

Baumb, Nelly

From: Chetan Patwardhan <chetan@patwardhan.us>
Sent: Saturday, October 24, 2020 3:54 PM
To: Council, City
Subject: A grave concern regarding the new height limitation for ADUs

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Mr. Mayor and esteemed council members:

My name is Chetan Patwardhan and live in Duveneck neighborhood. We own a modest size single story home of 1,800 sq feet. My concern is about the maximum height of the ADUs.

- The ADU we are planning needs to have 2 stories with a small 400 sq feet main floor and 200 sq feet loft
- This ADU will be most probably used as an additional full living unit in a multigenerational household
- My concern is that the proposed new ordinance may have a 16 foot height limit versus the existing 17 feet
- We live in a flood zone, which means that the minimum floor elevation needs to be 1.5 feet
- That leaves only 14.5 feet of height and after taking at least 6 inches for the roof, leaves only 14 feet
- Per code, each level has to be at least 7 feet high, and with 1 foot subfloor for the upper level, we can't build the second level which would be used as a bedroom
- If we want a truly usable dwelling for our son or daughter, it needs to be at least 18 feet high
- On one hand, I have new homes being built next to mine reaching a height of 30 feet towering over our single level home, our modest ADU won't be allowed even 17 feet height
- For homeowners who are building modest size ADUs and preserving open land for trees, this is a very unfair change
- 1 foot may not be a lot in terms of privacy concerns which can be mitigated by putting in higher windows, but it means a world to people like us with small homes to be able to have a usable second level in their ADUs

I request the council to strongly consider the needs of average households like ours versus new home constructions that often exceed 2,500 sq feet. Please make the maximum ADU height 18 feet, or at least leave it at the current 17 feet.

Sincerely,

Chetan Patwardhan

Baumb, Nelly

From: Randy Popp <randy@rp-arch.com>
Sent: Friday, October 23, 2020 10:53 PM
To: Council, City
Subject: Palo Alto City Council Monday, October 26, 2020 Consent Calendar Item 2

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Monday, October 26, 2020

Consent Calendar Item 2. SECOND READING: Adoption of Several Ordinances Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units.

To the Mayor, Vice-Mayor, and Council Members of the City of Palo Alto:

I want to urge you, as you vote to approve this item, to add an amendment to your motion for retroactive adoption of two critical elements.

The language contained in the Urgency Ordinance, adopted January 13, 2020, has now been adjusted to better reflect alignment with the State laws that went into effect on January 1, 2020. I believe it is necessary for you to reflect these corrections for projects that have been approved since that time both from a legal and ethical perspective.

Deed Restrictions

The Deed Restriction requirement contained in the Urgency Ordinance is inconsistent with the regulations established by State Law. Government Code Section 65852.2 (a)(6)(B) says, "...a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit permitted between January 1, 2020, to January 1, 2025, during which time the local agency was prohibited from imposing an owner-occupant requirement." ADUs approved in Palo Alto the period since 1/1/2020 have been illegally forced to file Deed Restrictions as a condition of Permit Approval. These Deed Restrictions should be retracted. Note that Deed Restrictions required by local ordinance for JADUs are consistent with the State Law and do not require modification.

800 Square Foot Exemption

The limitation on maximum floor area, relative to ADU construction on lots where other structures on the lot were not developed to the maximum allowable area permitted for the property, was incorrectly interpreted in the Urgency Ordinance. Projects which include an ADU, approved since 1/1/2020, should have the record amended to reflect the bonus as it is now better clarified in the updated Ordinance. The preservation of property rights relative to total allowable floor area should be corrected for those projects which previously considered the first 800 sf of ADU area as a deduction from the total area allowed at the time of Permit issuance.

Recommended Amendment to the Motion:

Retroactively retract Deed Restrictions filed for ADU development, and recognize the interpretation of the 800 square foot exemption from the maximum floor area limitation relative to ADU/JADU development, for projects which received their Building Permit after January 1, 2020

Thank you for considering this request.

Best,
Randy

Randolph Popp
ARCHITECT

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Baumb, Nelly

From: Sauls, Garrett
Sent: Thursday, October 22, 2020 10:38 AM
To: Jessica Resmini
Cc: Tanner, Rachael; Lait, Jonathan; Popp, Randy; Planning Commission; Council, City
Subject: RE: ADU Task Force | PTC | Staff Working Session

Hi Jessica,

I reached out to you the day after our meeting on October 5 about having a follow up meeting with the task force to discuss then next steps for the ordinance. I didn't receive any follow up from you after that. If you want to have a meeting, please let me know what times work for you next week Monday-Thursday. Friday is my 9/80 workday so I won't be in the office.

Best regards,



Garrett Sauls | Associate Planner | Planning and Development Services
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Development Center Business Hours: 9AM-4PM, M-F

Please think of the environment before printing this email – Thank you!

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From: Jessica Resmini <jessica@aducollective.com>
Sent: Thursday, October 22, 2020 10:17 AM
To: Planning Commission <Planning.Commission@cityofpaloalto.org>; Council, City <city.council@cityofpaloalto.org>
Cc: Tanner, Rachael <Rachael.Tanner@CityofPaloAlto.org>; Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>; Popp, Randy <randy@rp-arch.com>; Sauls, Garrett <Garrett.Sauls@CityofPaloAlto.org>
Subject: Re: ADU Task Force | PTC | Staff Working Session

Hi PTC and City Staff,

It's been several weeks since the Council meeting, is there any update you can share on the Staff or PTC progress on these items?

A few questions from home owners that continue to come up:

- 1) Why did the new ordinance reduce the height of ADUs from 17' feet to 16'?
- 2) Can we dig down a bit to allow the ADU to get more interior head height?
- 3) Why will my new 350sf detached ADU in Palo Alto require \$3,500 worth of third party green building inspections, but not if it's attached?

Again, the Task Force is available any time to walk through some of the points via Zoom with anyone available to review.

Cheers,

Jess

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ADU|Collective

Build smart for flexible living.

Jessica Resmini

Architect, LEED AP

Mobile +1 415 823 3213

On Oct 8, 2020, at 11:52 AM, Jessica Resmini <jessica@aducollective.com> wrote:

Dear Planning and Transportation Commission,

As directed by Council, we would like to schedule a working session to review the in-depth letter we provided to staff and Council as they review the Approved ADU Ordinance. The ADU Task Force has met and would like to schedule this at your earliest convenience preferably before Councils second reading in early November.

Attached please find:

- 1) ADUTF response to Council Questions
- 2) Letter to City Council prior to October 5th Hearing
- 3) Letter to Staff on September 14th

Our goal is to have a dialogue session in advance of a formal staff report that will allow us to establish what needs to be studied further. Please see the attached letter to council for our suggested points of discussion.

Respectfully,

Randy Popp and Jessica Resmini on behalf of the ADU Task Force

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<Council ADU Questions - ADTF.pdf>

<Letter to Council regarding ADU Ordinance_RP-JR.pdf>

<ADU Taskforce questions_with Comments.pdf>