



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: September 27, 2007

COUNCIL DISTRICT: Citywide
SNI AREA: All

SUBJECT: ORDINANCE EXTENDING THE SECONDARY UNIT PILOT PROGRAM WITH REVISED DEVELOPMENT PARAMETERS AND THE PARK IN LIEU FEE EXEMPTION UNTIL APRIL 30, 2008 OR UNTIL 100 APPLICATIONS HAVE BEEN ACCEPTED, WHICHEVER OCCURS FIRST.

RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council approve the proposed ordinance extending the Secondary Unit Pilot Program with revised parameters for six months or until 100 applications for secondary units have been accepted, whichever occurs first, and extending the exemption from PIL/PDO park fees for the term of the Secondary Unit Pilot Program.

OUTCOME

Approval of the continuance of the proposed secondary unit ordinance and park "in lieu" fee exemption would allow the continued production of secondary units while the City tests revised secondary unit development parameters and undertakes additional analysis and public outreach regarding what park impact fee, if any, would be appropriate should the Council adopt a permanent secondary unit ordinance.

BACKGROUND

Staff gave a brief update regarding the Secondary Unit Pilot Program and presented updated results for the survey of adjacent neighbors of newly constructed secondary units. Commissioner Kalra asked when the park fee issue would be brought forward. Parks staff responded that the fee issue for secondary units would be considered by the Parks Commission next week and that the recommended fee was proposed to be linked to the current fee for Single Room Occupancy (SRO) units. Commissioner Kinman asked for clarification regarding the issue of second units attached to a detached garage and the potential for property owners to illegally expand the second unit into the garage. Staff responded that illegal units could be implemented under any circumstance and that units attached to a garage were not more likely than other units to be implemented illegally. Staff further responded that the Secondary Unit Pilot Program is a possible method to bring existing

illegal secondary units that can meet the development parameters into compliance with the City's requirements, and to provide a legal means for implementing new secondary units in the future. Staff indicated that a strategy for addressing existing illegal units would be developed after the Council considers the issue of a permanent secondary unit ordinance.

In response to Commissioner Kamkar's question regarding school impacts, the City Attorney indicated that the school district would respond to school facility needs and that the City is preempted from addressing school impacts through the land use process. Staff responded to Commission Kamkar's question regarding parking and traffic, explaining that one additional parking space is required for a secondary unit and that no traffic impact fee is currently required or proposed. Commissioner Jensen pointed out a typographical error in Table 4 of the staff report and asked staff if there were additional typographical errors in the table. Staff responded that there were not.

In response to Commissioner Campos regarding use of the front lawn for parking, staff clarified that the Zoning Code limits pavement to 50 percent of the front setback and that the parking space for a secondary unit could not be placed in the front or side setback. Staff explained that there is currently no fee for a secondary unit preliminary review application and that staff uses this process to help applicants understand whether they can meet the secondary unit parameters before they file an application. Commissioner Kalra commented that he was please that staff was looking at a reduced park impact fee for secondary units.

The motion to recommend approval of the ordinance, as recommended by staff, passed 7-0-0.

ANALYSIS

The original Planning Commission staff report, dated September 18, 2007, provides a complete analysis of the Secondary Unit Pilot Program including analyses of program data, survey results and community input and recommendations for changes to the pilot program. The supplemental Planning Commission memorandum (attached), dated September 26, 2007, provides an analysis of additional survey responses received after preparation of the original staff report.

EVALUATION AND FOLLOW-UP

Staff will provide an updated analysis of the Secondary Unit Pilot Program prior to the City Council consideration of a permanent secondary unit ordinance.

POLICY ALTERNATIVES

Policy alternatives are discussed in the original Planning Commission staff report, dated September 18, 2007.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
(Required: Website Posting)

Criteria 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**

Criteria 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Community meetings regarding the results of the pilot program and the issue of a permanent secondary unit ordinance were held at the Willow Glen Baptist Church on May 31, 2007, at the Alum Rock Library on July 25, 2007, at the Southside Community Center on July 26, 2007 and at the West Valley Branch Library on August 16, 2007. On June 20, 2007, staff attended a meeting of the Winchester NAC to discuss the results of the Secondary Unit Pilot Program and receive input and on July 17, 2007 staff discussed the pilot program with the Neighborhood Roundtable. Notices of the community meetings and public hearings were emailed to a secondary unit interest list, and a citywide list of neighborhood associations and Strong Neighborhood Initiative groups and were posted on the City's website.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

FISCAL/POLICY ALIGNMENT

N/A

CEQA

CEQA: Exempt, PP07-184.


for JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Carol Hamilton at 408-535-7837.

Attachment: Supplemental memorandum



Memorandum

TO: PLANNING COMMISSION
FROM: Joseph Horwedel
SUBJECT: ORDINANCE EXTENDING THE
SECONDARY UNIT PILOT
PROGRAM AND PARK IN LIEU
FEE EXEMPTION
DATE: September 26, 2007

Approved

Date

COUNCIL DISTRICT: Citywide
SNI AREA: All

SUPPLEMENTAL MEMO

RECOMMENDATION

It is recommended that the Planning Commission recommend City Council adoption of ordinances extending the Secondary Unit Pilot Program with revised parameters for six months or until 100 applications for secondary units have been accepted, whichever occurs first, and extending the exemption from PIO/PDO park fees for the term of the Secondary Unit Pilot Program.

REASON FOR SUPPLEMENTAL

At the time the original staff report was prepared, staff had received only two responses to the survey mailed to neighbors living adjacent to or across the street from a new secondary unit constructed under the Pilot Program. Subsequent to delivery of the Planning Commission packet, staff received an additional 19 survey responses. Twenty-one responses out of the total 79 mailed surveys represents a response rate of approximately 27%. Highlights of the survey responses are discussed below. The attached Table 1 provides a summary of the responses.

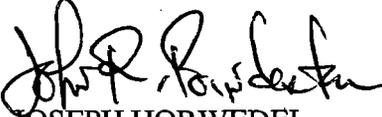
ANALYSIS

Survey respondents were fairly evenly split in support of, or opposition to, a permanent secondary unit program (48% in support, 52% in opposition). The appearance of the secondary unit was not a concern for most respondents; 90% indicated that the secondary unit on their neighbor's property enhanced the overall appearance of the site, had no effect on the appearance

of the site, or was not sufficiently visible to allow an assessment. Parking was a concern for approximately half of the respondents, with 31% noting some reduction in the availability of on-street parking as result of the new secondary unit and 19% indicating a significant reduction in parking availability. Approximately 69% of the respondents indicated that the adjacent secondary unit had either a positive effect or no overall effect on their property or the immediate neighborhood, while 31% reported an overall effect that was either somewhat or very negative. Over half of the respondents expressed concern regarding implementation of additional secondary units on their street.

