



ACCESSORY DWELLING UNITS and JUNIOR ACCESSORY DWELLING UNITS (In-Law Units) (Updated Jan 2024)

New state legislation pertaining to Accessory Dwelling Units

In October 2019 and subsequent years, the Governor signed into legislation several bills pertaining to the development of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). The new legislation, effective January 1, 2020 requires a more streamlined review process and lessens certain development standards and restrictions that may have been applied in the past.

What are **major changes** resulting from new state legislation?

- New ADUs and JADUs must be reviewed through a **Building Permit** within 60-days.
- ADUs and JADUs must be allowed in all residential zoning districts including Multi-Family, Mixed-Use, and residential Planning Development zoning districts.
- For maximum size of an *attached or detached* ADU please see attached *Criteria Checklists*. However, city regulations cannot prohibit an ADU up to 800 square feet in size, and with side and rear setbacks of at least 4-feet.
- Owner occupancy is not required for an ADU.
- Owner occupancy is required for JADU (owner must live in primary dwelling or JADU).
- For fire sprinklers requirements please see attached *Criteria Checklists*.
- Impact fees can no longer be charged for units less than 750 square feet in size. Impact fees for units 750 square feet or larger shall be proportional to the main house.
Please note: *Existing city regulations for ADUs that do not conflict with the new state legislation are still in effect. The City is in the process of updating its ADU Ordinance to reflect changes resulting from new legislation. Until the Ordinance is revised, applicable development criteria are outlined in detail in the attached *Criteria Checklists* for both ADUs and JADUs (Attachments 3 and 4).*

What is the difference between an ADU and JADU?

- An **Accessory Dwelling Unit** can be either an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. ADUs must include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling.
- A **Junior Accessory Dwelling Unit** is a unit that is not more than 500 square feet in size and contained entirely within an existing single-family structure. A JADU may include separate sanitation facilities or share sanitation facilities within the existing structure.

What application documents must I submit to obtain a Building Permit?

- ☐ A completed [General Construction Permit Application](#). See Attachment 1.

Please note: Building staff will determine application completeness at the permit counter. Incomplete applications will not be processed.

- ☐ **Elevations and photos** of all sides of existing home that demonstrate new ADU matches roof design, exterior paint color, and style of primary dwelling unit.
- ☐ Two (2) sets of **Construction Drawings**, minimum size 11" x 17" (including Site Plan that clearly shows setback dimensions from property lines and square footages).
- ☐ Three (3) sets of **Fire Sprinkler Plans** (only if required for primary house).
- ☐ One (1) **Floor Plan** to scale with exterior dimensions on 11" x 17".
- ☐ Two (2) sets of **Structural Calculations** (Exception: Existing buildings and additions that meet conventional light-frame construction are not required to be engineered. Permit Center staff can determine if this exception applies to your project).
- ☐ Two (2) sets of **Energy Calculations** (Title-24 documentation).
- ☐ Two (2) sets of **Truss Calculations** (if manufactured trusses are being utilized).
This can be deferred submittal.
- ☐ Title Report - no more than 6 months old
- ☐ One (1) [Zone 7 Impervious Surface Worksheet](#). See attachment 2.
- ☐ One (1) **City of Livermore** [Clean Water Site Measures Declaration](#) . See Attachment 3.

Process and Timeframe

- ☐ Complete applications will be acted on within 60-days of submittal.
- ☐ **Proposals on single-family lots with existing primary dwelling:** Complete applications will be reviewed by Planning and Engineering staff at the counter for compliance with requirements. Following over-the-counter review, the project will be taken in for Building Permit review.
- ☐ **Proposals on multi-family lots with existing primary dwelling(s):** Complete applications will be taken in and routed to Community Development staff for review and approval.
- ☐ If the permit application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the ADU permit until the permit for the new single-family dwelling is approved.



