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TRANSMITTED VIA EMAIL

October 16, 2017

Mayor Hendricks and Members of the City Council
City of Sunnyvale
456 W. Olive Avenue
Sunnyvale, CA 94086

Dear Mayor Hendricks, Vice Mayor Larsson, and Members of the City Council:

**Re: October 17, 2017 City Council Agenda Item 4 -
Study of Accessory Dwelling Unit Development Standards**

On behalf of our members, we thank you for considering amendments to the City of Sunnyvale's Accessory Dwelling Unit Ordinance. We believe that ADUs can serve as critical tool for addressing Sunnyvale's housing crisis and creating a broader range of affordable housing options in Silicon Valley. Because of their smaller size, ADUs can be more affordable to rent than the average apartment. They can also keep families together, often providing a way for retirees, extended family members, and returning college graduates to continue living near family when they otherwise would not be able to afford housing in Silicon Valley. Additionally, because of State policies that require streamlining of ADU permits, ADUs can increase our housing stock more quickly than other forms of residential development that require more lengthy permitting processes.

In order for Sunnyvale and all Santa Clara County jurisdictions to fully leverage the opportunity that ADUs provide, cities must institute further policy changes that simplify building requirements, streamline permitting processes, and lower costs associated with the construction of ADUs. Because research shows that easing regulatory barriers often results in no more than one or two ADUs added to a residential block, it is important for local jurisdictions to open up the opportunity to as many homeowners as possible – knowing that even then, only a subset of those eligible will actually choose to build an ADU.

SV@Home recommends that the Council consider the following policy changes that would provide more Sunnyvale homeowners with the opportunity to create an ADU:

- **Elimination of the minimum lot size requirement.** On their own, the City's existing zoning requirements related for residential districts, in combination with the other requirements within the ADU ordinance, effectively regulate the minimum lot size that works. A separate minimum lot size requirement on top

of these regulations thus creates an additional constraint that could exclude a significant number of homeowners from the opportunity to build an ADU. We therefore recommend removing the minimum lot size requirement entirely, as the City of Mountain View voted to do in 2016.

- **Legalization of existing illegal nonconforming ADUs.** Many illegal nonconforming ADUs provide an existing home for someone. A legalization program for such units would encourage owners to come forward and bring their units into compliance with building and safety codes, while keeping current tenants from being permanently displaced. While they may not comply with current zoning standards, if they are safe for occupants and neighbors, these units should be allowed to come into compliance with building and safety codes and be legally occupied, without facing any penalties.
- **Establishment of flexible design standards.** Allowing different exterior materials and roof pitch will enable more homeowners to consider alternative building types, like tiny homes and other manufactured structures on permanent foundations, as a means of reducing costs and time required for construction.
- **Reduction of fees associated with ADU construction.** Fees can add tens of thousands of dollars to the cost of creating ADUs. Reducing financial burden for homeowners through reduced fees, as was recently done by Mountain View, or a fee-waiver program, as is the practice in Santa Cruz, are two ways cities can make ADUs more affordable.

Finally, we recommend that the City of Sunnyvale create a **robust Accessory Dwelling Unit program** that provides resources and guidance to homeowners who are interested in creating secondary dwelling units on their property. The City of Santa Cruz's Accessory Dwelling Unit (ADU) Program, combined with its flexible ADU ordinance, demonstrates the positive impact of this combined approach; between 2003 and 2015, the City has built nearly 350 secondary dwelling units.

Again, we thank the City of Sunnyvale for its ongoing efforts to improve its Accessory Dwelling Unit policies and for including the community throughout the entire process. We appreciate the opportunity to provide our feedback and hope to continue supporting the City's broader efforts to create thriving, sustainable, and affordable communities.

Sincerely,



Pilar Lorenzana
Deputy Director

