

CITY OF PINOLE

Community Development Department

Planning • Building • Code Enforcement • Affordable Housing • Economic Development

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ADU/JADU AMNESTY PROGRAM — SELF-ASSESSMENT CHECKLIST

The ADU/JADU Amnesty Program is an alternative permit process to legalize an eligible accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU) constructed/converted before January 1, 2020 that may not meet all current regulations, but is able to meet criteria established under this checklist and is consistent with the requirements of the California Health and Safety Code. Applicants seeking legalization under the ADU/JADU Amnesty Program may request their construction documents and plans be reviewed under the building codes that were in effect at the time when the unit was first constructed or converted by providing documentation to verify the construction or conversion date of the unpermitted dwelling unit. All documentation is subject to review and approval by program staff. California Building Standards applied to the unit are subject to review and approval at the discretion of the Building Official.

The following checklists are for use by applicants to help determine their eligibility for this program and steps required under the program in order to legalize an eligible ADU or JADU. For each question, please select **Yes**, **No**, or **I don't know** (or **N/A** when provided). If "N/A" is not listed for a question, you must answer either "Yes" or "No."



Section 1: Eligibility

Section 1: Eligibility			Yes	No	N/A
1	Construction Date	Was the existing unpermitted ADU or JADU constructed or converted before January 1, 2020?	☐	☐	
2	Occupancy	If the unit is a JADU without its own bathroom, will the owner occupy either the primary dwelling or the JADU?	☐	☐	☐
3	Zoning	Is the unit located in an eligible zoning district (LDR, R-1, R-2, R-3, R-4, R, RMU, CMU, OPMU, or OIMU)? A zoning map can be found on the Planning Division webpage for reference: https://www.pinole.gov/zoning/	☐	☐	
4	Number of Units	If legalizing this unit would result in more than one ADU or more than one JADU on the property, have you consulted with the Planning Division to confirm that this complies with State and local regulations?	☐	☐	☐
5	JADU Limit	If the unit is a JADU, is it located on a lot that contains an existing or proposed single-family home?	☐	☐	☐



Section 2: Application Information

Section 2: Application Information			Yes	No	N/A
6	Owner and Address	On the application, have you provided the name and contact information of the property owner and applicant, along with the site address or Assessor's Parcel Number?	☐	☐	
7	Date of Construction / Conversion	Have you provided the date when the unpermitted unit was constructed or converted?	☐	☐	
8	Supporting Documents	Have you included documentation that helps confirm the unit's construction or conversion date (such as assessor records, rental receipts, utility bills, contractor bills, notarized statements, escrow documents, or City records)?	☐	☐	
9	Plan Set	Have you included a plan set containing a site plan, floor plan, elevations, and any additional information needed for review?	☐	☐	



Section 3: Construction of the Unpermitted Dwelling Unit

Section 3: Known Construction Information			Yes	No	I don't know
10	Construction	The construction was performed by:			
		(a) A contractor	☐	☐	☐
		(b) The owner	☐	☐	☐
		(c) Someone else	☐	☐	☐
		If "Yes" to 10(c), list who:			
11	Wall Type	(a) Are the walls constructed using 2x4 studs at 16 inches on center?	☐	☐	☐
		(b) Are the walls constructed using 2x4 studs at 24 inches on center?	☐	☐	☐
12	Floor Type	(a) Is the floor a concrete slab?	☐	☐	☐
		(b) Is the floor a raised wood floor with joists at 24 inches on center?	☐	☐	☐
		(c) Is the floor an unknown or other construction type?	☐	☐	☐
13	Roof Type	(a) Does the roof use rafters spaced at 24 inches on center?	☐	☐	☐
		(b) Does the ceiling use joists spaced at 24 inches on center?	☐	☐	☐
		(c) Is the roof constructed with another method?	☐	☐	☐