Application for Construction Permit - Email to: permitcenter@LivermoreCA.gov
Application for Solar PV Submittals & Energy Storage Systems – Email to: pvpermit@LivermoreCA.gov

-For Office Use Only-

Date Received: _____ Permit Number: _____ Bin Number: _____
Date Ready to Issue: _____ Total Fees Required _____
Date Applicant Contacted: _____ Contacted By: _____

Project Address: _____ **APN #** _____

Applicant's Name: _____ Telephone # _____

Applicant's Address: _____ City _____ State _____ Zip Code _____

Email address: _____

PROPERTY OWNER:

Name: _____

Address: _____

City/Zip: _____

Telephone Number: _____

email address: _____

CONTRACTOR (If owner/builder, check here)

Name: _____

Address: _____

City/Zip: _____

Telephone Number: _____

email address: _____

State License Number: _____

Type: _____

Tenant Name: _____

Architect/Engineer Name: _____

Email address: _____

Telephone Number: _____

Telephone Number: _____

Project is: Residential ☐ Commercial ☐ Industrial ☐ Educational ☐ PV ☐ EV ☐ ADU ☐
Type of Work is: New Building/Structure ☐ Addition ☐ Tenant Improvement ☐ Deck/Patio Cover ☐ Other ☐

Description of proposed work: _____

_____ **Project Valuation \$** _____

(Required for Building Permits)

Occupancy Use: _____ **Type of Construction:** _____ **Number of Stories:** _____ **Zoning Use:** _____

Fire Sprinklers: (Existing Buildings only) Do any of the Buildings have fire sprinklers? Yes ☐ No ☐

Mail to: _____ (Property Owner or Contractor) **Will Pick-up** **Date** _____ **Time:** _____

Print Applicant Name: _____

Applicant's Signature: _____

Call for CREDIT CARD PAYMENT – 925-960-4410

Job Address	Permit Number
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Description of work

WORKERS' COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier		Verified By:	
Policy Number			

(This section need not be completed if the permit is for one hundred dollars (\$100) or less).

- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date:	Signature:
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WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under the penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class	License Number
Expiration Date	Contractor Signature

OWNER/BUILDER DECLARATION

I hereby affirm under the penalty of perjury that I am exempt from the contractor's License Law for the following reason (Section 7031.5, California Business and Professions Code; Any City which requires a permit to construct, alter, improve, demolish or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he is a licensed contractor pursuant to the provisions of the Contractor's License Law (Chapter 9 (Commencing with Section 7000) of Division 3 of the B & PC) or that he is exempt therefrom and the basis for the alleged exception. Any violations of Section 7031.5 by any applicant for a permit subject the applicant to a civil penalty of not more than five hundred dollars (\$500.00).):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale (Section 7044, B & PC: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold with one year of completion, the owner/builder will have the burden of proving that he did not build or improve for the purpose of sale).

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Section 7044, B & PC: The Contractor's License Law does not apply to an owner of contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

☐ I am exempt under Section B&PC for this reason:

Date:	Signature of Owner:
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IMPORTANT

Application is hereby made to the City of Livermore for a permit subject to the conditions and restrictions set forth on the front and rear faces of this application.

- Each person upon whose behalf this application is made and each person at whose request and for whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to defend, indemnify and hold the City of Livermore, elected officials, officers, directors, employees, agents and volunteers harmless from and against any and all loss, liability, damage, including reasonable attorney fees and/or court costs, arising out of the performance of this contract, except for the sole negligence of the City of Livermore, its elected officials, officers, directors, employees, agents and volunteers.

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3907, Civil Code).

Lender's Name	
Lender's Address	

I certify that I have read the attached application and state that the above information is correct. I agree to comply with all City and County Ordinances and State laws relating to the building construction and hereby authorize representatives of this City to enter upon the above mentioned property for inspection purposes, my signature below constitutes signature of the permit when issued.

Signature of Owner or Contractor	Date:
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DEVELOPMENT IMPACT FEE IMPERVIOUS SURFACE WORKSHEET

	<h2 style="text-align: center; margin: 0;">Development and Building Application Information</h2> <p style="text-align: center; margin: 0;">Complete at both: 1) development application stage (Tract/Parcel Map) and 2) building application stage (Building Permit Application)</p> <p style="text-align: center; margin: 0;">(Circle One) City of: Dublin Livermore Pleasanton or Alameda County (Unincorporated Areas of Amador-Livermore Valley)</p>
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Date of Application: _____ **Date of Transaction:** _____

Type of Application: ☐ Site Development Review (Parcel/Tentative/Vesting/Tract Map) ☐ Building Permit

Project Location or Address*: _____, CA
(Please attach a project location map with application)

