8266 or by visiting the Permit Center Counter.**

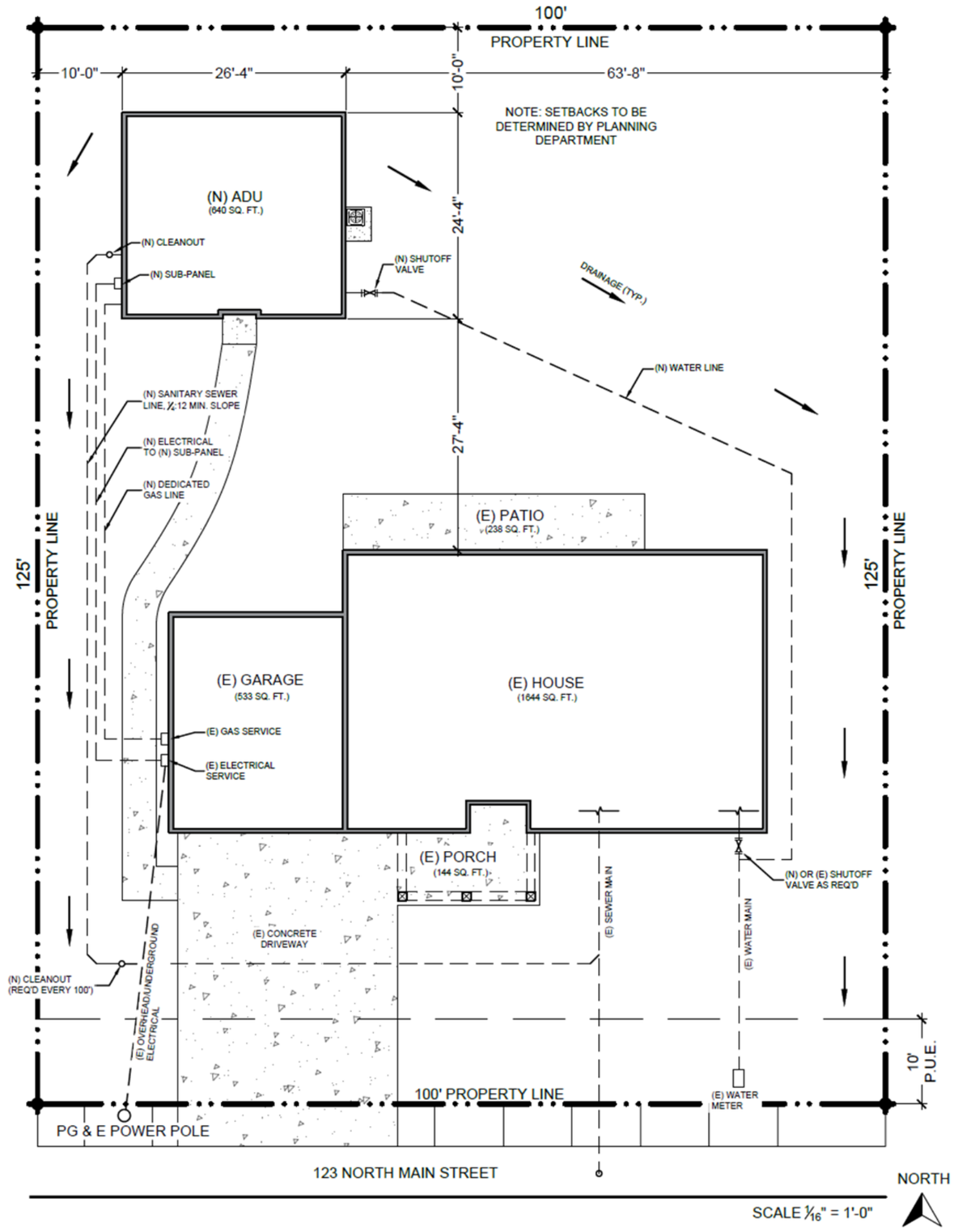
If a permit-ready ADU plan is chosen for your project, a Site Plan must be provided with the permit-ready plans.

