

A Homeowner's How-to Guide to Accessory Dwelling Units





CREDITS

This Guide was produced in partnership with the City of Merced, Precision Civil Engineering, Inc., and Thom Black Architecture, and was made possible by an SB 2 Planning Grant. Special thanks to Scott McBride (City of Merced, Development Services Director), Leah Brown (City of Merced, Management Analyst, Development Services), Denise Frazier (City of Merced, Chief Building/Construction Project Official), Francisco Mendoza-Gonzalez (City of Merced, Planner), Bonique Emerson (Precision Civil Engineering, Vice President of Planning Division), Jenna Chilingerian (Precision Civil Engineering, Planner), Shin Tu (Precision Civil Engineering, Planner), and Thom Black (Thom Black Architecture, Principal).

















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PART 1. INTRODUCTION

Recent changes to State Law have made it easier to construct Accessory Dwelling Units ("ADUs") throughout the state. In response to these changes, the City of Merced updated its **ADU Ordinance** in 2021, establishing standards for ADUs specific to the city. To further streamline the production of ADUs, the City has established the City of Merced Pre-**Approved ADU Program**, offering pre-approved, "off the shelf" ADU plan sets so that anyone can choose a plan set, pay their permits, and build, ultimately reducing the cost and timeframe for the ADU design and permitting process. The City has created this Homeowner's Guide to Accessory Dwelling Units in addition to the supplemental Accessory Dwelling Unit Design Model Workbook to further assist homeowners in the City of Merced through the process to build an ADU.









HOW TO USE THE GUIDE

This How-To Guide ("Guide") was created as a resource for homeowners in the City of Merced to utilize as they navigate the process to build an ADU. This Guide provides a stepby-step approach for homeowners to follow, offering information and guidance on ADU basics, regulations, design, and permitting.

This Guide is broken down into five parts. Part 1. Introduction, Part 2. ADU Basics, Part 3. How to Build an ADU in the City of Merced, Part 4. Pre-Approved ADU Program, and Part **5.** Resources, Contacts, and Further Reading.

ADU = ACCESSORY DWELLING UNIT

ADU PROGRAM = FREE PLANS!



PART 2. ADU BASICS









WHAT IS AN ADU?

At the most basic level, an ADU is defined as a secondary housing unit on a lot that contains an existing or proposed single family residence or multi-family residential development (e.g., duplex, triplex, or apartment building) that provides complete independent living facilities including kitchen and bathroom facilities for at least one person. They tend to be less expensive to build than new single-family homes and can provide much needed housing for family members, students, the elderly, in-home health care providers, individuals with disabilities, and others at below market prices within existing neighborhoods. ADUs can also increase a community's housing stock in prominent infill locations closer to jobs and amenities. ADUs are also known as second units, guest cottages, in-law suites, and casitas, among other terms and can be in the following forms:

- **Attached ADU**: shares at least one wall with the primary home
- Detached ADU: free-standing, separated structure
- **Internal Conversion**: interior space converted into an ADU (e.g., attic, garage)
- Junior ADU: contained entirely within the primary home and not more than 500 square feet in size

















FREQUENTLY ASKED QUESTIONS

Q. Where are ADUs allowed?

A. ADUs are permitted on parcels in the City of Merced that are zoned residential or allow residential uses. See page 7 for more information.

Q. What types of ADUs are allowed?

A. Permitted ADUs may take any of the following forms: attached, detached, converted, or Junior ADU (JADU). See page 8 for mor information.

Q. How many ADUs can I build on my property?

A. Parcels with single-family residences can build up to 1 ADU (attached or detached) and 1 JADU. Parcels with multi-family development can build up to 2 detached or converted ADUs. See page 9 for more information.

Q. What are the site requirements for my property?

A. See pages 9 to 13 for site requirements to building an ADU on your property.

O. What are the size limitations for ADUs?

A. No matter how big your lot is, at a minimum, you can build an 800 square foot ADU as long it is no higher that 16-feet, has 4-foot minimum side and rear setbacks, and meets all fire, building code and safety standards. Otherwise, the size of your ADU is based on existing property restrictions and code regulations. You will need to review lot coverage and setbacks requirements of the zone district you are building in to ensure that the construction of an ADU would still comply.