Many survey respondents took advantage of the opportunity to provide additional comments. Favorable comments focused on the positive appearance of adjacent units and the lack of any negative impact. Comments expressing concern focused on parking impacts, density increases and associated noise and traffic, reduction in property values, and an increase in renters.

Overall, the survey responses indicate that most neighbors do not feel that the new secondary unit on their neighbor's property has resulted in negative impacts; nevertheless, just over half would be concerned about additional secondary units and oppose a permanent secondary unit program.

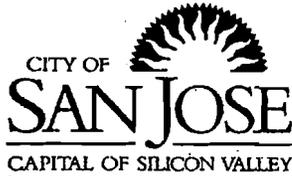

for JOSEPH HORWEDEL
Director, Department of Planning,
Building, and Code Enforcement

Attachment

Table 1. Secondary Unit Adjacent Neighbor Survey - 9/25/09

Q1. Awareness of adjacent secondary unit.		
a) Aware of secondary unit.	16	76%
b) Not aware.	1	5%
c) Aware of construction but not of secondary unit.	4	19%
Q2. Visibility of Secondary Unit from respondent's property.		
a) Clearly visible.	5	24%
b) Partially visible.	9	43%
c) Not visible.	7	33%
Q3. Opinion regarding appearance of neighbor's secondary unit.*		
a) Enhances overall appearance of site.	3	14%
b) Makes no difference in overall appearance of site.	8	38%
c) Detracts from overall appearance of site.	2	10%
d) Is not visible enough to allow a judgment.	8	38%
Q4. Availability of on-street parking near respondent's residence.*		
a) Almost always available.	5	31%
b) Usually available.	5	31%
c) Sometimes unavailable.	3	19%
d) Usually unavailable.	3	19%
Q5. Effect of secondary unit on parking availability.*		
a) No noticeable change in parking availability.	8	50%
b) Some reduction in the availability of on-street parking.	5	31%
c) Significant reduction in the availability of on-street parking.	3	19%
Q6. Overall effect of secondary unit on respondent's property and immediate area.		
a) Very positive.	1	6%
b) Somewhat positive.	2	13%
c) Somewhat negative.	2	13%
d) Very negative.	3	19%
e) No effect.	8	50%
Q7. Would you be concerned if one or two other neighbors on your street implemented secondary units?		
a) Not concerned.	9	43%
b) Somewhat concerned.	4	19%
c) Very concerned.	8	38%
Q8. Which most accurately reflects your opinion regarding a permanent secondary unit program?		
a) Very supportive.	5	24%
b) Somewhat supportive.	5	24%
c) Somewhat opposed.	6	29%
d) Very opposed.	5	24%
e) No opinion.	0	0%

*Twenty-one surveys were submitted. Five did not include responses to Questions 3-6, which were located on the reverse side of the page.



Memorandum

TO: PLANNING COMMISSION
SUBJECT: SECONDARY UNIT PILOT
PROGRAM AND PARK IN LIEU
FEE EXEMPTION

FROM: Joseph Horwedel
DATE: September 18, 2007

Approved

Date

COUNCIL DISTRICT: City-Wide
SNI AREA: All

RECOMMENDATION

It is recommended that the Planning Commission recommend City Council adoption of ordinances extending the Secondary Unit Pilot Program with revised parameters for six months or until 100 applications for secondary units have been accepted, whichever occurs first, and extending the park in lieu fee exemption for the term of the Secondary Unit Pilot Program.

OUTCOME

Approval of the proposed secondary unit ordinance and park in lieu fee exemption would allow the continued production of secondary units while the City tests revised secondary unit development parameters and undertakes additional analysis and public outreach regarding what park impact fee, if any, would be appropriate should the Council adopt a permanent secondary unit ordinance.

EXECUTIVE SUMMARY

The Secondary Unit Pilot Program was approved by the City Council in November of 2005 to test the allowance of secondary "granny" units on single-family lots subject to specific development parameters. This program has run for approximately 20 months, and as of July 20, 2007, had resulted in 67 secondary unit applications and 14 constructed units. Staff has now completed an evaluation of the Pilot Program and community outreach regarding a permanent secondary unit program.

The results of the Pilot Program to this point and surveys of secondary unit property owners and adjacent residents, indicate that secondary units provide an important alternative for single-family homeowners seeking to provide housing for elderly parents or other family members or

the additional income of a rental unit and that the units approved through the Pilot Program do not appear to have generated significant concern from adjacent property owners or resulted in noticeable impacts on surrounding neighborhoods. Results of the analysis and community outreach suggest that the park fees otherwise applicable to attached and detached secondary units (in the absence of the current exemption) are relatively high when compared to the construction costs of secondary units and that such fees could significantly inhibit the future production of these units. The results also suggest that, although the parameters tested through the Pilot Program have generally worked well, some changes would be beneficial.

Additional analysis of the relationship between park impact fees and secondary units is necessary in order to determine if a reduced park fee is justified and what amount would be appropriate; this analysis can best be accomplished in the context of the process currently underway to evaluate potential modifications to the current Schedule of In-Lieu Fees and Credits. The proposed modifications to the Schedule of In-Lieu Fees and Credits is expected to be agendized for the Council's consideration this Fall, with changes to the fees and credits scheduled to take effect in February, 2008. Extension of the Pilot Program and park impact fee exemption for an additional six months would allow staff to continue to accept and process secondary unit applications while the proposed reduced park fee is analyzed and allow the issue of a permanent secondary unit ordinance to move forward in conjunction with the changes to the Schedule of In-Lieu Fees and Credits.

Extension of the Pilot Program would also allow for testing of revised program parameters. These revised parameters include a reduced 15-foot rear setback for single-story secondary units, elimination of the required setback between a secondary unit and a detached garage, a two-foot increase in allowed height and a minor clarification regarding the restriction on windows overlooking adjacent properties.

BACKGROUND

In November of 2005, the City Council approved an ordinance establishing the Secondary Unit Pilot Program to allow secondary "granny" units on single-family lots subject to specific development parameters. This action responded to State legislation that required the City to consider allowing secondary living units in single-family zoning districts without a discretionary permit. The pilot program as originally approved by the Council, was to run for one year or until 100 secondary unit applications had been submitted. In February of 2005, the Council approved an ordinance exempting secondary units approved through the pilot program from park impact fees.

When only 36 applications for secondary units had been accepted in the first 11 months of the Pilot Program, the Council extended the program and park fee exemption for an additional 6 months, to June 30, 2007, to allow staff to accept and process additional secondary unit applications. In May of 2007, the Council approved an additional extension of the program and fee exemption to October 31, 2007 to allow staff to continue to accept and process applications

while evaluating the program and conducting community outreach regarding the issue of a permanent secondary unit ordinance.

