



# Accessory Dwelling Unit (ADU) Development Standards

## Outside the Hillside Overlay District (HOD)

BMC 23.306

OUTSIDE THE HOD	ADU on LOT WITH SINGLE FAMILY DWELLING(S) <sup>1</sup>				ADU on LOT WITH DUPLEX OR MULTI-FAMILY DWELLING(S) <sup>1</sup>	
ADU Type	Conversion ADU <i>[conversion of existing space]</i>	<i>Conversion ADU + Addition</i> <i>[conversion of existing space + an addition]</i>	Detached ADUs <i>[new construction]</i>	Attached ADU <i>[addition/new construction]</i>	Conversion ADU <i>[interior conversion of existing non-habitable area of multi-family structures]</i>	Detached ADUs <i>[new construction]</i>
Lot	An ADU may be established on a lot in a zoning district where residential uses are permitted with a proposed or existing Single-Family Dwelling, Duplex, Multi-Family Dwelling use, or Group Living Accommodation that is not a Fraternity House, Sorority House, or Dormitory.					
Number of Accessory Units	1				<u>Interior Conversion ADU</u> : At least one and no more than 25% of the existing unit count in multi-family building, <u>OR Detached ADU</u> : 2	
Maximum Size <sup>2</sup> (Square Feet)	N/A <small>Please note: An ADU created entirely through conversion with no modifications to the existing building envelope that exceeds the development standards for Maximum Size in this table is allowed a physical addition of no more than 150 sf.</small>	<u>Studio/1-bedroom ADU</u> : 850 sf <u>2+ bedroom ADU</u> : 1000 sf				
Maximum Height (Feet)	N/A	<u>Conversion</u> : N/A <u>Addition</u> : 20 ft.	20 ft.		N/A	20 ft.
Front Setbacks <sup>3</sup> (Feet)	N/A	<u>Conversion</u> : N/A <u>Addition</u> : Same as underlying zoning district.	Same as underlying zoning district.		N/A	Same as underlying zoning district.
Side Setbacks (Feet)	N/A	<u>Conversion</u> : N/A <u>Addition</u> : 4 ft.	4 ft.		N/A	4 ft.
Rear Setbacks (Feet)	N/A	<u>Conversion</u> : N/A <u>Addition</u> : 4 ft.	4 ft.		N/A	4 ft.
Entrance(s)	Exterior or independent entrance required.					
Kitchen	Full kitchen required.					
Bathroom	Full bathroom required.					
Parking Requirements	No parking required for JADUs or ADUs. Replacement parking for existing dwelling unit(s) not required, but allowed with flexibility, when a garage, carport, covered parking structure or designated uncovered parking area is physically replaced by an accessory dwelling unit. <sup>4</sup>					
Projections	Eaves and heating and cooling equipment may project 2 ft into the required setbacks, so long as there remains at least a 2 ft setback from property line. Bay windows and balconies shall not project into a setback.					
Rooftop Decks and Balconies	See <a href="#">BMC 23.304-050</a> .					
Deed Restrictions	The owner of the property must record a deed restriction with Alameda County that restricts the sale of the ADU from the existing dwelling unit(s), unless the conditions of BMC 23.206.050 B are met, and prohibits short-term rentals.					
Neighbor Noticing	Notice of an ADU application shall be mailed to owners and tenants of the subject, adjacent, confronting and abutting properties within ten working days of submission to the Planning Department.					
Owner Occupancy	Not required.					
Natural Gas Prohibition	May Apply.		Applies.		Does not apply.	Applies.
Short-Term Rentals	Prohibited.					
Impact Fees	ADUs less than 750 sf - None. ADUs Equal to or Greater than 750 sf - Impact fees collected must be proportional to square footage of existing dwelling unit(s). No connection fee or capacity charge and no direct line required between ADU or JADU and utility unless in conjunction with a new single-family dwelling.					
Utility Fees & Connections	Connection fee or capacity charge "proportionate to the burden" of the ADU and may require new or separate utility connections.					

