**ACCESSORY DWELLING UNIT (ADU)**

**Definition:** “Accessory dwelling unit” (ADU) means 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 as a single-family dwelling unit is situated; further accessory dwelling units are as defined in California Government Code Section 65852.2.

**Allowed:** ADU may be located on any residentially-zoned parcel that is occupied with a single-family dwelling unit or will be improved with a single-family dwelling unit prior to or at same time as ADU construction.

<table>
<thead>
<tr>
<th>Standard</th>
<th>ATTACHED</th>
<th>DETACHED</th>
<th>INTERNAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Size</td>
<td>No limitations</td>
<td>No limitations</td>
<td>No limitations</td>
</tr>
<tr>
<td>Max. Unit Size</td>
<td>No more than 50% of existing living area, up to a maximum of 1,200 sq.ft.</td>
<td>Max. floor area of 1,200 sq.ft.</td>
<td>No limitations</td>
</tr>
<tr>
<td>Min. Setback</td>
<td>Same as required for the primary structure by the applicable zoning district</td>
<td></td>
<td>N/A – Existing Structure</td>
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<tr>
<td>Max. Height</td>
<td>Same as required by the applicable zoning district</td>
<td></td>
<td>Sufficient for fire access</td>
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<tr>
<td>Site Coverage</td>
<td>ADU structure is included in the calculation of site coverage allowed by the applicable zoning district</td>
<td></td>
<td>N/A – Existing Structure</td>
</tr>
<tr>
<td>Off-Street Parking</td>
<td>None required for ADU</td>
<td></td>
<td>None required for ADU and no replacement parking with garage conversion</td>
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<tr>
<td>Max ADUs/Lot</td>
<td>One (1) ADU per lot</td>
<td></td>
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<tr>
<td>Access</td>
<td>Independent exterior entrance to the ADU is required</td>
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<tr>
<td>Density</td>
<td>ADU shall not be included in the calculation or determination of lot density</td>
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</table>

**Footnotes:**
1. “Living Area” means interior inhabitable area including basement and attics, but not garage, carport or accessory structure. Calculation of floor area for detached ADU is area within the building envelope, excluding garage space and exterior stairs.
2. No setback is required for an existing garage conversion to an ADU.
3. A minimum 5-foot side and rear setback is required for an ADU constructed above an existing accessory structure. Required setback does not apply to existing accessory structure.
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 unit.
- 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.
- An ADU may be rented, although rental is not required.
- The ADU shall not be sold separately from the main dwelling unit.

Floodplain Development:
- ADUs are required to meet development standards of 100-year and 200-year floodplains. Please contact the Building & Life Safety Division at (209)937-8561 to determine if the ADU is located in a 100-year and/or 200-year floodplain.

Fire Sprinklers:
- Fire sprinklers are not required in an ADU, unless they are required in the main dwelling unit. 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.

Application Process: Architecture design plans for a new ADU may be submitted with an application and payment of process fees directly to the Stockton Building Division, except for any one of the following circumstances which first requires an application and payment of process fees to the Planning Section 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 from the Stockton Municipal Code Chapter 16.120 Design Review or by contacting the Planning Section at (209) 937-8266.

For more information, please see the Stockton Municipal Code Section 16.80.310, Accessory Dwelling Units.