



**California State Association of Counties**  
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July 3, 2019

The Honorable Aguiar-Curry  
Chair, Assembly Local Government Committee  
State Capitol, Room 5144  
Sacramento, CA 95814

**Re: SB 13 (Wieckowski): Accessory Dwelling Units  
As Amended on July 1, 2019 – Oppose Unless Amended**

Dear Assembly Member Aguiar-Curry,

On behalf of the California State Association of Counties (CSAC) and the Urban Counties of California (UCC), we remain opposed unless amended to SB 13, by Senator Bob Wieckowski, which would make several changes to state law regarding accessory dwelling units (ADUs). CSAC and UCC are neutral on several of the proposed changes within SB 13 and we appreciate recent amendments to address our concerns related to a local agency receiving a completed application before the new 60-day timeframe to approve ministerial ADU applications and the modifications to the fee language to allow connection fees and capacity charges.

However, we remain concerned about the direction SB 13 takes with development impact fees generally. Pursuant to changes made to state law in 2017, cities, counties, special districts, and water districts are prohibited from considering an ADU to be a new residential use, from requiring a new connection or imposing connection fees on many attached ADUs and conversions, and limits the connection fees for other ADUs to the proportionate burden imposed by the proposed ADU. SB 13 would further amend state law to prohibit development impact fees on ADUs of under 750 square feet, including school district fees, and any other fees levied by a local agency. SB 13 also prohibits local agencies from charging in aggregate more than 25% of the fees otherwise charged to a new single-family dwelling on the same lot. This standard is unclear, especially as it applies to impact fees that are based on the size of the unit rather than charged on a flat per-unit basis.

While CSAC and UCC recognize that development impact fees can make the cost of ADU development more expensive overall, counties must be able to collect the appropriate revenue commensurate to the impact of development to maintain, improve, and increase the capacity of the critical services local government provides to the very residents paying the fees. The Legislature has expressed a strong interest in revisiting development impact fees in many contexts, not just ADUs, and is awaiting a report from the California Department of Housing and Community Development (HCD) regarding how local impact fees affect the cost of housing. While HCD may not have been required to examine the impact of fees on ADUs specifically, we believe the report will be helpful in determining a comprehensive approach to impact fees going forward. As such, we respectfully request the fee provisions be removed from the bill until HCD releases its findings and impacted agencies and stakeholders can discuss a comprehensive and equitable approach to developer fees broadly.


Given the potential significant, positive impact ADU development can have on California's housing crisis, CSAC and UCC want to ensure state policy assists homeowners and reduces barriers to development but also recognizes and respects the role local governments play in providing services and infrastructure and provides flexibility to use policy tools to further affordable housing outcomes.

For these reasons, we must respectfully oppose, unless amended, SB 13. Should you have any questions about our position on this measure, please do not hesitate to contact Christopher Lee (CSAC) at 916-327-7500 or [clee@counties.org](mailto:clee@counties.org), or Jean Hurst (UCC) at 916-272-0010 or [jkh@hbeadvocacy.com](mailto:jkh@hbeadvocacy.com).

Sincerely,



Christopher Lee  
Legislative Representative  
California State Association of Counties



Jean Hurst  
Legislative Advocate  
Urban Counties of California

cc: The Honorable Bob Wieckowski, California State Senate  
Honorable Members, Assembly Local Government Committee  
Consultant, Assembly Local Government Committee  
Consultant, Assembly Republican Caucus