Q. Can I sell or rent my ADU?

A. You cannot sell your primary dwelling and ADU separately. ADUs may be rented. For a JADU, either the primary unit or JADU must be occupied by the homeowner.

Q. What is a Setback?

A. The distance that a building or structure is required to be located from the property line. The setback requirements differs in each zone district and can be found in the Zoning Ordinance.

Q. How do I calculate my lot coverage?

A. Calculate lot coverage by dividing total square footage of existing and proposed structures by lot size and multiplying by 100.



PART 3 HOW TO BUILD AN ADU IN THE CITY OF MERCED

PART 3. HOW TO BUILD AN ADU IN THE CITY OF MERCED

The following is a general overview of the steps you can expect to take as you develop your ADU.

- 1. Determine Your Property's Eligibility For Building An ADU
- 2. Meet The Minimum ADU Requirements
- 3. Other Requirements
- 4. Design Your ADU
- 5. Prepare And Submit Your ADU Permit Application









DETERMINE YOUR PROPERTY'S ELIGIBILITY FOR BUILDING AN ADU

ADUs are permitted on parcels in the City of Merced that are zoned residential or allow residential uses including single-family, multi-family, and mixed uses, contain either an existing or proposed single-family residence or multi-family residential development (think: duplex, triplex, or apartment), and are connected to public water and sewer service. For more, refer to Merced Municipal Code (MMC) Section 20.42.030 (PDF or Interactive Municipal Code).

To check the Zoning of your property, use the City of Merced Zoning Map (PDF or Interactive Mapping Application) to locate your property and determine your property's zoning designation. Next, search the MMC (PDF or Interactive Municipal Code) to determine whether your property's zoning designation allows for residential uses.

If your property is zoned residential or allows residential uses and contains an existing or proposed single-family residence or multi-family residential development, then your property may be eligible for an ADU – continue to Step 2 to learn about the minimum ADU requirements as applicable.

ASSISTANCE HUB

For assistance and official determination of whether your property is eligible, contact the City of Merced Planning Division at (209) 385-6858 or planningweb@cityofmerced.org.







MEET THE MINIMUM ADU REOUIRMENTS

If your property is eligible for an ADU, any ADU development must meet the minimum ADU requirements established by the City of Merced ADU Ordinance, as applicable. The City's ADU Ordinance is codified in Chapter 20.42 - Accessory Dwelling Units in the Merced Municipal Code (MMC) (PDF or Interactive Municipal Code).

The ADU Requirements Checklist ("Checklist") provided on Pages 9-10 summarizes and describes the City's ADU Ordinance to help you determine if your ADU concept would comply with the minimum, applicable requirements.

The Checklist is not intended to substitute the ADU Ordinance; please refer to the ADU Ordinance as hyperlinked for more information or contact the City of Merced Planning Division at (209) 385-6858 or planningweb@cityofmerced.org for assistance and official determination.

MINIMUM ADU REQUIREMENTS CHECKLIST

	T 1N 1	CADIL 10' 1D ' 0 1 1	
G 4.	* 1	of ADUs and Site and Design Standards	
Section	1 2	ds and Fee Requirements	
Standards for Junior ADUs			
Type	and Number of ADUs and Site	and Design Standards (MMC Section 20.42.020)	
Types o	of ADUs: What types of ADUs are	allowed?	
	Permitted ADUs may take any of	f the following forms:	
	1. An Attached ADU shares at least one wall with the primary residence.		
		standing, separated structure.	
		erior space converted to an ADU (e.g., attic, garage).	
		hat is contained entirely within the primary residence	
		uare feet in size. See MMC Section 20.42.050.	
	For more, refer to MMC Section		
Numbe	r of ADUs Permitted Per Parcel	: How many ADUs can I build on my property?	
	Property Type	Maximum Number of ADUs permitted	
	Parcels with an existing or	1 ADU (attached, detached, or converted)	
	proposed single-family residen		
ш	Parcels with an existing or	Two (2) detached ADUs <u>or</u> converted ADU(s)	
	proposed multi-family	that do no not exceed 25% of the total	
	development:	number of units.	
Size/Flo	oor Area: What are the size limita	tions for ADUs?	
	ADU Type	Maximum Size of ADU	
	Detached ADU	1,200 square feet	
	Attached or Converted ADU	50% of the living area of the single-family	
		residence or 1,200 square feet, whichever is less	
	Junior ADU	500 square feet	
Design Requirements: What are the design requirements?			
	1. Height		
	ADU Types	Maximum Height	
	Detached ADU	16 / 18 / 20 feet – see criteria in ordinance	
	Augusta Land	Height of the existing primary dwelling, or 25	
	Attached or Converted ADU	feet ,whichever is lower	
1			