Section 3: Known Construction Information			Yes	No	I don't know
		If "Yes" to 13(c), list method:			
14	Attic	Is the attic vented?	☐	☐	☐ N/A (no attic, skip to 16(a))
15	Roofing Materials	(a) Is the roof finished with asphalt shingles?	☐	☐	☐
		(b) Is the roof finished with tile, metal, or flat roofing?	☐	☐	☐
		(c) Is the roof finished with another material?	☐	☐	☐
		If "Yes" to 15(c), list the material:			
16	Electrical Wiring	(a) Is all existing electrical wiring that serves the unit sourced from the original primary building?	☐	☐	☐
		(b) If "No" to 16(a), describe the added or modified wiring:			
17	Plumbing and Mechanical	(a) Are all plumbing fixtures and systems serving the unit connected to the original building?	☐	☐	☐



Section 3: Known Construction Information		Yes	No	I don't know
(c) If "No to 17(a), describe:				
(d) For the following plumbing or mechanical elements in the unit, please indicate which were added, which were replaced, and if building permits were issued for the addition/ replacement (check all that apply):	Added (A) Replaced (R)	Added or Replaced with a Building Permit Yes (Y) No (N)	I don't know	
Hot and cold-water piping	☐ A ☐ R	☐ Y ☐ N	☐	
Sanitary piping	☐ A ☐ R	☐ Y ☐ N	☐	
Clothes washer infrastructure	☐ A ☐ R	☐ Y ☐ N	☐	
Toilet	☐ A ☐ R	☐ Y ☐ N	☐	
Clothes dryer infrastructure	☐ A ☐ R	☐ Y ☐ N	☐	
Lavatory (including faucets)	☐ A ☐ R	☐ Y ☐ N	☐	
Kitchen sink	☐ A ☐ R	☐ Y ☐ N	☐	
Tub (including controls, spout, and drain)	☐ A ☐ R	☐ Y ☐ N	☐	
Water heater	☐ A ☐ R	☐ Y ☐ N	☐	
Shower (including shower faucet, head, and drain)	☐ A ☐ R	☐ Y ☐ N	☐	
Heating system	☐ A ☐ R	☐ Y ☐ N	☐	
Dishwasher	☐ A ☐ R	☐ Y ☐ N	☐	



Section 4: Fire and Life Safety

All applicants in the ADU/JADU Amnesty Program must meet the minimum fire, life, and health safety requirements listed in this section for the unit to be eligible for legalization. These items ensure that the unit does not contain substandard living conditions, as defined by California Health and Safety Code §17920.3. For each question, please select **Yes**, **No**, or **I don't know** (or **N/A** when provided). If "N/A" is not listed for a question, you must answer either "Yes" or "No."

If your unit does not meet one or more of the minimum fire, life, or health safety requirements, those items will be considered violations and must be corrected. Applicants who do not correct these minimum safety violations will be subject to code enforcement. A 5-year enforcement delay **may be requested only for violations that do not pose an immediate fire, life, or health safety risk. A 5-year enforcement delay cannot be requested for any violation involving fire, life, or health safety conditions.** When such a violation exists, the only options are:

- **New construction or renovation** to bring the affected portion of the unit into full compliance with identified applicable fire, life or health safety requirement, **or**
- **Removal or demolition** of the unpermitted construction or unpermitted use.

If the answer to any question in Section 4 is "No," refer to the guide below to understand the type of correction required:

Response	Meaning
No	A remediation, repair, or degree of reconstruction is needed. A 5-year enforcement delay may be granted only if the violation does not involve a fire, life, or health safety risk.
No*	This item must be corrected before you may request a 5-year enforcement delay or proceed toward a Certificate of Occupancy or Certificate of Compliance. A building permit may be required for corrections.
No**	This violation cannot be addressed through the amnesty program. The affected portion of the unit must be brought into compliance through the standard building permit process , which requires full compliance with current Building and Fire Codes. The only options are: • New construction or renovation to bring the area into full compliance with the applicable fire, life, or health safety requirement, or • Removal or demolition of the unpermitted construction or unpermitted use.



