



SB 1211

Land Use: Accessory Dwelling Units: Ministerial Approval

[Senate Bill 1211 \(SB 1211\)](#) is California law that took effect on January 1, 2025. SB 1211 allows up to 8 detached ADUs to be created on a lot within an existing multifamily dwelling, provided that the number of ADUs does not exceed the number of existing units on the lot, and up to 2 detached ADUs on a lot with a proposed multifamily dwelling. The law also prohibits a local agency from requiring the replacement of offstreet parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or conversion to, an ADU.

Key Provisions of SB 1211:

Effective Date

- Effective **January 1, 2025**

Eligibility Criteria

- Projects must satisfy the following zoning and property requirements to qualify for **ministerial review**:

Replacement Parking

- Prior to SB 1211, the Government Code prohibited local agencies from requiring off-street parking spaces to be replaced when a garage, carport or covered parking structure is demolished in conjunction with the construction of, or converted to, an ADU. **SB 1211** amends this subsection to also prohibit local agencies from requiring replacement parking when an uncovered parking space is demolished for or replaced with an ADU.

Multifamily ADUs

- Prior to SB 1211, the Government Code pushed local agencies to ministerially approve qualifying building permit applications for ADUs within “portions of existing multifamily dwelling structures that are not used as livable space, including, but not

limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages” The term “livable space” was not defined by state ADU law. **SB 1211** changes this by adding a new definition stating “‘livable space’ means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.”

- **SB 1211** also increases the quantity of detached ADUs that lots with an existing multifamily dwelling can have. Prior to this bill, the Government Code permitted lots with an existing or proposed multifamily dwelling to have up to two detached ADUs. Following **SB 1211**, lots with an existing multifamily dwelling can have up to eight detached ADUs, or as many detached ADUs as there are primary dwelling units on the lot, whichever is less. **SB 1211** does not alter the number of ADUs that lots with proposed multifamily dwelling can have — they remain limited to two detached ADUs.
- The **City of Marina** will implement SB 1211 by applying the following state Government Code provisions to applications for new ADUs:
 - § 66313
 - § 66314
 - § 66323
- Local forms will be used to collect necessary application information for compliance and review.

Additional Resources

- The full text of the legislation is available on the **California Legislative Information website** for reference.