

File No. 210116 Committee Item No. 5  
Board Item No. 4

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date February 14, 2022

Board of Supervisors Meeting Date March 8, 2022

**Cmte Board**

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
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**OTHER (Use back side if additional space is needed)**

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral CEQA 021121</u>                |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral PC 021121</u>                  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determination 033121</u>           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>BOS Reso No. 165-21</u>                 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>BOS Reso No. 405-21</u>                 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PLN Transmittal 102921</u>              |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral PC 012822</u>                  |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Response 020222</u> |
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Completed by: Erica Major Date February 10, 2022

Completed by: Erica Major Date February 16, 2022

1 [Planning Code, Zoning Map - Central Neighborhoods Large Residence Special Use District]

2

3 **Ordinance amending the Planning Code and Zoning Map to create the Central**

4 **Neighborhoods Large Residence Special Use District (the area within a perimeter**

5 **established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th**

6 **Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San**

7 **Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard,**

8 **Joost Avenue, Congo Street, Bosworth Street, O’Shaughnessy Boulevard, Portola**

9 **Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena**

10 **Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and**

11 **enhance neighborhood context and affordability by, among other things, requiring**

12 **Conditional Use authorization for large residential developments in the district and**

13 **prohibiting new residential development or expansion of an existing Residential**

14 **Building that would result in any Dwelling Unit exceeding 4,000 square feet of Gross**

15 **Floor Area in most circumstances; making a determination of compliance with**

16 **~~affirming the Planning Department’s determination under the California Environmental~~**

17 **Quality Act; and making findings of consistency with the General Plan and the eight**

18 **priority policies of Planning Code, Section 101.1 and findings of public convenience,**

19 **necessity, and welfare under Planning Code, Section 302.**

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

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

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

23 **Board amendment additions** are in double-underlined Arial font.

24 **Board amendment deletions** are in ~~strikethrough Arial font.~~

25 **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:

1 Section 1. Environmental and Land Use Findings.

2 (a) ~~The Planning Department has determined~~ Board of Supervisors finds that the  
3 actions contemplated in this ordinance ~~comply with the California Environmental Quality Act~~  
4 ~~(California Public Resources Code Sections 21000 et seq.)~~ are not a project under Sections  
5 15060(c) and 15378 of the CEQA Guidelines (implementing the California Environmental  
6 Quality Act, California Public Resources Code Sections 21000 et seq.), because they do not  
7 result in a physical change in the environment. Said determination is on file with the Clerk of  
8 the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.  
9 ~~The Board affirms this determination.~~

10 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
11 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
12 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
13 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
14 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

15 The Board of Supervisors finds that the actions contemplated in this ordinance are  
16 consistent, on balance, with the City's General Plan, as follows:

17 (1) Urban Design Element Objective 1: Emphasis of the characteristic pattern  
18 which gives to the City and its neighborhoods an image, a sense of purpose, and a means of  
19 orientation.

20 Policy 1.3: Recognize that buildings, when seen together, produce a total effect  
21 that characterizes the city and its districts.

22 This ordinance serves to preserve a neighborhood's identifying physical identity  
23 by encouraging more modest increases and expansions of existing homes and directing the  
24 Planning Commission to consider the impact of proposed projects on the existing  
25 neighborhood context and potential impacts on historic resources.

1           (2) Housing Element Objective 2: Retain existing housing units, and promote  
2 safety and maintenance standards, without jeopardizing affordability.

3           Policy 2.1: Discourage the demolition of sound existing housing, unless the  
4 demolition results in a net increase in affordable housing.

5           This ordinance ensures that large single-family home construction or expansions  
6 that convert existing affordable housing into extremely large and expensive units are not  
7 approved without careful consideration, and will additionally promote more modest increases  
8 in the size and cost of existing units as well as the creation of new modestly sized and more  
9 affordable units in neighborhood RH districts.

10          (c) The Board finds that the actions contemplated in this ordinance are consistent,  
11 on balance, with the eight priority policies of Planning Code Section 101.1, as follows:

12           (1) Priority Policy 1: That existing neighborhood-serving retail uses be  
13 preserved and enhanced and future opportunities for resident employment in and ownership  
14 of such businesses enhanced.

15           The ordinance would not have a negative effect on neighborhood serving retail  
16 uses or a negative effect on opportunities for resident employment in and ownership of  
17 neighborhood-serving retail.

18           (2) Priority Policy 2: That existing housing and neighborhood character be  
19 conserved and protected in order to preserve the cultural and economic diversity of our  
20 neighborhoods.

21           The ordinance would not have a negative effect on housing or neighborhood  
22 character.

23           (3) Priority Policy 3: That the City's supply of affordable housing be  
24 preserved and enhanced.

25           The ordinance would not have an adverse effect on the City's supply of

1 affordable housing.

2 (4) Priority Policy 4: That commuter traffic not impede MUNI transit service  
3 or overburden our streets or neighborhood parking.

4 The ordinance would not result in commuter traffic impeding MUNI transit  
5 service or overburdening the streets or neighborhood parking.

6 (5) Priority Policy 5: That a diverse economic base be maintained by  
7 protecting our industrial and service sectors from displacement due to commercial office  
8 development, and that future opportunities for resident employment and ownership in these  
9 sectors be enhanced.

10 The ordinance would not cause displacement of the industrial or service sectors  
11 due to office development, and future opportunities for resident employment or ownership in  
12 these sectors would not be impaired.

13 (6) Priority Policy 6: That the City achieve the greatest possible  
14 preparedness to protect against injury and loss of life in an earthquake.

15 The ordinance would not have an adverse effect on City's preparedness against  
16 injury and loss of life in an earthquake.

17 (7) Priority Policy 7: That the landmarks and historic buildings be preserved.  
18 The ordinance would not have an adverse effect on the City's Landmarks and  
19 historic buildings.

20 (8) Priority Policy 8: That our parks and open space and their access to  
21 sunlight and vistas be protected from development;

22 The ordinance would not have an adverse effect on the City's parks and open  
23 space and their access to sunlight and vistas.

24 (de) Pursuant to Planning Code Section 302, the Board of Supervisors finds, for the  
25 reasons set forth in subsection (c) above, that the amendments to the Planning Code set forth

1 ~~in this ordinance serve the public necessity, convenience, and welfare.~~ Pursuant to Planning  
2 Code Section 302, this Board of Supervisors finds that this Planning Code amendment will  
3 serve the public necessity, convenience, and welfare for the reasons set forth in Planning  
4 Commission Resolution No. \_\_\_\_\_, and the Board adopts such reasons as its own.  
5 A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No.  
6 \_\_\_\_\_ and is incorporated herein by reference.

7  
8 Section 2. The Planning Code is hereby amended by adding Section 249.92 to read as  
9 follows:

10  
11 **SEC. 249.92. CENTRAL NEIGHBORHOODS LARGE RESIDENCE SPECIAL USE**

12 **DISTRICT.**

13 (a) **General.** *A special use district entitled the “Central Neighborhoods Large Residence*  
14 *Special Use District,” consisting of the area within a perimeter established by Waller Street, Steiner*  
15 *Street, Duboce Avenue, Sanchez Street, 16<sup>th</sup> Street, Guerrero Street, 20<sup>th</sup> Street, Valencia Street, Tiffany*  
16 *Avenue, 29<sup>th</sup> Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey*  
17 *Boulevard, Joost Avenue, Congo Street, Bosworth Street, O’Shaughnessy Boulevard, Portola Drive,*  
18 *Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West,*  
19 *Haight Street, and Buena Vista Avenue East, is hereby established for the purposes set forth in*  
20 *subsection (b), below. The boundaries of the Central Neighborhoods Large Residence Special Use*  
21 *District are designated on Sectional Map Nos. ZN06, ZN07, ZN11, and ZN12 of the Zoning Map of the*  
22 *City and County of San Francisco.*

23 (b) **Purpose.** *To protect and enhance existing neighborhood context, encourage new*  
24 *infill housing at compatible densities and scale, and provide for thorough assessment of proposed large*  
25 *single-family residences that could adversely impact neighborhood character and affordable housing*

1 opportunities, the following controls, set forth in subsections (c)-(g), below, are imposed in the Central  
2 Neighborhoods Large Residence Special Use District.

3 (c) **Applicability.**

4 (1) Except as provided in this subsection (c), the provisions of this Section 249.92  
5 apply to all lots in Residential, House (RH) zoning districts located within the Central Neighborhoods  
6 Large Residence Special Use District, in those instances where a complete Development Application  
7 was submitted on or after January 1, 2022.

8 (2) All applicable provisions of the Planning Code shall continue to apply to  
9 Residential Buildings, except as otherwise stated in this Section 249.92.

10 (3) The provisions of this Section 249.92 shall not apply to any lot within the Corona  
11 Heights Large Residence Special Use District.

12 (d) **Maximum Size of Dwelling Units.** For all lots zoned RH within the Central  
13 Neighborhoods Large Residence Special Use District, no residential development or expansion of an  
14 existing Residential Building shall be permitted that would result in any Dwelling Unit exceeding 4,000  
15 square feet of Gross Floor Area, except where the total increase of Gross Floor Area of any existing  
16 Dwelling Unit is less than 15%.

17 (e) **Conditional Use Authorizations.** For all lots zoned RH within the Central  
18 Neighborhoods Large Residence Special Use District, a Conditional Use authorization shall be  
19 required for any residential development or expansion of a Residential Building that would  
20 result in any Dwelling Unit with a Gross Floor Area exceeding the equivalent of a 1:1.2 Floor Area  
21 Ratio, or would result in any Dwelling Unit exceeding 3,000 square feet of Gross Floor Area, except  
22 where the total increase of gross floor area of any existing Dwelling Unit is less than 15%.

23 (f) **Conditional Use Findings.** In addition to the criteria outlined in Planning Code Section  
24 303(c)(1), in acting upon an application for Conditional Use authorization within the Central  
25 Neighborhoods Large Residence Special Use District the Planning Commission shall also consider

1 whether facts are presented to establish, based on the record before the Commission, that the following  
2 criteria are met:

3 (1) the proposed project is contextual with the neighborhood, meets applicable  
4 Residential Design Guidelines, and seeks to retain any existing design elements;

5 (2) the proposed project does not remove Rental Units subject to the Residential Rent  
6 Stabilization and Arbitration Ordinance;

7 (3) the proposed project increases the number of Dwelling Units on the lot;

8 (4) no Dwelling Unit is less than one-third the gross floor area of the largest Dwelling  
9 Unit in a Residential Building;

10 (5) the proposed project does not negatively impact the historic integrity of the property  
11 or any existing structure on a lot that is listed in or formally eligible for listing in the California  
12 Register of Historic Resources, or has been determined to appear eligible for listing in the California  
13 Register of Historic Resources or to qualify as a "historical resource" under CEQA; and

14 (6) the project does not negatively impact the historic integrity of any existing structure  
15 on a lot that has been adopted as a local landmark or a contributor to a local historic district under  
16 Articles 10 or 11 of this Code, or would render the property ineligible for historic designation as an  
17 individual or contributing resource.

18 (g) **Calculation of Gross Floor Area.** For the purposes of this Section 249.92, the following  
19 shall apply in the calculation of total Gross Floor Area:

20 (1) Gross Floor Area shall have the meaning set forth in Planning Code Section 102,  
21 except that floor space dedicated to accessory parking shall be included; and

22 (2) Any increase in Gross Floor Area shall include (A) all expansions of the Residential  
23 Building for which a building permit was issued within the previous 10 years, except that expansions  
24 for which building permits were issued prior to January 1, 2022 shall not be considered, and (B) any  
25



1 Gross Floor Area resulting from construction performed without a validly issued permit regardless of  
2 the date of construction.

3  
4 Section 3. Effective Date. This ordinance shall become effective 30 days after  
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
7 of Supervisors overrides the Mayor's veto of the ordinance.

8  
9 APPROVED AS TO FORM:  
10 DENNIS J. HERRERA, City Attorney

11  
12 By: /s/ KRISTEN A. JENSEN  
13 KRISTEN A. JENSEN  
Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**

(Updated 3/1/2022)

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

**Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O’Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the district and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of Gross Floor Area in most circumstances; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1 and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

Existing Law

Under the Planning Code, residential parcels within the area established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O’Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East (“SUD Area”) include parcels subject to RH-1, RH-1(D), RH-1(S), RH-2 and RH-3 zoning controls. RH zoning controls do not require Conditional Use authorization for Residential developments exceeding specified Gross Floor Area Ratios (“FAR”) or include limits on maximum Dwelling Unit sizes. For all properties within the SUD Area, except those also located in the Corona Heights Large Residence Special Use District, regardless of zoning classification, there are no requirements for Conditional Use authorization based on the size of a proposed addition.

Background

On February 2, 2021, Supervisor Mandelman introduced an earlier version of this legislation (“Original Legislation”) which would have created a new Section 319 of the Planning Code requiring Conditional Use authorization for permits for Residential projects proposing new

construction in RH zoning districts that will result in only one Dwelling Unit on the lot, in any Dwelling Unit with a gross floor area exceeding 2,500 square feet, or in expansion of certain existing Residential developments that will result in an increase of more than 50% of gross floor area to any single Dwelling Unit or in a Dwelling Unit exceeding 2,500 square feet of gross floor area, with certain exceptions. The Original Legislation would have excepted developments from the Conditional Use authorization requirement where a complete Development Application was submitted before December 15, 2020, and developments that increase the number of Dwelling Units on the lot provided that no Dwelling Unit exceeds 2,500 square feet of gross floor area as a result of the development, no proposed Dwelling Unit is less than one-third the gross floor area of the largest Dwelling Unit resulting on the lot and certain other conditions are satisfied.

On September 23, 2021, the Planning Commission found the Original Legislation was inconsistent with the General Plan, and recommended disapproval of the Original Legislation. The Planning Commission subsequently waived hearing the substitute proposed legislation.

#### Amendments to Current Law

The substitute proposed legislation would amend the Planning Code by adding new Section 249.92, to create the Central Neighborhoods Large Residence Special Use District, defined as the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East ("SUD").

Within the SUD, Conditional Use authorization will be required for residential developments on all lots zoned Residential, House (RH), that would result in any Dwelling Unit with a Gross Floor Area exceeding the equivalent of a 1:1.2 Floor Area Ratio, or exceeding 3,000 square feet of Gross Floor Area, except where the total increase in Gross Floor Area of any existing Dwelling Unit is less than 15 percent. New residential development or expansion of an existing Residential Building on lots zoned RH within the SUD that will result in any Dwelling Unit exceeding 4,000 square feet of Gross Floor Area are prohibited, except where the total increase of Gross Floor Area of any existing Dwelling Unit is less than 15 percent. Within the SUD, calculation of increased Gross Floor Area includes: (a) all expansions of the Residential Building for which a building permit was issued within the previous 10 years, except that expansions for which building permits were issued prior to January 1, 2022 shall not be considered, and (b) any Gross Floor Area resulting from construction performed without a validly issued permit regardless of the date of construction.

The legislation would except developments from the Conditional Use authorization requirement of Section 249.92 where a complete Development Application was submitted before January 1, 2022, and those that are located on any lot within the Corona Heights Large Residence Special Use District.

FILE NO. 210116

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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

February 11, 2021

File No. 210116

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

Dear Ms. Gibson:

On February 2, 2021, Supervisor Mandelman submitted the following legislation:

**File No. 210116**

**Ordinance amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

03/30/2021 A handwritten signature in cursive script, appearing to read "Joy Navarrete".

**From:** [Merlone, Audrey \(CPC\)](#)  
**To:** [Bintliff, Jacob \(BOS\)](#); [Starr, Aaron \(CPC\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [JENSEN, KRISTEN \(CAT\)](#)  
**Subject:** Re: Large Residence SUD 210116  
**Date:** Wednesday, February 2, 2022 10:58:37 AM

---

Hi Jacob,

I can confirm on behalf of Aaron that the Planning Commission was given the opportunity to hear the substitute ordinance and waived that option at the January 27<sup>th</sup> Planning Commission hearing.

Thanks,

Audrey

---

**From:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Date:** Wednesday, February 2, 2022 at 10:54 AM  
**To:** Starr, Aaron (CPC) <aaron.starr@sfgov.org>  
**Cc:** Major, Erica (BOS) <erica.major@sfgov.org>, JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>, Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>  
**Subject:** Re: Large Residence SUD 210116

Hi Aaron,

Could you confirm please for Erica that the substitute large residence SUD ordinance, BF 210116, has been considered by Planning Commission and they have waived their option to hear it again?

Thank you,

Jacob

**Jacob Bintliff**

Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102

(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)

BOARD of SUPERVISORS



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TDD/TTY No. (415) 554-5227

January 28, 2022

File No. 210116-2

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

Dear Ms. Gibson:

On January 25, 2022, Supervisor Mandelman submitted the following legislation:

**File No. 210116-2**

**Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the District and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of gross floor area in most circumstances; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Board of Supervisors  
Land Use and Transportation  
Referral for CEQA  
Page 2

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

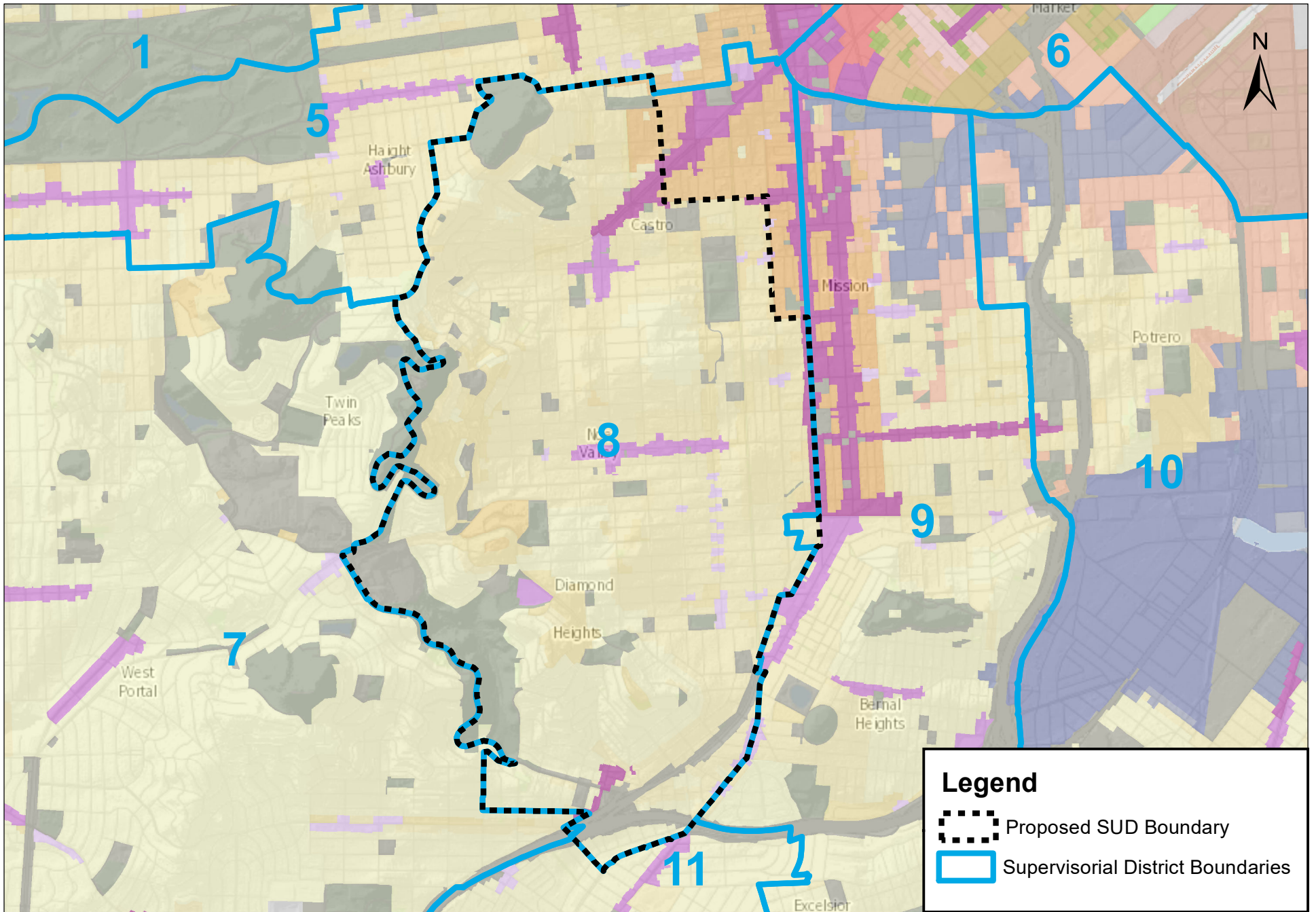
Not defined as a project under CEQA Guidelines  
Sections 15378 and 15060(c)(2) because it would  
not result in a direct or indirect physical change in  
the environment.

02/10/2022

*Joy Navarrete*



# Proposed Central Neighborhoods SUD



0 0.1 0.2 0.4 Mile



October 22, 2021

Ms. Angela Calvillo, Clerk  
Honorable Supervisor Mandelman  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2021-001791PCA:  
Review of Large Residence Developments  
Board File No. 210116

**Planning Commission Recommendation: Disapproval**

Dear Ms. Calvillo and Supervisor Mandelman,

On September 23, 2021 the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Mandelman that would amend the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts. At the hearing the Planning Commission recommended disapproval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr  
*Manager of Legislative Affairs*

cc: Kristen Jensen, Deputy City Attorney  
Jacob Bintliff, Aide to Supervisor Mandelman  
Erica Major, Office of the Clerk of the Board

**Attachments :**

Planning Commission Resolution

Planning Department Executive Summary



# PLANNING COMMISSION RESOLUTION NO. 20991

**HEARING DATE: SEPTEMBER 23, 2021**

**Project Name:** Review of Large Residence Developments  
**Case Number:** 2021-001791PCA [Board File No. 210116]  
**Initiated by:** Supervisor Mandelman / Introduced April 13, 2021  
**Staff Contact:** Audrey Merlone, Legislative Affairs  
Audrey.merlone@sfgov.org, 628-652-7534  
**Reviewed by:** Aaron D Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, (628) 652-7533

**RESOLUTION DISAPPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR CERTAIN LARGE RESIDENCE DEVELOPMENTS IN RESIDENTIAL, HOUSE (RH) ZONING DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, on February 2, 2021 Supervisor Mandelman introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 210116, which would amend the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 23, 2021; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare do not require the proposed amendment; and

MOVED, that the Planning Commission hereby **disapproves** the proposed ordinance. Accompanying this disapproval, the Planning Commission sends the following comments to the project sponsor:

1. Staff should work with affected areas. Community outreach should be completed based on areas of concern.
2. Encourage density.
3. Explore a form-based approach for the size limitation.
4. Look at tenant protection.
5. Ensure that unfinished area can be converted to finished area without triggering the legislation provisions.
6. The date the legislation would go into effect would be the date of the law and grandfathering should not go back to a prior date.

## Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The proposed Ordinance as currently drafted would add a time consuming and costly process for any proposal that increases a residential unit's size by more than 50% or would result in any residential unit being greater than 2,500 sq ft in size. The 2,500 sq ft threshold is smaller than the City's current average unit proposal size, meaning a large number of existing units in the City would be subjected to additional process even for modest additions. This proposal fails to address the needs of larger families who would like to accommodate multiple generations in their homes, or for families with multiple children.

## General Plan Compliance

The proposed Ordinance is INCONSISTENT with the following Objectives and Policies of the General Plan:

### HOUSING ELEMENT

#### OBJECTIVE 1

**IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.**

#### Policy 1.6

Consider greater flexibility in number and size of units within established building envelopes in community based planning processes, especially if it can increase the number of affordable units in multi-family structures.

*The proposed Ordinance places a hard cap on the size of residential units allowed before additional review processes are required. This provision would make building units over 2,500 square feet a costly and time-*

*consuming process; likely to be unattainable for many families trying to expand their home to accommodate relatives or children.*

**Policy 1.10**

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking, and bicycling for the majority of daily trips.

*The proposed Ordinance would place strict expansion thresholds across all RH districts citywide, including in areas with easy access to public transit, and those located in central areas of the City. Although it does not prevent all residential housing from being constructed, it would make it more difficult for projects that propose units over 2,500 square feet from being constructed. The hurdle to build larger units in areas rich with amenities will make it harder for families to stay in these neighborhoods as they add new members to their households.*

**OBJECTIVE 5**

**ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.**

**Policy 5.4**

Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

*The proposed Ordinance does not consider the needs of large and expanded families. San Francisco needs all types of housing, including those that can accommodate households with multiple children and extended family members. The expansion threshold proposed in the ordinance would make it very difficult for expanding families to stay in the City.*

**Planning Code Section 101 Findings**

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or*

*overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

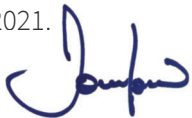
*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

### **Planning Code Section 302 Findings.**

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare DO NOT require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DISAPPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 23, 2021.



Jonas P Ionin Digitally signed by Jonas P Ionin  
Date: 2021.10.25 13:14:35 -0700

Jonas P. Ionin for  
Laura Lynch  
Acting Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel  
NOES: None  
ABSENT: Chan  
ADOPTED: September 23, 2021



# EXECUTIVE SUMMARY

## PLANNING CODE TEXT AMENDMENT

**HEARING DATE: September 23, 2021**

*Continued from July 22, 2021*

**90-Day Deadline:** August 10, 2021

**Project Name:** Review of Large Residence Developments  
**Case Number:** 2021-001791PCA [Board File No. 210116]  
**Initiated by:** Supervisor Mandelman / Introduced April 13, 2021  
**Staff Contact:** Audrey Merlone, Legislative Affairs  
audrey.merlone@sfgov.org, 628-652-7534  
**Reviewed by:** Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 628-652-7533

**Recommendation:** Approval with Modifications

*Note: This Executive Summary was originally published for the July 22, 2021 Planning Commission hearing. After taking public comment and requesting additional information from staff, the Planning Commission continued the item to the September 23, 2021 Planning Commission. New content in this report begins at the “July 22<sup>nd</sup> Planning Commission” subsection on page 16.*

### Planning Code Amendment

Ordinance amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts.

#### The Way It Is Now:

With the exception of the D11 Special Use District (SUD), and the Corona Heights SUD, the Planning Code does not require Conditional Use authorization for residential projects in RH districts that would result in a dwelling being over a particular square footage.



### The Way It Would Be:

The proposed legislation would amend the Planning Code by adding a newly created Section 319, requiring Conditional Use authorization (CUA) for permits for Residential projects proposing new construction in RH zoning districts that will result in only one Dwelling Unit on the lot, or in any Dwelling Unit with a gross floor area exceeding 2,500 square feet, or in expansion of certain existing Residential developments that would result in an increase of more than 50% of gross floor area to any single Dwelling Unit or in a Dwelling Unit exceeding 2,500 square feet of gross floor area, with certain exceptions.

For all RH District development applications filed on or after February 2, 2021, the legislation would:

1. Require any proposed new construction of a single-family home without an Accessory Dwelling Unit (ADU) to obtain a CUA;
2. Require any proposed new construction of a multi-unit residential development that would result in *any* unit being over 2,500sqft to obtain a CUA (*unless resulting project would be a 10% or less expansion of existing square feet if a unit is over 2,500sqft*).
3. Require any proposed expansion of an existing housing unit that would result in the unit being over 2,500sqft (measured as Gross Floor Area), *or* would increase a unit's size by more than 50% (measured as Gross Floor Area) to obtain a CUA;
4. Restrict any proposed expansion of an existing unit that is already over 2,500sqft to no more than 10% additional square footage over 10 years. Proposals that would exceed the 10% cumulative expansion would require a CUA.

Projects may be exempted from the CUA if:

- a) The proposal increases the number of dwelling units on the site;
- b) No Dwelling Unit exceeds 2,500 square feet of gross floor area **as a result of the development**<sup>1</sup>;
- c) No dwelling unit is less than 1/3 the size (measured as Gross Floor Area) of the largest unit **and**;
- d) The projects is not located on a site: 1) that is listed on or formally eligible for listing in the California Register of Historic Resources; 2) has been adopted as a local landmark or a contributor to a local historic district under Articles 10 or 11, or; 3) has been determined to appear eligible for listing in the California Register of Historic Resources.

Additional CUA Findings:

1. Whether the project would increase the number of dwelling units;
2. Whether the existing structure or property is listed in or eligible for listing on the CA Register of Historic Resources, or is eligible for such, or if the property or structure is a “historical resource” under CEQA;
3. Whether the existing structure is a landmark, or contributor to an Article 10 or 11 historic district, and whether the project would render the property ineligible for historic designation;
4. Whether the project “*preserves or enhances neighborhood character by retaining existing design elements and meeting applicable Residential Design Guidelines*”;
5. Whether the development proposes to remove more than 50% of the existing front façade;
6. Whether the project would remove a rent-controlled unit.