Staff has now completed a thorough evaluation of the Pilot Program and has undertaken community outreach regarding a permanent secondary unit program, as summarized in the analysis section below. Staff is concerned that the park impact fees that would otherwise be applicable to attached and detached secondary units (in the absence of the Pilot Program fee exemption) are relatively high when compared to the construction costs of secondary units and that such fees could significantly inhibit the future production of these units. Additional analysis is needed to determine whether a reduced fee is justified for a permanent secondary unit program. Staff believes that this analysis can best be accomplished in the context of the process currently underway to evaluate potential modifications to the Schedule of In-Lieu Fees and Credits which is expected to be agendaized for Council consideration this Fall. Such fees would become effective in early February 2008. An additional six-month extension of the Pilot Program would allow the permanent secondary unit ordinance to be considered by the Council in conjunction with changes to the Schedule of In Lieu Fees and Credits and allow staff to continue to accept and approve secondary unit applications while this fee issue is being reviewed.

The Parks and Recreation Commission considered the results of the Secondary Unit Pilot Program at its meeting of September 5, 2007. The Commission voted to support a permanent secondary unit ordinance with a reduced park impact fee and asked that staff return to the Commission with a specific recommendation regarding the appropriate secondary unit park fee. On September 13, 2007, the Housing and Community Development Advisory Commission considered staff's recommendation for a six-month extension of the Pilot Program and park impact fee exemption. The Commission voted to support extension of the Pilot Program and park fee exemption. The City Council Community and Economic Development Committee is scheduled to consider the proposed ordinance to extend the Pilot Program and fee exemption on September 24, 2007, and the Neighborhood Services and Education Committee will consider the proposal on October 11, 2007.

Summary of Pilot Program Requirements and Process

The Secondary Unit Pilot Program has been in operation for approximately 20 months. This pilot program came in response to State legislation adopted in 2004, which mandated that secondary units be approved through a "ministerial" process that does not include discretionary decision-making or public hearings. The City Council approved the parameters summarized in Table 1. under this limited pilot program, in an attempted to balance the objective of providing flexibility for provision of small secondary housing units in single-family neighborhoods with the concern about adverse impacts to adjacent properties and the residential neighborhoods.

The Pilot Program provides for approval of secondary units through a *Secondary Unit Permit*, a non-discretionary building permit that includes review by Planning staff for conformance with the requirements of the program. Excluding any park fee, City permits, fees and development taxes for Secondary Units have totaled approximately \$5,000 to \$6,000 per unit. Secondary

Units are also subject to school impact fees of up to \$1,500 collected by the applicable school district/s. The processing time for Secondary Unit Permits has ranged from one day to several months, depending on the quality of the plans submitted and the complexity of the project.

Table 1. Secondary Unit Pilot Program Parameters

Applicable Zoning Districts	All R-1 Districts and PD Districts with R-1 standards
Minimum Lot Size	Attached unit - 6,000 sq. ft. Detached unit - 8,000 sq. ft.
Maximum Unit Size	600 sq. ft.
Bedrooms - Maximum Number and Size	One bedroom is required and is maximum allowed. 400 sq. ft.
Maximum Storage Space	60 sq. ft.
Required Parking	One space (outside front and side setbacks)
Setbacks - Attached Unit	Same as primary dwelling.
Setbacks - Detached Unit	Same as primary dwelling except that façade of secondary unit must be set behind that of primary residence. Units must be separated from any other structure by 6 feet.
Height	16 feet maximum 12 feet average
Design Criteria	Exterior materials and roof pitch must match existing house. Front door cannot be located on same façade as that of the primary residence. Windows cannot have views of adjacent properties.
Ownership	Property owner must certify that he/she occupies existing house at the time of application.

ANALYSIS

Staff has now completed an evaluation of the pilot program that includes (1) an analysis of program data, (2) a phone survey of property owners with approved or constructed secondary living units, (3) a survey of neighbors living adjacent to newly completed secondary units, and (4) a series of meetings to discuss the possibility of a permanent secondary unit program with the community.

Analysis of Secondary Unit Program Data

As of July 20, 2007, staff had accepted a total of 67 applications for new Secondary Units, significantly fewer than the maximum number of 100 authorized under the pilot program. Applications have been submitted at a relatively steady rate over the past 18 months, averaging 3 to 4 per month. Table 2 provides a summary of the status of the applications currently on file for secondary units.

Table 2. Secondary Unit Application Status as of 7-20-07

	Final Inspection	Under Inspection	Permit Ready for Issue	Tech. Review	Expired	Total
Detached Units	9	14	2	7	4	36
Attached Units	5	14	1	9	2	31
Total Units	14	28	3	16	6	67

The distribution of secondary unit applications does not appear to be closely related to the number of lots that meet the minimum lot area requirements for an attached secondary unit (6,000 square feet and greater). As indicated in Table 3, a disproportionate number of applications have been filed for properties located in District 6 (21 or approximately one third of the citywide total) and in District 8 (12 or approximately 18 percent of the total). Secondary units have been filed in all Council Districts except District 10. District 9, which includes the largest proportion of eligible lots, (approximately 17 percent of the citywide total) generated only 4 applications, and District 10, which has the second largest number of eligible lots, had none.

Table 3. Eligible Lots and Second Unit Applications by Council District

Council District	No./Percent Lots 6000 sq.ft. +	No. Detached Unit Applications	No. Attached Unit Applications	Total Applications/Percent
CD 1	12,081 (11.3%)	5	2	7 (10.4%)
CD 2	11,524 (10.7%)	2	2	4 (5.9%)
CD 3	11,524 (10.7%)	2	1	3 (4.5%)
CD 4	9,652 (9.0%)	2	3	5 (7.5%)
CD 5	7,822 (7.3%)	2	6	8 (11.9%)
CD 6	12,458 (11.6%)	12	9	21 (31.3%)
CD 7	5,077 (4.7%)	1	2	3 (4.5%)
CD 8	12,676 (11.8%)	8	4	12 (17.9%)
CD 9	18,464 (17.2%)	2	2	4 (5.9%)
CD10	16,219 (15.1%)	0	0	0 (0.0%)
Total	107,327 (100%)	36	31	67 (99.8%)

Overall, lots for which secondary unit applications have been submitted are significantly larger than the minimum lot sizes required under the pilot program. As indicated in Table 4, this is true for both attached and detached units, although the trend is more pronounced for lots with detached units. Eighty-nine percent of the lots proposed for detached units exceed the minimum lot size by 1,000 square feet or more. Lot sizes for attached units are significantly smaller than for detached units, but with an average area of 8,056 square feet, and a median of 7,500 square feet, they remain well above the required minimum lot area of 6,000 square feet. These findings suggest that the minimum lot size set forth under the Pilot Program has not been a primary constraint for the production of secondary units under the Pilot Program.