<sup>1</sup> An ADU converted from an Accessory Building or Accessory Structure legally established at least 3 years prior to submission of an ADU application that does not comply with the Maximum Height, Size, and/or Rear and Side Setback requirements is allowed to maintain non-conformity to the same dimensions of the existing Accessory Building or Accessory Structure. Any physical additions to the existing Accessory Building or Accessory Structure shall comply with the development standards in this table.

<sup>2</sup> An ADU created entirely through conversion with no modifications to the existing building envelope that exceeds the development standards for Maximum Size in this table is allowed a physical addition of no more than 150 square feet. The addition must comply with Maximum Height and Setback requirements in this table.

<sup>3</sup> If there is a lesser setback allowed for a comparable Accessory Building or Accessory Structure in the underlying zoning district, that setback shall apply.

<sup>4</sup> Replacement of off-street parking for the Main Building is allowed and does not need to comply with Parking Maximums (BMC 23.322.070) nor Parking Layout and Design (BMC 23.322.080).



# Accessory Dwelling Unit (ADU) Development Standards

## Within the Hillside Overlay District (HOD)

BMC 23.306 + 12.99

Last updated March 17, 2022

WITHIN THE HOD	ADU on LOT WITH SINGLE FAMILY DWELLING(S) <sup>1</sup>				ADU on LOT WITH DUPLEX OR MULTI-FAMILY DWELLING(S) <sup>1</sup>	
ADU Type	Conversion ADU [conversion of existing space]	Conversion ADU + Addition [conversion of existing space + an addition]	Detached ADUs [new construction]	Attached ADU [addition/new construction]	Conversion ADU [interior conversion of existing non-habitable area of multi-family structures]	Detached ADUs [new construction]
Lot	An ADU may be established on a lot in a zoning district where residential uses are permitted with a proposed or existing Single-Family Dwelling, Duplex, Multi-Family Dwelling use, or Group Living Accommodation that is not a Fraternity House, Sorority House, or Dormitory.					
Number of Accessory Units	1 JADU or 1 ADU				Interior Conversion ADU: At least one and no more than 25% of the existing unit count in multi-family building, OR Detached ADU: 2	
Maximum Size <sup>2</sup> (Square Feet)	N/A Please note: An ADU created entirely through conversion with no modifications to the existing building envelope that exceeds the development standards for Maximum Size in this table is allowed a physical addition of no more than 150 sf.		800 sf			
Maximum Height (Feet)	N/A	Conversion: N/A Addition: 16 ft.	16 ft.		N/A	16 ft.
Front Setbacks <sup>3</sup> (Feet)	N/A	Conversion: N/A Addition: Same as underlying zoning district.	Same as underlying zoning district.		N/A	Same as underlying zoning district.
Side Setbacks (Feet)	N/A	Conversion: N/A Addition: 4 ft.	4 ft.		N/A	4 ft.
Rear Setbacks (Feet)	N/A	Conversion: N/A Addition: 4 ft.	4 ft.		N/A	4 ft.
Entrance(s)	Exterior entrance required.				Independent entrance required.	
Kitchen	Full kitchen required.					
Bathroom	Full bathroom required.					
Parking Requirements	1 (If an applicant provides off-street parking for an ADU or a JADU in the HOD, parking shall be allowed in any configuration on the lot, including within the front yard setback.)					
Projections	No projections permitted.					
Rooftop Decks and Balconies	Roofs may not be designed, converted, or used as usable open space.					
Deed Restrictions	The owner of the property must record a deed restriction with Alameda County that restricts the sale of the ADU from the existing dwelling unit(s), unless the conditions of BMC 23.206.050 B are met, and prohibits short-term rentals.					
Neighbor Noticing	Notice of an ADU application shall be mailed to owners and tenants of the subject, adjacent, confronting and abutting properties within ten working days of submission to the Planning Department.					
Owner Occupancy	Not required.					
Natural Gas Prohibition	May Apply.		Applies.		Does not apply.	Applies.
Short-Term Rentals	Prohibited.					
Impact Fees	ADUs less than 750 sf - None. ADUs Equal to or Greater than 750 sf - Impact fees collected must be proportional to square footage of existing dwelling unit(s). No connection fee or capacity charge and no direct line required between ADU or JADU and utility unless in conjunction with a new single-family dwelling.					
Utility Fees & Connections	No connection fee or capacity charge and no direct line required between ADU or JADU and utility unless in conjunction with a new single-family dwelling.			Connection fee or capacity charge "proportionate to the burden" of the ADU and may require new or separate utility connections.		

