



POLICY AND PROCEDURE

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Board of Directors	POLICY REGARDING WATER SERVICE TO BE PROVIDED TO ACCESSORY DWELLING UNITS	May 15, 2024
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WHEREAS, California is experiencing a shortage of affordable housing; and

WHEREAS, to address the shortage of affordable housing, the California Legislature has enacted statutes to facilitate the construction of accessory dwelling units (“ADUs”), including SB 13 (Wieckowski) and AB 881 (Bloom) enacted in 2019; and

WHEREAS, the Rowland Water District (“District”) desires to adopt certain policy principles with respect to water service to be provided to ADUs within its jurisdiction to ensure compliance with applicable law,

NOW, THEREFORE, the Board of Directors of the Rowland Water District hereby adopts this policy concerning the District’s provision of water service to ADUs, as follows.

1. Definitions:

- A. “Accessory Dwelling Unit” or “ADU” shall mean 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. It 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.
- B. “Accessory structure” shall mean a structure that is accessory and incidental to a dwelling located on the same lot.
- C. “Junior accessory dwelling unit” or “junior ADU” means 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.

2. Application Process:

- A. When a property owner determines to construct an accessory dwelling unit (“ADU”) on the property owner’s property, the property owner shall submit a



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copy of approved engineering drawings and a water supply fixture unit (WSFU) worksheet to determine the total WSFUs to be included in the ADU and, where feasible, the estimated additional water demand resulting from the ADU.

- B. District staff shall review the ADU drawings and water supply fixture unit worksheet to determine if the ADU requires a new water service and if it is subject to a capacity charge fee and consult with the applicable planning agency concerning the proposed ADU plans and the adequacy of water service to be provided by the District [Government Code Section 66314(a)].
- C. When District staff determines that the said ADU requires a new water service and is subject to capacity charge fees, District staff shall then provide a written estimated cost proposal to the property owner for water capacity fees and new water service installation fees along with a new service installation agreement and new water service application request form.
- D. No fire sprinklers may be required in an ADU if they are not required in the primary residence [Government Code Section 66314(d)(12)].
- E. The District’s provision of water service to ADUs is subject to the statutory limitations specified in Section 3, below.

3. Incorporation of Statutory Provisions:

- A. Not New Residential Service: An ADU shall not be considered to be a new residential use for purposes of calculating District connection fees or capacity charges, unless the ADU was constructed with a new single-family dwelling. [Government Code Section 66324(b)]. Junior accessory dwelling units shall not be considered a separate or new dwelling unit and are not subject to separate meter requirements, nor are they subject to connection fees or capacity charges. [Government Code Section 66338(a)]. Junior accessory dwelling units are defined as a unit that is no more than 500 sf in size and contained entirely within a single-family residence. [Government Code Section 66313(d)].



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B. New Meters/Connections and Connection Fees or Capacity Charges:

(i) The District may not impose a new meter requirement or connection fees or capacity charges on any ADU meeting the following criteria:

(a) the ADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress;

(b) the space has exterior access from the proposed or existing single-family dwelling; and

(c) the side and rear setbacks are sufficient for fire and safety.

However, if the ADU was constructed with a new single-family dwelling, or upon separate conveyance of the ADU pursuant to Government Code Section 66341, then the District may impose the requirement of a new meter, connection fees, and capacity charges, regardless of the ADU meeting the statutory provisions above. (Government Code Section 66324(d), with cross-reference to Section 66323(a)(1)].

(ii) The District may impose a new meter requirement, connection fees, and capacity charges on any ADU meeting the following criteria:

(a) the ADU was constructed with a new single-family dwelling; or

(b) upon separate sale or conveyance of the ADU pursuant to Government Code Section 66341; or



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(c) upon separate conveyance of the primary dwelling unit and ADU as condominiums pursuant to Government Code Section 66342; or

(d) the ADU is not in conformance with the requirements enumerated pursuant to Government Code Section 66323(a)(1). If any one of the following is applicable to the ADU then such ADU is subject to the District's meter requirements, connection fees, and capacity charges:

- i. the ADU is not within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure; or
- ii. the ADU does not have exterior access from the proposed or existing single-family dwelling; or
- iii. the ADU does not have side and rear setbacks sufficient for fire and safety.

Consistent with Government Code Section 66013, the connection fee or capacity charge must be proportionate to the burden of the proposed ADU upon the District's water system, based upon either its square feet or the number of its drainage fixture units values, as defined in the Uniform Plumbing Code. Any such connection fee or capacity charge shall not exceed the reasonable cost the District incurs in providing the service to the ADU. [Government Code Section 66324(e)].

4. For any ADU subject to a new meter, connection fees, and capacity charges as provided in this Section B(3), and such ADU fails to have a new meter installed or to pay any such connection fees or capacity charges when due, the District shall terminate water service of the primary single-family dwelling until such time as the requirements set forth above are completed, pursuant to the District's Rules and Regulations for Potable and Recycled Water Service, as may be amended from time to time.



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5. District staff is directed to take all steps necessary to implement the foregoing policy and shall recommend any changes to other District's policies, rules and regulations necessary to implement these principles.