

FREQUENTLY ASKED QUESTIONS (FAQ)
Revised Zoning Regulations for Accessory Dwelling Units

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT

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LOS GATOS, CA 95030

What is the intent of the revisions?

The intent of the zoning regulation revisions is to align with new State law allowing ministerial approvals, and to set standards to increase the supply of affordable housing that is compatible with existing neighborhoods.

What is an Accessory Dwelling Unit (ADU)?

An ADU is an additional dwelling unit located on the same parcel as a primary dwelling unit. It has permanent living provisions, including permanent kitchen appliances (i.e. built-in cooktop). An ADU includes efficiency units (150 square feet in size) and manufactured homes.

Where is an ADU allowed?

An ADU is allowed on lots in the R-1, R-D, R-M, R-1D, HR, and RC zones.

What is the maximum number of bedrooms allowed in an ADU?

The maximum number of bedrooms allowed is two.

What is the maximum allowable size of an ADU?

The maximum allowable size is 1,200 square feet.

What are the maximum allowable Floor Area Ratio (FAR) standards for an ADU?

An additional 10 percent in the FAR standards for all structures, excluding garages, is allowed for an ADU (maximum 1,200 square feet). For example:

- *Lots less than 5,000 square feet in R-1, R-D, RM, and R-1D zones.* Where the allowable FAR is 35 percent, the allowable FAR for an ADU is increased to 45 percent.
- *Lots between 5,000 and 30,000 square feet in R-1, R-D, RM, and R-1D zones.* Where the formula for the allowable FAR starts at 35 percent (Sec. 29.40.075); the formula for the allowable FAR for an ADU is increased to start at 45 percent.
- *Lots in HR and RC zones.* Where the net lot area adjusted for slope is 12,000 square feet or larger (Hillside Development Standards and Guidelines (HDS&G)), the allowable floor area for an ADU is 1,200 square feet. Where the net lot area is less than 12,000 square feet, Planning staff should be consulted to calculate the allowable floor area for an ADU per the HSD&G.

What are the minimum setback requirements for an ADU?

- *Attached.* The minimum setbacks are the same as the primary dwelling unit.
- *Detached in R-1, R-D, RM, and R-1D zones.* Front and side setbacks abutting a street are the same as the primary dwelling unit; and the rear and side setbacks, and separation from other structures are five feet minimum. An ADU is not allowed in front of the primary dwelling unit.
- *Detached in HR and RC zones.* Minimum setback requirements are the same as the primary dwelling unit, located within the least restrictive development area (slopes less than 30 percent).

How much of my lot can I cover?

In the R1, RD, and RM zones, the maximum allowable coverage with any roofed structures is 40 percent.

Can existing square footage be converted to an ADU?

Yes. In cases where existing buildings do not meet minimum required setbacks for new construction, the new ADU is only required to meet building regulations for fire safety.

Is a minimum size ADU allowed to be constructed, regardless of FAR or coverage standards?

Yes. An efficiency unit (150 square feet, as defined by State Code) is allowed to be constructed in compliance with other development standards.

What are the maximum allowable height requirements for an ADU?

The height requirements for an ADU are 15 feet and one story, with the following exceptions:

- *Attached in the R-1, R-D, R-M, R-1D, HR, and RC zones.* Allowed within existing space, or where a two-story primary dwelling unit exists.
- *Detached in the R-1, R-D, RM, and R1-D zones.* Allowed within existing space, or above an existing one-story accessory building, where a two-story primary dwelling unit exists.

What are the parking requirements for an ADU?

Parking may be provided in a front setback on a driveway or through tandem parking. One parking space is required per ADU or per bedroom, whichever is less, with the following exceptions (where no parking is required):

- When the ADU is within one-half mile of a public transit stop;
- When the ADU is within an historic district;
- When existing square footage is converted to an ADU;
- When on-street parking permits are required but not offered to the ADU occupant;
- When a car share vehicle is located within one block of the ADU; or
- When the Director finds that the lot does not have adequate area to provide parking.

What are the requirements for replacement parking when a garage is converted to an ADU?

Replacement parking may be provided in a front setback on a driveway or through tandem parking, or mechanical lift.

What will the fire sprinkler system requirements be for Building permits for an ADU?

In cases where a sprinkler system is required for the primary dwelling unit, a sprinkler system will be required for an ADU. Depending on site access and water availability, a sprinkler system may be required for any new construction. Please contact the Santa Clara County Fire Department at (408) 378-4010 for information about requirements.

The complete Zoning Ordinance, including the amended regulations, is available online at:

https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH29ZORE