



# ACCESSORY DWELLING UNIT (ADU)

## Handout

### What is an ADU?

**Accessory Dwelling Units (ADUs)** are independent dwelling units with complete provisions for sleeping, eating, cooking, and sanitation/bathroom. ADUs may be attached or detached from primary dwellings. These types of dwelling units are subordinate to the main dwelling(s) on site and are permitted to be constructed on properties zoned for residential use that have an existing or proposed dwelling unit.

### What types of ADUs are there?

ADUs	JADUs
<ul style="list-style-type: none"><li>• An Attached ADU is newly constructed as an addition to a primary dwelling.</li><li>• A Converted ADU is created within the existing space of a primary dwelling or an accessory structure.</li><li>• A Detached ADU is newly constructed as a separate structure and does not share any walls with the primary dwelling.</li></ul>	<p>A Junior Accessory Dwelling Unit or JADU is an ADU of up to 500 square feet that is created/converted within the existing space of a single-family dwelling unit or an attached garage. JADUs may share sanitation/bathroom facilities with the primary dwelling.</p>

### ADU Laws & Regulations

State ADU law is codified in Chapter 13 of the Government Code (sections 66310-66342): [https://leginfo.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=GOV&division=1.&title=7.&part=&chapter=13.&article=](https://leginfo.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=GOV&division=1.&title=7.&part=&chapter=13.&article=)

The City's local ADU regulations (A.M.C. §20.20.080) can be found at: <https://ecode360.com/34858697#34858697>



Development Regulations				
Maximum Size (in square feet)				
	Attached ADU	Detached ADU	Converted ADU	JADU
Single-Family Property	850 1,000 if 2+ bedrooms		None	500
Two- & Multi-Family Property	850 1,000 if 2+ bedrooms	None	None	N/A
Setbacks			Height	
<ul style="list-style-type: none"> <li>• 3-foot rear and side yard setbacks for a new or expanded ADU</li> <li>• Front yard setback per underlying zoning district (provided it does not preclude the construction of an 800-square-foot ADU)</li> <li>• Setback from other structures: 6 feet</li> </ul>			<ul style="list-style-type: none"> <li>• 20 feet for new detached ADUs</li> <li>• 25 feet for attached ADUs with an additional 3-foot allowance to match the roofline (height and pitch) of the primary dwelling</li> </ul>	
Number of ADUs Allowed per Lot				
Lots with one single-family dwelling	Lots with two or more single-family dwellings	Lots with one or more two- or multi-family dwellings		
<ul style="list-style-type: none"> <li>• 1 JADU and 1 attached, new detached, or converted ADU; or</li> <li>• 1 JADU, 1 new detached ADU with a maximum size of 800 square feet, and 1 converted ADU</li> </ul>	<ul style="list-style-type: none"> <li>• 1 new detached ADU with a maximum size of 800 square feet and 1 converted ADU</li> <li>• JADUs are not permitted</li> </ul>	<ul style="list-style-type: none"> <li>• 1 detached, converted, or attached ADU; or</li> <li>• 2 detached ADUs min. and up to 8 max.<sup>(*)</sup>; and at least 1 converted ADU in each two- or multi-family dwelling and up to 25% of the number of existing dwelling units within the structure for additional converted ADUs</li> <li>• JADUs are not permitted</li> </ul> <p><i>(*) For lots with an existing two- or multi-family building, up to 8 detached ADUs but not to exceed number of existing units on the lot</i></p>		
Lot Coverage and Floor Area Ratio (FAR)			Parking	
Newly constructed detached and attached ADUs with a maximum size of 800 square feet are exempt from lot coverage and FAR calculations.			No off-street parking is required.	

<b>ADDITIONAL ADU REQUIREMENTS</b>		
	<b>ADUs</b>	<b>JADUs</b>
<b>Kitchens - Minimum Requirements</b>	A cooking facility with at least a stovetop (permanent or plug-in appliance), sink, food preparation counter and suitable storage. Ovens are optional.	An efficiency kitchen including a cooking facility with plug-in appliances, a sink, food preparation counter and storage cabinets of reasonable size in relation to the JADU.
<b>Entrances</b>	All ADUs and JADUs are required to have a separate entrance from the main entrance to the primary dwelling unit.	
<b>Internal Connections</b>	ADUs may have an internal connection to the primary dwelling.	JADUs must have an internal connection to the primary dwelling if sanitation facilities are shared, otherwise internal connection is optional.
<b>Path of Egress</b>	A 3-foot-wide clear path of travel from the ADU entrance to the Right-of-Way (e.g., sidewalk, alley, etc.) is required.	
<b>Address, Mailbox, &amp; Street Front Awareness</b>	Each ADU and JADU is required to obtain a separate address from the primary unit. A mailbox for each residential unit is also required. Street-front awareness of ADUs and JADUs should be implemented using address numbering, landscaped pathways and/or site layout. This is required to signal the unit's location to residents, the Postmaster, and Emergency Services.	
<b>Rental Term</b>	No ADU or JADU may be rented for a term that is shorter than 30 days.	
<b>Separate Sale</b>	Except as provided in <a href="#">Government Code Article 4</a> , an ADU or JADU may not be sold or otherwise conveyed separately from the primary dwelling.	
<b>Owner Occupancy</b>	All ADUs are exempt from owner-occupancy requirements.	All JADUs are subject to an owner-occupancy requirement.
<b>Mechanical Equipment</b>	All mechanical equipment must meet required setbacks pursuant to <a href="#">AMC §20.24.180</a> .	
<b>FEMA Flood Zone Site Regulations</b>	Properties within the <a href="#">Watercourse Overlay District</a> have been deemed by the Federal Emergency Management Agency (FEMA) to be vulnerable to flooding and are may be subject to creek setbacks and/or additional design regulations. If the subject property is in proximity to either Cerrito or Codornices Creeks, please check the <a href="#">Zoning Map</a> to confirm whether the property is within the Watercourse Overlay District and consult with City Staff prior to finalizing your project design.	

### APPLYING FOR AN ADU PERMIT

All ADUs require a building permit for construction. No separate Planning approval is required. To apply for a building permit, complete the [Building Permit Application](#) and [Building Permit ADU Submittal Checklist](#) and submit along with supporting documents to [permits@albanyc.org](mailto:permits@albanyc.org).

### ADDITIONAL ADU CONSTRUCTION CONSIDERATIONS

<b>Forms Certification</b>	Newly constructed detached ADUs that are proposed closer than 4 feet to any property line will be required to have a form certification completed by a licensed survey prior to foundation pour.
<b>Fire Sprinklers</b>	The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling. Fire sprinklers are required in an ADU if sprinklers are required in the primary dwelling.
<b>Photovoltaics</b>	Newly constructed, detached ADUs are required to have photovoltaics installed [ <a href="#">California Energy Code §1501.1 (14)</a> ].
<b>Utility Connections</b>	Separate utility meters/connections for ADUs are not required by the City, but may be required by PG&E and/or EBMUD.
<b>All-Electric</b>	Although not required, the City strongly encourages all-electric construction.
<b>Property Tax Implications</b>	Creating an ADU/JADU will increase the value of your property, which may have property tax implications. Contact the <a href="#">Alameda County Assessor</a> directly should you have further questions regarding property tax assessment.

### ADU DESIGN CONSIDERATIONS

To enhance the value of your project and for it to positively contribute to the neighborhood fabric, we strongly encourage incorporation of high quality materials and architectural elements as highlighted in the City's [Residential Design Guidelines](#).