

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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July 14, 2026

Jay Bradford, Community Development Director  
Planning Department  
Town of Los Altos Hills  
26379 Fremont Road  
Los Altos Hills, CA 94022

Dear Jay Bradford:

**RE: Review of Los Altos Hills' Accessory Dwelling Unit (ADU) Ordinance under  
State ADU Law (Gov. Code, §§ 66310 - 66342)**

Thank you for submitting the Town of Los Altos Hills ADU Ordinance No. 622 (Ordinance), adopted April 16, 2026, to the California Department of Housing and Community Development (HCD). HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 66326, subdivision (a). HCD finds that the Ordinance fails to comply with State ADU Laws in the manner noted below. Pursuant to Government Code section 66326, subdivision (b)(1), the Town has up to 30 days to respond to these findings. Accordingly, the Town must provide a written response to these findings no later than August 14, 2026, with a plan to either amend the current ordinance or adopt a resolution with findings.<sup>1</sup> Responses should be submitted formally on agency letterhead.

The Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law as follows:

1. Section 10-1.1403 (a) – *Unit Allowances* – The Ordinance provides a unit allowance that acknowledges only those units created pursuant to Government Code section 66323, subdivision (a): namely, with single-family dwellings, “One (1) accessory dwelling unit that is attached or connected to an existing or proposed single-family dwelling unit through sharing a wall or a structural building feature. or that is entirely within the existing space of an existing accessory structure: (ii) One (I) accessory dwelling unit that is new construction and detached from a proposed or existing single-family dwelling: and (iii) One (1) junior accessory dwelling unit.”

However, this restricts units created subject to Government Code section 66314, which per subdivision (d)(3) may be “...either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the

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<sup>1</sup> Gov. Code, § 66326, subd. (b)(2)(B).

proposed or existing primary dwelling, including detached garages.” Certain ADU types that are not described in section 66323 may be created under section 66314, such as new construction attached ADUs, new construction detached ADUs larger than 800 square feet and converted and detached units.

Additionally, limiting the number of units to the types described in section 66323 would impermissibly constrain an application for a unit subject to section 66323 if a unit subject to section 66314 already exists on the lot. For example, if a new construction detached unit with a size of 1,000 square feet is approved under section 66314, this provision in the Ordinance would preclude the subsequent ministerial approval of a new construction 800 square foot detached unit subject to section 66323, subdivision (a)(2). Therefore, the Town must provide for all state mandated combinations of both Government Code section 66323 and section 66314 for both single-family and multifamily primary dwellings.

2. Section 10-1.1406 – *Application Process* – The Town provides a process for ADU applications that does not provide for the evaluation of completeness, required timelines, or the appeals process. Government Code sections 66317 and 66335 provide requirements regarding the evaluation of completeness, including timelines, appeals, and requirements for resolving incomplete applications. The Town must amend the Ordinance to provide for all of the requirements under sections 66317 and 66335.

The Town has two options in response to this letter.<sup>2</sup> The Town can either amend the Ordinance to comply with State ADU Law<sup>3</sup> or adopt the Ordinance without changes and include findings in its resolution accompanying the Ordinance that explain the reasons the Town believes that the Ordinance complies with State ADU Law despite HCD’s findings.<sup>4</sup> If the City fails to take either course of action and bring the Ordinance into compliance with State ADU Law, HCD must notify the Town and may notify the California Office of the Attorney General that the Town is in violation of State ADU Law.<sup>5</sup>

HCD appreciates the Town’s efforts in the preparation and adoption of the Ordinance and welcomes the opportunity to assist the Town in fully complying with State ADU Law. Please feel free to contact Mike Van Gorder at [mike.vangorder@hcd.ca.gov](mailto:mike.vangorder@hcd.ca.gov) if you have any questions.

Sincerely,



Jamie Candelaria  
Section Chief, ADU Policy  
Housing Policy Development Division

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<sup>2</sup> Gov. Code, § 66326, subd. (c)(1).

<sup>3</sup> Gov. Code, § 66326, subd. (b)(2)(A).

<sup>4</sup> Gov. Code, § 66326, subd. (b)(2)(B).

<sup>5</sup> Gov. Code, § 66326, subd. (c)(1).