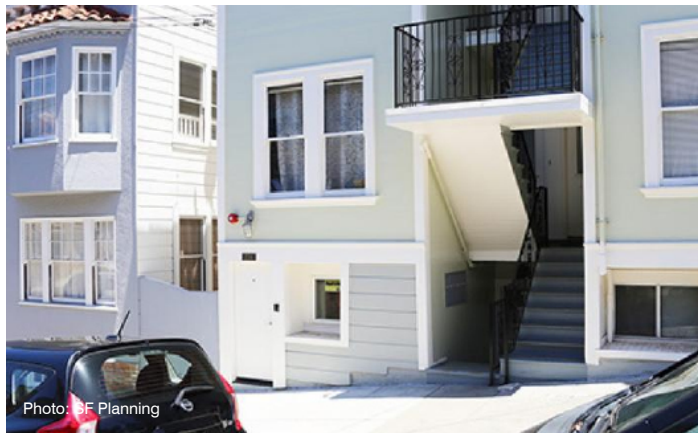




# STATE-MANDATED ADU PROGRAM



The State ADU Program allows the addition of ADUs to existing or proposed dwellings. This fact sheet provides a summary of State Law and Planning Code options for creating Accessory Dwelling Units (ADUs) utilizing the State ADU Programs. Please reference Board File No. 201008 for additional details included in the the Planning Code with State Law. Please note there may be other Code requirements that apply.

This fact sheet summarizes State Law and Planning Code options for creating Accessory Dwelling Units (ADUs) with State ADU Programs. ADUs in the State Program are subject to the following:

- 60-day review timeframe
- No subjective design review
- Not subject to review under the California Environmental Quality Act (CEQA)
- Not subject to Planning Code Section 311 neighborhood notification requirements
- No discretionary review opportunity
- Shortened appeal window with appeals heard within 10-30 days of filing

See [Board File No. 201008](#)<sup>1</sup> for additional details.

## TWO DIFFERENT CATEGORIES OF ADUs UNDER STATE LAW

**Streamlined ADUs:** Streamlined ADUs are permitted within existing or proposed single-family and multi-family dwellings. They are the most flexible in that compliance with the Planning Code (e.g. rear yard, exposure, etc.) is not required. They are only permitted on properties where there are no other ADUs.

**Ministerial ADUs:** Ministerial ADUs are permitted within existing or proposed single-family dwellings and existing multi-family dwellings. These ADUs need to comply with Planning Code requirements (e.g. rear yard, exposure, etc.), except for density. They include a new type of ADU called the Junior ADU (JADU).

**Junior ADUs:** Junior ADUs are allowed within existing or proposed single-family dwellings. General eligibility requirements for JADUs include:

- Converting no more than 500 square feet of the existing or proposed single-family dwelling or existing authorized detached structure into a JADU
- Owner occupancy in either the primary unit or JADU
- An entrance that is separate from the main entrance of the primary unit
- Must include an efficiency kitchen
- May or may not include shared sanitation facilities

## LOCAL ADU PROGRAM

- The Local ADU Program allows adding ADUs to existing or proposed single- and multi-family buildings (subject to relevant requirements and Codes).
- When waivers are sought under the Local ADU Program, a Costa-Hawkins Regulatory Agreement may be required. The number of ADUs allowed varies.
- State law may prevent the City from subjecting some ADUs to the rent stabilization provisions of the San Francisco Rent Ordinance.

See the [Local ADU Program Fact Sheet](#)<sup>2</sup> for more information.

<sup>1</sup> <https://sfgov.legistar.com/LegislationDetail.aspx?ID=4631474&GUID=93034AD0-10D7-43CA-AB1A-DAC4702C3221>

<sup>2</sup> [https://sfplanning.org/sites/default/files/documents/publications/FactSheet\\_ADUWaiver.pdf](https://sfplanning.org/sites/default/files/documents/publications/FactSheet_ADUWaiver.pdf)

