

THIRD READING

Bill No: AB 956
Author: Quirk-Silva (D), et al.
Amended: 6/15/26 in Senate
Vote: 21

SENATE HOUSING COMMITTEE: 7-1, 6/10/26

AYES: Arreguín, Cabaldon, Cortese, Durazo, Grayson, Padilla, Pérez

NOES: Seyarto

NO VOTE RECORDED: Caballero, Ochoa Bogh

SENATE LOCAL GOVERNMENT COMMITTEE: 5-2, 7/1/26

AYES: Durazo, Arreguín, Ashby, Cervantes, Laird

NOES: Choi, Seyarto

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 58-4, 5/23/25 - See last page for vote

SUBJECT: Accessory dwelling units and junior accessory dwelling units

SOURCE: Author

DIGEST: This bill requires local agencies to ministerially approve two detached, new construction Accessory Dwelling Units (ADUs) on a lot with an existing or proposed single-family dwelling.

ANALYSIS:

Existing law:

- 1) Defines an ADU as an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It must include permanent provisions for living, sleeping, eating, cooking, and sanitation on the

same parcel as the single-family or multifamily dwelling is or will be situated on.

- 2) Defines a Junior ADU (JADU) as a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.
- 3) Requires a local agency to ministerially approve an application to develop one attached or one detached ADU and up to one JADU on a lot with an existing or proposed single-family dwelling.
- 4) Establishes, within the Davis-Stirling Common Interest Development Act, rules and regulations governing the operation of common interest developments (CIDs) and the respective rights and duties of a homeowners' associations (HOA) and its members. Requires the governing documents of a CID, and any amendments to the governing documents, to be adopted through HOA elections in accordance with specified procedures.
- 5) Deems void and unenforceable any covenant, condition, or restriction (CC&R) contained in any deed, contract, security instrument, or other instrument affecting the transfer of, or any interest in, real property, and any provision of the CID governing documents, that effectively prohibits or restricts:
 - a) Installation of a solar energy system.
 - b) Installation or use of a video or television antenna.
 - c) Installation of low-water using plants, artificial turf, and other synthetic surface that resembles grass.
 - d) Installation or use of an EV charging station within the owner's unit or designated parking space.
 - e) Display or affixation of one or more religious items on any entry door frame to a dwelling.
 - f) Construction or use of an ADU or JADU on a lot zoned for single-family residential use that meets the requirements of existing law regarding ADUs and JADUs.

This bill requires a local agency to ministerially approve an application to develop up to two detached ADUs and up to one JADU on a lot containing an existing or

proposed single-family dwelling, and clarifies that CC&Rs in CID governing documents apply on a lot zoned to allow single-family developments.

Background

ADUs/JADUs. ADUs, also known as mother-in-law units or granny flats, are additional living spaces that have a separate kitchen, bathroom, and exterior access independent of the primary residence; ADUs may be attached or detached from the primary residence. A JADU is a unit of up to 500 square feet within the primary residence. ADU/JADU law has evolved over the years to lower barriers to ADU development, which has resulted in a surge in ADUs built in California. SB 1069 (Wieckowski, Chapter 720, Statutes of 2016) and AB 2299 (Bloom, Chapter 735, Statutes of 2016) permitted ADUs by-right on all residentially-zoned parcels in the state. By permitting an ADU as a second unit on all single-family lots, these laws effectively doubled their allowed density. According to the Department of Housing and Community Development (HCD), between 2016-2023, the number of ADUs permitted annually in the state grew from 1,336 to 26,924, a 20-fold increase. In 2023, ADUs comprised more than 21% of all homes permitted statewide.

Comments

Author's Statement. "AB 956 is a critical step toward addressing California's housing crisis by making it easier for families to build the housing they need. Too many families are trapped by outdated restrictions when they need space for aging parents, adult children, or essential rental income. This bill cuts through the red tape and ensures that more Californians can access flexible, affordable housing options. The future of our communities depends on solutions like this: expanding housing, keeping families together, and ensuring every Californian has a place to call home."

