

BULLETIN INFORMATION: BI-26-015**FIRE SPRINKLER REQUIREMENTS FOR ADUs AND SB 9 UNITS****PURPOSE:**

The purpose of this Bulletin is to provide clear and consistent guidance regarding the application of residential fire sprinkler requirements for Accessory Dwelling Units (ADUs) and Senate Bill 9 (SB 9) units. This Bulletin is intended to ensure compliance with the California Residential Code (CRC), applicable State law, and current California Department of Housing and Community Development (HCD) guidance, while promoting uniform plan review and permitting practices.

This Bulletin clarifies when residential fire sprinklers are required for attached and detached ADUs and SB 9 units and addresses common development scenarios to ensure consistent interpretation and enforcement.

APPLICABLE CODES AND STATE LAW:

This Bulletin is based on, and shall be interpreted consistent with, the following:

- California Residential Code (CRC), as adopted and amended by the State of California.
- California Government Code Sections 65852.2 and 65852.21
- Senate Bill 9 (Government Code Section 66411.7)
- Applicable HCD guidance and interpretations
- Applicable City ordinances, to the extent not preempted by State law

Where conflicts exist, State law and HCD guidance shall prevail.

DEFINITIONS:

Accessory Dwelling Unit (ADU) - A secondary dwelling unit subordinate to a primary dwelling unit, as defined by State law and HCD, including attached, detached, and conversion ADUs

SB 9 Unit - A second primary dwelling unit created pursuant to Government Code Section 66411.7. An SB 9 unit is not an ADU and is regulated as a separate primary dwelling.

GENERAL FIRE SPRINKLER REQUIREMENTS:

1. **ADUs** - Pursuant to State law and the CRC, fire sprinklers are not required for an ADU if fire sprinklers are not required for the existing primary dwelling unit.

Fire sprinklers shall be required in an ADU only when one of the following conditions applies:

- The existing primary dwelling unit is equipped with fire sprinklers; or
- The ADU and the primary dwelling unit are constructed concurrently under the same permit or as part of the same development project; or
- The ADU is permitted and constructed concurrently with an SB 9 unit.

- 2. **SB 9 Units** - SB 9 units are considered primary dwelling units and are subject to the residential fire sprinkler provisions of the CRC.

The following shall apply:

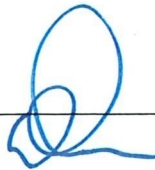
- a. SB 9 unit attached to an existing primary dwelling
When an SB 9 unit is attached to the existing primary dwelling, both the SB 9 unit and the primary dwelling shall be provided with residential fire sprinklers.
- b. SB 9 unit detached from the existing primary dwelling
When an SB 9 unit is detached, only the SB 9 unit is required to be provided with residential fire sprinklers. The existing primary dwelling is not required to be retrofitted with sprinklers.
- c. SB 9 unit constructed concurrently with a detached ADU
When a detached SB 9 unit and a detached ADU are permitted and constructed concurrently as part of the same project, both units shall be provided with residential fire sprinklers.

If the ADU is permitted, constructed, and finalized prior to issuance of the permit for the SB 9 unit, the ADU shall not be required to provide fire sprinklers, provided the primary dwelling is not sprinklered.

- d. Conversion of an existing ADU to an SB 9 unit
When an existing ADU is converted to an SB 9 unit, the resulting SB 9 unit shall be required to be provided with residential fire sprinklers.
- e. Subsequent ADU on a lot with an SB 9 unit
If a new ADU is proposed on a lot where an existing ADU has already been converted to an SB 9 unit that is equipped with fire sprinklers, the newly proposed ADU shall also be provided with residential fire sprinklers.

INTERPRETATION AND ENFORCEMENT:

This Bulletin shall be used by Building & Safety Division staff during plan review and permitting to ensure consistent application of State-mandated fire sprinkler requirements. The Chief Building Official or designee shall have final authority in the interpretation of this Bulletin, subject to State law and HCD guidance.

Approved: David Dent <i>Deputy Director/Chief Building Official</i>	Signature: 
	Date: 3/11/22