

Hiddenbrooke Property Owners
Association
850 Hiddenbrooke Parkway
Vallejo, CA. 94591

March 26, 2018

Ms. Michelle Hightower
Planning Division
City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

Re: Comments on Proposed ADU Ordinance

Dear Ms. Hightower:

A while back we sent you a preliminary letter with comments and concerns about the City's proposed Accessory Dwelling Unit Ordinance. This letter amends the original letter and is the official position of the Board of Directors of the Hiddenbrooke Property Owners Association (HPOA).

HPOA understands the overall purpose and intent of state law and the City's Ordinance, which is to help address the chronic housing shortages in California. Many of the neighborhoods in Hiddenbrooke, a planned development, are already high density. It is our understanding that the new state laws affect zoning and permit requirements for municipalities, with the intent of making it easier and less costly for homeowners to apply for building permits to construct ADUs on their lots. We do not believe it is the intent of the State's ADU statute to prevent homeowner associations from enforcing their architectural rules and further does not override existing Covenants, Conditions, and Restrictions (CC&Rs). Consequently, the City's new Ordinance notwithstanding, HPOA would retain the authority derived from its Specific Plan, CC&Rs and Design Guidelines to review and approve any new ADUs in the community. This means that while the City's Ordinance would require ministerial approval of new ADUs, any new ADU projects in Hiddenbrooke would still need to complete Hiddenbrooke's review process as well.

Specific areas that would need to be addressed by any HOA, not just Hiddenbrooke, would include, but not be limited to:

- any restrictions on using an ADU as a rental property
- limits on the number of bedrooms per ADU
- limits on the number of ancillary structures and/or accessory dwelling units to a total of one per lot
- parking restrictions (limitations on new spaces, use of garages for living quarters)
- height, setback, lot coverage requirements that are different than in the City Ordinance
- paint and exterior colors
- landscaping features

- view corridors from neighbor lots
- fences and screening
- etc.

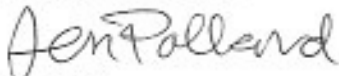
While the HPOA Board is confident that the reach of the City's proposed ADU Ordinance does not extend down to overriding HPOA's governing documents, it feels compelled to explain some of the perceived negative impacts of ADUs in planned developments like Hiddenbrooke:

1. When owners purchased their homes in Hiddenbrooke, they did not anticipate a whole new level of occupancy that would arise if a number of homeowners decided to construct ADUs on their lots (either attached or detached). With the exception of a few new ancillary buildings that might be approved (similar to Accessory Structures in the City Ordinance), homeowners would naturally expect that the community would remain largely as it looked when they first purchased their homes. We cannot know how many owners would want to develop new ADUs, or how fast this development would occur, but the potential to vastly alter the overall character of the community is large, as well as the potential to change neighbor-to-neighbor relationships when new ADU rental units are added next door.
2. People buying into Hiddenbrooke also agree to abide by certain restrictions regarding the appearance of their residences as well as any future improvements or additions. The Board is concerned that some of the City's ministerial approvals would make it more difficult to regulate the appearance of the residences within Hiddenbrooke and to maintain a consistent architectural "look" within individual neighborhoods. To the extent that Hiddenbrooke's Design Guidelines are more specific and tailored to the community, we believe these architectural standards should prevail.
3. Having more residents living in Hiddenbrooke will clearly bring more cars and parking issues. Given current trends with multiple vehicles owned per household, many of these new cars would end up on the street where on street parking is already limited by design. Cars parking in front of other neighbor's homes are already a source of conflict. Some neighborhoods with private streets have virtually no parking options for more cars, except perhaps to park in other neighborhoods. More residents also mean more vehicle traffic, increasing wear and tear on Hiddenbrooke streets.
4. While the City may benefit from increased property valuations over time from new ADUs, there would be no such benefit for homeowner associations. In fact, some homeowners would fear that having a rental ADU next door could lower their property values. In addition, future ADU residents would not be required to pay any dues that could be used to offset increased CC&R compliance work for HOAs or to pay for increased work for security patrols, such as we have in Hiddnebrooke. Nor would these new residents pay anything into the Hiddenbrooke Maintenance District to maintain the beautiful landscaping in the common areas, a much - appreciated benefit of living in Hiddenbrooke.

5. One final concern, generated by recent events, is that of a required mass evacuation of Hiddenbrooke due to fires, earthquakes, or other natural disaster. With one road in and out of Hiddenbrooke, having more residents live in our community will present greater emergency evacuation challenges if an event such as the recent major North Bay fires were to occur again in the future.

In summary, Common Interest Developments such as the Hiddenbrooke community are meticulously planned and are already highly regulated. The new State ADU laws and City Ordinance interject uncertainty into the world of homeowner associations as well as some potentially negative consequences. Homeowners may now believe that they only need a ministerial review from the City to add an ADU to their home. Consequently, we request that the City advise any ADU applicants from Hiddenbrooke that they will also need to comply with Hiddenbrooke's CC&Rs and Design Guidelines and that HPOA has the authority to approve/disapprove a project or approve with conditions.

Thank you for consideration of these comments. Please do not hesitate to contact us if you have any questions.



Sincerely,
Jen Pollard,
HPOA President

cc: Mayor Bob Sampayan
Councilmember Robert McConnell
Robert Schussel, Planning Commission