

Helpful Tips for an ADU Project

Building Safety Open House
July 18, 2023

Presented by
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*Planning, Building and
Code Enforcement*

Overview

1. Welcome
2. Accessory Dwelling Unit (ADU) & Benefits
3. Junior Accessory Dwelling Unit (JADU)
4. Tiny Home on Wheels (THOW)
5. Tips for a Successful Project
 - Tip 1: Confirm Property Jurisdiction
 - Tip 2: Preapproved ADU Plans
 - Tip 3: ADU Universal Checklist
 - Tip 4: Hire Professionals
 - Tip 5: Track Progress at [SJPermits.org](https://www.sjpermits.org)
6. ADU Ally, María Arteaga-Carrasco
7. Questions & Answers

What is an ADU?

- Often referred to as **granny flat, backyard house, cottage unit, in-law residence, second unit**, etc.
- **Attached** (with independent access) or **detached from the main house**
- **Conversion of a garage, basement** or existing permitted space
- **Owner occupancy is not required**

BENEFITS

- Generate rental income
- Increase a property's resale value and home equity
- Create multigenerational housing
- Increase housing supply
- Maintain the character of the neighborhood

Requirements for Single-Family Residential Lots

In San José:

| Lot Size | Maximum Square Footage allowed for ADU |
|-------------------------|--|
| Under 9,000 square feet | 1,000 square feet |
| Over 9,000 square feet | 1,200 square feet |



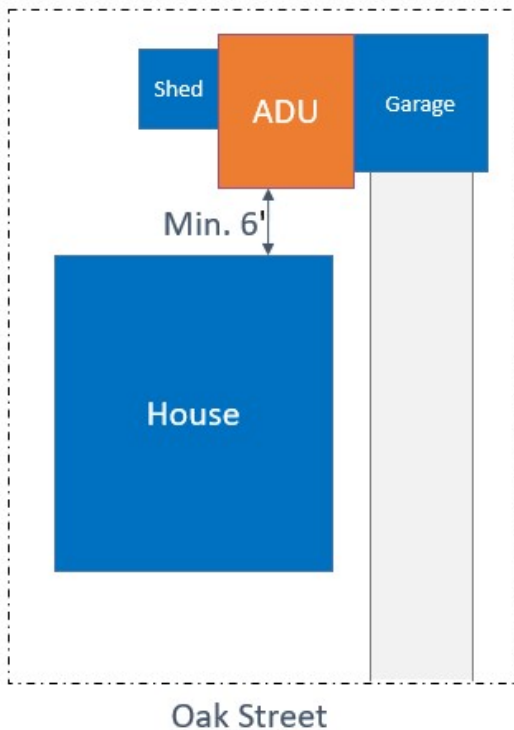
Types of ADUs

Detached, Attached, JADU, Tiny Home on Wheels



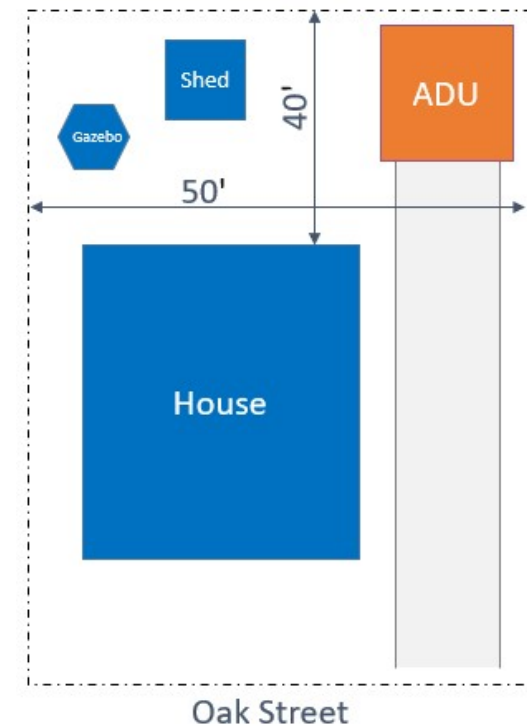
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Detached ADU: Setback & Height Requirements



