

From: [John Kelley](#)
To: [Council, City](#)
Subject: PA-PACC: I strongly urge you to further reform Palo Alto's 2023 ADU Ordinance - Executive Summary
Date: Sunday, May 14, 2023 11:09:01 PM
Attachments: [PA-PACC-letter to CPA re ADU reform--Executive Summary--2023-05-14.pdf](#)

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Via Email: city.council@cityofpaloalto.org

Honorable Lydia Kou, Mayor
Honorable Greer Stone, Vice Mayor
Honorable City Council Members
City of Palo Alto
250 Hamilton Avenue
Palo Alto CA 94301

Re: May 8, 2023, Joint Special Meeting, [\[1\]](#) Public Comment & May 15, 2023, Special Meeting, Action Item 14

I strongly urge you to further reform Palo Alto's 2023 ADU Ordinance.

Dear Mayor Kou, Vice Mayor Stone, and City Council Members,

This follow my remarks during the Public Comment portion of your meeting last Monday night. As indicated at that time, I recommend that you take further action tomorrow, May 15th, to overcome problems with and to strengthen Palo Alto's 2023 ADU Ordinance, thereby both (a) enhancing our community's ability to achieve the goal of affirmatively furthering fair housing and (b) increasing the likelihood of the California Department of Housing and Community Development's approving our city's newly revised Housing Element.

Please see the attached letter providing an Executive Summary of details in support of these recommendations.

Respectfully submitted,

John Kelley

[\[1\]](#) See the [agenda](#) for the May 8, 2023 Joint Special Meeting of the City Council and the [agenda](#) for the May 15, 2023 Special Meeting of the City Council.

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May 14, 2023

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Honorable Lydia Kou, Mayor
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**Re: May 8, 2023, Joint Special Meeting,¹
Public Comment & May 15, 2023, Special Meeting, Action Item 14**

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Respectfully submitted,
John Kelley

¹ See the [agenda](#) for the May 8, 2023 Joint Special Meeting of the City Council and the [agenda](#) for the May 15, 2023 Special Meeting of the City Council.

Executive Summary

I encourage you to reform the 2023 CPA ADU ordinance in several ways not proposed by City Staff in the Staff Report (beginning at packet page 139/229) (May 15th ADU Staff Report) for [Action Item 14 on the agenda for the May 15, 2023 Special Meeting](#) (packet pages 3-4), including:

- fully embracing two-story, detached ADUs, including larger ADUs,² throughout Palo Alto;
- immediately halting application or enforcement of the [2022 Tree Ordinance](#)³ and corresponding portions of the Palo Alto Municipal Code (PAMC) in connection with permit applications for ADUs and JADUs pursuant to Gov. C. § 65852.2 subd. (e) (collectively, statewide exemption ADUs⁴);
- relieving all ADUs and JADUs from all of the excessive and discriminatory increases in Palo Alto's impact fees adopted in 2022;
- ending imposition of marginal electrical distribution upgrade costs on ADUs and JADUs;
- stopping the invidious discrimination against ADUs and JADUs reflected in the City's and City of Palo Alto Utilities' (CPAU's) policies, which arbitrarily and illegitimately treat ADUs and JADUs as second-class homes by denying individuals and families living in them the ability to obtain their own sewer connections and utility services directly from the City and CPAU, thereby withholding important sources of civic information from them, discouraging sustainable water and energy consumption, and increasing long-term costs for many homeowners seeking --- in their sole discretion --- to build rental ADUs and JADUs with their own, respective sewer connections and utilities services; and
- providing meaningful initial and ongoing financial assistance to less affluent homeowners building ADUs and JADUs, (a) to build upon the success of California financing programs whose value has been proven but whose funding has been fully reserved for 2023, (b) to create a more viable pathway towards living in market-rate housing for individuals living in larger affordable housing complexes whose incomes are rising and who are likely to become ineligible to live in such complexes, and (c) to promote greater economic opportunity for such less affluent homeowners.

² I believe that the City Council should increase the maximum size of ADUs in Palo Alto (other than conversion ADUs, which are not limited in size) from 1,000 sq. ft. to at least 1,200 sq. ft., particularly in light of some of the comments made by City Staff regarding a different set of issues at the May 8th City Council meeting. In the context of this letter, however, "larger ADUs" means ADUs that are from 801 to 1,000 sq. ft. in size.

³ See "Attachment A Ordinance Amending Ch 8.04, Ch 8.08, Ch8.10, and Ch2.25 and Making Related Changes to Ch 2.25, Ch 9.56, and Title 18 of PAMC," beginning at packet page 528, of the [packet for the Special Meeting on Monday, June 20, 2022](#).

⁴ See, e.g. the California Department of Housing and Community Development's, [ACCESSORY DWELLING UNIT HANDBOOK, UPDATED JULY 2022](#) p. 13