

# ADU Screening Form

**REQUIRED.** To help ensure that your accessory dwelling unit (ADU) concept complies with the Zoning Code before you invest in creating building plans, the Planning Division requires you to submit this form and speak with a Planner before you submit a building permit application. Only projects that comply with Zoning Code sections [20.30.150](#) and [20.30.200](#) may obtain a building permit. See pages 2-3 of the form for a summary of the code or visit [www.sanjoseca.gov/municipalcode](http://www.sanjoseca.gov/municipalcode).

**INSTRUCTIONS.** Come to the Planning Counter at the Development Services Permit Center, 1st floor, City Hall. Please bring:

- This form, filled out.
- A preliminary site plan, which can be hand-drawn, showing:
  - boundaries and dimensions of the lot
  - location of the primary dwelling and proposed ADU

When you arrive, go to the Permit Center Kiosk to obtain a service ticket. First tap the “Planning Services” button and then tap “ADU Questions.” Take the issued ticket. When your number is called, go to the round Assistance Desk.

**IMPORTANT.** For projects that meet Zoning Code standards, the Planner will initial page 2 of the form and return it to you. **This initialed form with Section 3 signed by the property owner must be submitted with the Building Permit Application package.**

USE THE COMPUTER-FILLABLE FORM AT [WWW.SANJOSECA.GOV/PLANNING](http://WWW.SANJOSECA.GOV/PLANNING) OR PLEASE USE INK AND PRINT CLEARLY.

## 1. PROPERTY INFORMATION

PROJECT ADDRESS:

FIND AT [WWW.SCCASSESSOR.ORG](http://WWW.SCCASSESSOR.ORG)

ASSESSOR’S PARCEL NUMBER (APN):

FIND AT [WWW.SJPERMITS.ORG](http://WWW.SJPERMITS.ORG)

ZONING DISTRICT:

PD ZONES: Is the property located within a PD-Planned Development Zone? FIND AT [WWW.SJPERMITS.ORG](http://WWW.SJPERMITS.ORG)  Yes  No

*If yes, the project may require a planning permit. Speak with a Planner on how to proceed.*

EASEMENTS: Does the property have any dedicated easements?  Yes  No *If yes, do not construct the ADU within the easement.*

*To determine easements on your lot, look up the Tract Map. See <http://www.sanjoseca.gov/index.aspx?NID=5207>.*

FIND AT <http://www.ohp.parks.ca.gov/ListedResources/>

HISTORIC: Is the property located in a Historic District identified on the [California Register of Historic Resources](#)?  Yes  No

*If yes, the project may require a planning permit. Speak with a Planner on how to proceed.*

TYPE OF UNIT PROPOSED CHECK ONE:

- ADU Attached to Primary Dwelling     Attached Garage Converted to ADU     ADU Adjoins Detached Garage or Accessory Building  
 Detached Garage or Accessory Building Converted to ADU

## 2. CONTACT INFORMATION

PROPERTY OWNER NAME:

MAILING ADDRESS:

EMAIL:

PHONE:

## 3. OWNER’S DECLARATION

**THIS SIGNED DECLARATION MUST BE INCLUDED WITH THE BUILDING PERMIT APPLICATION.**

**I hereby affirm, under penalty of perjury, that I am the owner of the property identified in this application, and that I do not intend the secondary dwelling for sale, separate from the primary residence.**

• SIGNATURE of Property Owner

PRINT NAME

DATE [MM/DD/YYYY]

ADU STANDARDS IN THE ZONING CODE		STAFF	
Zoning	ADUs are allowed on lots with one single-family dwelling in the R-1, R-2, and R-M residential zoning districts; in Planned Development (PD) districts consistent with the R-1 zoning district, or conforming to the requirements of the PD zoning district and permit; or in low density cluster developments consistent with the R-1 zoning district, or conforming to the requirements of the low density cluster development permit.		
Lot Size, Maximum ADU Size, and Bedrooms Allowed	Minimum lot size: 3,000 sf		
	<i>Lot Size</i>	<i>Maximum Floor Area</i>	<i>Bedroom Requirements</i>
	3000 - 5,444 sf	600 sq. ft.	Required - Studio (living/sleeping area) or 1 bedroom. Maximum bedroom size: 400 sq. ft. 2 bedrooms not allowed.
	5,445 - 9,000 sf	700 sq. ft.	
	9,001 - 10,000 sf	800 sq. ft.	2 bedrooms are allowed in ADUs from 800 to 900 sq. ft.
10,001 - and up sf	900 sq. ft.		
	The area of an attached unit may not exceed 50% of the primary dwelling unit area. The square footage of all areas connected by a door or other opening counts toward the allowable square footage of the unit.		
Storage	60 sq. ft. maximum for any closet or other enclosed storage area within the ADU.		
Kitchen	One kitchen is required with sink, food preparation counter, storage, cabinets, and permanent cooking facilities such as oven and range or cooktop.		
Bathroom	Only one bathroom is allowed. Must include sink, toilet, and shower and/or bath facilities. Half bathrooms are not allowed.		
Setbacks from property lines	Attached units: Same setback requirements as apply to the main house.		
	Detached units and conversions: <ul style="list-style-type: none"> <li>▪ Zero to less than 3 feet rear and side setbacks will require fire protection mitigation measures to ensure the safety of the unit, as reviewed and approved by the Fire Department.</li> <li>▪ If there is a second story, it must be set back 5 feet from both rear and side property lines.</li> <li>▪ A 60-foot minimum setback from front property line is required.</li> <li>▪ For corner sites, a 10-foot setback is required on the street side.</li> </ul>		
	Riparian setback of minimum 100 feet is required for lots that are ½ acre or greater (20.30.150.J.8).		
Height	Attached units: Same height requirements and limitations as the main dwelling unit.		
	Detached units: One-story - 18 feet maximum. Two-story - 24 feet maximum.		
Location	Attached units: Must share a wall or have an integral roof structure with primary residence and be separated by no more than 10 feet (20.30.150.K.2).		
	Detached units: Must be located in the rear yard or 60 feet from the front property line, with a minimum 6-foot separation from the main dwelling unit (20.30.150.K.3 & 4), and may be attached to an existing or proposed accessory building (20.30.150.K.6).		
Parking	One space in addition to the required parking spaces for the primary dwelling, unless the unit qualifies for parking exemptions; see page 3 or visit <a href="http://www.sanjoseca.gov/ADUs">www.sanjoseca.gov/ADUs</a> for a description of exemptions.		
	All parking spaces must be located on a mud-free, dust free surface, and may be located within the front and side setbacks of the property, with a minimum driveway length of 18 feet.		
Rear Yard Coverage	Cumulative total coverage of the rear yard, including coverage by the ADU, accessory buildings, and accessory structures such as a shed, gazebo, etc., cannot exceed 40% (20.30.150.K.7).		
Design Standards	If located on a site that is listed on the California Register of Historic Resources, both attached and detached units must incorporate the main unit's architectural style and similar materials and colors, including but not limited to roofing, sidings, windows, and doors (20.30.150.L.1 & 2).		
	Attached units - Front yard ADU allowed, but the front door cannot be on same street-facing façade as that of primary residence, with exceptions (20.30.150.L.3). Detached ADUs are not allowed in the front yard.		
	Sill height for windows for second story units must be a minimum 5 feet for walls nearest to rear and side property lines (20.30.150.L.4).		
REVIEWED BY:		DATE:	