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<sup>1</sup> The phrasing “as a result of the development” is intended to exempt projects from the CUA requirement where the existing residential unit(s) is already more than 2,500 square feet, *if* the project also meets the requirements under subsections a, c, and d.

## Background

Supervisor Mandelman introduced the subject Ordinance in conjunction with an ordinance (Board File No. 210564) that would allow a density exception of up to four units on corner lots in RH zoning districts. It is the Supervisor's aim to promote modest density rather than the construction or expansion of large residences, through these two Ordinances. Board File No. 210564 requires more extensive environmental review; therefore, this Ordinance is moving forward ahead of Board File No. 210564. The Department expects Board File No. 210564 to be at the Planning Commission in the Fall. The relationship between these two ordinances is further discussed later in this executive summary.

The Historic Preservation Commission heard this item on July 7, 2021, to consider the specific provisions that would affect review of certain development applications of Historic properties. In general, some Commissioners acknowledged that large homes should be regulated while others thought it was a solution looking for a problem. Commissioners also expressed concern about:

- One size threshold for the entire City.
- Increased demands on staff and the Commission.
- The 10% threshold being too small for buildings over 2,500sqft.
- The grandfathering date would catch too many projects that are already in process.
- How square footage is calculated and whether it should be usable floor area instead.
- Whether FAR should be used instead of a set number; and
- Equity issues and the ability for some families to be able to expand their homes to accommodate multi-generational living.

After taking public comment the Commissioners unanimously voted to adopt a Recommendation for Approval with Staff Modifications on the historic preservation elements of the Ordinance (see Recommendation 3 below). The HPC also added a clause to their Resolution that encourages the Planning Commission and Supervisor to take additional time to provide clarity and address the concerns raised by the HPC.

## Issues and Considerations

### Dwelling Units, Density, and Design

Planning Code Section 102 defines a Dwelling Unit as: *"A Residential Use defined as a room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen"*. In RH districts, the number of Dwelling Units permitted per lot is generally limited by a fixed density control. For instance, an RH-2 zoning district allows two units per lot, and an RH-3 zoning district allows three units per lot. The size of a building in an RH zoning district is limited by height and setback controls, and not based on FAR, (except in the case of the Oceanview Large Residence SUD). The Department also applies the Residential Design Guidelines, in addition to any adopted neighborhood-specific design guidelines, to regulate building scale, form and architectural details. Except for limiting the number of kitchens to one per unit, the Planning Code does not regulate the interior layout of Dwelling Units in RH districts.

| In RH districts, the number of Dwelling Units permitted per lot is generally limited by a fixed density control.

### **Dwelling Unit Density Exception for Corner Lots in RH Districts Legislation**

On May 18, 2021, Supervisor Mandelman introduced legislation that would amend Planning Code Section 207 to provide a density exception for Corner Lots in RH zoning districts. This new exception would permit up to four dwelling units on corner lots, so long as the project is not seeking to utilize the State Density Bonus Program. Accessory Dwelling Units would not be counted towards the four unit maximum. As the proposed Ordinance would increase development potential, it requires more extensive environmental review. The Department estimates that the environmental review will be completed by mid-September, after which point it will be before the Planning Commission for consideration.

The Department has not yet reviewed and analyzed the four units on corner RH district lots legislation, and therefore cannot make a recommendation to the Commission on it at this time. Department staff have, however, been in frequent communication with the Supervisor's office during the drafting of the four units on corner lots legislation. As currently drafted, the four units on corner lots legislation, in conjunction with the review of large residence developments legislation, *could* encourage corner lots in RH districts with less than four dwelling units, to increase their dwelling unit count in conjunction with, or instead of expanding an existing unit(s) or building a large, single-family home.

### **The Corona Heights SUD and Oceanview Large Residence SUD**

The city currently contains two Special Use Districts (SUD's) that regulate the size of residential buildings and/or Dwelling Units. The Corona Heights SUD was established in 2017 and requires projects to obtain Conditional Use authorization if the following are met:

- a) Residential development on a vacant parcel that will result in total gross floor area exceeding 3,000

square feet;

- b) Residential development on a developed parcel that will result in total gross floor area in excess of 3,000 square feet and a cumulative increase in gross floor area, including all development performed on the

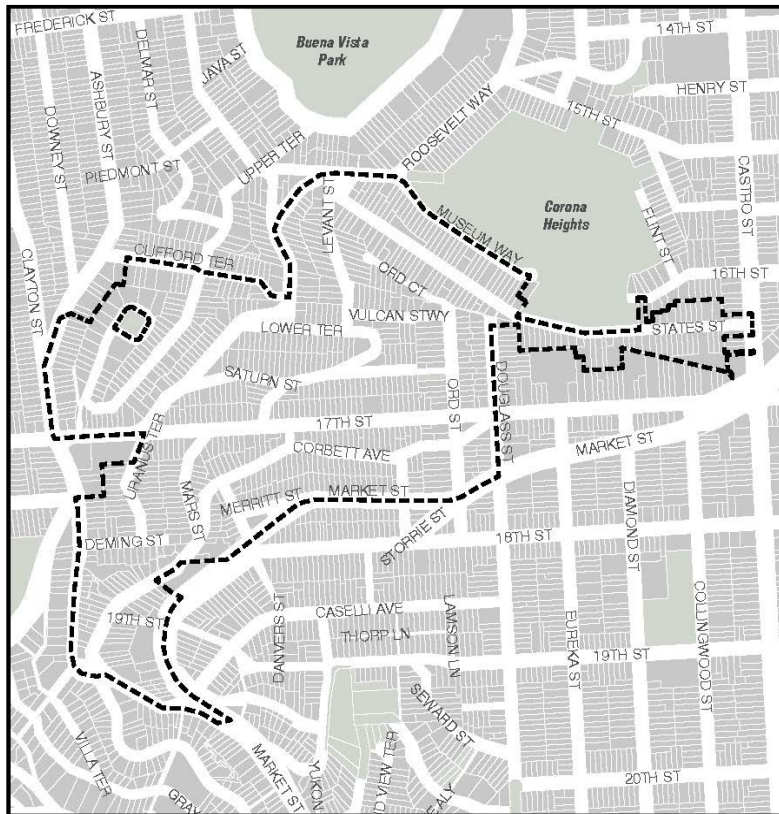


Figure 1: Boundary of the Corona Heights SUD

parcel in the preceding five years, of:

- i. More than 75% without increasing the existing legal unit count as it existed five years prior; or
- ii. More than 100% if increasing the existing legal unit count.

Additionally, residential development that results in less than 45% rear yard depth in RH-1, RH-2, and RH-3 zoning districts requires CU authorization.

The Oceanview Large Residence SUD was established in 2019. Residential developments within this SUD require Conditional Use authorization if any of the following residential use size limits are met:

- a) A Dwelling Unit with five or more bedrooms;
- b) A Dwelling Unit less than 1/3 the size in floor area of the largest Dwelling Unit in a multiple Dwelling Unit

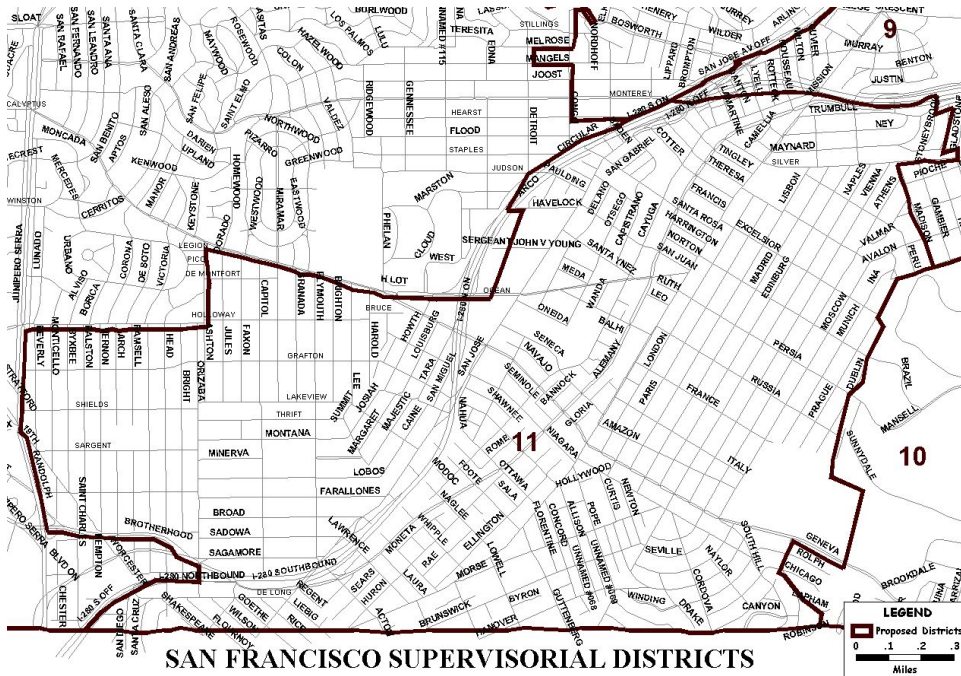
project, or;

c) Floor Area Ratio exceeding the limits in Table 249.3, below.

	<u>RH-1</u>	<u>RH-2</u>
<u>One Dwelling Unit</u>	<u>1 : 1</u>	<u>0.8 : 1</u>
<u>One Dwelling Unit with ADU*</u>	<u>1.15 : 1.45</u>	<u>0.9 : 1</u>
<u>Two Dwelling Units</u>	<u>N/A</u>	<u>1.5 : 1</u>
<u>Two Dwelling Units with an ADU*</u>	<u>N/A</u>	<u>1.75 : 1</u>

*\* The Floor to Area Ratio is calculated without including the floor area of the ADU.*

The SUD's boundaries match the current Supervisor District 11 boundaries:



Both the Corona Heights SUD and the Oceanview SUD establish stricter controls than the base zoning. The proposed legislation would also be more restrictive than the base controls for all RH zoning districts. Should the proposed legislation be adopted in its current form, Section 319 *would* apply to *all* lots in RH zoning districts, including those within the Corona Heights SUD and the Oceanview SUD. This means that all proposed projects in these SUDs would be subject to *both* standards. For example: A proposed residential project in the Oceanview SUD is within the FAR and bedroom count limits, but will include a dwelling unit over 2,500 square feet. In this case, the project would not require a Conditional Use authorization under the Oceanview SUD, but *would* require a Conditional Use authorization because it meets the trigger of Section 319. Additionally, if a project

triggers a CUA per the applicable SUD *and* Section 319, it will have to meet the CUA findings required by *both* Code sections. This means, for properties subject to the Corona Heights SUD, projects could no longer be up to 3,000sqft without needing a CUA (which would be allowed under the SUD), because Section 319 states no unit may be larger than 2,500sqft without seeking a CUA. Section 319, however, does not propose additional regulations on rear yard depth. If a project in the Corona Heights SUD, therefore, meets all standards of Section 319, but would result in a reduction of the rear yard to less than 45%, the project would need a Conditional Use authorization due to the Corona Heights SUD provisions.

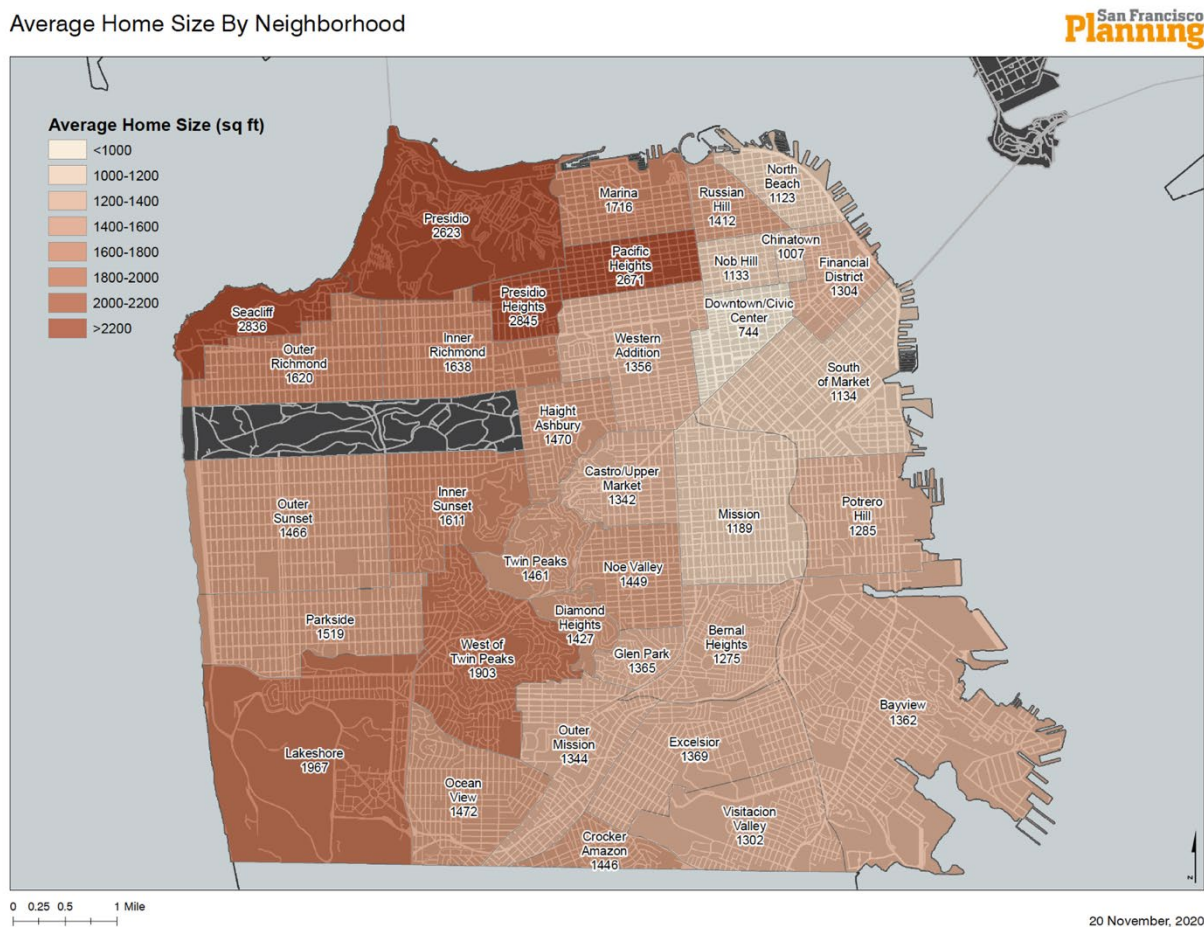
These SUD's were established after much deliberation, research, and feedback from the local communities they are located in. If Section 319 also controls in these districts, it will significantly alter how these SUD's function for regulating home size and incentivizing density. Additionally, having two sets of controls that regulate similar issues may create confusion for both residents and staff. The Department recommends amending the proposed legislation to create an exemption from Section 319 for the Corona Heights SUD and the Oceanview SUD until the Supervisors can meet with the residents of those SUD's to understand whether they would like to amend the SUD to conform with Section 319.

### **What is a “Large” Residence?**

The Department has attempted to regulate the building of “monster homes” through various efforts the last 10+ years, some with more success than others. The largest challenge in doing this is gaining consensus around the definition of a “large” home. Someone who lives in a 750 square foot home may feel that a 1,000 square is too large, while a family of four in a 2,500 square foot home may feel their home has barely enough space. Across dozens of neighborhood meetings staff found that even within neighborhoods that have similar housing typologies and home sizes, opinions differ greatly on what size home is “appropriate”, particularly when a home complies with established zoning and the Residential Design Guidelines.

During one of the previous efforts to regulate unit size, the Department produced the following map which shows the average home sizes<sup>2</sup> by District throughout the City. This map is not meant to represent exact numbers that each neighborhood should create regulations around. Rather, it is meant to give a general idea of whether Dwelling Unit size averages differ greatly across various neighborhoods in the city.

Average Home Size By Neighborhood



While an imperfect model, the data does show what we might expect to find: the neighborhoods known for larger single-family homes such as Seacliff, Pacific Heights, and Presidio Heights have an average unit size significantly greater than neighborhoods known for more modest single-family homes, such as the Sunsets, Noe Valley, and the Bayview. Also, older and denser areas in the northeastern part of the city, such as North Beach, Chinatown and Downtown have smaller unit sizes on average.

Staff also ran a query to find the average square footage for all projects submitted between 2015-2020 in RH districts that proposed either new construction of a single-family home, or an expansion of an existing single-

<sup>2</sup> To generate this map, the Department used building size and density data from the Assessor's Office for all buildings in Residential districts across the City. Buildings that were over-density were removed from the data set, as were any buildings with non-residential uses. The remaining buildings were analyzed by dividing their assessed square footage by the number of assessed dwelling units. After removing extreme outliers, the average unit sizes were aggregated within each neighborhood to create the map below.

family home. All projects used in the dataset are considered “closed” (approved). Staff found that the average single-family home size approved during that time was 3,158sqft (Median Square Footage Proposed: 3,064sqft).

The map and data above illustrate that a majority of projects proposing to expand or create a single-family home in the last 5 years would now require a CUA. It also illustrates that many of these projects are likely to come from neighborhoods where the average home size is already over the proposed 2,500 square foot trigger for a CUA. This means that more staff time will be dedicated to some of the most affluent neighborhoods of the City, where housing is already unaffordable.

### **Allowable Building Envelope**

One reason the issue of large homes exists at all is because the city’s Zoning Code encourages large single-family homes. For example, a standard lot in and RH-1 Zoning District allows for a total lot coverage of 70% and maximum height of 35 feet. On a standard 25’ by 100’ lot, a 3-story single-family home could theoretically have between four and five thousand square feet.<sup>3</sup> In RH-2 zoning Districts the square footage would be the same or greater because those districts allow four-stories on residential buildings; while lot coverage is only 55% it can be increased up to 75% depending on the adjacent lots. Further in RH-2 and RH-3 zoning districts there is no requirement or incentive to build to the prescribed density. Given the Code allows such a large envelope for buildings in these districts and no incentive for density, it’s not surprising that the Department sees proposals for larger and larger homes coming through the pipeline.

### **Set Square Footage vs FAR**

In the past the Department proposed using Floor Area Ratio (FAR) to regulate home sizes, most infamously in the failed Residential Expansion Threshold proposal. Following that effort, the Oceanview Large Residence SUD was established which uses FAR to regulate home size. While it’s too soon to tell how successful the Oceanview Large Residence SUD is, there are benefits to using FAR instead of a set square footage number. FAR ties the allowable home size to the lot area, and can be used as a tool to incentivize density. Many jurisdictions throughout the Bay Area use FAR as a means for regulating the size of residential buildings. As an example: If we set the FAR maximum to 1:1, then a standard 2,500sqft lot in San Francisco could have a building of up to 2,500sqft. Larger or smaller lots would be afforded a different allowable square footage accordingly. And as is the case in the Oceanview Large Residence SUD, density can be encouraged by allowing more FAR the more units that are added. While the Department still believes that FAR is a useful tool and allows for a more tailored controls for lot size and in some cases neighborhood context, there was significant pushback from the community in using FAR when this option was presented in the past.

### **Increased Processes and Housing Production**

Applying new entitlement requirements, such as Conditional Use authorizations (CUA’s), can slow down housing production. Given the required analysis, notice, and hearing, the CUA process typically adds six to nine months to a project’s approval timeframe; it also adds additional costs. This is especially true for residential projects that could otherwise be approved over the counter. In existing residences, it is often possible to add additional

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<sup>3</sup> The total rough square-footage calculation in this example would be 5,250 sq. ft.; however, some of the space would be dedicated to walls, garages, and other required building infrastructure.



usable space to a home by converting a garage or other ground floor areas to habitable space with an over-the-counter approval.

**The CUA process can add six to nine months to a project's approval timeframe.**

Similarly, minor expansions of existing Dwelling Units would also be impacted by the CUA process. Horizontal or vertical additions to an existing home are usually principally-permitted with neighborhood notification (311 Notification). This process typically takes at least three to four months to complete once a planner is assigned. Requiring a CUA for these projects could more than double the Department's permitting timeframe. Projects adding units would also face increased permit review timelines if any unit was over 2,500 sq. ft. While the Department agrees that overly large units do not advance any policy objectives, any additional process aimed at limiting home sizes should be balanced against the policy goal of increasing density. Furthermore, the increase in staff time spent on these projects means less staff time can go towards projects that have a greater impact on our affordable housing supply, small business permits, or efforts that prioritize racial and social equity. Based on submitted projects from the last several years, staff estimates approximately 60-80<sup>4</sup> projects per year would require a CUA that don't currently because of this legislation.

Further, the CUA process may not deter overly large single-family homes or encourage increased density. The projects this legislation is designed to discourage are often well over 2,500sqft. These types of projects are expensive in nature and tend to have the resources to engage in a long and complex process. If the square footage trigger is too strict with no CUA exemption for density, staff believes that most large-home proposals – particularly in the high-resourced neighborhoods that already have an established pattern of large single-family homes – will choose to move forward anyway.

Once these projects are in front of the Planning Commission, the Commission must use its discretion to decide if a particular home is too large. While the proposed findings provide some guidance to the Commission around ensuring the project's compatibility with neighborhood character and limiting impacts on historic resources, there is no guidance for when a large home should be supported, and when it's too big to be approved, regardless of its design and compatibility.

### **General Plan Compliance**

Objective 1 of the Urban Design Element instructs the City to guide development in such a manner where we place "Emphasis of the characteristic pattern which gives to the city and its neighborhoods an image, a sense of purpose, and a means of orientation." Policy 1.3 of this objective is to "Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts." The proposed Ordinance, with all staff modifications, helps to maintain a balance between a neighborhood's physical identity while also not impeding

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<sup>4</sup> There were 39 projects in RH districts from 2017-2020 that were one unit, and said unit's construction or expansion would be over 2,500sqft *and* more than a 10% increase of existing sqft. There were 12 projects in RH districts from 2017-2020 that were one unit, the proposed size was less than 2,500sqft, *and* the project proposed an expansion of 50% or more. This figure does *not* include projects with more than one unit. That trigger is expected to add at least an additional 40-60 projects per year.

on the development of future housing. This proposed Ordinance, with all staff modifications, will encourage additional density while ensuring that the resulting building forms are complementary to a neighborhood's context. The proposed Ordinance additionally ensures that large, single-family home expansions are not approved without careful consideration through a CU authorization.

### **Racial and Social Equity Analysis**

Recent data, anticipated to be documented in the Housing Element Update 2022, indicates that White residents are more likely than BIPOC residents to live in smaller households and are less likely to live with family, and that BIPOC residents are more likely to live in either studios or units with three or more bedrooms. White residents are disproportionately likely to live in one-bedroom units, reflecting smaller household sizes. Creating a higher barrier for approvals for houses with more bedrooms, and therefore larger in size, may impact the availability and cost of that existing housing type throughout the City. If new large homes are difficult to build, there will be increased renovation pressure on the existing housing stock of large homes. This in turn could impact affordability, especially given that BIPOC families are more likely to be housing cost-burdened. A 2,500 square foot single-family home is likely to yield 4-5 bedrooms. A house where more than one person inhabits a bedroom is considered overcrowded. A more detailed breakdown of the data studied to draw these conclusions is below<sup>5</sup>:

- Single-family homes are disproportionately occupied by families with children and related adults versus residences with multiple units. 52% single-family homes reported households with children or related adults/roommates, versus 32% of buildings with two to four units. The percentage of households with children or related adults continues to decrease as the unit count of a building increases.
- BIPOC residents are more likely to live in either very small units (studios) or larger units (three plus bedrooms).
- BIPOC residents are more likely to live in either a single-family home, or a very large building containing 20+ units.
- BIPOC residents are more likely to live in larger households and multigenerational households than White residents, which corresponds to greater occupancy of housing with three or more bedrooms.
- Multibedroom units are more likely to be occupied by higher income households, however it must be noted that often larger households also tend to have higher incomes. When examining the data, staff found single-family homes are actually occupied by a broad range of income groups similar to the income mix of the city as a whole. This is likely because many single-family homes have long time owners who may have bought when homes were more affordable or have extended families also living

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<sup>5</sup> For the purposes of this analysis, the term "multigenerational" means at least three generations of family living together i.e. grandparent, parent, and child or great aunt, parent, child, etc. All conclusions are based off of SF Planning analysis of 2014-2018 IPUMS

in the home.

- o Larger households are heavily concentrated in larger homes:

<b>Household Size by Number of Bedrooms in Housing Unit</b>					
	<b>Studio</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>	<b>Total</b>
1 Person	37,393	50,922	25,929	14,495	128,739
2 People	10,946	32,181	50,085	30,297	123,509
3 people	1,361	4,396	18,844	24,773	49,374
4 people	605	1,212	10,339	22,107	34,263
5+ people	593	796	4,589	17,812	23,790
<b>Total</b>	<b>50,898</b>	<b>89,507</b>	<b>109,786</b>	<b>109,484</b>	<b>359,675</b>
	<b>Studio</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>	<b>% of Households</b>
1 Person	73%	57%	24%	13%	36%
2 People	22%	36%	46%	28%	34%
3 people	3%	5%	17%	23%	14%
4 people	1%	1%	9%	20%	10%
5+ people	1%	1%	4%	16%	7%
<b>% of Housing</b>	<b>14%</b>	<b>25%</b>	<b>31%</b>	<b>30%</b>	

Source: SF Planning Analysis of 2014-2018 IPUMS

- o 69% of 3+ bedroom units are in single-family homes:

<b>Units by Number of Bedroom by Number of Units in Building</b>						
	<b>Single Family Home</b>	<b>2-4 Units</b>	<b>5-9 Units</b>	<b>10-19 Units</b>	<b>20+ Units</b>	<b>Total</b>
Studio (0)	951	3,094	3,152	8,001	35,645	50,843
1 Bedroom	4,875	17,210	15,282	17,859	34,265	89,491
2 Bedroom	37,171	33,923	11,503	7,355	19,586	109,538
3+ Bedroom	75,788	23,468	3,549	1,757	4,671	109,233
<b>Total</b>	<b>118,785</b>	<b>77,695</b>	<b>33,486</b>	<b>34,972</b>	<b>94,167</b>	<b>359,105</b>

Source: SF Planning Department Analysis of 2014-2018 IPUMS-USA

- o Larger households comprised of children, multi-generational living, or roommates, are disproportionately found in areas with single-family homes and larger units. These households are most heavily concentrated in west and south sides of the city.

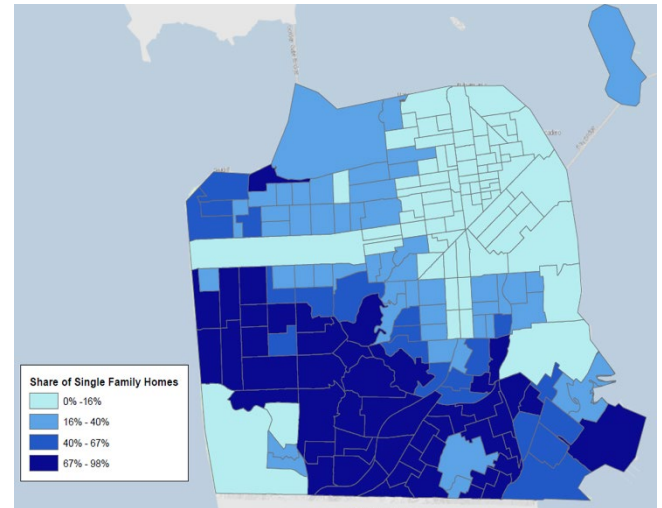
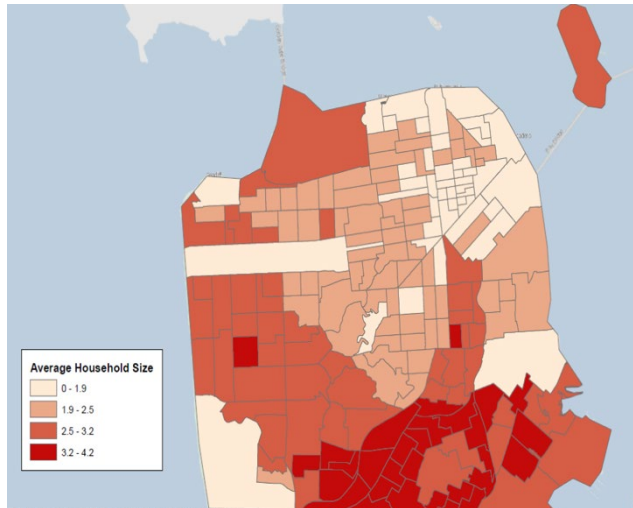


Figure 2 Source: Five-year ACS

Although many of the larger homes in the City are concentrated in affluent neighborhoods, single-family homes that have greater household sizes are also prevalent in less affluent neighborhoods and those with a cultural identity rooted in multi-generational living. These households are more likely to be negatively impacted by a set square footage cap than households in more affluent neighborhoods that already have large homes. Further, wealthy home owners who desire a large expansion will likely have the resources to file for a CUA, while cost-burdened households will face financial hurdles to take the application through the costly CUA process. Before setting such sweeping caps, thought must be paid to our assumptions and judgements around what makes a “family” and what needs various household compositions have for space.

