GENERAL QUESTIONS

What is an “Accessory Dwelling Unit”? 
An Accessory Dwelling Unit (ADU) is an attached or detached housing unit that is independent from a single-family dwelling on the same lot. ADUs are also called second units, in-law units, or granny units. An ADU may be created via the following methods:

1. Building a detached accessory structure
2. Converting an existing accessory structure
3. Building an addition attached to the primary dwelling
4. Converting space in the primary dwelling (e.g. basement)
5. Junior ADU: Similar to repurposed space but meets specific requirements and specifications for a Junior ADU prescribed by state law.

What’s new in the world of ADUs?
On January 1, 2017, new laws in California came into effect that reduce barriers and streamline the approval process for ADUs. The City of Alameda adopted a new ADU ordinance that came into effect on August 7, 2017 to comply with state law.

Where are ADUs allowed?
ADUs are allowed on residentially zoned properties with only one single-family home. Properties that already have more than one unit, such as a duplex or apartments, are not eligible. If your property is part of a Home Owners Association (HOA), please check with your HOA to see whether the HOA rules governing your property allows you to have an ADU.

How many ADUs are allowed?
Where a lot is eligible for an ADU, only one ADU is allowed.

Who may apply for an ADU?
The applicant for an ADU must be the current owner and resident of the property. The ADU application process requires proof of ownership and current residence at the time of application submittal. As proof of ownership, the City requires a copy of the most recent Alameda County Property Tax Statement, East Bay Municipal Utility District utility bill, and Alameda Municipal Power utility bill.

Can I use my ADU as a short term rental (e.g., AirBnB)?
No, ADUs may not be rented out for periods of less than 30 days.

Can I subdivide my property and sell the ADU?
No, ADUs must remain on the same lot as the primary dwelling.
DEVELOPMENT STANDARDS

Are ADUs subject to lot size requirements and density limitations?
No, any residentially-zoned lot with one single-family dwelling is eligible for an ADU.

Are there restrictions on the size of an ADU?
Yes, the total floor area of an ADU cannot exceed fifty percent (50%) of the primary dwelling floor area or 1,200 square feet, whichever is less. Refer to the last page of this FAQ for common examples. Floor area is defined as the interior areas of a dwelling unit including basements, storage rooms, and attics but does not include a garage.

Is there a limit on the number of bedrooms in an ADU?
No, but bedrooms must conform to standard building code requirements such as minimum bedroom size and minimum egress requirements for windows. Refer to the California Building Code or consult a qualified building professional for additional information about code requirements.

Am I required to create a new parking space on my property for the ADU?
Generally no. State law waives any parking requirement for ADUs when unit is within a half-mile distance from a transit stop. Almost all of Alameda is located within a half-mile distance of transit. However, the total number of existing off-street parking spaces on the property must be maintained.

May I convert my garage into an ADU?
Maybe. It is possible to convert an existing garage to an ADU as long as the parking space(s) in the garage can be relocated to another area of the property. When the parking space(s) are relocated, they must meet City requirements for parking space dimensions, backup clearance, landscaping, and be located outside of the front yard setback or street side yard setback on a corner lot. These rules ensure that the parking space is truly usable and provide adequate clearance of vehicle maneuverability. There are also building code requirements for converting non-habitable space to habitable space under the California Building Code. Refer to the California Building Code or consult a qualified building professional for additional information about code requirements. If the ADU is attached to a garage then fire resistive construction will be needed between the two occupancies.

Is there a height limit on detached ADUs?
Yes. ADUs must conform to the maximum height limit for accessory buildings, which is one-story and 15 feet. The 15-foot height limit is measured from the ground to the ridge of the roof. The requirement that accessory building walls cannot exceed 10 feet tall also applies to detached ADUs.

May I build a second story above the garage in my backyard for an ADU?
No, detached ADUs are limited to a single story.

May I build a floor under the roof of my detached ADU to create a second level of living space?
No, because that added floor would create a second story, which would exceed the one story limit for accessory buildings. If you wish to create attic storage, consider shelving or overhead spaces that do not create another floor above.