continued next page...

2. Finish Materials and Roof Form

Design Standard	Requirement
	The entrance shall have the same exterior finish materials
Finish Materials	as the existing or proposed single-family residence or
	multi-family development
	The roof form shall match the roof form of the existing or
Roof Form	proposed single-family residence or multi-family
	development and shall not be flat

3. Setbacks

ADU Type	Required Setbacks
Detached ADU (New Structure)	4-foot side and 4-foot rear setbacks
Detached ADU (Conversion – Existing	
Detached Accessory Structure Converted	No additional setbacks
to Detached ADU)	
Detached ADU (New Structure –	
Detached ADU constructed in same	No additional setbacks
location and to same dimensions as	No additional setbacks
existing detached accessory structure)	
Detached ADU (Garage – ADU	4.6 . 1 14.6
Constructed above Detached Garage)	4-foot side and 4-foot rear setbacks

Parking: What are the parking requirements for ADUs?

- 1. The maximum number of off-street parking spaces required for ADUs is one (1) additional off-street parking space for an ADU or per bedroom, whichever is less. Parking for an ADU may be provided as tandem parking on an existing driveway or in the front or rear setback areas. These spaces shall not be covered if located within the setback areas.
- 2. When all or a portion of a garage, carport, or other parking structure is converted or demolished to construct an accessory dwelling unit, the parking spaces displaced by the conversion are not required to be replaced.
- 3. Exceptions to Parking Standards:
 - a. The ADU is located within ½-mile walking distance of public transit.
 - b. The ADU is located within an official architecturally and historically significant historic district.
 - c. The ADU is part of the proposed or existing primary residence or an accessory structure (i.e., attached or converted ADU).
 - d. On-street parking permits are required but not offered to ADU occupants.
 - The ADU is located within one block of a car share vehicle.



This section lists out other regulations regarding ADUs, including regulations regarding owner occupancy, rental, and conveyance, connection and capacity charges, impact fees, and school district fees.

Owner Occupancy, Rental, and Conveyance

Aside from the minimum ADU requirements, the City's ADU Ordinance prescribes specific requirements for the occupancy, rental, and conveyance of ADUs and JADUs summarized below. For more, refer to MMC Section 20.42.030 (PDF or Interactive Municipal Code).

Owner Occupancy

ADU Type	Effective Date	Owner Occupancy Requirement
	January 1, 2020 – January 1, 2025	No owner occupancy requirements on any ADUs or associated primary dwellings
ADU (Detached, Attached, Internal Conversion)	After January 1, 2025	If the ADU is located within the R-1 Zoning District or equivalent designation in a Planned Development of Residential Planned Development, then the property owner is allowed to rent either the primary unit or the ADU but not both and must reside in either the primary unit or the ADU.
JADU	Current	The owner shall reside on the property in either the newly created JADU or the remaining portion of the single-family dwelling, unless the owner is a governmental agency, land trust, or housing organization. * Note: A deed restriction is required for JADUs prior to issuance of a building permit to indicate owner occupancy requirements.

Rental Terms

No short-term rentals are allowed. The rental term of the ADU or JADU must be at least 30 continuous days or more.

Separate Conveyance

An ADU or JADU cannot be sold or otherwise conveyed separately from the primary residence, except when sold by a qualified nonprofit corporation to a qualified buyer in accordance with Government Code Section 65852.26.

Connection or Capacity Charges

The City of Merced allows ADUs or JADUs only on parcels that are connected to public water and sewer service. Depending on the type of ADU proposed, new utility connections may be required including water, sewer, gas, and electricity, which can add connection fees or capacity charges.

