

## ACCESSORY DWELLING UNIT (ADU) / JUNIOR ACCESSORY DWELLING UNIT (JADU) CHECKLIST

The City of Pinole has adopted Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) standards under [Chapter 17.70](#) of the Pinole Municipal Code. As new State ADU/JADU regulations are adopted, they will be considered in application review. The following pages contain a summary of standards and requirements for:

- A. **Standard ADUs/JADUs** (Section A, page 2-4)
- B. **ADUs proposed under Government Code Section 66323** (Section B, page 5)

Type of Unit	
<b><u>Accessory Dwelling Unit (ADU)</u></b>	Dwelling unit on the same parcel as a primary single-family or multifamily dwelling containing complete independent living facilities including permanent facilities for sleeping, living, eating, cooking, and sanitation. They may be attached, detached or located within a residence.
<b><u>Junior Accessory Dwelling Unit (JADU)</u></b>	Dwelling unit contained <u>entirely within a single-family residence</u> and is no greater than 500 square feet. Sanitation facilities may be provided in the unit or shared with the residence.

Allowable Zoning Districts	
<b>Zoning District Designation</b>	Permitted in the following zones if standards are met: LDR, R-1, R-2, R-3, R-4, R, RMU, CMU, OPMU, and OIMU
<b>Zoning Map</b>	Zoning designations and locations can be found on the Zoning Map: <a href="https://www.pinole.gov/zoning/">https://www.pinole.gov/zoning/</a>
<b>Primary Dwelling Unit Required</b>	In all zoning districts, the lot must have an existing or proposed primary dwelling unit in order to have an ADU or JADU. Further details on whether the primary dwelling unit can be existing or proposed are provided in the following sections.



## Section A. Standard ADU/JADU Requirements

	Development Standards and Permit Requirements			Check
Maximum Number Allowed	ADU	Single-Family Lot - All ADUs	1 per lot with an existing or proposed single-family residence. The lot also may have a JADU.	
		Multifamily Lot - Detached ADUs	2 detached ADUs per lot with a <b>proposed</b> multifamily dwelling	
			Up to 8 detached ADUs per lot with an <b>existing</b> multifamily dwelling, not to exceed the number of existing units on the lot.	
		Multifamily Lot - ADUs within Existing Space	A number of ADUs equal to 25% of existing multifamily units, or at least 1 ADU, if converting space within an existing multifamily building not currently used as livable space.	
	JADU	1 per lot with an existing or proposed single-family residence. The lot also may have an ADU.		
Maximum Floor Area	ADU (Attached/ Detached)	<b>ADU with one or fewer bedrooms</b> <ul style="list-style-type: none"> <li>50% of the square footage of the primary residence's living area, with a cap of 850 sq. ft.</li> <li>Where 50% of the living area does not provide for an 800 square foot ADU, an 800 square feet ADU may be allowed.</li> </ul>		
		<b>ADU with two or more bedrooms</b> <ul style="list-style-type: none"> <li>50% of the square footage of the primary residence's living area, with a cap of 1,000 sq. ft.</li> <li>Where 50% of the living area does not provide for an 800 square foot ADU, an 800 square feet ADU may be allowed.</li> </ul>		
	JADU	500 square feet, contained within the single-family residence (including attached garages).		
Minimum Setback	ADU (Detached)	Side setbacks: 4 feet		
		Rear setback: 4 feet		
		Distance between a detached ADU and residence: 6 feet, except if this would prohibit an ADU up to 800 square feet with 4 foot side and rear setbacks.		
		Front setback: Generally not permitted in front setback, except for an ADU following the requirements of Government Code Section 66323.		



	<b>Development Standards and Permit Requirements</b>		<b>Check</b>
<b>Maximum Height</b>	<b>ADU (Detached)</b>	Standard height limit: 16 feet Modified height limit for the following: <ul style="list-style-type: none"> <li>• 18 feet, if within ½ mile of a major transit stop or high-quality transit corridor.               <ul style="list-style-type: none"> <li>• An additional 2 feet may be allowed for a roof pitch aligning with the main residence roof pitch.</li> </ul> </li> <li>• 18 feet, if on a lot with an existing or proposed multifamily, multistory dwelling.</li> </ul>	
	<b>ADU (Attached)</b>	Height limit of the applicable zoning district (35 feet, but may be higher depending on the district).	
<b>Required Features</b>	<b>ADU</b>	Permanent provisions for living, sleeping, eating, cooking, and sanitation.	
		Independent heating and cooling controls.	
		Kitchen with sink and built-in or freestanding appliances.	
		Bathroom with bathtub or shower.	
		Separate entrance from the main entrance.	
		For attached ADUs, use of exterior colors, materials, and architectural details that match the appearance of existing corresponding features on the residence.	
		For second-story ADUs with exterior stairs, stairs to 2 <sup>nd</sup> story ADU shall be located behind the residence. Or if not possible due to site constraints, include one of the following features to obscure visibility: <ul style="list-style-type: none"> <li>• Incorporate screening into architectural design,</li> <li>• Addition of trees or landscaping as screening,</li> <li>• Use of colors on the stairway that match those used on the structure.</li> </ul>	
	<b>JADU</b>	Permanent provisions for living, sleeping, eating, cooking.	
		Includes own bathroom or shared bathroom with the main residence.	
		Efficiency kitchen required, including a cooking facility with appliances and reasonably-sized food preparation counters and storage cabinets.	
		Separate exterior entrance from the main entrance.	
		Interior entrance into the main living area of the main residence if the bathroom is shared with the JADU.	
		Any modifications to the exterior shall use colors, materials, and architectural details that match the corresponding features on the residence.	
<b>Utilities</b>	<b>ADU</b>	<b><u>Fire Hydrants/Curb</u></b> Plan sets shall include the distances: <ul style="list-style-type: none"> <li>• Between the ADU and the nearest fire hydrant. If it is less than 400 feet, additional requirements may apply.</li> <li>• Between the ADU and the curb. If it is less than 150 feet, additional requirements may apply.</li> </ul>	



