

Guidance on Accessory Dwelling Units on Single-Family Lots

June 25, 2025

SANDAG has developed the following guidance related to the number of accessory dwelling units (ADUs) permitted on single-family lots. This clarification is based on the California Department of Housing and Community Development's (HCD) interpretation of Government (Gov.) Code Section 66323, as outlined in the [2025 California Department of Housing and Community Development Accessory Dwelling Unit Handbook](#).

ADUs on Single-Family Lots Pursuant to Government Code Section 66323

Gov. Code Section 66323 creates two categories of ADUs and junior ADUs (JADUs) that must be approved ministerially on lots with an existing or proposed single-family home:

- Single Family ADUs and JADUs created from converted space [Gov. Code Section 66323(a)(1)].
- Single Family Detached ADUs [Gov. Code Section 66323(a)(2)].

How Many ADUs Must Be Allowed?

Gov. Code Section 66323(a) states: *"a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create **any** of the following..."*

HCD interprets "**any**" to mean that local agencies must allow **all** eligible unit types of ADUs permitted by applicable site and lot conditions. Thus, local agencies must permit the following on a single-family lot:

- One newly constructed detached ADU;
- One ADU constructed from existing space (conversion); and
- One junior ADU (JADU).

This means that a local agency must allow up to three units on a single-family lot, subject to the applicable building code and health and safety requirements.

Potential Impact of Assembly Bill 956

The California Legislature (2025-2026 Session) is currently considering Assembly Bill (AB) 956, which proposes to amend Gov. Code Section 66323 to increase the number of detached ADUs that must be permitted ministerially from one to two. If enacted, this would require local agencies to allow up to four ADUs on a single-family lot ministerially.

Contact HCD with Questions and Assistance

For implementation assistance, local jurisdictions should contact HCD's Housing Accountability Unit. To submit a request, visit: www.hcd.ca.gov, Planning and Community Development, Accountability and Enforcement and click on [Housing Accountability Unit Portal](#).