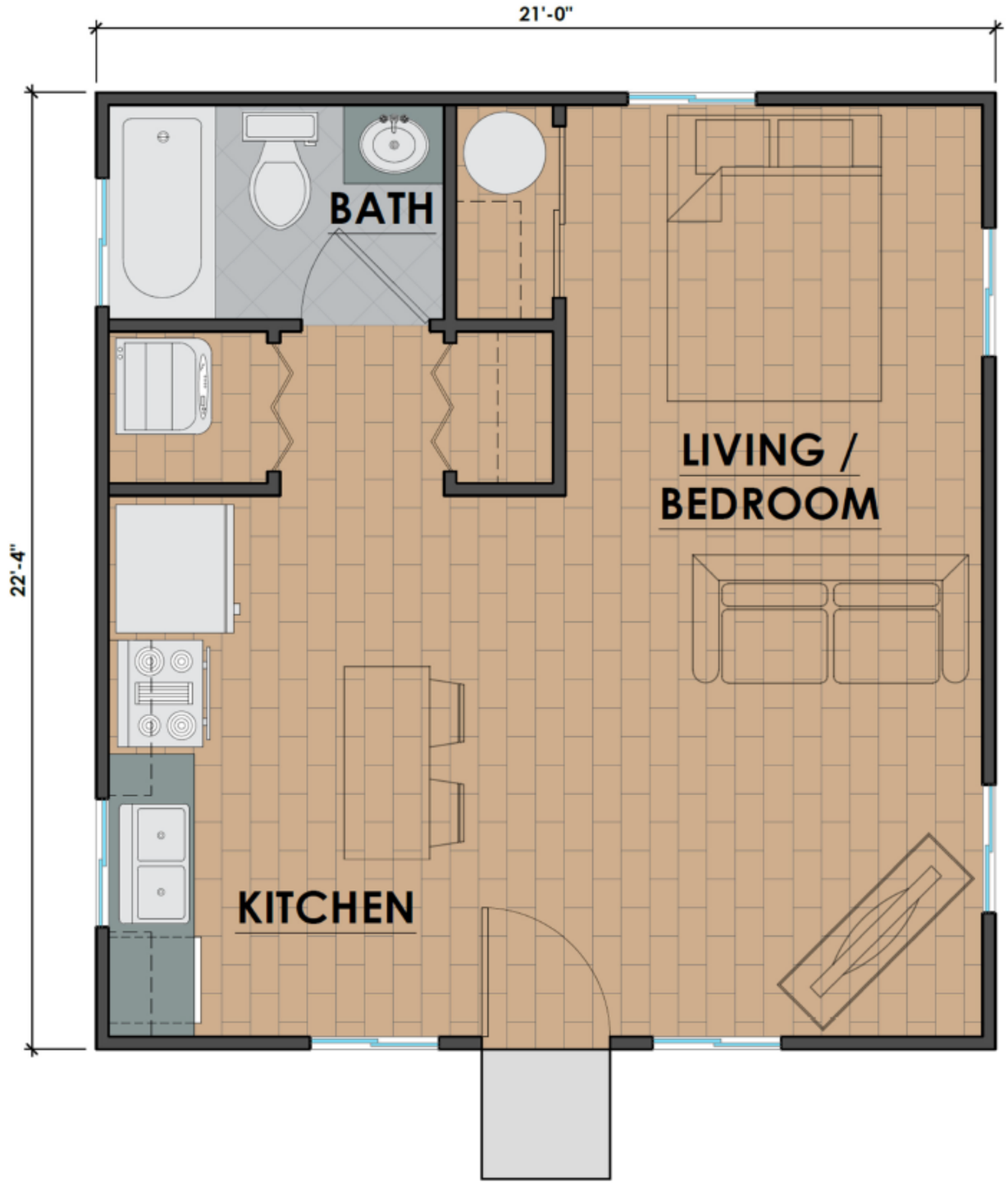
The Site Plan shall include the following:

- Must be drawn to scale
- Show property lines, sidewalks, driveways, easements
- Location of the main residence
- Location of the ADU
- Distance from structures to property lines
- Distance between structures on site
- Approximate location of existing and new utilities
- Location of electrical service

Please visit www.stocktonca.gov/adu for more information about permit-ready ADU plans and step by step instructions on the process.

Sample Site Plan





Studio Option

Studio | 1-Bath | 469 SF

Studio Option

Studio | 1-Bath | 469 SF



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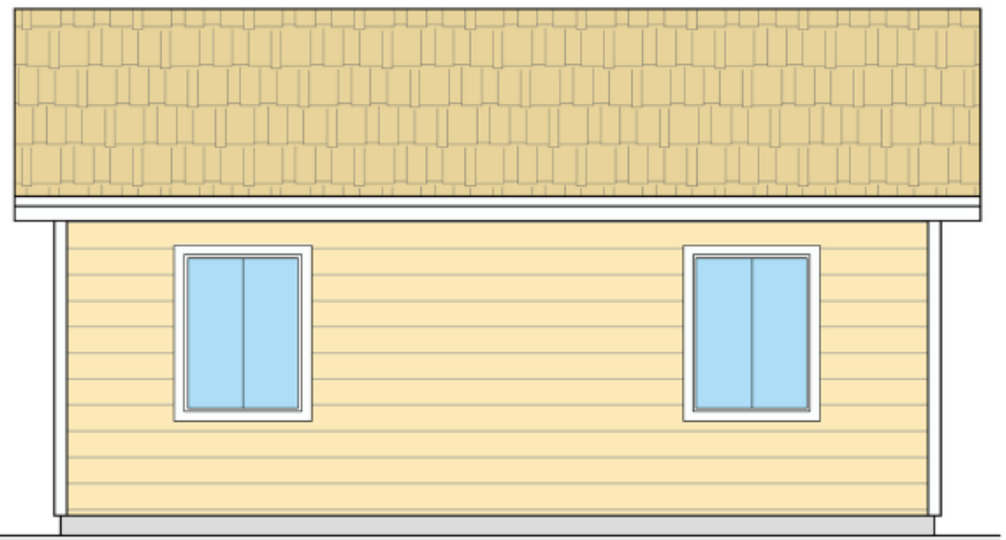

