File No.	180939	Committee Item No2
		Board Item No

AGENDA PACKET CONTENTS LIST	
Committee: Land Use and Transportation Committee Date December 10, 20	12
Board of Supervisors Meeting Date	10
Cmte Board Motion	
OTHER (Use back side if additional space is needed)	
Referral PC 100318	
Referral CEQA 100318	
CEQA Determination 110118 Hearing Notice 121018	
Treating Notice 12 10 10	
Completed by: Erica Major Date December 7, 2018 Completed by: Erica Major Date	

[Planning Code, Zoning Map - District 11 Large Residence Special Use District]

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in single-underline italics Times New Roman font.

Deletions to Codes are in strikethrough italics Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Environmental and Land Use Findings.

(2) The proposed project maintains affordability of any existing housing unit; or

(3) The proposed project is compatible with existing development.

(f) This Section 249.3 shall apply to building permit applications received on or after the effective date of the ordinance, in Board of Supervisors File No. _____, creating this Section.

Section 3. The Planning Code is hereby amended by revising Sectional Maps SU11 and SU12 of the Zoning Map of the City and County of San Francisco, as follows:

Description of Property	Special Use District Hereby Approved		
All parcels within a perimeter established by	District 11 Large Residence Special Use		
Interstate 280, Orizaba Avenue,	District		
Brotherhood Way, Junipero Serra			
Boulevard, Holloway Avenue, Ashton			
Avenue, Ocean Avenue, southern border of			
Balboa Park, San Jose Avenue, Havelock			
Street, Interstate 280, Stoneybrook Avenue,			
Cambridge Street, Stoneyford Avenue,			
Gladstone Drive, Sunglow Lane, Silver			
Avenue, Madison Street, Burrows Street,			
Mansfield Street, western boundary of John			
McLaren Park, La Grande Avenue, western			
boundary of John McLaren Park, Geneva			
Avenue, Linda Vista Steps, Lapham Way,			

Robinson Drive, southern boundary of the	
City and County of San Francisco.	

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By:

ROBB W. KAPLA Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - District 11 Large Residence Special Use District]

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Under the Planning Code, residential parcels within the area established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco ("SUD Area") are subject to RH-1, RH-2, and RH-3 zoning controls. RH-1, RH-2, and RH-3 zoning controls do not contain limits on the number of bedrooms allowed or gross square footage of dwelling units.

Amendments to Current Law

The SUD Area conforms to the boundaries of Supervisorial District 11. New development on or expansion of RH-1, RH-2, or RH-3 zoned parcels within the SUD Area will require a Conditional Use authorization ("CU") from the Planning Commission if the expansion or new development will result in a dwelling unit having: greater than 2,500 gross square feet; or five or more bedrooms.

Page 1

To grant a CU for projects exceeding either or both of these thresholds, the Planning Commission shall consider—in addition to the standard CU requirements in Planning Code Section 303(c)—whether there are facts establishing the project will: (1) promote housing affordability by increasing housing supply; (2) maintain affordability of any existing housing unit; or (3) is compatible with existing development.

Background Information

Most dwelling units within the SUD Area are smaller than 2,500 square feet and contain fewer than five bedrooms. Currently, otherwise code compliant permits for expanding existing or constructing new dwelling units greater than 2,500 square feet and/or having five or more bedrooms do not undergo Planning Commission review and may result in the establishment of group housing, private student dorms, and/or very large dwelling units that are not affordable or compatible with the existing development. The proposed legislation would ensure that Planning Commission reviews such permits and grants CUs only where the project would promote or maintain affordable housing or be compatible with existing development.

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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

October 3, 2018

File No. 180939

Lisa Gibson Environmental Review Officer Planning Department 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Ms. Gibson:

Attachment

On September 25, 2018, Supervisor Safai submitted the proposed legislation:

File No. 180939

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Erica Major, Assistant Clerk

Land Use and Transportation Committee

Not defined as a project under CEQA Guidelines

Joy

Digitally signed by Joy Navarrete DN: cn=Joy Navarrete,

O=Planning, ou=Environmental Planning, ou=Environmental Planning, email=joy.navarrete@sfgov.o

c: Joy Navarrete, Environmental Planning Laura Lynch, Environmental Planning Laura Lynch, Environmental Planning result in a direct or indirect physical change in the environment.

From:

Yonathan <yonathan@gmail.com>

Sent:

Wednesday, November 28, 2018 11:45 PM

To:

Sanchez, Diego (CPC); Major, Erica (BOS); CPC-Commissions Secretary

Subject:

Don't ban 5-bedroom homes

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Planning Commission and Board of Supervisors:

This is in regards to <u>Leg Ver1</u> (from <u>File 180939</u>) of the proposed ordinance creating a "D11 Large Residence Special Use District," Within this district, on any RH-1, RH-2, or RH-3 parcel, any proposed creation or expansion of a house resulting in at least 5 bedrooms or 2,500 gross square feet of floor area would require a Conditional Use hearing from the Planning Commission to determine whether the project is "necessary or desirable" (<u>PC §102</u>) prior to approval. The legislation is scheduled to appear before the Planning Commission on 12/6/2018 and the BoS Land Use Committee 12/10/2018.

