



# ACCESSORY DWELLING UNIT (ADU) FACT SHEET

July 2023

## Background

The laws regarding the construction and permitting of Accessory Dwelling Units (ADUs) have changed significantly over the past few years to streamline and encourage the development of ADUs in response to the state's housing crisis. However, the most recent changes to state law dealing with ADUs, namely SB 897 and AB 221, address local city and county permitting requirements. These two bills did not modify/revise the current laws that deal with connection fees or service charges. The current regulations provide as follows:

- Existing state law allows Union Sanitary District (USD) to collect sanitary sewer service connection fees, referred to as “capacity” or “connection” fees.
- USD's capacity/connection fees are not considered “impact fees” under state law; thus, ADUs smaller than 750 square feet must pay USD's capacity/connection fees (California Government Code Section 65852.2(f)(3)(B)).
- California Government Code Section 65852.2(f)(4) permits USD to collect capacity/collection fees on ADUs when constructed in conjunction with a new single-family home/residential structure. This would also include a new detached or attached ADU to an existing residential structure.
- Capacity/connection fees shall be proportionate to the burden the proposed ADU will have on the existing sanitary sewer system(s) and cannot exceed the reasonable cost of providing the service (California Government Code Section 65852.2(f)(5)).
- USD does not assess capacity/connection fees for ADUs that are created from the existing residential structure's square-footage or that only add less than 150 square feet to an existing residential structure (California Government Code Section 65852.2(e)(1)(A)(i) and (f)(5)).

ADUs constructed within USD's service area will also incur annual sanitary sewer service charges, which are collected through the Alameda County Property Tax Roll.



## Frequently asked Questions (FAQs)

### Question: What Is an Accessory Dwelling Unit (ADU)?

*Answer: An ADU is a residential unit located on the same lot as a residential structure. These self-contained homes typically have their own entrance, a full kitchen and bath, as well as living and sleeping spaces. ADUs are typically on a smaller scale than the primary residential structure. There are generally three types of ADUs as listed below:*

**Detached ADU:** *This is a stand-alone unit that is separated from the main residential structure. This type of ADU is usually a smaller structure and can be located in the backyard.*

**Attached ADU:** *This is a unit that is connected to the main house. These units frequently have a separate entrance on the side or back of the house.*

**Junior ADU:** *This is a small living unit contained entirely within the primary dwelling unit that does not exceed more than 500 square feet. A Junior ADU (JADU) must include a fully equipped kitchen and separate entrance.*

### Question: When should I start the ADU application process with USD?

*Answer: USD's ADU application should be submitted to the District at the same time an application for a City permit is submitted. USD's permitting desk is located at 5072 Benson Road, Union City and is open 8:00 am to 5:00 pm Monday through Friday. Applications may also be submitted via email to [permits@unionsanitary.ca.gov](mailto:permits@unionsanitary.ca.gov)*

### Question: What should I submit to USD?

*An ADU application and plans are required to be submitted to USD. Any external sewer work also requires a permit and inspection from USD. The application form is available online and can be found here: [ADU Application](#)*

### Question: What fees are due with an ADU application?

*Answer: ADUs that add new square footage to the property will require [capacity fees](#). Additional [permitting and inspection](#) fees may also apply, depending on how the ADU's sewer system is connected to USD main sanitary sewer. ADUs which are converted entirely from existing space are not subject to capacity fees.*



**Question: What is the current/future capacity fee rate for ADUs?**

*Answer: Current and future capacity fee rates for ADUs are listed on USD's [Capacity Fees](#) web page.*

**Question: What specifications must the ADU sewer lateral have?**

*Answer: The ADU sanitary sewer line (branch or lateral) shall meet the following specifications:*

- 1. PVC SDR-26 or ABS 40 with 4-inch diameter*
- 2. Minimum 2% slope with 2-foot cover*
- 3. PVC C900 allowed only if 2-foot cover is not possible*
- 4. 2-way cleanout installed within 30 inches of the ADU kickout (where the line exits the ADU structure)*