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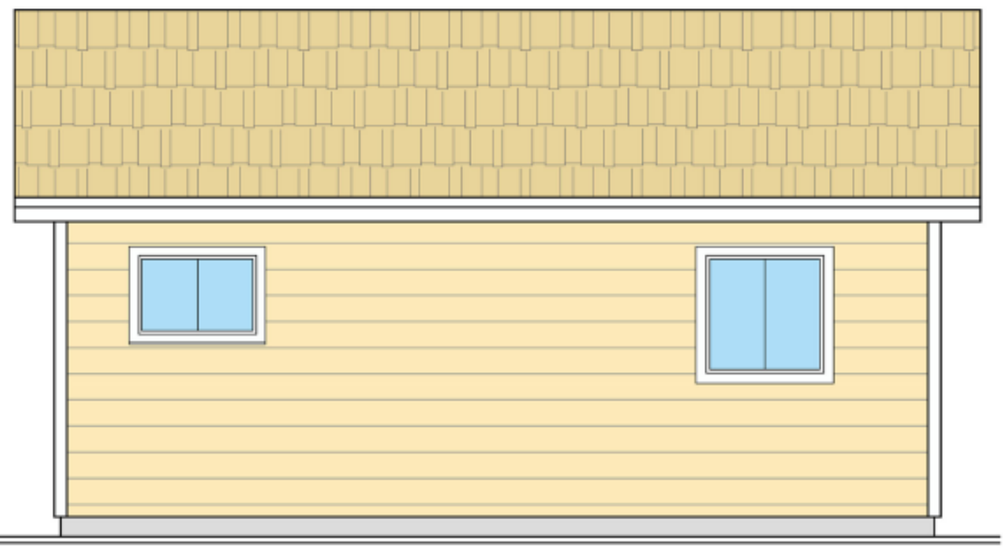

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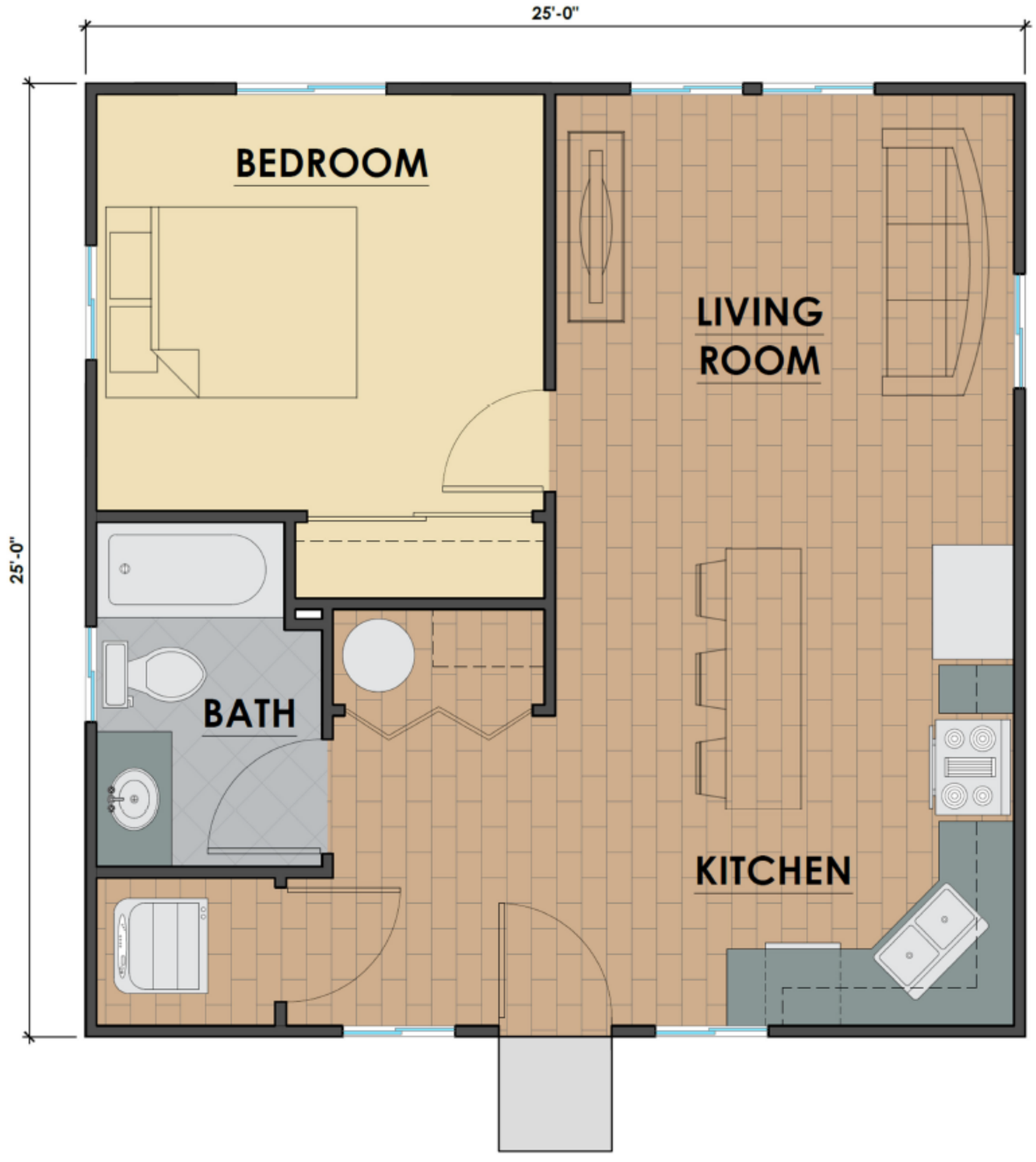