**Are there setback requirements for detached ADUs?**
Yes. ADUs must conform to the setback and lot coverage requirements for accessory buildings. Generally, the structure must maintain a minimum five (5’) foot setback from side and rear property lines unless the structure is more than seventy-five (75’) feet from the front property line.

**Are detached ADUs required to install fire sprinklers?**
A detached ADU only needs to install fire sprinklers if the primary dwelling on the property has fire sprinklers.

**Are there lot coverage requirements for detached ADUs?**
Yes, like accessory buildings, ADUs also cannot cover more than 40% of the rear yard setback area or 400-square-feet, whichever is greater. The rear yard setback is measured 20’ from the rear property line for lots that are 100’ deep. For lots that are less than 100-feet deep, the rear yard setback is 20% of the lot depth, but no less than 12 feet. There is also a requirement that the total coverage for structures and impervious surfaces cannot exceed 60% of the lot area, including driveways, patios, and other paved, impervious areas.

**Rear Yard Coverage Example 1:**
A 50’ x 100’ lot has a required rear yard setback area of 1,000-square-feet (20’ depth x 50’ width). The ADU cannot cover 40% or 400 square feet of the setback area.

**Rear Yard Coverage Example 2:**
A 40’ x 100’ lot has a required rear yard setback area of 800-square-feet (20’ depth x 40’ width). The ADU may cover 400 square feet of the setback area, even though it is greater than 40% of the required rear yard setback area. This is because the code requirement provides for the “greater” of 40% or 400-square-feet.

**I would like to pave my backyard with grass pavers and other permeable pavers. Would pavers count toward the maximum limit of 60% impervious area?**
The purpose of this standard is to ensure there are landscape and vegetation areas on residential lots. The acceptance of grass pavers and other permeable pavers/blocks depends on an applicant’s ability to provide data on the permeability of the material based on manufacturer’s specifications.

**JUNIOR ADUs**

**What is a Junior ADU?**
State law allows a special type of ADU called a Junior ADU (JADU). A JADU must be created from an existing bedroom and located entirely within the existing walls of an existing single family home. The JADU must be less than 500 square feet in size. Although plug-in stove tops can be
used, a JADU does not contain an actual kitchen. A private bathroom is not required as long as that the JADU has full access to a bathroom in the primary dwelling. No off-street parking is required.

**APPLICATION PROCESS**

**What are the steps to obtaining permits for an ADU?**

1. Apply for ADU Clearance from the Planning Division
2. Record a Declaration of Restrictions at the County
3. Apply for building plan review in the Permit Center
4. Begin construction once a permit is issued
5. Call for inspections
6. Obtain a Certificate of Occupancy

**What happens during review of an ADU Clearance application?**

Planners will review the design of the ADU to ensure it complies with applicable requirements such as size, height, location, setbacks, and design. Applicants will be notified in writing if additional information or corrections to the plans are necessary to comply with City requirements.

**Is neighborhood notification required when adding an ADU?**

No, there is no public notification as part of an application for an ADU. The City also cannot consider public input on an ADU proposal, because the ADU permit process limited to ministerial review under state law.

**How long does the permit process take?**

It really depends on the accuracy of the plan drawings and diligence of the applicant in responding to City comments/requirements. The City of Alameda can generally provide zoning clearance on an ADU application within 30 days provided the application submittal is correct and complete according City requirements. The length of building plan review primarily depends on the quality of the application submittal. If the initial plans submittal conforms to all building codes and requirements, the City review may be completed within 30 days. However, if the City finds that corrections and revisions are needed, the length of review is dependent on the applicant’s ability to submit revisions for another round of plan review.

**[FEES]**

**How much does an ADU Clearance cost?**

The cost of an initial ADU Clearance review is $371.10, which includes one hour of review and processing. Applications rejected for non-compliance with the requirements are subject to additional fees at $177 per hour of review.

**How much does a building permit cost for an ADU?**

Cost of the building permit varies depending on size, project valuation, and other factors. A detached ADU of 600 sf costs approximately $5,500. An attached ADU of a similar size is approximately $2,500. A number of factors can affect the cost of the permit, including but not limited to, other work that may be necessary to facilitate an ADU project, the quality of the plan submittal, and incomplete drawings that require multiple rounds of review.
Do development impact fees apply to ADUs?
No, while ADUs are separate dwelling units, they are accessory uses to a primary residence under state law and development impact fees do not apply.

