



Accessory Dwellings Units (ADU) Guidelines

Updated January 2026

Accessory Dwelling Units meeting specific criteria are allowed by right on lots with existing or proposed single-family and multifamily dwellings. There are also options to request approval for larger or taller ADUs through different levels of review. In Davis, there are three categories for processing ADUs depending on square footage and configuration. These Guidelines summarize each level of review as follows: (1) **State Exempt** ADUs, (2) **Ministerial** ADUs, and (3) **Non-Ministerial** ADUs.

Accessory dwelling units can be created in several ways. They can be detached from the primary dwelling or attached as an addition. ADUs may also be converted from existing space within the primary dwelling, attached garage, or an accessory building. A Junior Accessory Dwelling Unit (JADU) is a specific type of ADU converted within the existing primary residence or attached garage. The State Code also allows multiple 'State Exempt' ADUs on single-family and multifamily properties. Please note, there are different requirements for single-family versus multifamily. These Guidelines explain the requirements for each type of ADU, such as number of units allowed, maximum square footage, minimum setbacks to property lines, height limitations, and minimum separation of structures. The following sections also describe how different sizes and types of ADUs fit into the three separate categories of review.

The ADU laws summarized in this handout are contained in the State Government Codes, Title 7, Division 1, § 66310 – 66342, and the local Zoning Ordinance in Chapter 40 of the Municipal Code § 40.26.450 – 40.26.460. Once you have reviewed the information herein, feel free to contact Planning staff with any clarifying questions at planning@cityofdavis.org or 530-757-5610, and press option 4 to be directed to a Planning staff person. Staff can also assist you with access to the underlying Codes.

General Notes and Requirements for All ADUs and JADUs

Impact Fees

- ADUs that are less than 750 square feet shall not be subject to impact fees.
- ADUs that are 750 square feet or more shall be charged impact fees that are proportional in relation to the square footage of the primary dwelling unit. You may request a fee estimate by completing the Applicant Assumptions Form and submitting it to DCDSweb@cityofdavis.org.

Separate Address

- ADUs and JADUs require a separate address to be assigned to each unit. The applicant shall submit the Address Change Request form and processing fee to the Public Works Department at time of building permit application.

Exterior Access

- ADUs and JADUs require a separate exterior access.



Minimum Lot Size

- There is no minimum lot size required for approval of ADUs and JADUs.

Rental Terms

- ADUs and JADUs are not permitted to be used as short-term rentals. Rental terms must be longer than 30 days.

Services and Utility Connections

- ADUs and JADUs shall generally be required to utilize the water and sewer points of connection for the primary dwelling and not be a separate set of services. For an ADU that is not a conversion of an existing space, a separate utility connection may be required, and may be subject to a connection fee or capacity charge proportionate to the burden of the proposed ADU (§ 66324).
- The City utility bills, for water, sewer and garage, will increase to reflect the additional dwelling unit(s) on the property upon completion of construction. Recology will provide a separate set of waste totes for landfill, organics and recycling. Multiple ADUs may require a waste enclosure and shared bins based on the total number of units.

Fire Sprinklers

- Fire sprinklers are only required in an ADU or JADU if they are required for the primary residence. For example, a house constructed before the requirement for fire sprinklers, would not have been required to have them. However, if the house was significantly altered and is now required to have fire sprinklers, an ADU created after that alteration shall have fire sprinklers. The construction of a State Exempt or Ministerial ADU shall not trigger a requirement for fire sprinklers in the primary residence. When a primary dwelling does not currently have fire sprinklers, and an attached ADU is proposed which would trigger fire sprinkler requirements due to the increase in livable space, that requirement shall not be imposed on the primary dwelling unit.

Parking Requirements

- There are no parking requirements for ADUs or JADUs. Any parking spaces removed or converted to create ADUs or JADUs are not required to be replaced. An ADU may require bicycle parking depending on the total number of resulting units and other factors (§ 40.25A).

Tree Removals / Modifications

- If the construction of an ADU will have a potential impact on a nearby tree or if a tree will be removed as a result of the ADU, a Tree Modification Permit will be required
- Tree Modification Permit may be applied for with Urban Forestry (§ 37.01-37.07). Contact citytrees@cityofdavis.org for more information.



1. State Exempt ADUs - Building Permit Only

California Government Code Section 66323 establishes four categories of State Exempt ADUs. These four types are mandated for approval if they meet the requirements detailed below. The review process is a building permit only, with no separate planning approval or neighborhood review. These units are exempt from zoning requirements such as Lot Coverage, Floor Area Ratio, Usable Open Space, front setbacks, and design standards. All ADUs must comply with minimum California Building Code requirements for health and life-safety, and any applicable regulations for stormwater quality, solid waste facilities, bicycle parking, and tree removals/modifications.

