

PLANNING COMMISSION RESOLUTION – EXHIBIT A

DRAFT CITY COUNCIL ORDINANCE

An Ordinance Amending Title 20 of the South San Francisco Municipal Code to allow for residential entitlements to be extended for up to two years.

WHEREAS, the City of South San Francisco (“City”) regulates the expiration and extension of planning entitlements through zoning regulations under South San Francisco Municipal Code Title 20, specifically Section 20.450.011 (Common Procedures, Expiration and Extension); and

WHEREAS, planning entitlements are currently valid for two years after project approval, and are considered expired if an applicant has not received a building permit within two years; and

WHEREAS, the South San Francisco Municipal Code Section 20.450.011 allows for a one-year entitlement extension, with findings and a determination made by the Chief Planner, for a total of a three-year entitlement period; and

WHEREAS, under current market conditions, it is challenging for large, complex projects to obtain building permits within the three-year entitlement timeframe; and

WHEREAS, a Development Agreement is a useful and appropriate tool for commercial projects to use to extend an entitlement timeframe, but is typically not feasible for residential projects; and

WHEREAS, the City of South San Francisco wishes to make residential development more feasible, in order to achieve the City’s goals of providing a range of housing types and affordability levels and removing barriers to residential development; and

WHEREAS, extending the entitlement timeframe by up to one year for residential development (for a total of four years) will help to increase feasibility, but allowing additional time to obtain financing, and prepare construction drawings; and

WHEREAS, the Zoning Ordinance amendments to extend the entitlement timeframe by up to two years apply for residential projects apply to recently approved residential projects with non-expired entitlements that have not yet been issued building permits, residential projects in the entitlement pipeline, and future residential project applications; and

WHEREAS, the proposed amendments to the City’s Zoning Code regarding entitlement

timeframes do not propose any changes to City policies or regulations that would result in a direct or indirect physical environmental impact; and

WHEREAS, it is staff's evaluation that the minor revisions, corrections, and clarifications set forth in this Zoning Amendment are not subject to the requirements of CEQA pursuant to CEQA Guidelines Section 15378, as they are minor in nature, with no expansion in use or creating new uses, and has no potential for resulting in direct or indirect physical changes to the environment, and thus would not have any significant effects on the environment;

WHEREAS, on July 16, 2026, the South San Francisco Planning Commission held a duly noticed public hearing and considered the staff report, reviewed the proposed draft ordinance, and public testimony, at which time all interested parties were given an opportunity to be heard, and to receive public comments, and following the public hearing, the Planning Commission adopted Resolution No. XXXXX making findings and determination under CEQA and recommending the City Council adopt an ordinance implementing the Zoning Amendments; and

WHEREAS, on XXXXXX the City Council for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the CEQA finding and the proposed zoning ordinance amendments, take public testimony, and consider the recommendation of the Planning Commission on the proposed revisions to the City's Zoning Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH SAN FRANCISCO, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings.

The City Council of South San Francisco finds that all Recitals are true and correct and are incorporated herein by reference.

SECTION 2. Amendments

The City Council hereby amends the following sections of the South San Francisco Municipal Code to read as set forth below, with additions in red double underline and deletions in ~~strikethrough~~. Sections, subsections, subdivisions, tables, paragraphs and texts that are not amended by this Ordinance are not included below, and shall remain in full force and effect.

1. Revisions to Section 20.450.011 "Extension and Expiration" under Title 20

§ 20.450.011 Extension and Expiration

- A. Unless a time extension is approved pursuant to subsection B below, any use permit, design review approval, variance or other discretionary approval granted in accordance with the terms of this Ordinance shall automatically expire if building permits have not been issued within two years from the date of final approval.
- B. A time extension not exceeding two years for residential projects and one year for non-residential projects beyond the initial two-year period may be requested by applying to the Chief Planner prior to the expiration date of the project approval permit. In no case shall the expiration period extend more than four years for residential projects, and three years for non-residential projects from the date of final approval. After that time, a new application shall be required.
- C. The Chief Planner shall refer an extension request to the Chief Building Official, Fire Chief, Police Chief, and Public Works Director or other affected City Department for their review and recommendation prior to decision.
- D. In order for the Chief Planner to grant an extension pursuant to subsection ~~B~~ C above, it shall find all of the following:
 - 1. That the permit holder has clearly documented that it has made a good faith effort to commence work upon the use;
 - 2. That it is in the best interest of the City to extend the permit; and
 - 3. That there are no substantial changes to the project, no substantial changes to the circumstances under which the project is undertaken, and no new information of substantial importance that would require any further environmental review pursuant to the California Environmental Quality Act (CEQA). For projects exempt from CEQA review, the Chief Planner shall determine that there are no substantial changes to the project, no substantial changes to the circumstances under which the project is undertaken, and no new information of substantial importance that would require denial of the project under the law exempting the project from CEQA.
- E. In granting an extension pursuant to subsection ~~C~~ B above, the Chief Planner may modify or add to the conditions of approval, as she/he deems necessary in order to fulfill the purposes of this chapter.

SECTION 3. Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed the Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Publication and Effective Date

Pursuant to the provisions of Government Code Section 36933, the City Attorney shall prepare a summary of this Ordinance. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the Summary, and (2) post in the City Clerk's Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this Ordinance.