Project Type: ☐ Commercial ☐ Industrial ☐ Residential

Applicant's Name: _____
☐ Owner ☐ Contractor ☐ Engineer/Architect ☐ Developer

Applicant's Address: _____

Applicant's Phone: _____ **Fax:** _____

Email: _____

Parcel/Tract No.: _____ **Lot No.:** _____ **APN #** _____

Total Lot (or Parcel/Tract) Area in Sq.Ft*: _____

(Please attach a plot plan identifying the total impervious areas for each lot or parcel/tract)

Impervious Surface* Descriptions	Pre-Project Condition of Lot or Parcel/Tract in Sq.Ft. (If Applicable)	Proposed Post-Project Condition of Lot or Parcel/Tract in Sq.Ft.
Building(s) Footprint (Including Attached Garage)		
Driveway(s), Patio(s), Parking Lot, Impervious Decking(s)		
Detached Garage(s), Carport(s), Shed(s), Other Misc. Structures		
Accessory Dwelling Unit (ADU)		**
Off-lot Impervious Surface (Streets, Sidewalks)	N/A	
Total Impervious Surfaces on Lot (or Parcel/Tract) in Square Feet		***

* For explanations or interpretations of impervious surfaces, contact Jeff Tang of Zone 7 at 925-454-5075 (jtang@zone7water.com)

** ADU area of 750 Sq.Ft. or less are not assessed DIF, as of 1/1/2020 in accordance to CA SB-13.

*** Indicates field required by NPDES permit provision C.3.n.i. Other permit requirements and forms may also apply.

I declare under penalty of perjury, that to the best of my knowledge, the square footage presented herein is accurate and complete. The corresponding application(s) will be **CANCELLED** if the Impervious Surface Square Footage is (are) found to be misrepresented.

Signature of Applicant _____	Date _____
<i>For Office Use Only – To be filled out by City/ County staff</i>	
Form received at Building counter and Amount Due calculated By: _____ Date: _____	
Total Impervious Sq. Ft.: _____ x \$1.00 (Effective 1/1/2020) =	\$ _____ Amount Due
1% Administration Fee Retained by Collecting Agency = \$ _____	

DEVELOPMENT IMPACT FEE IMPERVIOUS SURFACE WORKSHEET

"Impervious Surface" means the total area of a parcel of real property covered by an impervious surface. An "impervious surface" is any surface on or in any parcel that reduces the rate of natural infiltration of storm water into the soil, including, but not limited to, any area occupied by buildings, structures, driveways, streets, sidewalks, asphalt, concrete, compacted gravel, or other non-porous or semi-porous substance.

Single Family Residential Lot

CLEAN WATER SITE MEASURES DECLARATION

Applicant: Complete the following section and attach it to the Building Permit Application.

Project Address: _____ Date: _____

Note: See Building Permit Application Form for the project description and other details.

Site Measures for Single Family Residential Lot

A. Site Measures

- ∄ Direct roof runoff into cisterns or rain barrels and use for irrigation or other acceptable non-potable use.
- ∄ Direct roof runoff onto vegetated areas.
- ∄ Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- ∄ Direct runoff from driveways and/or uncovered parking areas onto vegetated areas.
- ∄ Construct sidewalks, walkways, and/or patios with permeable surfaces.
- ∄ Construct driveways and/or uncovered parking areas with permeable surfaces.

B. Impervious Surface is any surface that cannot be easily penetrated by water, such as roofed areas, driveways, pavements, accessory buildings/sheds compacted soils, or rock outcrops.

C. Resources: Please visit Alameda County Clean Water Program at: <http://acgov.org/pwa/programs/water.htm>

Project Type Declaration

☐ **Regulated Project Tract #** _____ **or Parcel Map #** _____

- The project is part of a larger development (Regulated) project and must comply with all storm water design requirements. Complete the C3 Stormwater Requirements Checklist Form and attach it to the Building Permit Application.

☐ **Small Project:**

- The project will create/replace 2,500 square feet or more of impervious surface on the site.

Note: Incorporating one or more of the Site Measures into the project is required and must be shown on the plans. All impervious surfaces must be treated to the Maximum Extent practicable.

☐ **All Other Projects:**

- The project will **not** create/replace 2,500 square feet or more of impervious surface on the site.

Note: Incorporating Site Measures into the project is highly encouraged. All impervious surfaces must be treated to the Maximum Extent practicable

Acknowledgement

I am the project ☐ Owner/Tenant ☐ Arch/Eng/Designer ☐ Contractor ☐ Other (Please Specify) _____

I have read, understand and agree with the above clean water provisions and I will take one copy of this form to the property owner, designer, and contractor for their use.