- **6 feet minimum separation** from the main house
- **OK to convert a garage or attach to, or build on top** of a garage or accessory building
- ADU + all structures **may not cover more than 40% of the rear yard**
- State allows **up to 800 square feet in floor area; up to 16 feet tall; with at least 4 feet side and rear setbacks.**

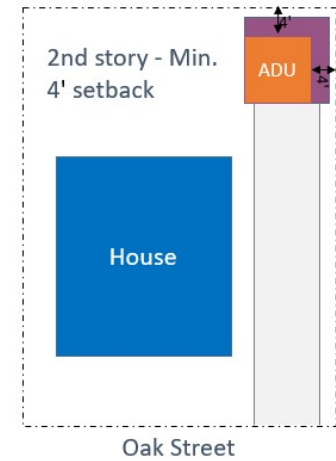
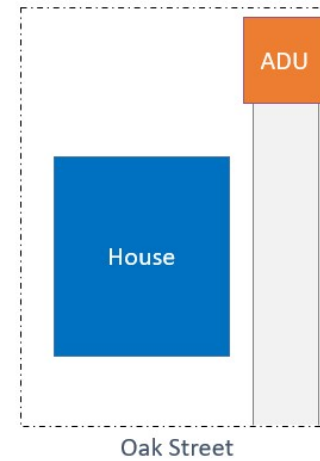
Rear Yard = 2,000 sq. ft.
Max coverage = 800 sq. ft.



Detached ADU: Setback & Height Requirements

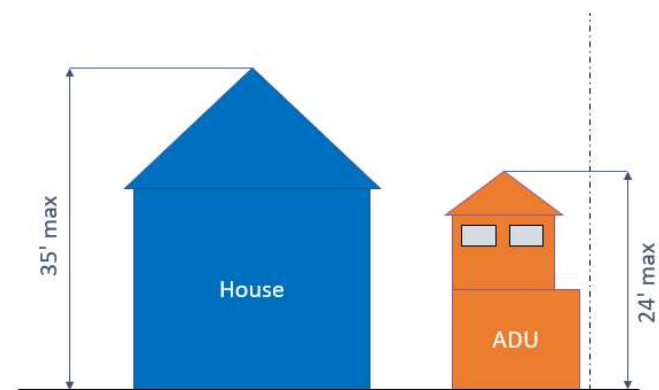
One story ADU

- **Zero setback allowed, except when**
 - Easements may restrict placement
 - Setbacks are less than 3-foot; fire regulations apply
- **18-foot** maximum height



