

1 [Approval of a 90-Day Extension for Planning Commission Review of Planning, Building
2 Codes - Controls on Residential Demolition, Merger, Conversion, and Alteration (File No.
3 181216)]

4 **Resolution extending by 90 days the prescribed time within which the Planning**
5 **Commission may render its decision on an Ordinance (File No. 181216) amending the**
6 **Planning Code to increase penalties for violations of the Planning Code and change the**
7 **administrative enforcement procedure; provide new definitions for Residential**
8 **Demolitions and Residential Flats, expand definitions of Alteration and Removal,**
9 **expand definitions of, require additional notice, and impose new conditional use**
10 **criteria for Residential Demolitions, Mergers, and Conversions; require additional**
11 **review for changes of use to Child Care Facilities that propose an increase in the**
12 **exterior dimension of the building; expand definition of change of use for Residential,**
13 **Neighborhood Commercial (NC) and Neighborhood Commercial Transit (NCT) districts;**
14 **add new notification requirements; add requirements for replacement structures; and**
15 **establish definitions, criteria and procedures for approvals of Major Expansions of**
16 **Existing Residential Buildings in certain residential districts; amending the Building**
17 **Code to make the definition of Residential Demolition consistent with the Planning**
18 **Code, and require pre-permit inspections and additional application requirements;**
19 **affirming the Planning Department’s determination under the California Environmental**
20 **Quality Act; making findings of consistency with the General Plan, and the eight**
21 **priority policies of Planning Code, Section 101.1; and adopting findings of public**
22 **convenience, necessity, and welfare under Planning Code, Section 302.**

23
24 WHEREAS, On December 11, 2018, Supervisor Peskin introduced legislation
25 amending the Planning Code to increase penalties for violations of the Planning Code;

1 provide new definitions for Residential Demolitions and Residential Flats, revise definitions for
2 Alterations and Removal, require additional notice and impose new conditional use criteria for
3 Residential Demolitions, Mergers, and Conversions; establish criteria for Major Expansions of
4 Existing Residential Buildings; amending the Building Code to conform the definition of
5 Residential Demolition, require pre-permit inspections and additional application
6 requirements, and affirming the Planning Department's California Environmental Quality Act
7 determination; and making Planning Code, Section 302, findings, and making findings of
8 consistency with the General Plan, and the eight priority policies of Planning Code, Section
9 101.1. (the "Proposed Ordinance"); and

10 WHEREAS, On or about December 17, 2018, the Clerk of the Board of Supervisors
11 referred the Proposed Ordinance to the Planning Commission; and

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

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

17 WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by
18 Resolution, extend the prescribed time within which the Planning Commission may render its
19 decision on proposed amendments to the Planning Code initiated by the Board Supervisors;
20 and

21 WHEREAS, On May 7, 2019, Supervisor Peskin introduced substitute legislation to
22 Board File No. 181216, thereby automatically extending by 90 days the prescribed time within
23 which the Planning Commission may render its decision on an Ordinance (File No. 181216) to
24 August 4, 2019; and

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1 WHEREAS, All parties would benefit from additional consideration of the proposed
2 legislation prior to the Planning Commission taking action; now, therefore, be it

3 RESOLVED, That the Board of Supervisors hereby deems it appropriate in this
4 instance to grant the Planning Commission additional time to review the Proposed Ordinance
5 prior to rendering its recommendation and extends the prescribed time within which the
6 Planning Commission may render its recommendation on the proposed Ordinance for 90
7 additional days, until November 11, 2019.

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