Signature _____ Date: _____ Print Name: _____

FOR OFFICIAL USE ONLY

Engineering Staff Verification

Project APN#: _____

I checked the plan and, to the best of my knowledge, this project is a: ☐ **Regulated** ☐ **Small** ☐ **Other** project.

Signature _____ Date: _____ Print Name: _____

Engineering Staff Enter Permit # _____

Criteria Checklist for **Junior Accessory Dwelling Units (JADUs)**

Definition of JADU: a unit not more than 500 square feet in size and contained entirely within an existing single-family structure. A JADU may include separate sanitation facilities or share sanitation facilities within the existing structure.

	CRITERIA
LOCATION	
	<input type="checkbox"/> Permitted in all residential zoning districts (this includes mixed-use and residential Planned Developments).
	<input type="checkbox"/> Located entirely within existing walls of primary single-family structure.
SIZE	
	<input type="checkbox"/> No minimum lot size.
	<input type="checkbox"/> No more than 500 square feet in size.
ATTRIBUTES	
Separate Entrance	<input type="checkbox"/> Includes separate entrance (from main entrance)
Efficiency Kitchen	<input type="checkbox"/> Must include efficiency kitchen with following: <ul style="list-style-type: none"> ○ Sink with maximum waste line diameter of 1.5 inches. ○ Cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas. ○ Food preparation counter and storage cabinets.
PARKING	
	<input type="checkbox"/> No additional spaces required.
DEED RESTRICTION	
	Requires recordation of a deed restriction, which shall run with the land, to be filed with the permitting agency and which includes: <ul style="list-style-type: none"> <input type="checkbox"/> A prohibition on the sale of the unit separate from the sale of the single-family residence. <input type="checkbox"/> Statement that deed restriction may be enforced against future purchasers. <input type="checkbox"/> Restriction on size and attributes of JADU consistent with state legislation.



Criteria Checklist for **Accessory Dwelling Units (ADUs)**

Definition of ADU: a detached or attached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.

CRITERIA

ALLOWED USE	
	<input type="checkbox"/> Permitted in all residential zoning districts (this includes multi-family, mixed-use and residential Planned Developments).
LOCATION	
	<input type="checkbox"/> Must be located on same lot <i>with an existing or proposed primary dwelling unit</i> .
	<input type="checkbox"/> May be detached or located in attached garages, storage areas, or similar uses, or an accessory structure.
	<input type="checkbox"/> May be located in portions of existing multi-family dwellings not used as livable space such as storage rooms, boiler rooms, passageways, attics, basements, or garages so long as complies with state building standards for dwellings.
	<input type="checkbox"/> Detached ADUs must be located to the rear of the existing primary dwelling.
NUMBER PERMITTED	
<i>With Single-family dwelling</i>	<input type="checkbox"/> One (1) attached ADU OR one (1) JADU, or one (1) detached ADU AND one (1) JADU subject to following (JADU can only be conversion of existing interior space): <ul style="list-style-type: none"> ○ Located within space of single-family dwelling or within accessory structure <u>and</u> includes expansion of not more than 150 square feet for ingress or egress only. ○ Space has exterior access from single-family unit. ○ Setbacks sufficient for fire and safety. ○ JADU complies with state requirements
<i>With Multi-family dwelling</i>	<input type="checkbox"/> Must allow up to 25% of existing multi-family units to convert existing space. For example, if 20 existing multi-family units, up to five (5) ADUs could be established within the existing living space.
	<input type="checkbox"/> No more than 2 detached ADUs per Multi-Family lot.

