By-Right ADUs
SB 531

Effective July 1, 2027

SB 531 legalizes accessory dwelling units (ADUs) statewide by-right, eliminating burdensome special-use permit processes.

What does the law require?

Localities must adopt an ordinance allowing accessory dwelling units (ADUs) **by-right**. Localities may only require compliance with the requirements and local codes and ordinances referenced in the law.

Exception This law does not apply to localities that have adopted an ADU ordinance prior to January 1, 2026.



Localities MAY require the following:

- **Lease Term** of at least 30 days for an ADU rental
- **Parking:**
  - Replacement of a primary dwelling's required parking if ADU eliminates such parking
  - Dedicated parking for the ADU
- **Limits on floor area, lot coverage, and impervious area** of an ADU of no less than (i) 350 sq. ft. on lots smaller than 2,500 sq. ft. and (ii) 500 sq. ft. on lots 2,500 sq. ft or greater
- **Compliance** with:
  - Building codes;
  - Water, sewer, septic, emergency access, flood zone, and stormwater requirements;
  - Historic and architectural districts and corridor protection restrictions; and
  - Air Installations Compatible Use Zone restrictions
- **Owner occupancy** of the ADU or the primary dwelling, but not both, at the time of application
- ADU shall be **no more than 500 feet from** primary dwelling
- No ADUs on a residential lot with more than one dwelling unit
- No ADUs sold separately or subdivided from the primary dwelling

Localities MUST NOT require the following:

- **ADU Permit Fee** of more than **$500**
- **Rear or side setbacks greater than** required for the primary dwelling or accessory structures on the lot, whichever is less
- **More restrictive** requirements for **height, rear or side setbacks, lot size or coverage, or building frontage** than those for single-family dwellings in the same zoning area
- **Restrictive covenants** on the ADU
- **Improvements to public streets as a condition** of approval, except as needed to reconstruct or repair a public street disturbed by ADU construction
- **Consanguinity or affinity** between the ADU and primary dwelling occupants

Questions? **Contact:** Hello@YIMBYLaw.org

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