

PROJECTS THAT NEED A SINGLE-FAMILY HOUSE PERMIT

New construction or additions proposed on single-family properties may need a “Single-Family House Permit” from the Planning Division *before* a building permit will be issued.

Which projects require a Single-Family House Permit?

To help protect the integrity of residential neighborhoods, the Zoning Code requires that if your project meets any of the conditions below, you must apply for a Single-Family House Permit:

1. The new house or addition is greater than 30 feet or 2 stories in height.
2. The floor area ratio of the house is greater than .45.
(see page 2, *How to Calculate the Floor Area Ratio*)
3. Construction will be within 100 feet of a riparian corridor (creek) and the lot is 1/2 acre or larger.
4. The house or site is listed on the City’s Historic Resources Inventory, at www.sanjoseca.gov/historicresourcesinventory. If the house or site is a City Landmark or in a City Landmark District, instead of a Single-Family House Permit, you’ll need to get a Historic Preservation Permit. Learn more and find guidelines at www.sanjoseca.gov/historicresources.

How do I get a Single-Family House Permit?

To apply for a permit:

- Complete the [Single-Family House Permit Application](#) found at www.sanjoseca.gov/planningapplications. Follow the instructions on the form for preparing an application package that includes plans.
- Submit the application package in person to the Planning Counter at the Development Services Permit Center at City Hall, 200 E. Santa Clara St., San José.

Applying for a permit does not guarantee approval of the permit. The Director of Planning is the decision-making authority. Based on the criteria below, the Director will consider your permit application through either an administrative review or a public hearing process.

Administrative Review Process

For projects that meet all of the criteria below, the Director of Planning will review the application and make a decision, without a public hearing. This decision cannot be appealed.

Criteria for Administrative Review

All criteria must be met; if not, the project is subject to the public hearing process.

1. Project removes no more than 50% of the exterior walls.
2. House will not exceed 30 feet in height or 2 stories.
3. If including a second-story addition, (a) the total second-story floor area does not exceed 60% of the total first floor area, including attached garage floor area, and (b) the addition is set back at least 10 feet from the required front setback.
4. The front porch will not be enclosed or have a net loss of greater than 10% of the existing porch area.
5. A project that involves an attached garage must be adjacent to lots that have attached garages.
6. Except for Accessory Dwelling Units, the roofline, materials, trim, and decoration details of the new construction must match that of the existing house.

Public Hearing Process

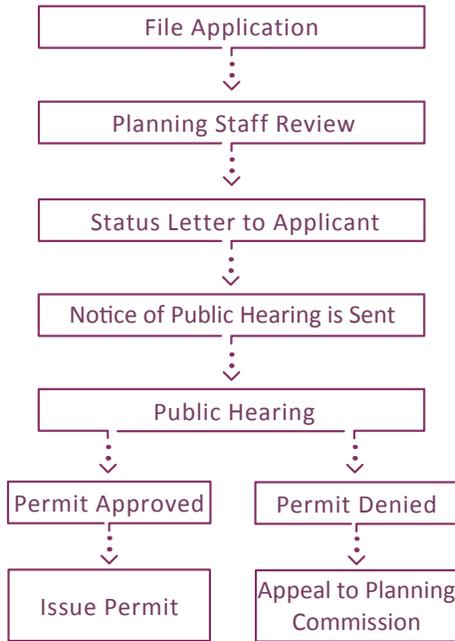
If your project doesn’t qualify for administrative review, then it will go through a public hearing process. This involves more time and an additional fee (www.sanjoseca.gov/PlanningFees) to cover public notification of the hearing.

The public notification process is outlined in the Public Outreach Policy for Development Proposals at <http://www.sanjoseca.gov/documentcenter/view/374>.



The neighborhood up to 300 feet around your project site will be notified of the hearing date. The Director of Planning will allow for public testimony as part of the decision-making process.

The process for a hearing is shown below. Note that if the permit is denied in the Public Hearing process, the applicant may appeal the decision before the Planning Commission.



Questions?

Speak with a Planner in person or by phone for answers to your questions. Visit the Planning Counter at the Development Services Permit Center at City Hall, or call us.

- Find Permit Center service hours at: www.sanjoseca.gov/permitcenter
- Or call 408-535-3555 and ask to speak with a Planner during these service hours: www.sanjoseca.gov/planning
- San José Zoning Code [Section 20.100.1000](#) specifies the regulations for the Single-Family House Permit. Find it at www.sanjoseca.gov/municipalcode.

This publication is available upon request in alternative formats such as Braille, large print, audio tape, or computer disk. Call 408-535-3555 (voice) or 408-294-9337 (TTY).

How to Calculate the Floor Area Ratio

$$\text{Floor Area} \div \text{Lot Area} = \text{FAR}$$

FAR is the structure’s total floor area (measure to the outside surface of the exterior walls) divided by the total area of the lot.

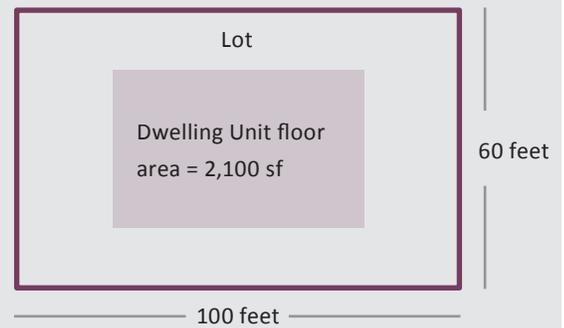
Include:

- Stairwells
- All areas of the floors in a main structure
- All areas that are greater than 50% enclosed with walls and covered

Do not include:

- Basement
- Garage (attached or detached)
- Accessory structures
- Secondary or accessory dwelling units (ADUs)

Example



- Lot Area = 60 ft. x 100 ft. = 6,000 sf
- Floor Area = 2,100 sf
- Floor Area Ratio = 2,100 sf / 6,000 sf = .35

This example does not trigger the .45 FAR threshold to require a Single-Family House Permit.

How to Count Stairs

