

Claudia Bill-de la Peña
Mayor

May 3, 2021

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

RE: SB 765 (STERN) ACCESSORY DWELLING UNIT SETBACK-SUPPORT

Dear Chair Wiener:

On behalf of the City of Thousand Oaks, I am pleased to support SB 765. This bill continues to provide for and protect the production of accessory dwelling units (ADUs), while allowing cities to maintain a setback for ADUs that is appropriate to their lot size and terrain.

We recognize that ADUs are part of the State's solution to the 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.

In fact, to ensure that the bill does not diminish opportunities for ADU construction, SB 765 has built in safeguards to ensure that the goals of housing production 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 four feet, however well intended, has unintended consequences in that an ADU would have to be placed in a location that is not 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 20-acre parcel or more in a rural zone. 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, which is the diversity of communities and respects a community's varying parcels and terrain.

When one considers the variation of parcels in the state, it is unreasonable that every lot in California must have the same setback in order to facilitate the production of ADUs. We respectfully ask you to support SB 765, and consider the value in proper planning, site specifics and the importance of balance in housing legislation.

Ultimately, SB 765 is a common-sense bill that allows cities to perform appropriate and balanced local planning for ADUs, without precluding ADU production.

For all of these reasons, the City of Thousand supports SB 765.

Sincerely,



Claudia Bill-de la Peña
Mayor

cc: Senate Housing Committee
Assemblymember Jacqui Irwin
Senator Henry Stern
David Mullinax- Regional Public Affairs Manager, dmullinax@cacities.org
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