

**LEGISLATIVE DIGEST**

[Planning, Building Codes - Fee Waiver for Legalization of Secondary Dwelling Units]

**Ordinance amending the Planning and Building Codes to waive fees related to granting legal status to existing dwelling units constructed without required permits; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.**

Existing Law

The Planning Department and Department of Building Inspection charge certain administrative fees for review of building permit applications, including permit applications that may be submitted to legalize an existing secondary dwelling unit that had been constructed or added without required City permits.

Amendments to Current Law

This ordinance would waive permit application fees for review of permit applications that seek to legalize secondary dwelling units until January 1, 2020. The Department of Building Inspection would waive its Plan Review Fee, and the Planning Department would waive its permit fee related to reviewing permit applications. Only fees related directly to legalization would be waived. If the Director of Building Inspection and the Planning Director determine that the permit application fee waiver is no longer feasible, they could request that the Board of Supervisors consider terminating this fee waiver prior to January 1, 2020.

Background Information

Consistent with Mayor's Executive Directive 13-01, the legislation seeks to encourage the preservation of existing secondary dwelling units as affordable housing. To encourage the legalization of such units, this legislation would waive certain permit review fees associated with legalizing these secondary units.

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