Section 4: Fire/Life Safety Conditions			Yes	No	Applicability	
18	Structure-Related Conditions	a) Is the unit free of significant structural damage such as leaning walls, sagging roof areas, or other major deterioration?	☐ Yes	☐ No**		
		(b) Is the unit free of tripping hazards such as loose carpets, buckled flooring, delaminated finishes, or protruding nails?	☐ Yes	☐ No		
		(c) Is the ceiling height at least 7 feet clear throughout the unit?	☐ Yes	☐ No**		
19	Walls	Interior Walls	(a) Are all interior walls straight, secure, and sound?	☐ Yes	☐ No*	
			(b) Are all interior walls finished with paint or other protective materials?	☐ Yes	☐ No	
			(c) Are all interior walls free from loose plaster?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____
			(d) Do bathroom walls, including shower enclosures, have required moisture-resistant seals to prevent water intrusion?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____



Section 4: Fire/Life Safety Conditions				Yes	No	Applicability
		(e) Are all interior walls free from holes that may allow air or rodent intrusion?	☐ Yes	☐ No		
		(f) Are all interior walls free from visible mold?	☐ Yes	☐ No		
		(g) Are all interior walls free from peeling paint?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____	
		(h) If unit is an ADU, does it have any common walls, ceilings, or floors shared with the primary dwelling?	☐ Yes	☐ No	N/A ☐ (not an ADU)	
		(i) If "Yes" to 19(h), is there a one-hour fire-rated separation between dwelling units?	☐ Yes	☐ No*	N/A ☐ please explain: _____ _____ _____	
		(j) If "Yes" to 19(i), are existing fire separation walls or ceilings free from damage, holes, and leaks?	☐ Yes	☐ No*	N/A ☐ please explain: _____ _____ _____	
	Exterior Walls	(k) If the unit is an ADU, are all exterior walls straight and sound?	☐ Yes	☐ Yes	N/A ☐ (not an ADU)	
		(l) Are exterior walls finished with materials that provide weather protection?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____	
		(m) Are trims and siding adequately protected or naturally durable?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____	



Section 4: Fire/Life Safety Conditions				Yes	No	Applicability
		Exterior Walls	(n) Are all exterior walls free from loose or failing stucco?	☐ Yes	☐ No	N/A ☐ please explain: _____
			(o) Are exterior walls free from openings that may allow air or rodent intrusion?	☐ Yes	☐ No	N/A ☐ please explain: _____
			(p) Are exterior walls free from peeling paint hazards?	☐ Yes	☐ No	
			(q) If the unit is a detached ADU or an attached ADU that expanded the primary dwellings' building footprint, are exterior walls located more than 5 feet from property lines, or constructed as one-hour fire-rated walls when closer than 5 feet?	☐ Yes	☐ No**	N/A ☐ (not an ADU)
			(r) Are all windows, doors, or openings located more than 36 inches from property lines?	☐ Yes	☐ No**	N/A ☐ please explain: _____
			(s) If the ADU is detached, is it located more than 5 feet away from the primary dwelling?	☐ Yes	☐ No	
			(t) If "No" to 19(s), does the wall facing the primary dwelling have a one-hour fire-rated separation?	☐ Yes	☐ No*	



Section 4: Fire/Life Safety Conditions			Yes	No	Applicability
20	Stairs, Decks and Balconies <i>Please note ship's ladders, alternating tread stairs or other types of elevation change components are not considered stairs.</i>	(a) Are all stairs, decks, and balconies serving the unit in good working condition?	☐ Yes	☐ No*	N/A ☐ (there are no stairs, decks or balconies serving the unit)
		(a1) What is the width of the stairs?	_____ inches		
		(a2) Do the stairs provide at least 6 feet 8 inches of headroom (as measured from the stair nosing - leading edge of the stair tread - to the ceiling directly above)?	☐ Yes	☐ No	
		(a3) What is the height of the stair risers?	_____ inches		
		(a4) What is the width of the stair treads?	_____ inches		
		(b) Are all handrails and guardrails in good condition?	☐ Yes	☐ No	
		(c) Are all handrails and guardrails securely attached?	☐ Yes	☐ No*	
		(d) Do guardrail openings prevent passage of a 4-inch sphere?	☐ Yes	☐ No*	
		(e) Are all stair treads and landing surfaces free of tripping hazards?	☐ Yes	☐ No*	
(f) Are the structural supports for stairs, decks, and balconies in good condition?	☐ Yes	☐ No*			



