

LEGISLATIVE DIGEST

[Planning Code - Amending Definition of Residential Unit and Residential Conversion Requirements]

Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Planning Code Section 317 sets forth definitions of “Residential Unit” and “Residential Conversion,” which govern the application of Section 317 to residential units or a residential conversion. Section 317 defines a Residential Unit to exclude a residential unit in a residential hotel that is regulated by Administrative Code Chapter 41. Section 317 defines a Residential Conversion as the change of a residential use to a non-residential or student housing use.

Amendments to Current Law

The proposed ordinance deletes the exclusion of a residential unit in a residential hotel that is regulated by Administrative Code Chapter 41 from the definition of “Residential Unit.” It clarifies that Planning Commission approval shall not be required for either (1) the conversion of a Residential Unit that was subject to the Residential Hotel Unit Conversion and Demolition Ordinance, San Francisco Administrative Code Chapter 41, and obtained a permit to convert in compliance with the requirements set forth therein, or (2) the conversion of a residential unit to student housing provided that certain requirements, similar to the provisions set forth in current Section 317, are met.

Background Information

Planning Code Section 317 was amended in late 2013 to revise the criteria for residential demolition, merger and conversion, and to standardize those definitions across use districts and prohibit residential mergers where certain evictions of tenants have occurred, and to establish a strong presumption in favor of preserving dwelling units. Amendments to the definitions of “residential unit” and “residential conversion” inadvertently excluded residential units regulated under Administrative Code Chapter 41 from the definition of “residential unit” more broadly than intended and created an inconsistency in the definitions of “residential unit” and “residential conversion,” which this ordinance seeks to correct and clarify. This ordinance also streamlines the definitions and application of Section 317 provisions without making any other substantive change.

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