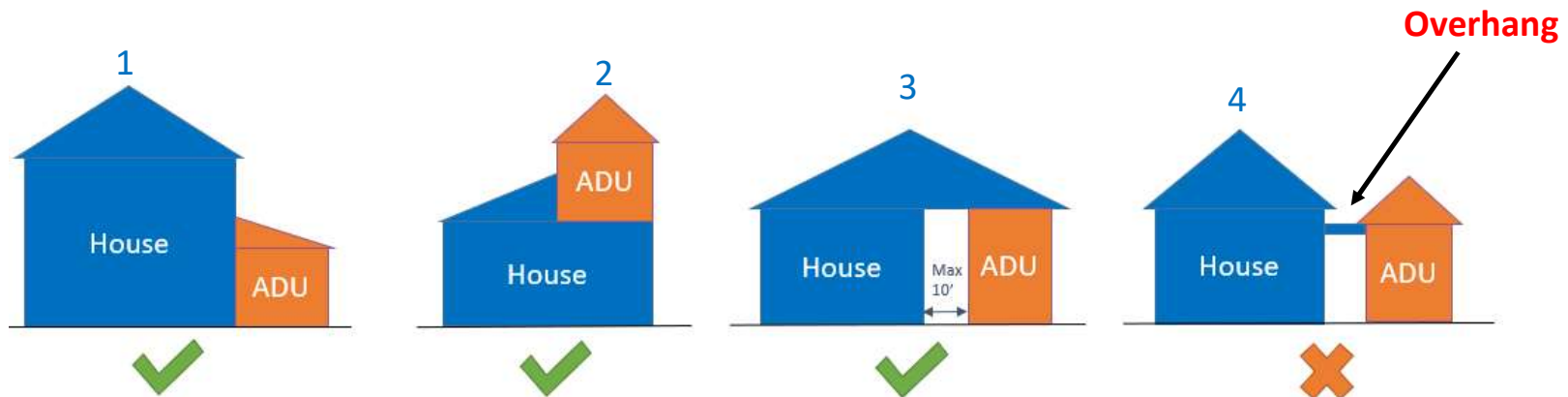
2nd story ADU

- **4-foot setback** required to protect neighbors' privacy
- **24-foot** maximum height

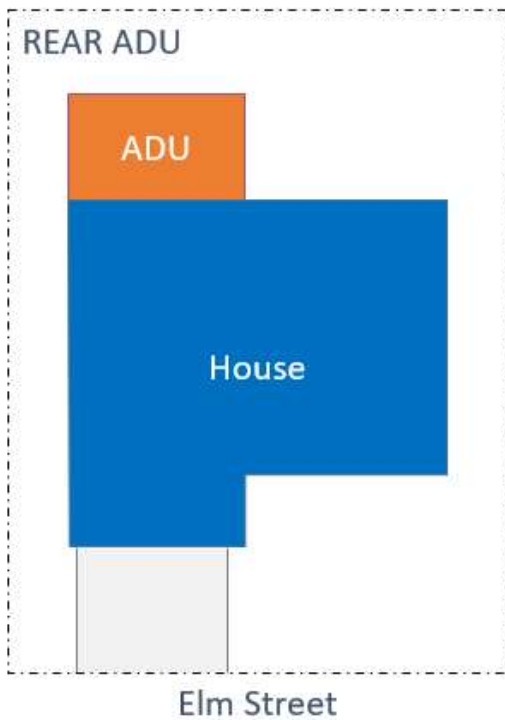


Attached ADU: Requirements

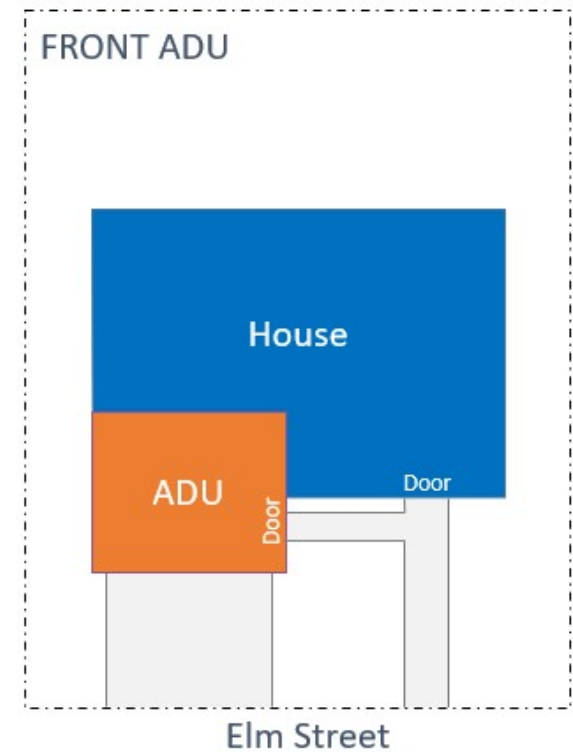
1. **Must share a wall** with the main house, or
2. Can be a **garage conversion** or **on top of the garage**, or
3. Can be **separated from the main house** by a **maximum of 10 feet** if sharing the main house roof with the same framing system.
4. **Overhang is not allowed**



