



SAN FRANCISCO PLANNING DEPARTMENT

New Planning and Administrative Code Summary:

Planning and Administrative Codes – Addition of In-Law Units in Existing Residential Structures on the Same Lot in the Castro

Code Changes:	Amendments to Sections 715.1, 715, 307 of the Planning Code, and Section 37.2(r) of the Administrative Code,
Case Number:	Board File No. 13-1063
Initiated by:	Supervisor Weiner
Effective Date:	May 19th, 2014

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The Way It Was:

No dwelling units may be added above the permitted density in zoning districts that have a maximum density, including The Castro NCD zoning district and its surrounding residential districts.

The Way It Is Now:

The new legislation amended the Planning and Administrative Codes to allow the creation of **new** In-Law Units within the Castro NCD and within a 1,750 ft buffer around it, excluding any lot within 500 feet of Block No. 2613, Lot Nos. 116 through 154 (Supervisor Weiner's residence), that may go above the maximum density of the underlying zoning district.

- In-Law Units according to this legislation mean: an additional dwelling unit in an existing building that is zoned for residential use; is built entirely within the existing built envelope as it existed three years prior to the time of application; is no larger than 750 sq. ft; and is constructed with complete or partial waiver of some Planning Code requirements from the Zoning Administrator.
- Only one In-Law Unit is allowed in buildings of ten units or less, and two units are allowed in buildings with more than 10 units (whether or not legal nonconforming units already exist on the lot).
- Administrative modifications from Planning Code requirements: open space, rear yard, partial exposure, parking reduction.
- Planning Code requirements that remain relevant: street tree requirement, permeable pavers for front setback, bicycle parking, etc.
- Section 311 was modified by Ordinance Number **0043-14** (Legalization of existing unauthorized units) to not require noticing for addition of new unit(s) within the existing building envelope.
- Once the unit is built, it will be considered legal nonconforming use and will be placed on a master list of in-law units (ADU).
- The new unit will be rent controlled if the principal building is subject to rent control.
- Applications should be routed upstairs to the new Housing Planner IV.

- Zoning Administrator’s administrative review is necessary.

Link to signed legislation:

Board File No. 13- 1063	Ord. No. 0049-14	Planning and Administrative Codes - Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control
-------------------------------	--------------------------------	--