[MISCELLANEOUS TOPICS]

Can I add an ADU to my garage but keep the garage door and use the space for parking when the ADU is not in use as living space?
No, ADUs and garages are subject to different requirements under the building code and therefore the two uses (occupancy types) cannot be commingled. The codes and regulations exist to protect the safety of building occupants. In this case, the possibility of a person sleeping in the same enclosure as a running vehicle presents a serious safety hazard.

Are there requirements for separate utility connections as part of creating an ADU?
State law prohibits cities from requiring separate utility connections and connection fees in order to permit an ADU. As an accessory use to the primary dwelling, ADUs are intended to share the existing utilities serving the primary dwelling. However, an applicant may choose to apply for separate utilities and metering, but should be aware of the additional costs and permits for the voluntary work.

Can an ADU obtain a separate address?
Yes, applicants may request separate addressing for the ADU as part of the building permit submittal. Addressing assignments are reviewed by the City’s Building Official and are handled as part of the building permit application for an ADU.

I am building an attached ADU for a family member, and I want direct access between the primary dwelling and the ADU. May I simply connect the two units with a door between the units?
The California Building Code requires that residential units be separated by a one-hour-rated fire separation. This is true for a two unit building as it is for a multi-unit building. In neither case can a door open directly between the units, because such an opening would pierce the fire separation. Should you wish to design the ability of going from one unit to another without leaving the building, then the design needs to include a common area that is accessible by two units, for instance, a hallway in an apartment building.

Alternatively, you may consider a Junior ADU, which is more conducive to family situations sharing common facilities but has different requirements. See section on Junior ADUs above.

[ADU Size Calculation Examples:]
Per AMC Section 30-5.18.c.1, the size of an ADU shall not exceed 1,200 square feet (sf) or more than 50% of the floor area of the primary dwelling, whichever is less.

Scenario 1 - Detached ADU
Angela’s home is 1,200 square feet in size. She wants to build a detached ADU in her backyard. The maximum size of her detached ADU would be 600 square feet.
1,200 x 0.50 = 600sf
600 sf is the maximum size of an ADU on Angela’s property.

600 sf is exactly 50% of the size of her 1,200 sf home.

**Scenario 2 - Converting an Existing Accessory Structure to an ADU**

Dan’s home is 1,000 square feet in size. He has an old, 400 square-foot two-car garage in his backyard that he wants to convert to an ADU. He would be able to convert the entire garage to an ADU because the area of the garage-converted ADU is less than 50% or 1,200 sf of his home.

1,000 sf x 50% = 500 sf.
500 sf is the maximum size of an ADU allowed on Dan’s property.

His 400 sf garage is less than the 500 sf maximum allowable ADU size, so Dan may convert his entire garage to an ADU.

Note: This scenario assumes Dan is able to maintain parking for two vehicles on the property. Under the law, an ADU cannot displace existing parking spaces.

**Scenario 3: Expanding the Primary Dwelling to Create an Attached ADU**

Joanne’s home is 1,200 sf in size. Below the main floor of her home is a basement that she wants to turn into an ADU. The basement area is the same as the upper level living space at 1,200 sf.

1,200 sf * 50% = 600 sf

Because state law caps ADU size at 50% of the primary dwelling no greater than 1,200 sf, Joanne can only convert half of the basement into an ADU.

**Scenario 4: Major Remodel/Addition to Create an Attached ADU**

Alexa just bought a 1,000 sf home in Alameda. The home is too small for her family so she wants to build an addition at the back to add a bedroom. The proposed addition is also 1,000 sf in size, with 500 sf being added to the main floor and another 500 sf at the lower level connecting to the basement. As part of the back addition, Alexa also wants to create an in-law unit (ADU) in the basement level. To calculate the allowable ADU, size, the resultant size of the primary dwelling must be factored.

1,000 sf (Existing) + 500 sf (addition) = 1,500 sf
1,500 sf * 50% = 750 sf

The ADU may only be up to 750 sf in size.

Note: Because Alexa’s ADU project also includes building an addition, the project must go through the Design Review process prior to issuance of an ADU Clearance.