UNIT SIZE	
<i>Minimum ADU unit size</i>	<input type="checkbox"/> Must be no less than 150 square feet.
<i>Attached unit</i>	<input type="checkbox"/> Cannot exceed 50% of primary structures (excluding accessory and garage structures of the primary unit) subject to lot coverage and/or FAR requirements of underlying zoning district. <i>City must allow up to 800 square feet in size regardless of existing house size or lot coverage or FAR requirements of underlying zoning district.</i>
<i>Detached unit</i>	<input type="checkbox"/> Cannot exceed 1,200 square feet subject to lot coverage and/or FAR requirements of underlying zoning district. <i>City must allow up to 800 square feet in size regardless of lot coverage or FAR requirements of underlying zoning district.</i>
LOT SIZE	
	<input type="checkbox"/> No minimum lot size is required.
SETBACKS	
<i>Existing living area or converted accessory structure</i>	<input type="checkbox"/> No additional setback beyond existing. <i>Note: This also applies to structures constructed in same location and to same dimensions as an old structure (rebuild).</i>
<i>New structure</i>	<input type="checkbox"/> 4-foot rear, side, and street side. <i>Note: This also applies to a new structure constructed above a garage.</i> <input type="checkbox"/> Front: 15-feet or underlying zoning district, whichever is less restrictive. Front setback cannot be used to deny an ADU of 800 sq. ft. or less. <input type="checkbox"/> If new garage is constructed with and attached to ADU (whether one or two story), garage portion must meet all Accessory Structure standards (e.g., setbacks, size, etc.) per LDC Section 4.02.030.
<i>Building separation</i>	<input type="checkbox"/> Minimum 3-foot separation between detached ADU and primary dwelling (unless greater setback is required by Building Code).
HEIGHT	
<i>Single-story, detached</i>	<input type="checkbox"/> 18-foot maximum height. <input type="checkbox"/> Measured to highest point of roof.
<i>Attached to primary dwelling; one, two or second story</i>	<input type="checkbox"/> 25 feet or underlying zoning district, whichever is less. <input type="checkbox"/> Measured to highest point of roof.
<i>Two-story detached or unit above existing detached garage</i>	<input type="checkbox"/> 25 feet or underlying zoning district, whichever is less. Garage portion must meet all Accessory Structure standards. <input type="checkbox"/> Measured to highest point of roof.
PARKING	
	<input type="checkbox"/> 1 space per unit or bedroom, whichever is less.
	<p>No parking required for ADUs within:</p> <ul style="list-style-type: none"> ○ ½-mile walking distance of transit (includes local bus stops and ACE Train). ○ a historic district. ○ An existing primary residence or existing accessory structure. <p>Or where:</p> <ul style="list-style-type: none"> ○ on-street parking permit is required but not offered to the inhabitant ○ of the ADU.

	<ul style="list-style-type: none"> ○ a documented carshare vehicle is located within one block.
	<input type="checkbox"/> May be tandem on driveway or in setback areas (unless finding is made that proposed parking area is not feasible due to life safety reasons).
<i>Garage, carport or parking structure conversion</i>	<input type="checkbox"/> No replacement parking required.
DESIGN	
	<input type="checkbox"/> Colors, materials, roof forms, and window trim to match those of existing primary dwelling.
	<input type="checkbox"/> Access to an attached ADU shall not be located on the front of the primary dwelling.
OTHER GENERAL CRITERIA	
Sale and Renting	<input type="checkbox"/> ADUs shall not be sold separately from the property and primary dwelling but may be rented. <input type="checkbox"/> ADU's may be rented for a period no less than 31 consecutive days.
Occupancy	<input type="checkbox"/> Owner occupancy is not required for either the primary dwelling or the ADU or JADU (this section of new legislation to be repealed January 2025). <input type="checkbox"/> For new units, the City cannot issue a Certificate of Occupancy for an ADU before it issues one for the primary dwelling.
Impact Fees	<input type="checkbox"/> For units less than 750 square feet in size , no impact fees will be charged. <input type="checkbox"/> For units 750 square feet or larger , impact fees will be proportional to the main house.
Fire Sprinklers	<input type="checkbox"/> Fire sprinklers are not required for ADUs if they are not required for the primary residence. <input type="checkbox"/> Fire sprinklers are required for attached and detached ADUs when the primary residence has fire sprinklers or is required to be fire sprinklered. <input type="checkbox"/> Attached ADUs that add more than 50% or more sq. ft. to an existing non-sprinklered residence will require the existing residence and new ADU addition to be fire sprinklered.
Gas vs. Electric Utilities	<input type="checkbox"/> If the ADU is being constructed on a lot with an existing residence that uses gas, then the ADU can still use gas. Otherwise, it is required to be all electric in the new ADU.
Solar System	<input type="checkbox"/> Newly constructed ADUs are subject to the California Energy Code requirement (excluding manufacture homes) to provide solar systems if the unit(s) is a newly constructed, non-manufactured, detached ADU (though some exceptions apply). Per the California Energy Commission (CEC), the solar systems can be installed on the ADU or on the primary dwelling unit. ADUs that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing detached building is converted from non-residential to residential space, are not subject to the Energy Code requirement to provide solar systems.