**The 50% trigger disproportionately affects those with very small homes who would like to expand their home by more than 50% while remaining less than 2,500square feet in size.**

Similarly, the 50% expansion threshold should be examined for its impacts on very small homes. The proposed legislation would require a CUA for any residential project in an RH district that proposes to increase any dwelling unit’s size by more than 50%. This trigger would only affect projects that are not proposing a home larger than 2,500sqft. The 50% trigger, therefore, disproportionately affects those with very small homes, who would like to expand their home by more than 50%. For example: A 900 square foot single-family home would like to add a bedroom, small den, and bathroom for their expanding family. The proposed addition must be under 450 square feet to avoid triggering a CUA. If a 1,600 square foot home would like to add the same elements, they may propose an addition of up to 800 square feet before triggering the CUA. If a 2,500sqft home is an acceptable size per unit for new construction, or for units that are already larger in size, small units should not be penalized simply for being small. These units are more likely to be owned by those with less disposable income not only to file for a CUA, but also to move to a larger home to accommodate the needs of their families.

Correspondingly, the Supervisor's intent to exempt units proposing expansions that are already larger than 2,500 square feet so long as they increase their density through an ADU or Dwelling Unit, and that no unit is smaller than 1/3 the size of the largest, also inequitably favors owners with large homes. Although staff understands that the purpose of this exemption is to avoid CUA's for homes that are already considered "large" and therefore "unaffordable", it rewards homeowners that already have a home over 2,500 square feet and results in inequitable application of the Ordinance.

### Implementation

The Department has determined that this Ordinance as currently drafted will significantly impact staffing resources by increasing the number of Conditional Use authorizations. Staff does not anticipate that this legislation will serve as a deterrent; as such, the Department is likely to see an increase of between 60-80 additional CUA's per year as a result of this Ordinance.

### Recommendation

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendations are as follows:

1. Modify the Ordinance to remove the CUA trigger for 50% expansions and exempt ALL projects from the 2,500 square foot per dwelling unit trigger for a CUA *if* the project increases the density on the lot, *and* the dwelling unit(s) meets certain size minimums.
2. Increase the marginal allowable increase over 10 years from 10% to 20% for homes already over 2,500sqft.
3. Remove Section 319(d)3, which prohibits Historic Properties from being exempt from the CUA requirement.
4. For the purposes of this program, include accessory parking (garage space) able to be made into habitable space when calculating a unit's Gross Floor Area.
5. Exempt the Corona Heights Large Residence SUD and the Oceanview Large Residence SUD from the legislation.

### Basis for Recommendation

The Department generally supports the purpose of the proposed Ordinance in that it seeks to "encourage new infill housing at compatible densities and scale and provide for thorough assessment of proposed large single-family residences that could adversely impact neighborhood character and affordable housing opportunities." The Department agrees that there should be additional review of projects that are not increasing their residential density, and that the size of a proposed unit is a sensible indicator of cost; however, the Department also wants to ensure that the impacts of this legislation do not disproportionately impact marginalized communities and that Commission review is focused on those projects where other policy goals aren't being

met. With the proposed recommended modifications, Staff believes that the Ordinance would achieve these goals.

**Recommendation 1: Modify the Ordinance to remove the CUA trigger for 50% expansions and exempt ALL projects from the 2,500 square foot per dwelling unit trigger for a CUA *if* the project increases the density on the lot, *and* the dwelling unit(s) meets certain size minimums.** Staff believes the proposed controls will be more successful if the Conditional Use authorization requirement is paired with an incentive for density. Staff finds that providing an exception tied to adding density is the best way to incentivize density and encourage appropriate dwelling unit sizes. Projects that seek to expand their home significantly are more likely to add density if it means they will be able to increase the size of their home, while also avoiding the risk and financial burden of a CUA. The addition of a dwelling unit will also help to add modest and appropriate density to the City's lowest density neighborhoods. It is especially critical that the City encourage increased density in its high-resourced neighborhoods that have traditionally welcomed large homes and not density. Dictating that the smallest unit must be at least 1/3 of the size of the largest unit will also have the effect of limiting unit sizes and reducing land costs per unit. Further, Staff finds that the 50% threshold could result in inequitable outcomes that will disproportionately affect those with smaller homes.

**Recommendation 2: Increase the marginal allowable increase over 10 years from 10% to 20% for homes already over 2,500sqft.** Staff believes that the 10% allowance is too restrictive to construct any meaningful addition. A 10% increase would not allow even a modest "pop-out" at the rear of the building to accommodate additional bedrooms or living areas. Increasing this allowance to 20% cumulatively over 10 years will allow homes to modestly expand to accommodate the needs of a growing household, while still remaining contextual with the surrounding built 202environment.

**Recommendation 3: Remove Section 319(d)3, which prohibits Historic Properties from being exempt from the CUA requirement.** The ordinance prohibits Historic Properties from being exempt from the CUA requirement when the project triggers the 50% increase threshold. Historic Properties already over 2,500sqft are also not exempt from the CUA requirement when exceeding the 10% threshold and a unit is added. Historic properties or eligible properties already have sufficient review procedures that ensure they retain historic integrity. It isn't clear what additional protections this provision will provide that aren't already handled under CEQA or the Article 10 and 11 protections. Further, the Historic Preservation Commission is the chartered commission that is responsible for determining the appropriateness of additions to historic resources in San Francisco. This provision would put the Planning Commission in that position, which it is not structured for or charged to do. Staff finds that this provision will only add additional process to projects that would otherwise be allowed as-of-right without any additional benefit to the historic resource.

**Recommendation 4: For the purposes of this program, include accessory parking (garage space) able to be made into habitable space when calculating a unit's Gross Floor Area.** The definition of Gross Floor Area excludes areas dedicated to accessory parking when it's located within a Basement Story; therefore, any such accessory parking that is converted to habitable space would count towards the proposed 50% or 2,500sqft threshold. Conversely any such accessory parking added to a new building would not count toward the new building's GFA (in fact it would decrease it). Allowing the conversion of garage space to habitable space would encourage projects to utilize already enclosed space and may even encourage the removal of private vehicle storage. Further, including accessory parking in the GFA calculation of new

buildings could discourage new private automobile storage or at least result in less space being dedicated to parking. Less space dedicated to private vehicle storage helps advance not only the City's transit-first policy but also the City's climate goals. It also allows curb cuts to be removed, which improves pedestrian safety.

**Recommendation 5: Exempt the Corona Heights Large Residence SUD and the Oceanview Large Residence SUD from the legislation.** Staff recommends amending the legislation to exempt the Corona Heights Large Residence SUD and the Oceanview Large Residence SUD from the new controls. Based on the Zoning Administrator's interpretation, both SUD areas would be subject to the new size limits of the legislation. These new regulations do not align with the carefully crafted standards created in the two neighborhoods' SUD's. The residents of these SUD's should be consulted on whether they would prefer to continue to be regulated through their SUD, or whether they would prefer to adopt the standards of the proposed legislation and remove their SUD overlays *before* this legislation applies to said districts.

## July 22<sup>nd</sup> Planning Commission

The Planning Commission originally heard this item on July 22<sup>nd</sup> at their regularly scheduled hearing. Approximately 40 members of the public gave their testimony during public comment. Of the speakers, approximately 7 were generally in favor of the legislation, while approximately 28 were generally opposed. Callers who spoke in favor of the legislation believe it will create homes that are affordable by design and will curb the proliferation of small homes being demolished and replaced with overly large homes. Callers who spoke in opposition to the legislation believe the size limitations are arbitrary and inequitable, worry about the burden on staff time, and feel the legislation will cause existing homes that are even slightly over 2,500sqft to become even more in demand and therefore more expensive. Callers also stated they did not believe the legislation possessed a strong enough incentive to add density versus expanding an existing single-family home.

Commissioners then began their discussion of the legislation. The Commissioners focused on the legislation's lack of a clearly defined goal and asked for the Ordinance to be crafted in a way that focuses on the problem it is trying to solve for. Many Commissioners were also concerned that the numerical thresholds of 2,500sqft per unit and 50% for expansions were arbitrary and could have inequitable consequences when applied across different neighborhoods. Commissioners pointed out that the problem of overly large homes seems to be concentrated in specific neighborhoods and is not a citywide problem. Other concerns include the potential burden on staff resources, the negative affect on residents with large families, lack of community outreach to neighborhoods outside District 8, and the overall effectiveness the legislation will have on curbing the problem of "monster" homes. The Commission directed staff to:

- Research the concept of setting an absolute maximum per unit size with a minimum density, to make the legislation more equitable in controlling for size of units while also increasing density.
- Remove the provision that garages be included when calculating existing square footage. Garages should not be included in the calculation for determining unit size. It is anti-family to punish those who need a garage/car.
- The legislation needs to define its goals and then focus the regulation on accomplishing those goals. If the real problem is egregiously sized homes, the legislation needs to be direct about forming controls on size. If the goal is to increase density, the legislation should incentivize new

construction projects proposing to maximize density or proposing to add ADU's of at least a certain size.

- Look into a sliding scale for size triggers depending on the context of the lot and neighborhood, as well as a hard square footage maximum.

### Post-Hearing Staff Analysis

The Department convened to re-examine the legislation and conduct further analysis based on the Commissioners' comments about (1) maximum size limit, and (2) minimum density. Regarding the Commissioners' request to explore a maximum size limit: Staff found that if there is a set size maximum, the size will need to be much higher than the size that has been proposed for a CUA trigger to be appropriate Citywide. We would also argue that a hard cap should be based on FAR so that the development capacity on any given lot is contextual with the surrounding neighborhood context and appropriate for the site's conditions (like a sliding scale approach). The max FAR needs to be no less than 2.00:1:00, otherwise many projects are not able to proceed, even in cases where this size may be appropriate. As for requiring a minimum density: This concept only works if the City's low-density Residential Zoning Districts allow more density in their base zoning. In RH-1 and RH-1(D), the minimum density cannot be more than 1 unit. For RH-2, the "minimum density" could not be any more than 2 units, which also has the effect of being the "maximum density". As a result, the only district that could have a different minimum and maximum density is RH-3. This concept of minimum density should be explored further if the base zoning of all RHD's is increased to allow at least 3 units.

Nonetheless, the Department has development some new recommendations that we believe are in-keeping with the spirit of the Commissioner's comments to encourage densification and the production of "missing-middle" housing in the City's low-density neighborhoods, and encourage the retention of modestly sized homes in Noe Valley.

The new recommended modifications are as follows:

1. Citywide, waive the Conditional Use authorization required under Sec. 317 and Sec. 319 for projects proposing to demolish a single-family home in RH-2, RH-3, and RH-S districts if:
  - a. Principally permitted density within the new construction is maximized; and,
  - b. No unit is less than 1,000sqft (unless **all** units are less than 1,000sqft)
2. Citywide, waive the Conditional Use authorization required under Sec. 317 and Sec. 319 for projects proposing to demolish a single-family home in RH-1(D) and RH-1 districts if:
  - a. An ADU is provided; and,
  - b. No unit is less than 1,000sqft; unless all units are less than 1,000sqft
3. Create a Special Use District (SUD) for the Noe Valley neighborhood that applies the standards set forth in the Ordinance to Noe Valley **only**. These standards are what are most appropriate for this neighborhood but are not appropriate standards for much of the rest of the City's residential communities. Noe Valley is an epicenter for the de-facto demolition of modestly sized homes and expansion/construction of significantly larger homes, whereas many other neighborhoods in the City are



not facing this problem.

The Department recommends the following additional amendments to this SUD:

- a. Remove the CUA trigger for 50% expansions
- b. Increase the square footage trigger from 2,500sqft to 3,000sqft.
- c. Exempt ALL projects from the 3,000 square foot per dwelling unit trigger for a CUA if the project:
  - i. Increases the density on the lot, *and*
  - ii. No dwelling unit is less than 1,000 sqft.
- d. Increase the marginal allowable increase over 10 years from 10% to 20% for homes already over 3,000sqft.
- e. Remove Section 319(d)3, which prohibits Historic Properties from being exempt from the CUA requirement since all historic properties are already reviewed for compliance with the Secretary of the Interior's *Standards*.
- f. Exempt garages proposed for conversion to habitable space from the square footage calculations.

### **Basis for Recommendation**

**Recommendation 1:** Waive the Conditional Use authorization required under Sec. 317 and Sec. 319 for projects proposing to demolish a single-family home in RH-2, RH-3, and RH-S districts if the project maximizes density and no unit is less than 1,000sqft (unless all units will be less than 1,000sqft).

**Recommendation 2:** Waive the Conditional Use authorization required under Sec. 317 and Sec. 319 for projects proposing to demolish a single-family home in RH-1(D) and RH-1 districts if an ADU is provided and no unit is less than 1,000sqft (unless all units will be less than 1,000sqft).

Single-family homes are among the most valuable of residential real estate typologies in the City. Currently, when a single-family home is demolished, it is often replaced with a much larger single-family home, even when the lot can accommodate more density. The construction of single-family homes contributes the least to addressing the City's housing shortage; therefore, the City should encourage proposals that include multiple, livable units where there was previously only one. The Department believes an exception tied to adding density is the best way to incentivize density over the construction of single-family homes. Projects that seek to expand their home significantly are more likely to add density if it means they will avoid the risk, time, and financial burden of a CUA. It is especially critical that the City encourage density in its high-resourced neighborhoods that have traditionally welcomed large homes and no density.

The Department is proposing a minimum unit size rather than focusing on the maximum unit size. This avoids setting any arbitrary city-wide limits on maximum unit size while ensuring that any additional units are substantial enough that they will be used as separate units. Setting a minimum unit size of 1,000 square feet will increase the likelihood that these units will be rented rather than being absorbed into a large single-family home. This also has the added benefit of creating more naturally affordable housing within these neighborhoods and reducing land costs per unit.

**Recommendation 3:** Create a Special Use District (SUD) for the Noe Valley neighborhood that applies the standards set forth in the Ordinance to RHD's in Noe Valley only.

The Supervisor and Noe Valley neighborhood have worked together to set standards they feel are most appropriate for the Noe Valley neighborhood; however, these standards may not be appropriate for rest of the City's residential communities. In some neighborhoods, the maximum unit size may be too small and in others it may be too large. Creating an SUD is also more appropriate as Noe Valley is where the City is seeing the greatest loss of modestly sized homes and the construction of large single-family homes. The Department additionally recommends increasing the square footage trigger in the SUD to 3,000sqft to better align with the average single-family home size approved in recent years, thereby reducing the burden on staff for moderately-sized project proposals.

## **Required Commission Action**

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

## **Environmental Review**

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

## **Public Comment**

Staff have received several letters and exhibits from the public to be submitted as public comment. They are attached as Exhibit B.

## **Attachments:**

- Exhibit A: Revised Draft Planning Commission Resolution
- Exhibit B: Letters of Support/Opposition
- Exhibit C: Historic Preservation Commission Resolution
- Exhibit D: Board of Supervisors File No. 210116



# PLANNING COMMISSION DRAFT RESOLUTION

**HEARING DATE: September 23, 2021**

*Continued From July 22, 2021 hearing*

**Project Name:** Review of Large Residence Developments  
**Case Number:** 2021-001791PCA [Board File No. 210116]  
**Initiated by:** Supervisor Mandelman / Introduced April 13, 2021  
**Staff Contact:** Audrey Merlone, Legislative Affairs  
Audrey.merlone@sfgov.org, 628-652-7534  
**Reviewed by:** Aaron D Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, (628) 652-7533

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR CERTAIN LARGE RESIDENCE DEVELOPMENTS IN RESIDENTIAL, HOUSE (RH) ZONING DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, on February 2, 2021 Supervisor Mandelman introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 210116, which would amend the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts;

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 23, 2021; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The modifications are as follows:

1. Citywide, waive the Conditional Use authorization required under Sec. 317 and Sec. 319 for projects proposing to demolish a single-family home in RH-2, RH-3, and RH-S districts if:
  - a. Principally permitted density within the new construction is maximized; and,
  - b. No unit is less than 1,000sqft (unless **all** units are less than 1,000sqft)
2. Citywide, waive the Conditional Use authorization required under Sec. 317 and Sec. 319 for projects proposing to demolish a single-family home in RH-1(D) and RH-1 districts if:
  - a. An ADU is provided; and,
  - b. No unit is less than 1,000sqft; unless all units are less than 1,000sqft
3. Create a Special Use District (SUD) for the Noe Valley neighborhood that applies the standards set forth in the Ordinance to Noe Valley **only**. These standards are what are most appropriate for this neighborhood but are not appropriate standards for much of the rest of the City's residential communities. Noe Valley is an epicenter for the de-facto demolition of modestly sized homes and expansion/construction of significantly larger homes, whereas many other neighborhoods in the City are not facing this problem.

The Department recommends the following additional amendments to this SUD:

- a. Remove the CUA trigger for 50% expansions
- b. Increase the square footage trigger from 2,500sqft to 3,000sqft.
- c. Exempt ALL projects from the 3,000 square foot per dwelling unit trigger for a CUA if the project:
  - i. Increases the density on the lot, *and*
  - ii. No dwelling unit is less than 1,000 sqft.
- d. Increase the marginal allowable increase over 10 years from 10% to 20% for homes already over 3,000sqft.
- e. Remove Section 319(d)3, which prohibits Historic Properties from being exempt from the CUA requirement since all historic properties are already reviewed for compliance with the Secretary of the Interior's *Standards*.
- f. Exempt garages proposed for conversion to habitable space from the square footage calculations.

## Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

Objective 1 of the Urban Design Element instructs the City to guide development in such a manner where we place “Emphasis of the characteristic pattern which gives to the city and its neighborhoods an image, a sense of purpose, and a means of orientation.” Policy 1.3 of this objective is to “Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.” The proposed Ordinance, with all staff modifications, helps to maintain a balance between a neighborhood’s physical identity while also not impeding on the development of future housing. This proposed Ordinance, with all staff modifications, will encourage additional density while ensuring that the resulting building forms are complementary to a neighborhood’s context. The proposed Ordinance additionally ensures that large, single-family home expansions are not approved without careful consideration through a CU authorization.

In the City's FY 12-13 budget, responsibility for providing strategic direction, planning and oversight of early care and education programs was consolidated in the new agency, OECE

The proposed Ordinance will correct the Planning Code so that it is in line with the City’s current practices and adopted budget.

## General Plan Compliance

The proposed Ordinance and the Commission’s recommended modifications are consistent with the following Objectives and Policies of the General Plan:

### URBAN DESIGN ELEMENT

#### OBJECTIVE 1

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts..

*The proposed Ordinance, with all staff modifications, helps to maintain a balance between a neighborhood’s physical identity while also not impeding on the development of future housing.*

### HOUSING ELEMENT

#### OBJECTIVE 2

**RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS,  
WITHOUT JEOPARDIZING AFFORDABILITY**

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

*The proposed Ordinance, with all staff modifications, will promote modest density across RH districts in the City through the addition of residential units and ADU's. The proposed Ordinance additionally ensures that large, single-family home construction or expansions are not approved without careful consideration through a CU authorization.*

**Planning Code Section 101 Findings**

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would*

*not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

**Planning Code Section 302 Findings.**

The Historic Preservation Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 23, 2021.

Jonas P. Ionin  
*Commission Secretary*

AYES:

NOES:

ABSENT:

ADOPTED: September 23, 2021

## Proposed Section 319 Review of Large Residence Development. Questions and Potential Loophole Example

EXHIBIT B-1

Thomas Schuttish <schuttishtr@sbcglobal.net>

Wed 5/5/2021 11:19 AM

To: Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>

Cc: Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>

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

Dear Audrey:

Good morning and I hope all is well.

Attached is an example to consider for this legislation when it is before the Planning Commission on June 17th. I sent this to you previously in a somewhat different format, but I wanted to send it again to be included in the packet as well as send it to Jacob again.

I am sending this as commentary for what I see as a potential loophole in the legislation where sound housing can be "demolished" and two units could "squeeze-in" under the existing Demo Calcs unless they are adjusted per Section 317 (b) (2) (D).

If the 2600 square foot unit had been just 100 square feet less the project would be exempt from the proposed legislation as discussed previously.

I have attached photos and the Demo Calcs from the plans which I hope you can read.

I know this is one example....but I guess my point is to have the Commission decide if this example or something similar would be okay in meeting the housing goals as well as the spirit of the proposed legislation.

It raises these questions as well:

1. Should the Demo Calcs be adjusted per the current Section 317?
2. Should Demolitions be allowed carte blanche if density is increased regardless of the condition of the existing structure?
3. Should there be alternative ways to densify beyond this proposed legislation in keeping with the original spirit and intent of Section 317?

Thank you and take very good care.

Sincerely,

Georgia

## Potential Loophole in proposed Section 319 Review of Large Residence Development

*The original handyman's door entrance is on the far left of the house behind the bush. (Could the garage level have been used to add a unit of housing as there is no longer a parking requirement per the Planning Code?)*

**This house first sold in April of 2016 for \$1.5 million. After the Addenda was issued the entitlement sold in August 2018 for \$2.35 million.**

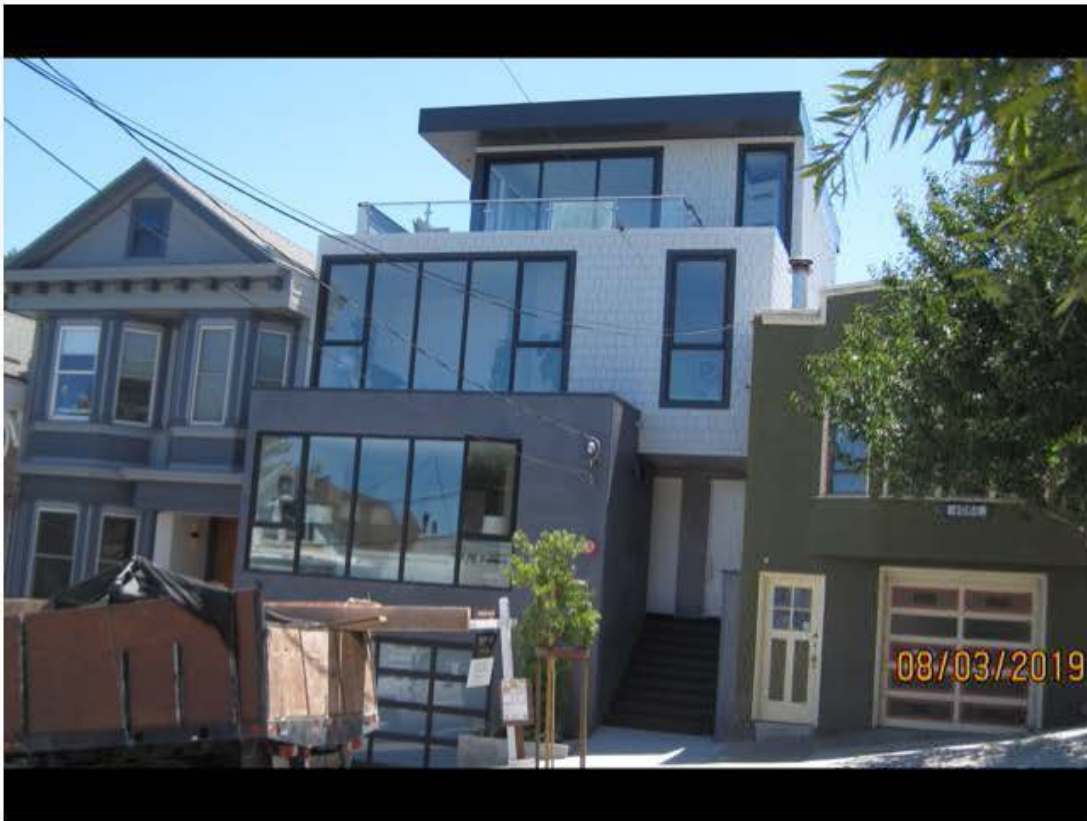




As you can see this is an Alteration. There was no DR filed.




This was a spec project. *Upon completion:*  
One unit is 2,600+ Gross Square Feet and sold for \$3.2 million.  
The other unit is 2,300+ Gross Square Feet and sold for \$2.85 million.



**Context of Street prior to Alteration (The flats on the far left were "remodeled" into one unit)**



**Project Info and Demolition Calculations**



NORTH

J. TR	CITY PERMIT
11/14/12	12.14.12-APP
000218	PROJ REV
FIELD VERIFY ALL EXISTING CONDITIONS. REPORT ANY DISCREPANCIES TO ARCHITECT.	

### AREA CALCULATIONS

**EXISTING AREA CALCULATIONS**

(E) FLR 1' (NON HABITABLE)	964 SQ.FT.
(E) FLR 2' (HABITABLE)	964 SQ.FT.
<b>SUBTOTAL GROSS</b>	<b>1,918 SQ.FT.</b>

**PROPOSED AREA CALCULATIONS**

FLR 1' (UNIT 1) (GARAGE)	1,028 SQ.FT. / 200 OCC/SF = 5.14 OCCUPANTS
FLR 2' (UNIT 1) (UNIT 2' ENTRY)	1,669 SQ.FT. / 200 OCC/SF = 8.34 OCCUPANTS
FLR 2' (UNIT 2) (REAR ROOF DECK) (FRONT ROOF DECK) (SIDE ROOF DECK)	1,370 SQ.FT. / 200 OCC/SF = 6.85 OCCUPANTS
FLR 4' (UNIT 2) (FRONT ROOF DECK)	198 SQ.FT. / 120 SQ.FT. = 1.65 OCCUPANTS
PROPOSED UNIT 1' HABITABLE	2,687 SQ.FT.
PROPOSED UNIT 2' HABITABLE	2,489 SQ.FT.
PROPOSED HABITABLE / BLDG	5,166 SQ.FT.
PROPOSED GROSS / EXCLUDE ROOF DECKS	5,885 SQ.FT.

### SHEET INDEX

**ARCHITECTURAL**

AA 1 COVER SHEET  
AA 2 ARMS

EC 1 (E) / PROPOSED SITE / ROOF PLAN  
EC 2 1 (E) FLOOR 1', FLOOR 2' AND ROOF PLANS  
EC 2 2 (E) FLOOR 1', FLOOR 2' AND ROOF DEMOLITION PLANS  
EC 3 (E) FOUNDATION LINEAR DEMOLITION MEASUREMENT  
EC 4 1 (E) EXTERIOR ELEVATIONS  
EC 4 2 (E) EXTERIOR ELEVATIONS DEMOLITION CALCULATIONS  
EC 5 (E) / PROPOSED BUILDING SECTIONS

A2 1 PROPOSED FLR 1' AND FLR 2' PLANS  
A2 2 PROPOSED FLR 2' AND FLR 3' PLANS  
AA 1 PROPOSED EXTERIOR ELEVATIONS

4061 CESAR CHAVEZ  
SAN FRANCISCO, CALIFORNIA  
LOT 031B / BLOCK 6586

Drawing Title  
**COVER SHEET**

By CH  
Date

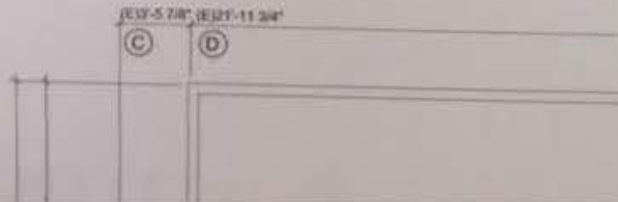
DESCRIPTION	HORIZONTAL ELEMENTS	(E) AREA	REMOVED	% REMOVED
EXISTING	(E) FLOOR 1' (E) SLAB ON GRADE EXCLUDED FROM DEMOLITION CALCULATIONS)			
EXISTING	(E) FLOOR 2'	964 SQ.FT.	44 SQ.FT.	4.6%
EXISTING	(E) FLOOR 2' LOWER CLG JSTS	966 SQ.FT.	966 SQ.FT.	100%
EXISTING	(E) ROOF	983 SQ.FT.	67 SQ.FT.	6.8%
<b>TOTAL</b>	<b>HORIZONTAL TOTAL</b>	<b>2,903 SQ.FT.</b>	<b>1,077 SQ.FT.</b>	<b>37.1% &lt; 50% OK</b>
(C) REMOVAL OF 50% OF VERTICAL ENVELOPE AND 50% HORIZONTAL ELEMENTS. (WE ARE UNDER BOTH OF THESE THRESHOLDS) / OK				

## SHEET EC2.6 NOTES

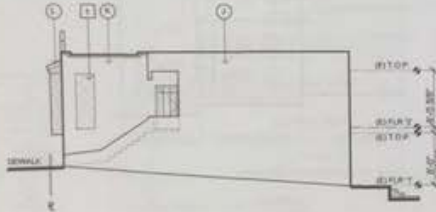
- 1 STIPPLE LINES INDICATE PORTION OF EXISTING STRUCTURE TO BE REMOVED
- 2 NON-HABITABLE GARAGE STRUCTURE TO BE DEMOLISHED. GARAGE STRUCTURE EXCLUDED FROM DEMOLITION CALCULATIONS
- 3 SEE EC2.5 FOR COMPLETE DEMOLITION CALCULATIONS.

