

1 [Board Response - Civil Grand Jury Report - Mitigating the Housing Crisis: Accessory
2 Dwelling Units and Modular Housing]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
4 **and recommendations contained in the 2017-2018 Civil Grand Jury Report, entitled**
5 **“Mitigating the Housing Crisis: Accessory Dwelling Units and Modular Housing;” and**
6 **urging the Mayor to cause the implementation of accepted findings and**
7 **recommendations through his/her department heads and through the development of**
8 **the annual budget.**

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10 WHEREAS, Under California Penal Code, Section 933 et seq., the Board of
11 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
12 Court on the findings and recommendations contained in Civil Grand Jury Reports; and

13 WHEREAS, In accordance with California Penal Code, Section 933.05(c), if a finding or
14 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a
15 county agency or a department headed by an elected officer, the agency or department head
16 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the
17 response of the Board of Supervisors shall address only budgetary or personnel matters over
18 which it has some decision making authority; and

19 WHEREAS, Under San Francisco Administrative Code, Section 2.10(a), the Board of
20 Supervisors must conduct a public hearing by a committee to consider a final report of the
21 findings and recommendations submitted, and notify the current foreperson and immediate
22 past foreperson of the civil grand jury when such hearing is scheduled; and

23 WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b),
24 the Controller must report to the Board of Supervisors on the implementation of
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1 recommendations that pertain to fiscal matters that were considered at a public hearing held
2 by a Board of Supervisors Committee; and

3 WHEREAS, The 2017-2018 Civil Grand Jury Report, entitled “Mitigating the Housing
4 Crisis: Accessory Dwelling Units and Modular Housing” (“Report”) is on file with the Clerk of
5 the Board of Supervisors in File No. 180701, which is hereby declared to be a part of this
6 Resolution as if set forth fully herein; and

7 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
8 to Finding Nos. F2, F6, and F7, as well as Recommendation Nos. R2 and R3, contained in the
9 subject Report; and

10 WHEREAS, Finding No. F2 states: “Construction of ADUs can add a meaningful
11 number of moderately priced rental housing units in San Francisco, with no significant burden
12 on City finances. Therefore, encouraging ADU development is of value to San Francisco;” and

13 WHEREAS, Finding No. F6 states: “The City’s ADU program acknowledges the value
14 to the City of increasing ADU construction. Homeowners who construct ADUs do so
15 voluntarily and at their own expense. The additional burden of heavy permit fees is
16 counterproductive to the City’s goal of increasing the rate of ADU construction, in that it
17 represents an additional barrier to building ADUs for single family homeowners, and therefore
18 likely reduces the number of applications;” and

19 WHEREAS, Finding No. F7 states: “Cities that lower permitting fees for ADUs, as
20 Portland, Seattle and Vancouver, BC have done, see an increase in the number of permit
21 applications by single family homeowners; if San Francisco reduces permitting fees for that
22 type of ADU permit applications, they are likely to increase;” and

23 WHEREAS, Recommendation No. R2 states: “Recommends the Board of Supervisors
24 amend existing City codes and ordinances, before June 30, 2019, to waive or reduce ADU
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1 permit fees, with the understanding that reduced departmental revenues would be made up
2 from the City’s general fund;” and

3 WHEREAS, Recommendation No. R3 states: “Recommends the Board of Supervisors
4 structure fees separately for ADUs in single family residences and ADUs in multi-unit
5 buildings, specifically designed to ease the permitting costs for single family homeowners;”
6 and

7 WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of
8 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
9 Court on Finding Nos. F2, F6, and F7, as well as Recommendation Nos. R2 and R3 contained
10 in the subject Report; now, therefore, be it

11 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
12 Superior Court that they _____ with Finding No. F2 for reason as follows:
13 _____; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
15 of the Superior Court that they _____ with Finding No. F6 for reason as follows:
16 _____; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
18 of the Superior Court that they _____ with Finding No. F7 for reason as follows:
19 _____; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
21 No. R2 has _____; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
23 No. R3 has _____; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
2 implementation of the accepted findings and recommendations through his/her department
3 heads and through the development of the annual budget.

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