File No. 120191

Committee Item No. _____
Board Item No. 15

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee _____ Date _____

Board of Supervisors Meeting Date November 20, 2012

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☐	☐	Application
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OTHER (Use back side if additional space is needed)

☐ ☐ _____
☐ ☐ _____
☐ ☐ _____

Completed by: Renee Craig Date 7/11/12
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

Amended in Board
7/10/12

FILE NO. 120191 ORDINANCE NO.

[Building Code – Definition of Efficiency Unit]

Ordinance 1) amending the San Francisco Building Code by amending Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code, and 2) making environmental findings.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) Section 17958.1 of the California Health & Safety Code authorizes a city or county to reduce the required square footage of Efficiency Dwelling Units, as defined in Section 1208.4 of the California Building Code, notwithstanding the requirement to make local findings under Health & Safety Code Sections 17922, 17958, and 17958.5.

(b) On April 18, 2012, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

(c) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 120191 and is incorporated herein by reference.

Section 2. The San Francisco Building Code is hereby amended by amending Section 1208.4, to read as follows:

SEC. 1208.4. Efficiency dwelling units. Efficiency dwelling units shall comply with the following:

1. The unit shall *be occupied by no more than two persons and* have a living room of not less than ~~220~~ *150* square feet ~~(20.4 m2)~~ of floor area. ~~An additional 100 square feet (9.3 m2) of floor area shall be provided for each occupant of such unit in excess of two.~~An additional 100 square feet (9.3 m2) of floor area shall be provided for each occupant of such unit in excess of two.

2. The unit shall be provided with a separate closet.

3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

5. The total area of the unit shall be no less than 220 square feet, which area shall be measured from the inside perimeter of the exterior walls of the unit and shall include closets, bathrooms, kitchen, living, and sleeping areas.

6. Subsections 1-5 apply only to new construction of a structure or building. For purposes of the preceding sentence, new construction shall mean the creation of an entirely new structure or building and shall not apply to improvement, renovation, rehabilitation, or any other change to an existing structure or building. Existing buildings or structures are subject only to Subsections 1-4 except that for purposes of Subsection 1 the unit shall have a living room of not less than 220 square feet (20.4 m2) of floor area for up to two occupants.

Section 3. Effective Date. This ordinance shall become effective 30 days from the date of passage.

Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,

punctuation, charts, diagrams, or any other constituent part of the Building Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
John D. Malamut
Deputy City Attorney

Amended in Board
7/10/12

FILE NO. 120191

LEGISLATIVE DIGEST

[Building Code – Definition of Efficiency Unit]

Ordinance 1) amending the San Francisco Building Code by amending Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code, and 2) making environmental findings.

Existing Law

Building Code Section 1208.4 defines efficiency dwelling unit to include certain occupancy, dimensions, and dwelling unit features, among other factors. California Health and Safety Code Section 17958.1 authorizes a city or county to reduce the required square footage of such units without the need to make required local findings associated with other types of Building Code amendments.

Amendments to Current Law

The Ordinance would reduce the square foot size of required living room area for those efficiency units with no more than two occupants and provide a minimum square footage for the total area of the unit in accordance with the authorization under California Health and Safety Code Section 17958.1. These proposed amendments would apply only to construction of a new structure or building. Existing structures or buildings, as defined, would be subject to the existing provisions of the Building Code. The Ordinance would make environmental findings.

SEC. 1208.4. Efficiency dwelling units. Efficiency dwelling units shall comply with the following:

1. The unit shall *be occupied by no more than two persons and* have a living room of not less than ~~220~~ *150* square feet ~~(20.4 m2)~~ of floor area. ~~*An additional 100 square feet (9.3 m2) of floor area shall be provided for each occupant of such unit in excess of two.*~~

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Section 3. Effective Date. This ordinance shall become effective 30 days from the date of passage.

Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Building Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JUDITH A. BOYAJIAN, Deputy City Attorney

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

March 5, 2012

File No. 120191

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On February 28, 2012, Supervisor Wiener introduced the following proposed legislation:

File No. 120191

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

This legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

Alisa Miller

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis

Not a project per CEQA, CEQA Guidelines Sections 15060(c)(3) and 15378.

Nannie L Turrell
March 5, 2012
2012.0237E

120191

BUILDING INSPECTION COMMISSION (BIC)
Department of Building Inspection
1660 Mission Street, San Francisco, California 94103-2414
Voice (415) 558-6164 - Fax (415) 558-6509

April 24, 2012

Edwin M. Lee
Mayor

COMMISSION

Angus McCarthy
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Myrna Melgar
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Secretary

Vivian L. Day
Director

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

RE: Proposed ordinance amending the San Francisco Building Code by amending Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code, and making environmental findings.

Dear Ms. Calvillo:

On April 18, 2012 the Building Inspection Commission held a public hearing on the proposed amendment to the San Francisco Building Code referenced above. The Commissioners voted unanimously to support this proposed amendment. The Commissioners voted as follows:

President McCarthy	Aye	Vice-President Mar	Aye
Commissioner Clinch	Aye	Commissioner Lee	Aye
Commissioner McCray, Jr.	Aye	Commissioner Melgar	Aye
Commissioner Walker	Aye		

Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,

Sonya Harris
Commission Secretary

cc: Director Vivian L. Day
Supervisor Scott Wiener

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 25 AM 11:14

120191

111374

Student Housing Impacts have NOT been adequately assessed on family rental housing stock. - Land-Use / SFBOS

Aaron Goodman to: alisa.miller 03/24/2012 08:24 AM

Cc: scott.wiener, eric.l.mar, malia.cohen, board.of.supervisors, john.rahaim

SF Board of Supervisors Land-Use Committee (Monday March 26th meeting)

I am unable to attend the next hearings on

Items 113374 and 120191 (efficiency units) and 120220 (regarding signage on privately owned open-space areas that are publicly accessibly) all affect areas of student housing and land owned in Parkmerced that is publicly accessible from the street, and would promote signage changes on site that are un-sightfull (see large signs placed on SFSU owned property in Parkmerced). The imposed signage changes are unecessary and cause urban blight in terms of urban character. Trees were also removed in parkmerced that were notable species along Font for signage entry features to the open-space medians in Parkmerced. Efficiency unit legislation also will allow denser student housing on prior low-scale density housing on University Park South. This will also adversely affect housing meant for families in Parkmerced. Stonestown will also be affected further if plans for redensification by the university progress.

please see the attached memo on the impacts of Student Housing on Family Housing and existing communities. regarding 113374.