1-Bedroom Option

1-Bedroom | 1-Bath | 625 SF

1-Bedroom Option

1-Bedroom | 1-Bath | 625 SF



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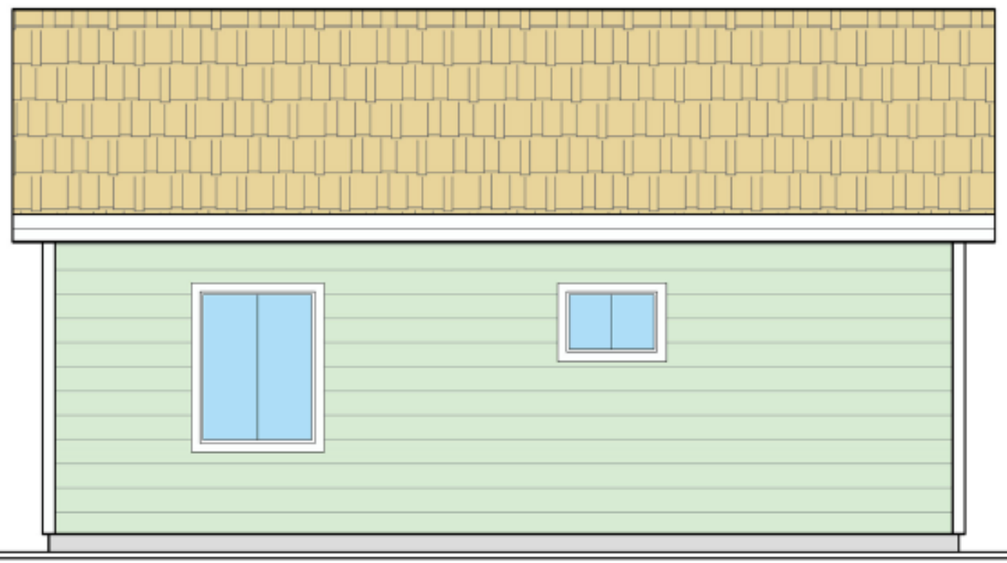
RIGHT



BACK



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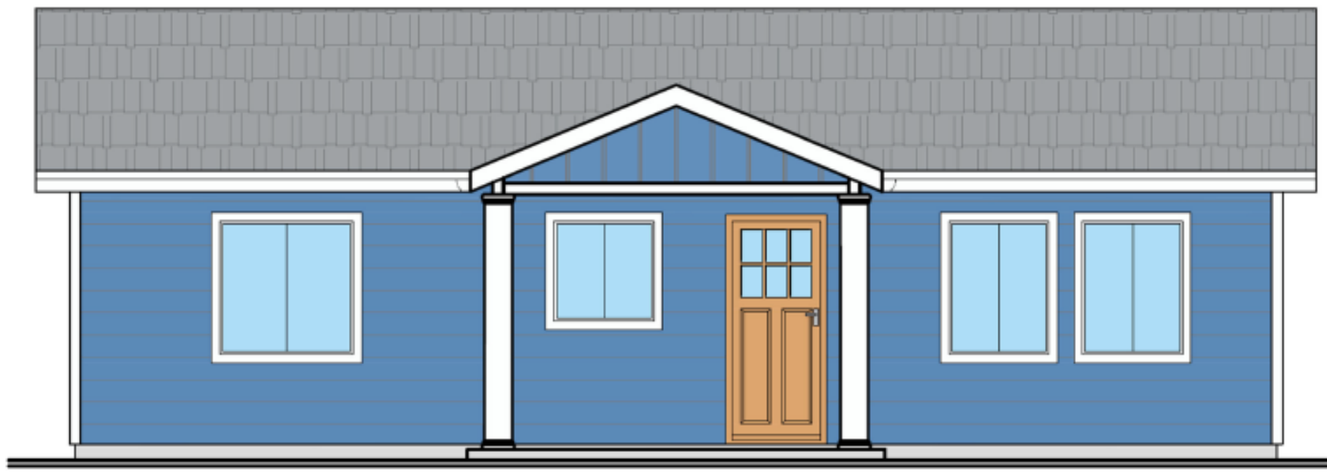
2-Bedroom Option

2-Bedroom | 1-Bath | 746 SF



2-Bedroom Option

2-Bedroom | 1-Bath | 746 SF



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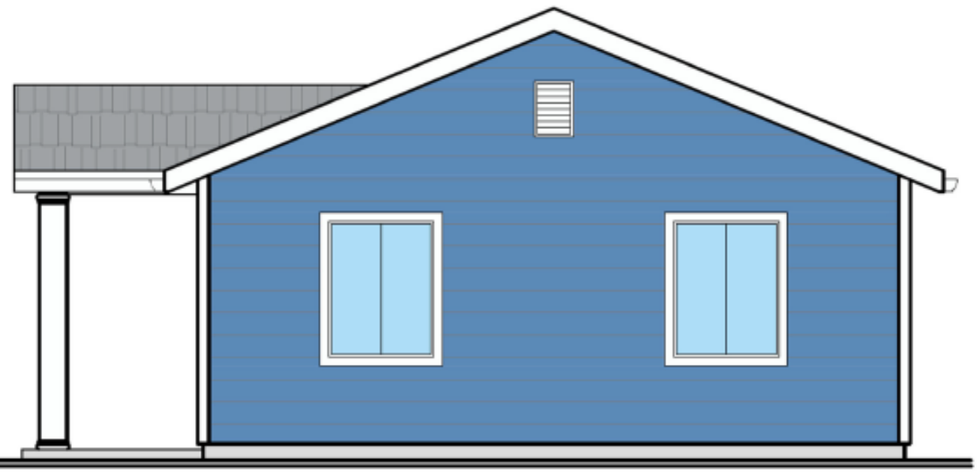