• For ADUs or JADUs contained within an existing, developed single-family residence or accessory structure (e.g., garage or shed), the ADU or JADU is not required to install new water and sewer connections and cannot be charged for a related connection fee or capacity charge. However, water lines may be required to be upgraded to current standards (1" meters), at the owner's expense.

ASSISTANCE HUB

Inspection Services Division Contact at (209)385-4773 or inspectionservicesweb@cityofmerced.org for assistance and official determination.

Impact Fees and School District Fees

Impact fees and school district fees are typically required for new development to mitigate the impacts caused by the development. Depending on the size of the ADU proposed, impact fees and school district fees may be waived. Any impact fees or school district fees required are to be proportionate in relation to the square footage of the single-family dwelling. Note: impact fees are due prior to requesting final inspection.

Size of ADU	Impact Fee Requirements
ADU or JADU less than 500 sf.	No City impact fees; no school district fees
ADU less than 750 sf. and greater than 500 sf.	No City impact fees; school district fees are required and are to be charged proportionately in relation to the square footage of the single-family dwelling
ADU more than 750 sf.	City impact fees and school district are required and are to be charged proportionately in relation to the square footage of the single-family dwelling



Conceptualize Your ADU

Before proceeding any further, we recommend taking a few minutes to locate and confirm information about your property that will help you refine your ADU concept. Use the Plot Plan Example on Page 26 for reference on how to plot your property as it exists today. From here, you can start to identify the size and location of your ADU and check your ADU concept against the ADU Requirements Checklist.

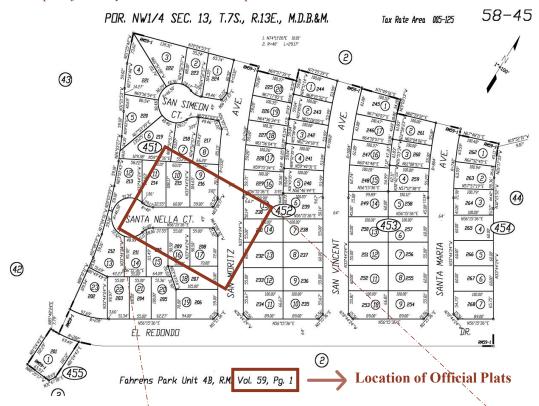
-r
Determine the dimensions of your property: locate your property using the City of
Merced MercedGEO - Citizens Mapping Application (Interactive Mapping
Application) and follow the link to the County Assessor Parcel Map. Find your property
on the County Assessor Parcel Map and make note of the dimensions (e.g., 150 feet by
25 feet).
Measure the dimensions of existing structures on your property: identify permanent
structures on your property (e.g., primary dwelling unit, detached garage or shed, etc.)
and make note of the dimensions including height and distance to property lines.
Identify any easements or special requirements: review a recent Title Report to
identify any easements or special requirements for your property. For example, your
property might have a 10-foot public utility easement, or your property might grant
access to an adjoining property through an access easement. In general, easements limit
the buildable area on your property and their location should be noted as you start to
define the location of your ADU.

HOW TO FIND EASEMENTS ON YOUR PROPERTY

If your property is located within a subdivision:

1. Read your County Accessor Parcel Map for location of the property's Official Plats.

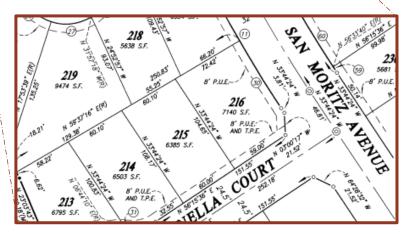
Example of County Accessor Parcel Map:



2. Find the Volume/Book in the County of Merced Official Plats inventory and find your property.

Example of Official Plats.

- Lot 216 has an 8' P.U.E. and T.P.E. along its frontage and roadway side.
- Lot 215 has an 8' P.U.E. and T.P.E. along its frontage.