State Exempt ADUs may be combined, as allowed by the site and lot conditions, to allow one ADU from each category for the applicant residential type. The four categories of State Exempt ADUs are:

A. Single-Family Converted ADUs and JADUs

Conversion ADUs are allowed within the existing permitted floor area of a single-family home or accessory structure. A single-family lot is allowed one ADU created from existing space and one Junior Accessory Dwelling Unit created within the primary residence up to 500 SF. Exterior access is required and only setbacks as required for fire and safety, (i.e. no standard four-foot side and rear setback for conversions).

- No maximum size for a conversion ADU or size limit in relation to the primary unit. The maximum size of a JADU is 500 square feet.
- 150 square feet may be added to a conversion ADU only if necessary to accommodate ingress and egress, such as a stairwell.
- A JADU is permitted within an existing single-family dwelling or attached garage.
- A JADU requires an efficiency kitchen but may share a bathroom with the primary dwelling.
- Unless the JADU includes a separate sanitation facility a covenant is required to be recorded against the property which 1) prohibits the JADU from being sold separately, 2) prohibits short term rentals for less than 30 consecutive days, and 3) either the JADU or the primary dwelling must be occupied by the owner of record. (A template of the covenant is available upon request).

B. Single-Family Detached ADUs

One detached ADU up to 800 square feet, with minimum four-foot side and rear yard setbacks, is allowed on lots with an existing or proposed single-family dwelling. Height limitations of 16, 18, or 20 feet depending on the conditions specified in Government Code Section 66321 and described below:

- 16 feet on a lot with a proposed or existing single-family dwelling unit.
- 18 feet on a lot as described above when located within a half-mile from a major transit stop or high-quality transit corridor. An additional 2 feet is allowed to accommodate a roof pitch that aligns with the primary dwelling.



C. Multifamily Converted ADUs

Multifamily conversion ADUs may be created in existing non-living spaces within an existing multifamily dwelling. Multifamily conversion ADUs are limited to no more than 25% of the existing multifamily units with at least one allowed.

- Examples of non-livable spaces include, but are not limited to, storage, leasing office, boiler room, gym, passageway, attic, basement, or garage.

D. Multifamily Detached ADUs

Up to two new detached ADUs are allowed on a lot that has a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling. The number of multifamily detached ADUs is limited to the number of existing units, up to a maximum of eight. These ADU units are allowed to be attached together, but must be detached from the primary dwelling structure(s). Height limitations are specified in Government Code Section 66321 and described below:

- 16 feet on a lot with a proposed or existing multifamily dwelling unit.
- 18 feet on a lot as described above when located within a half-mile from a major transit stop or high-quality transit corridor. An additional 2 feet is allowed to accommodate a roof pitch that aligns with the primary dwelling.
- 18 feet on a lot with an existing or proposed multifamily, multistory dwelling

Pre-Designed ADU Plans Available for Free

The City has pre-designed ADU plans available for three different size detached ADUs. There are plans for a studio unit (300 square feet), a one-bedroom (565 square feet) and a two-bedroom (740 square feet) ADU. All pre-designed ADUs qualify under the state exempt ADU category if they meet the minimum requirements of a detached ADU. Feel free to review more information about pre-approved ADU plans on the webpage:

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/accessory-dwelling-units-and-guest-houses/pre-designed-adu-plans>

Additional Information for State Exempt ADUs

A single-family property is eligible for a detached ADU, a converted ADU, and a JADU, allowing up to four total units including the primary dwelling. Similarly, a multifamily property may have both converted ADUs and detached ADUs, up to the maximum allowed for each type.

- Additions to the primary dwelling are not considered State Exempt ADUs.
- Development or design standards do not apply, including but not limited to, lot size, open space, floor area ratio, architectural design, etc.
- A JADU sharing a bathroom with the primary dwelling requires owner-occupancy.



2. Ministerial ADUs

Ministerial ADUs are easy to get approved similar to State Exempt ADUs. This process is used for ADUs attached to the primary dwelling when square footage is being added, and for detached ADUs over 800 square feet up to 1,000 sf maximum. Ministerial ADUs are required to comply with zoning district standards such as Lot Coverage, Usable Open Space, and Floor Area Ratio. However, an ADU up to 800 sf, with 4-foot side and rear setbacks, and height limit per § 66321(b)(4), must be approved regardless of other zoning requirements (see below for more info on height limits).

