



CALIFORNIA STATE SENATOR

Jesse Arreguín

REPRESENTING SENATE DISTRICT 07

SB 9 – Removing Local Barriers to ADUs

SUMMARY

SB 9 (2025) will ensure that local laws regarding the construction of accessory dwelling units (ADUs) are consistent with state law, and provides a pathway to nullify illegal, local barriers to ADUs.

BACKGROUND

ADUs, or “granny flats,” are homes that are built on an existing lot to provide critically needed housing in California.

Since 2016, the state legislature has passed a significant number of policies; developing clear and consistent statewide rules for building ADUs, streamlining their approvals, and legalizing construction more broadly. As a result, ADU development is booming: ADUs have added more than 35,000 homes to California’s housing supply. One in five¹ new homes built in California in 2024 was an ADU.

PROBLEM

California’s ADU reforms have made it legal for homeowners across the state to build tens of thousands of homes. UC Berkeley research shows us that ADUs are being built in almost every neighborhood in the state; the overwhelming majority of them are being used as long-term housing for tenants, family members, or friends.

While ADUs have technically been legal in California for decades, most local jurisdictions enacted measures that made them functionally illegal, or otherwise impossible, to build. But after the state legislature began passing pro-ADU reforms in 2016, ADUs grew from less than 1 percent of new construction to 20 percent of new homes today.

Most of this progress is due to renewed state interest in removing local barriers to ADUs with a standardized state process for ADU zoning and permitting that pre-empts local jurisdictions that would otherwise block these homes. But in many cases, local ADU ordinances and permitting processes continue to be a barrier to ADU construction. In these cases, HCD works with local governments, providing technical assistance to help them adopt policies that are in line with State rules.

Current law requires local governments to submit ADU ordinances to HCD within 60 days of adoption and to respond to HCD guidance within 30 days. However, some local governments are failing to comply with this review process.

SOLUTION

SB 9 strengthens enforcement of state ADU laws by establishing a clear accountability mechanism for its enforcement.

Under SB 9, if a local agency fails to submit its ADU ordinance within 60 days of adoption, or fails to respond to HCD’s findings of noncompliance within 30 days, that ordinance becomes null and void. The city or county must then apply default state standards until a compliant ordinance is adopted.

CONTACT

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¹ https://dof.ca.gov/wp-content/uploads/sites/352/Forecasting/Demographics/Documents/E-1_2024_Press_Release.pdf

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