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September 17, 2019

The Honorable Gavin Newsom
Governor, State of California
State Capitol, 1st Floor
Sacramento, CA 95814

RE: AB 881 (Bloom) – Request for Veto

Dear Governor Newsom,

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

Specifically, AB 881 would modify the requirements of ADU ministerial approvals, amend the minimum size and height of ADUs, eliminate the authority to require replacement parking for certain ADUs, and increase state oversight of local ordinances.

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 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 to 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, operating more like a property

management company. 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 and must ask you to veto this measure. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scharf", with a stylized flourish at the end.

Steven Scharf
Mayor, City of Cupertino