The ministerial review process includes objective design standards detailed below. A proposed ADU must be approved when it complies with all applicable zoning standards and design standards, without a discretionary application or neighborhood noticing. The application form for Ministerial ADU is submitted to the Planning Division with conceptual plans and a processing fee, for preliminary approval prior to application for a building permit. This is to ensure the project complies with the standards before full construction drawings, engineering, and energy calculations are prepared.

Ministerial ADU Requirements	
Maximum Size	<p>Attached ADU - No more than 50% of the gross floor area of the existing primary dwelling</p> <p>Detached ADU - 850 square feet for zero or 1 bedroom 1000 square feet for 2 or more bedrooms</p> <p><i>The minimum size for an ADU is approximately 220 sf to comply with the minimum area requirements of the CBC.</i></p>
Setbacks	<p>No new setback requirement for:</p> <ul style="list-style-type: none"> • Existing Structure Conversions • A new ADU constructed in the same location with the same dimensions as an existing structure <p>Attached and Detached ADUs – 4’ side and rear yard setback</p> <p><i>See “Additional Ministerial ADU Requirements” for more info.</i></p>

Height	<p>16 feet on a lot with a proposed or existing single-family or multifamily dwelling unit.</p> <p>18 feet on a lot as described above when located within a half-mile from a major transit stop or high-quality transit corridor. An additional 2 feet is allowed to accommodate a roof pitch that aligns with the primary dwelling.</p> <p>18 feet on a lot with an existing or proposed multifamily, multistory dwelling.</p> <p>25 feet or the height limitation that applies to the primary dwelling in the Davis Municipal Code, whichever is lower, for an attached ADU.</p> <p>Primary Dwelling Height Limit (typically 30') for attached ADUs that comply with the first and second-story setbacks, lot coverage, usable open space, FAR, etc. for the primary dwelling.</p>
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Additional Ministerial ADU Requirements

- One ADU is allowed on a lot with a proposed or existing primary dwelling unit on a property that is zoned for single family or multifamily residential use.
- Lot coverage, floor area ratio, and open space requirements apply to a Ministerial ADU, except an ADU up to 800 square feet, with 4-foot side and rear setbacks, and compliant with the height limitations, shall be approved. Calculations shall be provided for the record.
- An Attached ADU may be constructed on or as the second story of an existing primary single-family residence (including the garage area) provided it complies with the height and setbacks as required by the zone in which the property is located. *This provision does not apply to an existing detached garage or other structure.*
- A detached Ministerial ADU shall be at least 5 feet from the primary dwelling.
- An ADU that has the potential to impact any historical resource listed on the California Register of Historical places shall be designed in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

Design Standards for a Ministerial ADU

- All ADUs must have the same roof pitch as the primary dwelling with matching eave details. A deviation of 2/12 more or less is allowed.
 - If the ADU is in a historic conservation zone, it must follow the roof pitch of the design style allowed in that zone or area.
- The accessory dwelling unit shall have the same architectural style, design and architectural details as the primary structure.
- An ADU that is a garage conversion shall remove the garage door and replace it with architectural features to match the primary structure.
- No ADU design will be approved that requires exterior alterations to the street facing façade of a *historically designated property* or in a conservation overlay district.



3. Non-Ministerial ADUs

Non-Ministerial ADUs permit larger and/or taller ADU proposals than State Exempt and Ministerial ADUs. This process allows for ADUs up to a maximum of 1,200 square feet and up to 30 feet in height. The same design standards applicable to Ministerial ADUs also apply to Non-Ministerial ADUs as detailed below. An Administrative Use Permit application is required, which requires the submission of the application form, conceptual plans, and a processing fee of \$2,064. A notice is sent to neighboring properties within 500 feet, with a 10-day comment period and 10-day appeal period. The process takes approximately six weeks after a complete application is received. Non-Ministerial ADUs are not required by State Code, and are regulated by Zoning § 40.26.460.

Non-Ministerial ADU Requirements	
Size	Maximum size of 1,200 square feet
Setbacks	<p>Front yard: as required by the zone where the ADU is located Street side yard: 15 feet Interior side yard: 5 feet Rear yard: 10 feet (may request approval for 5 ft)</p> <p>The minimum interior side yard and rear yard shall be three feet if said yards adjoin: an alley, park or greenbelt, or a zoning district that does not principally permit single-family dwellings or two-family dwellings (e.g., districts that permit multiple-family dwellings, nonresidential uses, agriculture, public and semipublic facilities, or similar principal permitted uses). The interior side yard and rear yard for a yard adjoining a zoning district that principally permits single-family or two-family dwellings shall comply with the general requirements above.</p>
Height	The maximum height shall be 30 feet.