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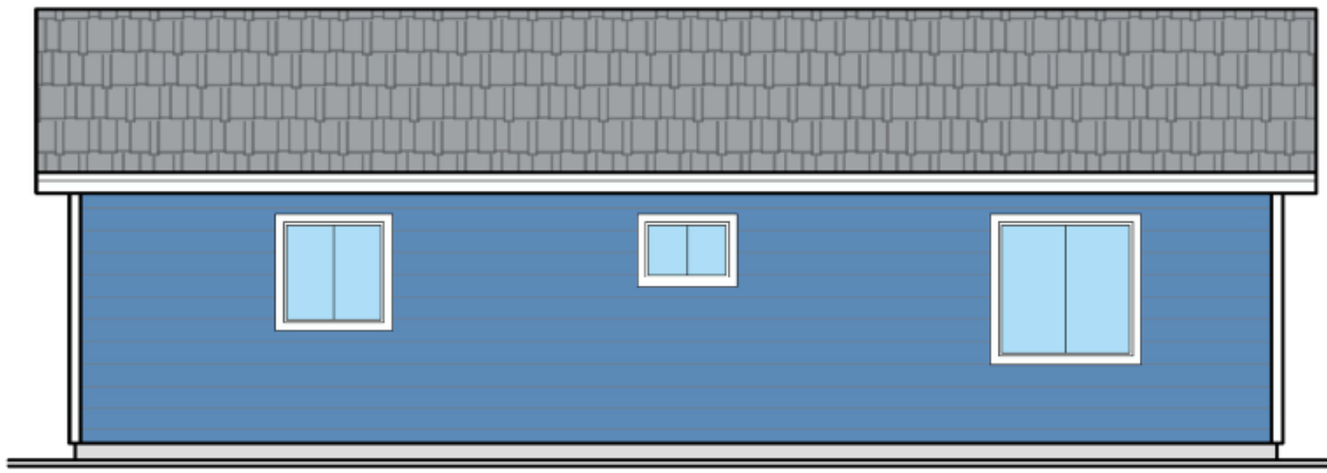

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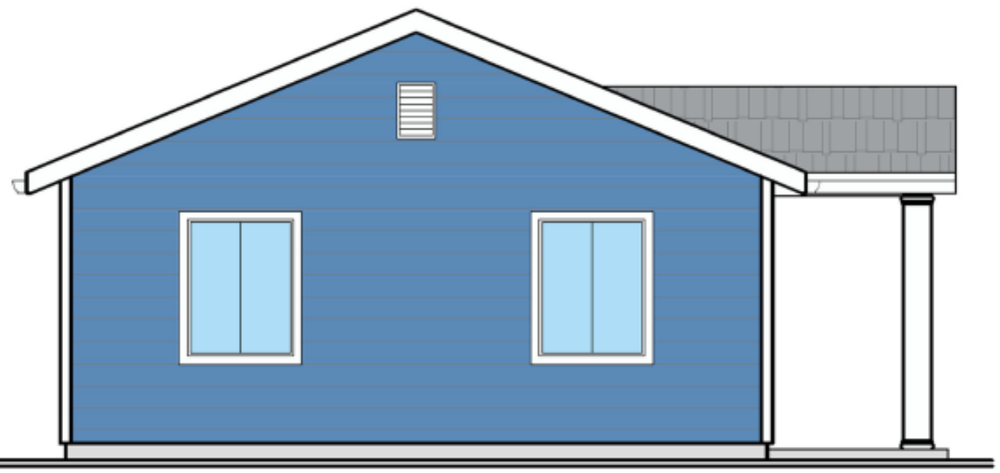

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Pre-Approved Plans — Outside Vendors 2.3

In accordance with California Assembly Bill 1332, in addition to the city provided ADU plan options, the City allows for outside vendors to get their template ADU plans reviewed and pre-approved by the City of Stockton. These options may range from traditional wood-framed construction to manufactured or modular units, but all options must be pre-approved through the City's plan review process to confirm applicable code compliance before being available to consumers.

Local designers and companies that specialize in ADU design and construction are welcome to submit their designs for approval. Pre-approved plans are only applicable for the current code cycle and must be updated and resubmitted for plan review and approval again once a new code series is adopted by the City.

Once a design option has been approved by the City, it will be posted on the website with contact information for the vendor. It is the customer's responsibility to contact the vendor to secure approval to use the pre-approved plan for construction on their property. Unlike the city-offered pre-approved plans in Section 2.2, plans from outside vendors are not free of charge and the customer shall negotiate the price directly with the vendor.

If a permit-ready ADU plan is chosen for your project from an outside vendor, a Site Plan must be provided with the permit-ready plans. Unlike City-offered pre-approved options, a permit submittal that includes plans from an outside vendor must also provide site-specific energy compliance forms.

- **These pre-approved plans may not be an option in certain Design Districts. You are encouraged to contact the Planning Department regarding any specific design requirements early on in the process. You can contact Planning at (209) 937-8266 or by visiting the Permit Center Counter.**

Please visit www.stocktonca.gov/adu for a list of available plan options from outside vendors and step by step instructions on the process.