# ADUs in Single Family Dwellings (SFD)

	STREAMLINED			MINISTERIAL		
	Converted ADU	Attached ADU	Detached ADU	Converted ADU	Detached ADU	Junior ADU
<b>Number of ADUs permitted</b>	1 ADU permitted	1 ADU permitted	1 ADU permitted	1 ADU permitted	1 ADU permitted. This may be combined with a JADU within the primary SFD.	1 ADU permitted. This may be combined with a Ministerial detached or converted ADU on a property with an existing or proposed SFD.
<b>Maximum size</b>	N/A	<p><i>If there is an existing primary dwelling:</i></p> <ul style="list-style-type: none"> <li>Studios and 1 bedroom ADUs within the primary structure would be permitted <b>up to 850 sf</b> <sup>A</sup></li> <li>2+ bedroom ADUs within the primary structure would be permitted <b>up to 1,000 sf</b> <sup>A</sup></li> </ul> <p><i>If there is proposed new construction single family dwelling:</i></p> <ul style="list-style-type: none"> <li><b>No maximum sf</b> for ADUs.</li> </ul>	1200 sf	N/A	800 sf	500 sf of the existing or proposed SFD
<b>Maximum height</b>	N/A	Up to the applicable Zoning and Height District.	16 ft	N/A	16 ft	N/A
<b>Rear and side setbacks</b>	N/A	<ul style="list-style-type: none"> <li><b>No setback is required</b> if the ADU is located within an existing living area or an existing accessory structure, or an ADU that replaces an existing structure and is located in the same location and constructed to the same dimensions as the structure being replaced.</li> <li>If the ADU does not comply with the above, a <b>setback of 4 feet is required</b> from rear and side lot lines.</li> </ul>	4 ft	N/A	4 ft <sup>B</sup>	N/A
<b>Expansions</b>	N/A	Expansions are <b>limited by the size restrictions</b> above.	N/A	Expansions of <b>up to 150 sf</b> are permitted for an existing auxiliary structure to accommodate ingress and egress.	N/A	
<b>Access</b>	Independent entrance required.		Exterior entrance required.	Independent entrance required.	Exterior entrance required.	An entrance that is <b>separate from the main entrance</b> of the existing or proposed dwelling is required.
<b>Kitchen</b>	Full kitchen required.					<b>Efficiency kitchen</b> which must have: a cooking facility with appliances, a food preparation counter, and storage cabinets of reasonable size in relation to the JADU.
<b>Deed restrictions</b>	The owner of the property <b>must record a deed restriction</b> that includes but not limited to restricting the sale of the ADU from the primary dwelling and prohibits Short Term Rentals.					The owner of the property <b>must record a deed restriction</b> to include the requirements listed in Government Sections 65852.2 and 658582.22, which include owner occupancy requirement.
<b>Noticing</b>	Property owner must complete DBI screening form, if applicable, and an ADU notice per Planning Code Section 207(c)(6).					

**Table Notes:** A. Or 50% of existing primary dwelling, whichever is greater

B. Or the required rear and side setback requirements, whichever is greater

# ADUs in Multi-Family Dwellings (MFD)

## STREAMLINED

## MINISTERIAL

	Converted ADU	Attached ADU	Detached ADU	Conversion ADU within existing MFD	Detached ADU on property with existing MFD
<b>Number of ADUs permitted</b>	1 ADU permitted	1 ADU permitted	1 ADU permitted	1 ADU permitted <sup>B</sup>	2 ADUs permitted
<b>Maximum size</b>	N/A	<p><i>If there are existing primary dwellings:</i></p> <ul style="list-style-type: none"> <li>Studios and 1 bedroom ADUs within the primary structure would be permitted <b>up to 850 sf<sup>A</sup></b></li> <li>2+ bedroom ADUs within the primary structure would be permitted <b>up to 1,000 sf<sup>A</sup></b></li> </ul> <p><i>If there is a proposed new construction multi-family dwelling:</i></p> <ul style="list-style-type: none"> <li><b>No maximum sf</b> for ADUs.</li> </ul>	1200 sf	N/A	
<b>Maximum height</b>	N/A	Up to the applicable Zoning and Height District.	16 ft	N/A	16 ft
<b>Rear and side setbacks</b>	N/A	<ul style="list-style-type: none"> <li><b>No setback is required</b> if the ADU is located within an existing living area or an existing accessory structure, or an ADU that replaces an existing structure and is located in the same location and constructed to the same dimensions as the structure being replaced.</li> <li>If the ADU does not comply with the above, a <b>setback of 4 feet is required</b> from rear and side lot lines.</li> </ul>	4 ft	N/A	4 ft <sup>C</sup>
<b>Expansions</b>	N/A	N/A			
<b>Access</b>	Exterior entrance required.			Independent entrance required.	Exterior entrance required.
<b>Kitchen</b>	Full kitchen required.				
<b>Deed restrictions</b>	Property owner must complete <b>DBI screening form</b> , if applicable.				

**Table Notes:**

A. Or 50% of existing primary dwelling, whichever is greater

B. **For existing multi-family dwellings:** up to 25% of the number of existing legal dwellings within the structure, whichever is greater. Such square footage must not take away habitable space from a dwelling.

C. Or the required rear and side setback requirements, whichever is greater

**Please visit [sfplanning.org/adu](https://sfplanning.org/adu) or contact [CPC.ADU@sfgov.org](mailto:CPC.ADU@sfgov.org) for additional information.**

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