Attached ADU: Setbacks & Height Requirements



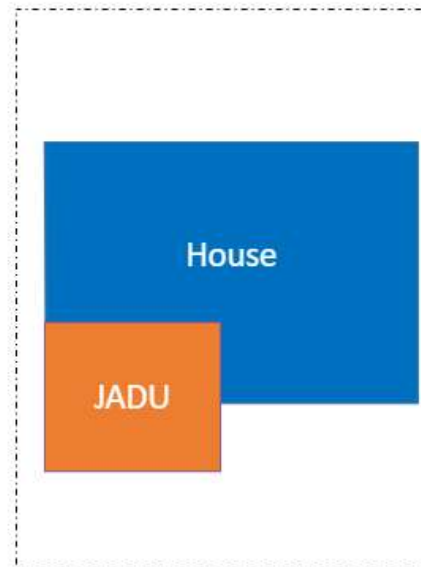
- **Same setbacks and height limits** as the main house for rear and front ADUs.
- **Up to 20 feet tall**
- May have **4-foot side/rear setbacks**



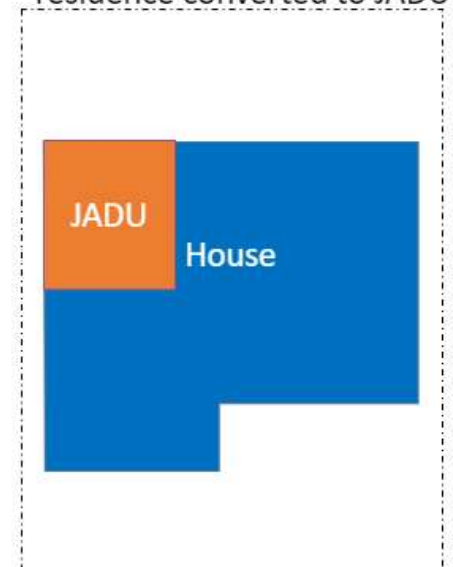
What is a JADU?

- **500 square foot maximum**
- **Must be within a proposed or existing single-family home or accessory structure**
- Must have an **entrance to the outside** from the unit.
- **Deed Restriction; Owner Occupancy required**
- If demolishing or rebuilding, OK to rebuild new single-family home with attached JADU

Garage conversion to JADU



Space within existing residence converted to JADU



JADU with Attached or Detached ADU

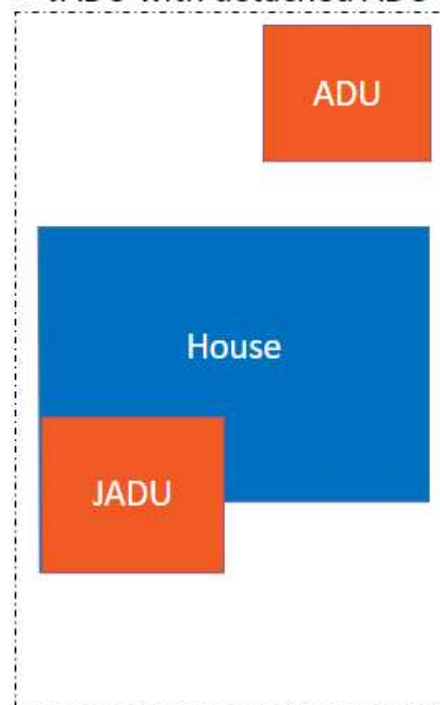
JADU with Detached ADU

- ADU total floor plan shall not exceed 1,000 square feet
- 18-foot maximum height for the ADU