LINEAR FOOTAGE MEASUREMENT @ FOUNDATION OF RESIDENCE

ELEMENT	(E) LENGTH	REMOVED	% REMOVED
FRONT FACADE (NORTH)			
A	19'-0"	0'-0"	
B	8'-8"	0'-0"	
REAR FACADE (SOUTH)			
C	3'-0"	3'-0"	
D	22'-0"	22'-0"	
SIDE FACADE (WEST)			
E	16'-11"	0'-0"	
F	24'-10"	0'-0"	
SIDE FACADE (EAST)			
G	24'-10"	24'-10"	
H	16'-11"	0'-0"	
TOTAL	130'-5"	50'-0"	07.2% DK



AREA MEASUREMENT VERTICAL ELEMENT	AREA	AREA REMOVED	% REMOVED
SIDE FACADE (WEST)			
Z	816.8 SQ FT	0 SQ FT	0%
K	328.1 SQ FT	21.3 SQ FT	6.4%
L	16.7 SQ FT	0 SQ FT	0%
SUBTOTAL	1211.6 SQ FT	21.3 SQ FT	1.7%
GROSS BUILDING	2,275.8 SQ FT	1,300 SQ FT	(57.2%) = 65% OK



AREA MEASUREMENT VERTICAL ELEMENT	AREA	AREA REMOVED	% REMOVED
REAR FACADE (SOUTH)			
T	454.4 SQ FT	88.4 SQ FT	19%
U	37.6 SQ FT	82 SQ FT	218%
SUBTOTAL	492.0 SQ FT	170.4 SQ FT	34%
GROSS BUILDING	1,275.8 SQ FT	1,000 SQ FT	(78.4%) = 85% OK



WEST) DEMOLITION

AREA MEASUREMENT VERTICAL ELEMENT	AREA	AREA REMOVED	% REMOVED
SIDE FACADE (EAST)			
V	428.4 SQ FT	428.4 SQ FT	100%
W	3.0 SQ FT	8 SQ FT	2%
X	16.7 SQ FT	0 SQ FT	0%
SUBTOTAL	478.1 SQ FT	436.4 SQ FT	91%
GROSS BUILDING	2,275.8 SQ FT	1,300 SQ FT	(57.2%) = 65% OK

2 (E) REAR ELEVATION (SOUTH) DEMOLITION

AREA MEASUREMENT VERTICAL ELEMENT	AREA	AREA REMOVED	% REMOVED
FRONT FACADE (SOUTH)			
Y	79.8 SQ FT	44.2 SQ FT	55%
Z	44.8 SQ FT	35.3 SQ FT	79%
AA	37.3 SQ FT	88.8 SQ FT	238%
AB	25.5 SQ FT	13.5 SQ FT	53%
SUBTOTAL	187.4 SQ FT	161.8 SQ FT	86%
GROSS BUILDING	2,275.8 SQ FT	1,300 SQ FT	(57.2%) = 65% OK
FRONT REAR	1,073.8 SQ FT	802.4 SQ FT	75%

ALLOWABLE DEMOLITION BEFORE CONSIDERING DEMOLITION  
 (A) REMOVAL OF 85% FRONT + REAR FACADE THIS 85% SUM OF ALL  
 EXTERIOR WALLS ARE AND UNDER THIS THRESHOLD FOR TOTAL EXTERIOR  
 WALLS

## Three other types of potential loopholes to consider for Section 319 Review of Large Residence Developments

Thomas Schuttish <schuttishtr@sbcglobal.net>

Wed 5/5/2021 2:54 PM

To: Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>

Cc: Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>

2 attachments (2 MB)

17 Temple St - Demo Calcs.pdf; PastedGraphic-1.tiff;

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

Dear Audrey:

I will explain these three examples of 363 Jersey Street, 17 Temple Street and 3790 21st Street which are illustrated below.

All three were approved as two units, but based on the sales floor plans have been marketed and now "live" as one big unit. (Aka "A Monster Home")

All three of these projects were approved as Alterations.

Of the three, only 363 Jersey Street has sold recently for \$6.195 million. It was at the Planning Commission as a DR.

I included the Demo Calcs for 17 Temple Street which has apparently been taken off the market but was asking just under \$4 million. There had been a DR but it was withdrawn.

The project at 3790 21st Street has just come on the market for \$7.9 million. There are no published Demo Calcs. As best I can figure based on the original square footage of the building prior to the Alteration, I think this one on 21st Street *would have* required a CUA under the proposed Section 319 legislation....but I included it here to show how any project could get around the second unit requirement by making the units obviously internally accessible to one another. Note the sliding door on the floor plans. (Looks like a cat's whisker. I put a black line on the plans to point it out) This project also had a DR that was withdrawn.

These three examples all have the same issue with the outcome and the eventual use and tenure of the second unit, with the second unit being absorbed by the main unit as shown by the sales floor plans and the marketing, regardless of the plans approved by the City. *And this is a potential loophole in Section 319 that needs consideration and analysis.*

**These three examples also show the need for either adjusting the Demo Calcs, or enacting this legislation to limit Monster Homes or even better still, doing both...especially adjusting the Demo Calcs.**

There are other addresses for projects underway that raise similar questions and concerns:

1132-1134 Sanchez Street (Commission approved plans appear to have been revised based on the web ads)

565 29th Street

466-468 Elizabeth

All three sold their entitlements. They were all approved as Alterations.

Please include this email in the Commissioners' packets for the June 17th hearing on "Review of Large Residence Developments" as well as the email I sent earlier today about a *different type of potential loophole* in the proposed legislation for the new Section 319.

Thanks again and take very good care and be well and safe.

Sincerely,

Georgia

# 363 Jersey Street

3:29 PM Fri Jan 15

redfin.com

81%



## 363 Jersey Street

San Francisco, California 94112

4 Bedroom • 4 Bath • 2 High Ceilings  
Estimated Walk-Up Potential  
Square Footage: **3,875 SQ FT**  
Estimated Front-Load Potential  
Square Footage: **4,281 SQ FT**



**LOWER LEVEL**  
1,715 SQ FT • 1 Bedroom  
2014/2017 • 1 Bathroom



**MAIN LEVEL**  
1,962 SQ FT • 1 Bedroom



**UPPER LEVEL**  
1,200 SQ FT • 2 Bedrooms



Disclaimer: This floor plan is for informational purposes only. It is not intended to be used as a contract or a legal document. All dimensions and measurements are approximate and subject to change without notice.

**COMPASS**

San Francisco, CA 94102  
415.769.3200  
www.compass.com





## Discretionary Review Action DRA-0541

HEARING DATE: JULY 13, 2017

*Case No.:* 2014-002504DRP  
*Project Address:* 363 JERSEY STREET  
*Building Permit:* 2014.11.18.1848  
*Zoning:* RH-2 (Residential House, Two-Family) District  
40-X Height and Bulk District  
*Block/Lot:* 6538/031  
*Project Sponsor:* Earle Weiss  
21 Corte Madera Ave.  
Mill Valley, CA 94901  
*DR Requestor:* John and Carol Broderick  
367 Jersey Street  
San Francisco, CA 94114  
*Staff Contact:* Andrew Perry – (415) 575-9017  
[andrew.perry@sfgov.org](mailto:andrew.perry@sfgov.org)

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2014-002504DRP AND THE APPROVAL WITH MODIFICATIONS OF BUILDING PERMIT 2014.11.18.1848 PROPOSING ALTERATION OF AND ADDITION TO THE EXISTING, 1.5-STORY OVER BASEMENT, SINGLE-FAMILY DWELLING, TO RESULT IN A 3-STORY OVER BASEMENT, TWO-FAMILY DWELLING, INCLUDING A HORIZONTAL ADDITION AT THE REAR, INSERTION OF A GARAGE AT THE FIRST FLOOR AND EXCAVATION FOR A NEW BASEMENT SUB-GARAGE WITH CAR ELEVATOR, THE ALTERATION OF THE EXISTING GABLE ROOF TO A NEW FLAT ROOF IN ORDER TO GAIN ADDITIONAL HABITABLE SPACE AT THE THIRD FLOOR, NEW PRIVATE ROOF DECK ABOVE TO BE ACCESSED THROUGH A ROLLING SKYLIGHT HATCH, AND THE DEVELOPMENT OF THE GROUND FLOOR AS A FULL, SECOND LEGAL UNIT WITHIN THE RH-2 (RESIDENTIAL HOUSE, TWO-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

# 17 Temple Street

This is a photo of the "media room" in the lower level from the web ad with the "kitchenette" in the background. See floor plan right below.



# 17 TEMPLE STREET

SAN FRANCISCO, CA 94114

Estimated Total Finished  
Square Footage: 3,340 SQ FT

Above-Grade: 2,325 SQ FT Below-Grade: 1,015 SQ FT

Plus 245 SQ FT Garage on Main Level

Plus 45 SQ FT Mech Room on Lower Level

Calculated per ANSI Standard Z765-2003.

\* Estimated Total Finished & Unfinished Square Footage: 3,630 SQ FT



MAIN LEVEL  
1,015 SQ FT



UPPER LEVEL  
1,310 SQ FT



LOWER LEVEL  
1,015 SQ FT



floor plan visuals  
www.fpvisuals.com  
415.670.9265

All measurements are approximate.  
While deemed reliable, no information  
on these floor plans should be relied  
upon without independent verification.



Massimo LoPorto  
415.572.6508  
massimo@vanguardsf.com

Frank Nolan  
415.377.3726  
frank@vanguardsf.com

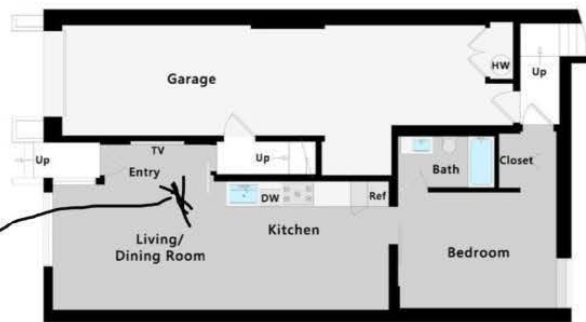
# 3790 21st Street

# 3790 21st Street

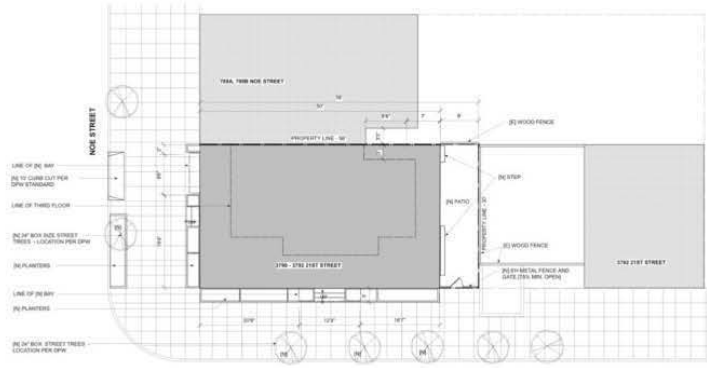
San Francisco, CA



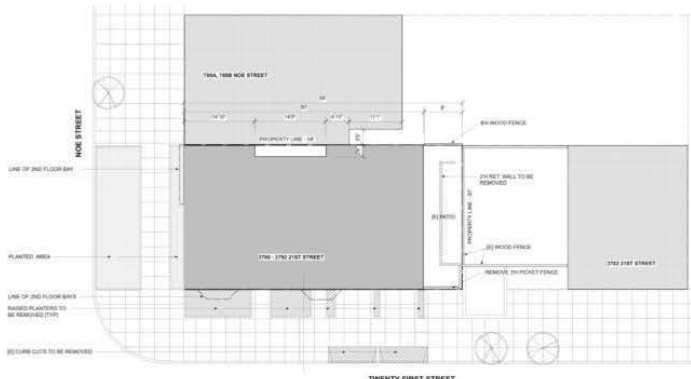
Second Floor



First Floor



PROPOSED SITE PLAN 1/8" = 1'-0"



EXISTING SITE PLAN 1/8" = 1'-0"



**be/A**  
**BILL EGAN**  
**ARCHITECT**  
 75 Page Street, Suite 8  
 San Francisco, CA 94111  
 415 393 1328  
 info@beaarch.com  
 www.beaarchitect.com

**PROJECT DATA**  
 ADDRESS: 3792 TWENTY-FIRST STREET, SAN FRANCISCO, CA  
 BLOCK: LOT: 3043360  
 COUNTY: CLATSOP  
 CONSTRUCTION:  
 1. LOT AREA: 10,810 SF  
 2. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 3. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 4. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 5. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 6. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 7. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 8. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 9. EXISTING CONFL. FLOOR AREA: 10,810 SF  
 10. EXISTING CONFL. FLOOR AREA: 10,810 SF

PROJECT NO: 15.0112.00  
 PROJECT TITLE:

**3790 - 3792 TWENTY-FIRST STREET REMODEL**  
 3790 - 3792 TWENTY-FIRST STREET, SAN FRANCISCO, CALIFORNIA

**CONTACT DIRECTORY**  
 OWNER: CONTACT  
 3792 TWENTY-FIRST STREET  
 SAN FRANCISCO, CA 94131  
 415 393 1328  
 ARCHITECT:  
 BILL EGAN  
 75 PAGE STREET, SUITE 8  
 SAN FRANCISCO, CA 94111  
 415 393 1328

**CODES, STANDARDS, ORDINANCES**  
 ALL WORK SHALL COMPLY TO THE FOLLOWING:  
 2015 SAN FRANCISCO BUILDING CODE  
 2015 CALIFORNIA ENERGY STANDARDS  
 ALL LOCAL STANDARDS, ORDINANCES AND SPECIFICATIONS

**SCOPE OF WORK**  
 ADD BASEMENT AND 3RD FLOOR TO EXISTING 2 STORY 1 UNIT.  
 REMOVE EXISTING 2ND AND 3RD FLOOR AND 4TH FLOOR.  
 REMOVE EXISTING 2ND AND 3RD FLOOR AND 4TH FLOOR.  
 REMOVE EXISTING 2ND AND 3RD FLOOR AND 4TH FLOOR.

**SHEET INDEX**  
 A10 PROJECT DATA  
 A11 FLOORING AND PROPOSED SITE PLANS  
 A12 PROPOSED BASEMENT  
 A13 EXISTING & PROPOSED FIRST FLOOR PLANS  
 A14 EXISTING & PROPOSED SECOND FLOOR  
 A15 PROPOSED 3RD FLOOR PLANS  
 A16 EXISTING AND PROPOSED BUILDING SECTIONS  
 A17 EXISTING AND PROPOSED ELEVATIONS  
 A18 EXISTING AND PROPOSED ELEVATIONS  
 A19 EXISTING AND PROPOSED ELEVATIONS  
 A20 EXISTING AND PROPOSED CONSTRUCTION ELEVATIONS

PREP DATE:  
 SHEET CONTROL:  
 PROJECT DATA:  
 EXISTING AND PROPOSED SITE PLANS

**A1.0**

**be/A**  
**BILL EGAN**  
**ARCHITECT**  
 75 Page Street, Suite 8  
 San Francisco, CA 94111  
 415 393 1328  
 info@beaarch.com  
 www.beaarchitect.com

B-1 Front & Rear Facades - By Linear Foot				
Element	Existing	Removed		
Front Façade	24 LF	24 LF		
Rear Façade	24 LF	13.75 LF		
Total	48 LF	37.75 LF		
<b>Percent Removed</b>		<b>79%</b>	<b>&gt;50%</b>	<b>Non-Confo</b>
B-2 All Exterior Walls - By Linear Foot				
Element	Existing	Removed		
Front Façade	24' LF	24' LF		
Rear Façade	24' LF	13.75" LF		
Right Wall	28.25 LF	0 LF		
Left Wall	28.25 LF	0 LF		
Total	104.5 LF	37.75'		
<b>Percent Removed</b>		<b>36%</b>	<b>&lt;65%</b>	<b>Conforms</b>
C-1 All Vertical Envelope Elements - By Area				
Element	Existing	Removed		
Front Façade	661 SF	559 SF		
Rear Façade	494 SF	494 SF		
Right Wall	818 SF	129.5 SF		
Left Wall	818 SF	60 SF		
Total	2791 SF	1242.5 SF		
<b>Percent Removed</b>		<b>45%</b>	<b>&lt;50%</b>	<b>Conforms</b>
C-2 All Horizontal Elements - By Area				
Element	Existing	Removed		
2nd Floor Place	923 SF	296 SF		
Roof Plate	923 SF	923 SF		
Total	1846 SF	1219 SF		
<b>Percent Removed</b>		<b>66%</b>	<b>&gt;50%</b>	<b>Non-Confo</b>





[Floor Plans](#)[Street View](#)

SFARMLS

**3790 21st St, San Francisco, CA 94114****\$7,900,000**

Price

**5**

Beds

**5.5**

Baths

**4,400**

Sq Ft



The Bauhaus, a one-of-a-kind, meticulously reimagined 5bd/5.5ba luxury residence offers impressive modern design, stunning views, and a separate 1bd/1ba guest apartment. The ~4,400sf European showplace embraces abstract shapes mixed w/ clean lines & industrial metal details. Wide-plank Dinesen Douglass flooring. Floor-to-ceiling windows with lift & slide glass doors. The main-floor space hosts a L/D room w/ FP, a family room, & a sleek open kitchen w/ Gaggenau appliances & Neolith stone that leads to a patio w/ H2O feature. On the 2nd floor, the owner's suite has fab views, a walk-in closet & sprawling en-suite Boffi spa bathroom. 2 more suites & laundry room complete the level. Above, the penthouse invites seamless indoor-outdoor enjoyment w/ a wraparound terrace w/ Sutro Tower views, wet bar, outdoor kitchen & bedroom suite. The 1bd/1ba legal lower unit is ideal for guests. 2-car garage w/ interior acc. Corner of 21st St. Walk to shopping, restaurants, & pub transport.

## Example for "Monster Home" Legislation

SchuT <schuttishtr@sbcglobal.net>

Wed 6/2/2021 9:22 AM

To: Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>

2 attachments (1 MB)

808 Douglass\_PreAppMeeting\_Invitation.pdf; 808 Douglass\_PreAPP\_Drawings.pdf;

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

Dear Audrey,

Good morning. Hope all is well for you and your family.

Please see the attached.

I just got this pre app invite this morning and I think it is interesting because it shows that a project sponsor/family can add a reasonable amount of square footage to expand and improve their home, but not exceed the requirements of the proposed legislation.

I noticed recently that a couple of architects recently talked about "hysteria" over large homes so I imagine that idea of "hysteria" will be an argument against it.

So this project is an interesting example.

I am still not certain about the 2500 number however, particularly if the Demo Calcs remain at the current threshold, but I am looking forward to listening to everyone.

I assume it is still on target to be heard by the Commission on June 17th?

You take care and have a good day.

Georgia

>

# NOTICE OF PRE-APPLICATION MEETING

Date: \_\_\_\_\_

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at \_\_\_\_\_, cross street(s) \_\_\_\_\_ (Block/Lot#: \_\_\_\_\_; Zoning: \_\_\_\_\_), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at [www.sfgov.org/dbi](http://www.sfgov.org/dbi).

The Pre-Application process serves as the first step in the process prior to filing a Project Application with the Planning Department. Those contacted as a result of the Pre-Application process will also receive formal notification from the city after the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction subject to Section 311;
- Any vertical addition of 7 feet or more subject to Section 311;
- Any horizontal addition of 10 feet or more subject to Section 311;
- Decks over 10 feet above grade or within the required rear yard subject to Section 311;
- All Formula Retail uses subject to a Conditional Use Authorization;
- PDR-1-B, Section 313;
- Community Business Priority Processing Program (CB3P).

The development proposal is to: \_\_\_\_\_

Existing # of dwelling units: \_\_\_\_\_ Proposed: \_\_\_\_\_ Permitted: \_\_\_\_\_

Existing bldg square footage: \_\_\_\_\_ Proposed: \_\_\_\_\_ Permitted: \_\_\_\_\_

Existing # of stories: \_\_\_\_\_ Proposed: \_\_\_\_\_ Permitted: \_\_\_\_\_

Existing bldg height: \_\_\_\_\_ Proposed: \_\_\_\_\_ Permitted: \_\_\_\_\_

Existing bldg depth: \_\_\_\_\_ Proposed: \_\_\_\_\_ Permitted: \_\_\_\_\_

## MEETING INFORMATION:

Property Owner(s) name(s): \_\_\_\_\_

Project Sponsor(s): \_\_\_\_\_

Contact information (email/phone): \_\_\_\_\_

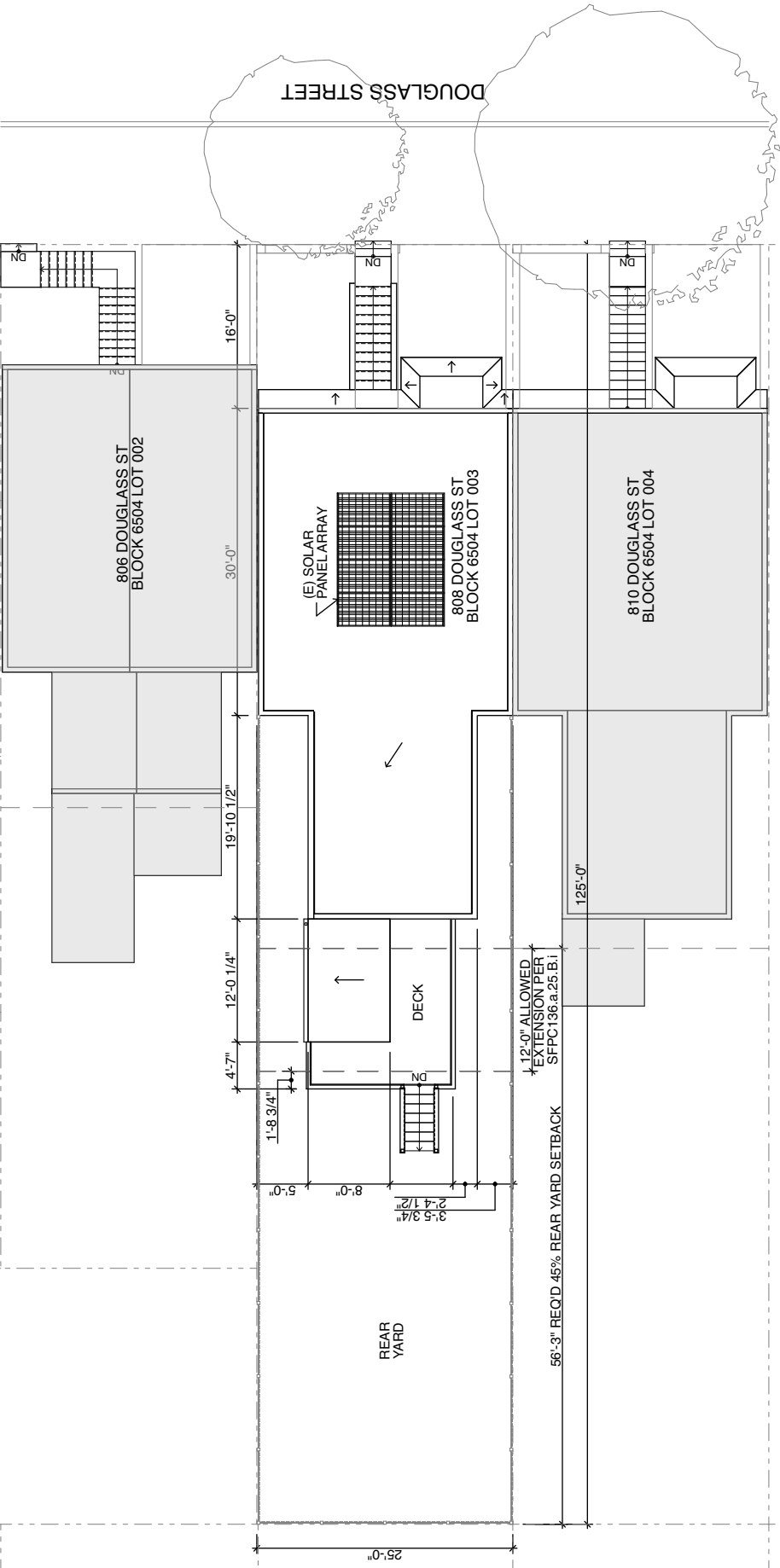
Meeting Address\*: \_\_\_\_\_

Date of meeting: \_\_\_\_\_ Time of meeting\*\*: \_\_\_\_\_

\*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 49 South Van Ness Avenue, Suite 1400.

\*\*Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, email the Planning counter at the Permit Center at [pic@sfgov.org](mailto:pic@sfgov.org). You may also find information about the San Francisco Planning Department and on-going planning efforts at [www.sfplanning.org](http://www.sfplanning.org).



