

**REVISED LEGISLATIVE DIGEST**  
*(Amended in Committee – February 26, 2024)*

[Planning Code - Housing Production]

**Ordinance amending the Planning Code to encourage housing production by exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations; and removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.**

Existing Law

The Planning Code sets forth different zoning districts throughout the City, where different uses are permitted, conditionally permitted, or prohibited, and where various controls (such as height, bulk, setbacks, etc.) apply. It also contains permit application, noticing, and hearing requirements, as well as appeal procedures, as applicable, for different permits and entitlements.

Amendments to Current Law

This ordinance amends the Planning Code to:

- replace “building permit” with “planning entitlement” in Section 311;
- require that Section 311 notice procedures apply in the Chinatown Mixed Use Districts; and
- require that objective design standards applicable to large lot developments be prepared with community input, and specify that those standards may be specific to particular districts.

Background Information

The ordinance contains findings explaining its intent to implement some of the goals, objectives, policies and implementing programs of the 2022 Housing Element Update.

This ordinance is the result of amendments made at the 12/11/23 Land Use and Transportation Committee hearing to the ordinance. Those amendments:

- replaced “building permit” with “planning entitlement” in Section 311;
- updated amendments in Sections 311, 121.1 and 121.3 to reflect the most recent updates adopted for those sections in the ordinance in Board file No. 230446;
- removed all other amendments to the ordinance except for the amendments to Sections 311, 121.1 and 121.3, and
- added an uncodified section that explains some of the procedural history of this ordinance. Specifically, it explains that the ordinance is the result of duplication of the ordinance in Board file No, 230446, and that, after that ordinance passed on first reading, to avoid confusion the Committee amended this ordinance to remove the proposed amendments other than the amendments to Sections 121.1, 121.3, and 311, such that this ordinance no longer includes those other sections.

The ordinance was further amended on 2/26/24 in the Land Use and Transportation Committee. Those amendments:

- defined “planning entitlement application” for purposes of Section 311 to mean “a planning entitlement application means the application submitted by a project sponsor to the Planning Department, provided said application has been deemed complete by the Planning Department, that includes the information necessary to conduct environmental review, determine Planning Code compliance, and conformity with the General Plan.”
- clarified that certain types of alterations to a single dwelling unit, rather than to single family homes, require notice under 311.
- resolved a potential conflict between Ordinance 248-23 and 249-23, both of which amended Section 311 and became effective on the same day.
- included formatting changes and an explanation of those changes. To clearly show the proposed amendments to existing law (Planning Code Section 311, as enacted by Ordinance No. 248-23) contained in this version of this ordinance (Board File 231258), the ordinance shows in “existing text” font (plain Arial) the law currently in effect (Planning Code Sections 311, as enacted by Ordinance No. 248-23). The ordinance shows in “Board amendment” font (double-underlined Arial for additions, and strikethrough Arial for deletions) any amendments to that existing law.

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