



CUPERTINO

# ACCESSORY DWELLING UNIT

## INFORMATION SHEET

[www.cupertino.org/adu](http://www.cupertino.org/adu)

### TYPES OF ADUs



**Internal Conversion**



**Detached**



**Attached**

### DEVELOPMENT STANDARDS

	Single Family				Multi Family	
	Internal Conversion	Detached (≤ 800 s.f.)	Detached (> 800 s.f.)	Attached	Internal Conversion	Detached
Max. Size	No size limitation <sup>1</sup>	800 s.f.	1 bd: 850 s.f. 2+ bd: 1,000 s.f. Must meet Floor Area Ratio and Lot Coverage	1 bd: 850 s.f. 2+ bd: 1,000 s.f. Must meet Floor Area Ratio and Lot Coverage	No size limitation <sup>1</sup>	1,200 s.f.
Setbacks	Per underlying zoning <sup>2</sup>	Front per underlying zoning; Rear and sides 4 ft	Must comply with Accessory Structure Ordinance <sup>3</sup>	Front per underlying zoning; Rear and sides 4 ft	No increase in size of existing structure	Front per underlying zoning; Rear and sides 4 ft
Height	No increase in height of existing structure	16 ft	Must comply with Accessory Structure Ordinance <sup>4</sup>	Per underlying zoning <sup>2</sup>	No increase in height of existing structure	16 ft
Number of Units	Two units are allowed if one is a JADU and one is a detached ≤ 800 s.f. ADU		Only one ADU of this kind is allowed. A JADU is not allowed in addition to these		The greater of: 25% of existing no. of primary dwelling units or one ADU	No more than 2 ADUs
Direct Outside Access	•Independent outside access must be provided without going through the principal unit and must be on a different elevation than the entrance to the principal unit •There can be no connection with the principal unit, except for a JADU that shares a bathroom with the principal unit					

1. Please see the "Floor Area Ratio (FAR)" info box on the next page for more information.

2. If the structure is non-conforming, the rear and side setbacks must meet fire and life safety requirements.

3. Streetside setbacks for corner lots modified to 4 feet.

4. Except that max. height of 16 ft is allowed at farthest point from the rear and side property lines.

\*On corner lots, ADUs may not encroach into the required corner triangle.

## FLOOR AREA RATIO (FAR)

- ADUs  $\leq 800$  s.f. (living area, excluding decks, etc.) are not limited by lot coverage, FAR, and open space requirements
- ADUs  $>800$  s.f. are limited by lot coverage, FAR, and open space requirements
- ADUs in multi-family developments are not limited by lot coverage, FAR, or open space requirements
- Internal Conversions in multi-family dwellings must be created out of space that is not used as livable space (i.e. attic, basement, storage room)

## WHAT IS A JADU?

- An ADU  $\leq 500$  s.f.
- Contained entirely within an existing or proposed home (not a garage)
- Must fit within the allowed 45% Floor Area Ratio
- Must have an efficiency kitchen at the minimum
- Bathroom may be shared or independent from principal unit
- Converted out of habitable living space

## FREQUENTLY ASKED QUESTIONS

### Q: How many ADUs can I build, at most, on my property?

For single Family property, you can construct a streamlined detached ADU ( $\leq 800$  sq. ft.) and a JADU for a total of two ADUs. Note that a JADU cannot be combined with either an attached ADU, or a detached ADU that is greater than 800 sq. ft.

For multi-family property, you can construct up to two detached ADUs and convert non-habitable spaces to construct up to 25% of this number of existing units (minimum one) as ADUs.

### Q: Is there a limit to the number of bedrooms allowed in an ADU?

There is no limit on the number of bedrooms in an ADU. However, for single family property, there are size restrictions depending on the number of bedrooms proposed. For a studio or one-bedroom unit, the maximum size allowable is 850 sq. ft. while for any ADU with two or more bedrooms, the maximum allowable size is 1,000 sq. ft.

### Q: May I sell or rent my ADU?

An ADU may be rented, but not sold, separately from the principal dwelling unit. However, ADUs, including JADUs, may not be used for short-term rental activity. For JADUs, the owner must occupy either the principal dwelling unit or the JADU. Additionally, the owner shall record a deed restriction prohibiting the sale of the JADU separate from the principal dwelling unit and restricting the size and attributes of the JADU to conform with JADU regulations.

### Q: Can I have a door or any connection between my attached ADU and my primary dwelling unit?

No internal access is allowed except for a JADU that has a shared bathroom with the principal dwelling unit on property with single family uses. All other ADU's must be completely separated from the principal dwelling unit or other units (in a multi-family development).

### Q: Can I have a two-story ADU?

A two-story ADU is allowed if you are converting a portion of existing second story space into an ADU.

### Q: Is an ADU required to have its own address?

A detached ADU is required to have its own address. All other types of ADUs may have their own address but are not required to.

### Q: Can I propose a JADU and an attached ADU with my brand new single family home?

No. Please see the response to Question #1.

### Q: Is there a replacement parking requirement for converting a garage into an ADU?

You do not need to provide replacement parking when converting a garage into an ADU.

### Q: Can I convert my existing 2-car garage to be a 300 sq. ft. ADU and use the balance of the sq. ft. for my principal dwelling unit?

Existing garages can be converted into an ADU, but no portion of the existing garage may be converted for use as livable/usable space by the principal dwelling unit.

### Q: Can I convert my existing attached garage into a JADU?

A JADU is created by converting space within the walls of the principal dwelling unit. Therefore, the garage conversion would have to be the property's only ADU and could not be considered a JADU. In this situation, for single family property, you could not have any other type of ADU (including a JADU).

### Q: Can an ADU have its own garage and/or covered patio?

Yes, as long as the garage and/or covered patio proposed meet(s) the necessary size, height, and setback regulations; as well as, the Floor Area Ratio and lot coverage restrictions for the property.

### Q: Can I absorb the space of an ADU built under the relaxed state regulations into the principal dwelling unit?

No. The relaxed floor area and lot coverage standards are to allow additional housing units to become available, not to allow larger principal dwelling units.

### Q: Do I have to pay impact fees?

ADUs  $< 750$  sq. ft. in size will not incur park, storm drain, or school impact fees. ADUs larger than this size will still incur these impact fees. Please contact the Public Works Department at (408)-777-3354 or Cupertino Union School District at (408)-252-3000 ext. 61-373 for more information.

### Q: Will my property taxes increase if I build an ADU?

Yes. The County Assessor appraises all new construction and remodels, including ADUs, at fair market value. Please visit [www.sccassessor.org](http://www.sccassessor.org) for more information.

### Q: Do I need a separate water and/or electric meter for my ADU?

Please contact your water provider and/or PG&E to determine whether these are needed.