



October 24, 2014

Ms. Angela Calvillo, Clerk
Honorable Mayor Lurie
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2025-008636PCA:**
State-Mandated Accessory Dwelling Unit Program
Board File No. 250892

Planning Commission Action: Adopted a Recommendation for Approval

Dear Ms. Calvillo and Mayor Lurie,

On October 23, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Mayor Lurie that would amend the Planning Code and Business and Tax Regulations Code to modify the City's State-mandated Accessory Dwelling Unit ("ADU") approval process and conform to changes to State ADU law. At the hearing the Planning Commission adopted a recommendation for approval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc: Peter Miljanich, Deputy City Attorney
Supervisor's Aide, Office of Mayor Lurie
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21850

HEARING DATE: October 23, 2025

Project Name: State-Mandated Accessory Dwelling Unit Program
Case Number: 2025-008636PCA [Board File No. 250892]
Initiated by: Mayor Lurie / Introduced September 2, 2025
Staff Contact: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE AND BUSINESS AND TAX REGULATIONS CODE TO MODIFY THE CITY’S STATE-MANDATED ACCESSORY DWELLING UNIT (“ADU”) APPROVAL PROCESS AND CONFORM TO CHANGES TO STATE ADU LAW, INCLUDING BY REMOVING ANY APPEAL TO THE BOARD OF APPEALS, AND INCREASING SIZE LIMITS FOR CERTAIN DETACHED, NEW CONSTRUCTION ADUS ON A LOT CONTAINING A SINGLE-FAMILY DWELLING; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE PURSUANT TO PLANNING CODE, SECTION 302.

WHEREAS, on September 2, 2025 Mayor Daniel Lurie introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 250892, which would amend the Planning Code and Business and Tax Regulations Code to modify the City’s State-mandated Accessory Dwelling Unit (“ADU”) approval process and conform to changes to State ADU law, including by removing any appeal to the Board of Appeals, and increasing size limits for certain detached, new construction ADUs on a lot containing a single-family dwelling;

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 23, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval** of the proposed ordinance. The Commission's proposed recommendation(s) is/are as follows:

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission recommends approval of the proposed ordinance because it ensures local compliance with recent changes to State ADU law, particularly Assembly Bill 130, thereby eliminating legal ambiguity and administrative inefficiencies. The ordinance supports the City's housing goals by streamlining the ADU approval process, expanding development standards for detached ADUs, and removing discretionary appeals that can delay or deter housing production. These changes align with the Housing Element's objectives to promote diverse, lower-cost housing options, especially in single-family neighborhoods, and advance racial and social equity by increasing access to housing for historically excluded populations. For these reasons, the Commission finds the ordinance consistent with City policy and recommends its adoption.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

GOAL 4.

PROVIDE SUFFICIENT HOUSING FOR EXISTING RESIDENTS AND FUTURE GENERATIONS FOR A CITY WITH DIVERSE CULTURES, FAMILY STRUCTURES, AND ABILITIES.

OBJECTIVE 4.B

EXPAND SMALL AND MID-RISE MULTI-FAMILY HOUSING PRODUCTION TO SERVE OUR WORKFORCE, PRIORITIZING MIDDLE-INCOME HOUSEHOLDS

Policy 26

Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting State- and local-required timelines, especially for 100% affordable housing and shelter projects.

Policy 28

Affirm compliance in State housing law, requirements, and intent by strengthening data collection, clarifying definitions, and further supporting implementation.

Policy 31

Facilitate small and mid-rise multi-family buildings that private development can deliver to serve middle-income households without deed restriction, including through adding units in lower density areas or by adding Accessory Dwelling Units (ADUs).

This ordinance supports Goal 4 of the Housing Element by facilitating the creation of diverse housing types, including detached and attached ADUs, that can accommodate a range of household sizes, incomes, and abilities. It advances Objective 4.B and Policy 31 by enabling streamlined production of small-scale, lower-cost housing, particularly in single-family neighborhoods, without requiring deed restrictions, thereby expanding options for middle-income households. The ordinance also fulfills Policy 26 by eliminating discretionary appeals and simplifying the permitting process, improving certainty and access for applicants. Finally, it affirms compliance with Policy 28 by aligning local regulations with recent changes to State ADU law and enhancing implementation clarity.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to

office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 23, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.10.23 16:28:41 -07'00'

AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NOES: None
ABSENT: None
ADOPTED: October 23, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: October 23, 2025

90-Day Deadline: December 18, 2025

Project Name: State-Mandated Accessory Dwelling Unit Program
Case Number: 2025-008636PCA [Board File No. 250892]
Initiated by: Mayor Lurie / Introduced September 2, 2025
Staff Contact: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

Environmental

Review: Not a Project Under CEQA

RECOMMENDATION: Adopt a Recommendation for Approval

Planning Code Amendment

Ordinance amending the Planning Code and Business and Tax Regulations Code to modify the City's State-mandated Accessory Dwelling Unit ("ADU") approval process and conform to changes to State ADU law, including by removing any appeal to the Board of Appeals, and increasing size limits for certain detached, new construction ADUs on a lot containing a single-family dwelling.

The Way It Is Now:

1. Hybrid ADU Program

- The Planning Code includes a "Hybrid ADU" program that allows for the development of certain ADUs under a combination of state and local standards.
- The City may apply more restrictive local development standards to Hybrid ADUs under Government Code Section 66323(g).

