



**MAYOR STEVEN SCHARF**  
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June 25, 2019

The Honorable Phil Ting  
California State Assembly  
State Capitol, Room 6026  
Sacramento, CA 95814

**RE: Oppose AB 68 – Accessory Dwelling Units**

Dear Assembly Member Ting,

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

Specifically, AB 68 would make modifications to the requirements of ministerial approval of ADUs, amends the minimum size and height of ADUs, eliminates the authority to require replacement parking for certain ADUs, and increases the State oversight of local ordinances.

The 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 the 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. This will add to the existing difficulties of parking, by removing existing parking and creating additional demands for on-street parking. This provision will put additional cars on to city streets and into neighborhoods, thereby negatively impacting nearby residents and businesses and making it 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, up to two new-construction ADUs on a parcel with a multifamily dwelling, unlimited ADUs converted from existing space with a multifamily building, a new-construction ADU on a parcel with a single family home, and conversions of existing space to create an ADU and JADU within a single family home or associated accessory structure would have to be allowed on any residential or mixed use parcel, irrespective of a local ordinance.

It is for these reasons that the City of Cupertino opposes AB 68.

Sincerely,

Steven Scharf  
Mayor, City of Cupertino

cc: Senate Environmental Quality Committee Members  
Senate Governance and Finance Committee Members