



# Accessory Dwelling Units

effective January 10, 2017

In recognition of the extreme need for affordable rental housing in California, recent changes to state law establish new rules for cities and counties with regard to “Accessory Dwelling Units” (ADUs), previously known as “Second Family Dwelling Units,” and commonly known as in-law units or granny flats. The interim urgency ordinance as summarized below modifies the City’s Zoning Ordinance:

Urgency Ordinance Summary		
<b>Permit Process</b>	ADU applications do not require a public hearing and are reviewed through the Building Permit process. Some projects may also require a Site Development Permit or Tree Removal Permit. If an addition would trigger the Oversized Home Ordinance or Hillside Performance Standards, then an ADU is only permitted through the conversion of existing floor area.	
<b>Permitted Zones</b>	ADUs are allowed in all residential districts with a single family home on the lot with no more than one ADU permitted per lot.	
<b>Size</b>	The maximum size for an ADU is 700 square feet of floor area. ADUs attached to the main unit cannot exceed 50 percent of the living area of the main unit.	
<b>Zoning Requirements</b>	Lot coverage and other development standards of the zone apply, except for the standards outlined below.	
<b>New construction or additions</b>	<b>Height</b>	Detached ADUs are limited to 1 story with a maximum height of 18 feet unless they are built over a garage or accessory structure, when standard height limits apply.
	<b>Setbacks</b>	Standard setbacks and Building Code apply except that no <i>more</i> than a 5-foot side is required for an ADU constructed above a detached garage, and <i>at least</i> a 10-foot side setback is required for an ADU constructed above an accessory structure.
	<b>Parking</b>	One parking space will be required for the new construction of an ADU, in addition to the parking required for the main house. Parking can be provided on the lot as either a covered, uncovered and/or tandem space. No parking will be required for an ADU if it is located within one-half mile of a BART station or a public bus stop.
	<b>Utilities</b>	Local utilities may only impose a connection fee or capacity charge if it is proportionate to the burden of the proposed ADU upon the water or sewer system, based on either its size or the number of its plumbing fixtures. This fee or charge cannot exceed the reasonable cost of providing service. Contact the utility districts listed below for more information.
<b>Conversion of existing buildings built with a valid permit (bedrooms, garages, pool houses, etc.)</b>	<b>Setbacks</b>	Additional setbacks are not required for an ADU located within an existing building, except as mandated by the Building Code.
	<b>Parking</b>	No additional parking is required for an ADU within an existing permitted building. If the ADU is located within a converted garage or carport which provides the required parking for the main dwelling, the replacement parking may be provided on the lot with a covered, uncovered and/or tandem spaces.
	<b>Utilities</b>	Local utilities are prohibited from requiring a separate utility connection for the ADU or imposing a related connection fee or capacity charge. Contact the utility districts listed below for more information.
<b>Design</b>	ADUs must be designed to be architecturally consistent with the main dwelling, including form, exterior siding and/or trim, roof materials and window placement and type. Any new entrances to an attached ADU must be located on the side or rear of the building.	
<b>Owner Occupancy</b>	In single family residential districts, no more than one dwelling unit on the parcel shall be rented or leased. A deed restriction attesting to this requirement must be recorded against the property.	
<b>Short Term Rentals</b>	Short term rentals of 30 days or less require approval of a Conditional Use Permit (CUP).	

**Local utility contacts:**

Contra Costa Water District, Customer Service: (925) 688-8044  
 East Bay Municipal Utility District, New Business Office: (510) 287-1008  
 Central Contra Costa Sanitary District, Permit Team: 925-229-7371

For more information, contact the Duty Planner at [dutyplanner@walnut-creek.org](mailto:dutyplanner@walnut-creek.org) or at 925-256-3558