



CITY OF MURRIETA

September 19, 2019

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: **SB 13 (Wieckowski) Accessory Dwelling Units
Request for Veto**

Dear Governor Newsom,

The City of Murrieta urges your veto on SB 13 (Wieckowski), which would significantly overhaul Accessory Dwelling Unit (ADU) law, even though the law was thoroughly revised in the 2016 Legislative Session. These revisions were a product of two carefully negotiated bills that only became effective in January 2017. Our city has worked in good faith to implement those laws. If this bill becomes law, our city would have to reopen our ordinances to comply with the provisions of SB 13.

Arbitrarily caps on impact fees.

SB 13 would prohibit local jurisdictions from imposing any impact fees on ADUs less than 750 square feet, and limit the charge on ADUs over 750 square feet to 25 percent of the fees otherwise charged for a new single-family dwelling on the same lot.

This completely disregards the Mitigation Fee Act (MFA), which strictly regulates how local agencies impose impact fees. Under the MFA, impact fees must be limited to the particular service and can only cover the cost of providing that service. Arbitrarily capping these fees would result in an inability to provide the public improvements and public services necessary to meet the needs of the residents living in the newly constructed ADU.

Prohibits replacement parking.

When a garage, carport, or covered parking structure is demolished or converted into an ADU, SB 13 would prohibit a city from requiring replacement parking. This would only exacerbate existing parking conflicts because we are already currently prohibited from imposing parking requirements on new ADUs if they are within one-half mile of transit.

Prohibits owner occupancy requirements.

SB 13 would prohibit a local jurisdiction from requiring a property owner to 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.

For the reasons stated above, the City requests your veto on SB 13. If you have any questions, please feel free to contact Louie Lacasella, City Manager's Office at (951) 461-6008 or llacasella@MurrietaCA.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kelly Seyarto".

Kelly Seyarto
Mayor

Cc. Murrieta City Council
Senator Jeff Stone
Assembly Member Melissa Melendez
Erin Sasse, League of California Cities Public Affairs Manager
David Jones, Emanuels Jones & Associates