



# CITY OF MONTE SERENO

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## ACCESSORY AND JUNIOR ACCESSORY DWELLING UNIT REQUIREMENTS

### PLANNING DIVISION REQUIREMENTS

Following is a listing of the general requirements based on the Monte Sereno Municipal Code 10.06.140. This brochure is intended to provide general information, contact the Planning Department for any questions or additional information.

#### Definitions

**Accessory dwelling unit** means an attached or a detached residential dwelling unit that provides complete and independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing single-family or multi-family dwelling. The accessory dwelling unit shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.

**Junior accessory dwelling unit** means a dwelling unit that is no more than 500 square feet in size and contained within a single-family residence, with a separate entrance. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure, but shall include an efficiency kitchen that provides for a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

#### Accessory Dwelling Units (ADU)

One ADU is permitted on each lot zoned for single-family residential. The accessory dwelling unit shall be either attached to the existing primary dwelling, located within the living area of the existing dwelling, attached to an existing accessory structure, or detached from the existing primary dwelling and located on the same lot as the primary dwelling.

ADU Development Standards	
<b>Locations Permitted</b>	The parcel shall be connected to the sanitary sewer.
<b>Size</b>	R-1-8: 850 square feet or 1,000 square feet if more than one bedroom R-1-20: 850 square feet or 1,000 square feet if more than one bedroom R-1-44: 800 square feet or 1,200 square feet if more than one bedroom
<b>Height Limit</b>	<ul style="list-style-type: none"> <li>ADUs attached to the primary residence shall conform to the height limitations of the zoning district or 25 feet high.</li> <li>Maximum 16 feet for a detached ADU.</li> </ul>

<b>Setbacks</b>	<ul style="list-style-type: none"> <li>Attached ADUs shall comply with the setbacks required for the zoning district.</li> <li>Detached ADUs shall comply with the front setback required for an accessory structure in the zoning district, side and rear setbacks shall be four feet minimum.</li> <li>No setback is required when existing living area or an accessory structure is converted to an ADU or when such a structure is re-constructed in the same location and to the same dimensions as the existing structure.</li> </ul>
<b>Required Parking</b>	<ul style="list-style-type: none"> <li>One space (covered or uncovered), except for ADUs that are included as part of an application for a new house.</li> <li>No parking is required if the ADU is within ½ mile of public transit, or in a historic district, or within one block of a car share vehicle.</li> <li>Where existing covered parking is demolished/removed in conjunction with an ADU construction, the parking is not required to be replaced.</li> </ul>
<b>Coverage Limits and Exceptions</b>	<ul style="list-style-type: none"> <li>An ADU of no more than 800 square feet shall not be included when determining the structural and impervious coverage.</li> <li>ADUs over 800 square feet, the total floor area of the ADU is included when determining the structural and impervious coverage.</li> </ul>
<b>Access</b>	<ul style="list-style-type: none"> <li>A separate exterior entry is required for an ADU.</li> <li>No access is permitted between and ADU and the primary residence.</li> <li>The ADU entry shall not be visible from the street or road.</li> </ul>
<b>Design</b>	<ul style="list-style-type: none"> <li>The dwelling unit shall use a minimum of two exterior materials that match those of the main house. These exterior materials may include, but are not limited to, roofing, siding, and windows.</li> <li>The roof pitches used on the dwelling unit shall match those on the main house.</li> <li>The Objective Design Standards of the Design Guidelines shall be met.</li> </ul>
<b>Utility Connections</b>	ADUs created from existing living space of the primary dwelling or an accessory structure shall not be required to provide separate utility connections, unless the ADU is constructed concurrently with a new primary dwelling.
<b>Fire Sprinklers</b>	An ADU is not required to provide fire sprinklers unless fire sprinklers are required for the main house or as deemed necessary by the Santa Clara County Fire Marhsall.
<b>Short Term Rental</b>	Shall not be rented for a period of less than 30 consecutive days.
<b>Owner Occupancy</b>	ADUs have no requirement for owner occupancy.

**Junior Accessory Dwelling Units (JADU)**

One JADU is permitted on each lot zoned for single family residential. The JADU shall not be considered a separate or a new dwelling unit for the purposes of applying building or fire codes.

