



City of Hesperia  
**PLANNING DIVISION**

**ACCESSORY DWELLING UNIT/JUNIOR ACCESSORY DWELLING  
UNIT PERMIT APPLICATION**

**INSTRUCTIONS TO APPLICANT**

Complete the attached form as prescribed and all of the following information must be attached before the application is accepted for processing by the Planning Division.

1. **APPLICATION FEE (\$154).** Application must be accompanied by the appropriate filing fee. Refer to the schedule contained in the fee resolution.
2. **SITE PLAN (TWO COPIES).** The site plan shall be drawn neatly and indicate proposed and existing structures, driveway(s), building separations, setbacks, easements, public street(s), parking, and if applicable, existing and proposed sewer or septic system locations. The site plan must show all dimensions of the subject parcel and structures, and shall be submitted on paper no smaller than 8 ½" x 14" (legal size) and no larger than 24 x 36" (must be folded).
3. **FLOOR PLAN (TWO COPIES).** Provide a fully dimensioned floor plan indicating the use of each room, including the location of the kitchen and laundry facilities.
4. **ELEVATIONS (TWO COPIES).** Provide elevations of all sides of the proposed unit. If the dwelling is a modular or panelized unit, you must submit construction plans and drawings with the application.
5. **GRANT DEED.** Include a copy of the grant deed to verify ownership of the primary residence.



City of Hesperia  
PLANNING DIVISION

Date: \_\_\_\_\_  
SDU#: \_\_\_\_\_  
Receipt No.: \_\_\_\_\_  
Fee: \$140.00  
Automation Fee \$ 14.00  
Total: \$154.00

**ACCESSORY DWELLING UNIT/JUNIOR ACCESSORY DWELLING UNIT APPLICATION**

**Applicant:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Owner of Record:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Project Site Information:**

Assessor's Parcel  
Number(s): \_\_\_\_\_

Site Address: \_\_\_\_\_

**Description of dwelling unit:**

Size of unit: \_\_\_\_\_ sq. ft.

Check all that apply:

- Panelized modular structure
- Attached
- Conventional construction
- Title 25 foundation
- Manufactured home
- Detached

If manufactured home, complete the following  
(must be less than 10 years old):

Year: \_\_\_\_\_

Make: \_\_\_\_\_

Model: \_\_\_\_\_

**Method of sewage disposal:**

- Sewer Connection
- Septic System

**SIGNATURES**

I certify under penalty of perjury that I am the legal owner and occupant of the primary residence as specified herein, and that the foregoing statements, answers and information herein submitted, are in all respects true and correct.

\_\_\_\_\_  
Name (Printed)  
OWNER OF RECORD

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Printed)  
OWNER OF RECORD

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ACCESSORY DWELLING UNIT INFORMATION SHEET**  
**REQUIREMENTS FOR APPROVAL**

A. Definitions.

- a. "Accessory dwelling unit" or "ADU" means an additional detached or attached dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with an existing or proposed primary residence. The unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit is situated. An accessory dwelling unit also includes the following:
  - i. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.
  - ii. A manufactured home, as defined in Section 18007 of the Health and Safety Code.
- b. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- c. "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

B. Requirements for Approval.

1. An accessory dwelling unit may only be permitted on lots that are zoned for agricultural, single family, multi-family, or mixed uses and that contain an existing or proposed single-family or multi-family dwelling.
2. Accessory dwelling units are exempt from the density limitations of the General Plan and subject to the following:
  - a. Lots with an existing or proposed single-family residence may be permitted one (1) accessory dwelling, and one (1) junior accessory dwelling unit (see Section 16.12.360 F for additional regulations pertaining to junior accessory dwelling units).
  - b. Lots with existing multifamily units may convert non-habitable space within an existing multifamily structure into accessory dwelling units. The number of these types of units shall be limited to one (1) accessory dwelling or up to 25 percent of the existing multifamily dwelling units, whichever is greater. In addition, no more than two (2) detached accessory dwelling units may be permitted. A detached accessory dwelling may be converted from non-habitable space, or newly constructed.
3. An accessory dwelling unit shall be located on the same lot as the proposed or existing primary dwelling.
4. The correction of a nonconforming zoning condition that would result in a physical improvement on the property shall not be a condition of approval for an accessory dwelling unit.
5. On lots with an existing or proposed single family residence, the primary dwelling unit or accessory dwelling unit on the property shall be owner-occupied. (*This provision is suspended for all permits until January 1, 2025, unless otherwise amended by California Government Code 65852.2* ).

6. The accessory dwelling unit shall provide complete and independent living facilities.
7. The accessory dwelling unit shall not be sold separately and may be rented for periods of not less than 30 days.
8. The accessory dwelling unit shall have adequate water supply pursuant to specifications of the Uniform Plumbing Code.
9. In compliance with the State of California Lahontan Regional Water Quality Control Board, lots that are not connected to sewer facilities shall be a minimum of one gross acre in size.

