

1 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Family
2 Housing Opportunity Special Use District (File No. 230808)]

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. 230808)**
5 **amending 1) the Planning Code to create the Family Housing Opportunity Special Use**
6 **District; 2) the Planning Code to authorize the greater of up to four units or one unit per**
7 **1,000 square feet of lot area on individual lots in the RH (Residential, House) District,**
8 **up to six dwelling units on individual Corner Lots in the RH District, the greater of up to**
9 **12 units or one unit per 1,000 square feet of lot area on three merged lots and the**
10 **greater of up to eight units or one unit per 1,000 square feet of lot area on two merged**
11 **lots in RH-1 (Residential, House: One Family) districts, up to 18 units on Corner Lots**
12 **resulting from three lot mergers in RH-1 districts, up to 12 units on Corner Lots**
13 **resulting from two lot mergers in RH-1 districts, and Group Housing in RH-1 districts**
14 **for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible**
15 **projects in the Special Use District from certain height, open space, dwelling unit**
16 **exposure, and rear-yard requirements, conditional use authorizations, and**
17 **neighborhood notification requirements; 4) the Subdivision Code to authorize eligible**
18 **projects in the Special Use District to qualify for condominium conversion or a**
19 **condominium map that includes the existing dwelling units and the new dwelling units**
20 **that constitute the project; 5) the Administrative Code to require new dwelling or group**
21 **housing units constructed pursuant to the density limit exception to be subject to the**
22 **rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family**
23 **Housing Opportunity Special Use District; and affirming the Planning Department's**
24 **determination under the California Environmental Quality Act, and making findings of**
25 **consistency with the General Plan, and the eight priority policies of Planning Code,**

1 **Section 101.1, and findings of public necessity, convenience, and welfare under**
2 **Planning Code, Section 302.**

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WHEREAS, On July 10, 2023, Supervisor Engardio introduced legislation amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, up to six dwelling units on individual Corner Lots in the RH District, the greater of up to 12 units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, up to 18 units on Corner Lots resulting from three lot mergers in RH-1 districts, up to 12 units on Corner Lots resulting from two lot mergers in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of

1 Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare
2 under Planning Code, Section 302.; and

3 WHEREAS, On or about July 12, 2023, the Clerk of the Board of Supervisors referred
4 the proposed ordinance to the Planning Commission; and

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

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

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

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

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

19 RESOLVED, That by this Resolution, the Board hereby retroactively extends the
20 prescribed time within which the Planning Commission may render its decision on the
21 proposed Ordinance for approximately 90 additional days, until January 8, 2024.

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