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Part 3: Appendix

Contacts and Resources 3.1

Contacts

Community Development

Planning
(209) 937-8266

Building
(209) 937-8561

Engineering
(209) 937-8366

Fire Prevention
(209) 937-8271

Municipal Utilities
(209) 937-8436

https://user.govoutreach.com/stockton/faq

Resources

American Institute of Architects (AIA)
https://www.aia.org/

Building Industry Association (BIA)
https://www.biagv.org/

The Builders' Exchange of San Joaquin
https://bxsj.org/

California Board for Professional Engineers and Land Surveyors
www.bpelsg.ca.gov

California Building Standards Commission
https://www.dgs.ca.gov/BSC

California Department of Housing and Community Development (HCD): ADU Resources
https://www.hcd.ca.gov/policy-and-research/accessory-dwelling-units

California Energy Commission
https://www.energy.ca.gov/

California State Fire Marshal: Bulletin 17-001
https://osfm.fire.ca.gov/resources/information-bulletins

Contractors State License Board
https://www.cslb.ca.gov/

Division of the State Architect
https://www.dgs.ca.gov/DSA

Stockton Municipal Building Code, Titles 15 & 16
https://ecode360.com/ST5019

International Code Council (ICC)
https://www.iccsafe.org/

City Property Information
https://www.stocktonca.gov/services/information_technology/gis_data/landmaster_online.php

San Joaquin County Assessor
https://www.sjgov.org/department/assessor/home

Stockton Virtual Assistant & Permit Estimator
https://cddvirtualassistant.stocktonca.gov/

Stockton ADU Webpage
https://www.stocktonca.gov/adu

16.80.310 Accessory dwelling units.

This section provides standards for the establishment of accessory dwelling units in a manner consistent with Government Code Section 65852.2.

A. **Definitions.**

Accessory Dwelling Unit (ADU).

An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. If detached, may be a tiny home (permanent). It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family dwelling unit is situated; further accessory dwelling units are as defined in California Government Code Section 65852.2.

Junior Accessory Dwelling Unit (JADU). A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure as prescribed by Government Code Section 65852.22.

Living Area. The interior habitable area of a dwelling unit including basements and attics but does not include a garage or carport or an accessory structure. If a garage or carport is provided for the attached accessory dwelling unit, the calculation of the floor area of the accessory dwelling unit does not include the floor area of the garage or carport.

Multifamily Building. A building including two or more dwelling units.

Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

B. **Zoning Districts.** Table 2-2 identifies the zoning districts where accessory dwelling units are allowed.

C. **Review Procedures.**

1. The Review Authority shall issue a ministerial building permit for an accessory dwelling unit or junior accessory dwelling unit without discretionary review or a hearing, consistent with the provisions of this chapter and State law, unless otherwise provided.
2. An accessory dwelling unit located within the Channel area overlay district are ministerial and shall not require a commission use permit, as identified in Section 16.28.040 (Channel area overlay district).
3. An accessory dwelling unit including exterior alterations to the parcel and/or existing structures and located within the Magnolia historic overlay district or at a parcel with a designated historic landmark shall not require a certificate of appropriateness, as identified in Section 16.28.060 (Magnolia historic overlay district) and Section 16.220.070 (Landmarks), and instead, shall be subject to standards of the Citywide Design Guidelines.
4. An accessory dwelling unit located within a design review overlay district shall be subject to standards of the Citywide Design Guidelines.

D. **Number of Accessory Dwelling Units Allowed.** One (1) accessory dwelling unit shall be allowed per parcel except as follows:

1. When a parcel has one or more existing multifamily buildings, as defined in this section, at least one accessory dwelling unit but not more than 25 percent of the existing multifamily units are permitted when concerning the conversion of storage rooms, boiler rooms, passageways, attics, basements, or garages, if each accessory dwelling unit complies with the applicable provisions of Title 15.
2. When the parcel has one or more existing multifamily buildings, as defined in this section, a maximum of two detached accessory dwelling units are permitted.
3. One ADU or one detached ADU and one JADU internal to the primary residence may be constructed on lots with proposed or existing single-family dwellings in accordance with Government Code Sections 65852.2I(1)(A) and (B).
4. When a parcel has been subdivided under Government Code Sections 65852.21, 66411.7, and 66452.6, only one ADU per subdivided parcel shall be permitted.

E. **Development Standards.**

1. An accessory dwelling unit shall not be included in the calculation of the density of the lot on which it is located.

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16.80.310 Accessory dwelling units (cont.).

2. Both detached and attached accessory dwelling units are subject to the height, site coverage, and setback standards at Table 2-3, except for the following:
   a. Attached and detached accessory dwelling units may encroach into the rear, street side and side yard setback when a minimum setback of three (3) feet is provided.
   b. When an existing detached accessory structure is converted in whole or part to an accessory dwelling unit, only those portions located outside the existing building envelope are subject to minimum setback of three (3) feet.
3. The maximum floor area of a detached accessory dwelling unit is 1,200 square feet, excluding, where present, any enclosed parking space(s), exterior stairs, or similar non-habitable features.
4. If there is an existing primary dwelling, the total floor area of an attached ADU shall not exceed 50 percent of the existing primary dwelling or 850 square feet, whichever is greater.
5. The maximum floor area of a JADU internal to the primary structure shall be no more than 500 square feet.
6. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. However, accessory dwelling units attached to single-family dwellings shall have independent, exterior access and side and rear setbacks sufficient for fire and safety.