<b>JADU Development Standards</b>	
<b>Size</b>	Minimum of 150 square feet and a maximum of 500 square feet. The area of the JADU is included in the total floor area allowed for the main house.
<b>Height Limit</b>	The primary structure shall comply with the height limits of the zoning district.
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>When constructed with a new primary dwelling, the setbacks shall comply with the zoning district.</li> <li>When existing space within the primary dwelling or accessory structure is converted to a JADU, no setback is required.</li> </ul>

	<ul style="list-style-type: none"> <li>As permitted, an expansion of an accessory structure, up to 150 square feet to allow for ingress/egress from a JADU shall comply with the front yard setback of the zoning district, the side and rear yard setbacks shall be four feet minimum.</li> </ul>
<b>Required Parking</b>	No additional parking spaces are required.
<b>Design</b>	<p>An expansion of an accessory structure up to 150 square feet to allow for ingress/egress shall comply with the following:</p> <ul style="list-style-type: none"> <li>The JADU exterior materials shall be substantially identical in color, texture, and appearance as the primary dwelling.</li> <li>The JADU roof pitch and form shall match that of the primary dwelling, to the extent feasible.</li> <li>The Objective Design Standards of the Design Guidelines document shall met.</li> </ul>
<b>Utility Connections</b>	New or separate utility connections are not required.
<b>Fire Sprinklers</b>	A JADU is not required to provide fire sprinklers unless fire sprinklers are required for the main house or as deemed necessary by the Santa Clara County Fire Marhsall.
<b>Short Term Rental</b>	Shall not be rented for a period of less than 30 consecutive days.
<b>Owner Occupancy</b>	<ul style="list-style-type: none"> <li>The property owner shall reside in either the primary dwelling or the JADU. A declaration shall be provided and signed by the property owner prior to building permit issuance.</li> <li>The property owner shall record a deed restriction to prohibit the sale of the JADU separate from the primary dwelling.</li> </ul>

**BUILDING DIVISION REQUIREMENTS**

A building permit is required for ADUs or JADUs and shall be obtained prior to start of construction. The following is a listing of the general requirements for permit applications based on the 2022 California Building Code, 2022 California Residential Code, 2022 California Mechanical Code, 2022 California Electrical Code, 2022 California Plumbing Code, and the Monte Sereno Municipal Code. This brochure is intended to provide general information, contact the Building Department for any questions or additional information.

**Reach Codes**

A reach code is a local building code amendment that “reaches” beyond the state minimum requirements for energy and water efficiency. New construction ADUs are required to comply with the following reach codes:

- If the project includes a new garage, provide one Level 2 EV-Ready receptacle and associated infrastructure at each enclosed garage parking space, with a maximum of two, and one outside of the garage.
- All indoor appliances, with the exception of cooking appliances, be electric. Outdoor appliances can be electrical or gas-fueled.
- Provide an automatic hot water recirculating system.

**Space Heating and Water Heating Equipment**

Independent space heating and water heating systems shall be provided for an attached or detached ADU that is separate from the space heating and water heating system serving the main dwelling.

**Electrical Service**

Attached and detached ADUs shall be served by a dedicated sub-panel with a minimum amperage of 100. The existing primary dwelling shall have a minimum of 200 amp main electrical panel to accommodate new ADU electrical loads. Electrical load calculations shall be provided with the building permit application submittal.

**Fire-Rated Separations**

One-hour fire-rated walls and/or floor-ceiling assemblies shall be provided between the primary dwelling and an attached ADU. Also, exterior walls that are located less than five feet (three feet when fire sprinklers are installed) to a property line shall be one-hour fire-rated construction. Construction details and assembly listings shall be included on the plans submitted for the building permit.

**Sewer Lines and Connections**

The main sewer line for a detached ADU shall not pass through any existing building and shall connect to the primary sewer lateral on-site.

The sewer drain lines for an ADU attached to the primary dwelling may connect with the existing sewer drain system in the building.

Where the number of bathrooms in the primary dwelling and ADU combined exceed three, the building sewer drain lines and the on-site building sewer lines shall be a minimum of four inches.

**PERMIT PROCESS**

**Building Permit Review**

1. Permits can be submitted online at <https://epermits.montesereno.org/>.

**Inspections**

2. Inspections are required based on the scope of project. Consult with the Building Official for project specific requirements.

**Building Permit Application Requirements**

- A completed Building Permit Application
- A completed Project Summary Form on the cover sheet of the plans
- Complete construction plans
- Structural calculations
- Soils report (For all new detached structures and for other structures when deemed necessary by the Building Official.)