

Over the Counter Accessory Dwelling Unit (ADU) Program

Policy and Procedure No.: **B-04-10**

January 2023

Purpose

This handout establishes a procedure for obtaining an “Over the Counter” Accessory Dwelling Unit Permit on a private residential property utilizing the predeveloped plans provided by the City of Elk Grove. Provisions applicable to the design and construction of the Accessory Dwelling Unit (ADU) are based on the 2022 California Residential Code (CRC).

Permits Required

A building permit is required for Accessory Dwelling Units installed in the City of Elk Grove City limits.

Definitions

Accessory Dwelling Unit (ADU)

An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. Accessory dwelling units shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. (Government Code Section 65852.2) A single ADU is permitted to be constructed on a multifamily property if the lot size permits.

Building Division: (916) 478-2235

Building staff will ultimately issue the permit to construct and occupy an ADU. Building staff can walk you through the permitting and inspection process.

Planning Division: (916) 478-2256

Planning staff can provide information about the property, including the zoning and lot size, which

are critical in determining the type and size of ADU that can be built. A Planner can also assist you with all other development standards.

Fire Division: (916) 405-7100

10573 E. Stockton Blvd., Elk Grove, CA 95624

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

Applicable Codes

ADUs must be constructed per the California Residential Code (CRC) and the current code edition as adopted by the City of Elk Grove. The applicant must construct the ADU entirely to one code standard.

Fees

Building fees are based on a set fee for required inspections and administrative time. Consult with a permit technician for further details.

ADU Permit Application

An Application for Permit form is available online at:

<https://www.elkgrovecity.org/building-safety-inspection-permits/building-forms-handouts-and-featured-articles>

For additional information please contact Building Safety & Inspection at:

Phone: (916) 478-2235

Email: Bldonline@elkgrovecity.org

Hours: Monday through Friday
8:00 am - 5:00 pm

Frequently Asked Questions

- **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.

- **Does my ADU have to match my existing/ new house?**

The ADU improvements shall be architecturally compatible with the main dwelling unit.

- **Must the homeowner live at the property?**

No, both the existing house and the ADU can be rental units.

- **Can I sell my ADU independently from my house?**

No, you can only sell your house and ADU together. ADU's can be rental units or occupied by the homeowner or family members.

- **Do I have to provide off street parking for my ADU?**

No, there are no off-street parking requirements for ADU's and if a garage is converted to an ADU, replacement parking is not required.

- **Can I legalize my unpermitted ADU?**

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 Development Services Department for more information.

- **My lot seems too small, can I still build my ADU?**

Most lots are unique in shape and size, this guide addresses the most common conditions. There are various types of ADU's 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. You may also choose to construct an ADU above your existing garage. You are encouraged to discuss the options available for your specific lot with the city's Planning Department.

- **Are fire sprinklers required in an ADU?**

Depends. ADU's 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 is not 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.

Is PV Solar required on my ADU?

Yes, a PV Solar system is required under the 2022 California Energy Code section 150.1(c)14 for newly constructed detached ADU's when an application is submitted on or after January 1, 2020. The solar system can be installed on the ADU or the main house. If the main house has an existing solar system, the required ADU solar system can be added to the existing system. Mobile home ADU's do not require a PV Solar system and are subject to title 25. A separate permit must be applied for the required ADU PV solar system.

ADU Presubmittal Checklist

Permit Application and Addressing:

- Provide a completed application and addressing form. Links to these forms can be found below:

[Application form link](#)

[Addressing form link](#)

Plans Submittal Requirements:

- Plans must be utilized using the City of Elk Grove preapproved plans provided as part of the Over-the-Counter ADU program.

Site Plan Information: Site Plan to include the following items, please see sample site plan in ADU packet

- Dimensions of all property lines; north arrow; distance between the ADU, other structures and the property line.
- Location and type of main electrical service, (underground or overhead)
- Location of the electrical panel and gas meter associated with the ADU.
- Location of the main sewer connection at the street.

California Energy Code Requirements: California Energy commission/ Energy Code Ace

- The ADU must comply with all applicable energy code requirements. At the time of application submittal, the title 24 energy documentation must be presented and reviewed by city staff for compliance. Please see the following links to the energy commission and energy code ace for process requirements.

Energy Code link

[Home Page-California Energy Commission](#)

Energy Code Ace link

[Energy Code Ace - Home Page](#)

PV Solar Requirements:

- Once the permit has been approved and issued by the City of Elk Grove the PV solar submittal must be submitted separately for plan review. The solar permit will be issued separately from the ADU permit and the installation must be completed prior to the ADU final inspection.

CSD Fire Requirements:

- If the ADU requires a fire sprinkler system as per the FAQ section on the second page, please contact the CSD Fire Department for additional information.

Flow chart for Over-the-Counter ADU program

Information obtained by the future applicant. Items to obtain; ADU Application, ADU handout, ADU plan overview and general process information.



Applicant schedules a pre-application meeting with the Building, Planning and Engineering to review application, site plan and Title 24 requirements.



Pre-approval is granted or denied



If Pre-approval is granted applicant will need to obtain all outside agency approvals. This includes CSD Fire Dept., Health Dept., and School District.



Once all pre-approvals have been met with outside agency signoffs, the construction permit can be issued to the applicant over the counter and construction can commence.

- Applicant will receive:
- The building permit
 - Pre-approved plans
 - Approved energy documentation
 - Signed Hold harmless agreement
 - PV Solar submittal information
 - Inspection scheduling information