



**CITY OF MOUNTAIN HOUSE
BUILDING DIVISION (209) 831-5037**

Accessory Dwelling Units (ADU)

What is an ADU?

An ADU is an accessory residential dwelling unit that provides complete independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, eating, cooking, storage, and sanitation on the same parcel as the single-family dwelling is situated. The California Legislature has declared ADUs as a valuable form of housing to address the state's housing crisis (Government Code Section 65852.150). Recreational vehicles (house boats, motor homes, trailers, etc.) do not qualify as an ADU.

What are the different types of ADUs?

Attached ADU - Unit is attached to the primary dwelling.



Detached ADU - Unit is separated from the primary dwelling or attached to an accessory structure (e.g., a garage).



ADU Converted from Existing Space - Space (e.g., garage, storage area, or an accessory structure) on the lot of the primary residence is converted into an independent living unit.



Interior ADU - Unit created when a portion of an existing home (e.g., an entire floor, part of a floor, an attic, or basement) is split off and renovated to become a separate residence.



Junior Accessory Dwelling Unit (JADU) - Unit that is contained entirely within an existing or proposed single-family dwelling and may include separate sanitation facilities or share sanitation facilities with the existing dwelling.



What are the benefits of ADUs?

- Create affordable rental housing.
- Provide an additional source of income for homeowners.
- Allow more options for extended families and caregivers to reside on a single property.

Permitting Process for ADUs

- ADUs are considered and approved ministerially, meaning without discretionary review or hearing.
- Building permit applications for ADUs must be reviewed and either approved or denied by the County within 60 days from receipt of a completed application.
- Building permits for ADUs may not be finalized before the building permits for a proposed primary dwelling.
- Property owner must provide confirmation of adequate water and wastewater disposal service from Mountain House Community Services District before a Building Permit can be issued.
- Applications for ADUs may also be subjected to permit requirements and approvals including, but not limited to:
 - building permits
 - grading permits
 - encroachment permits
 - flood variances
 - sanitation permits

ADUs must comply with Mountain House Residential Design Manual and be compatible with the architecture style and character of principal dwelling unit. Residential Design Manual can be found here: <https://www.sjgov.org/commddev/cgi-bin/cdyn.exe/file/Planning/Mountain%20House%20Documents/Trimark%20-%20Single%20Family%20Residential%20Design%20Manual.pdf>

The property owner needs to obtain an approved permanent address for the ADU from the Community Development Department.

Property owner must record a deed restriction that prohibits the JADU from being sold separately from the primary dwelling unit, prohibits short-term rentals, and requires a response to the County's periodic surveys of ADU owners reported to the State.



Development Standards

	Attached	Detached	Converted Existing Space	Interior ADU	JADU
Minimum size	--	--	--	--	--
Maximum size	50% of primary dwelling area	1,200 square feet	--	--	500 square feet
Minimum setback between structures					
Side	4 feet	4 feet	--	--	--
Rear	4 feet	4 feet	--	--	--
Maximum height	25 feet	16 feet; 18 feet if within ½ of 1 mile walking distance to a major transit stop		--	
Off-street parking	At least one parking space				--
Number of ADUs per lot	One ADU per residential lot				One JADU per residential lot
Access	Independent exterior entrance on side, front, or rear				Independent exterior entrance; access between two units for bathroom access is allowed
Compatibility	Compatible with the height, style, materials, and colors of existing dwelling			--	--
Lighting	All exterior lighting shall be shielded or directed to not create glare off-site or illuminate the primary dwelling or adjacent property				
Other standards	Must share at least one common wall or roofline with the living area of the primary dwelling; no external stairwell allowed in the side yard setback	2 additional feet in height is permitted for a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit; An ADU which as more than 50% of the floor area located above an existing or proposed garage shall not exceed 25 feet in height.	--	--	May be constructed within an attached garage



Manufactured Homes

- Permitted as an ADU only if they are installed on permanent foundations which is considered real property as assessed by the San Joaquin County Assessor Recorder
- Complies with the 1974 National Manufactured Housing Construction and Safety Act
- Is ten (10) years or newer
- No permanent room additions shall be allowed
- Patio covers constructed of the same materials as the manufactured home shall be permitted
- Skirting constructed of the same materials as the manufactured home shall be installed

Frequently Asked Question

Where are ADUs permitted?

