



Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Vice Mayor Magdalena Carrasco
SUBJECT: SEE BELOW
DATE: June 18, 2018

APPROVE:  **DATE:** June 18, 2018

SUBJECT: AMENDMENT TO TITLE 20 OF THE SAN JOSÉ MUNICIPAL CODE FOR RESIDENTIAL ZONING DISTRICTS.

RECOMMENDATION

1. Strike section L (1) on page 6 requiring ADU's to include similar architectural style including roofing, siding, windows, and doors.
2. Strike the entire section F on page 3 of the ordinance requiring a bedroom with a maximum square footage.

BACKGROUND

Staff's work makes major strides in moving forward the important process of helping San Jose residents build Accessory Dwelling Units (ADU) on their own properties. ADU's are a critical part of solving our city's affordable housing crisis, and the work that staff presents today is a vital step forward.

This memo makes two changes to the ordinance and recommends the revised ordinance for passage. Each change is designed to help staff achieve their goals: unleashing the power of individual property owners to help solve the affordable housing crisis while increasing the property rights of residents. The first change would remove specific language about design standards that could prevent the use of prefabricated ADUs. While requiring ADU's to have construction elements that match the existing home is nice in theory, it is simply not always practical. We should encourage it, not require it.

In many cases a new design can equally complement the beauty of the community and the property, while saving property owners an enormous amount of money. Lowering the cost of construction is key to the success of the ADU strategy in our Housing Crises Plan.

CITY COUNCIL

June 19, 2018

Subject: Amendment to Title 20 of the San José Municipal Code for Residential Zoning Districts.

Page 2

The second change would strike the provision regarding the size and maximum number of bedrooms that can be in an ADU. ADU's will still have a great number of restrictions on their size – with none allowed that are more than 900 square feet. We should encourage the creativity of our community in solving the puzzle of the best use of that limited square footage, not restrict it. In some rare cases, this may allow for a small second bedroom. Many prefabricated ADU's are one continuous space that allow for flexibility in sleeping cabins and lofts. ADU's should be affordable by design and by placing additional burdensome restrictions on the interior configuration and aesthetics we are creating unnecessary burdens.

Our housing crisis is also a crisis for children; a crisis-within-a-crisis that our city takes almost no efforts to address. Families with children are being forced out of our city by the cost of housing. In some cases, they become part of the over 4,000 homeless students in Santa Clara County schools. At the same time, we have school districts, like Evergreen Elementary and Oak Grove, that are losing enrollment so rapidly that they are closing neighborhood schools. It is past time that we took necessary actions to ensure that new affordable housing policies have room for our city's children.

We urge our colleagues to pass the ordinance today with the two changes recommended – our children and residents deserve affordable homes and the options for affordable construction on their own properties.