Consider other property constraints: consider other potential property constraints that may require specific regulations and requirements. For example, is your property in a FEMA Flood Zone? Is your property in a historic district? Does your property have underlying expansive soil? If you've identified other constraints, we recommend discussing your project and property with City staff to avoid any surprises that may impact your ADU concept.

HELPFUL RESOURCES

- FEMA Flood Map Service Center: Enter your address to see if your property is within a special flood hazard area.
- California Historical Resources (California Register): Search by County to identify whether your property is listed.
- USDA Natural Resources Conservation Web Soil Survey: Search by address and define "area of interest" around your property to see the soil map.

ASSISTANCE HUB

For assistance with identifying your property information, contact the City of Merced Planning Division at (209) 385-6858 or planningweb@cityofmerced.org.

Ways to Design Your ADU

There are at least four ways to design your ADU. Be sure to continue to refer to MMC Chapter 20.42, the Electronic Plan Submittal Checklist (PDF), and consult with City Staff to ensure compliance throughout the design process. Contact the City of Merced Planning Division at (209) 385-6858 or planningweb@cityofmerced.org for further assistance.

WAYS TO DESIGN YOUR ADU

	Design Option	Description
1	Participate in the City of Merced Pre-Approved ADU Program	Select from a set of plans for a detached ADU that have been pre-reviewed and approved by the City. Save on design costs. Learn more in Part 4. Pre-Approved ADU Program on Pages 22-24.
2	Designer, Architect, or Engineer	Hire an experienced designer, architect, or engineer to design your ADU and then a builder/contractor to ultimately construct the unit.
3	Design/Build Firm	Hire a design/build firm to handle the entire project, from design to construction.
4	Modular or Prefabricated Home Company	Work with a modular or prefabricated home company. Some companies may handle the entire planning and design process through construction.









PREPARE AND SUBMIT YOUR ADU PERMIT APPLICATION

Application Process

There are no special planning permits required for ADUs. Simply apply for a building permit with the Inspection Services Division by preparing all items indicated and described below (See Submittal Requirements).

In general, if there is an existing single-family residence or multi-family development on the parcel, complete applications will be acted on within 60 days or deemed approved. Exceptions to this timeline are described in MMC Section 20.42.020(B) (PDF or Interactive Municipal Code)

ASSISTANCE HUB

Contact Inspection Services Division at (209)385-4773 or inspectionservicesweb@cityofmerced.org for more information.

Submittal Requirements

Prepare and submit all items indicated and described on the Electronic Plan Submittal Checklist (PDF) to be submitted electronically. These items are listed below for easy reference. Refer to the checklist for detailed information for each submittal item.

SUBMITTAL CHECKLIST

* Note: Submittal items denoted with a * indicate items provided at no-cost with the Pre-			
Appr	roved ADU Program (See Part 4)		
	Building Permit Application Form (PDF) completed with all contact data.		
	Electronic Plan Submittal Checklist (PDF).		
	A complete Site Plan , to scale, dimensioned and all off site and onsite improvements shown. (See Plot Plan Example on Page 26)		
	A complete Floor Plan. *		
	A minimum of four major Elevations . *		
	A complete Foundation Plan to scale and dimensioned, indicating if "cut" or "truss" roof is to be used. Show Footing Details to match Soils Report. Include hold-downs where required. *		
	A copy of the Soils Moisture and Compaction Report from Soils Engineer. <i>Moisture and Compaction test is done by a special inspector after footings and foundation are dug, prior to placing rebar.</i>		
	A Roof Framing Plan . If truss-roof-layout, obtain the services of a Truss Manufacturer for truss layout plan (search for "roof truss manufacturers" online or use the <u>Structural Building Components Association member directory</u>).		
	Truss Calculations. If engineered trusses are used (See Roof Framing Plan).		
	An Electrical Plan (may be incorporated with the floor plan if easy to read) including service size calculations. *		
	A Mechanical Plan indicating size and location of unit and size of ducts and registers. *		
	A complete CCR Energy Analysis ("Title 24" Forms). *		
	A complete Detail Plan Sheet including irregular construction materials and methods as well as connections. *		
	A Shearwall or Braced Wall Plan and schedule. *		
	Building Permit Fees.		
	For participants of the Pre-Approved ADU Program, a signed and dated Waiver and Release Form (PDF). *		
	All applicable Miscellaneous Reports, Documents, and Fees identified below.		