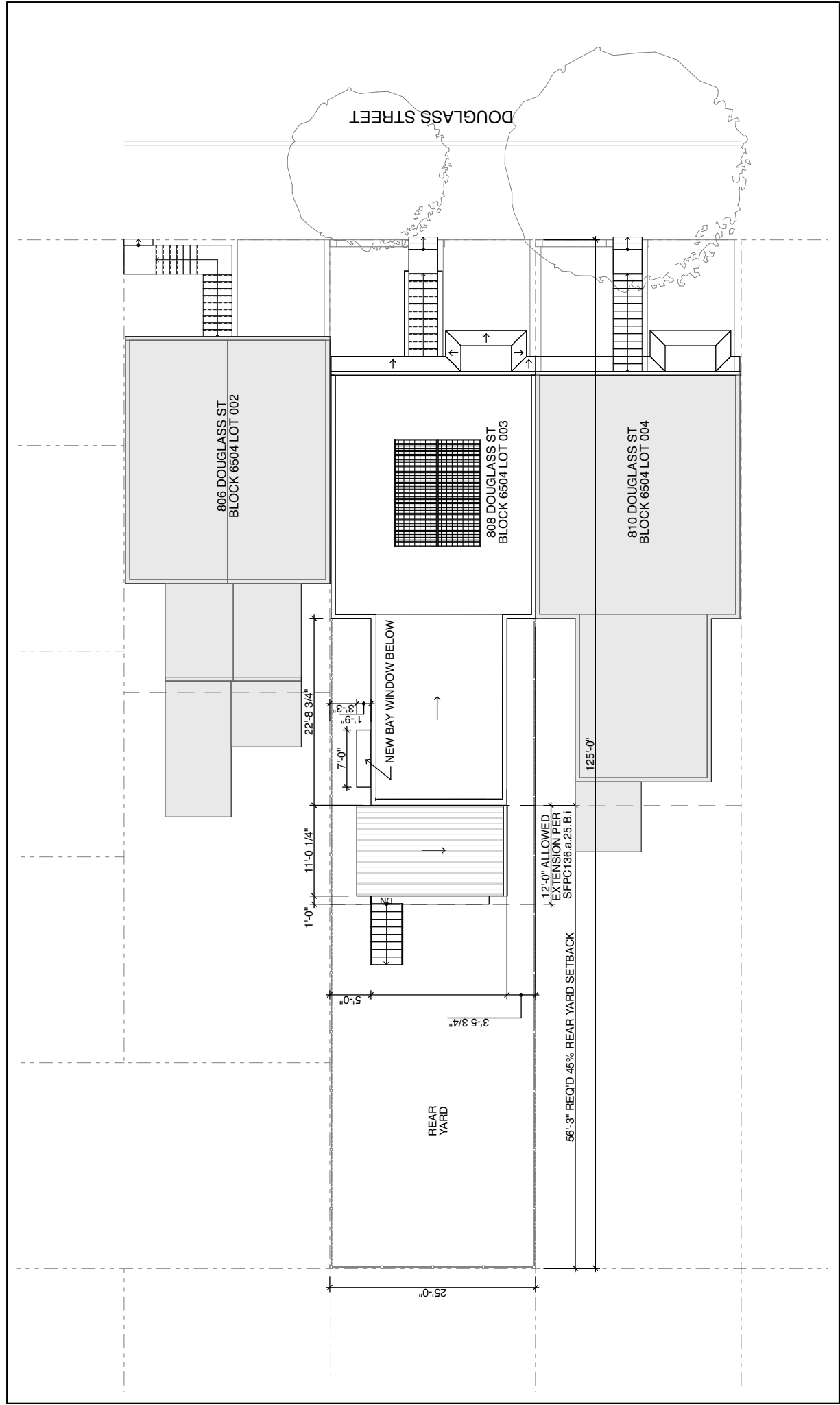
**LAFFAN-  
MARCUS  
RESIDENCE**

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114

1 OF 10  
 DATE 5/27/21  
 SCALE 1/16" = 1'-0"

EXISTING SITE PLAN

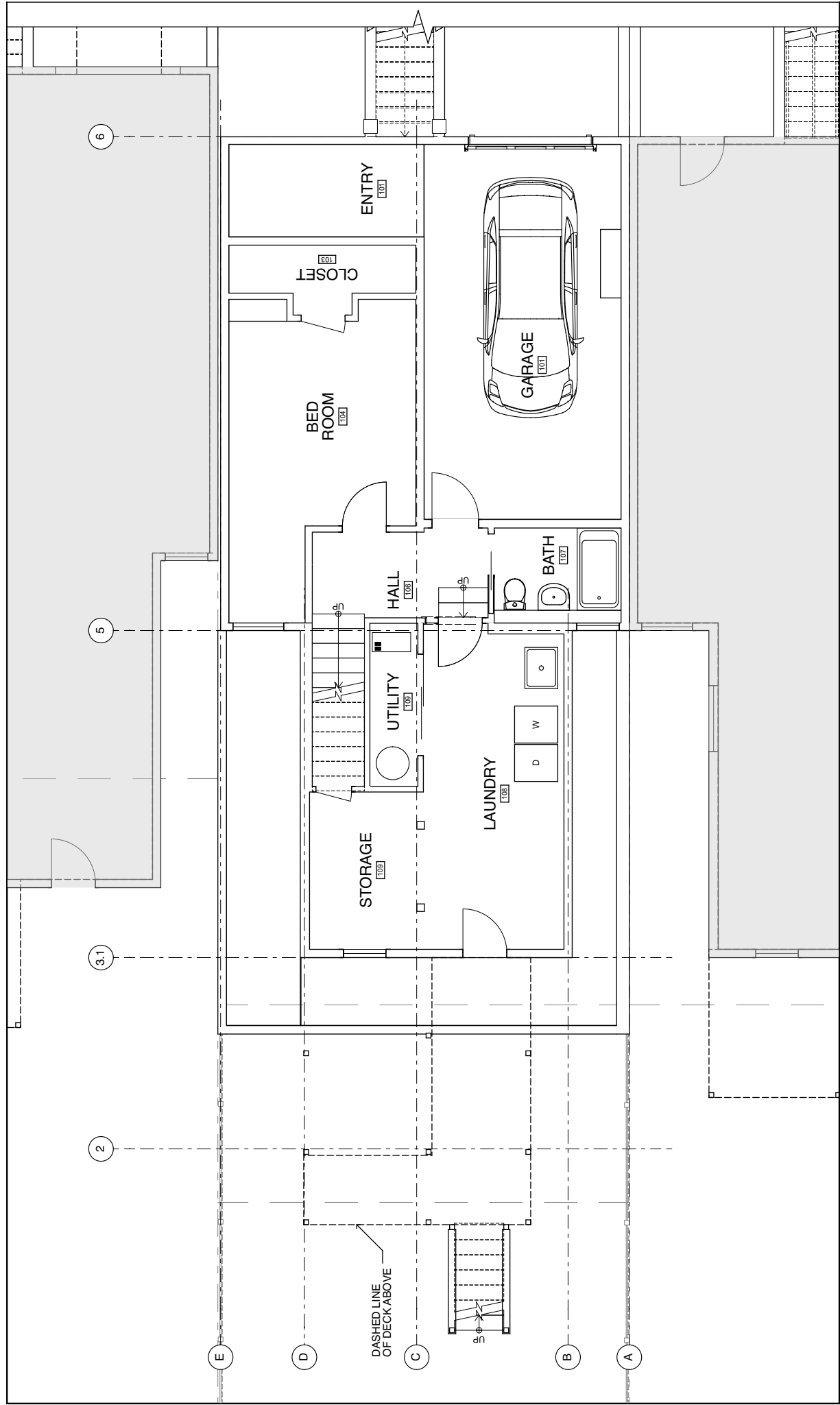




**LAFFAN-  
MARCUS  
RESIDENCE**

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114





3 OF 10

DATE 5/27/21

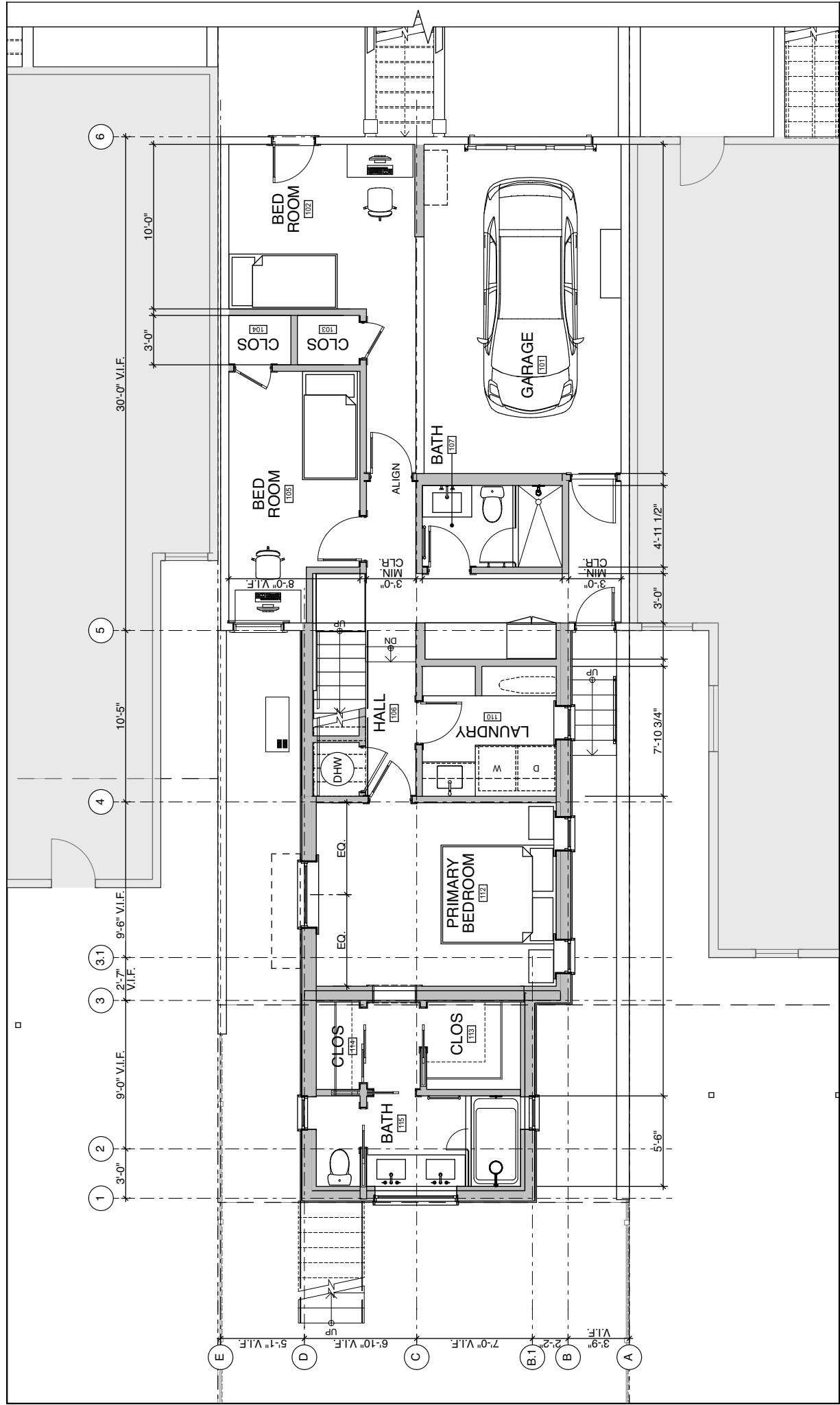
SCALE 1/8" = 1'-0"

EXISTING FIRST FLOOR PLAN

**LAFFAN-MARCUS RESIDENCE**

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114





4 OF 10

DATE 5/27/21

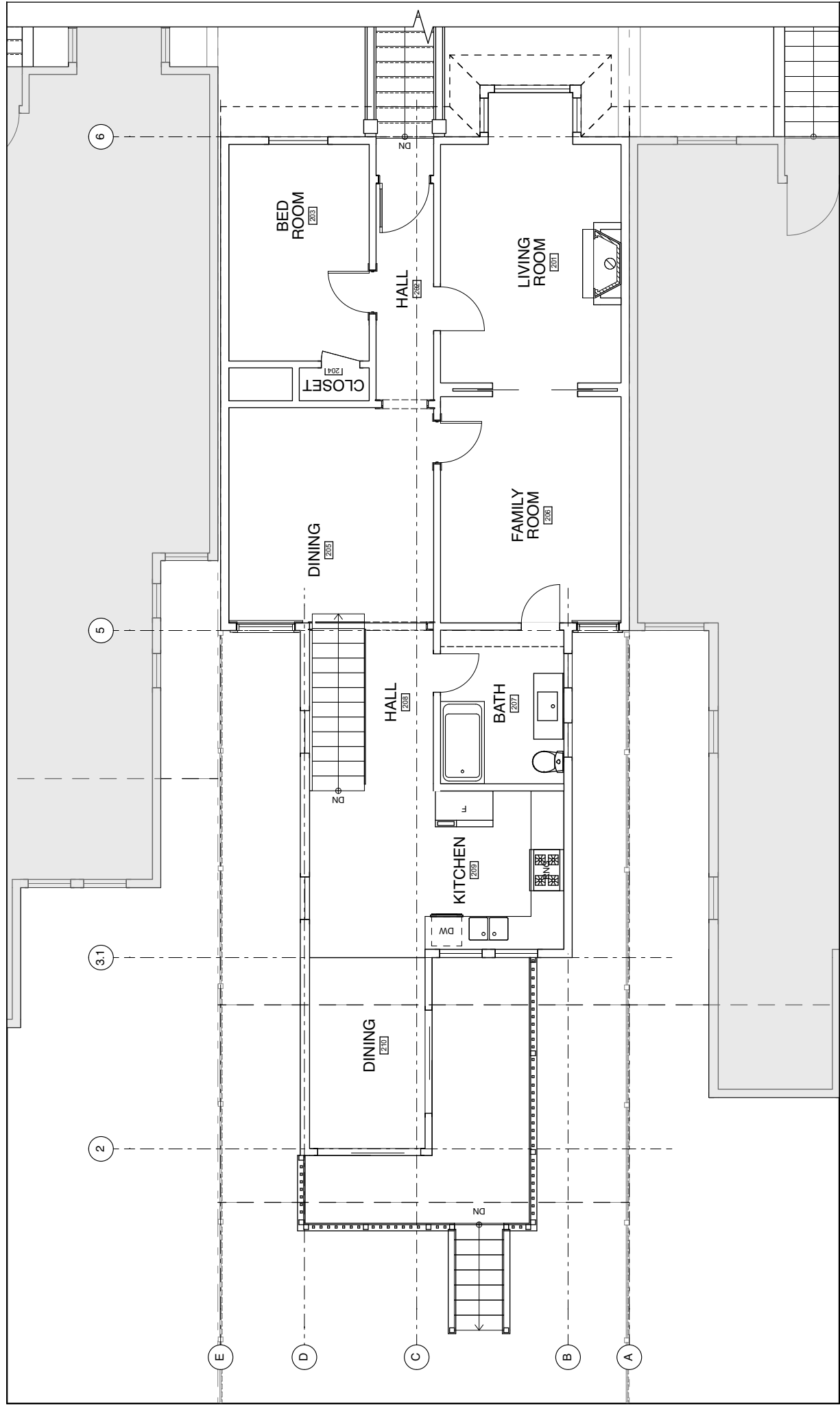
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PROPOSED FIRST FLOOR PLAN

LAFFAN-MARCUS RESIDENCE

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114





5 OF 10

DATE 5/27/21

SCALE 1/8" = 1'-0"

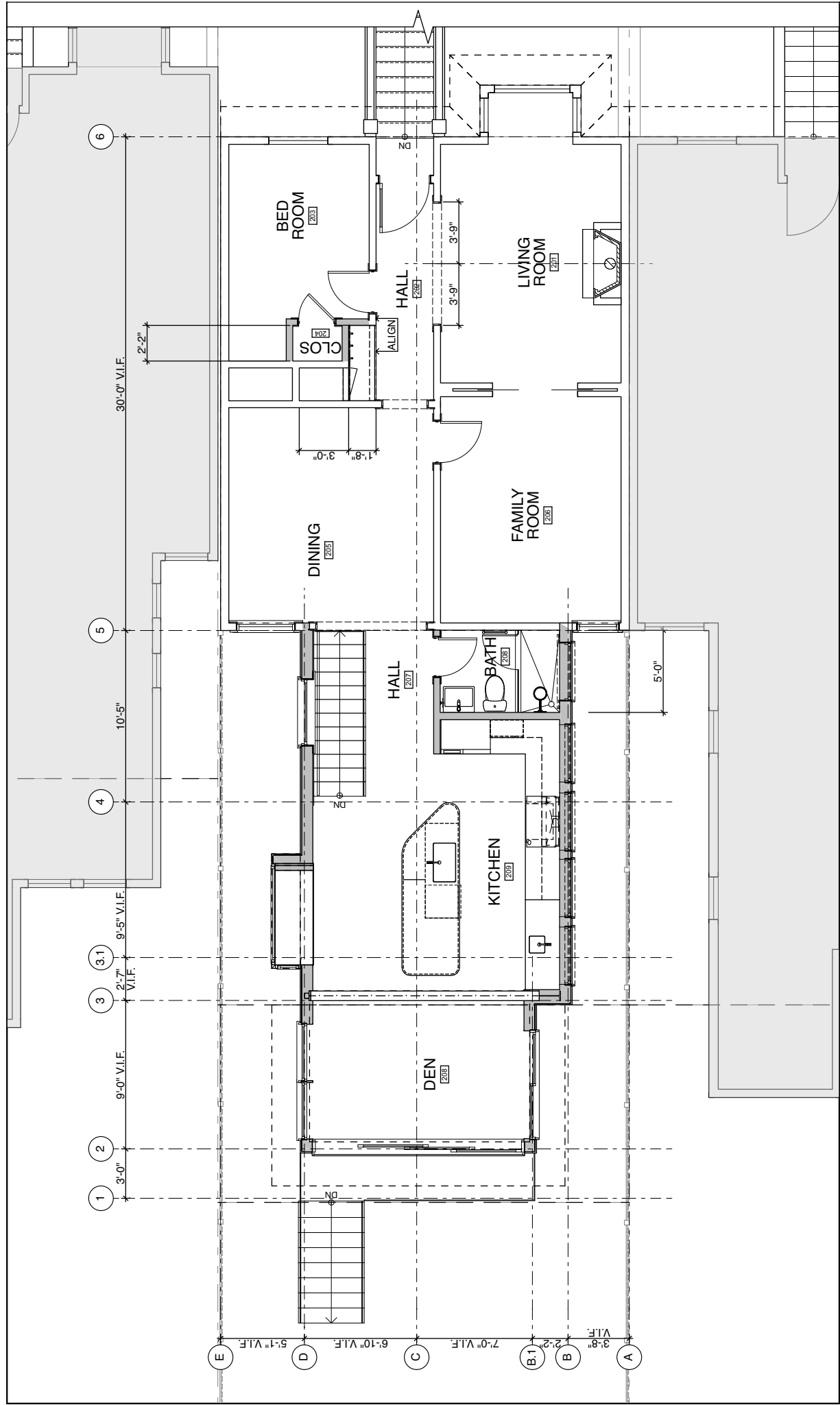
EXISTING SECOND FLOOR PLAN

**LAFFAN-MARCUS RESIDENCE**

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114







6 OF 10

DATE 5/27/21

SCALE 1/8" = 1'-0"

PROPOSED SECOND FLOOR PLAN

**LAFFAN-MARCUS RESIDENCE**

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114





EXISTING EAST ELEVATION



PROPOSED EAST ELEVATION

NEW DOOR LEAF  
W/ GLAZING



1 ARKANSAS STREET D2 SAN FRANCISCO CA 94107

# LAFFAN-MARCUS RESIDENCE

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114

7 OF 10

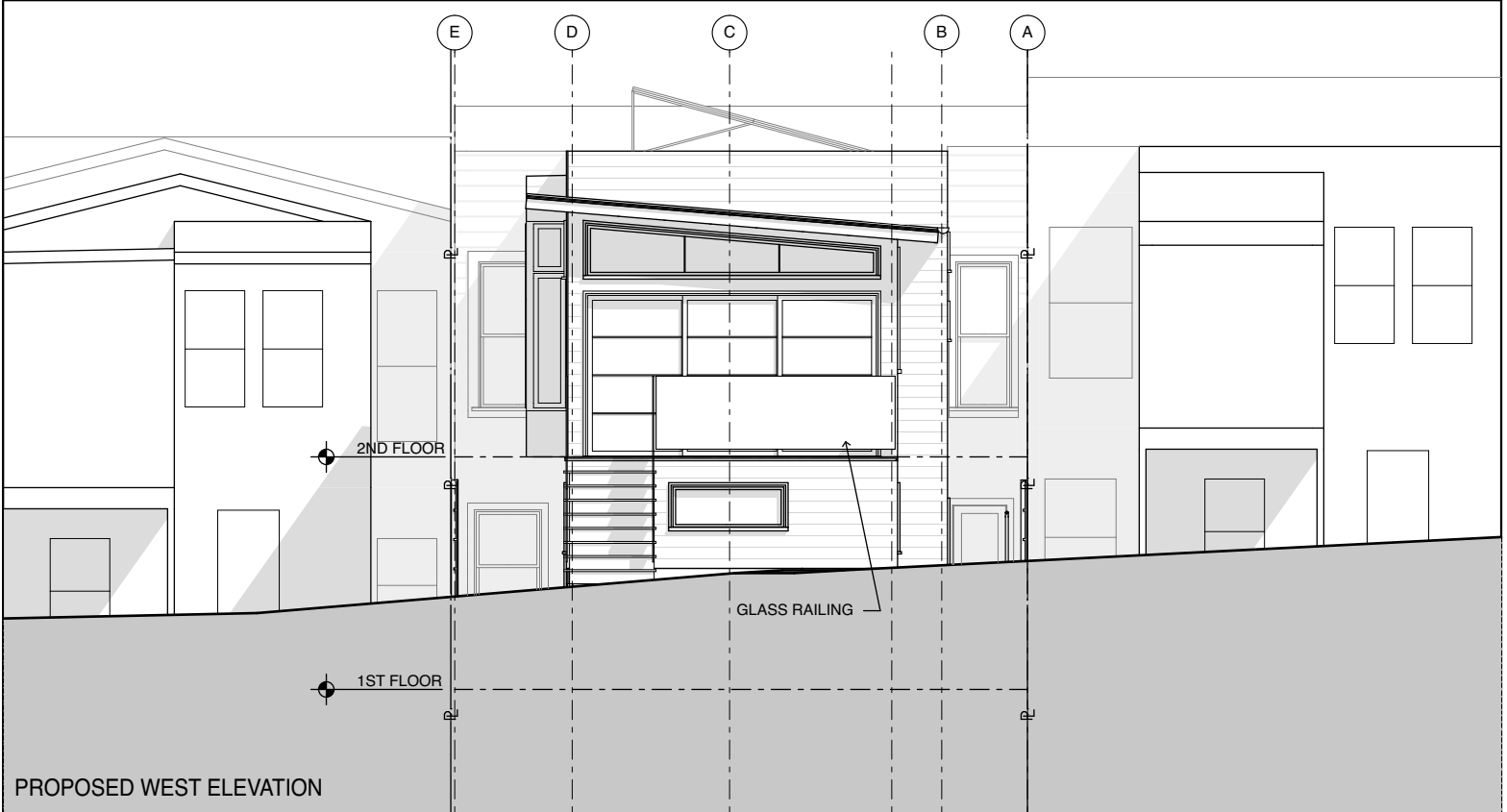
DATE 5/27/21

SCALE 1/8" = 1'-0"

EAST ELEVATIONS



EXISTING WEST ELEVATION



PROPOSED WEST ELEVATION

**CHAR DAUER**

1 ARKANSAS STREET D2 SAN FRANCISCO CA 94107

**LAFFAN-MARCUS  
RESIDENCE**

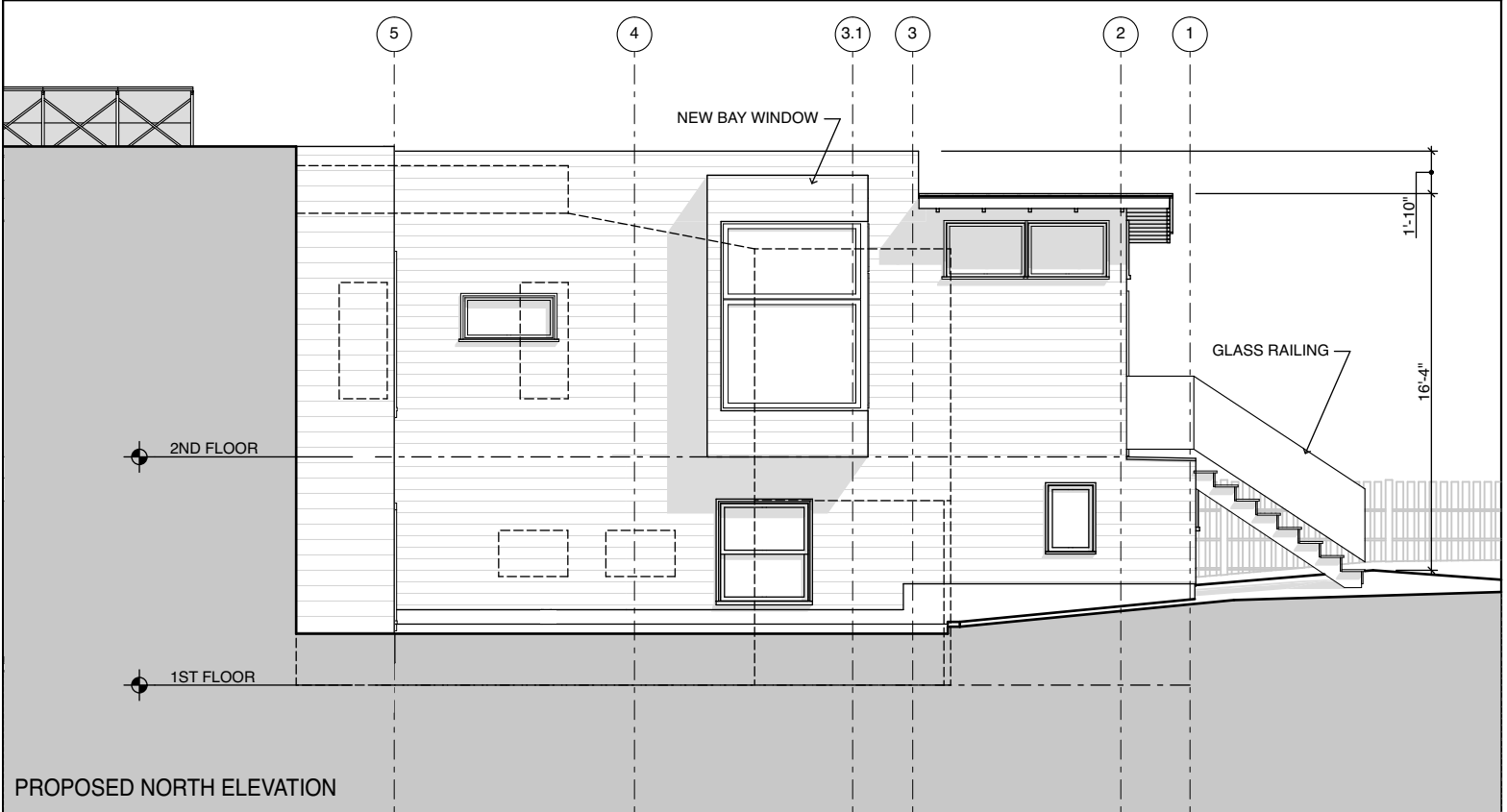
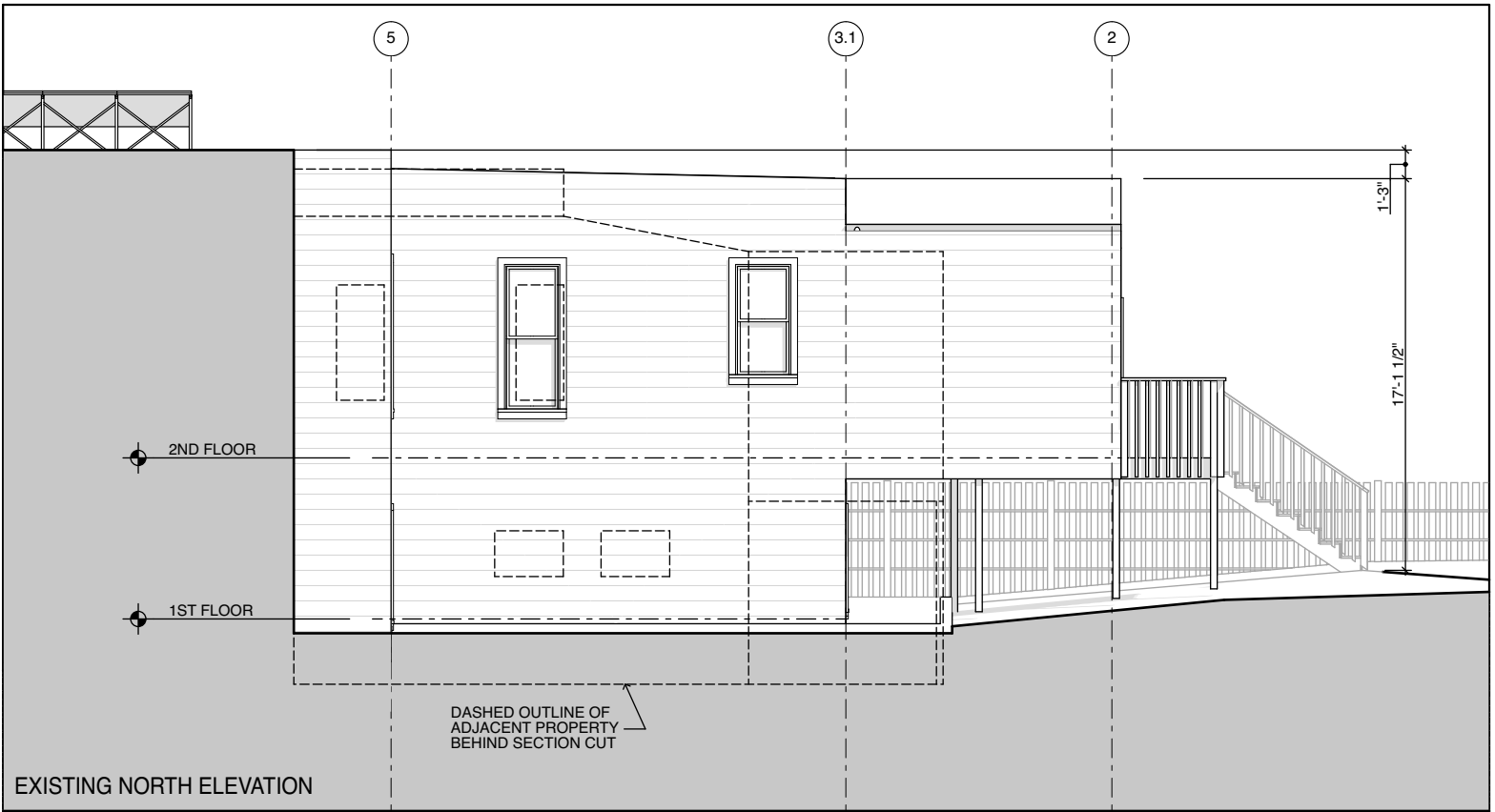
808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114

