

**REVISED LEGISLATIVE DIGEST**

(11/17/2015, Substituted)

[Planning Code - Affordable Housing as Principal Use]

**Ordinance amending the Planning Code to permit affordable housing as a principal use and not requiring a conditional use permit, Section 309 review or large project authorization for affordable housing, except where residential uses are prohibited by the zoning, located in RH zoning districts or on designated public open space or property under the jurisdiction of the Recreation and Parks Department; and affirming the Planning Department's determination under the California Environmental Quality Act; Planning Code, Section 302 findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

Existing Law

The Planning Code requires development projects to apply for certain kinds of permits, depending on the requirements of the particular zoning district where the project is located. There is no exception from the Planning Code requirements for affordable housing projects.

Amendments to Current Law

The amendments would allow projects where the principal use is housing comprised solely of housing that is restricted for a minimum of 55 years as affordable for "persons and families of low or moderate income," as defined in California Health & Safety Code Section 50093, to be considered a principally permitted use and would not require conditional use authorization, authorization as a planned unit development, Planning Code Section 309 review, or a large project authorization, provided that the site is not designated as public open space, or under the jurisdiction of the San Francisco Recreation and Park Department, or located in a zoning district where residential uses are prohibited or in an RH zoning district. If a non-residential use contained in a proposed project would require conditional use authorization, authorization as a planned unit development, Section 309 review, or a large project authorization, such requirement would apply unless the non-residential use is accessory to and supportive of the affordable housing on-site. Upon request, the Zoning Administrator must make a written determination about whether a site is designated as public open space, which determination may be appealed to the Board of Appeals.

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