Fees and Additional Requirements

Building Permit Fees

Refer to the City of Merced's Building Permit Fees that are available on the Building Division Downloads webpage for how to estimate building permit fees. Fees are based on square footage and may include a fee for the building permit, plan review fee, planning review fee, and tax on construction among other fees. If your ADU concept requires fire sprinklers, solar, or demolition, then additional requirements and fees may be applicable (See Architectural, Design, and Engineering Services below). Contact Inspection Services Division at (209) 385-4773 or inspectionservicesweb@cityofmerced.org for assistance and official determination.

Miscellaneous Reports, Documents, and Fees

Other miscellaneous reports and documents may be required, based on the ADU concept. Division Contact Inspection Services at (209)385-4773 or inspectionservicesweb@cityofmerced.org for assistance and official determination.

Miscellaneous Reports	Requirements and Fees
Structural Construction Documents	If your ADU concept is two-stories or requires unconventional construction, then structural engineering services may be required to be completed by a Structural Engineer. Fees will vary based on the consultant or company.
Soils Moisture and Compaction Report	The City of Merced requires a Soils Moisture and Compaction Report to be completed by a Geotechnical Engineer after footings and foundation are dug, prior to placing rebar. The City has a policy in place for footings and slabs design for scenarios where an ADU is proposed when there is an existing dwelling on the property. Contact Inspection Services Division at (209) 385-4773 or inspectionservicesweb@cityofmerced.org for more information. Fees will vary based on the consultant or company.

Miscellaneous Reports	Requirements and Fees
CCR Energy Analysis (Title 24)	State law requires every new residential construction, alteration, and addition to meet the latest California Title 24 Building Energy Efficiency Standards. To demonstrate compliance, a Building Permit Application for an ADU is required to include a California Code of Regulations (CCR) Energy Analysis or Energy Compliance Report or "CF1R" that shows how your ADU will comply with Title 24. This requires you to hire a certified third-party consultant to complete the calculations and produce a report. The consultant will need the ADU plan set to be able to complete their work and fees will vary based on the consultant or company.
Fire Sprinkler System	Fire Sprinklers are required to be provided with an ADU if they are required for single-family dwelling. If Fire Sprinklers are required, then a Fire Sprinkler System Permit Application (PDF) and Fire Sprinkler Plans are required to be submitted prior to issuance of a building permit. To estimate required fees, refer to the Fire Permit Fees that are available on the Building Division Downloads webpage.
Solar PV Design	State law requires that any newly-built, non-manufactured, detached ADU to have solar panels in compliance with the latest California Title 24 Building Energy Efficiency Standards (though some exceptions apply). Solar panels can be installed on the ADU or the primary dwelling unit. Refer to the Streamlined Solar Checklist (PDF) for requirements. To estimate required fees, refer to the Building Permit Fees that are available on the Building Division Downloads webpage.
Demolition Requirements	If demolition of an existing structure is required in order to build your ADU, then a Demolition Permit Application (PDF) and required documentation are required to be submitted. To estimate required fees, refer to the Building Permit Fees that are available on the Building Division Downloads webpage.



PART 4. PRE-APPROVED ADU PROGRAM

The City of Merced's Pre-Approved ADU Program ("Program") is an optional and voluntary program that provides pre-approved plan sets for detached ADUs at no cost to the participant, helping to reduce the design costs and overall time it takes to receive building permit approval.







HOW IT WORKS

Choose Your ADU Layout & Style

The Program offers free pre-approved plan sets for new construction, detached ADUs in three size options with a choice between three design styles. The floor plans and elevations are shown in the Accessory Dwelling Unit Design Model Workbook. Review your options and select a layout and style that fits your property. Pay attention to minimum requirements (Pages 9-10) and any property constraints (Pages 13-15). Contact the City of Merced Planning Division at (209) 385-6858 or planningweb@cityofmerced.org for further assistance.

Prepare Your ADU Application Package

Refer to the Application Process, Submittal Requirements, and Fees and Additional Requirements outlined on Pages 16-20. Program components and the responsibility of the property owner/applicant are summarized as follows. Contact Inspection Services Division at (209) 385-4773 or inspectionservicesweb@cityofmerced.org for assistance and official determination.