<sup>1</sup> An ADU converted from an Accessory Building or Accessory Structure legally established at least 3 years prior to submission of an ADU application that does not comply with the Maximum Height, Size, and/or Rear and Side Setback requirements is allowed to maintain non-conformity to the same dimensions of the existing Accessory Building or Accessory Structure. Any physical additions to the existing Accessory Building or Accessory Structure shall comply with the development standards in this table.

<sup>2</sup> An ADU created entirely through conversion with no modifications to the existing building envelope that exceeds the development standards for Maximum Size in this table is allowed a physical addition of no more than 150 square feet. The addition must comply with Maximum Height and Setback requirements in this table.

<sup>3</sup> If there is a lesser setback allowed for a comparable Accessory Building or Accessory Structure in the underlying zoning district, that setback shall apply.



# Junior Accessory Dwelling Unit (JADU) Development Standards

BMC 23.306 + 12.99

Last updated March 17, 2022

	JADU Outside the HOD	JADU Within the HOD
ADU Type	Conversion JADU <i>[interior conversion of some portion of a single-family dwelling]</i>	
Lot	A JADU may be established on a lot with one single-family dwelling.	
Number of Accessory Units	1	Either 1 JADU or 1 ADU
Maximum Size <sup>1</sup> (Square Feet)	500 sf	
Maximum Height (Feet)	N/A	
Front Setbacks <sup>2</sup> (Feet)	N/A	
Side Setbacks (Feet)	N/A	
Rear Setbacks (Feet)	N/A	
Entrance(s)	Separate exterior entrance required.	
Kitchen	Efficiency kitchen required. <sup>3</sup>	
Bathroom	May include separate sanitation facilities or may share sanitary facilities with a single-family dwelling.	
Parking Requirements	No parking required for JADUs or ADUs. Replacement parking for existing dwelling unit(s) not required, but allowed with flexibility, when a garage, carport, covered parking structure or designated uncovered parking area is physically replaced by an accessory dwelling unit. <sup>4</sup>	None required.
Projections	Eaves and heating and cooling equipment may project 2 ft into the required setbacks, so long as there remains at least a 2 ft setback from property line. Bay windows and balconies shall not project into a setback.	No projections permitted.
Rooftop Decks and Balconies	See <a href="#">BMC 23.304-050</a> .	Roofs may not be designed, converted, or used as usable open space.
Deed Restrictions	The owner of the property must record a deed restriction with Alameda County that restricts the sale of the JADU from the existing dwelling unit and prohibits short-term rentals.	
Neighbor Noticing	Notice of an ADU application shall be mailed to owners and tenants of the subject, adjacent, confronting and abutting properties within ten working days of submission to the Planning Department.	
Owner Occupancy	Required for either single-family dwelling or JADU.	
Natural Gas Prohibition	Does not apply.	
Short-Term Rentals	Prohibited.	
Impact Fees	None.	
Utility Fees & Connections	No connection fee or capacity charge and no direct line required between ADU or JADU and utility unless in conjunction with a new single-family dwelling.	

<sup>1</sup> An ADU created entirely through conversion with no modifications to the existing building envelope that exceeds the development standards for Maximum Size in this table is allowed a physical addition of no more than 150 square feet. The addition must comply with Maximum Height and Setback requirements in this table.

<sup>2</sup> If there is a lesser setback allowed for a comparable Accessory Building or Accessory Structure in the underlying zoning district, that setback shall apply.

<sup>3</sup> An efficiency kitchen is defined as: "A kitchen that includes a sink, a cooking facility with appliances (e.g. microwave, toaster, oven, hot plate), and food preparation counter space and cabinets." Per the BMC, a JADU must also include a working refrigerator.

<sup>4</sup> Replacement of off-street parking for the Main Building is allowed and does not need to comply with Parking Maximums (BMC 23.322.070) nor Parking Layout and Design (BMC 23.322.080).