C. Design and Development Standards—Accessory Dwelling Units.

1. The accessory dwelling unit may be either attached to or detached from an existing or proposed single-family residence, or converted from an existing accessory building, garage, storage area, or other similar non-habitable area. An accessory dwelling may be converted from non-habitable space within, or detached from, an existing multi-family structure.
2. A detached accessory unit shall not exceed 1,200 square feet per structure on any parcel. Accessory dwelling units attached to the principal unit may be up to fifty (50) percent of the area of the principal unit, up to a maximum of one thousand (1,000) square feet, except that if the principal unit has a floor area of 1,600 square feet or less, an attached accessory dwelling unit shall conform to the provisions of Section 16.20.360(E)(6), below. The area of an accessory dwelling unit is in addition to and shall not be considered as part of the allowable accessory building area authorized under Article X of Chapter 16.20. No accessory dwelling unit shall be less than one hundred and fifty (150) square feet in area. Further, a recreational vehicle, does not qualify for use as an accessory dwelling unit.
3. The entrance to an attached accessory dwelling unit shall be separate from the entrance to the primary unit and shall be installed in a manner as to eliminate an obvious indication of two units in the same structure.
4. For new attached or detached accessory dwelling units, a minimum four-foot side yard and four-foot rear yard setback is allowed. The front yard and street side yard standards for the primary unit shall apply to the accessory dwelling unit. In addition, detached accessory dwelling units shall be located to the rear of the primary dwelling unit.
5. No setback shall be required for the conversion of existing living area, conversion of an existing accessory structure, or for a new structure that is constructed in the same location and to the same dimensions as an existing structure.

The accessory dwelling unit shall be constructed in accordance with minimum standards for single-family residential uses on individual lots as specified in Section 16.20.160, unless otherwise specified herein.

6. No provisions within this Section, including lot coverage or legal nonconformity, shall preclude either an attached or detached 800 square foot accessory dwelling unit that is at least sixteen (16) feet in height with four-foot side yard and rear yard setbacks, and that is constructed in compliance with all other development standards
7. At least one covered or uncovered parking space for the accessory dwelling unit shall be provided by a minimum interior size of nine feet in width and nineteen (19)

feet in depth. Parking can be tandem on an existing driveway. The City shall not impose parking standards for an accessory dwelling unit if the accessory dwelling unit is located within one-half mile of public transit, when the accessory dwelling unit is part of the proposed or existing primary residence or an existing accessory structure, when on-street parking permits are required but not offered to the occupant of the accessory dwelling unit, or when there is a care share vehicle located within one block of the accessory dwelling unit. No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

8. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, those off-street parking spaces do not need to be replaced.
9. The accessory dwelling unit shall be compatible with the design of the primary unit and the surrounding neighborhood in terms of landscaping, scale, height, length, width, bulk, lot coverage, and exterior treatment, and shall not cause excessive noise, traffic, or other disturbances to the existing neighborhood or result in significantly adverse impacts on public services and resources.
10. The construction of an accessory dwelling unit shall not be considered when calculating minimum distance requirements for animal uses on the subject lot or on adjacent lots.

#### D. Junior Accessory Dwelling Units

1. Purpose-This section provides standards for the establishment of junior accessory dwelling units, an alternative to the standard accessory dwelling unit. Junior accessory dwelling units will typically be smaller than an accessory dwelling unit, will be constructed within the walls of an existing single family residence, and requires owner occupancy of the single family residence where the unit is located.
2. Development Standards- Junior accessory dwelling units shall comply with the following standards:
  - a) Lots with an existing or proposed single family residence may be permitted one (1) accessory dwelling unit and one (1) junior accessory dwelling unit.
  - b) A junior accessory dwelling unit shall not exceed 500 square feet in size and shall be contained entirely within a single family residence. However, an additional 150 square foot expansion beyond the physical dimensions of the existing structure is permitted strictly to accommodate ingress and egress to the junior accessory dwelling unit.
  - c) The junior accessory dwelling unit shall include a separate entrance from the main entrance to the proposed or existing single family residence.
  - d) The junior accessory dwelling unit must include an efficiency kitchen that includes a cooking facility with appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
  - e) The junior accessory dwelling unit may have a bathroom or share with the proposed or existing single family residence.
  - f) Additional parking shall not be required.

- g) A deed restriction, in a form to be approved and provided by the City, must be recorded filed with the City, and must include the following stipulations: i) prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single family residence; ii) restriction on the size and attributes of the junior accessory dwelling unit; iii) if the unit is rented, the unit shall not be rented for a period of less than 30 consecutive calendar days; and iv) owner occupancy of one of the units on-site is required, unless the owner is a governmental agency, land trust, or housing organization. These restrictions shall run with the land.
- h) For the purposes of providing service for water, sewer or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

### **MINIMUM CONSTRUCTION STANDARDS.**

1. Per the current California Residential Building Code, new single-family residential dwellings, including accessory dwelling units, are required to have fire sprinklers.
2. Manufactured home foundation systems shall comply with either Section 18551 of the State Health and Safety Code or California Administrative Code, Title 25, Chapter 2, Sections 1333 and 1334, which shall include tie down, clip, or anchoring systems designed by a registered civil engineer to resist lateral forces for the subject manufactured home.
3. Siding material shall consist of stucco, wood, brick, stone, or decorative concrete block. Synthetic products of a similar appearance, equivalent durability and providing equivalent fire resistance shall be permitted. Metal siding, if utilized, shall be non-reflective and horizontally lapping. The exterior covering material shall extend to a point at or near grade except if an approved solid wood, metal, concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
4. The roofing material shall be of materials customarily used in the local area and shall be approved by the building official. All residential structures shall have eave and gable overhangs of not less than twelve (12) inches measured from the vertical side of the residential structure, unless overhangs are architecturally incompatible with the design of the structure as approved by the building official.
5. All entries/exits shall be completed per the current Residential Building Code.
6. Utility hookups and an area to accommodate installation of a clothes washer and dryer shall be provided within the primary structure or within an enclosed accessory structure.
7. A building permit for the installation of a manufactured home not within an approved and properly licensed manufactured home development shall not be issued, if more than ten years have elapsed between the date of manufacture and the date of the application for the issuance of the permit to install such manufactured home.
8. Two sets of grading plans must be submitted to the building and safety department for all accessory dwellings, including manufactured homes as accessory dwellings.