Table 4. Second Unit Pilot Program Lot Size

	Required Minimum Lot Area (sq. ft.)	Total Applications	Average Lot Area (sq. ft.)	Median Lot Area (sq. ft.)	Applications for Lots over 9,000 sq. ft. (Percent)	Applications for Lots over 12,000 sq. ft. (Percent)
Detached Units	8,000	36	16,060	11,446	89%	42%
Attached Units	6,000	31	8,056	7,500	23%	6%
All Units	n/a	57	12,357	9,583	58%	25%

Staff's experience in assisting customers in both the preliminary review and application processes and the results of the property owner survey, suggest that the required parking space and setbacks are greater constraints in achieving conformance with Pilot Program requirements than lot size. Providing the required parking space is not feasible for a large number of existing lots where placement of the existing house blocks vehicular access to the rear yard and allows insufficient room for a parking space in front of the house, outside of the front setback.

Secondary Unit Property Owner Survey

Between May and July of 2007, staff attempted to survey by phone 35 property owners whose secondary units were approved and under construction. Staff was successful in completing a phone survey with 21 of these property owners, 10 of which had completed construction of a secondary unit. Results of the survey are included in the attached *Secondary Unit Phone Survey Results*; key responses are summarized below.

Use of the Secondary Unit. A large majority of the property owners surveyed (82 percent) responded that their secondary unit was being used, or would be used when complete, as a residence for a family member, a pool house/recreation room or a guest house. Only 19 percent indicated that their units would be used as a residence for a non-family member. Although the number of secondary units rented to a non-family member may increase over time, the survey indicates that most of the approved units are not proposed for this purpose.

Cost of Secondary Unit Construction Project. The reported total cost of the units varied greatly, with 41 percent reporting costs between 0-\$75,000 and 12 percent of respondents saying the cost exceeded \$200,000. Several property owners whose units cost less than \$75,000, volunteered that the costs were reduced because they completed some or all of the work themselves or were converting existing building area.

Parking. In regard to the eight completed units that are now occupied as residences, seven respondents reported that the resident of the unit owned a car and six indicated that the required parking space was in regular use.

Challenges Encountered in the Design of Respondent's Secondary Unit. The most common reported challenge was the difficulty of meeting the required setbacks. The second most frequent response was that the process for obtaining a permit was difficult. Other responses indicated that the required parking space was difficult to provide, that the restriction on the location of the front door was challenging and the height limit was difficult to meet. One property owner explained that the requirement that the roof match the steep pitch of the existing tudor-style house had made it difficult to conform to the height limit.

Proposed Changes to the Pilot Program. The most frequent response to the question about what, if any, aspect of the pilot program they would like to see changed, was "allowing larger secondary units." Another frequent response proposed elimination of the parking requirement or proposed that the required parking be allowed in the front setback.

Adjacent Resident Survey

Staff received responses at the community meeting that it should solicit feedback from neighbors of secondary units. In response, staff mailed the attached *Adjacent Neighbor Survey* to 79 residents of property located adjacent to or across the street from 13 completed secondary units. An accompanying letter requested that the hard copy survey be completed and returned by mail or that the resident complete an on-line version. Only two residents completed the survey. One was very supportive of the program, but was concerned about the potential for rental of secondary units; the other strongly opposed the program due to concern about parking and indicated that there was some reduction in the availability of on-street parking. The low response rate may be an indication that these secondary units are not of great concern to their adjacent neighbors.

Community Input

A total of approximately 95 people attended five community meetings held to seek input regarding the secondary unit pilot program and the possibility of a permanent secondary unit ordinance. The majority of those in attendance expressed support for a permanent secondary unit program, citing such benefits as the flexibility secondary units would offer families seeking to provide for aging or disabled family members, the additional housing units the program would produce, and the income such units would provide for households seeking to make mortgage payments. Some stipulated that the program should be designed to prevent impacts on single-family residential neighborhoods; a minority strongly opposed any permanent secondary unit program, indicating that such a program would lead to overcrowding, parking impacts, loss of open space and an influx of renters into single-family neighborhoods.

Community members also provided input in regard to the appropriate parameters for a permanent secondary unit ordinance. Homeowners who had obtained approval of a secondary unit or were exploring the possibility of such a unit requested that more flexibility be provided in regard to setbacks, unit size, parking, design compatibility, and limitations on windows facing adjacent properties. A few advocated a reduction in the minimum lot size; however, others felt that such a reduction would give homeowners false expectations and that smaller lots would not

be able to meet setback and parking requirements. A contractor pointed out that the prohibition on windows overlooking adjacent properties should apply only where adjacent properties are residential. Others supported retention of the existing parking and setback requirements to ensure that the new units did not result in adverse impacts on adjacent properties and expressed concern that secondary units not be used as a means of avoiding the subdivision process or of increasing the capacity of residential care or service facilities allowed by right in a single-family residence.

Regarding the issue of park impact fees for secondary units, most feedback from the community meetings indicated that the park impact fee exemption applicable under the Pilot Program should be extended to the permanent secondary unit program; however, others favored a reduced fee that would not place an undue burden on a small secondary unit.

Written correspondence received from the public on the secondary unit program is attached. This correspondence includes both comments of support and opposition to a permanent secondary unit ordinance. Concern regarding existing parking shortages and the impact of secondary units on parking is repeated in several of the comments.

Recommended Revisions to the Pilot Program Parameters

The results of the Pilot Program to this point, indicate that secondary units provide an important alternative for single-family homeowners seeking to provide housing for elderly parents or other family members or the additional income of a rental unit and that the units approved through the Pilot Program do not appear to have generated significant concern from adjacent property owners or resulted in noticeable impacts on surrounding neighborhoods. Although the parameters tested through the Pilot Program have generally worked well, the results of the Pilot suggest that some changes would be beneficial. Following is a brief discussion of recommended changes to the secondary unit parameters, summarized in Table 5, that staff believes should be tested through an extended Pilot Program.

Unit Size. The proposed increase in the maximum size of the secondary units to 650 square feet for lots between 9,001 and 10,000 square feet and to 700 square feet for lots over 10,000 square feet responds to property owner feedback that the current allowed area is too small and acknowledges the number of large lots proposed for secondary units. This change retains the one-bedroom limit, ensuring that the unit remains subordinate to the primary residence while providing greater flexibility for the design of units on large lots.

Setbacks. The proposed reduction in the rear setback from 20 to 15 feet for single-story units is consistent with the setback exception of Title 20 (Section 20.30.280) applicable to single-story additions to existing single-family residences. The proposed reduced setback is intended to provide greater flexibility in siting secondary units, while retaining the principle that such units should conform to setbacks applicable to the primary residence. In addition, staff is proposing that the current setback of six feet between a secondary unit and a detached garage be eliminated and that the secondary unit be allowed to be attached to such a garage, provided it conforms to

the property-line setbacks applicable to the secondary unit. This provision allows greater efficiency in the use of space so long as the perimeter setbacks are maintained.

