

1 [Approval of a 90-Day Retroactive Extension for Planning Commission Review of Accessory
2 Dwelling Units in New Construction (File No. 181156)]

3 **Resolution retroactively extending by 90 days the prescribed time within which the**
4 **Planning Commission may render its decision on an Ordinance (File No. 181156)**
5 **amending the Planning Code and Business and Tax Regulations Code to authorize the**
6 **addition of an Accessory Dwelling Unit (ADU) in the construction of a new single-family**
7 **or multi-family building; clarify the ministerial approval process and create an**
8 **expedited Board of Appeals process for certain ADUs in single-family homes meeting**
9 **specific requirements; affirming the Planning Department’s California Environmental**
10 **Quality Act determination; making findings of consistency with the General Plan, and**
11 **the eight priority policies of Planning Code, Section 101.1; and adopting findings of**
12 **public convenience, necessity, and welfare under Planning Code, Section 302.**

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14 WHEREAS, On November 27, 2018, Supervisor Safai introduced legislation amending
15 the Planning Code and Business and Tax Regulations Code to authorize the addition of an
16 Accessory Dwelling Unit (ADU) in the construction of a new single-family or multi-family
17 building; clarify the ministerial approval process and create an expedited Board of Appeals
18 process for certain Accessory Dwelling Units in single-family homes meeting specific
19 requirements, and affirming the Planning Department’s California Environmental Quality Act
20 determination; and making Planning Code, Section 302 findings, and making findings of
21 consistency with the General Plan, and the eight priority policies of Planning Code, Section
22 101.1; and

23 WHEREAS, On or about December 5, 2018, the Clerk of the Board of Supervisors
24 referred the proposed Ordinance to the Planning Commission; and

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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, Supervisor Safai has requested additional time for the Planning
11 Commission to review the proposed Ordinance; and

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

15 RESOLVED, That by this Resolution, the Board hereby retroactively extends the
16 prescribed time within which the Planning Commission may render its decision on the
17 proposed Ordinance for approximately 90 additional days, until June 3, 2019.

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