

1 [Approval of a 90-Day Extension for Planning Commission Review of Four Ordinances
2 Restricting Accessory Dwelling Units (File Nos. 150810, 150811, 150585, and 150365)]

3 **Resolution extending by 90 days the prescribed time within which the Planning**
4 **Commission may render its decision on Ordinances (File Nos. 150810 and 150811)**
5 **amending the Planning Code to prohibit Accessory Dwelling Units (ADU) from being**
6 **used as a Short Term Rental and from being approved for construction in buildings**
7 **where a tenant has been evicted under the Ellis Act within ten years prior to filing the**
8 **application; and on Ordinances (File Nos. 150585 and 150365) that would prohibit a**
9 **subdivision allowing an ADU to be separately sold or financed; amending the**
10 **Administrative Code to correct section references; affirming the Planning Department’s**
11 **determination under the California Environmental Quality Act; making findings of**
12 **consistency with the General Plan, and the eight priority policies of Planning Code**
13 **Section 101.1; and directing the Clerk of the Board of Supervisors to send a copy of the**
14 **ordinances to the California Department of Housing and Community Development after**
15 **adoption.**

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17 WHEREAS, On July 20 2015, The Land Use and Economic Development Committee
18 of the Board of Supervisors duplicated and amended pending legislation to allow for the
19 construction of Accessory Dwelling Units (ADU) to prohibit ADUs from being used as Short
20 Term Rentals; from being authorized for construction in buildings where a tenant had been
21 evicted under the Ellis Act within 10 years prior to filing the application for the construction of
22 the ADU; from bring subdivided in order to be separately sold or financed; and amending the
23 Administrative Code to correct section references; affirming the Planning Department’s
24 determination under the California Environmental Quality Act; making findings of consistency
25 with the General Plan and the eight priority policies of Planning Code Section 101.1; and

1 directing the Clerk of the Board of Supervisors to send a copy of the ordinances to the
2 California Department of Housing and Community Development after adoption; and on July
3 27, 2015, the Land Use Committee duplicated the files a second time. Copies of the four
4 duplicated ordinances are on file with the Clerk of the Board of Supervisors in Files No.
5 150810, 150811, 150585, and 150365; and

6 WHEREAS, The amendments proposed in the four duplicated files would apply to all
7 ADUs authorized in San Francisco, including those authorized under other provisions of the
8 Planning Code, extending the original intent of the legislation to apply only to Districts 3 and 8;
9 and

10 WHEREAS, On or about August 4, 2015, the Clerk of the Board of Supervisors referred
11 the proposed ordinances to the Planning Commission, which currently is reviewing the
12 proposed ordinances; and

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

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

20 RESOLVED, That by this Resolution, the Board hereby extends the prescribed time
21 within which the Planning Commission may render its decision on the proposed Ordinances
22 for approximately 90 additional days, until January 4, 2016.

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