	Development Standards and Permit Requirements		Check
Utilities	ADU	<b>Sewer Lateral</b> The applicant shall provide a sewer lateral video or sewer certificate of compliance issued by the Pinole Public Works Department. <a href="https://www.pinoles.gov/departments/public-works/">https://www.pinoles.gov/departments/public-works/</a>	
Parking	ADU (Attached/ Detached)	<b>Parking is waived, if any of the following apply:</b> <ul style="list-style-type: none"> <li>• The ADU is within a ½ mile of a transit stop.</li> <li>• The ADU is located within an architecturally and historically significant historic district.</li> <li>• On-street parking permit is required but not offered to the ADU.</li> <li>• The ADU is located within 1 block of a car share vehicle.</li> </ul>	
		<b>If parking is not waived:</b> 1 space per ADU or per bedroom, whichever is less. May be provided as tandem parking to other parking or tandem on a driveway, may be uncovered, and may be located within the front setback.	
	JADU/ ADU in Residence	Parking is waived.	
	Parking Removed	Replacement parking is not required when a garage, carport, or covered/uncovered parking space is demolished in conjunction with ADU construction.	
Occupancy	ADU	Owner occupancy is not required. Any rental must be for terms longer than 30 days.	
	JADU	Owner is required to occupy the JADU or residence. Any rental must be for terms longer than 30 days.	
Impact Fees	ADU	If the ADU is 750 square feet or greater, additional development impact fees are charged. The ADU impact fee is based on ADU size divided by the residence size multiplied by the development impact fee in the City's Master Fee Schedule: <a href="https://www.pinoles.gov/master-fee-schedule/">https://www.pinoles.gov/master-fee-schedule/</a>	
Permits/ Forms	<b>Building Permit:</b> Please see the Building Division webpage and eTRAKiT online permitting system: <a href="https://www.pinoles.gov/building-permit-requirements/">https://www.pinoles.gov/building-permit-requirements/</a>		
	<b>Address Assignment Application:</b> Please see the Planning Division webpage and eTRAKiT online permitting system. <a href="https://www.pinoles.gov/planning_permit_information/">https://www.pinoles.gov/planning_permit_information/</a>		



## Section B. ADU Proposed Using Government Code Section 66323\*

**Government Code Section 66323** provides a building permit approval process for creating the following types of ADUs/JADUs within a residential or mixed-use zone that meet specific criteria. These units are not required to meet typical objective development or design standards otherwise required under the Zoning Code but must meet the listed criteria.\*\*

Type	Description and Criteria	Check
<b>ADU/JADU within Existing Structure on a Single-Family Lot</b>	One ADU and JADU per lot with a proposed or existing single-family dwelling if all of the following apply: <ul style="list-style-type: none"> <li>a. The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.</li> <li>b. The space has exterior access from the proposed or existing single-family dwelling.</li> <li>c. The side and rear setbacks are sufficient for fire and safety.</li> <li>d. The JADU complies with JADU requirements under State law (and incorporated into the Pinole Zoning Code).</li> </ul>	
<b>Detached ADU/JADU on a Single-Family Lot</b>	One detached, new construction, ADU that does not exceed 4-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described above. The following conditions on the ADU apply: <ul style="list-style-type: none"> <li>a. A total floor area limitation of not more than 800 square feet.</li> <li>b. A height limitation meeting ADU height standards under State law (incorporated into the Pinole Zoning Code).</li> </ul>	
<b>ADUs within Existing Multifamily Dwellings</b>	Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. The City shall allow at least one ADU within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.	
<b>Detached ADUs on a Multifamily Lot</b>	Multiple ADUs not to exceed the number specific below, as applicable, that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitations under State law (and incorporated into the Pinole Zoning Code) and rear yard and side setbacks of no more than 4 feet. <ul style="list-style-type: none"> <li>a. <b>Lot with an existing multifamily dwelling:</b> a number of detached ADUs not greater than the number of existing units on the lot, with a cap of 8 detached ADUs.</li> <li>b. <b>Lot with a proposed multifamily dwelling:</b> 2 detached ADUs</li> </ul>	

\*The full text and requirements of Government Code Section 66323 can be found at:

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=66323](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=66323).

\*\*Units must still comply with building code and engineering standards. Permits, occupancy, impact fees for ADUs 750 square feet or greater, and other requirements not related to development standards still apply.