2. Appeals Process

- Permitting decisions for state-mandated ADUs may be appealed to the Board of Appeals under the Business and Tax Regulations Code.
- 3. **Development Standards for Detached ADUs**
 - Detached ADUs are limited to 800 square feet.
 - Detached ADUs on single-family lots are allowed to be up to 16' in height or 18' if located one-half of one mile walking distance of a major transit stop.
- 4. **Terminology and Program Structure**
 - The Planning Code uses the term “Hybrid ADU” and maintains a dual-track approval process for ADUs based on their compliance with state or local standards.

The Way It Would Be:

1. **Streamlined ADU Program**
 - The “Hybrid ADU” program would be renamed the “**Streamlined ADU**” program.
 - Streamlined ADUs would be subject to **less restrictive** local development standards, consistent with the repeal of Government Code Section 66323(g).
2. **Appeals Process Eliminated**
 - Appeals to the Board of Appeals for state-mandated ADU permits would be **eliminated**, in compliance with updated state law.
3. **Expanded Development Standards for Detached ADUs**
 - Detached ADUs on single-family lots would be allowed up to:
 - **850 sq. ft.** for units with one bedroom or less
 - **1,000 sq. ft.** for units with more than one bedroom
 - For detached ADUs the height would be up to 18' with an extra two feet allowed to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
4. **Updated Terminology and Structure**
 - The ordinance would update terminology throughout the Planning Code to reflect the new **Streamlined ADU** framework. Section 207.2 would be simplified in accordance with State Law.

Background

In response to recent changes in California state law, particularly Assembly Bill 130 which took effect in June 2025, the City and County of San Francisco introduced this ordinance to align its local regulations with updated state requirements for Accessory Dwelling Units (ADUs). The legislation amends the Planning Code and Business and Tax Regulations Code to eliminate local appeals for state-mandated ADU permits and to revise development standards for certain ADUs, including increasing size limits for detached units on single-family lots. These changes reflect the removal of the City’s authority under former Government Code Section 66323(g) to impose more restrictive local standards on certain ADUs—now reclassified from “Hybrid” to “Streamlined” ADUs. The ordinance ensures compliance with state law while supporting the City’s broader goals of housing production, regulatory clarity, and administrative efficiency.

Issues and Considerations

Compliance with State Law

Adoption of this ordinance is necessary to bring San Francisco's Planning and Business and Tax Regulations Codes into compliance with recent amendments to State ADU law, specifically Assembly Bill 130. While the City is legally obligated to follow State law regardless of whether this ordinance is adopted, updating local codes ensures clarity, consistency, and enforceability for applicants, staff, and the public. Without these amendments, local regulations would remain outdated and potentially misleading, creating confusion and administrative inefficiencies. Codifying these changes also reinforces the City's commitment to housing production and legal compliance.

General Plan Compliance

This ordinance supports Goal 4 of the Housing Element by facilitating the creation of diverse housing types, including detached and attached ADUs, that can accommodate a range of household sizes, incomes, and abilities. It advances Objective 4.B and Policy 31 by enabling streamlined production of small-scale, lower-cost housing, particularly in single-family neighborhoods, without requiring deed restrictions, thereby expanding options for middle-income households. The ordinance also fulfills Policy 26 by eliminating discretionary appeals and simplifying the permitting process, improving certainty and access for applicants. Finally, it affirms compliance with Policy 28 by aligning local regulations with recent changes to State ADU law and enhancing implementation clarity.

Racial and Social Equity Analysis

This ordinance aligns San Francisco's ADU regulations with recent state law changes by streamlining approvals, increasing size limits for certain detached ADUs, and removing the right to appeal permitting decisions. These changes are expected to support housing equity by facilitating the creation of lower-cost units in single-family neighborhoods, which have historically excluded renters and lower-income residents—many of whom are people of color. While the removal of appeal rights may limit procedural input, the ordinance maintains protections for historic resources and prohibits short-term rentals, helping preserve neighborhood stability. Ongoing monitoring of ADU production by neighborhood and affordability will be essential to ensure equitable outcomes.

Implementation

The Department has determined that this Ordinance will impact our current implementation procedures; however, the proposed changes can be implemented without increasing permit costs or review time.

Recommendation

The Department recommends that the Commission **adopt a recommendation for approval** of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

Basis for Recommendation

The Planning Department recommends approval of the proposed ordinance because it ensures local compliance with recent changes to State ADU law, particularly Assembly Bill 130, thereby eliminating legal ambiguity and administrative inefficiencies. The ordinance supports the City's housing goals by streamlining the ADU approval process, expanding development standards for detached ADUs, and removing discretionary appeals that can delay or deter housing production. These changes align with the Housing Element's objectives to promote diverse, lower-cost housing options, especially in single-family neighborhoods, and advance racial and social equity by increasing access to housing for historically excluded populations. For these reasons, the Department finds the ordinance consistent with City policy and recommends its adoption.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

Exhibit A: Draft Planning Commission Resolution

Exhibit B: Board of Supervisors File No. 250892

Exhibit C: Letters of Support/Opposition or other supporting documentation, etc.

ATTACHMENTS:

Portions of this report were drafted and/or edited with the assistance of Microsoft Copilot, in accordance with the City and County of San Francisco's policy on the use of generative AI tools.