

# City of San José, California

## PLANNING COMMISSION POLICY

TITLE	PAGE
CONVERSION OF SINGLE FAMILY RESIDENCES TO TWO OR MULTIPLE FAMILY RESIDENCES	1 of 2
	EFFECTIVE DATE February 21, 1988

### BACKGROUND

The City of San Jose has a considerable amount of land with duplex or multiple family zoning and General Plan designations but which is substantially developed with single family detached residences. Each year a number of single family property owners choose to take advantage of their higher density zoning by adding one or more living units to the original residence. These conversions to duplex or multiple family use require approval through the Site Development process.

The City permits these conversions only through a discretionary permit process in order to assure that the final product conforms to basic City requirements, is with its surroundings, and results in a livable environment for its new occupants. To facilitate this evaluation process, guidelines have been established to clearly identify the project characteristics necessary for approval.

### POLICY

**Two Family Dwellings:** Two family dwellings (duplexes) are expected to possess the elements of a single family dwelling particularly a directly accessible private "rear yard", on-site parking attached to or in close proximity to each unit, private and separate entries, and orientation of at least one unit to the street.

Clearly, not every single family structure, although appropriately zoned, will be suitable for conversion to a duplex. Duplex conversions are extremely difficult, and typically impossible, to achieve on lots under fifty feet in width and 6,000 square feet in area. The size or width of a lot cannot be used as justification for exempting a conversion from any of guidelines. Each duplex conversion should incorporate all of the following requirements:

1. **Neighborhood Compatibility:** Conform to the prevailing development pattern of its block by reflecting typical setbacks (for additions) and by locating front doors, driveways, parking and fences to match neighboring properties.
2. **Parking:**
  - a. Provide at least two parking spaces for each unit, except that when **both** units have no more than one bedroom each **and** no enclosable garages are

provided, one of the four required spaces may be located in a driveway or backout area, but only if said area serves only one of the other required spaces. If **both** units are studio units, provide one and one-half spaces per unit.

- b. In neighborhoods with garages oriented directly to the street, avoid devoting a substantial majority of the building front to garages and driveways. Generally, no more than one half of the building frontage should be used for garages and/or other parking.
  - c. In neighborhoods with garages located behind the house, locate garages or carports between the two units, if feasible, to separate the units and for convenience; units and garages/carports must be contained in a single building. Otherwise, the required location is the rear yard.
  - d. Carports or open parking in rear yards should maintain five foot setbacks from side and rear property lines.
3. **Private Open Space:**
- a. Provide private open space for each unit, in a relationship and quantity reflective of single family rear yards:
    - i. The size of private yards should be based on the size of the living unit: at least 300 square feet with no dimension less than 15 feet for each studio and one bedroom unit; plus an additional 100 square feet for each additional bedroom
    - ii. Rear yards should be directly accessible from a kitchen, family room, dining room and/or living room. "Directly accessible" may include stairs if a unit is located entirely on the second floor.
    - iii. Front porches cannot be used toward meeting the space requirement for private open space. Large decks which are architecturally consistent with the structure and secure from direct access by visitors may be used to meet the open space requirement for second story units.

- b. Locate private open space where the privacy of both the unit occupants and the neighbors is protected. Private open space should not be located in front setback particularly when that location would result in fencing the majority of the lot frontage.
4. **Building Design:** When conversion involves a building addition or other exterior changes, such additions or changes either should be architecturally consistent with the original building or should include entirely new and consistent architectural treatment of the whole building. Architectural consistency should be achieved through the employment, on the entire building, of the same architectural elements, particularly:
- a. Exterior siding, roofing and trim materials should be identical around the entire building and, for cases involving additions, typically should conform to the materials found on the original structure.
  - b. The original architectural style of a dwelling can be changed only to another legitimate style which is demonstrably compatible with the neighborhood and which will represent a stylistic upgrade from the original building.
  - c. All windows should have the same frame types, materials and trim materials. Window placement, frequency and proportion should be similar to the pattern established in the original building, or should be consistent with the new architectural style, if there is one.
  - d. All exterior architectural trim and embellishments from the original building should be repeated on any additions or remodels, including but not limited to rails, window trims, door trims, balustrades, porches, stairs, cornices, eaves, corbels, sills, dentils, etc.
  - e. The form and volume of additions should be similar to those of the original building; the two parts should form a cohesive whole.
  - f. Roof style and roof slope of building additions should be identical to those of the original building.
  - g. The entire expanded or remodeled building should be freshly painted, in the same color scheme.
- Multiple Family Dwellings:** Multiple family dwellings are expected to provide certain minimum on-site amenities for occupants, but these amenities are not expected to replicate the characteristics of single family development. Conversion of single family detached structures to multiple family dwellings should meet all the requirements of duplex conversion, except that:
1. Private open space may be reduced to 120 square feet for ground floor units and 60 square feet for units with no ground floor space.
  2. Exterior access doors may be shared.
  3. Parking should be provided in conformance with the Planning Commission's Residential Parking Policy.