**MORE ADU INFORMATION**

The information below provides more details. Please also visit [www.sanjoseca.gov/ADUs](http://www.sanjoseca.gov/ADUs) for instructions on the permit process.

■ **PARKING REQUIREMENTS** - If a garage is converted to an ADU, the main dwelling parking spaces must be replaced; they may be uncovered and located in front or side setback areas. The homeowner may be eligible for a reduction of one space of required parking per Municipal Code Section 20.90.220.B.1.b. Onsite parking spaces may be configured per state law. State law requires that an ADU have one parking space unless the property qualifies for an exemption:

**PARKING EXEMPTIONS**

*Per State law, no parking is required for an ADU that meets any of the following criteria:*

- The ADU is located within .5 mile of a public bus stop or rail station (see [www.vta.org](http://www.vta.org)), and the path of travel is publicly accessible.
- The ADU is part of or within the primary residence or existing accessory building.
- The ADU is on a street that requires on-street parking permits, but the permit has not been offered to the occupant of the ADU.
- The ADU is located within one block of where a motor vehicle provides hourly and daily service as part of a regional fleet operated by a public agency or publicly-leased motor-vehicle-sharing organization.
- The ADU is located within a historic district listed in the City's Historic Resources Inventory. See <http://www.sanjoseca.gov/DocumentCenter/View/35475>.

**COMMON QUESTIONS ABOUT ADUs**

1. **Will my property taxes increase if I build an ADU?** Yes. The primary house will not be reassessed, and your base assessment of the primary house will not be affected, but your taxes will increase based on the value of the second unit. For more information, visit: [www.sccassessor.org](http://www.sccassessor.org)
2. **Can I build a new house and ADU at the same time?** Yes.
3. **Can I build an ADU where the single-family house is a rental? And rent the house and ADU to different parties?** Yes and Yes.
4. **Can I build an ADU on a property with a duplex or apartment building?** No.
5. **Can an ADU have a porch? Will the porch count in the allowed square footage for the unit?** If the porch is uncovered, it will not count toward the maximum floor area allowed. If the porch is covered and is 50% or more enclosed with walls, then it will count toward the allowable floor area of the ADU.
6. **Is an ADU required to have its own address?** Yes. An address will be assigned as part of the permit approval.
7. **Is an ADU required to have separate utilities?** Utilities can be combined with the main residence or can be separate.
8. **Is an ADU required to have fire sprinklers?** If the main house has fire sprinklers, the ADU must also have fire sprinklers. Sprinklers may also be required for a detached ADU that is built with less than a three-foot setback. See also the fire requirements at [www.sanjoseca.gov/ADUs](http://www.sanjoseca.gov/ADUs) or call 408-535-7750 and ask to speak with a fire permit specialist.
9. **How do I get a building permit?** Please visit the "Permits & Plan Review" page at [www.sanjoseca.gov/ADUs](http://www.sanjoseca.gov/ADUs) for an outline of the steps to getting a building permit, and what you should know BEFORE you submit your application. Plan review will be conducted prior to permit issuance through one of our options for ADU Plan Review.
10. **How much is the building permit?** The permit fee depends on the ADU square footage. Use our [Permit Cost Estimate Worksheet](#) to obtain a free estimate. Other fees may apply:
  - School fees: See <http://www.sanjoseca.gov/index.aspx?nid=5820>.
  - Park Impact fees: See (<http://www.sanjoseca.gov/DocumentCenter/View/78236>).
  - Fees for any clearances or other permits as may be applicable, such as a Geohazard Clearance, Tree Removal Permit, or a Fire Variance, for example.
11. **How long does it take to get my plans approved?** Typically 20 business days unless your plan requires more than a first review or requires clearances or other types of permits. See the plan review process at [www.sanjoseca.gov/ADUs](http://www.sanjoseca.gov/ADUs).

Our ADU video on YouTube may help you understand the planning, permit and plan review process.

Visit [www.sanjoseca.gov/ADUs](http://www.sanjoseca.gov/ADUs) and click the video link.