**Question: How can an ADU be connected to an existing sewer?**

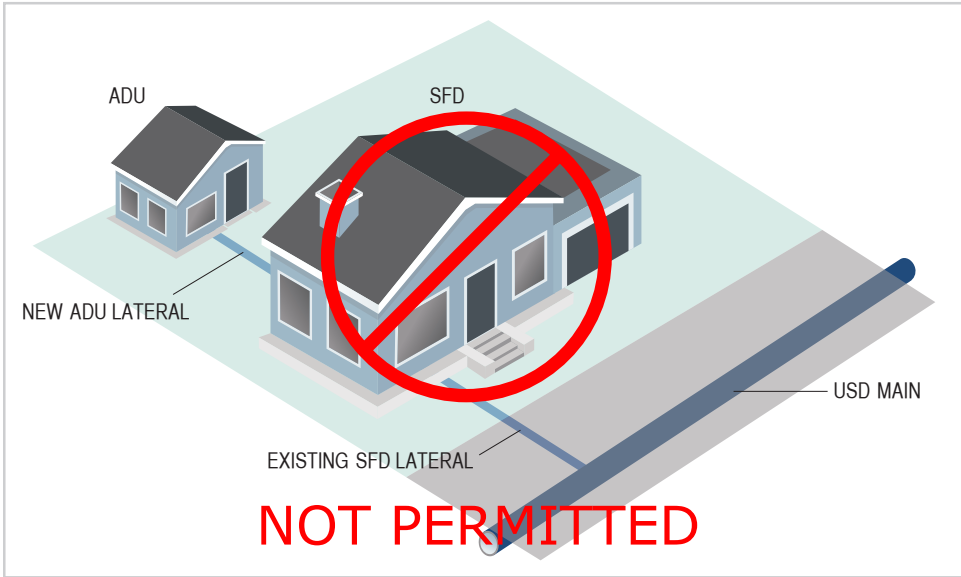
*Answer: USD does not require a new “direct” connection from the ADU to the main sanitary sewer; USD will allow a branch line from the existing sanitary sewer lateral serving the existing residence. Where appropriate and permissible, connection to the sanitary sewer lateral can be within the footprint of the residential structure.*

*However, if a property owner chooses to split their parcel under Senate Bill 9 (SB9) in a manner that creates a lot line between the ADU and the main residential structure (effectively placing the ADU on a separate legal parcel), the ADU will be reclassified as a Single-Family Dwelling and, pursuant to the California Plumbing Code, require a separate and independent connection to the USD main sanitary sewer line.*

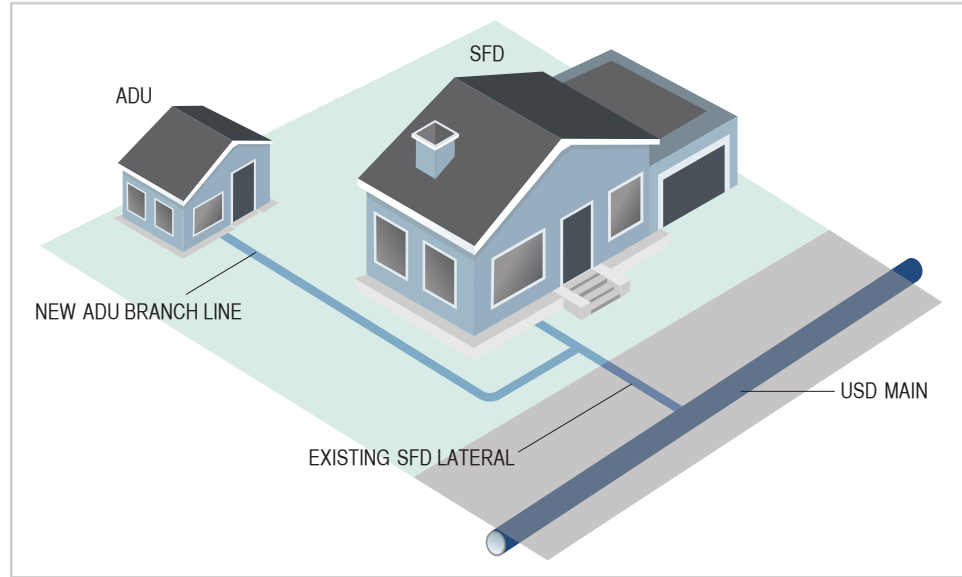
*The following page depicts permissible connection points for ADUs.*

