



City of Manhattan Beach

June 4, 2019

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The Honorable Scott Weiner
Chair, Senate Housing Committee
State Capitol, Room 2209
Sacramento, CA 95814

RE: **AB 68 (Ting) Land Use: Accessory Dwelling Units**
Notice of Opposition Unless Amended (as amended 4/3/19)

Dear Senator Weiner:

The City of Manhattan Beach respectfully opposes AB 68 unless the measure is amended to address key concerns. AB 68 would significantly amend the statewide standards that apply to locally-adopted ordinances concerning accessory dwelling units (ADUs), even though the law was thoroughly revised in the 2016 Legislative Session. All local agencies that worked in good faith to implement those laws would have to reopen their ordinances yet again to comply with the provisions of AB 68. The City of Manhattan Beach opposes AB 68 for the following reasons:

1) Loophole around Health and Safety Standards

Section 1 of the bill amends Government Code Section 65852.2 (e), thereby circumventing local ordinances that may exclude ADUs for criteria based on health and safety. 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 adopted pursuant to Government Code Section 65852.2 (a)(1)(A).

2) Prohibits Owner Occupancy Requirements

AB 68 would prohibit a local jurisdiction from requiring a property owner live in the main house or one of the accessory structures. This would incentivize operating the property as a commercial enterprise and could have the unintended effect of large-scale investors purchasing many single family homes and adding ADUs, thus operating more like a property management company, not a homeowner seeking some additional income. Additionally, owner occupancy requirements could provide greater oversight and an opportunity to provide more affordable rents as a homeowner is less likely to be profit driven.

3) Prohibits Replacement Parking

When a garage, carport, or covered parking structure is demolished or converted into an ADU, AB 68 would prohibit a city from requiring replacement parking. This would only exacerbate existing parking conflicts because cities are currently prohibited from imposing parking requirements on new ADUs if they are within one-half mile of transit.

For these reasons, the City of Manhattan Beach opposes AB 68 unless it is amended.

Sincerely,



Nancy Hersman
Mayor
City of Manhattan Beach

cc. Honorable Governor Gavin Newsom
Senate Environmental Quality Committee
Senate Governance and Finance Committee
Honorable State Senator Ben Allen
Honorable State Assemblyman Al Muratsuchi
Jeff Kiernan, League of California Cities Regional Public Affairs Manager
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