

## 10. Accessory Dwelling Units (aka “Granny Units”)

Do you support zoning changes to enable the creation of additional second units, such as reduced minimum lot size, removal of parking requirements? If so, which ones? How do ensure these units don't simply become short-term (Airbnb-type) rentals?

### **Stewart Carl:**

I do not currently support the creation of additional “Granny Units”. In the current environment of lax enforcement it would be impossible to prevent “granny Units” from becoming rentals.

### **Leonard Ely III:**

Again, zoning is not the way to solve this issue. I would be in favor of this but the implementation needs an overhaul.

### **Adrian Fine:**

Accessory Dwelling Units are one piece of the “housing puzzle”, and done correctly, they have minimal impacts while providing needed housing

I support developing guidelines that encourage more secondary units, including: reducing minimum lot size requirements (which will allow more properties to have an ADU), removing parking requirements in RPP zones (since parking is already regulated), or allowing interior ADUs (aka “Lily-Pad units” where a part of the home is sectioned off and has a kitchenette).

ADUs can provide benefits to families in the main dwelling unit (money) and can provide more affordable housing options especially for young workers, seniors, and people with disabilities. I believe we can develop rules that prohibit uses other than for full time residents in these units. On the Airbnb issue, I want the city to work with the company and create fair regulations that limit the number of times per month a property can turn over. We can also potentially tax these short-term rentals for other housing/general fund needs.

### **John Fredrich:**

I support Accessory Dwelling Units and ‘junior’ ADU’s. You keep them from being temporary by mandating one year minimum leases with no subletting clauses. (I pushed for granny units in 2014.)

### **Arthur Keller:**

We need to update our Accessory Dwelling Unit ordinance to reflect the changes in California law when the Governor signs SB 1069 or companion bill AB 2299.

I am opposed to Accessory Dwelling Units being used at all for Airbnb transient rental use. We need a regulation of Airbnb or other transient uses in residential areas.

The Legislative Counsel’s Digest of SB 1069 states:

This bill would replace the term “second unit” with “accessory dwelling unit” throughout the law. The bill would additionally find and declare that, among other things, allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock, and these units are an essential component of housing supply in California.

The Planning and Zoning Law authorizes the ordinance for the creation of 2nd units in single-family and multifamily residential zones to include specified provisions regarding areas where accessory dwelling units may be located, standards, including the imposition of parking standards, and lot density. Existing law, when a local agency has not adopted an ordinance governing 2nd units as so described, requires the local agency to approve or disapprove the application ministerially, as provided.

This bill would instead require the ordinance for the creation of accessory dwelling units to include the provisions described above. The bill would prohibit the imposition of parking standards under specified circumstances. The bill would revise requirements for the approval or disapproval of an accessory dwelling unit application when a local agency has not adopted an ordinance. The bill would also require the ministerial approval of an application for a building permit to create one accessory dwelling unit within the existing space of a single-family residence or accessory structure, as specified. The bill would prohibit a local agency from requiring an applicant for this permit to install a new or separate utility connection directly between the unit and the utility or imposing a related connection fee or capacity charge. The bill would authorize a local agency to impose this requirement for other accessory dwelling units.

San Francisco requires registration of Airbnb hosts and regulates Airbnb rental. Other cities do as well. Palo Alto should too.

### **Liz Kniss:**

We need to look very carefully at zoning changes before altering any existing zoning and weigh the overall impacts.

Before altering any existing zoning rules, we should proceed cautiously and weigh all of the potential impacts, considering both the possible benefits and the possible unintended consequences.

Our Planning & Transportation Commission and City staff are considering the range of proposals to modify these regulations, keeping an open mind. If we facilitate creation of new Accessory Dwelling Units (ADU's) in Palo Alto, we should prioritize those which provide benefits rather than negative impact to the community. For example, an ADU which does not add floor area ratio (FAR) has less impact on the built environment than a free standing structure. If an ADU is made available as a rental home for a teacher, city employee, or as a more affordable rental, that is a potential benefit. But, of course, the impacts must be weighed against that.

Regarding short-term rentals, I think Palo Alto should look carefully at what other communities in our region have done to establish more meaningful regulations, and then decide whether they might be adequate for our community. We don't want to see lots of ADUs, apartments, or normal houses just turned into mini-hotels.

**Lydia Kou:**

Before the City decides what changes to make, it needs to decide on its strategy.

1. Is it to provide units for people at particular income levels, or
2. Is it to provide units for certain categories of people, or
3. Is it simply to increase the number of housing units

(1) is impractical – it would require the equivalent of rent control and enforcement to keep prospective tenants from agreeing to pay extra rent under the table. (2) is almost certainly illegal and thus unenforceable.

Many advocates for more ADUs hope that they would be occupied by people who won't have cars. If an ADU is allowed under that assumption, how is it to be enforced? The landlord has an incentive (potentially higher rent) to help the tenant cheat. Similarly, the City can't enforce occupancy limits on residences.

The approval of additional ADUs needs to be based upon them providing a specified positive contribution to the community and that enforcement mechanisms need to be credible, funded and staffed.

By the way, I do hear residents who have said they want ADUs for a member in the family who may have some disability but want some independence and I understand that, however as I said before, there must be enforcement mechanisms in place for those who have other intentions which can and will cause negative impacts in the neighborhood.

**Danielle Martell:**

DID NOT RESPOND

**Don McDougall:**

Additional second units are generally a good idea but need to be considered neighborhood by neighborhood. Downtown North, for example, is already crowded but other neighborhoods might consider additional second units with neighborhood involvements. Important considerations in each case are transparency of the process and stakeholder involvement.

**Greer Stone:**

The primary problem with rezoning to support Accessory Dwelling Units (ADUs) is there is no guarantee that, if built, they will be inexpensive, and there is no guarantee they will be used for residential living. Building costs of these units will certainly be expensive. Once built, there is no legal mechanism in place to require these units be used as living units. The owner can simply turn the ADU into a home office, gym, or an Airbnb rental. Even if we could regulate the use of these ADUs, code enforcement would be nearly impossible. During a time when code enforcement has been nearly nonexistent, to believe we could enforce uses of these ADUs is laughable.

Adding ADUs also means less open space on parcels. This will have the effect of higher density R-1 neighborhoods, potential removal of trees or natural habitats, and increased parking woes on our clogged residential streets. Finally, there is no proof these units will adequately address our housing needs. Currently, one-fifth of our residential parcels are large enough to accommodate

second-dwelling units. However, last year there was less than a dozen permit requests for new ADUs. The city should focus on housing solutions that will do the most good for our community, and involve less time spent by staff that only slows positive change and wastes thousands of taxpayer dollars.

**Greg Tanaka:**

Yes, I want to look at this type of zoning for Palo Alto. I also would like to consider how to limit Airbnb similar to other communities so that neighborhoods retain their residential experience and quality of life.