Height and Windows. The proposed two-foot increase in both maximum and average height responds to the concern that current roof pitch requirements (pitch must match that of primary residence) may conflict with the current height restriction. The additional height will allow greater flexibility in achieving a steep roof pitch, while maintaining a relatively modest height for these small structures. Proposed clarification that restrictions on windows overlooking adjacent properties apply only to adjacent residential properties ensures that this provision achieves the objective of protecting residential neighbors without being unduly restrictive.

Table 5. Proposed Changes to Secondary Unit Pilot Program Parameters

	Existing Pilot Program Parameters	Recommended Pilot Program Parameters
Applicable Zoning	All R-1 Districts and PD Districts with R-1 standards	No change.
Minimum Lot Size	Attached unit - 6,000 sq. ft. Detached unit - 8,000 sq. ft.	No change.
Maximum Unit Size	600 sq. ft.	≤ 9,000 sq.ft. lot 600 sq.ft. 9,001 to 10,000 lot 650 sq.ft. ≥ 10,000 lot 700 sq.ft.
Bedrooms - No. and Size	One bedroom required and maximum allowed. 400 sq. ft. maximum	No change.
Storage	60 sq. ft. maximum	No change.
Required Parking	One space (outside front and side setbacks)	No change.
Setbacks - Attached Unit	Same as primary dwelling.	No change except reduction of rear setback from 20 to 15 feet for single-story unit
Setbacks - Detached Unit	Same as primary dwelling except that façade of secondary unit must be set behind that of primary residence. Units must be separated from any other structure by 6 feet.	No change except reduction of rear setback from 20 to 15 feet for single-story unit
Height	16 feet maximum 12 feet average	18 feet maximum 14 feet average
Design Criteria	Exterior materials and roof pitch to match existing house. Front door cannot be on same façade as that of primary residence. Windows cannot have views of adjacent properties.	No change except windows cannot have views of adjacent properties with existing or planned residential uses.
Ownership	Property owner must certify that he/she occupies existing house at the time of application.	No change.
Detached Garage	Secondary unit cannot be attached to detached garage.	Secondary unit can be attached to detached garage if both conform to setbacks required of secondary unit.

Illegal Units

On June 7, 2004, Code Enforcement suspended enforcement of illegal second units pending a final decision by the City Council on the issue of a permanent secondary unit ordinance. Since adoption of the Pilot Program, the property owner of an illegal second unit that meets the Pilot Program requirements has been referred to the Planning Division and encouraged to submit an application to legalize the unpermitted secondary unit. Property owners whose units do not meet current requirements have been required to maintain their units in a vacant condition pending final action by the Council regarding a permanent secondary unit ordinance. Secondary units that could not be legalized due to substandard construction or failure to meet minimum Housing Code standards, such as ceiling heights or secondary egress requirements, have been ordered to be reverted to original design and configuration. Currently, 134 secondary units have been vacated, and remain vacant, pending final action by the Council on the secondary unit issue.

Only two secondary unit applications have been submitted during the Pilot Program to legalize existing unpermitted secondary units, neither of which has been approved. One of these permits is pending resolution of other code enforcement issues on the property, and the other was submitted fairly recently and is still in process.

Code Enforcement believes that the relatively few number of applications to legalize unpermitted secondary units is due to a number of factors:

- Unpermitted secondary units do not generally conform to minimum Housing or Building Code requirements;
- Unpermitted secondary units are often constructed to provide low cost housing for extended family members, and the cost to legalize the unit is beyond the means of the property owner;
- Residents of illegal secondary units do not traditionally file complaints due to the need for affordable rental housing and few alternatives to meet there housing needs.

Housing Department and Planning, Building and Code Enforcement Department staff will begin reviewing unpermitted secondary units to develop a strategy for addressing these units and any potential future displacements resulting from illegal units unable to meet the adopted standards.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
- ✓ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.

PLANNING COMMISSION

September 18, 2007

Subject: Secondary Unit Pilot Program Extension

Page 11

- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach.

Community meetings regarding the results of the pilot program and the issue of a permanent secondary unit ordinance were held at the Willow Glen Baptist Church on May 31, 2007, at the Alum Rock Library on July 25, 2007, at the Southside Community Center on July 26, 2007 and at the West Valley Branch Library on August 16, 2007. On June 20, 2007, staff attended a meeting of the Winchester NAC to discuss the results of the Secondary Unit Pilot Program and receive input and on July 17, 2007 staff discussed the pilot program with the Neighborhood Roundtable. Notices of the community meetings were emailed to a secondary unit interest list, a citywide list of neighborhood associations, Strong Neighborhood Initiative groups and the Neighborhood Roundtable contact list, and were posted on the City's website. Public input received at these meetings is summarized in the analysis section of this memorandum.

COORDINATION

This memo has been coordinated with the Department of Parks, Recreation and Community Services and the City Attorney's Office.

CEQA

The proposed secondary unit ordinance is exempt pursuant to Section 15282(h) of the California Public Resources Code, File No. PP07-184.


JOSEPH HORWEDEL
Director, Department of Planning,
Building, and Code Enforcement

For questions please contact Carol Hamilton at 535-7837.

Secondary Unit Property Owner Phone Survey Results

Table 1. Property Owner Survey - Use of Secondary Unit

Survey Question: <i>What is the current or planned use of your secondary unit?</i>	
Residence for family member	14 (67%)
Residence for non-family member	4 (19%)
Guest house	1 (5%)
Recreation room/pool house	2 (10%)
Total No. of Respondents	21 (101%) ¹

Table 2. Property Owner Survey - Construction Costs

Survey Question: <i>What was the cost of your secondary unit construction project?</i>		
\$0-75,000	7 (41%)	9 (53%)
\$75,001-\$99,999	2 (12%)	
\$100,000-\$125,000	3 (18%)	8 (35%)
\$125,001-\$149,999	1 (6%)	
\$150,000-\$200,000	2 (12%)	
\$200,001+	2 (12%)	2 (12%)
Total No. of Respondents	17 (101%) ¹	17 (100%)

¹ Percent does not total 100 due to rounding.