BENEFITS OF PARTICIPATING IN THE PROGRAM

- Skip the design costs no need to hire an architect or design professional. Save costs on architectural/ design services, structural engineering services, plan review fees.
- Enjoy a streamlined permitting process plans are already approved.
- **Don't sweat the details** plans already meet the building code requirements.



PART 5 RESOURCES, CONTACTS, AND FURTHER READING

RESOURCES

CITY OF MERCED ADU WEBPAGE

https://www.cityofmerced.org/departments/development-services/pre-approved-adu-program

ADU ORDINANCE

The City of Merced updated its ADU Ordinance in 2021, establishing standards for ADUs specific to the city: Chapter 20.42 – Accessory Dwelling Units in the Merced Municipal Code (MMC) available as a <u>PDF</u> or <u>Interactive Municipal Code</u>. Access the full MMC as a <u>PDF</u> or <u>Interactive Municipal Code</u>.

ZONING MAP

The City of Merced's Zoning Map is available as a PDF or Interactive Mapping Application.

ACCESSORY DWELLING UNIT DESIGN MODEL WORKBOOK

https://www.cityofmerced.org/home/showpublisheddocument/19084

APPLICATION DOCUMENTS AND MATERIALS

All building-related documents and materials are available for download on the City of Merced's Building Divisions <u>Downloads Webpage</u>.

CONTACTS

MERCED DEVELOPMENT SERVICES DEPARTMENT

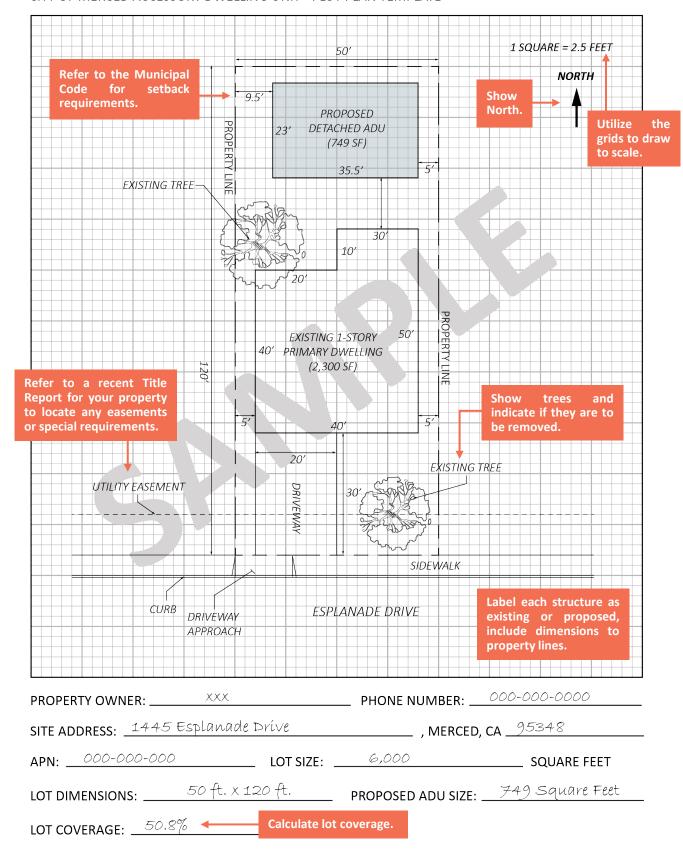
- Planning Division: (209) 388-6858 or <u>planningweb@cityofmerced.org</u>
- Inspection Services Division: (209) 385-4773 or inspectionservicesweb@cityofmerced.org
- Engineering Division: (209) 385-6846 or <u>contactengineering@cityofmerced.org</u>

FURTHER READING

HCD ADU HANDBOOK

HCD Accessory Dwelling Unit Handbook (ca.gov)

CITY OF MERCED ACCESSORY DWELLING UNIT - PLOT PLAN TEMPLATE





CITY OF MERCED

A Homeowner's How-to-Guide to Accessory Dwelling Units