



American Planning Association  
**California Chapter**

*Making Great Communities Happen*

August 12<sup>th</sup>, 2019

Senator Bob Wieckowski  
State Capitol, Room 4085  
Sacramento, CA 95814

**SUBJECT: NEUTRAL AS AMENDED TO SB 13 (WIECKOWSKI) MAJOR CHANGES TO ACCESSORY DWELLING UNIT LAW**

Dear Senator Wieckowski:

The American Planning Association, California Chapter (APA California) is pleased to remove our opposition to your bill, SB 13. This bill proposes numerous significant amendments to the statewide standards that apply to locally-adopted ordinances concerning accessory dwelling units (ADUs). Included in those changes are: Removal of owner occupancy requirements until 2025; new authority to the Department of Housing and Community Development (HCD); elimination of replacement parking requirements; and a cap on impact fees associated with ADU development.

APA California appreciates the most recent amendments that were taken in Assembly Local Government Committee. Those amendments include a sunset on the removal of the ability for a local jurisdiction to require owner occupancy for either the main or accessory unit as a condition of the permit. While APA California does feel strongly that the ability for jurisdictions to require owner occupancy should remain in place, we appreciate that the sunset added in the most recent amendments will allow the legislature to look back and see if the lack of the requirement has caused an increase in the development of ADUs as investments. Ultimately, APA California believes this requirement provides local jurisdictions one of the very limited tools they have to help incentive an ADU will be kept affordable, as the Legislature intends. Other substantial amendments made to the bill allow for a more balanced approach to limiting impact fees on ADUs. New language in the bill allows for a more proportional assessment of impact fees on units larger than 750 square feet based on the actual square footage of that unit.

APA California continues to support ADUs as an important source of housing to help combat the housing crisis communities are facing. Local governments have been working very hard to comply with the major changes in ADU regulations over the past few years and those efforts are paying off. While we believe jurisdictions should be able to continue their work on implementation of the existing laws rather than passing new legislation, we appreciate the dedication you have to this important issue and also appreciate the flexibility provided in the recent amendments. With those amendments, APA California has moved to a neutral position. Please contact APA California's lobbyist, Lauren De Valencia, if you have any questions at [lauren@stefangeorge.com](mailto:lauren@stefangeorge.com).

Sincerely,

A handwritten signature in blue ink that reads 'Eric Phillips'.

Eric Phillips  
Vice President Policy and Legislation  
APA California

cc: The Governor, OPR, Republican Caucus

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