Table 3. Completed Units - Parking

Survey Question	Yes	No	Total No. of Respondents
<i>Is your unit currently occupied as a residence?</i>	8	2	10
<i>If occupied as a residence, does the occupant own a car?</i>	7	1	8
<i>If occupied as a residence, is the parking space required for the secondary unit now in use?</i>	6	2	8

Table 4. Level of Satisfaction with Secondary Unit

Survey Question: <i>On a scale of 1-4, with 4 being the most satisfied, which of the following best describes your level of satisfaction with your approved/completed secondary unit?</i>	
<i>4 – Very Satisfied</i>	14
<i>3 – Somewhat Satisfied</i>	7
<i>2 – Somewhat Dissatisfied</i>	0
<i>1 – Very Dissatisfied</i>	0
Total Number of Respondents	21

Table 5. Challenges Encountered in Design of Secondary Unit

Survey Question: <i>Did you encounter any challenges in the design of you unit that we should take into consideration in evaluating this pilot program?</i>	
Setbacks difficult to meet.	6
Process difficult.	4
Required parking space difficult to provide.	2
Restriction on location of front door challenging/undesirable.	2
Difficult to conform to height limit.	2
Did not want required bedroom.	1
Limits on windows facing adjacent properties made design difficult.	1
No guidelines for preparing plans made process difficult.	1
Construction of fire wall challenging.	1
Lot size challenging -- required attached unit.	1
Waiting for park fee exemption to become effective difficult.	1
Working with PG&E difficult -- took 8 months.	1
No challenges identified.	6

Table 6. Program Changes Proposed by More Than One Property Owner

Survey Question: <i>Is there any part of the pilot program you would you like to see changed?</i>	
Allow larger secondary units. (Base size of unit on size of lot or limit size of secondary unit and primary residence combined.)	8
Reduce required rear and/or side setback.	5
Eliminate the required parking space or allow parking in front setback or allow parking in the front setback.	3
Eliminate or reduce park impact fees.	2
Eliminate requirement that front door of attached unit not be on the same façade as the front door of primary unit.	1
Inform applicants that units under 500 square feet are not subject to school fees.	1
Eliminate requirement that secondary unit include a bedroom.	1
Allow greater design flexibility. Do not require unit to match main house.	
Simplify process.	1
Provide guidelines for preparation of plans.	1
Reduce lot size for detached units.	1
No changes suggested.	2

Second Unit Pilot Program Phone Survey -Approved Secondary Units

File Number _____ Date of Interview _____

I am calling regarding the City of San Jose's Secondary Unit Pilot Program. We are now in the process of evaluating the program in preparation for community outreach and a recommendation to the City Council regarding a permanent program. As part of our evaluation, I would like to ask you some questions regarding your secondary unit and your experience with the provisions of the pilot program. The questions should take a few minutes. Do you have time now or is there a better time that I can reach you?

Before we begin I should let you know that I will be calling between 35 and 40 property owners who have completed or are in the process of constructing secondary units. This information will be aggregated and included in a report to the City Council. Neither your name nor your address will be attached to any of the information you provide in this interview.

1. Our records indicate that your secondary unit is now *(approval/construction status)*. Is that correct? *If not complete:* When do you anticipate completion? _____

2. Can you tell me which of the following most accurately describes the current or planned use of your second unit?
 - a) Residence for family member
 - b) Residence for non-family member
 - c) Guest house
 - d) Recreation room/pool house
 - e) Other (please explain) _____

If unit is complete, ask questions 3-5:

3. Is your unit currently occupied as a residence? _____

4. *(If occupied)* Does the occupant of the secondary unit own a car? _____

5. *(If occupied)* Is the parking space required for the secondary unit now in regular use?

6. Have you received comments regarding your secondary unit from any of your neighbors? If so, what has their response been? _____

7. Would you be willing to share with us a cost estimate of your secondary unit construction project within the following ranges?

- a) \$0 - \$75,000
- b) \$75,001 - \$99,999
- c) \$100,000 - \$125,000
- d) \$125,001 - \$149,999
- e) \$150,000 - \$200,000
- f) \$200,001 or more

8. On a scale of 1 – 4, with 4 being the most satisfied, which of the following best describes your level of satisfaction with your approved/completed secondary unit?

- a) 4 – Very Satisfied
- b) 3 – Somewhat Satisfied
- c) 2 – Somewhat Dissatisfied
- d) 1 – Very Dissatisfied

If “c” or “d”: Please explain why you are dissatisfied with your secondary unit.

9. Did you encounter any challenges in the design of your unit that we should take into consideration in evaluating this pilot program?

10. Is there any part of the existing pilot program that you would like to see changed?
Please be specific. _____

11. Would you be able to provide a photograph of your residence (either via e-mail or standard mail) for use in presenting the results of the program to the City Council?
(If so, please determine specific delivery location.)

July 20, 2007

Dear Resident:

Subject: Secondary Unit Pilot Program Survey

A secondary living unit ("granny unit") has been recently constructed on your neighbor's property at **1164 Britton Avenue** as part of the City's Secondary Unit Pilot Program. This Pilot Program was approved by the City Council to test the effects of allowing small secondary living units on single-family lots that meet specific requirements. The program began on January 1, 2006 and will end on October 31, 2007. We are now in the process of evaluating the pilot by assessing program data and requesting feedback from owners of secondary units, their neighbors and the community as a whole.

As a neighbor of a new secondary living unit (see location map on the back of this letter), your input is particularly important to us in assessing the benefits and/or impacts of these living units. Please take the time to respond to the attached survey and return it to us in the attached postage-paid envelope, or complete the survey on the City of San Jose website at <http://survey.sanjoseca.gov/pbce/adjacentresidentsurvey.htm>. The survey (including both the on-line and hard-copy versions) can be completed anonymously and the results will be aggregated and reported only at a citywide level.

We appreciate your assistance in evaluating the Secondary Unit Pilot Program. The number of adjacent neighbors for the 14 secondary units now fully constructed is relatively few, so your response is of particular importance in evaluating this program.

If you have questions regarding the Secondary Unit Pilot Program or the survey, please contact me at (408) 535-7837 or by email at carol.hamilton@sanjoseca.gov.

Sincerely,

Carol Hamilton
Senior Planner

Survey of Residents Adjacent to Secondary Units

Your response to the following questions will be very helpful to us in evaluating the Secondary Unit Pilot Program.

1. Please indicate which of the following most accurately represents your awareness, prior to receiving this survey, of the secondary living unit constructed on your neighbor's property.
 - a) I was aware that a secondary living unit had been constructed on my neighbor's property.
 - b) I did not know that a secondary living unit had been constructed on my neighbor's property.
 - c) I was aware that construction had occurred on my neighbor's property, but was unaware that this construction involved a secondary living unit.

2. Is your neighbor's secondary unit visible from your property?
 - a) It is clearly visible.
 - b) A portion of the unit is visible but I do not have a clear view.
 - c) It is not visible.

3. Which of the following most accurately describes your opinion regarding the physical appearance of your neighbor's new secondary unit? The unit:
 - a) Enhances the overall appearance of the site.
 - b) Makes no difference to the overall appearance of the site.
 - c) Detracts from the overall appearance of the site.
 - d) Is not visible enough to allow me to judge its effect on the appearance of the site.

