

**Interested San José  
homeowners are saying:**



*“Our full-time caregiver will soon have the privacy of her own living space while still being right there whenever my wife and I need her.”*



*“My husband’s parents stay with us several months out of the year. An in-law unit would give us the extra space we all need to feel comfortable.”*



*“I plan to rent my one-bedroom cottage to a local college student. She’ll have an affordable, safe place to stay, and the rent will help supplement my fixed income.”*



*“When our son became disabled and had to move back home, we decided a second unit would give him the independence and security he needed.”*

**For More Information**

To obtain a permit application  
and additional information on the City’s  
secondary unit ordinance  
visit our website at:

[www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning)

or contact:

**CITY HALL**

Development Services Center  
200 East Santa Clara Street, Tower, First Floor

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To schedule an appointment  
for a preliminary review meeting  
or to submit your permit application call:  
**408.535.3555**

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In accordance with the Americans with Disabilities Act, City of San José materials can be made available upon request in alternative formats such as Braille, large print, audio tape or computer disk. Requests may be made by calling 408.535.3555 (v) or 408.294.9337 (TTY).

Si desea hablar con alguien en español en cuanto a esta información, favor de llamar al 408.535.3555.

Nếu quý vị muốn nói chuyện với nhân viên nào bằng tiếng Việt về những thông tin này, xin gọi số 408.535.3555.



**Adding  
a  
Guest House**

*Build the space you need for  
relatives, visitors, caregivers*



**City of San José**

**Secondary Unit Ordinance  
Effective June 15, 2008**



## What is a Secondary Unit?

Often called guest houses, in-law suites, "granny units," or backyard cottages, a secondary unit is a residential structure, either attached or detached from a primary residence. These units contain at least a bathroom and a full kitchen. A full kitchen includes a kitchen sink, a food storage area, and a permanent cooking stove/oven.



## What is the Secondary Unit Ordinance?

The Secondary Unit Ordinance establishes criteria for the approval of a small additional living unit on single-family properties. The permanent Secondary Unit Ordinance took effect on June 15, 2008. Homeowners with existing unpermitted units may apply for a secondary unit permit.



## Why a Secondary Unit Ordinance?

Secondary units provide much-needed affordable housing opportunities and appropriate living arrangements for people needing caregivers, children caring for elderly parents, or adult children returning home.



## How do I Qualify for a Secondary Unit?

First, review the program's criteria and application requirements. Next, schedule a free preliminary review meeting to discuss your plans and questions with City planning staff. Finally, make an appointment to submit your application to City building staff.

# THREE STEPS TO APPLY FOR A SECONDARY UNIT PERMIT



## Review Criteria/Requirements

Before applying, ensure your proposal meets the following:

**APPLICABLE ZONING DISTRICTS** All R-1 Single-Family Residence Districts and Planned Development Districts using R-1 standards

### MINIMUM LOT SIZE

- **Attached unit** – 6,000 sq. ft. lot— an attached unit is structurally connected to the main house
- **Detached unit** – 8,000 sq. ft. lot—the unit stands independent of the main house (minimum 6 feet from the main house)

**MAXIMUM UNIT SIZE** Lot 9,000 sq. ft. or less - 600 sq. ft.

Lot 9,001 - 10,000 sq. ft. - 650 sq. ft.

Lot 10,001 sq. ft. or greater - 700 sq. ft.

**MAXIMUM NUMBER OF BEDROOMS** One

**MAXIMUM BEDROOM SIZE** 400 sq. ft.

**MAXIMUM NUMBER OF BATHROOMS** One

**MAXIMUM CLOSET/STORAGE SIZE** 60 sq. ft.

**REQUIRED PARKING** One open or covered parking space outside of front and side setbacks (*this is in addition to those spaces required for the main house*)

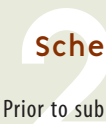
### SITE CRITERIA

- **Attached unit** – Same setback requirements as main house
- **Detached unit** – Same setback requirements as main house
  - Must be behind the main house
  - Minimum of six feet from existing structures
  - Maximum height = 18 feet. Average height = 14 feet
  - Maximum 40% rear yard coverage for total of secondary unit, accessory buildings and structures

### DESIGN CRITERIA

- Exterior materials must match main house
- Roof pitch and form must match main house
- Front door elevation must be different from the front door to main house
- Windows shall not have views into adjacent residences or backyards of residential properties

**OWNERSHIP** Property owner must certify that they occupy existing house at time of application and at completion of construction.



## Schedule a Preliminary Review

Prior to submitting your application, you can schedule a free preliminary review meeting with City Planning staff. We recommend that you bring a site plan (*drawing of the lot, your home, property lines and required setbacks*) and application so that City staff can review your materials, answer any questions you may have, and provide guidance on the final application step.



## Submit Application by Appointment

To apply for your Secondary Unit permit, make an appointment by calling **408.535.3555**. Applications are available at **[www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning)** or from the Development Center located on the first floor of City Hall. Your application package must include the following:

- Completed Secondary Unit Clearance application
- Photographs
  - Existing structures on property
  - Views to adjoining properties from proposed secondary unit location
- Completed building permit application and project worksheet
- Homeowner's property tax exemption
- Plan sets (*3 plan sets, minimum 18" x 24"*) each containing information required for a building permit submittal, *plus* the following additional information:
  - Total secondary unit square footage
  - Bedroom square footage
  - Closet/storage square footage
- Planning clearance fee (\$250), plus all normal and customary building permit fees and taxes for the proposed secondary unit
  - Building permit fees and taxes for a typical 600 sq. ft. unit can range from from approximately \$5,000 to \$6,000 depending upon the configuration
  - For Parkland fees information call 408.535.3555
- Appointment reservation fee (*\$100, non-refundable*). This fee reserves your appointment and is put toward the cost of the permit when you submit a completed application.