- ADUs are permitted in R-VL, R-L, R-M, R-MH, R-Hand M-X zones, and may be permitted in the AU-20 zone, provided the underlying Master Plan designation is R/VL, R/L, R/M R-H , M/X, or R/MH.

Do I have to live in one of the units?

- The homeowner must live in either the JADU or the remaining portion of the primary residence for a period exceeding 90 days per year.

Can I rent my ADU?

- The homeowner must rent out the ADU for a term longer than 30 calendar days.

Can I rent my ADU as a short-term rental?

- No, the rental of ADUs cannot be shorter than 30 days.

Can I sell my ADU?

- An ADU cannot be sold or held under a different legal ownership than the primary residence.

How much does it cost to build an ADU?

- Cost for development will vary depending on size, materials, and construction of each ADU.

Are there any fees associated with building an ADU?

- Yes, there are fees associated with building an ADU, such as Building Permit fees and Impact Fees (depending on the size of the ADU, see below).

What are impact fees?

- An impact fee is a monetary exaction other than a tax or special assessment that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of paying all or a portion of the cost of public facilities related to the development project (Gov Code 66000(b)). The Mountain House CSD includes the water and sewer connection charges in the monthly utility bill.
- An ADU less than 750 square feet is exempt from incurring impact fees.
- An ADU 750 square feet or larger shall be charged impact fees proportionately in relation to the square footage of the primary dwelling unit.

Are there property taxes associated with building an ADU?

- Property taxes will increase based on the value of the ADU. The property tax rate is used to determine property taxes based on a percentage of the assessed value.

How many ADUs can be built on the same property?

- One JADU may be established within the space of a single-family residence, on a lot that is zoned to allow single-family residential uses.



- A JADU may be established within the space of the primary dwelling in combination with the construction of one detached or attached ADU meeting development standards.

Can an ADU be constructed concurrently with a new single-family home?

- An ADU can be constructed concurrently with a new single-family home, however the County may delay approving the application of a ADU until they approve the application for the single-family home. In many cases, homes built within the Mountain House Community include a secondary units as part of the initial home construction. These secondary units are considered ADU's and therefore count towards meeting the State requirements.

Do I have to replace parking if I convert my garage to an ADU?

- Parking spaces do not have to be replaced if a garage, carport, or covered parking structure is converted into an ADU.

What are the parking requirements for ADU?

- At least one (1) additional off-street parking space needs to be provided for the ADU. No additional off-street parking is required for JADUs.
- The parking spaces can be in tandem with off-street parking of the main dwelling unit, on an existing driveway or in a setback area.
- Parking requirements are exempt if the ADU is:
 - located within one-half mile walking distance of public transit.
 - located within an historic district designated by San Joaquin County.
 - part of the existing primary residence or an existing accessory structure.
 - When on-street parking permits are required but not offered to the occupant of the ADU.
 - there is a car share vehicle located within one block of the ADU.

What are the kitchen requirements for an ADU/JADU?

- JADUs require, at a minimum, efficiency kitchens with a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to its size. An efficiency kitchen means a kitchen that includes a cooking facility with appliances, a limited food preparation counter, and storage cabinets.
- Kitchens in an ADU require a stove/hot plate, oven, microwave, refrigerator, and a sink.

What are the requirements for ADUs on multi-family lots?

- Up to two detached ADUs and one interior ADU up to 25% of the number of units in the multifamily dwelling are permitted on multifamily lots. All interior ADUs must be converted from non-livable space; if there is no existing non-livable space within a multifamily structure, an interior ADU would not be permitted. The two ADUs allowed may be converted from existing detached structures on the site.
- Attached ADUs are also prohibited for multifamily dwellings.
- JADUs are not permitted on a multifamily lot concurrently with an ADU.

Are fire sprinklers required?

- Fire sprinklers are not required in the ADU if the primary residence did not require them.

What are the solar requirements?

- Solar is required pursuant to the requirements of California Code of Regulations Title 24.