4. Which of the following most accurately describes the availability of on-street parking near your residence? On-street parking near my residence is:
 - a) Almost always available when my household or guests need it.
 - b) Usually available when my household or guests need it.

- c) Sometimes unavailable when my household or guests need it.
 - d) Usually unavailable when my household or guests need it.
5. Which of the following most accurately describes the effect of your neighbor's secondary unit on parking availability on the street near your residence. The secondary unit has:
- a) Resulted in no noticeable change in the availability of on-street parking.
 - b) Resulted in some reduction in the availability of on-street parking.
 - c) Resulted in a significant reduction in availability of on-street parking.
6. Which of the following most accurately describes the overall effect your neighbor's secondary unit has had on your property and on the immediate neighborhood. The secondary unit has:
- a) A very positive effect.
 - b) A somewhat positive effect.
 - c) A somewhat negative effect.
 - d) A very negative effect.
 - e) No effect.
7. Would you be concerned if one or two other neighbors on your street implemented secondary units on their properties?
- a) Not concerned
 - b) Somewhat concerned
 - c) Very concerned

If you selected "b" or "c" in answer to this question, please explain your concern:

8. Which of the following most accurately reflects your opinion regarding a permanent program to allow secondary living units in San Jose' like the one your neighbor has implemented during the Secondary Unit Pilot Program?
- a) I am very supportive of such a program.
 - b) I am somewhat supportive of such a program.
 - c) I am somewhat opposed to such a program.
 - d) I am very opposed to such a program.
 - d) I have no opinion.

9. Please provide any additional comments you may have regarding the Secondary Unit Pilot Program in the space provided below.

Thank you very much for taking the time to complete the survey. Your input is very important to us.

Public Correspondence

> From: Karen Taylor [mailto:kroset@yahoo.com]
> Sent: Tuesday, August 21, 2007 10:00 PM
> To: secondary.units@sanjoseca.gov
> Subject: Thoughts on the secondary units
>
> Hello. I'm writing to give some feedback on the
> secondary units proposals on
> properties within Willow Glen. I realize that the
> city has not gotten the
> interest in these that it thought it would get. Here
> are some thoughts on
> this...

>
> - I believe most of the houses in my area (District
> 6, North Willow Glen)
> are under the minimum requirement, which is
> 6,000-square feet, for applying
> for a permit. My lot is a common size and it is just
> under 6,000-square
> feet. So perhaps the biggest issue with lack of
> interest is that most of the
> people that could really use the extra income, don't
> qualify (legally for
> having a secondary unit.)

>
> - Secondly, there are illegal rental units in our
> area already, and street
> parking in some areas of the neighborhood is jam
> packed - not only from
> secondary units but from due to several residents
> that have multiple cars
> per household (A few houses right around mine have
> up to 5 cars per
> household.) Until the illegal units are taken care
> of, and until parking is
> addressed on our streets (such as allowing 2
> vehicles per household, and any
> more must have a permit) I personally don't want any
> more secondary units in
> the area. The neighbors with the secondary units
> probably feel that why
> bother permitting them when the units have existed
> already for years, the
> city doesn't know they exist and there are no
> parking regulations in our
> area. Basically these illegal secondary units are
> free money.

>
> These are just some thoughts I wanted to share.
> Thanks for reading.
>
> Karen
> Delmas Ave.
>

Hamilton, Carol

From: Barbara J. Beatty [BarbaraJBeatty@comcast.net]
Sent: Friday, August 17, 2007 11:54 AM
To: carol.hamilton@sanjoseca.gov
Subject: Secondary Unit Program & Query about the size of my log

Ms. Hamilton,

Thank you for offering to find out what the size of my lot is. My address is 1589 Husted Avenue, San Jose, CA 95125.

I found the Secondary Unit Program meeting that was held last night to be very informative. I would like to see San Jose adopt a permanent secondary unit ordinance and allow detached secondary units on a 6000 square foot lot. I would like to see very low park fees.

Thank you very much,
Barbara J. Beatty

8/29/2007

Hamilton, Carol

From: Cindy Castro [cinbad13@yahoo.com]
Sent: Sunday, August 05, 2007 8:19 PM
To: carol.hamilton@sanjoseca.gov
Subject: mtg 8/16/07 on 2ndary Unit ("Granny flat") program

Comments are: Secondary units are a bad idea for single family home neighborhoods. They bring the neighborhood down (i.e., rentals, more cars, more people, more noise).

Do not want this to pass.

Thank you for your time.

8/29/2007

Hamilton, Carol

From: RubieGann@aol.com
Sent: Saturday, August 04, 2007 7:44 AM
To: carol.hamilton@sanjoseca.gov
Subject: Granny Unit

One of the biggest mistake the San Jose City Council ever did was to allow garage conversions. On the block that I live there is 24 homes, there are 11 garage conversions, these conversions are rented out, each conversion has brought two to four cars to our block, that's over and above the home owner's cars. Some of these cars are never moved from our streets, this makes t very dangerous to back out of your drive way, as you cannot see the oncoming traffic. There is never any free parking spaces for your own guest. If you allow these Granny Units to be built you will congest your area just the way my area is, it will definitely impact your community in a negatively way, your quality of life will diminish, you will rue the day that this code goes into effect.

Rubie Golart
member of the Mount Pleasant Neighborhood Association

Get a sneak peek of the all-new [AOL.com](#).

Hamilton, Carol

From: John Urban [urbanjohnnewhall@yahoo.com]
Sent: Friday, August 03, 2007 5:09 PM
To: carol.hamilton@sanjoseca.gov
Subject: Secondary Units

Carol Hamilton
Senior Planner
City of San Jose

Department of Planning, Building & Code Enforcement
200 East Santa Clara Street, Third Floor Tower
San Jose, CA 95113
Phone: (408) 535-7837
Email: carol.hamilton@sanjoseca.gov

Carol,

As President of the Newhall Neighborhood Association I have recieved many un happy comments about street parking in our neighborhood. My objection with the secondary units(and I am sure the objection of many in our neighborhood) is with parking associated with more housing units per acre. The City of San Jose mandates many rules about providing garage parking in certain styles of homes. There is a good reason for this. However, the City of San Jose can not make residents park their cars in their garages.

Our garages have become storage bins for our excesses. Many motorist park their cars on the street so they may aviod throwing out past purchases stored in their garages. Additional vehicles parked on the street as a result of secondary units is not acceptable. This is especially true of neighborhoods that are in the older neighborhoods surrounding downtown.

I am strongly against the secondary units even though the current rules would not allow them in our neighborhood. I do not think other neighborhoods should have to go through what we have to go through.

John Urban
President
Newhall Neighborhood Association

Choose the right car based on your needs. Check out [Yahoo! Autos new Car Finder tool](#).

