

Agenda Item 10 Regarding Accessory and Junior Accessory Dwelling Units (ADU/JADU)

August 26, 2018

Dear City Council Members,

On behalf of Palo Alto Neighborhoods (PAN), we write to you to express our support and concerns over the several proposed changes to the ADU Ordinance that was originally passed by Council in 2017.

Although we agree that the ADU Ordinance has some merits, we believe there was no need to relax regulations in the original ordinance beyond those required by state mandates. By reaching beyond state mandates, we lose the opportunity to assess how the state mandated ADU process is working for Palo Alto. By exceeding the state mandate, we do not allow ourselves room for course correction in case the city's ordinance exceeds what is prudent at this time.

Why are we concerned?

Last year, the public was blindsided when Councilmembers made a motion incorporating multiple concessions and provisions when adopting the ADU ordinance without advance public discussion or notice of these concessions and provisions. This perhaps was an oversight, or it could have been the plan all along to surprise the public with enacting an ADU ordinance that went well beyond the bounds of what had been proposed. The Council should refrain from a similar travesty of the public process this time around. Please do not surprise residents with any last-minute motions relaxing ADU standards even further.

We continue to believe that having only 6 feet setbacks along the back and side yard property lines are problematic and should be increased, especially when allowing detached ADUs to have a height of 17 feet. Privacy and shade concerns are an issue when neighbors confront a 17-foot monolith overshadowing their home or garden.

We support the proposal to “**reduce the height limits for detached ADU's within identified Eichler tracts**”. It makes sense in these special Eichler neighborhoods, that ADU's should conform to those heights that are similar to those on the same property. To allow ADU heights beyond the main residence would destroy the neighborhood character and damage the sense of openness and privacy enjoyed by residents in these tracts. In fact, this limit should be applied to all detached ADUs. As they can only be one-story, there is no need for them to be 17 feet high. On smaller 5000-6000 square foot lots in particular, this is an intrusive presence when set only 6 feet from a fence, even with daylight plane rules. The 17-foot height also allows for illegal conversion to add loft space.

We do support both the staff report and the PTC's recommendation that “**no basements should be allowed in the rear yard setbacks.**” Allowing basements in these areas would endanger our future groundwater sources, our precious trees and other important fauna and vegetation that are habitats for local species in our area. We are concerned with effects of construction on trees on adjoining properties and request that protection of neighboring trees be part of the ADU ordinance.

We also encourage you to retain the limitation of a maximum of 50% rear yard coverage. Additional impervious cover increases runoff, increases the “heat island” effect, and increases demands on our aging storm drain system.

Because the prohibition of expanded curb cuts is ineffective in those neighborhoods with rolled curbs, a prohibition of expansion of parking beyond supporting two vehicles side by side should apply. Furthermore, we encourage you to limit the issuance of Residential Parking Program permits to the number available to the primary residence, to be effective when the RPP software enables that regulation.

Sincerely,

Becky Sanders
Sheri Furman
PAN Co-chairs