



MAYOR STEVEN SCHARF
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September 17, 2019

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

RE: AB 68 (Ting) – Request for Veto

Dear Governor Newsom,

On behalf of the City of Cupertino, I am writing to respectfully request that you veto AB 68, which would amend the statewide standards that apply to locally adopted ordinances regarding accessory dwelling units (ADUs).

Specifically, AB 68 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 68 would, among other things, remove the requirement for replacement parking when a garage, carport, or other structure is modified or demolished for the construction of an ADU. Removing existing parking and creating additional demands for on-street parking will add to the existing parking issues. This provision will put additional cars on to City streets and into

neighborhoods, thereby negatively impacting nearby residents, including bicyclists and pedestrians, and businesses as it will be more difficult for visitors to the City to find adequate parking.

Lastly, AB 68 modifies current law in such a way that may prevent a city from excluding ADUs for health and safety reasons. Specifically, a local ADU ordinance would be prohibited from setting a maximum size of less than 850 square feet, with four-foot setbacks, or requiring more than four-foot setbacks for all other ADUs. By not allowing local ordinances to account for circumstances that may vary from parcel to parcel, this measure could jeopardize the health and safety of home owners, as well as neighboring properties.

It is for these reasons that the City of Cupertino opposes AB 68 and must ask you to veto this measure. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven Scharf". The signature is fluid and cursive, with the first name being the most prominent.

Steven Scharf
Mayor, City of Cupertino