



CITY OF HERCULES

Accessory Dwelling Unit Informational Handout & Checklist

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The City of Hercules supports development of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), also known as granny or in-law units as an innovative, affordable, and effective option for adding much-needed missing middle housing.

General ADU/JADU Information

- ADUs are now permitted in any residential or mixed-use zone that permits residential uses.
- An ADU may be attached or detached from the primary dwelling, must have an exterior entrance separate from the primary dwelling, and must have complete independent living facilities for 1 or more persons, including permanent provisions for sleeping, living, eating, cooking, and sanitation.
- A JADU is no more than 500 square feet in size and contained entirely within the walls of an existing or proposed single-family residence; it must include a cooking facility with appliances, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU. JADUs may share a bathroom with the primary residence and have an internal connection. If a JADU is constructed, the property owner must live in one of the units.
- Single-family lot Statewide Exempt ADU means an ADU/JADU created within the existing or proposed single-family dwelling or a detached new construction ADU of not more than 800 square feet, with 4 feet rear and side setbacks, with a height limitation of 16 feet. See [Hercules Municipal Code Sec. 13-35.320\(10\)](#)
- Multi-family lot Statewide Exempt ADU means at least 1 ADU and up to 25% of the number of existing multifamily dwellings created within the portions of a multifamily dwelling structures not used as livable space or two ADUs detached from the existing or proposed multi-family dwelling of not more than 800 square feet, with 4 feet rear and side setback with a height limitation of 18 feet. See [Hercules Municipal Code Sec. 13-35.320\(10\)](#)
- ADUs and JADUs may not be used as short-term rentals. If rented, the terms must be for longer than 30 days.
- A Building Permit is required for development of an ADU/JADU, with review by the Community Development Department.
- An ADU must conform to the design characteristics of the existing residence or residences.
- If the primary residence, whether existing or proposed, is required to contain fire sprinklers, then sprinkler installation is also required for the ADU.
- All detached ADUs must conform with the All-Electric Ordinance.
- Detached ADUs require a new address.
- ADUs of less than 750 square feet are not subject to impact fees.

- ADUs of 750 or more square feet are subject to any fees for residential units required by the [City's Master Fee Schedule](#). Fees shall be charged in proportion to the square footage of the primary dwelling (e.g., a 1,000-square-foot ADU would be charged 50 percent of the applicable fee if the primary dwelling is 2,000 square feet).

ADU/JADU Development Standards

Single-Family Lot Development Standards			
Number of Units - One converted or newly constructed ADU, and one JADU			
	Conversion of Structure	Attached ADU	Detached ADU
Maximum Square Footage	No unit size limits apply to conversion of an existing accessory structure or a portion of the existing primary residence to an ADU	1 bedroom 850 sq ft 2+ bedrooms 1,000 sq ft	1 bedroom 850 sq ft 2+ bedrooms 1,000 sq ft
Front Setback	N/A	As required by applicable zoning district, except that front setbacks may not preclude the construction of a Statewide Exempt ADU	As required by applicable zoning district, except that front setbacks may not preclude the construction of a Statewide Exempt ADU
Side - Interior Setback	No setback is required for an ADU created within an existing living area or accessory structure or an ADU created in a new structure in the same location as an existing structure	4 feet minimum	4 feet minimum
Side - Corner Setback	No setback is required for an ADU created within an existing living area or accessory structure or an ADU created in a new structure in the same location as an existing structure	As required by applicable zoning district, except Statewide Exempt ADU may be located 4 feet from a corner lot line	As required by applicable zoning district, except Statewide Exempt ADU may be located 4 feet from a corner lot line
Rear Setback	No setback is required for an ADU created within an existing living area or accessory structure or an ADU created in a new structure in the same location as an existing structure	4 feet minimum	4 feet minimum
Height Limit	N/A	Applicable height limits of	16 feet + plus 2 feet if needed to match roof

		the zoning district	pitch of existing dwelling
Parking	0 parking	Studio – 0 parking 1+ bedrooms – 1 parking	Studio – 0 parking 1+ bedrooms – 1 parking

**Multi-Family Lot Development Standards
(Multi-family means a lot containing two or more attached dwellings)**

Number of Units - Two detached ADUs and at least one interior ADU (converted from existing non-livable space) up to 25 percent of the number of units in the proposed or existing multifamily dwelling

	Interior Conversion	Attached ADU	Detached ADU
Maximum Square Footage	Must be converted from non-livable space, if no such area exists an interior ADU can't be approved	1 bedroom 850 sq ft 2+ bedrooms 1000 sq ft	1 bedroom 850 sq ft 2+ bedrooms 1000 sq ft
Front Setback	N/A	As required by applicable zoning district, except that front setbacks may not preclude the construction of a Statewide Exempt ADU	As required by applicable zoning district, except that front setbacks may not preclude the construction of a Statewide Exempt ADU
Side - Interior Setback	N/A	4 feet	4 feet
Side - Corner Setback	N/A	As required by applicable zoning district, except Statewide Exempt ADU may be located 4 feet from a corner lot line	As required by applicable zoning district, except Statewide Exempt ADU may be located 4 feet from a corner lot line
Rear Setback	N/A	4 feet	4 feet
Height Limit	N/A	Applicable height limits of the zoning district	18 feet + plus 2 feet to match roof pitch of existing dwelling
Parking	0 parking	Studio – 0 parking 1+ bedrooms – 1 parking	Studio – 0 parking 1+ bedrooms – 1 parking

SUBMITTAL REQUIREMENTS

1. Building Permit Fees

2. Impact Fees (if applicable)

3. School Fees

4. Required Affidavits

5. Site Plan

One multi-page PDF file of plans that are ¼" = 1'-0' scaled, 18" x 24" minimum sheet size. The plan set shall include the following:

- A north arrow to indicate parcel orientation.
- Lot dimensions with labels for all property lines.
- Lot size (in square feet).
- Siting and location of the primary residence and the proposed accessory dwelling unit.
- Floor plan configuration of the primary residence and the proposed accessory dwelling unit.
- All other existing improvements, including driveways and parking areas. Unless exempt under Section 13-35.320(8) or (9) one additional off-street parking space is required. Evidence of exemption may be required.
- If a new entrance/driveway is proposed for the accessory dwelling unit other than the existing entrance/driveway for the primary residence, an encroachment permit may be required for review and consideration of the Public Works Department.
- Location of all trees (species, size, and dripline) with a trunk diameter measuring twelve (12) inches or greater when measured at "breast height," which is roughly four and one-half (4-1/2) feet above the surface of the ground.
- Exterior design of the accessory dwelling unit. "Exterior design" includes exterior features, such as entrances, windows, and roof.

6. Elevations

- Show all structure elevations fully dimensioned and prepared to appropriate scale.
- Existing and proposed new construction and/or alterations, including all mechanical, duct work, utility boxes (front, side and rear). All elevations of each building to be constructed.
- Details for fascia trim, windows, doors, trim, sills, railing and fencing and final height of building.