

TOWN OF LOS ALTOS HILLS

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Accessory Dwelling Units

Updated January 2020

On January 1, 2020, three new State laws (AB 881, SB 13 and AB 68) that establish statewide regulations for the placement and construction of Accessory Dwelling Units (AKA Second Living Units) become effective. Any local rules or regulations that conflict with these new laws can no longer be enforced. Los Altos Hills is moving forward with amendments to the Zoning Code to update the Town's Accessory Dwelling Unit Ordinance to be consistent with these laws. However, until the new Ordinance is adopted, the applicable rules and regulations for the establishment of new Accessory Dwelling Units, as mandated by State law, are outlined in this handout.

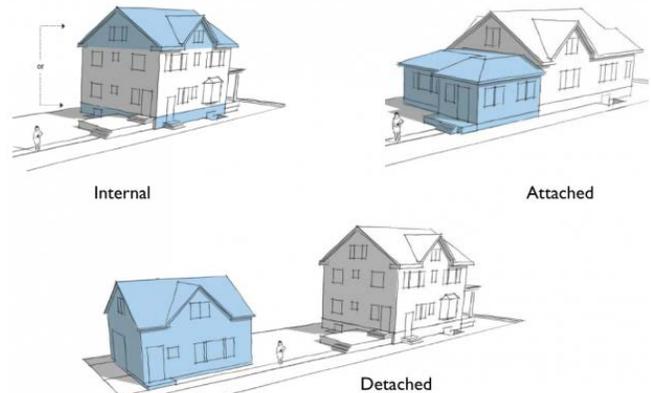
Benefits

The Town's General Plan Housing Element encourages property owners to consider building an Accessory Dwelling Unit, as they contribute needed housing types to the community's housing stock while maintaining the rural, hillside character of Los Altos Hills.

Definitions

☐ **Accessory Dwelling Unit:** An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family home. Generally, an ADU falls into one of the following categories:

- **Detached:** The unit is separate from the primary residence as either a newly constructed detached accessory structure or as the conversion of an existing detached accessory structure (i.e. detached garage).
- **Attached:** The unit is attached to the primary residence as an integrated addition with independent entrance.
- **Conversion of Existing Space:** Floor area within the primary residence that is converted into an independent living unit.



Source: City of Boise

☐ **Junior Accessory Dwelling Unit:** A secondary dwelling unit that is up to 500 square feet in size and is contained entirely within an existing single-family structure and include the conversion of an existing bedroom. A JADU must have an efficiency kitchen and a separate exterior entrance, and may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

- **Efficiency Kitchen:** A space for cooking and food preparation that includes a sink with a maximum waste line diameter of 1.5 inches, a cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the proposed JADU.

Development Standards

Allowed Uses

One ADU and/or one JADU are allowed on any property, regardless of lot size, in the R-A (Residential Agricultural) District with an existing single-family house.

Floor Area and Lot Coverage

A new ADU shall comply with the applicable Zoning Code and site development standards.

Setbacks

A new ADU shall comply with the applicable Zoning Code and site development standards.

Parking

One (1) on-site parking space, in addition to the primary residence's required parking, is required for a new ADU, with the following exceptions:

- The parking space for the ADU can be tandem and/or located within a setback area;
- No additional onsite parking is required for a new JADU;
- No additional onsite parking is required when an ADU is located within one-half mile of a public transit stop or when an ADU is established by converting floor area in an existing primary residence or an existing accessory structure (no new floor area is added); and
- When a garage or carport is demolished or converted in relation to the establishment of an ADU, the onsite parking spaces do not need to be replaced.

Note: If the lost covered parking for a garage conversion is not replaced, this may result in the primary residence becoming nonconforming and limit the ability for future additions to the primary residence without reestablishing the required parking.

Access

Access and parking for a new ADU shall utilize the same driveway as the primary single-family dwelling and shall not result in the creation of a new driveway on the property.

Size Limits

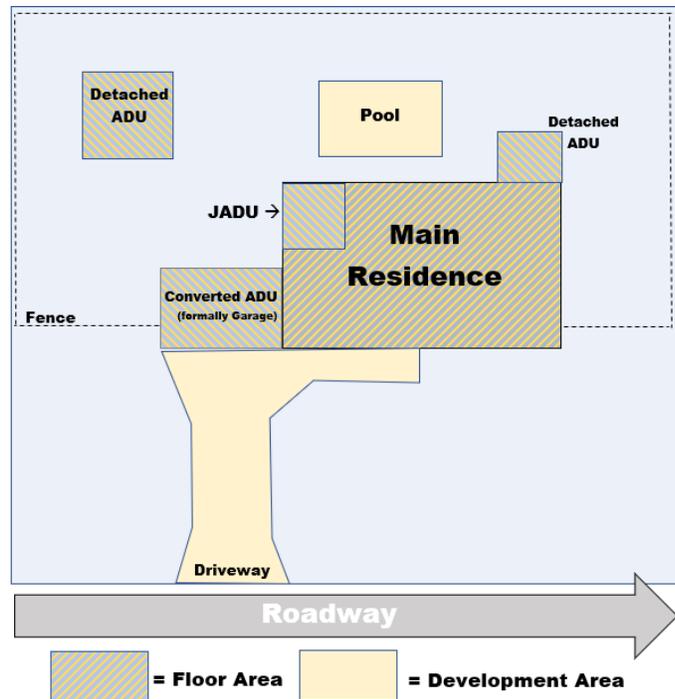
- Detached ADU – Up to 1,200 square feet (includes internally connected basement floor area).
- Attached ADU – Up to 50 percent of the habitable floor area of the existing primary residence.
- JADU – Up to 500 square feet.

