

City of Palo Alto
Office of the Mayor and City Council

April 7, 2021

The Honorable Scott Wiener
Chair, Senate Housing Committee
State Capitol Building, Room 5100
Sacramento, CA 95814

**RE: SB 765 (Stern) Accessory Dwelling Unit (ADU) Setback-Support
Support from the City of Palo Alto**

Dear Senator Wiener,

The City of Palo Alto writes to express **support for SB 765**, which continues to provide for and protect the production of accessory dwelling units (ADUs), while also allowing cities to maintain an ADU setback for appropriate to local lot size and terrain.

First, SB 765 will neither undermine existing law nor hinder ADU construction. We strongly support ADUs as one of many very important solutions to our current housing crisis. SB 765 provides that rear and side yard setbacks for ADUs previously established by local agencies be maintained in appropriate circumstances so that each community can take into account their own built environment, their city's unique topography and landscape and the differences of lot size among urban, suburban and rural zones and terrain.


We appreciate that SB 765 has built in safeguards to ensure that the bill does not diminish opportunities for ADU construction and to make certain that housing production goals are maintained. Nothing else will change regarding the ministerial approval of ADUs.

SB 765 is necessary because, without this fix, ADUs that may otherwise be considered, may not be built. The standardized setback of 4 feet, while well intended, has unintended consequences in that an ADU would have to be placed in a location that is not always optimal in terms of scale and proper planning. The state-wide standardization does not take into consideration the wide variation in parcel sizes, for example, anywhere from a small 5,000 square foot parcel to a multi-acre parcel in a less dense area. In each case, an ADU would be required to be situated against a fence line and significantly closer to a neighbor's home on an adjacent property than it is to the home on the property where it is located.

SB 765 honors one of the great strengths of California-the variety of communities throughout the state-and respects a community's varying parcels and terrain. When one considers the types of parcels in the state, it is unreasonable that every lot in California must have the same setback in order to facilitate ADU production. We respectfully ask you to support SB 765 which values proper planning, site specifics and the importance of balance in housing legislation.

For these reasons, the City of Palo Alto supports SB 765.

Sincerely,

DocuSigned by:

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Tom DuBois
Mayor, City of Palo Alto

cc

Josh Becker, Senator, California's 13th Senate District
Marc Berman, Assemblymember, California's 24th Assembly District
Seth Miller, Regional Public Affairs Manager, Peninsula Division, League of California Cities
Emily Beach, Division President, League of California Cities
Cities Association of Santa Clara County
Palo Alto City Council