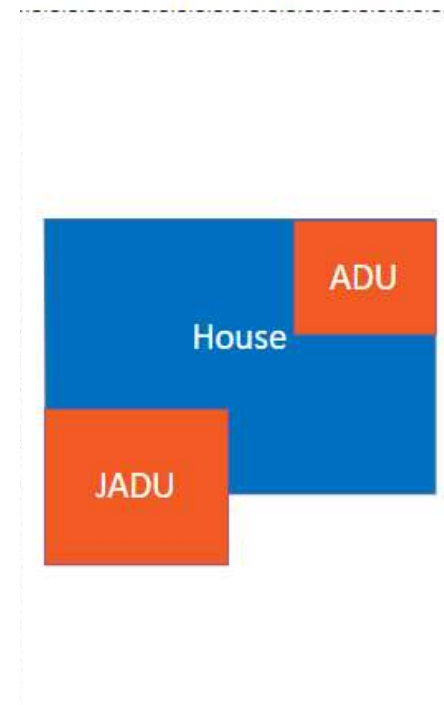
JADU with Attached ADU

- ADU total floor plan shall not exceed 1,000 square feet

JADU with detached ADU



JADU with attached ADU



Tiny Home on Wheels (THOW)

- **Most affordable** type of ADU; **simpler, lower-cost permit process**
- Size must be between **150 sq. ft. and 400 sq. ft.**
- Must comply with **neighborhood zoning requirements** and obtain **electrical and plumbing permits**
- Allowed only on **single-family properties**
- **On wheels, not attached to a permanent foundation**
- **Does not require an address**
- **Cannot move** under its own power



Helpful Tips



*Planning, Building and
Code Enforcement*

Tip #1: Confirm Property Jurisdiction

- Confirm the property is in San José
 - [Real Property Search \(sccassessor.org\)](https://sccassessor.org)
 - Tax Rate Area: **017**

OFFICE OF THE ASSESSOR, COUNTY OF SANTA CLARA
70 W. HEDDING ST. SAN JOSE, CA 95110

Home | [Online Services](#) | [Property Information](#) | [Tax Savings](#) | [Forms and Publications](#)

Property Search - Real Property

Simple Address Search | [Advanced Address Search](#) | [Search by APN](#)

(Please enter the address where the property resides, do not enter the mailing address.)

Property address

I have read, understand, and accept [the terms and conditions](#)

Search

| Current Information | | | |
|-------------------------------|---------------------------------------|---------------|---|
| 2023 | | | |
| 2022 | | | |
| 2021 | | | |
| School District/Tax Rate Area | | | |
| FAQ | | | |
| TAX RATE AREA | MUNICIPAL JURISDICTION | TAX RATE AREA | MUNICIPAL JURISDICTION |
| 002 | City of Gilroy | 011 | City of Los Altos |
| 003 | Town of Los Gatos | 012 | City of Milpitas |
| 004 | City of Morgan Hill | 013 | City of Cupertino |
| 005 | City of Mountain View | 014 | Town of Los Altos Hills |
| 006 | City of Palo Alto | 015 | City of Saratoga *see note below |
| 007 | City of Santa Clara | 016 | City of Monte Sereno |
| 009 | City of Sunnyvale | <u>017</u> | <u>City of San Jose</u> |
| 010 | City of Campbell | 054 to 089 | Unincorporated |

Tip #2: Preapproved ADU Plans

- **Vendor handles the project submittal.**
- Permit may be **issued on the same day** of submittal.
- **Site cannot be in:**
 - Geohazard, landslide, or flood zone
 - Wildland-Urban Interface (WUI) area
- **Project cannot involve:**
 - Fire Variance
 - Code Enforcement Violation




See preapproved ADUs at www.sanjoseca.gov/ADUs

Tip #3: ADU Universal Checklist

The **ADU Universal Checklist** guides you through the ADU project requirements according to location and type of property.

- **Neighborhood Type (Zoning)** (e.g., downtown or mixed neighborhood, residential, urban village, rural residential, etc.)
- **Property Designation** (e.g., flood zone, historic property, easements, geohazards/seismic hazards, code enforcement case/violation, etc.)
- **Development standards** (e.g., ADU location, size, height, setbacks, etc.)
- **Fire Safety and Emergency Access** (e.g., ADU access, hydrant proximity and water flow, fire sprinkles, etc.)



CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY
Planning, Building and Code Enforcement

BULLETIN #210 UPDATED 03/21/2023 SUBJECT TO CHANGE

RESIDENTIAL PROPERTIES

ADU UNIVERSAL CHECKLIST

Are you thinking about building an ADU, JADU, or THOW? If yes, be sure to use this checklist to learn if your lot qualifies for an ADU and if your project concept complies with City zoning and fire codes. Property owners and design professionals: **Avoid having to make costly changes to plans by closely following the directions and standards outlined in this checklist.** We'll help! Share your completed checklist and a sketch of your proposed ADU with a City planner for basic feedback. To obtain feedback, see the [ADU Plan Review & Permit Process](#) webpage and review [HCD Handbook Checklist](#).

*ADU - Accessory dwelling unit, also called a granny flat, secondary unit, or backyard home. May be attached to or detached from the main home. May also be a conversion of a garage or basement.
 *JADU - Junior accessory dwelling units are built within the existing footprint of a single-family home. An attached garage may be converted into a JADU. Owner-occupancy of the main home is required.
 *THOW - Tiny home on wheels. THOWs are a prefabricated type of ADU mounted on a trailer chassis and have their own checklist; view [Bulletin #291: Tiny Home on Wheels Permit Checklist](#).

Find more details on types of ADUs and ADU requirements at www.sanjoseca.gov/ADUs and [San José Municipal Code Part 4.5](#).

INSTRUCTIONS

To complete on a computer, download the checklist, save it to your hard drive, then use Adobe Acrobat Reader (free) to fill it out. For Parts 1 and 2, please use www.sjpermits.org for property research. Simply tap "Permits & Property Information." Enter your address. On the next screen, click "Select" by your property address. A list of property descriptions will appear.

| QUESTIONS | YES | NO |
|--|--------------------------|--------------------------|
| PART 1. DOES YOUR PROPERTY QUALIFY? | | |
| <p>1. DO YOU HAVE A SAN JOSE ADDRESS? You can confirm that a property is in San José at sjpermits.org (see above instructions). At the "Incorporated" data field, "yes" means the property is in the city boundary; "no" means it is in a different jurisdiction.</p> <p>> Outcome: If no, please work with the appropriate jurisdiction. If yes, continue with this worksheet.</p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>2. ZONING. Is the property zoned R-1, R-2, R-M, or PD? Or, is it designated in the General Plan as:</p> <ul style="list-style-type: none"> - Downtown or Mixed-Use Neighborhood or Mixed-Use Commercial - Residential Neighborhood or Rural Residential or Transit Residential - Urban Residential or Urban Village <p>Find zoning at sjpermits.org. Find designations at the General Plan Map. For questions about a planned development (PD) zone, speak with a City planner at 408-535-3555 during these hours.</p> <p>ENTER ZONING: <input style="width: 100px;" type="text"/> ENTER GENERAL PLAN DESIGNATION: <input style="width: 100px;" type="text"/></p> <p>> Outcome: If no, an ADU is not allowed. If yes, here are the allowed ADUs:</p> <ul style="list-style-type: none"> • Single-Family Property - One ADU and one JADU are allowed. • Duplex or Multifamily Property - Two detached ADUs are allowed. For a duplex, one attached ADU may also be allowed. For multifamily lots, a number of attached ADUs equivalent to up to 25% of existing units may also be allowed; for example, a building with 12 units may qualify for 3 attached ADUs. JADUs are not allowed. | <input type="checkbox"/> | <input type="checkbox"/> |

