October 24, 2020

To: Mayor Murillo and City Council

Re: Introduction of Zoning Ordinance Amendments For Accessory Dwelling Units (October 27, 2020 Agenda Item 14)

Dear Madam Mayor and Council Members,

Allied Neighborhoods Association appreciates the opportunity to provide comment on the Accessory Dwelling Units Amendments. We were involved with the 2018 Ordinance process, and provided comments this year to the Planning Commission and Ordinance Committee on the Amendments.

Foothill and Extreme Foothill High Fire Hazard Areas. As we said in our September 27 letter to Ordinance Committee, our main concern (both in 2018 and now, 2020) are these two High Fire Hazard Areas (HFHAs). The State has taken away our local control to such an extent they mandate two ADUs be allowed on each property in these High Fire Hazard Areas; this is a huge change from previous State law and our 2018 ADU Ordinance. In light of this major increase in density we see no pressing need to also allow Standard ADUs, which are the largest ADUs, and not mandated by the State.

We agree with the Ordinance Committee and staff recommendation to allow only Special ADUs and Junior ADUs in the Foothill and Extreme Foothill HFHA.

As the past months and incredible numbers of fires point out once again (throughout California and the West), fire safety and dealing with our own fire risk is really important. From the Planning Commission staff report, July 30, 2020 (pg.10):

"The Draft CWPP confirms that the City and surrounding landscape exhibit a complex wildfire environment that presents a significant wildfire risk due to steep and varied terrain, a mosaic of different vegetation types, and a Wildland-Urban Interface development pattern. The draft CWPP modeled potential fire behavior in the City under extreme wind and weather conditions, consistent with conditions experienced during a Sundowner wind event. Other wildfire hazard variables were evaluated (terrain, weather, fuels, development patterns, fire department response, structure density, etc.) to confirm and/or identify new HFHAs of the City. Furthermore, the CWPP recognizes that California faces a dramatic increase in the severity and frequency of wildfires due to climate change.

The main concern with the addition of ADUs/JADUs in fire prone neighborhoods is more people and cars needing to evacuate in an emergency situation, often on narrow, winding roads. Factors associated with evacuation, such as human behavior, population density, overloaded transportation routes, visitors, vulnerable populations, as well as the evacuation of pets and large animals, make the task of any evacuation more complex.

Any combination of these factors may significantly increase the amount of time it takes to execute an evacuation."

In a fire situation not only is there evacuation to consider – but also the ability of large fire-fighting vehicles (and, of course, other vehicles and personnel) to be able to get where they need to go, with numerous narrow often winding roads that pose serious ingress challenges, and which are exacerbated during evacuation, in the Foothill and Extreme Foothill HFHAs. **This Wildland-Urban Interface is a main area of risk and defense for the entire City.**

From staff recommendation of key portions of the 2018 Ordinance to retain (pg.4):

(1) HFHAs Standards. High-fire construction and defensible space standards are very important and need to be retained from our 2018 Ordinance.

(2) Administrative review. Protection of historic resources is part of administrative staff approval and conducted to ensure all proposed ADUs do not cause a substantial adverse change to the significance of listed historic resources. We strongly agree with staff recommendation to retain language from our 2018 ADU Ordinance.

The July 30 PC staff report (pg.12) describes the success of this review*. "Staff recommends that review of ADUs on properties with historic resources continue in the same manner that was identified in the former ordinance as the process worked well and, with small changes in the design, resulted in ADUs that benefit, rather than detract from, the City's historic neighborhoods and streetscapes".*

The Deadline. Because of the December 17 deadline, we've agreed with staff's recommendation during the process that additional topics not be included; we don't have the necessary time. We need to meet this deadline to preserve our rights for local discretion where it's available.

Sign. We appreciate Ordinance Committee's discussion about retaining and rewording the sign. A sign provides constructive notice, letting neighbors know the property owner will be doing construction and obtaining a permit for a new dwelling unit (or two).

Thank you for your consideration of our comments.

Sincerely,
Allied Neighborhoods Association

Cc: Renee Brooke, Rosie Dyste, Daniel Gullett, Nicole Hernandez, Rebecca Bjork, Joe Poire, Ariel Calonne, Paul Casey