# CALIFORNIA HAS A SEVERE HOUSING SHORTAGE.

**THE LEGISLATURE PASSED ADU LAWS TO REMOVE UNREASONABLE BARRIERS TO BUILDING.**

## THE LEGISLATURE'S FINDINGS | § 66310

- "Accessory dwelling units are a valuable form of housing in California." (§ 66310(a))
- "California faces a severe housing crisis." (§ 66310(e))
- "Accessory dwelling units are, therefore, an essential component of California's housing supply." (§ 66310(h))

## THE LEGISLATURE'S INTENT | § 66311

"It is the intent of the Legislature that an accessory dwelling unit or a junior accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units or a junior accessory dwelling unit and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units or junior accessory dwelling units in zones in which they are authorized by local ordinance."

## THE UTILITY-FEE RULE | GOV. CODE § 66311.5(d)–(e)

For an ADU described in § 66323(a)(1), subsection (d) bars a required new or separate direct utility connection and its related connection fee or capacity charge, unless the ADU was built with a new single-family dwelling or is separately conveyed under § 66342.

For other ADUs, subsection (e) allows a fee when a new or separate direct connection may be required; the charge must be proportional to the ADU's burden, measured by square footage or DFUs, and may not exceed reasonable service cost.

## THE COMPARISON: SAME INITIAL CAPACITY CHARGE. VERY DIFFERENT COST PER DFU.

### WHAT IS A DFU?

DFU means drainage fixture unit, a standardized plumbing-code measure of fixture demand. Section 66311.5(e) names DFUs or square footage as ways to measure whether certain ADU connection or capacity charges are proportional to system burden.

| **Illustrative charge** | **12,000 sq. ft. LARGE HOME**<br>8 BR \| 5 BA \| 2 kitchens \| 1 unit \| 44 DFUs | **400 sq. ft. SMALL HOME + 200 sq. ft. ADU**<br>2 BR \| 2 BA \| 2 units \| 21 DFUs |
|---|---|---|
| Initial capacity charge | $16,023.82 | $16,023.82 |
| Additional ADU capacity charge | $0.00 | $5,127.62 |
| **Total one-time capacity charges** | **$16,023.82** | **$21,151.44** |
| Total drainage fixture units (DFUs) | 44 | 21 |
| **Average one-time capacity charge per DFU** | **$364.18** | **$1,007.21** |
| Monthly basic sewer service | $82.26 | $164.52 |
| Annual basic sewer service | $987.12 | $1,974.24 |
| **Average annual basic sewer service per DFU** | **$22.43** | **$94.01** |
| 10 years of basic sewer service* | $9,871.20 | $19,742.40 |
| **Combined illustrated 10-year cost*** | **$25,895.02** | **$40,893.84** |

**SMALL HOME + ADU vs. LARGE HOME**
**ONE-TIME CAPACITY CHARGE PER DFU**

**2.8× AS MUCH**

**Small home + ADU: $1,007.21 / DFU**

Large home: $364.18 / DFU

**SMALL HOME + ADU vs. LARGE HOME**
**ANNUAL BASIC SEWER SERVICE PER DFU**

**4.2× AS MUCH EACH YEAR**

**Small home + ADU: $94.01 / DFU / year**

Large home: $22.43 / DFU / year

## THE NUMBERS DEMAND AN ANSWER.

**For 21 DFUs, the small home + ADU is charged $1,007.21 per DFU upfront and $94.01 each year. For 44 DFUs, the large home is charged $364.18 upfront and $22.43 each year.**

**DOES THIS FEE STRUCTURE COMPLY WITH CALIFORNIA ADU LAW?**
**OR DOES IT PENALIZE ADU BUILDERS AND WORK DIRECTLY AGAINST THE LEGISLATURE'S INTENT?**

*Illustrative comparison; 10-year service cost assumes the listed annual charges continue unchanged. This is a compliance question, not a judicial finding. Gov. Code §§ 66310, 66311, 66311.5(d)–(e), 66323(a)(1).