

1 [Approval of a 60-Day Extension for Planning Commission Review of Exemption from Density
2 Limits for Affordable and Unauthorized Units; Residential Care Facilities (File No. 190757)]

3 **Resolution extending by 60 days the prescribed time within which the Planning**
4 **Commission may render its decision on an Ordinance (File No. 190757) amending the**
5 **Planning Code to provide an exception from density limit calculations for all affordable**
6 **units in projects not seeking and receiving a density bonus, permit the legalization of**
7 **all unauthorized dwelling units notwithstanding a history of no-fault evictions, and**
8 **principally permit residential care facilities for seven or more persons in all RH**
9 **(Residential, House) zoning districts; affirming the Planning Department’s**
10 **determination under the California Environmental Quality Act; making findings of**
11 **consistency with the General Plan, and the eight priority policies of Planning Code,**
12 **Section 101.1; and adopting findings of public necessity, convenience, and welfare**
13 **under Planning Code, Section 302.**

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15 WHEREAS, On July 9, 2019, Supervisor Mandelman introduced legislation amending
16 the Planning Code to provide an exception from density limit calculations for all affordable
17 units in projects not seeking and receiving a density bonus, permit the legalization of all
18 unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally
19 permit residential care facilities for seven or more persons in all RH (Residential, House)
20 zoning districts, affirming the Planning Department’s California Environmental Quality Act
21 determination, making findings of consistency with the General Plan, and the eight priority
22 policies of Planning Code, Section 101.1, and adopting findings of public necessity,
23 convenience, and general welfare under Planning Code, Section 302; and

24 WHEREAS, On or about July 15, 2019, the Clerk of the Board of Supervisors referred
25 the proposed ordinance to the Planning Commission; and

1 WHEREAS, The Planning Commission shall, in accordance with Planning Code
2 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date
3 of referral of the proposed amendment or modification by the Board to the Commission; and

4 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to
5 constitute disapproval; and

6 WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d), may, by
7 Resolution, extend the prescribed time within which the Planning Commission is to render its
8 decision on proposed amendments to the Planning Code that the Board of Supervisors
9 initiates; and

10 WHEREAS, On October 1, 2019, the Board approved Resolution No. 435-19, to allow
11 additional time for the Planning Commission to review the proposed Ordinance, extending the
12 deadline by 30 days to November 12, 2019; and

13 WHEREAS, Supervisor Mandelman has requested additional time for the Planning
14 Commission to review the proposed Ordinance; and

15 WHEREAS, The Board deems it appropriate in this instance to grant to the Planning
16 Commission additional time to review the proposed Ordinance and render its decision; now,
17 therefore, be it

18 RESOLVED, That by this Resolution, the Board hereby extends the prescribed time
19 within which the Planning Commission may render its decision on the proposed Ordinance for
20 approximately 60 additional days, until January 11, 2020.

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