8 OF 10

DATE 5/27/21

SCALE 1/8" = 1'-0"

**WEST ELEVATIONS**



**CHAR DAUER**

1 ARKANSAS STREET D2 SAN FRANCISCO CA 94107

**LAFFAN-MARCUS  
RESIDENCE**

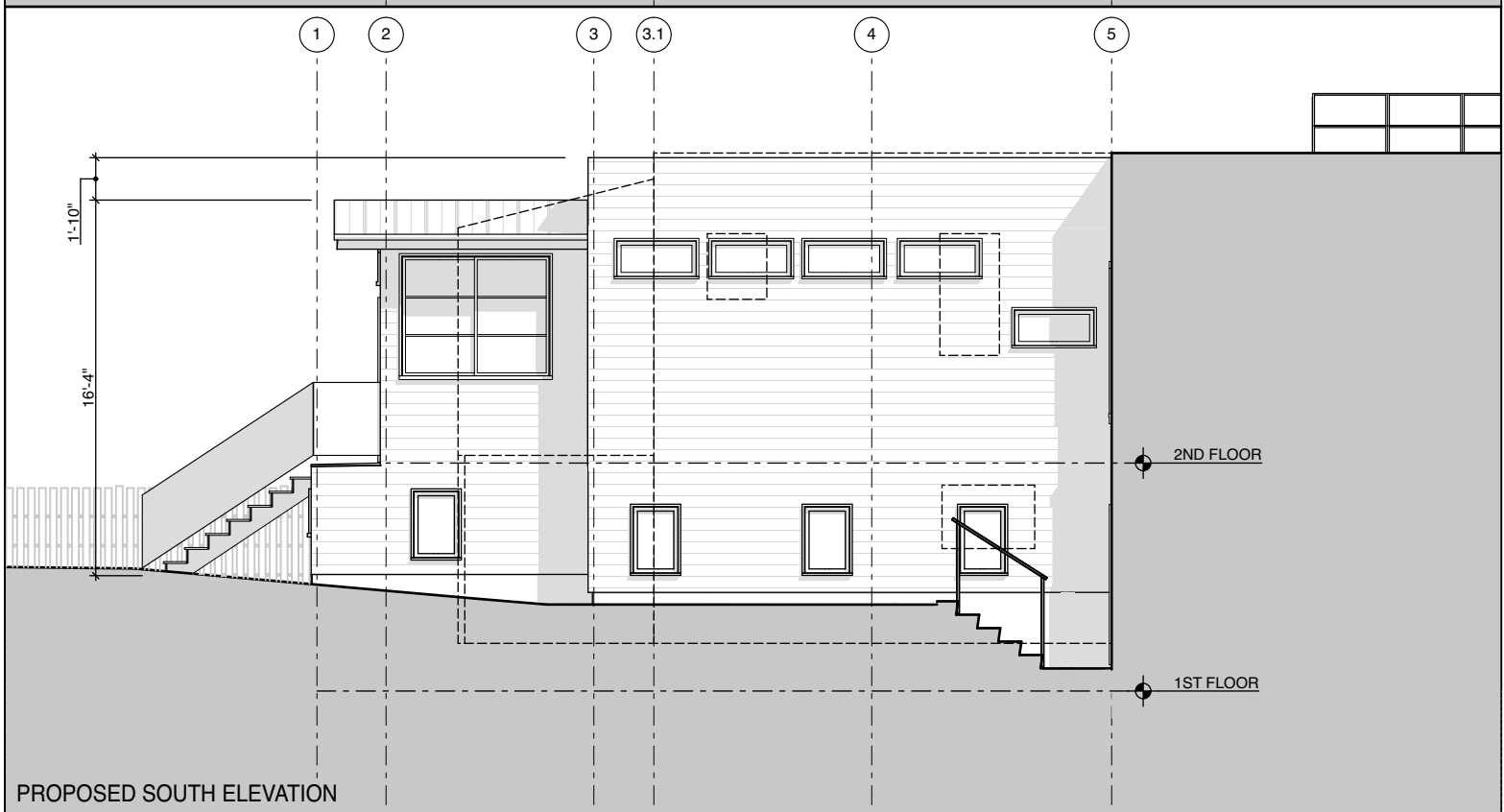
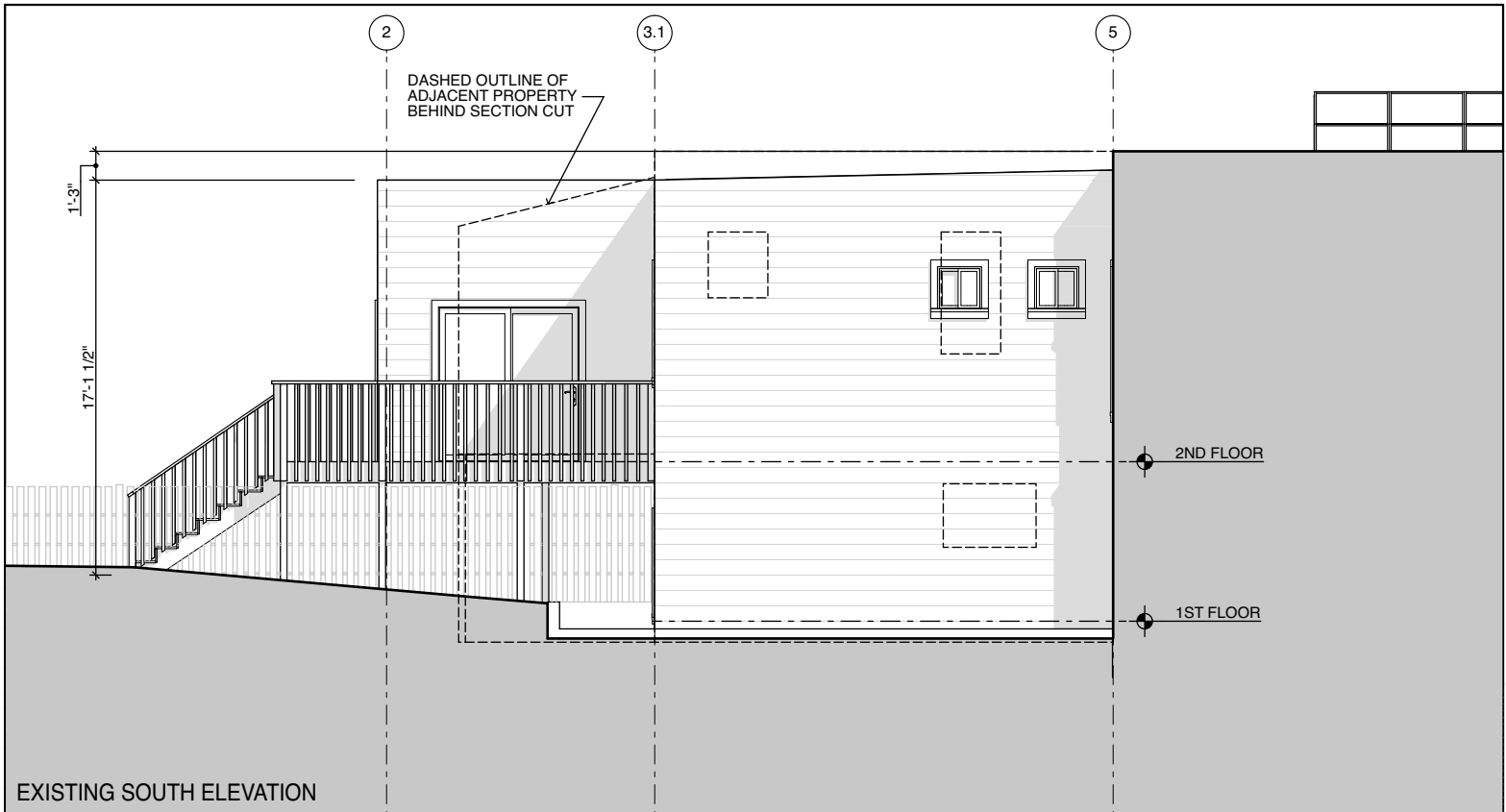
808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114

9 OF 10

DATE 5/27/21

SCALE 1/8" = 1'-0"

**NORTH ELEVATIONS**



**CHAR DAUER**

1 ARKANSAS STREET D2 SAN FRANCISCO CA 94107

**LAFFAN-MARCUS  
RESIDENCE**

808 DOUGLASS STREET  
SAN FRANCISCO, CA 94114

	10 OF 10
DATE	5/27/21
SCALE	1/8" = 1'-0"

**SOUTH ELEVATIONS**

**06.28.21****Supervisor Mandelman’s LARGE RESIDENCE DEVELOPMENT LEGISLATION, SFBOS FILE #210116:****AN INITIATIVE TO REGULATE HOME SIZE**

In recent years, we have seen several attempts by both the Planning Department and the Board of Supervisors to place a city-wide, universal limit on the size of an individual housing unit in San Francisco; in every case that limit is well below the typical home size in many parts of the city and includes many spaces within a unit that are neither occupied nor habitable. These legislative initiatives aim to maintain a predominance of small units in formerly working-class neighborhoods under the misguided belief that such controls will depress home prices and create affordability where it no longer exists.

In this context, Supervisor Rafael Mandelman has proposed legislation that would create a new section of the Planning Code, Section 319, that would require a Conditional Use Authorization (CUA) for any single-family home, or any multi-unit, residential construction in an RH district resulting in any unit exceeding 2,500 GSF, regardless of the number of units proposed on the site. It also seeks to “protect and enhance the neighborhood character”, regulating aesthetics, as if the Planning Department did not already follow a rigorous and time-consuming review of existing conditions, historical significance, and neighborhood context. As written, this legislation discriminates against those with larger families or households, often those of more modest means and people of color. Current Planning regulations control the size of residential buildings by form-based criteria defining the allowable building envelope, such as setbacks, rear yards, and height requirements, which are further limited by the Residential Design Guidelines; this legislation substantially reduces what is allowed even further.

The proposed Section 319, increases the risk, cost, and time burden for residential expansions and the construction of new units in these districts, without improving the supply of affordable housing. We are recommending some changes that may bring this policy more into the realm of city-wide urban planning and away from the kind of lot-by-lot legislation that slows development and increases the cost of building housing units in RH districts. We need to be streamlining permitting, not adding additional process. The delays and costs of Planning’s existing policies continue to drive families from the City, when we already have the lowest percentage of families with kids of any major US city.

**IF THIS LEGISLATION IS TO MOVE FORWARD, THE FOLLOWING REVISIONS ARE NEEDED:**

- 1. Raise the size of units allowed in RH zoning districts before triggering CUA from 2,500 GSF (gross square feet) as the trigger for CUA for any unit in an RH district.**

This is simply too small for many households, especially because the sum of uninhabitable space—such as ground floor and attic space, parking in other than basements, and outdoor exit stairs --can easily reach 1,000 sf, reducing the living space to 1,500 sf or less in many cases. Such a small unit excludes multi-generational households and many families with children. A February 7th article in the *New York Times* about ADU's states that by 2016, the number of adults in the US living on the same property with parents or grandparents had reached close to its 1950 peak. While the ADU is a great option for many, it does not work as a fix for all large or extended families or households. These units are expensive to build and are not allowed to be interconnected with the primary unit.

**1. Change the definition of area used in calculations to exclude the square footage of unoccupied ground floor and attic spaces, exterior walls, parking, and mechanical rooms.**

The use of Gross Square Feet (GSF) as a measure of a unit's size is not in keeping with people's perceptions, and Assessor's Office and real estate practices and includes many areas not typically counted. In addition, when exterior walls and mechanical spaces are included, a project sponsor is penalized for energy efficient measures resulting in thickened walls and large mechanical spaces.

**2. Allow units to expand without CUA on a sliding scale proportional to their current size:**

- Eliminate expansion limits resulting in units equal to or less than 3,000 sf .
- Allow 50% expansion of units between 3,001 – 3,500 sf
- Allow 25% expansion between 3,501 – 4,000 sf
- Allow 15% expansion between 4,001 – 4,500 sf
- Allow 10% between 4,501 sf and over

**3. Do not include in the calculation of allowable % increases “all development performed on the lot within the last 10 years” before these restrictions even existed.**

The unit is now what size it is, that should be the starting point. The legislation punishes people for additions that were completed prior to this legislation even being contemplated.

**4. Do not include in the regulations and criteria for Findings for a CUA criteria that are already regulated by Planning in existing regulations and processes:**

It is a waste of the Commission's time and energy, and Project Sponsors' financial resources and time to revisit their determination. We need to be streamlining reviews.

- Remove from CUA considerations “whether the development proposes to remove more than 50% of the existing front façade”. Demolition in Section 317, the Historic Preservation review process, and the Residential Design Guidelines already regulate the front façade.
- Review of historic buildings is already covered by the Historic Preservation Commission for declared Landmarks and Districts, and by CEQA for Historic Resources and Districts.

- Regulations to “protect and enhance the neighborhood character” are already enshrined in the Residential Design Guidelines.

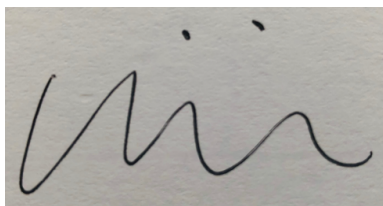
**5. Grandfathering: Change the applicability of the ordinance to instances where a complete Development Application is submitted after *the effective date of the legislation* rather than the date legislation was introduced (February 2, 2021).**

There is no rational argument for holding citizens responsible for following laws that have not gone into effect, and which few will know are even being considered. Realistically, for all but the very wealthy, it means all design and permit review of development that might trigger CUA would rationally need to stop until the final passage or failure to pass of the legislation occurs.

**Let us speak the truth about affordability.**

Finally, it is time to let go of the myth that small is affordable. The cost of construction, in dollars per square foot, is more expensive the smaller the unit. A family with a \$500,000 budget for housing cannot buy a market-rate apartment or house in San Francisco under any circumstances, because units are selling for upwards of \$800/sf and construction costs are upwards of \$500/sf, not including the cost of land, permit fees, architectural and engineering fees, nor the cost of holding the property for two years and living somewhere else while permits are processed, plus another year for construction. So even a brand-new apartment built cheaply will be marketed at \$800 - \$1000/sf, making the available unit between 500sf and 625sf, clearly not suitable for a household larger than two intimate partners.

Respectfully submitted,



Vivian Dwyer AIA, Chair, SF AIA Public Policy & Advocacy Committee



Karin Payson AIA, Co-Chair, SF AIA Public Policy & Advocacy Committee



## What Does the Present Look Like in San Francisco?

In his canonical text *De architectura*, the oldest surviving treatise on architecture in western culture, the Roman architect Vitruvius declares that successful architecture must combine three essential qualities: “firmness, commodity, and delight.” This essay is a short musing on how we might rediscover **delight** as a foundational aspect of architectural practice – even within the fraught political climate of building in San Francisco.

People have always held passionate opinions regarding where delight comes from in architecture. Historically, this term has referenced the *aesthetic* aspect of architecture, in opposition to structural and safety concerns (firmness) and physical comfort and functionality (commodity). So really delight is about beauty, and what architecture *looks like*, rather than how it performs technically.

Currently in San Francisco there is a hot debate regarding density and size. This commentary is deliberately not about this issue. Instead, it is about style and appropriateness at a more basic level. Should we allow new buildings that express our present moment in San Francisco? If so, what should they look like? In theory, the aesthetic answers should be similar regardless of the size of the project. But as we will quickly see, this is a rather slippery topic. There are different ideas of what constitutes beauty.

### BEAUTY = CONFORMITY WITH THE REAL CONTEXT

Much of the Planning code presumes a very simple moral code: what exists is good; what does not exist is most likely going to be bad, certainly worse than what already exists. So, if something new must happen, the smaller the better! This morality results in an intense privileging of conformity as the fundamental metric by which to evaluate any proposal. To what extent does the proposed project conform with its context? The more it conforms, the better the project.

In this context, all San Francisco architects know that the easiest path to approval is to essentially try to hide the project. This typically involves a combination of trying to make the project appear small (less disruption) and also blandly contextual. Such conformity starts at massing and typically extends to materiality and even specific detailing. This logic is embodied in the design guidelines where different historical styles are listed, along with rules for conforming to context. Ideally, the new project will simply reinforce what already exists, to create the least emotional or intellectual disturbance possible for the public.

### BEAUTY = CONFORMITY TO A FANTASY PROJECTION

Within this system, it is often conceptually possible to design an original project by strategically combining selected contextual elements which point towards a more contemporary approach. For instance, there are plenty of projects sprinkled throughout San Francisco from the 1970s, a period which is enjoying a nuanced reconsideration in architectural connoisseurship worldwide – and could provide rich terrain for such contextuality. However, this is a time-period which is deemed undesirable and not worthy as a reference.

Here we hit a central paradox of the Planning process. As previously noted, the design guidelines privilege that which exists. But some of this context is **more appropriate** than others. This bit of sophistry allows the Planner (or Planning Commissioner or Supervisor) to cherry pick the parts of the context she prefers. The preferred elements are deemed contributing and the rest is simply ignored. So,

in general, architecture should not look new because the new does not yet exist; but in the off-chance there is some element of the existing situation which shares elements with the (proposed) new project, that bit of context can simply be wished away as non-contributing.

This mechanism is crucial to unpack as it allows for various invisible and unaccountable players to project highly personal preferences onto the existing morphology of our city, and push it into certain ideological directions even further than would otherwise be possible. Architects daily encounter highly personal fantasies (of Planners, of Planning Commissioners, of Supervisors) of a City which only exists in their imaginations. Not only are these imaginary cities impervious to the needs and reality of our current moment, they are also untouched by San Francisco's actual highly specific history. The parts of history people don't like are simply wished away in favor of a highly personal narrative. Sound familiar?

#### WHY FEAR PHYSICAL CHANGE, BUT NOT SOCIAL CHANGE?

Where does the impulse towards extreme conservatism relative to the built environment come from? Does a fear of change in the built environment relate to a fear of societal change? One which triggers dark reactionary forces like we recently witnessed with the attempted insurrection? It seems to me that the impulse to stop change comes from a similar place of exclusion – a deep nostalgia for the good old days predicated on highly specific power structures.

San Francisco is famous for its liberal attitude politically and socially. Economically and socially, the Bay Area has historically driven been driven by an embrace of the new. Contemporary San Francisco embraces new, experimental ways of living. And for better or worse it is certainly actively questioning the wisdom of past generations on fraught issues such as social justice, gender equality, mental health, and wealth distribution. I would be quite surprised to hear any Supervisor mandate that citizens adopt the moral values of a typical San Franciscan living in, say, 1908. This inconsistency when we look at their attitude towards the built environment creates a self-contradiction.

My sense is that the suppression of physical change allows people to act out personal repressive impulses without having to state these motives out loud. A disingenuously proffered reverence for history is commonly used as cover for this repression. Ironically, the built environment seems to be the only space where such reverence for the distant past guides political action in our City. Why would a City so dedicated to liberality in so many other ways not be fine with some amount of adventurous architecture? Why not support architecture which tries to redefine what might be, rather than reworking what was?

#### IS ARCHITECTURE AN ART?

It would be absurd to argue that all the best books have already been written. Equally comic would be a textbook describing the rules contemporary painting must follow. Worse yet, imagine a world in which new films are forbidden – where the proscribed limit of originality is a remake with a new cast. If we accept that architecture has an aesthetic component, then limiting the discipline to the repetition of existing aesthetic solutions makes no sense.

Accepting that architecture even has an aesthetic component is of course a fraught topic. One might make the argument that a work of art may be interesting or even confrontational, but the distribution mediums are such that we are all free to choose which books to read, which films to see, etc. Architecture is a public art, and viewing architecture is not voluntary. Of course, as it is built and ages it

become part of reality, part of the context. But certainly, an original project may initially disturb its context by not smoothly blending in with that context (real or imagined).

Is such disturbance inherently bad? Or good? Making space for originality, for architecture *which authentically speaks to our time* is the central issue here. Currently, we have a lowest common denominator approach which levels everything to the extent possible into a dull mush of contextuality. Success is no noticeable change. But in a vibrant, contemporary City, we might imagine some buildings which take aesthetic risks. These might not always be successful, but we could imagine a different system which would at least allow for the possibility of success.

Although our current political experiments may not all turn out perfectly, San Francisco is at least trying to look to the future and be at the forefront of history. How can we possibly meet the challenges of the future that architecture desperately need to confront, like climate change and the incorporation of new technology if we are literally living in an ersatz 19<sup>th</sup> and early 20<sup>th</sup> century world?

#### THE CONTEMPORARY

What aspect of contemporary architecture troubles people? Do most San Franciscans really know what contemporary architecture is? In my experience, the local conception of what constitutes contemporary architecture has very little to do with what is actually happening worldwide. We are witnessing a massive change in building technology and possibilities for how buildings are designed and built. There are entirely new possibilities for how architecture can address urgent societal needs, one of which is the need for expression relevant for our time. Many of the world's great cities famously manage to successfully reconcile their historical fabric with contemporary architecture. Think of London, Paris, Copenhagen, Tokyo, Vienna, Beijing to name just a few. These are cities with incredible historical architecture. But they also understand that history is a continuum, and that we must balance the needs of our time with our relationship to the past. The great irony in all this is of course that historical architecture was once contemporary architecture.

Traditional San Francisco is not some sort of great architectural masterpiece. Rather, it is a kind of scruffy assembly of buildings of varying degrees of quality. There is a hysterical myth about the historical importance of every old building in San Francisco. Does this myth really bear scrutiny? Certainly, we should protect selected examples and architecturally significant fabric from past eras. But as discussed, the current emphasis on protection and matching as core values can and should be reconsidered. As an international city, San Francisco deserves better buildings at every scale, of every program – buildings which represent who we are right now and where we are going, rather than clinging to nostalgia for a simpler past. Our present age is messy and complicated, but potentially optimistic too. Our buildings should be allowed to be optimistic about the future, with San Francisco leading the way.

Luke Ogrydziak  
Principal, OPA

# PPAC CASE STUDIES

# NEW CONSTRUCTION

Examples of SFR's that are >2,500 GSF and <5,000 GSF (per current Planning Code definition - excluding garage) that “fit in” and didn't require CUA's



22 Moore Place - Aerial View

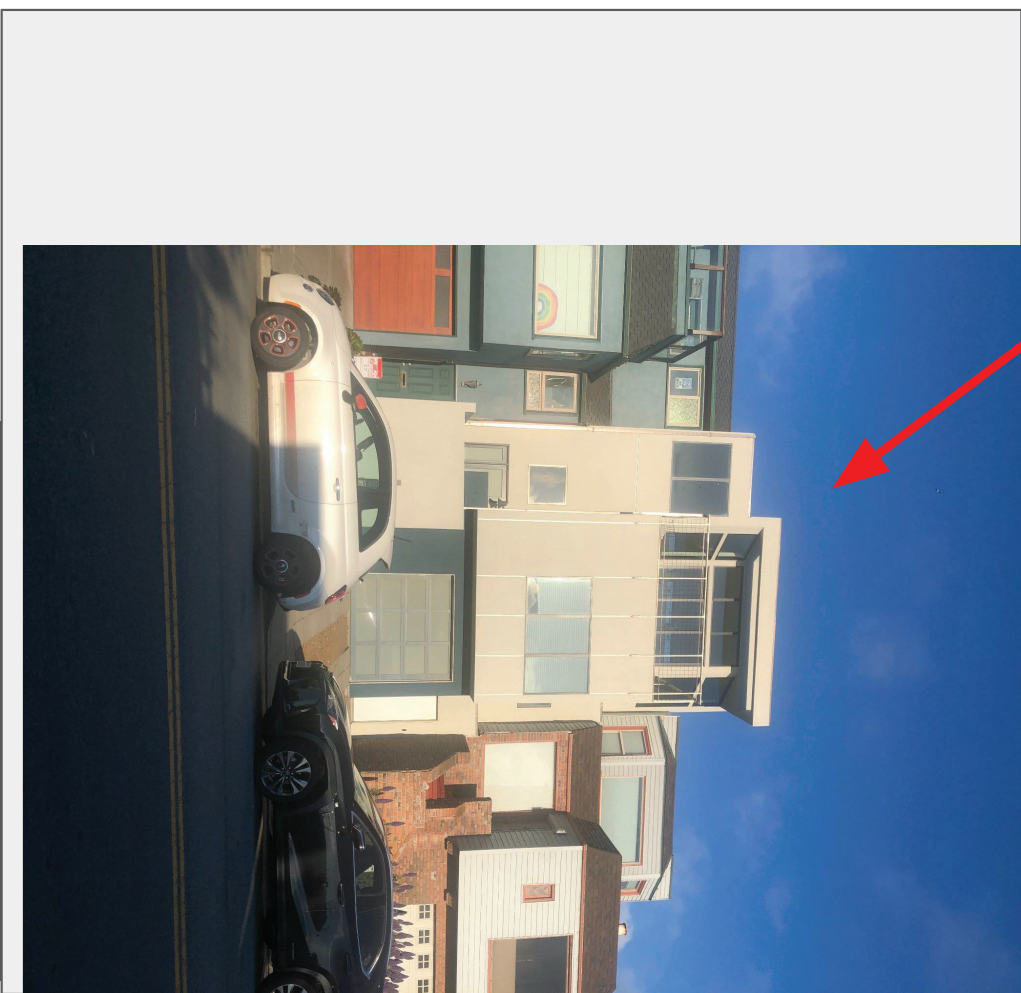


Street View

Gross Square Feet = 2,850  
Occupied Floor Area = 2,345  
Source: MacCracken Architects



?? Great Hwy. Aerial View

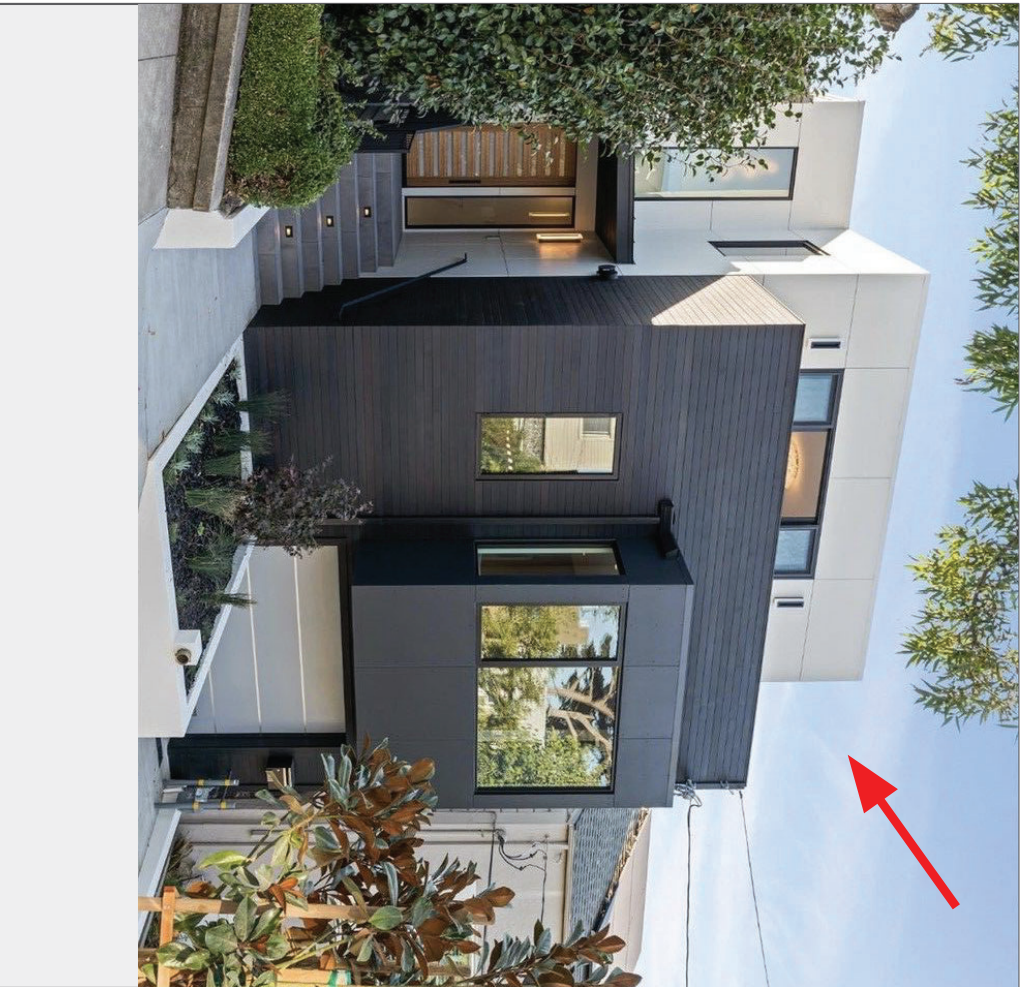


Street View

Gross Square Feet = 2354  
Occupied Floor Area = 2250  
Source: Levy Art & Architecture



