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The Campus Community Association advocates additional consideration before changing existing city ordinances affecting secondary units. While the CCA is still researching, considering and deliberating to its position, our organization advocates caution and restraint before changing the protections currently afforded by our city codes.

Presently, San José's city ordinances restricting secondary housing supersede less restrictive state law, which governs in most other municipalities. Relaxing San José's code would relinquish control over this important housing code to the state. For this reason, the CCA recommends caution before proceeding.

State legislation permitting secondary units has been amended several times, in each case relaxing standards and further limiting local discretion. Two additional bills have been introduced.

- AB 1160 (2003 Assembly Member Steinberg) would have removed virtually any local municipal control over secondary unit size, standards, parking, permit approvals and more. The bill died in committee.
- AB 2702 (2004 Assembly Member Steinberg) is similar to AB 1160 but a little more sensitive to local concerns. AB 2702 has now been amended four times, most recently on May 6, with some amendments increasing, and some reducing, local discretion.

The CCA is concerned that the City of San José might relinquish local control over secondary units. At a minimum, the CCA advocates that no action is taken until the outcome of AB 2702 is known.

During this time, neighborhood associations will be able to inform residents, consider the implications and provide recommendations before action is taken. Immediate concerns which must be resolved include:

- Secondary units effectively rezone neighborhoods from R-1 to R-2
- Assess the impact on local services, utilities and traffic
- Considerations for preserving the historical integrity of preservation neighborhoods

Thank you for your consideration of our request.

David Erickson
President, CCA

cc: Councilperson Cindy Chavez, District 3
John Davidson