Section 4: Fire/Life Safety Conditions			Yes	No	Applicability	
		(g) Are stair, deck, and balcony materials protected from weather or naturally durable?	☐ Yes	☐ No		
		(h) If any deck, balcony, or landing surface is more than 30 inches above adjacent ground, are required guardrails installed?	☐ Yes	☐ No*	N/A ☐ (all decks, balconies and landing surfaces are less than 30 inches above adjacent ground)	
21	Doors	Entry Doors	(a) Are all entry doors in good working condition?	☐ Yes	☐ No	
			(b) Do entry doors have locking latches operable from inside without a key or special knowledge?	☐ Yes	☐ No	
			(c) Do entry doors have deadbolts operable from inside without a key or special knowledge?	☐ Yes	☐ No	
			(d) Is the door hardware, including hinges, in good working condition?	☐ Yes	☐ No	
			(e) Are door frames free from damage, delamination, and peeling paint?	☐ Yes	☐ No	
			(f) If an entry door connects to a garage, does it have a self-closing and self-latching device?	☐ Yes	☐ No	



Section 4: Fire/Life Safety Conditions				Yes	No	Applicability
	Interior Doors	(g) Are all interior doors in good working condition?	☐ Yes	☐ No	N/A ☐ (there are no interior doors)	
		(h) If present, do privacy locks operate properly?	☐ Yes	☐ No		
		(i) Is the hardware and hinges on interior doors in good working condition?	☐ Yes	☐ No		
		(j) Are interior door frames free from damage, delamination, and peeling paint?	☐ Yes	☐ No		
	Sliding Doors	(k) Are all sliding doors in good working condition?	☐ Yes	☐ No	N/A ☐ (there are no interior doors)	
		(l) Do sliding door locks operate properly?	☐ Yes	☐ No		
		(m) Do sliding door rollers and tracks operate smoothly?	☐ Yes	☐ No		
		(n) Are sliding door frames free from delamination, peeling paint, and damage?	☐ Yes	☐ No		



Section 4: Fire/Life Safety Conditions				Yes	No	Applicability
22	Windows	Emergency Egress	(a) Does each sleeping room have either of the following in the form of an: exterior door - a door that opens to a yard or other exterior space that is accessible to the public right of way, <u>or</u> ◦ emergency egress window - located no higher than 44 inches above the interior floor?	☐ Yes	☐ No*	
			(b) Do sleeping-room emergency egress windows meet minimum clear-opening requirements (at least 24 inches in height, 20 inches in width, and 5.7 square feet of clear opening, or 5.0 square feet at grade level)?	☐ Yes	☐ No	N/A ☐ (emergency egress is met with an exterior door indicated in answer to 22a)



Section 4: Fire/Life Safety Conditions				Yes	No	Applicability
		Tempered Safety Glass Requirements	(c) Is tempered glass installed in all swinging, sliding, or bifold doors?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____
			(d) Is tempered glass installed in any windows located along stairways or ramps?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____
			(e) Is tempered glass installed in any window located within 24 inches of a door edge and less than 60 inches above the walking surface?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____
			(f) Is tempered glass installed in any pane larger than 9 square feet that is located less than 18 inches above the floor, more than 36 inches above the floor, and within 36 inches of a walking surface?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____
			(g) Is tempered glass installed in any bathroom window located within 60 inches of a tub or shower?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____
			(h) Is tempered glass installed in any wall enclosure containing tubs, showers, saunas, steam rooms, or spas?	☐ Yes	☐ No	N/A ☐ please explain: _____ _____ _____