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June 25, 2019

The Honorable Richard Bloom
California State Assembly
State Capitol, Room 2003
Sacramento, CA 95814

RE: Oppose AB 881 – Accessory Dwelling Units

Dear Assembly Member Bloom,

On behalf of the City of Cupertino, I am writing to express opposition to AB 881, which would amend the statewide standards that apply to locally adopted ordinances regarding accessory dwelling units (ADUs).

Specifically, AB 881 would limit the criteria by which a local agency may determine where ADUs may be permitted due to the adequacy of water and sewer services, requires the ministerial approval of ADUs on lots with multifamily residences and within existing garages, and removes the authority of a local agency to require owner occupants for ADUs until 2025

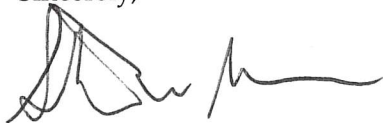
The State law governing ADUs has been modified a number of times, including during the 2016 legislative session. Local agencies have worked in good faith to craft ordinances that implement those laws and would now be required to reopen those ordinances to reflect any new changes. Local agencies are currently able to amend their ordinances above and beyond the State requirements, if that is what is supported in their communities, and this measure would circumvent the local process in favor of a one-size fits all approach to ADUs.

Additionally, AB 881 would prohibit a local jurisdiction from requiring a property owner live in the main house or one of the accessory structures until January 1, 2025. This would incentivize operating the property as a commercial enterprise and could have the unintended effect of large-scale investors purchasing many single-family homes and adding ADUs, thus operating more like a property management company, not a homeowner seeking some additional income. Additionally, owner occupancy

requirements could provide greater oversight and an opportunity to provide more affordable rents as a homeowner is less likely to be profit driven.

It is for these reasons that the City of Cupertino opposes AB 881.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Scharf', with a stylized flourish at the end.

Steven Scharf
Mayor, City of Cupertino

cc: Senate Governance and Finance Committee Members