368 Diamond St. Aerial View



Street View

Gross Square Feet = 4,411  
Occupied Floor Area = 3,949  
Source: Zack DeVito Architecture



147 Laidley St. Aerial View



Street View

Gross Square Feet = 3,806  
Occupied Floor Area = 3,256  
Source: Zack DeVito Architecture



# PPAC CASE STUDIES

# RENOVATION/ADDITIONS

Examples of Existing SFR's <2,500 GSF where additions would exceed max 50% SF increase and would require CUA



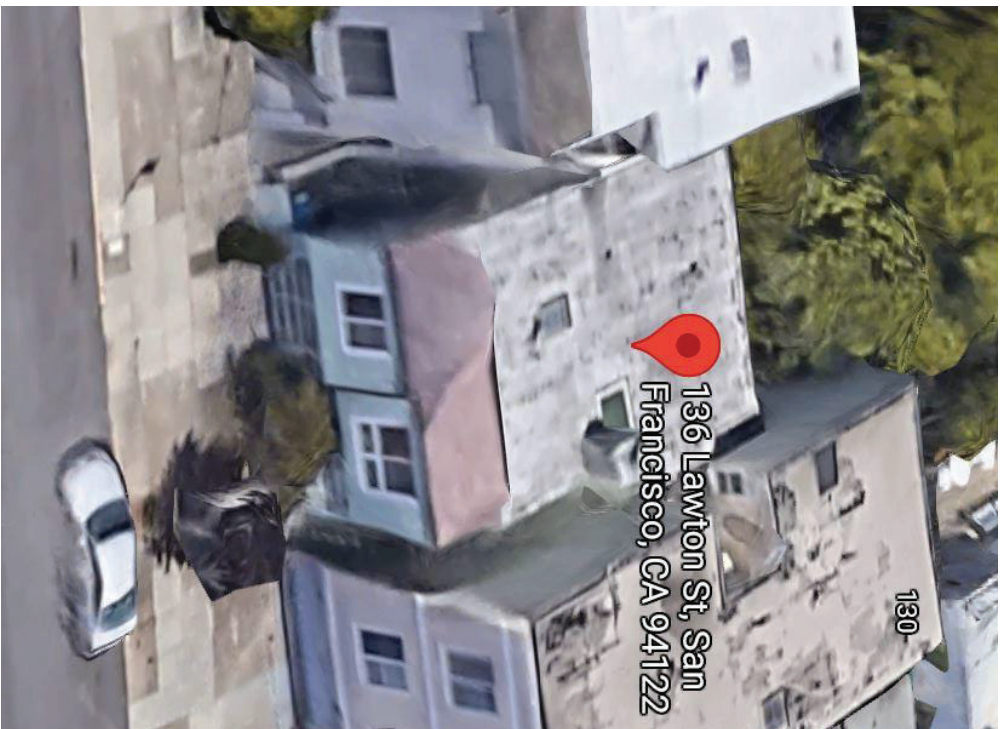
412 Lombard Aerial View



Street View

<p><b>EXISTING HOUSE</b> Gross/Occupied Square Feet = 1,812</p>	<p><b>NEW HOUSE</b> Gross Square Feet = 2,888 Occupied Floor Area = 2,288 (added 1,076)</p>
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Source: OPA

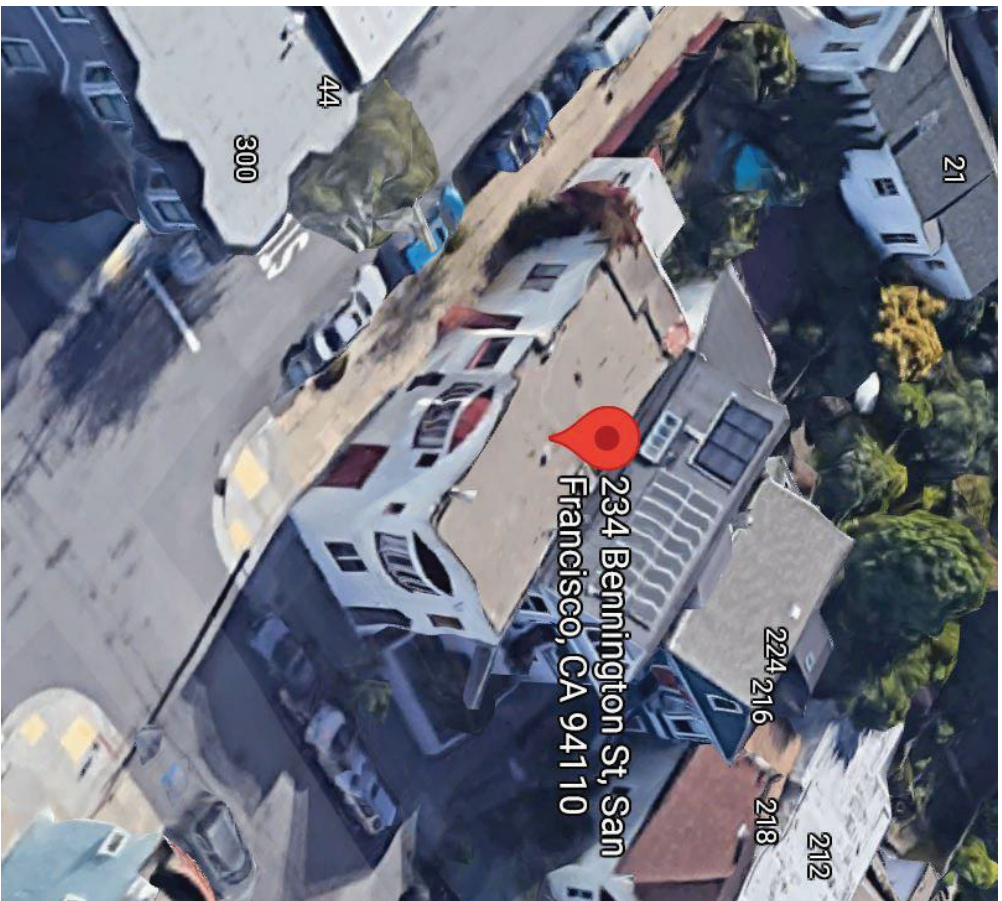


136 Lawton St. Aerial View

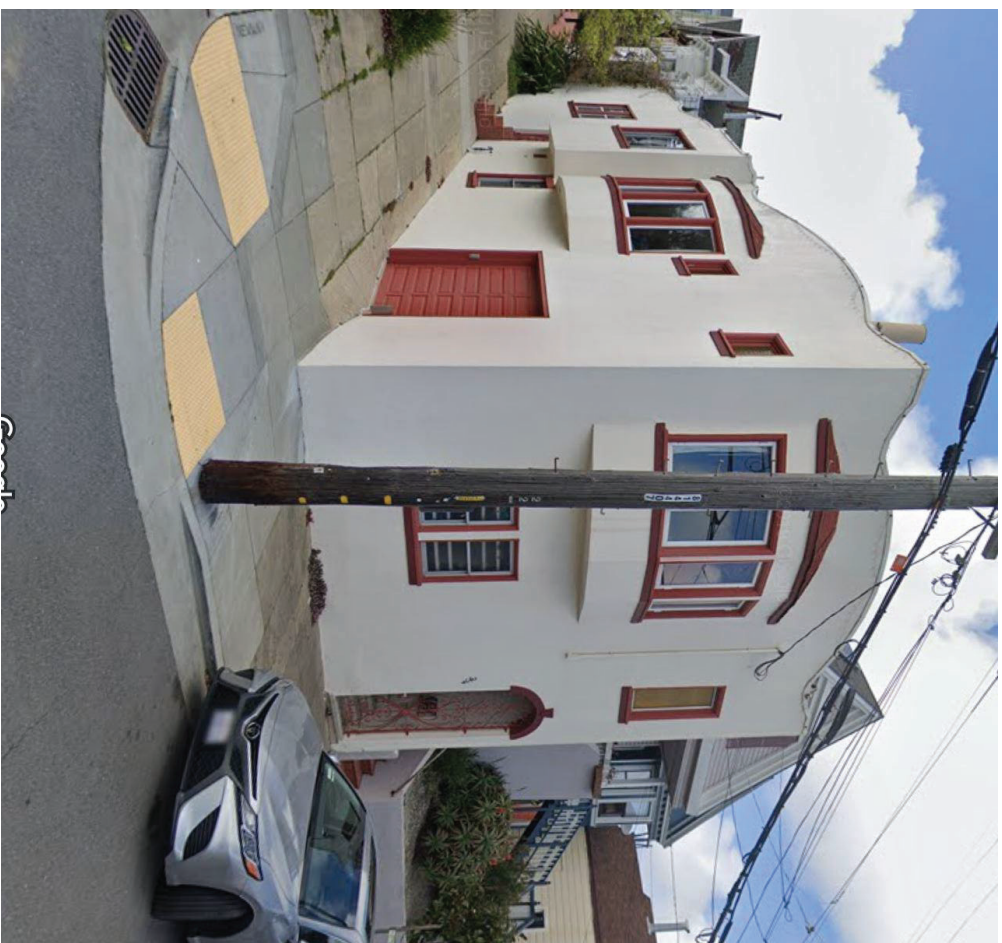


Street View

Original Gross Square Feet = 1,003  
Addition = 998  
Final Gross Square Feet = 2,390  
Source: AT6 Design

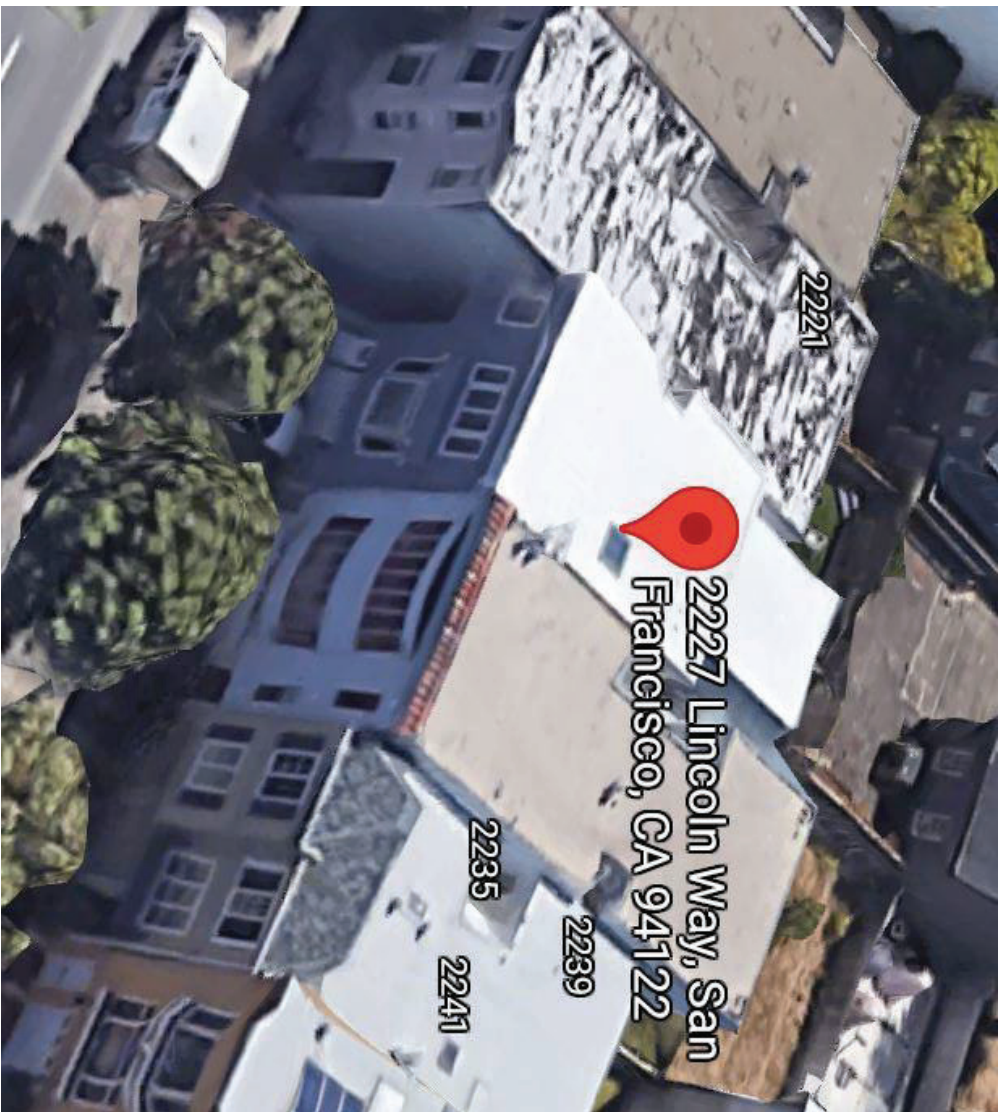


234 Bennington St. Aerial View

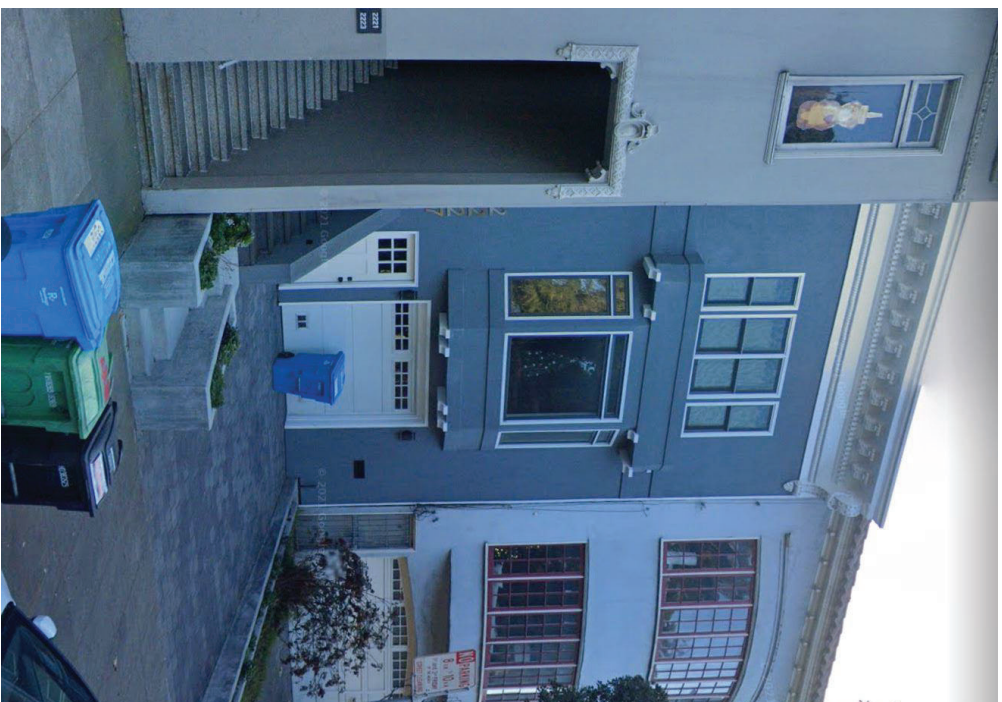


Street View

Original Gross Square Feet = 1,455  
 Addition = 1,161  
 Final Gross Square Feet = 2,616  
 Source: AT6 Design

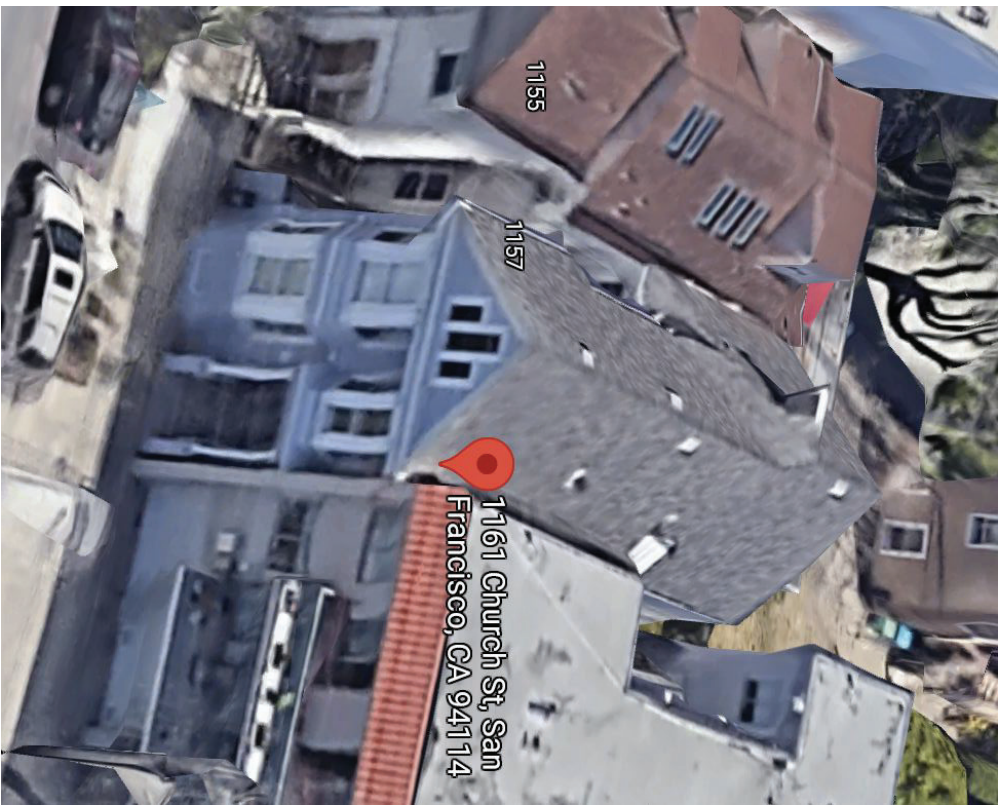


2227 Lincoln Way Aerial View

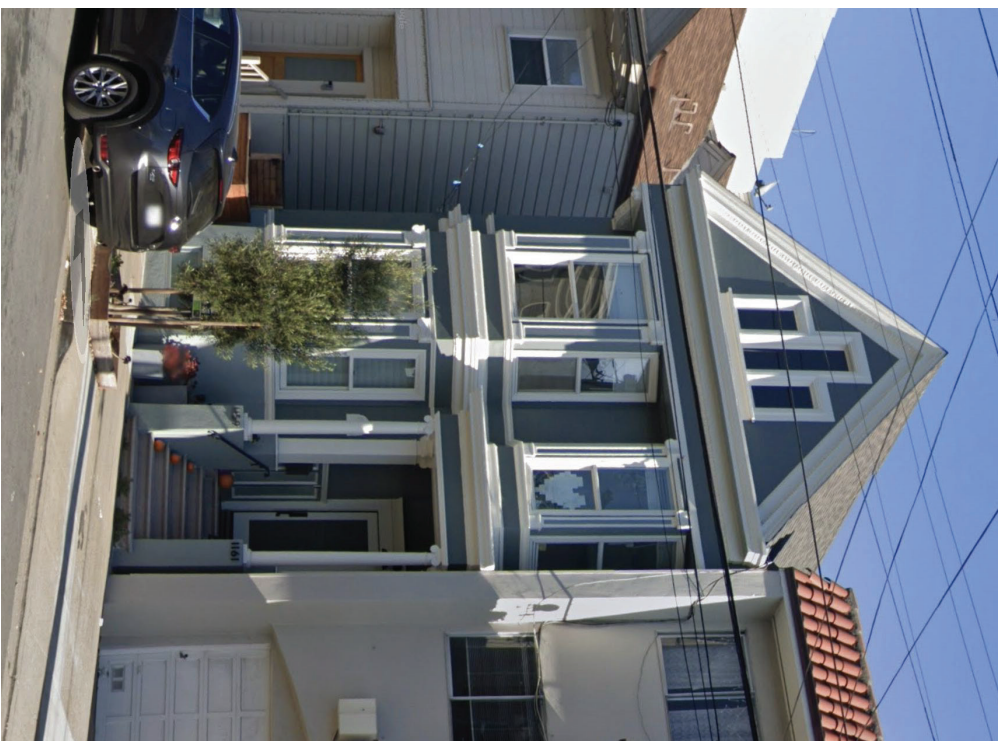


Street View

Original Gross Square Feet = 2,000  
 Addition = 1,175  
 Final Gross Square Feet = 3,175  
 Source: AT6 Design



1161 Church St. Aerial View

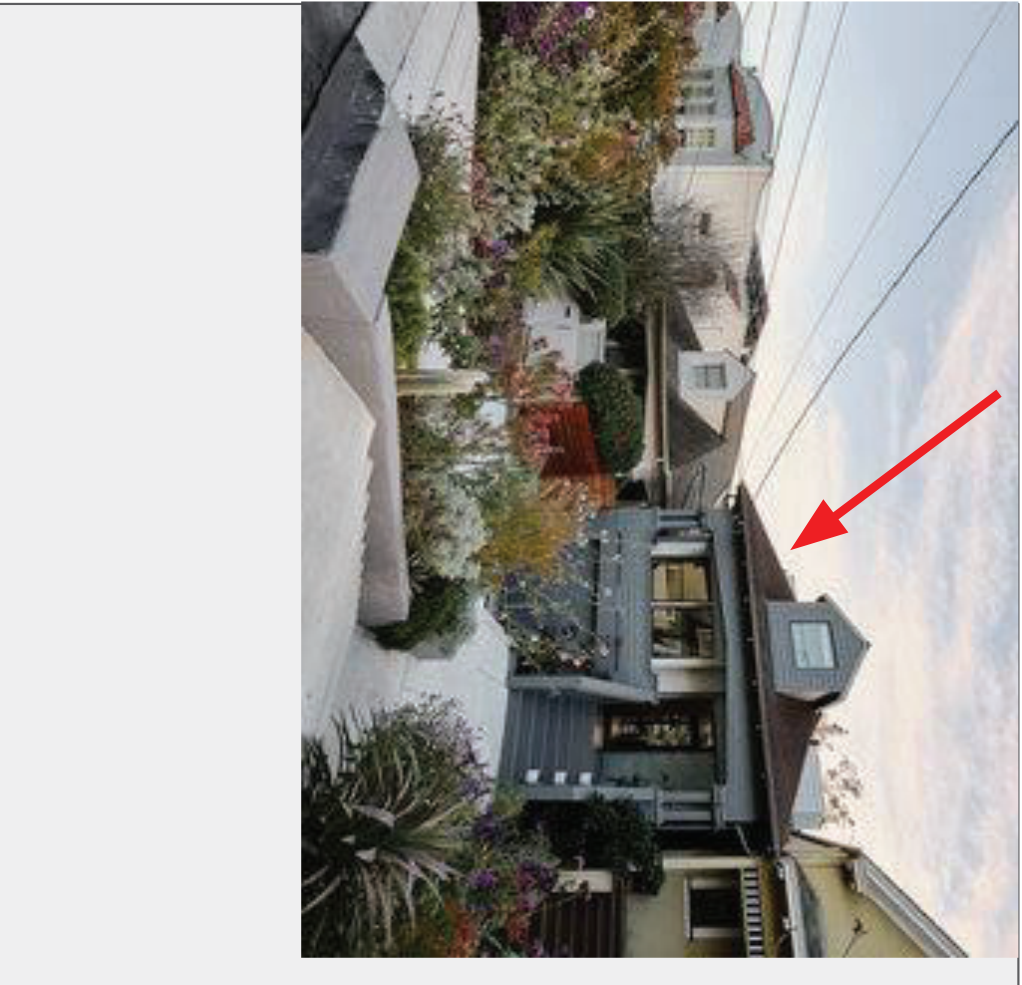


Street View

Original Gross Square Feet = 1,093  
Addition = 957  
Final Gross Square Feet = 2,050  
Source: Weisbach A/D



457 Valley ST. Aerial View

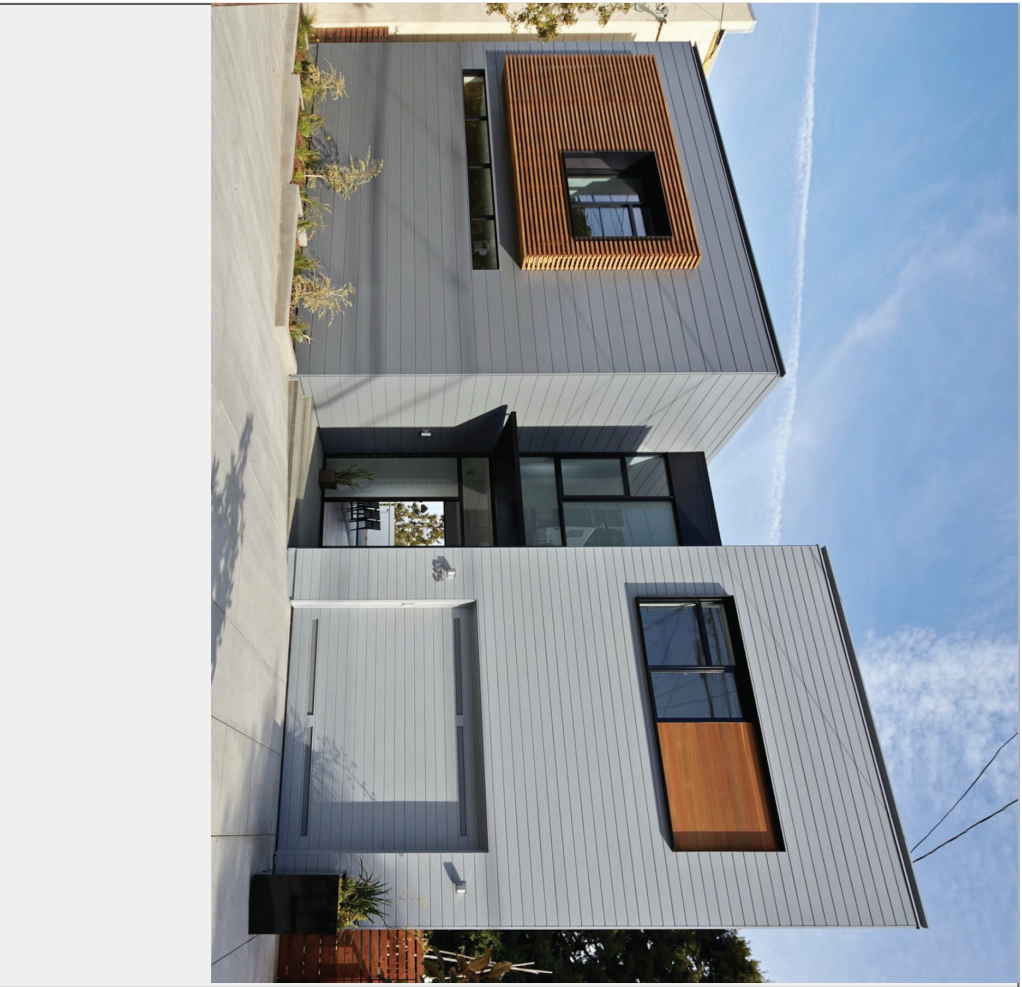


Street View

Gross Square Feet = 2810  
Occupied Floor Area = 2650  
Source: Levy Art & Architecture



1375 Noe Aerial View



Street View

Original Gross Square Feet = 1,723  
Addition = 1,831  
Final Gross Square Feet = 3,243  
Source: Studio VARA



# PPAC CASE STUDIES

# RENOVATION/ADDITIONS

Examples of Existing SFR's >2,500 GSF where additions would exceed max 10% SF increase and would require CUA