BUILDING DIVISION 408-535-3555 SAN JOSE CITY HALL, 200 E. SANTA CLARA ST., SAN JOSE, CA 95112 WWW.SANJOSECA.GOV/BUILDING

Tip #4: Hire Professionals

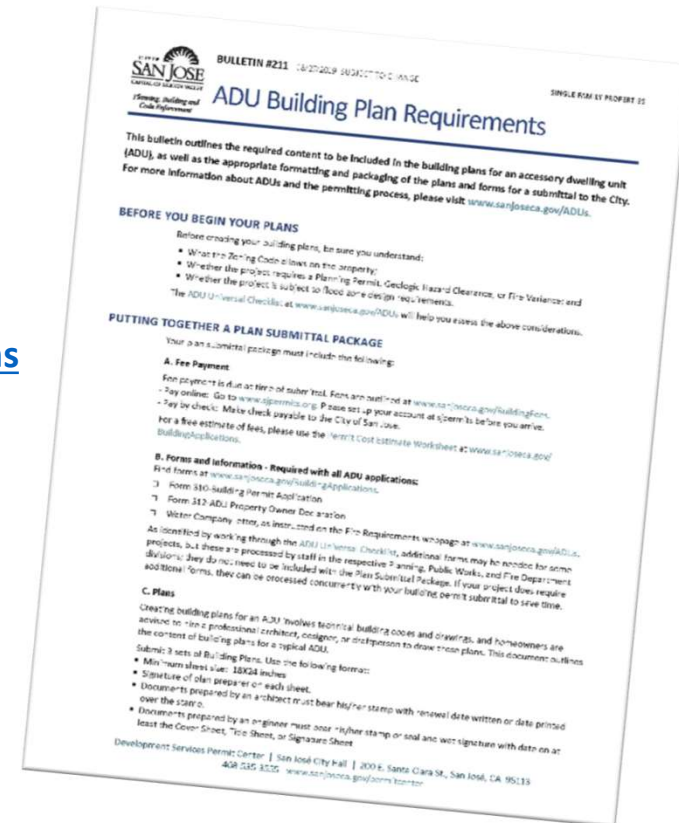
Research and hire an architect, design-build firm, licensed contractor.

bit.ly/ADUBuildingPlanRequirements

What to submit:

The following forms can be found at www.sanjoseca.gov/BuildingBulletins

- [ADU Building Plan Requirements](#)
- [Building Permit Application](#)
- [Owner-Builder Acknowledgement and Verification of Information](#)
- [ADU Property Owner Declaration](#)
- [JADU Deed Restriction Agreement](#)
- [Water Flow Letter & Hydrant Map](#)
- [Addressing Assignment Request](#)



Tip #5: Track Progress @ SJPermits.org

- Track progress at [SJPermits.org](https://sjpermits.org)
 - If comments are issued, Resubmittal require (response to comment)
 - If comments are not issued, technical process is close (approve)
- Example of Building Department status:

| DIVISION | STATUS | DEFINITION |
|----------|------------------|---|
| Building | Intake | The application process has started but submittal is not complete. For online permits, you may use the 'Continue to Submit Application' option. |
| | Technical Review | This permit is in progress and under review. |
| | Under Inspection | Permit has been issued and inspections either need to be scheduled or are in progress. |
| | Finald | Construction is completed and a final inspection was conducted and the project is approved, if relevant, for occupancy. |

- After all technical clearances are close, **project will get logged.**
- **Permit Specialist** will request permit documents and addressing application.
 - Prepares for permit issuance.

City of San José ADU Ally

Here to help with:

- General questions
- Intake submittal
- Revisions/Resubmittal
- Address Assignment Requests
- Permit Issuance
- Coordinate Consultation Meetings



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City ADU Ally
Hablo español

adu.ally@sanjoseca.gov
(408) 793-5302

Resources

For questions or information about:

| | | |
|------------------|----------------|--|
| Fire Inspections | (408) 535-7750 | SJFDPermitsSpecialist@sanjoseca.gov |
| Flood Zone | (408) 535-7803 | FloodZoneInfo@sanjoseca.gov |
| Code Enforcement | (408) 535-7770 | BuildingCodeCompliance@sanjoseca.gov |
| Planning/Zoning | (408)535-3555 | ZoningQuestions@sanjoseca.gov |

| | |
|----------------------------------|--|
| Public Works/Geological Hazard | PWGeneralinfo@sanjoseca.gov |
| Building Inspections | InfoInspector@sanjoseca.gov |
| ADU, JADU, THOW | www.sanjoseca.gov/ADUs |
| ADU Universal Checklist | bit.ly/ADUUniversalChecklist |
| ADU Building Permit Requirements | bit.ly/ADUBuildingPlanRequirements |