Accessory Dwelling Units (ADUs) are independent dwelling units with complete provisions for sleeping, cooking, and sanitation. ADUs may be attached or detached from primary dwellings. These types of dwelling units are subordinate to the main dwelling on site and are permitted to be constructed on properties with existing or proposed single-family dwellings pursuant to State law - Government Code Section 65852.2. Junior Accessory Dwelling Units (JADUs) are semi-independent dwelling units that have partial provisions for sleeping, cooking, and sanitation. JADUs are internal conversions of existing spaces within primary dwellings. JADUs may not be more than 500 square-feet of existing space in the primary dwelling. The JADU shall not exceed the maximum allowable floor area for either the primary dwelling. Please see Government Code Section 65852.22.

**Review Process**

**Building Permit Only:**
- Attached or detached ADUs, 800 square-feet or less with a minimum of 3-foot rear and side setbacks with a maximum height of 16 ft.

**ADU Permit + Building Permit:**
- ADUs that are greater than 800 square-feet
- ADUs with side and rear setbacks less than 3-feet
- Attached ADUs with a height greater than 16 ft. from adjacent grade.

**Development Regulations**

**Permitted Zoning Districts:**
Any lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

**Quantity:**
Properties with existing or proposed single-family residences are limited to one (1) ADU and one (1) JADU. Please contact staff regarding ADUs in multifamily developments.

**Setbacks:**
- **Front Yard:** conform to underlying zoning district
- **Rear Yard:** 3-feet
- **Side Yard:** 3-feet
- **Exterior Side Yard for Corner Lots:** conform to underlying zoning
- **Setback from Other Structures:** 6-feet

**Building Height**
ADUs: Detached ADUs are limited to 16-feet in height. ADUs attached to primary structures shall not exceed the height permitted by the underlying zoning district. There are no limits for conversions within existing, permitted structures.

JADUs: Are required to fit within the envelope of existing or proposed primary dwelling.

**Lot Coverage**
ADUs/JADUs shall not exceed the maximum lot coverage of the underlying zoning districts of the project site; however, lot coverage shall not be imposed for attached or detached ADUs less than or equal to 800 square-feet.

**Maximum Unit Sizes & Floor Area**
**ADUs:**
- No Site Regulations Imposed
- 800 square-feet for 1 bedrooms and studio (w/3 ft. rear and side setbacks)

**JADUs:**
- JADUs are internal conversions of existing space within a primary dwelling. JADUs may not exceed a maximum of 500 square-feet of a structure. For existing structures only, an addition of up to 150 square-feet.
### Cooking Facilities

<table>
<thead>
<tr>
<th>ADUs</th>
<th>JADUs Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADUs: ADUs are required to have a cooking facility with at least a permanent stovetop, sink, food preparation counter and suitable storage. Ovens are optional.</td>
<td>JADUs: JADUs are required to include an efficiency kitchen which shall include a cooking facility with plug-in appliances and a food preparation counter measuring a minimum of 8 sq. ft. in area and storage cabinets measuring 8 sq. ft. in area.</td>
</tr>
</tbody>
</table>

### Entrances & Unit Connections

<table>
<thead>
<tr>
<th>ADUs</th>
<th>JADUs</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADUs: Required to have an independent, exterior entrance separate than the primary residence. <strong>May</strong> have an internal connection to the primary residence.</td>
<td>JADUs: Required to have an independent, exterior entrance separate than the primary residence and shall be required to have an internal connection to the primary residence.</td>
</tr>
</tbody>
</table>

### Address Assignment, Mailboxes & Street Front Awareness

ADUs and JADUs shall obtain separate addresses from the primary unit. A mailbox for each residential unit is 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 to residents, the Postmaster, Emergency Services, etc. of the unit's/units' location.

### Parking Requirements

No additional off-street parking is required for ADUs and JADUs. Elimination of existing parking spaces (originally required for primary residences) is permitted to allow the creation of new housing units.

### USE REGULATIONS

**Short Term Rental Prohibition**

ADUs and JADUs shall not be utilized as commercial short-term rentals (rentals less than 30 consecutive days.) If units are to be rented, **long-term tenancy is required.** A deed restriction is required to ensure long-term tenancy as part of the Conditions of Approval.

**Separate Sale**

ADUs and JADUs shall not be sold or otherwise conveyed separate from primary residence.

**Owner Occupancy & Deed Restriction**

For JADUs only – the property owner shall reside in either the primary residence or new JADU for either unit to allow long-term rentals. A deed restriction shall be recorded with the County of Alameda Clerk-Recorder’s Office prior to building permit issuance for JADUs to ensure compliance.
<table>
<thead>
<tr>
<th><strong>Public Hearing Exempt</strong></th>
<th>Pursuant to State law, the City is required to approve all applications that are compliant with City regulations without public notice. The City strongly encourages applicants to talk with neighboring properties owners and residents.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Tax Implications</strong></td>
<td>Creating an ADU/JADU will have increased property tax implications for a parcel due to the added number of residential units. Please contact Alameda County directly should you have further questions regarding property tax assessment.</td>
</tr>
<tr>
<td><strong>Construction Costs</strong></td>
<td>The City recommends seeking realistic construction costs estimates from licensed professionals (architects &amp; contractors) before proceeding with a formal application. Construction costs will help inform potential applicants whether creating an ADU/JADU is a viable option.</td>
</tr>
<tr>
<td><strong>Utility Connections</strong></td>
<td>Pursuant to State law, separate utility connections for ADUs are not required. Should property owners voluntarily opt to have separate utilities for the ADU, they may do so.</td>
</tr>
<tr>
<td><strong>All-Electric?</strong></td>
<td>The City of Albany strongly encourages applicants to consider all-electric construction of ADUs in order to help reduce the generation of greenhouse gases. All-electric design provides several benefits, including:</td>
</tr>
<tr>
<td></td>
<td>• <strong>Reduced installation costs</strong> — Cost savings increase by not running natural gas lines.</td>
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<tr>
<td></td>
<td>• <strong>Better indoor air quality</strong> — Natural gas combustion results in pollutants known to be harmful to human health. All-electric appliances keep these pollutants out of the home.</td>
</tr>
<tr>
<td></td>
<td>• <strong>Earthquake safety</strong> — By avoiding natural gas lines and appliances, you reduce the likelihood of gas leaks and fires after an earthquake.</td>
</tr>
<tr>
<td></td>
<td>• <strong>Reduced greenhouse gas emissions</strong> — 40% of greenhouse gas emissions in Albany result from natural gas combustion. Your ADU can be 100% carbon-free by running all-electric appliances on East Bay Community Energy’s electricity.</td>
</tr>
<tr>
<td><strong>Fire Sprinklers</strong></td>
<td>The installation of fire sprinklers shall not be required in an ADU if the sprinklers are not required for the primary residence.</td>
</tr>
<tr>
<td><strong>Photovoltaics</strong></td>
<td><strong>Per Section 150.1 (14) of the California Energy Code</strong>, newly constructed, detached ADU structures are required to have photovoltaics installed.</td>
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</tbody>
</table>