Conversion

An existing nonconforming structure may be converted into an ADU provided that it was legally constructed at the time it was originally established; and a new ADU may be constructed in the same location and to the same dimensions as an existing structure is considered as a conversion.

Occupancy

An ADU may be rented separately from the primary residence, but it cannot be rented for a period of less than 30 days. The ADU cannot be sold separately from the main residence.



Building Design and Placement

An ADU is not subject to the Site Development Review process or any discretionary design criteria, but does need to meet the following objective standards:

- The design of the ADU shall relate to the design of the primary residence by use of similar exterior wall materials, window types, trims, roofing materials and roof pitch.
- All exterior lighting shall be shrouded and/or downward facing.
- Exterior finish colors for new ADUs shall have a light reflectivity value of 50 or less and roof materials shall have a light reflectivity value of 40 or less, per manufacturer specifications.
- The placement of a new ADU should not:
 - Result in the damage or removal of a Heritage Oak;
 - Be located on slopes that exceed 30 percent;
 - Be within 25 feet of the top of a creekbank; or
 - Be within a recorded easement (open space, public utility, etc.).

Building Code Requirements

- An ADU shall be constructed to meet all applicable requirements specified in the 2019 Edition of the California Building Standards Code.
- A new address will be assigned to all ADUs prior to issuance of a building permit. Generally, the new address assigned to the ADU will be the property address + A (i.e. 12345A Fremont Rd). Posting of the ADU's address number, as specified by the Building Department and Santa Clara County Fire Department, is required prior to final occupancy of the unit.
- An ADU may have separate utility meters installed, or it can utilize the primary residence's services if added loads allow. ADUs require electrical load calculations to justify required panel sizes and/or added electrical loads imposed on the main residences electrical service. *Note: An application and review fee to PG&E are necessary, and a second address is required, to install a second meter.*
- An ADU is only required to have fire sprinklers if the primary residence is required to have fire sprinklers, or as determined by the Santa Clara County Fire Department.
- A detached ADU shall have the sewer connection placed downstream of the main house's building drain (connect to the existing main sewer lateral outside of the main residence). Attached ADUs may share the same building drain.
- If property is not connected to the Town's sewer system, the Santa Clara County Department of Environmental Health must confirm that the property's septic system can serve the new ADU prior to Building Permit submittal.
- An ADU that is attached to the primary residence shall have common occupancy separation walls constructed as necessary (protected openings are allowed).
- An ADU shall have an independent electrical sub-panel, water heating and space heating equipment.
- Existing accessory structures constructed with permits that are changing use and occupancy shall be designed to meet the current California Code of Regulations for ADUs
- An ADU shall provide at least one egress door that meets California Residential Code R311.

Accessory Dwelling Unit Review and Approval Process

Staff Consultation

Meeting with Town Staff to review:

- Permitting Process
- Applicable Zoning, Site Development, and Building Codes
- Pre-Application Zoning Checklist



Example of a detached ADU

Pre-Application Meeting

Meeting with Planning Staff to Complete the Pre-Application Zoning Checklist:

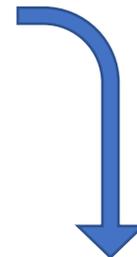
- Provide Complete Set of Plans that Addresses all Items on the Checklist
- Complete MDA and MFA Worksheets
- Pay Pre-Application Review Fee



Building Permit Submittal

Submit Building Permit Application to Building Staff.

- Complete Building Permit Application as specified on the Building Permit Submittal Checklist
- Five (5) sets of Complete Construction Plans
- Three (3) sets of the geotechnical (soils) report
- Two (2) sets of all Technical Support Documents (i.e Structural Calcs, Title 24 Calcs)
- Completed Pre-Application Zoning Checklist
- Pay Applicable Plan Check Fees



Example of an attached ADU

Building Permit Issuance

Within 60 days, Building Department will Approve or Deny ADU Permit Application.

- First review will be completed within 30 days, and a final action will be taken within 60 days if a resubmittal is required.
- Applicant may waive 60-day review deadline if additional time needed to resolve technical comments
- Pay applicable building permit fees
- Contractor picks up building permit