Additional standards for non-ministerial accessory dwelling units:

- The minimum required distance between the non-ministerial accessory dwelling unit and the primary dwelling unit, and all other structures on the property, shall be in conformance with the [California Building Code](#).
- The maximum lot coverage shall be 50 percent for the primary dwelling and accessory dwelling units and all accessory structures combined.

- The minimum useable open space is 20 percent.
- No additional vehicle parking space is required for a non-ministerial ADU.
- The accessory dwelling unit shall have the same roof pitch as the primary dwelling with matching eave details, but may vary by up to 2/12 more or 2/12 less than the roof pitch of the primary dwelling unit. If the unit is located in a historic conservation zone, it must follow the roof pitch requirements for the design style allowed in that zone or subarea.
- A garage converted to an ADU that does not proceed under the building permit only approval process shall include removal of the garage door(s) which shall be replaced with architectural features, including walls, doors, windows, trim and accent details to match the primary structure.
- The architecture of the ADU shall use the same architectural features, including walls, doors, windows, trim and accent details to match the primary structure.
- Fencing or landscaping shall be installed and maintained between the unit and the neighboring property.
- For an accessory dwelling unit that is constructed as a second story or above a garage, all windows facing the side or rear lot lines shall be made of frosted or etched glass, or otherwise include a privacy film or treatment to ensure privacy for neighboring properties if the lot line abuts another residential property.
- Adequate open space and landscaping shall be provided for both the primary dwelling unit and the non-ministerial accessory dwelling unit.

Definitions

Accessory dwelling unit (ADU). 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 shall 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. An ADU also includes an efficiency unit, or a manufactured home. Source: Gov. Code § 66313(a).

Junior Accessory Dwelling Unit (JADU). A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure. Source: Government Code section 66313, subdivision (d).

Efficiency Dwelling Unit. A dwelling unit which contains a minimum of 150 square feet in living space, a separate closet, kitchen sink, cooking appliance, refrigerator, and a separate bathroom containing a water closet, lavatory, bathtub, or shower. Source: Government Code section 66313, subdivision (a)(1); California Building Code section 1208.4

Manufactured Home. A structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis



and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Source: Health and Safety Code section 18007, subdivision (a)

Kitchen or Kitchenette. A room, space or area equipped with cabinets and countertops for the preparation and cooking of food. Equipment shall include one from each category below: (1) a stove, stovetop, range, oven, built-in microwave oven, or other device for cooking food, (2) a sink; and (3) a refrigerator, freezer, or combination thereof. A kitchen or kitchenette may also include, a dishwasher, garbage disposal, and trash compactor. Source: Municipal Code § 40.01.010

Efficiency Kitchen. A cooking facility with appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the JADU. Source: Government Code § 66333(f)

Single-Family Dwelling. For the purposes of State ADU Law, a single-family dwelling is a single unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation, and existing as a separate interest of real property, such as a detached single-family dwelling or a townhouse. Source: HCD ADU Handbook Glossary, Jan 2025

Multifamily Dwelling. For the purposes of State ADU Law, a structure with two or more attached dwellings on a single lot is considered a multifamily dwelling. Multiple detached single-family dwellings on the same lot are not considered multifamily dwelling for the purposes of State ADU law. Source: HCD ADU Handbook Glossary, January 2025

Lot Coverage. The percentage of the total lot area that is covered by structure as herein defined. For the purposes of lot coverage, structures are anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. For the purposes of lot coverage, "structures" include buildings and accessory structures, storage sheds, patio covers and gazebos with solid roofs, and decks which are thirty inches or more above grade (as defined in the building code). For the purposes of lot coverage, "structures" shall not include architectural features (including cornices, canopies, and eaves) supported from the structures; trellis and arbors which do not have solid roofs and/or solid sides; and decks which are less than thirty inches above grade. Source: Municipal Code § 40.01.010

Floor Area Ratio. A ratio between the area of permitted floor space in a structure in terms of its outside dimensions (gross floor area) and the area of the lot on which it is situated.

Usable Open Space. Outdoor area on the ground which is designed and used for outdoor living, recreation including swimming, utility space, pedestrian access or landscaping. Such areas shall be readily accessible to building occupants and shall be effectively separated from automobile circulation and parking. Such areas shall not include the required front yard, off-street parking space or driveways nor shall any such area have a dimension of less than twelve feet. Atria or courtyards may be credited as open space providing that the enclosed area is a minimum of twelve feet in both length and width. Balconies may be credited as open space providing they have a minimum dimension of five feet. Sun decks may be credited as open space up to a maximum of twenty-five percent in the R-3 districts and a maximum of fifty percent in the R-HD of the total open space requirement.