# ACCESSORY DWELLING UNIT CONNECTIONS TO USD MAIN

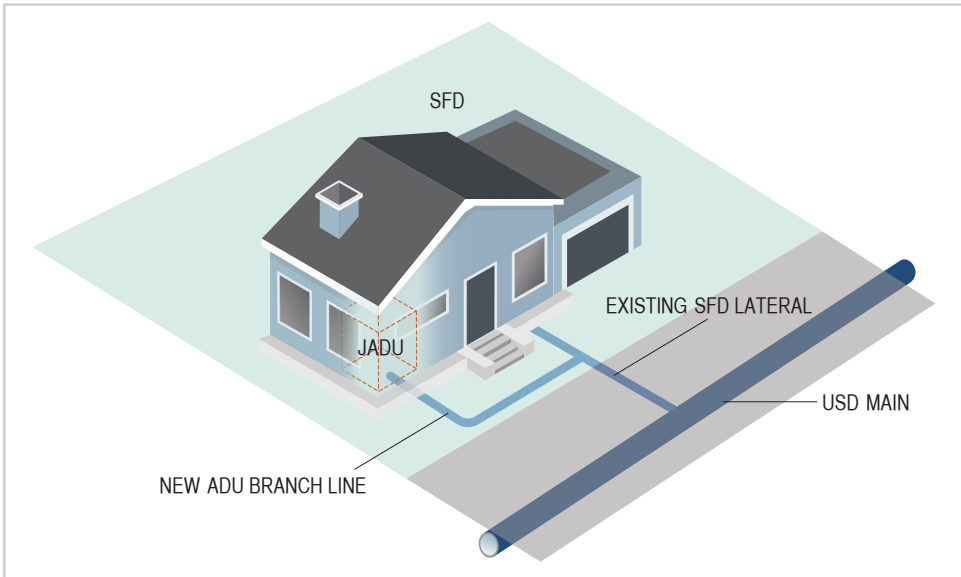
ADU'S LATERAL TIES TO EXISTING SFD LATERAL



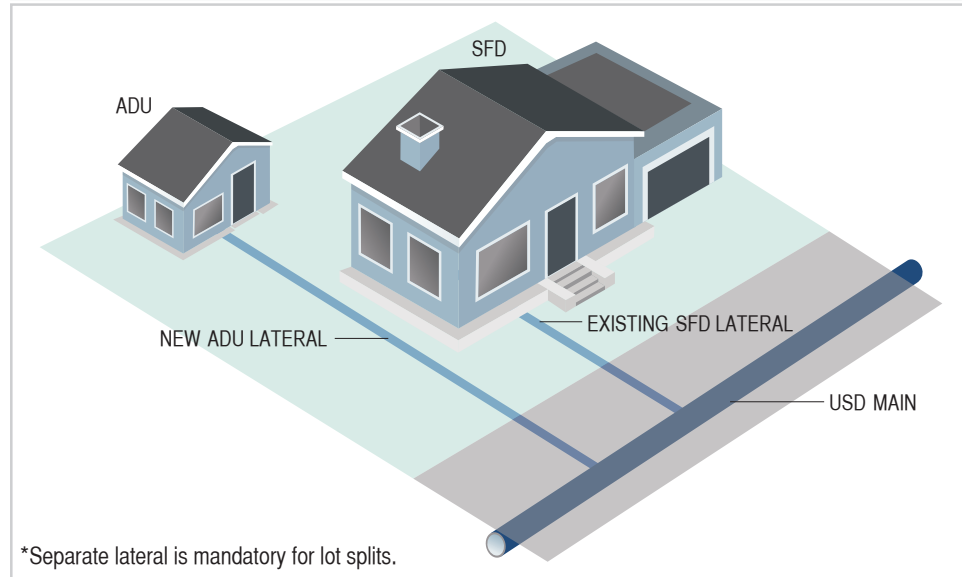
ADU'S LATERAL TIES TO EXISTING SFD LATERAL



JADU'S LATERAL TIES TO EXISTING SFD LATERAL



ADU WITH SEPARATE LATERAL TIES TO USD MAIN\*



\*Separate lateral is mandatory for lot splits.