F. **Parking.**
1. No off-street parking is required for accessory dwelling units.
2. If off-street parking space is voluntarily provided, the following standards apply:
   a. It may be uncovered, covered, or enclosed;
   b. It must be on a paved surface and accessible from a paved driveway; and
   c. It may exceed the front yard pavement limit at Section 16.64.090(A)(2).
3. When an existing garage, carport or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, there is no replacement requirement.

G. **Rental or Sale of Unit.** An accessory dwelling unit may be rented, although rental is not required. When rented, the term shall be longer than 30 days. The accessory dwelling unit shall not be sold or otherwise conveyed separately from the main dwelling unit, except as provided at Government Code Section 65852.26.

H. **Proposed Primary Dwelling(s).** No certificate of occupancy or final inspection shall be issued for an accessory dwelling units (ADUs and JADUs) until a primary dwelling unit has been issued such clearance on the subject parcel.

I. **Junior Accessory Dwelling Units.** Each junior accessory dwelling unit (JADU) shall be subject to compliance with the building permit requirements and the following standards:
1. Each JADU may contain separate sanitation facilities or may share sanitation facilities with the principal unit.
2. Each JADU shall include a separate entrance from the main entrance to the principal dwelling unit and may include an interior entry to the main living area. A second interior door may be included for sound attenuation.
3. Each JADU shall, at a minimum, include a kitchenette as defined in Section 16.240.020.
4. One (1) JADU is permitted per lot zoned for single-family dwellings that is developed or proposed to be developed with a single-family dwelling.
5. Additional parking is not required for a JADU.
6. Owner-occupancy is required in the single-family residence in which the JADU will be permitted. The owner may reside in either the remaining portion of the structure or the newly created JADU. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
7. Recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:
   a. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.
   b. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Section.

Construction Code Considerations 3.3

Applicable Codes:
Site-built ADUs must be constructed to the current edition of either the California Residential Code (CRC) or the California Building Code (CBC). There are slight differences between the CRC and the CBC as it pertains to residential construction. A permit applicant must construct the ADU entirely to one code standard. *ADUs added to an existing multi-family building must be constructed to the CBC requirements.*

Although state legislation has relaxed typical zoning and development code requirements for ADUs, all fire and life safety code standards remain applicable for the construction of new ADUs, conversion of existing space into an ADU, and legalizing unpermitted ADUs.

Typical Code Requirements:

- Fire-Resistance Construction — §CRC R302 / §CBC 420
- Minimum Room Sizes — §CRC R304 / §CBC 1208
- Minimum Light and Ventilation — §CRC R303 / §CBC 1202 & 1204
- Emergency Egress — §CRC R311 / §CBC Ch. 10
- Required Heating — §CRC R303 / §CBC 1203
- Safety Glazing — §CRC R308 / §CBC 2406
- Smoke & Carbon Monoxide Alarms — §CRC R314 & R315 / §CBC 907 & 915

Aging In-Place Requirements:
Newly constructed ADUs (including conversions) and permits to legalize unpermitted ADUs must comply with the aging in-place requirements of CRC Section R327. Refer to the code for specific requirements but this generally means the elements below should be included in the ADU design.

- Reinforcement in the wall framing for the future installation of grab bars in at least one bathroom
- Electrical outlets, switches, and controls located between 15” and 48” above the finished floor
- At least one bathroom and one bedroom with a doorway with a net clear opening of 32” minimum
- Doorbell buttons or controls located a maximum of 48” above the finished floor

Solar System Requirements:
Newly constructed, non-manufactured, detached ADUs are subject to the California Energy Code requirements to provide a solar system (some exceptions apply, refer to the code). This requirement does not apply to attached or converted space ADUs. The size of the solar system that must be installed will depend on the overall size and design of the ADU. The solar system may be installed on the ADU or on the existing house. While this is an added cost, it may be an opportunity to offset long term utility bills with a thoughtful design.

Fire Sprinklers:
Fire sprinklers are typically *not* required for all ADUs if the existing house does not have sprinklers. However, if the ADU is constructed at the same time as the main dwelling unit, sprinklers will be required because they are required for the main dwelling. Also, if the existing house has sprinklers, the ADU must have sprinklers.

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Construction Code Considerations 3.3

Fire Rated Construction:
In accordance with the California Residential Code and the California Building Code, all dwelling units must be separated from each other with fire-rated construction. For attached ADUs, the common wall or floor/ceiling assembly between units must be constructed to achieve a minimum 1-hour fire-resistance rating. For detached ADUs, the ADU structure must be a minimum of 10-feet from the existing house to avoid any fire rating requirements. The ADU may be as close as 5-feet to the existing house if the exterior wall of the ADU facing the house is constructed to achieve a minimum 1-hour fire-resistance rating. The ADU cannot be closer than 5-feet unless the exterior wall of the existing house will also be upgraded to achieve a 1-hour fire rating. Roof overhangs and other projections must also be fire-rated, refer to the specific code sections for more information.

The exterior walls of all ADUs must be located at least 5-feet (3-feet if sprinklered) from property lines or otherwise be constructed to achieve a minimum 1-hour fire-resistance rating. This requirement applies to converted space ADUs as well. If an existing garage or accessory structure will be converted to an ADU and its located closer than 5-feet to the property line, the exterior wall(s) must be upgraded accordingly.

