

REVISED LEGISLATIVE DIGEST
(Amended in committee – December 4, 2023)

[Planning and Subdivision Codes, Zoning Map - Housing Production]

Ordinance amending the Planning Code to encourage housing production by (1) ~~exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 314 and the Conditional Use requirement of Section 317, in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District;~~ (2) ~~removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, projects to build to the allowable height limit, projects that build additional units in lower density zoning districts, and senior housing projects that seek to obtain double density, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District;~~ (3) ~~amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District;~~ (4) ~~allowing additional uses on the ground floor in residential buildings, homeless shelters, and group housing in residential districts, and administrative review of reasonable accommodations;~~ (5) ~~expanding the eligibility for the Housing Opportunities Mean Equity – San Francisco (HOME – SF) program and restoring the ownership eligibility requirement for density exceptions in residential districts, for lots that have two existing dwelling units or more;~~ (6) ~~exempting certain affordable housing projects from certain development fees;~~ (7) ~~authorizing the Planning Director to approve State Density Bonus projects, subject to delegation from the Planning Commission;~~ (8) ~~sunsetting the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area;~~ and (9) ~~making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.~~

Existing Law

The Planning Code sets forth different zoning districts throughout the City, where different uses are permitted, conditionally permitted, or prohibited, and where various controls (such as height, bulk, setbacks, etc.) apply. It also contains permit application, noticing, and hearing requirements, as well as appeal procedures, as applicable, for different permits and entitlements.

Amendments to Current Law

This ordinance amends the Planning Code to:

- restore the ownership requirement to the Fourplex program, but modified to apply to lots that have two or more dwelling units;
- sunset the Conditional Use requirements established by the Corona Heights Large Residence and the Central Neighborhoods Large Residence Special Use Districts at the end of 2024, and thereafter limiting the size of any Dwelling Units resulting from residential development in those Special Use Districts to 3,000 square feet of Gross Floor Area, while authorizing a 15% gross floor area increase in excess of the 3,000 square foot maximum;
- add requirements regarding Buyout Agreements and posted notice to the Section 317 waiver authorized for certain projects in areas outside the Priority Equity Geographies Special Use District.

Background Information

This ordinance is the result of amendments made at Land Use and Transportation Committee on December 4, 2023. The committee made the following amendments:

- amended Section 207(c)(8)(G) and (H) to restore the ownership requirement to the Fourplex program, but modified to apply to lots that have two or more dwelling units.
- amended Section 249.77 to authorize a 15% gross floor area increase in excess of the 3,000 square foot maximum in the Corona Heights Large Residence Special Use District.
- amended Section 317(c)(2)(A) and (G) to add language regarding Buyout Agreements and posted notice, respectively.

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- amended the whole ordinance to remove language that would not be recommended to advance to the whole Board as a committee report, that is, all other sections except for the sections above, and Section 249.92.

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