This legislation is a reaction to a Discretionary Review that the Planning Commission heard on 6/28/2018 (2014-001994DRP, Laura Waxman, SF Examiner: "Planning Commission, supervisors condemn landlord for unpermitted student housing") for 278 Monticello St, a 2792 sq. ft. house with 13 bedrooms (only 6 permitted bedrooms) that were used for student housing. The lot is zoned RH-1 and there is no Residential Permit Parking zone in the vicinity. At the hearing, neighbors complained of loss of street parking, loud parties, drunkenness, litter, and the disturbance of the "neighborhood character." The Planning Commission decided to scale the project down to 4 bedrooms and 3 bathrooms to punish the owner for the unpermitted construction.

Respectfully, I disagree with the approach of this ordinance.

For one thing, the boundaries of the proposed district appear to trace the *old* District 11 boundaries from the 2002 redistricting (which includes several more blocks in the Ingleside) rather than the new boundaries from the 2012 redistricting (SF Charter Appendix E). It's unclear why the 2002 District 11 boundaries should be used, or indeed why District 11 should be singled out at all.

For another thing, I am not convinced that it will be particularly effective at the intended effect of reducing the number of people living in each house. The ordinance does not define "bedroom," and it is likely that owners will simply create living rooms and other odd spaces to rent out when a real bedroom would be more healthy for the occupants.

But more importantly, we as a city need to stop reaching for the same old hammer of limiting residential density as the solution to our City's individual problems. San Francisco's neighborhoods have a wide range of densities, so it is ironic that we acquiesce to fears of density and change, when only a few miles away other neighborhoods have gone through similar transitions. By all means, address the specific problems such as unpermitted construction enforcement, noise, and managing the on-street parking. But preventing living space should be the last tool we use, not the first, and only after careful consideration of how our city needs to grow in the coming decades.

Yonathan Randolph



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San Francisco 94102-4689
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TDD/TTY No. 554-5227

October 3, 2018

File No. 180939

Lisa Gibson Environmental Review Officer Planning Department 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Ms. Gibson:

On September 25, 2018, Supervisor Safai submitted the proposed legislation:

File No. 180939

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Erica Major, Assistant Clerk

Jui fign Major

Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning Laura Lynch, Environmental Planning



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TDD/TTY No. 554-5227

October 3, 2018

Planning Commission Attn: Jonas Ionin 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Commissioners:

On September 25, 2018, Supervisor Safai introduced the following legislation:

File No. 180939

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Erica Major, Assistant Clerk

Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Lisa Gibson, Environmental Review Officer
AnMarie Rodgers, Director of Citywide Planning
Laura Lynch, Environmental Planning
Joy Navarrete, Environmental Planning



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NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date:

Monday, December 10, 2018

Time:

1:30 p.m.

Location:

Legislative Chamber, Room 250, located at City Hall 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subjects:

File No. 180939. Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, December 7, 2018.

Musicomera fr Angela Calvillo, Clerk of the Board **Print Form**

Introduction Form

By a Member of the Board of Supervisors or Mayor

BOARD OF SUPERVISORS
SAN FRANCISCO

2018 SETimeStamp 2: 4:3
or meeting date

I hereby submit the following item for introdu	ction (select only one):	BY 101 III	Joining date
✓ 1. For reference to Committee. (An Ordin	nance, Resolution, Motion or	Charter Amendment).	
2. Request for next printed agenda Withou	ut Reference to Committee.		
3. Request for hearing on a subject matter	at Committee.		
4. Request for letter beginning: "Supervis	or		inquiries"
5. City Attorney Request.6. Call File No.	from Committee.		
7. Budget Analyst request (attached writte	en motion).		
8. Substitute Legislation File No.			
9. Reactivate File No.			•
10. Topic submitted for Mayoral Appeara	ince before the BOS on		: -
Please check the appropriate boxes. The pro-	posed legislation should be f	orwarded to the following	ıg:
Small Business Commission	☐ Youth Commission	Ethics Comm	ission
Planning Commission	Building I	nspection Commission	
Note: For the Imperative Agenda (a resolut	tion not on the printed agen	da), use the Imperative	Form.
Sponsor(s):			
Supervisor Ahsha Safai			
Subject:			
Planning Code, Zoning Map District 11 La	arge Residence Special Use D	istrict	
The text is listed:			

Ordinance amending the Planning Code and Zoning Map to create the District 11 Large Residence Special Use District (the area within a perimeter established by Interstate 280, Orizaba Avenue, Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Ocean Avenue, southern border of Balboa Park, San Jose Avenue, Havelock Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone Drive, Sunglow Lane, Silver Avenue, Madison Street, Burrows Street, Mansfield Street, western boundary of John McLaren Park, La Grande Avenue, western boundary of John McLaren Park, Geneva Avenue, Linda Vista Steps, Lapham Way, Robinson Drive, and the southern boundary of San Francisco), to promote and enhance neighborhood character and affordability by requiring Conditional Use authorization for large residential developments in the district; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

For Clerk's Use Only

/Milliply