Sewer / Water/ Gas Utilities:
Based on the design and location of existing utilities onsite, an ADU may tie into the existing utilities or make new connections. In older developments the existing onsite utilities may not be able to accommodate the ADU. For example, some older development may have a 3” main sewer line instead of the typical 4” seen in newer developments. If this is the case the main sewer line may be undersized to accommodate both the existing house and the ADU.

An ADU with an HVAC system, water heater, and other gas appliances may have a gas demand similar to the existing main house. The existing gas service must be evaluated to accommodate the ADU or an additional gas meter may be installed. The existing gas line onsite may need to be upsized.

In accordance with the California Plumbing Code, all ADUs must have laundry connections within the unit. In the case of an ADU on a multifamily parcel, a common use laundry facility may be acceptable.

Electrical Utility:
Based on the capacity of the existing electrical service, an ADU may be fed from the existing service or an additional electrical service may be installed.

- For new detached ADUs, the electrical service must have a minimum bus bar rating of 225amps as required by the California Energy Code.
- In older developments the existing service may not have adequate capacity to accommodate an additional dwelling unit. Projects not proposing a new electrical service should provide electrical load calculations to determine if there is adequate capacity.
- If the ADU will be fed from the existing service onsite, a separate disconnecting means shall be provided for the ADU.

Sound Transmission:
For attached ADUs, the common wall or floor/ceiling assembly between the existing house and the ADU must be filled with appropriate insulation or otherwise be constructed to achieve a minimum sound transmission class (STC) rating of 45.

1. HOW MUCH WILL MY ADU COST?
Since the size and construction of each ADU will differ, it is impossible to estimate the cost of your ADU. The cost per-square-foot of an ADU is likely to be the same as any new residential construction; builders and architects can give you rough estimates.

2. HOW MUCH WILL MY ADU PERMIT COST?
Building permit fees are based on the cost of materials and labor to complete the project, known as the project valuation. Since the size and construction of each ADU will differ, the building permit fees are variable. Only two impact fees, known as Public Facility Fees (PFF), are applicable to ADUs greater than 749 sf; the County Facilities Fee and the Regional Transportation Impact Fee. These PFFs are pass-thru fees that the City collects on behalf of other agencies and cannot be waived. A typical ADU building permit will range between $6,000 - $8,000.

3. ARE THERE OTHER FEES IN ADDITION TO THE CITY PERMIT FEES?
There may be additional fees owed to outside agencies. New residential construction is subject to school district developer fees, you would be responsible to pay those fees directly to the applicable school district. There are four school districts in Stockton, you should contact the district for your area for an estimate.
The California Water Service is the water purveyor for portions of the city. You should contact Cal-Water directly to inquire about their fees for a new ADU. Additional water/sewer connection fees are generally not applicable for ADUs if tapping into the same lines as the main house.

4. DOES MY ADU HAVE TO MATCH MY EXISTING HOUSE?
The ADU improvements shall be architecturally compatible with the main dwelling unit.

5. MUST THE HOMEOWNER LIVE ON THE PROPERTY?
No, both the existing house and the ADU can be rental units. In the case of a JADU, the owner must reside on the property.

6. CAN I SELL MY ADU?
No, generally you can only sell your house and ADU together. ADUs can be rental units or occupied by the homeowner or family members. In accordance with Government Code Section 66342, the primary unit and ADU may be sold as condominiums.

7. DO I HAVE TO PROVIDE OFF-STREET PARKING FOR MY ADU?
No, there are no off-street parking requirements for ADUs and if a garage is converted to an ADU, replacement parking is not required.

8. CAN I LEGALIZE AN UNPERMITTED ADU ON MY LOT?
Although this guide focuses on new construction, you may be able to get permits that will legalize an existing unit on your property. You can contact the Community Development Department for more information.

9. HOW BIG CAN I MAKE MY ADU?
There are some limits on the size of an ADU, based on the size of your lot and existing house. An attached ADU cannot be bigger than 50% of the existing house up to 850 sq. ft. A detached ADU cannot exceed 1,200 sq. ft. A conversion of existing internal space or conversion of an existing accessory building such as a garage has no limitation on the size of the ADU.

10. MY LOT SEEMS TOO SMALL OR UNUSUAL IN SHAPE. CAN I STILL BUILD AN ADU?
Most lots are unique in shape and size, this guide addresses the most common conditions. There are various types of ADUs that work on different lots. For example, if a detached ADU will not fit in your backyard, you might choose to attach a new ADU unit to your current house. Or, you may choose to construct an ADU above your existing garage. You are encouraged to discuss the options available for your specific lot with the city Planning Department.

11. ARE FIRE SPRINKLERS REQUIRED FOR MY ADU?
Depends. ADUs are not required to be sprinklered if the primary residence does not have fire sprinklers. For example, a garage conversion to an ADU would not have to install fire sprinklers if the main residence isn't sprinklered. However, if a new main residence and ADU were constructed together, sprinklers would be required in both units because they would be required in the main residence per the California Residential Code.

12. DO I NEED TO UPGRADE MY UTILITIES TO SERVE MY ADU?
Depends. Your existing electrical, gas, water, and sewer service should be evaluated by appropriately licensed professionals for capacity to serve the ADU. Some older developments have smaller sewer and electrical services that may not be able to accommodate the additional demand of the ADU without an upgrade.