ADUs, JADUs, duplexes and urban-lot splits. Existing law requires local agencies to allow up to four units to be developed on most single-family parcels across the state; specifically, SB 9's duplex provisions when used in concert with ADU law and JADU law, require a local agency to allow up to four units (a duplex, and two ADUs) on an existing or proposed parcel that is only zoned to allow the development of one single-family dwelling. SB 9 also requires a local agency to allow a property owner to subdivide a single-family parcel and create two units on each parcel (either a duplex, or a primary dwelling and an ADU/JADU). This configuration also allows up to four units to be built on an existing single-family parcel, but it spreads the units across two newly subdivided parcels. The urban-lot

split provisions of SB 9 specify that a local agency is only required to allow a total for two units on any parcel created through an urban-lot split. This limitation means that the statutorily imposed upzoning of existing single-family parcels cannot be used to create more than four units per original parcel, thus avoiding the potential for an SB 9 development or ADU law to trigger Density Bonus Law (DBL) which applies to projects that include five or more units. This bill specifies that local agencies are not required to approve a JADU in conjunction with two detached ADUs, effectively maintaining consistency with SB 9's functional cap of four units per parcel.

Clarifying ADU Law and Davis-Stirling. This bill will clarify two items in ADU law related to HOAs. AB 670 (Friedman, Chapter 178, Statutes of 2019), voids any CC&R in a planned development that prohibits or unreasonably restricts the construction of an ADU on a lot zoned *for* single family development. According to the author of AB 670, that bill was intended to address the fact that “many HOAs have restrictions on what can or cannot be done with their dwelling units, including the ability to have a second unit or ADU.” The Friedman bill, as originally passed by the State Assembly, did not specify that its provisions applied to CC&Rs adopted by CIDs at all. Senate amendments clarified that the prohibitions applied to CC&Rs affecting any interest in a “planned development.” AB 670 also applies to lots that are zoned “for” single family development, rather than lots zoned “to allow” for single family development. In practice these two ambiguities can be interpreted to authorize CIDs to prevent the development of some ADUs. Additionally, for the CIDs that are required to allow the development of ADUs, the law could be read as specifying that these CIDs can prohibit ADUs on parcels that are zoned allow for more than one unit (even if only one unit exists on the parcel). This bill will specify that ADU law applies to any lot in a CID that allows single family development.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 8/3/26)

California Apartment Association
California Yimby
East Bay for Everyone
LeadingAge California
South Pasadena Residents for Responsible Growth
Southern California Obtainable Housing
Yolo Yimby
Zillow Group

OPPOSITION: (Verified 8/3/26)

California Cities for Local Control
California Fire Chiefs Association
City of Burbank
City of Carlsbad
City of Chino Hills
City of Cupertino
City of LA Habra
City of Lakewood CA
City of Milpitas
City of San Marcos
City of Thousand Oaks
City of Torrance
City of Tulare
City of Yorba Linda
Equitable Land Use Alliance (ELUA)
Fire Districts Association of California
League of California Cities
Marin County Council of Mayors and Council Members
Neighbors for a Better San Diego
Rural County Representatives of California (RCRC)

ARGUMENTS IN SUPPORT: Supporters argue that AB 956 expands housing opportunities by allowing local agencies to approve more detached ADUs on properties with an existing or proposed single-family home. By clarifying state law and eliminating confusion around ADU allowances, AB 956 removes unnecessary barriers and ensures that more Californians can access flexible, affordable housing solutions.

ARGUMENTS IN OPPOSITION: Opponents argue that while AB 956 seeks to expand housing opportunities, it does not adequately account for local infrastructure planning considerations and the resources necessary to support additional residential development. Essential infrastructure utility systems, including water, sewer, gas, electricity, and roadways, have been planned, constructed, and maintained in accordance with locally adopted regulations. Authorizing increased density without consideration of local infrastructure planning and service capacity may create challenges in maintaining the long-term reliability and efficiency of essential services.

ASSEMBLY FLOOR: 58-4, 5/23/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Caloza, Carrillo, Connolly, DeMaio, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Ortega, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Soria, Stefani, Ta, Valencia, Wallis, Ward, Zbur, Rivas

NOES: Boerner, Davies, Dixon, Macedo

NO VOTE RECORDED: Bryan, Calderon, Castillo, Chen, Ellis, Hart, Irwin, Muratsuchi, Nguyen, Pacheco, Petrie-Norris, Sanchez, Sharp-Collins, Solache, Tangipa, Wicks, Wilson

Prepared by: Hank Brady / HOUSING / (916) 651-4124
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**** END ****