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TEMPLETON COMMUNITY SERVICES DISTRICT

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MEMORANDUM

DATE: January 17, 2023

FROM: Bettina L. Mayer, PE
 District Engineer

SUBJECT: Accessory Dwelling Units within the Templeton CSD Boundary
 Updated per AB 68, and SB 13 approved by Governor Newsom on Oct. 9, 2019
 (Assembly Bill 494 and Senate Bill 229 approved by Governor Brown on Oct. 8, 2017)

DISCUSSION:

Accessory Dwelling Units (ADUs) are additional living quarters on single-family lots that are independent of the primary dwelling unit. Also known as secondary dwelling units, mother-in-law units, or granny flats, ADUs are either attached or detached to the primary dwelling unit, and provide complete independent living facilities including permanent provisions for living, sleeping, eating, cooking, and sanitation. **Note that Accessory Dwelling Units (ADUs) may not be separated from a primary residence through lot split or other land division.**

On October 8, 2017, Governor Brown approved Senate Bill 229 which included new requirements for Special Districts to provide water and sewer service to Accessory Dwelling Units on residential properties under certain conditions. On October 9, 2019, Governor Newsom approved AB68 and SB13 which included additional requirements and clarifications.

Following the new legislation, the District will permit water and sewer service to one ADU per single family lot. The types of permitted ADUs are as follows:

1. Accessory Dwelling Units (ADUs) within the space of a proposed single-family dwelling or existing space of a single-family dwelling or accessory structure. (May include an expansion of not more than 150 square feet beyond the same physical dimensions.) An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

For accessory dwelling units that meet the standards in Government Code section 65852.2, subdivision (e)(1)(A), the District will not require the installation of a new or separate connection directly between the accessory dwelling unit and the utility, or impose a related connection fee or capacity charge.

An accessory dwelling unit meets the standards in Government Code section 65852.2, subdivision (e)(1)(A) if it:

- Is contained within an existing a single-family residence or an existing accessory structure (including an expansion of up to 150 sf);

- Has independent exterior access from the existing residence; and
- Has sufficient side and rear setbacks for fire safety.

Please note that for water and sewer service billing purposes, a property with an ADU that shares a water and/or sewer connection with the primary residence, shall be treated as though it is a multi-family residence as described in the District's rate study. A primary residence with an ADU will be charged an additional water and sewer billing fee for the ADU associated with their account.

2. New Detached Accessory Dwelling Unit construction. If an accessory dwelling unit does not meet the standards in Government Code section 65852.2, subdivision (e)(1)(A) discussed above, the new construction is treated as a new residential use and the District will require the installation of a new water meter and service line as well as a new sewer lateral connection directly between the accessory dwelling unit and the District's main lines. The following fees and charges will apply:
 - a. The District will impose water and sewer connection fees based on its proportionate share of fees determined by the Development Impact Fee Study adopted November 6, 2018.
 - b. A new water and sewer service account shall be established for the ADU separate from the main residence.
3. New Attached Accessory Dwelling Unit constructed at the same time or in conjunction with a new primary residence. This new construction is a new residential use and the District will require the installation of separate water meter and service line, as well as a new sewer lateral connection for both the new primary residence and the accessory dwelling unit. In addition to the fees required for the new single family residence, the following fees and charges will apply to the ADU:
 - a. The District will impose water and sewer connection fees based on its proportionate share of fees determined by the Development Impact Fee Study adopted November 6, 2018.
 - b. A new water and sewer service account shall be established for the ADU separate from the main residence.

For all three types of ADUs described above, Park and Fire Impact fees will be assessed as follows:

- a. Park Facilities fees shall not be imposed on ADUs less than 750 sf. For ADUs 750 sf or larger, the District will impose a Park fee based on its proportionate share of fees determined by the Development Impact Fee Study adopted November 6, 2018.
- b. Fire Capital Facilities fees shall not be imposed on ADUs less than 750 sf. For ADUs 750 sf or larger, the District will impose fees based on the total square feet of the new construction.

Applicants wishing to apply for a building permit for an ADU must first meet with the County Planning and Building Department for planning approval. Though the District does not have the authority to regulate zoning or issue building permits, the District is responsible for providing water and sewer service to District customers. It is the District's duty to be sure that there is safe and reliable water supply to meet its customers' needs and a District Water Will Serve Letter is required prior to issuance of any County building permit.

The District will not serve an Accessory Dwelling Unit or other residential accessory structure prior to serving a primary residence. The primary residence is the first premises to which service is provided that the service connection and/or meter directly enters; additional structures may be required to install a separate connection or meter and pay the appropriate fees, as provided under District Water Code section 1.7.¹

¹

Table 1: Accessory Dwelling Unit (ADU) Fee Examples Templeton Community Services District					
<i>ADU Capacity Fees effective January 17, 2023¹</i>			<i>Fee Examples^{1,2}</i>		
Category	New Construction			Conversion of Existing Space⁶	
	1200 sf 1-story	750 – 1200 sf 1 -story	749 sf or less 1 or 2-story	750 - 1200 sf 1 -story	749 sf or less 1 or 2-story
ADU Water Connection/Hook-Up Fee³	\$8,336.00	\$8,336.00	\$8,336.00	\$0	\$0
ADU Wastewater Connection/Hook-Up Fee³	\$7,055.00	\$7,055.00	\$7,055.00	\$0	\$0
ADU Parks Development Impact Fee^{3,4}	\$4,710.00	\$4,710.00	\$0	\$4,710.00	\$0
Fire Capital Facilities Fee^{4,5}	\$1,044.00	\$652.50 - \$1,044.00	\$0	\$652.50 - \$1,044.00	\$0
Total	\$21,145.00	\$20,753.50 - \$21,145.00	\$15,391.00	\$5,362.50- \$5,754.00	\$0

1) ADU Capacity fees are subject to an annual increase
2) Example Fee based on a single story ADU dwelling occupied by 2 people, up to 1200 sf maximum.
3) Based on a flat fee proportionate to a primary dwelling unit.
4) ADUs less than 750 sf are exempt from park and fire development impact fees.
5) One-Story ADU fire capital facilities fee based on \$0.87/sf; Two-story ADU fee based on \$1.60/sf
6) Conversion may include a maximum of 150 sf addition to accommodate ingress and egress

¹ District Water Code section 1.7 reads as follows:

1.7 Division of Presently Served Lots or Premises. When a lot or premises which is presently served by the District is divided into two or more lots or premises, the existing service connection and/or meter shall be considered as belonging to the lot or premises which the service connection and/or meter directly enters. Prior to the delivery of water to the new lot(s) or premises, the new lot(s) or premises shall require the installation of a service connection and meter, payment of appropriate fees, such as water hook-up fees, and compliance with other District ordinances.

Each dwelling is considered a separate “premises.” District Water Code section 1.2(bb) defines premises as follows:

1.2 Definitions (bb) Premises. Premises shall mean any lot or any piece or parcel of land comprising two or more lots of record in one ownership, or **any building or other structure or any part of any building or structure used or useful for human habitation**, or gathering, or for carrying on a business or occupation or any commercial or industrial activity. (emphasis added)