



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary:

Accessory Dwelling Unit Amendments

Amended Sections: 102, 138.1, 140, 155.1, 207, 307, and 317
Case Number: 2018-004194PCA
Board File/Enactment #: 180268/195-18
Initiated by: Supervisors Tang, Kim, Brown
Effective Date: September 10, 2018

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The proposed Ordinance amended the Planning Code to provide further flexibility in the Accessory Dwelling Unit Program within the available Zoning Administrator waivers, and expansion controls.

The Way It Was:

1. When using the program under Section 207 (c)(4) (waiver ADUs), ADUs were required to be built within the existing built envelope of a building as it existed three years prior to the application. The built envelope was defined to include filling under the following spaces as long as they were not in the required rear yard: a cantilevered room, room built on columns, decks that are only supported by the building wall (not by columns or other walls), as well as filling in lightwells if against a blank neighboring wall at the property line. Per the Zoning Administrator (ZA) Bulletin No. 4 filling in under spaces listed above, whether for an ADU or other types of permits, are exempt from neighborhood notifications of Section 311 of the Planning Code (as long as such spaces are not in the required rear yard).
2. There were no ZA waivers available the following bicycle parking requirements: a) five foot width requirement for corridors that provide access to bicycle parking; b) no more than one-third of bicycle parking requirements can vertical bicycle parking.
3. The ADU program allows the ZA to waive exposure requirements if windows are facing an open area that is 15' by 15' in dimensions without needing to expand vertically. This is a reduction from the standard exposure requirement where the open area should be at least 25' by 25' expanding 5' in every dimension at each floor.
4. The Zoning Administrator interpreted the Code to clarify situations where unauthorized units could be removed without a conditional use hearing. Per this interpretation, if the

unit couldn't be legalized through *any path* available in the Code, the unit could be removed without a CU permit.

The Way It Is Now:

1. ADUs can expand the existing built envelope in the following ways:
 - When using program under Section 207 (c)(4) (waiver ADUs), the ADU can expand within the buildable area of an existing lot but cannot expand the existing building height. Notification requirements of Section 311 still apply.
 - When converting an existing standalone garage or auxiliary structure, an expansion to the envelope is allowed to add dormers, even if the structure is located within the required rear yard. Notification requirement of Section 311 will not apply, unless the existing building or authorized auxiliary structure is an Article 10 or Article 11 District (applicable to ADUs subject to both 207 (c)(4) and 207 (c) (6).)
 - On a corner lot, a legal stand-alone non-conforming garage or structure may be expanded within its existing footprint by up to one additional story to add an ADU (even when the structure is in the required rear yard). Neighborhood notification requirements of Section 311 still apply. (applicable to ADUs subject to both 207 (c)(4) and 207 (c) (6))
 - ADUs can expand under cantilevered rooms and decks that encroach into the required rear yard. Such infill is a permitted obstruction. A pre-application meeting between the applicant and adjacent neighbors for all the proposed work is required before the application is submitted.
2. The ZA can provide waivers for bicycle parking requirements for ADUs so that: a) in existing buildings where no new corridors are being built, a three foot corridor can provide access to the bicycle parking space ; b) vertical bicycle parking can satisfy up to 100% of required bicycle parking.
3. The ZA can waive the exposure requirement so long as windows are facing an open area that is 225 sq. ft. with no dimension smaller than nine feet.
4. The Code is clarified that the ZA can allow administrative removal of an unauthorized unit when determined in writing that the unit cannot be legalized under *any applicable provision of the Code*.

Link to Signed Legislation:

<https://sfgov.legistar.com/View.ashx?M=F&ID=6440740&GUID=13C118C6-D8AF-42A1-A2DC-9255CA33E3EF>