

## **LEGISLATIVE DIGEST**

[Planning Code - Review of Large Residence Developments]

**Ordinance amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; 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 Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

### Existing Law

Planning Code Section 317 currently requires a Conditional Use authorization for any building permit application that proposes elimination of one or more Residential Units or Unauthorized Units through Conversion, Demolition or Merger of Residential Units, with limited exceptions. Section 317 does not require Conditional Use authorization for projects that do not eliminate existing Residential Units.

### Amendments to Current Law

The proposed legislation would amend the Planning Code by adding new Section 319, requiring Conditional Use authorization for permits for Residential projects proposing new construction in RH zoning districts that will result in only one Dwelling Unit on the lot, or in any Dwelling Unit with a gross floor area exceeding 2,500 square feet, or in expansion of certain existing Residential developments that would result in an increase of more than 50% of gross floor area to any single Dwelling Unit or in a Dwelling Unit exceeding 2,500 square feet of gross floor area, with certain exceptions.

The legislation would except developments from the Conditional Use authorization requirement of Section 319(a) where a complete Development Application was submitted before December 15, 2020. The legislation would also except developments that increase the number of Dwelling Units on the lot provided that no Dwelling Unit exceeds 2,500 square feet of gross floor area as a result of the development, no proposed Dwelling Unit is less than one-third the gross floor area of the largest Dwelling Unit resulting on the lot, and that neither the property or any existing structure on the property: i) is listed on or formally eligible for listing in the California Register of Historic Resources; ii) has been adopted as a local landmark or a contributor to a local historic district under Articles 10 or 11, or iii) has been determined to appear eligible for listing in the California Register of Historic Resources.