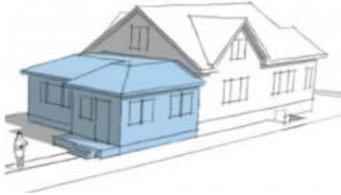




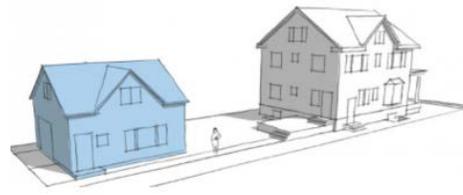
ACCESSORY DWELLING UNIT (ADU)- NEWLY CONSTRUCTED

A newly constructed accessory dwelling unit (ADU) can either be detached or attached to the primary single-family residence and located on the same lot. This includes new ADU's constructed over an existing attached or detached garage. A newly constructed ADU must comply with the California Building and Fire Code and other applicable regulations, including Gilroy City Code (GCC) Section 30.54.30 as summarized below:

Attached ADU Addition



Detached ADU Addition



- **Allowed Zoning Districts:** ADU's are allowed in RR, R1, RH, R2 and ND zones, if the parcel contains only one (1) existing single-family detached home and no other ADU's have been previously approved. In R2 zone, the ADU shall take the place of any future second dwelling. ADU's are not allowed in other zoning districts even if a parcel contains one existing legal nonconforming primary residential dwelling.
- **Height:** A detached ADU unit must be limited to a single story or fifteen (15) feet in height. If the ADU is built above an existing detached garage, the max height limit is twenty four (24) feet.
- **Max Unit Size:** A detached ADU unit must be limited to a one (1) bedroom with an overall floor area not to exceed 600 square feet, excluding garage space. Additionally, the floor area of an attached ADU unit must not exceed 50 percent of the total combined living area of the residential structure.
- **Parking Requirements:** One (1) additional off-street parking space, covered or uncovered, is required, unless the newly constructed ADU meets any of the following criteria per GCC 30.54.30(d):
 - (1) Located within one-half (1/2) mile of a public transit station, such as a bus stop or train station.
 - (2) Located within an architecturally and historically significant historic district.
 - (3) Located in an area where on-street parking permits are required but not offered to the ADU.
 - (4) When there is a car share vehicle located within one block of the ADU.

The off-street parking requirement can be satisfied by providing a tandem parking space within an existing driveway with a minimum of 18' in depth from back of sidewalk unless found to be infeasible due to specific site or life safety conditions.

- **Design Requirements:** Permanent provisions for living, sleeping, eating, cooking, and sanitation must be included within an ADU. The architectural features, window styles, roof slopes, exterior materials, colors, appearance, and design must be compatible with the existing single-family residence, the unit must have an independent exterior access screened from street view. Any window, door or deck of an ADU must utilize design techniques to lessen views onto adjacent properties to preserve the privacy of residents. The ADU must contain water, sewer, gas and/or electric utility connections. Additional ADU design standards may apply per GCC section's 30.2.20, 30.54.30(j), and 30.54.40.
- **Owner Occupancy:** The ADU must not be intended for sale separate from the primary residence, but may be rented for periods not less than thirty (30) days. Prior to the issuance of the building permit for the



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accessory dwelling unit, the owner-occupant must record a deed restriction stating that the accessory dwelling unit must not be rented for periods less than thirty (30) days and stating that either the primary residence or the accessory dwelling unit must be owner-occupied per GCC 30.54.30(a).

- **Setbacks:** An ADU must conform to the setback requirements applicable to the zoning district in which the property is located per GCC 30.54.30 (i).

	Attached ADU	Detached ADU (see Figure 1)	ADU Above Existing Garage
Front	*	26'	N/A
Side (Interior)	*	6'	5'
Street Side	*	21'	21'
Rear	*	6'	5'

*As specified by the zoning district for primary residence, see Section 30.11.20

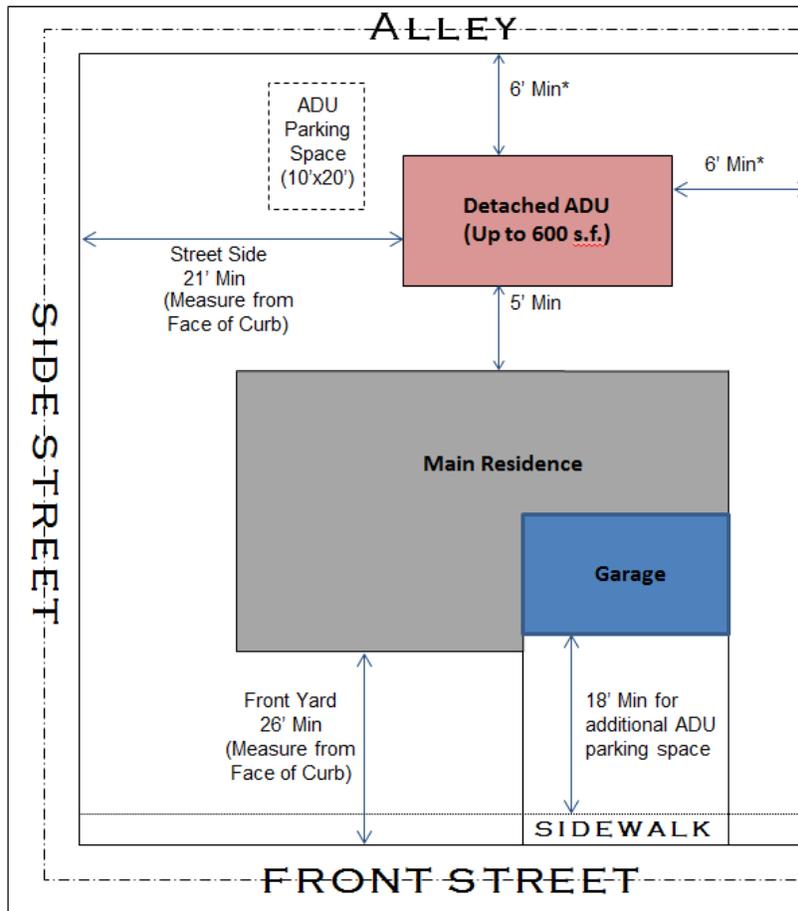


Figure 1: Example of Setback Requirements for R1, R2, and RH