Thank you for your attention to this issue and impacts un-assessed by the city in terms of student housing impacts. Please study the impacts of growth changes by universities and adequately assess impact fees that correct the issues through densification of exisiting campus areas vs. demolition and destruction of sound units.

The study of CSU impacts and fee increases connect DIRECTLY to the purchase of land in 2000-2004 of Stonestown and UPS, and proposals to develop this land, hiring of consultants and costs of capital planning staff. The proposal for a "creative-arts-center" on prior open-space of Parkmerced tenants violates the SF General Plan and indicates a lack of adequate compensation to residents for the loss of there open-space and public ammenities in Parkmerced (play-field, basketball courts, tennis and hardball courts, shoe-horse area, garden areas, and community building.)

Although the deal was in the past, it is imperative that the impacts be adequately assessed in terms of impacts on families, and rental housing stock in the city and county of San Francisco.

Sincerely

A.Goodman

2012_3_26_landusememo.pdf

(attachment is in reference to File No. 111374 and not included with this file.)

File 120191

TRANSFORM

WORLD-CLASS PUBLIC TRANSPORTATION. WALKABLE COMMUNITIES.

July 30, 2012

Clerk of the Board of Supervisors for the City of San Francisco
1 Dr. Carlton B. Goodlet Place
City Hall, Room 244
San Francisco, CA 4102-4689

Re: Support for legislation to lower the minimum size of efficiency units in the City of San Francisco

Dear Board of Supervisors:

I write on behalf of TransForm to express our support for the legislation coming before you on July 31, 2012, which would lower the minimum size of living area in efficiency units permitted in the City of San Francisco to the California State minimum of 150 square feet. The provision aligns with regional goals of accommodating our growing population in transit-rich parts of the region by allowing for smaller and lower-priced units to be built in opportunity-rich areas. We encourage you to follow in the steps of other cities currently allowing efficiency units with living space of 150 square feet and to make this size of housing a possibility in the great city of San Francisco.

TransForm works to create world-class public transportation and walkable communities in the Bay Area and beyond. We build diverse coalitions, influence policy, and develop innovative programs to improve the lives of all people and protect the environment. We've won literally billions of dollars and groundbreaking policies in support of public transportation, smart growth, affordable housing, and bicycle/pedestrian safety.

The City of San Francisco suffers from chronic housing shortage. Currently, the City has a vacancy rate close to zero, with many individuals being priced out of the city or priced into crowded living conditions. The current size minimum that the City's Building Code imposes on dwellings beyond what the State of California allows exacerbates this situation by prohibiting the development of smaller units for which demand exists.

Our housing needs change throughout our lives, with individuals that are partnered and with children needing the most space, and single young professionals and seniors needing much less. The housing units that would result from the proposed change to the Building Code would provide affordable options for the latter groups in areas that make car-free living possible. This is an important necessity for seniors, and a trend in preference for young professionals. Today, approximately 40 percent of San Franciscans live alone, and many of them would welcome an option of lower rents or closer proximity to San Francisco's most bustling districts in exchange for a smaller living space. Making this option available is likely to free up larger housing units whose size is more adequate for families—a demographic that the City is trying to better serve and retain.

Last, it is essential that the City of San Francisco continue to demonstrate leadership through creative approaches to meet the region's SB 375 targets. Encouraging innovative solutions to the overwhelming demand for housing in transit-rich and walkable areas by allowing for mini-efficiencies is one of the most practical ways to make it possible for the City to meet its Regional Housing Needs Assessment (RHNA) allocation numbers.

A number of West Coast cities, including San Jose, already allow for efficiency units that provide living space as small as 150 square feet. We encourage you to make this option available to San Francisco residents.

Sincerely,

Sandra Padilla
Land Use Program Director

To:
Cc:
Bcc:
Subject: Fw: TransForm letter of support for allowing smaller efficiency units

---- Forwarded by Andres Power/BOS/SFGOV on 07/30/2012 09:30 AM ----

From:	Sandra Padilla <sandra@transformca.org>
To:	Andres.Power@sfgov.org,
Cc:	Scott.Wiener@sfgov.org
Date:	07/30/2012 08:26 AM
Subject:	TransForm letter of support for allowing smaller efficiency units

Hello Mr. Powers,

I am pleased to submit a letter of support from TransForm for Supervisor Scott Wiener's proposed legislation to reduce the minimum size of living space in efficiency apartments allowed in the City of San Francisco to 150 square feet, thus matching the California State minimum. Please find our letter attached.

Sincerely,

Sandra

-Make your community and commute better by taking action now.

Sandra Padilla, Land Use Program Director
TransForm
436 14th Street, Suite 600, Oakland, CA 94612
510.740.3150 x304
www.TransFormCA.org
www.facebook.com/TransFormCA
www.twitter.com/TransForm_Alert

TransFormLetterofSupport.pdf