Hamilton, Carol

From: Barbara Fontana [tmfdem@yahoo.com]
Sent: Thursday, August 02, 2007 12:57 PM
To: carol.hamilton@sanjoseca.gov
Subject: potential Adoption of Secondary Unit Ordinance

We and many of our neighbors have long been against the secondary housing. If the subject ordinance is adopted, will an owner who can comply with the City's requirements (of space, parking, etc.) typically be **GRANTED** the permit to proceed despite the protests of neighbors living in the immediate area (the given block and perhaps the homes across the street from the owner who may decide to put up a secondary dwelling? In other words, for someone to get a permit to put up a secondary unit, will that constitute a "special use permit" which automatically notifies homeowners within a certain proximity so they can attend a hearing and voice objections?

Many thanks in advance for your input.

tmfdem

Take the Internet to Go: Yahoo!Go puts the Internet in your pocket: mail, news, photos & more.

Hamilton, Carol

From: Vaughn-Hulbert, Bruce [bruce.vaughn-hulbert@lmco.com]
Sent: Wednesday, July 25, 2007 5:13 PM
To: carol.hamilton@sanjoseca.gov
Subject: Granny units and set backs

Hi Carol,

I just got off the phone with you discussing the rear property line setbacks.

My garage like many in the neighborhood have detached garages in the far corners of the property. After reading and listening to you on the building codes on requiring a 20 foot setback makes it hard to attach or build behind

my existing garage. I have, as most owners of 8000-8500 square foot lots about a 20 foot area behind the garage that is not being used. This area is perfect for a secondary units, plus it would be hidden from the street.

This 20 foot setback is preventing me and others with similar lots sizes from building these units.

It seems these granny units are only for those folks that have lots that are over 10,000 square feet, a bit unfair in my book.

Thanks for listening, and pls present my comment at the next board mtg. Thank you.

Hamilton, Carol

From: Helen Chapman [4chapmanfam@sbcglobal.net]
Sent: Friday, July 13, 2007 1:44 PM
To: carol.hamilton@sanjoseca.gov
Subject: Community Meeting Notice on Secondary Unit Pilot Program

Good Afternoon Carol,

I would like to share a couple of comments regarding the Pilot Program for secondary units. While I believe the pilot program is essentially a good program it seems that too few of the community take advantage of it, and nothing is being done to address the existing units that are in existence today. Would those units be grandfathered in under a permanent ordinance? My other concern is that new units are exempt from park fees. While I understand the need to exempt these fees from the pilot program, if this program should become permanent, then all new units should be accessed some sort of park fee. After all, those living in the units would be taking advantage of the surrounding parks in the neighborhoods.

Thank you for your time,
Regards,
Helen Chapman

"Never doubt that a small group of thoughtful citizens can change the world. Indeed, it is the only thing that has."

- Margaret Mead

Hamilton, Carol

From: Carol Mauldin [cmauldin@apr.com]
Sent: Wednesday, July 11, 2007 4:49 PM
To: Hamilton, Carol
Cc: Carol Mauldin
Subject: RE: Secondary Unit Pilot Program/Permanent Ordinance

Hi Carol,

Per your suggestion, I would like to submit the following for consideration for the Secondary Unit Pilot Program.

As a Realtor, I see all sorts of situations affecting people in San Jose. As the cost of real estate climbs to prices we never before imagined even in our wildest dreams, more and more families are impacted by unaffordable mortgages and rents. It is hard to imagine that the majority of our young people will ever be able to afford a home in this area. Additionally, more and more families are looking to house their elderly parents, another nearly impossible feat with the cost of real estate as high as it is today.

Therefore, it would be of tremendous benefit to the community if more secondary units were available. To realize this goal, we should be increasing the number of properties that will qualify for the program. A reduction in lot size requirements to 7000+/- square feet ought to be considered, and reductions in clearances to fencing and lot lines, as well. I believe that the Secondary Unit Program will have a very positive impact on the community.

Sincerely,

Carol Mauldin

From: Hamilton, Carol [mailto:Carol.Hamilton@sanjoseca.gov]
Sent: Friday, July 06, 2007 2:57 PM
To: Hamilton, Carol
Subject: Secondary Unit Pilot Program/Permanent Ordinance

Two additional community meetings have been scheduled to provide information to discuss the results of the Secondary Unit Pilot Program and to receive input regarding the potential adoption of a permanent secondary unit ordinance. The dates and locations are listed below and a flyer for each is attached.

Dr. Roberto Cruz -- Alum Rock Library
6:00-8:00 p.m., Wednesday, July 25, 2007

Southside Community Center
6:00-8:00 p.m., Thursday, July 26, 2007

8/29/2007

3090 Alum Rock Avenue
San Jose, CA 95127

5585 Cottle Road
San Jose, CA 95123

You may also send comments on the Secondary Unit Program directly to me at the email address listed below.

Carol Hamilton
Senior Planner
City of San Jose
Department of Planning, Building & Code Enforcement
200 East Santa Clara Street, Third Floor Tower
San Jose, CA 95113
Phone: (408) 535-7837
Email: carol.hamilton@sanjoseca.gov

Hamilton, Carol

From: Pia Chamberlain [piac@earthlink.net]
Sent: Monday, July 09, 2007 11:10 AM
To: Hamilton, Carol
Subject: Re: Secondary Unit Pilot Program/Permanent Ordinance

Hi Carol,

I won't be able to attend these meetings but I'd like to lend my support to a permanent ordinance. I think many of the fears that were originally brought up have not been realized, such as a huge rush and tremendous density rise. I think that for folks who want to be able to have caretakers onsite, this ordinance is ideal. Thanks for the opportunity to voice my opinion.

-Pia Chamberlain

San Jose resident (but never got around to building my second unit...)

-----Original Message-----

From: "Hamilton, Carol"
Sent: Jul 6, 2007 2:57 PM
To: "Hamilton, Carol"
Subject: Secondary Unit Pilot Program/Permanent Ordinance

Two additional community meetings have been scheduled to provide information to discuss the results of the Secondary Unit Pilot Program and to receive input regarding the potential adoption of a permanent secondary unit ordinance. The dates and locations are listed below and a flyer for each is attached.

Dr. Roberto Cruz – Alum Rock Library
6:00-8:00 p.m., Wednesday, July 25, 2007
26, 2007
3090 Alum Rock Avenue
San Jose, CA 95127

Southside Community Center
6:00-8:00 p.m., Thursday, July
5585 Cottle Road
San Jose, CA 95123

You may also send comments on the Secondary Unit Program directly to me at the email address listed below.

Carol Hamilton
Senior Planner
City of San Jose
Department of Planning, Building & Code Enforcement
200 East Santa Clara Street, Third Floor Tower
San Jose, CA 95113
Phone: (408) 535-7837
Email: carol.hamilton@sanjoseca.gov