2826 Broderick Aerial View



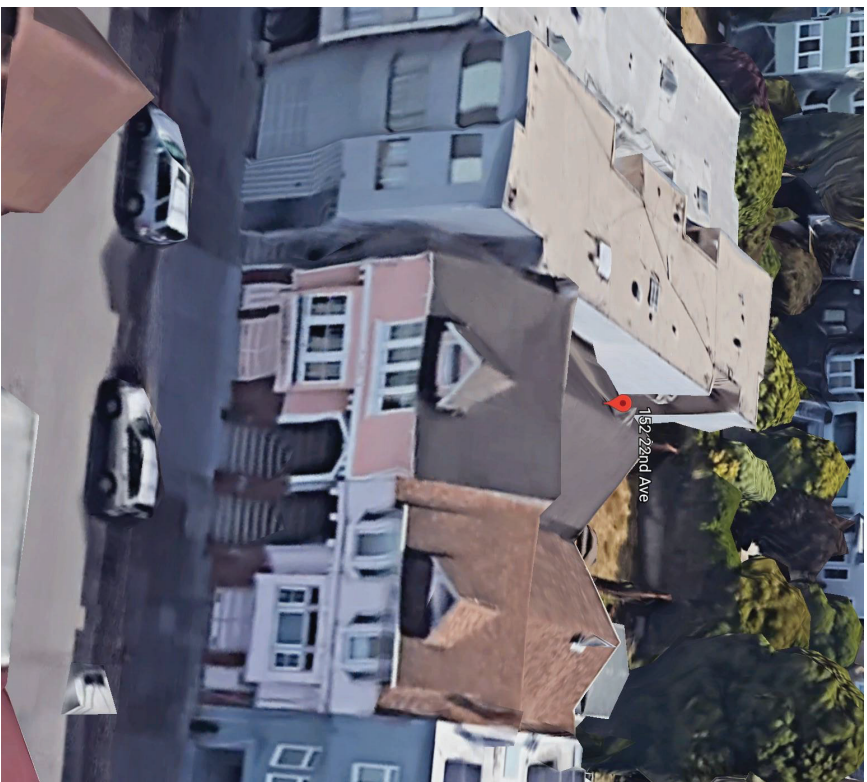
**EXISTING HOUSE**  
 Gross Square Feet = 3,324  
 Occupied Floor Area = 2,472

**NEW HOUSE**  
 Gross Square Feet = 3,796  
 Occupied Floor Area = 2,944

Top floor addition

Street View

Source: OPA



152 22nd Ave Aerial View



EXISTING HOUSE  
 Gross Square Feet = 3,124  
 Occupied Floor Area = 2,203

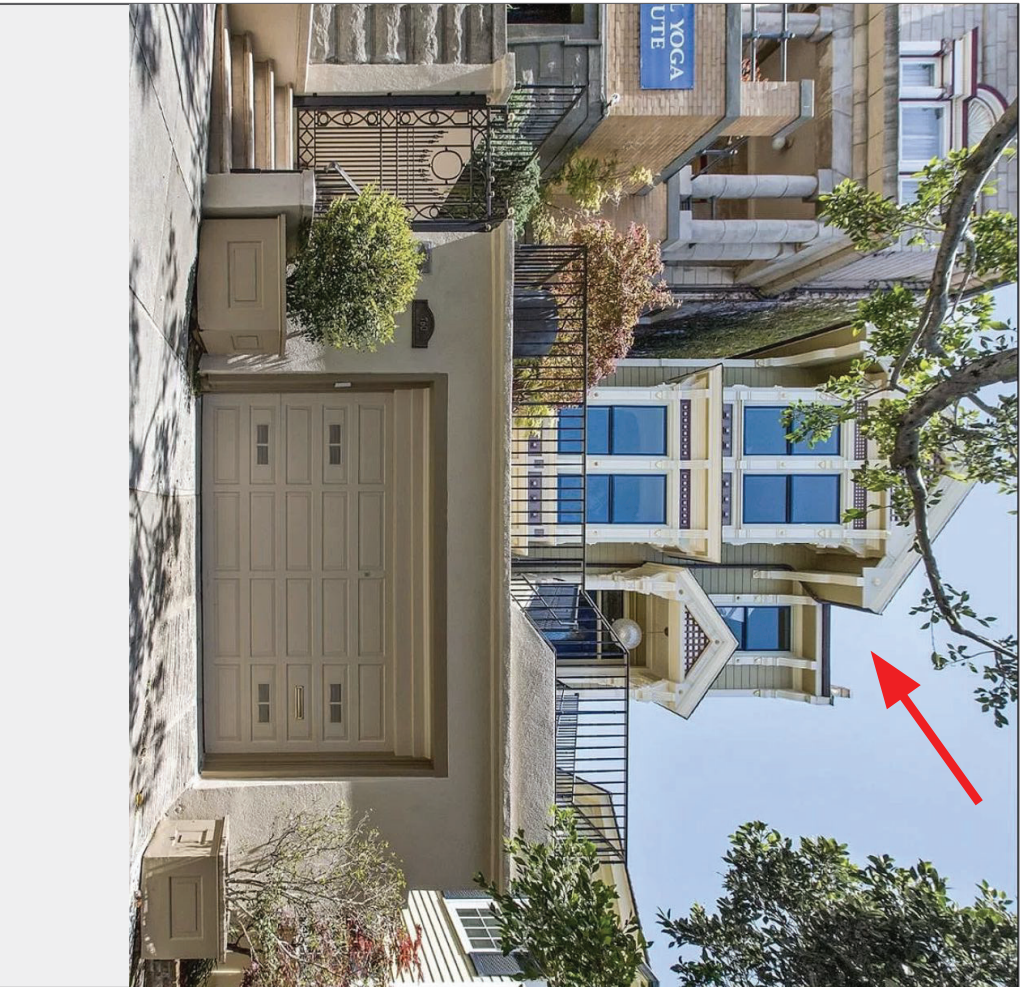
NEW HOUSE  
 Gross Square Feet = 4,145  
 Occupied Floor Area = 3,224  
 (1,021 FEET ADDED)

Rear yard addition----no changes visible to street.  
 Adjacent neighbor on north extends full lot depth.

Street View



760 Dolores Aerial View



Street View

Original Gross Square Feet = 3,041  
Final Gross Square Feet = 4,090  
Occupied Floor Area = 2818  
Source: Studio VARA



581 Waller Aerial View

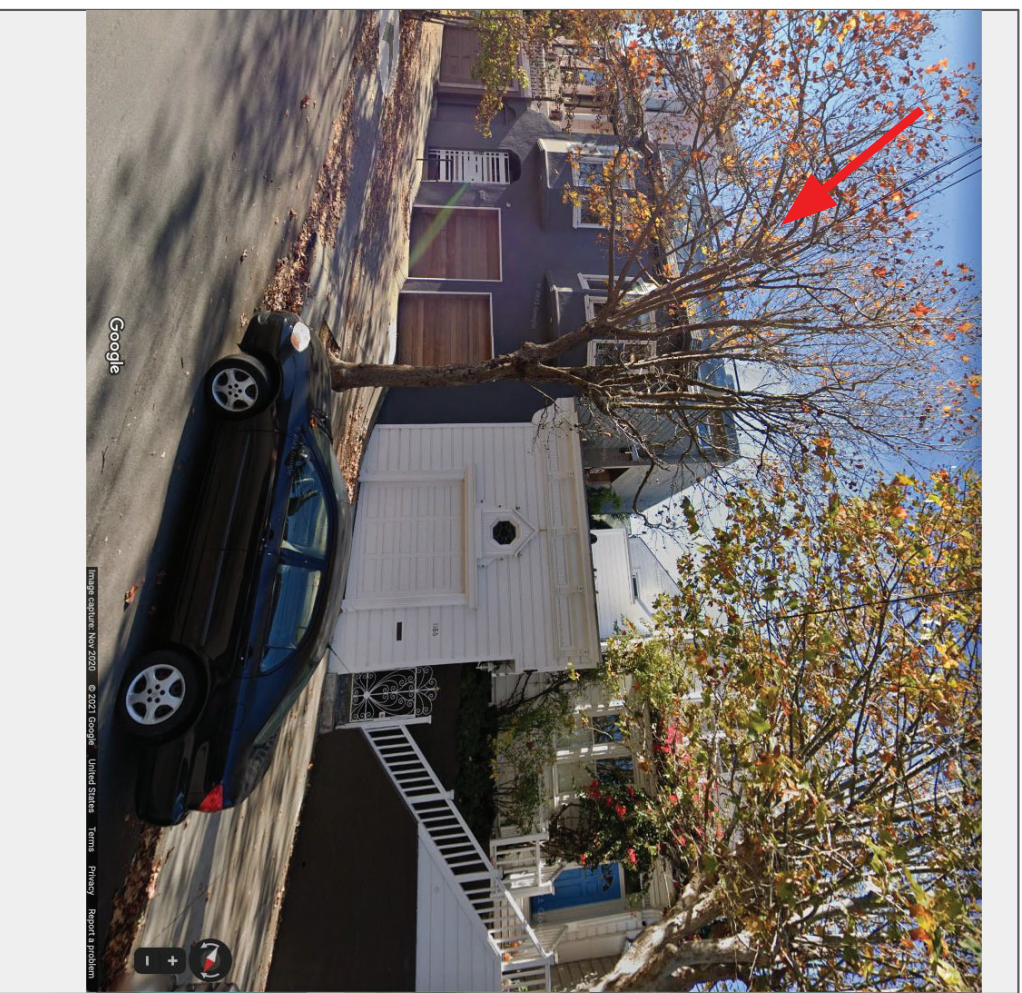


Street View

Original Gross Square Feet = 3,449  
Addition = 350  
Final Gross Square Feet = 3,799  
Source: Hart Wright Architects

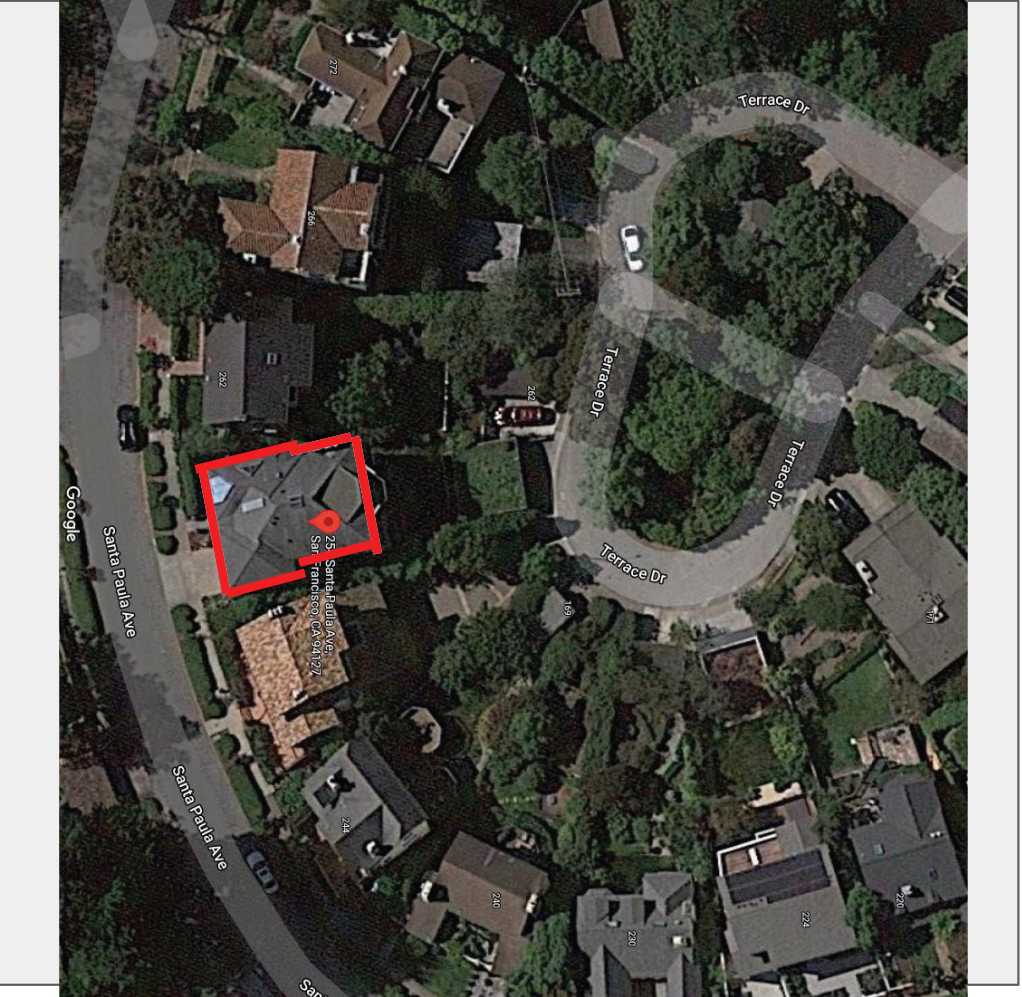


1188 Noe Street Aerial View

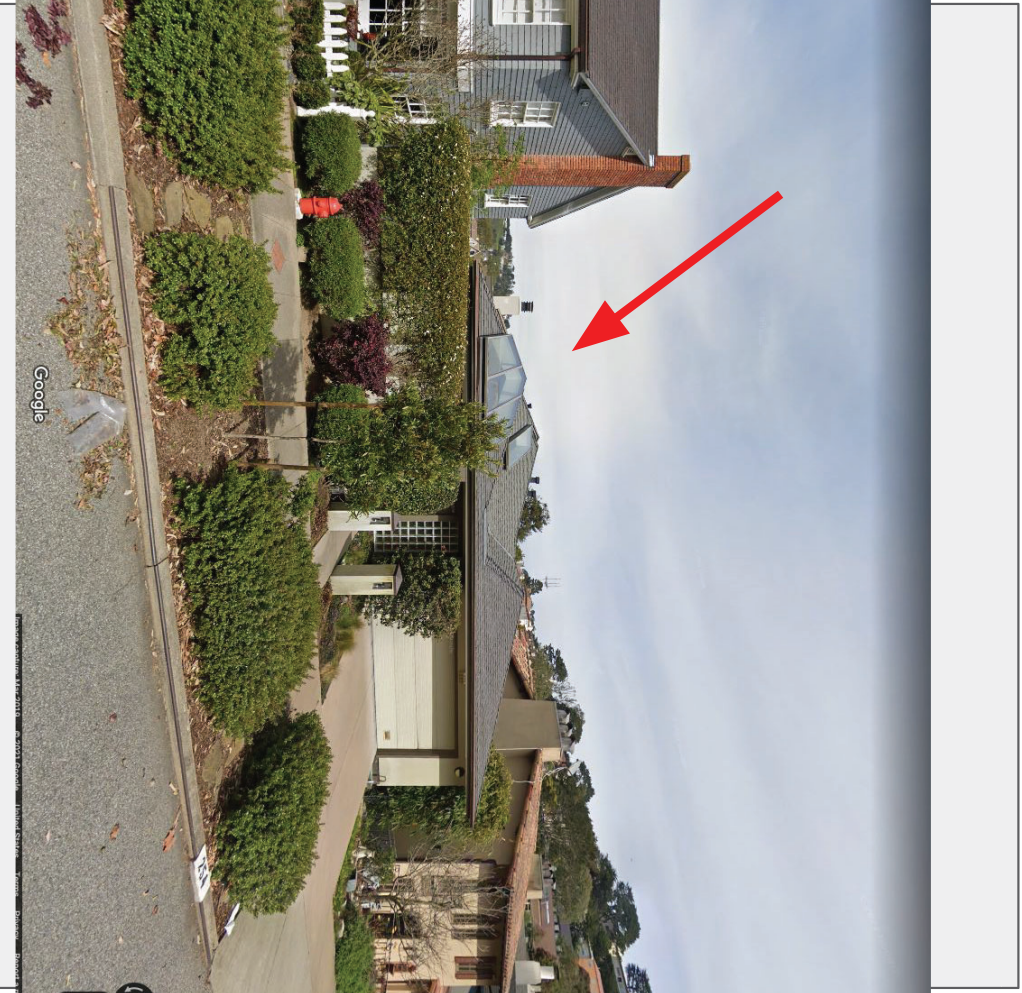


Street View

Gross Square Feet = 3,994  
 Occupied Floor Area = 2,973  
 Source: Kairn Payson architecture + design

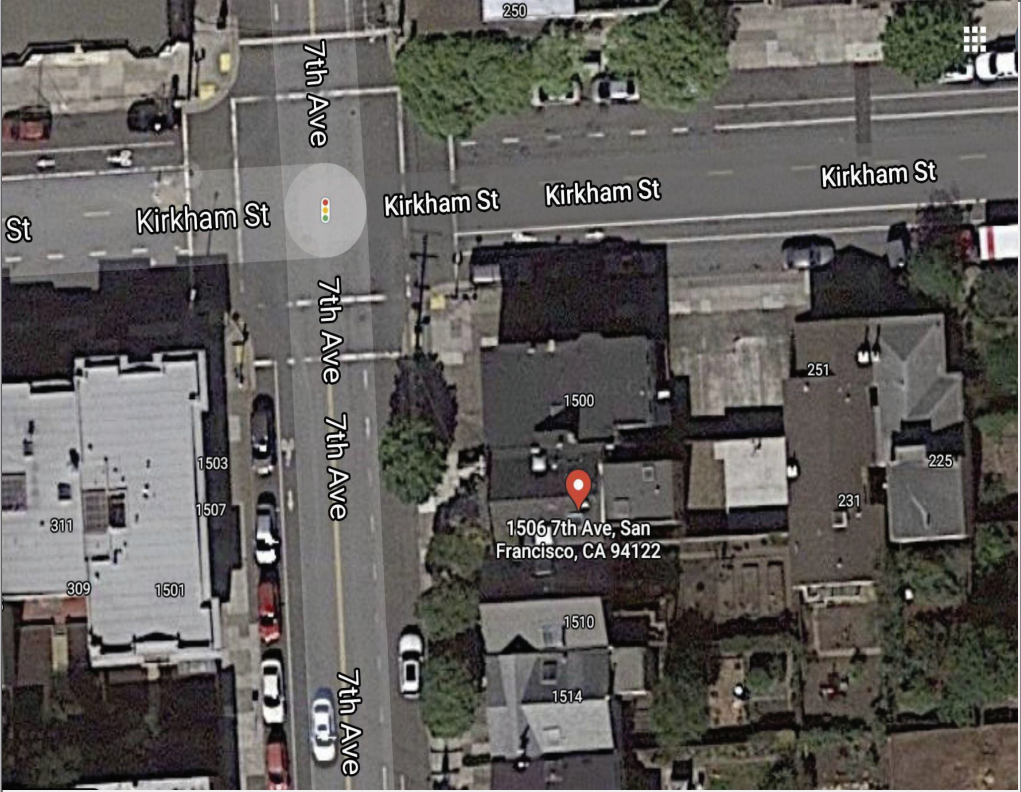


254 Santa Paula Ave. Aerial View



Street View

Gross Square Feet = 5,637  
Occupied Floor Area = 4,152  
Source: Kaim Payson architecture + design



1506 7th Ave. Aerial View



Street View

Gross Square Foot 3,635  
Occupied Square Foot 3,247  
Source: Red Dot Studio



**From:** [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: Please vote for the Central Neighborhoods Large Residence SUD ordinance (File No. 210116)  
**Date:** Thursday, March 3, 2022 12:40:10 PM

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**From:** Sam Fleischmann <samjfleischmann@gmail.com>

**Sent:** Thursday, March 3, 2022 12:26 PM

**To:** Chan, Connie (BOS) <connie.chan@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>

**Subject:** Please vote for the Central Neighborhoods Large Residence SUD ordinance (File No. 210116)

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

To the Members of the San Francisco Board of Supervisors:

I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet -- and much much larger. These "monster homes" are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco.

Please vote for the Central Neighborhoods Large Residence SUD ordinance.

Thank you.

Sam Fleischmann



June 24th, 2021

Dear Supervisor Mandelman,

Thank you for the opportunity to comment on your Large Residence Development Legislation. We appreciate your thoughtful attention to planning policy and respect the premise of this legislation that in general encourages moderately-sized family homes rather than exceedingly large, out of scale, and expensive single family homes.

We do, however, have some significant concerns about this legislation, including that it (a) does not create smaller and more affordable homes, (b) will add a large number of CUs to the planning process, and (c) is disproportionate to the problem it is trying to solve. To that end, we offer the following recommendations for your consideration.

**1. If the intent of the legislation is to ensure that more smaller homes are built, rather than fewer larger homes, we should instead eliminate RH-1 and RH-2 zoning.**

San Francisco's current RH-1 and RH-2 zoning encourages the creation of large homes because that is all that is allowed under those zoning categories, even with the ADU legislation that allows one additional small unit. If the purpose of the legislation is to not create large homes, then the elimination of RH-1 and RH-2 zoning - coupled with the allowance of duplexes, triplexes, quadplexes, and sixplexes - instead will create more homes of more modest size. This is in keeping with your proposal to allow four unit buildings on corner lots and near transit, which we strongly support.

**2. Eliminate the provision that requires CUs for projects creating units over 2,500 square feet.**

We are concerned that this provision will require the Planning Department to spend countless hours reviewing home additions. San Francisco already has one of the most complex planning codes in the entire country. Planning Code Section 317 requires a CU for the demolition of any dwelling unit and Section 311 permits discretionary review of any project where even a single neighbor objects. As such, the Planning Commission does not need new tools to consider the replacement structure on sites where existing dwellings, including single family homes, are demolished. Adding additional CUs to the code for additions, even of modest size, will only make matters worse by taking up staff and Commission time that should be spent on efforts that will demonstrably help alleviate our housing crisis. At a minimum, the trigger for the CU should be for new homes or additions that exceed 3,500 square feet (as opposed to 2,500 square feet)

because 3,500 square feet is a home size that can accommodate large families, including multi-generational families.

Other provisions of the Planning Code require 3-bedroom units in most new construction projects for this very reason. Additionally, the square footage trigger should only be calculated on living space, as opposed to gross square footage (which includes garages and storage) as your legislation now provides.

Another way to approach CUs is to allow expansions up to a certain percentage based on the current size of the home, as referenced in the San Francisco American Institute of Architects' letter.

**3. Ensure that the proposal is really solving the intended problem.**

It would be extremely helpful to have data showing how many projects in the last 5 years have involved the creation of homes larger than 3,500 square feet, as there may be a more targeted measure that could be put in place to discourage truly large and disproportionate homes. If the problem is that the homes are large and unsightly, this issue can be fixed through enforcement of the Residential Design Guidelines and other urban design regulations. If the problem is that the homes are expensive and are only affordable to wealthy individuals, the elimination of RH-1 and RH-2 zoning will address that problem.

Additionally, we strongly support the comments contributed by the SFAIA in their very thoughtful letter that includes references to unoccupied floor space like attics, grandfathering, and calculations of square footage to be based on the current home and not previous remodels. We very much hope the issues raised in this letter and in the SFAIA's correspondence will be addressed in future iterations of this legislation.

Thank you again for considering our comments, and we would be glad to discuss in further detail with you and your team.

Sincerely,

Todd David  
HAC

Sarah Karlinsky  
SPUR

S SchuT <schuttis@bcglobal.net>  
 To: Merione, Audrey (CPC)

Wednesday, June 30, 2021 at 2:20 PM

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## EXHIBIT B-4

Dear Audrey,

Thanks for including my email in your report....I really appreciate it.

I have put a screenshot below that is actually the Demo Calcs for 17 Temple....this page is with the project on 21st Street which has no published Demo Calcs....I don't know if you can move this page and put it with the other info about Temple, but I just wanted to clarify that in case anyone was interested.

I think you have done a really good job based on my first reading of a very complicated subject.

Thanks again.

Georgia

B-1 Front & Rear Facades - By Linear Foot			
Element	Existing	Removed	
Front Façade	24 LF	24 LF	
Rear Façade	24 LF	13.75 LF	
Total	48 LF	37.75 LF	
<b>Percent Removed</b>		<b>79%</b>	<b>&gt;50%</b> Non-Confo
B-2 All Exterior Walls - By Linear Foot			
Element	Existing	Removed	
Front Façade	24 LF	24 LF	
Rear Façade	24 LF	13.75 LF	
Right Wall	28.25 LF	0 LF	
Left Wall	28.25 LF	0 LF	
Total	104.5 LF	37.75 LF	
<b>Percent Removed</b>		<b>36%</b>	<b>&lt;65%</b> Conforms
C-1 All Vertical Envelope Elements - By Area			
Element	Existing	Removed	
Front Façade	661 SF	559 SF	
Rear Façade	494 SF	494 SF	
Right Wall	818 SF	129.5 SF	
Left Wall	818 SF	60 SF	
Total	2791 SF	1242.5 SF	
<b>Percent Removed</b>		<b>45%</b>	<b>&lt;50%</b> Conforms
C-2 All Horizontal Elements - By Area			
Element	Existing	Removed	
2nd Floor Place	923 SF	296 SF	
Roof Plate	923 SF	923 SF	
Total	1846 SF	1219 SF	
<b>Percent Removed</b>		<b>66%</b>	<b>&gt;50%</b> Non-Confo

**Subject:** Comments on PPCA Case Studies attached to Exec Summary for Large Residence Developments (Section 319)  
**Date:** Wednesday, June 30, 2021 at 5:56:41 PM Pacific Daylight Time  
**From:** Thomas Schuttish  
**To:** Merlone, Audrey (CPC)  
**CC:** Bintliff, Jacob (BOS)  
**Attachments:** Screen Shot 2021-06-30 at 4.02.59 PM.pdf, Screen Shot 2021-06-30 at 4.05.24 PM.pdf, Screen Shot 2021-06-30 at 4.32.42 PM.pdf, Screen Shot 2021-06-30 at 4.34.32 PM.pdf, Screen Shot 2021-06-30 at 4.49.24 PM.pdf, Screen Shot 2021-06-30 at 4.50.47 PM.pdf

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Dear Audrey,

I was intrigued by some of the examples sent in by the architects....some of them I am familiar with....and my point here is to illustrate that for at least these three projects shown above (two in Noe Valley, one in Eureka Valley) the larger issue is the Demolition Calculations.

None of the three have published Demo Calcs.

And while the Valley Street project did not have a drastic facade change it was raised a number of feet which suggests 100% horizontal removal per the 2020 Clarifications in the CID.

Two sold for a lot of money (Diamond and Valley) when they returned to the market after the Alteration as you can see by the Sales History....and took many years to return to the market which is often the problem with these extreme Alterations that take advantage of the Calcs.

The one at 1375 Noe Street was not a spec project like the other two....it was one of the first that I saw that seemed to take advantage of Section 317 as you can see from the photo from the Tim Kelley report on SFPIM. It was really nothing more than a little cottage with a peaked roof and jasmine that hung over the street-front fence.

And as I said above these three do not have published Demo Calcs.

As for the other examples that I am familiar with, 147 Laidley was a real Demo...

*(However interestingly it is next to 143 Laidley that had a major expansion and is a Campbell and Wong home which might concern the HPC, particularly since I just looked at the PIM as I was writing this to check and see if it had any Demo Calcs and saw it has had a very major Planning Enforcement issue per the SFPIM! [Would this new Section 319 requiring a CUA prevented damage to this design from these Master Architects and the need to abate the violations to this A-rated home?](#))*

1161 Church is a flat in a two unit building and 1188 Noe was a major expansion but it was not a spec project.

I just felt a little context was needed to some of their examples, but I understand their point of view.

Again, I think you wrote a really fine Executive Summary with a lot of food for thought and I am still chewing!

Take good care.

Georgia

**PART 2 - PROJECT INFORMATION**

**Owner/Agent Information**

Property Owner	<u>KAREN CHEN</u>	Telephone No.	<u>415. <del>700.8884</del> 706.5002</u>
Address	<u>1375 NOE ST</u>	Fax No.	
	<u>SF 94131</u>	Email	
Project Contact	<u>NAURA ABERNETHY</u>	Telephone No.	<u>415.730.5811</u>
Company	<u>MF4DESIGN</u>	Fax No.	
Address	<u>3298 PIERCE ST</u>	Email	<u>maura-abernethy@comcast.net</u>
	<u>SF CA94123</u>		

**Site Information**

Site Address(es):	<u>1375 NOE STREET</u>		
Nearest Cross Street(s)	<u>27<sup>th</sup></u>		
Block(s)/Lot(s)	<u>6580 / 025</u>	Zoning District(s)	<u>RH2</u>
Site Square Footage	<u>3023</u>	Height/Bulk District	
Present or previous site use			
Community Plan Area (if any)			

**Project Description - please check all that apply**

- Addition     
  Change of use     
  Zoning change     
  New construction  
 Alteration     
  Demolition     
  Lot split/subdivision or lot line adjustment  
 Other (describe) \_\_\_\_\_ Estimated Cost \$600,000.00

Describe proposed use SINGLE FAMILY RESIDENCE

Narrative project description. Please summarize and describe the purpose of the project.

RENOVATION OF EXISTING SINGLE FAMILY RESIDENCE AND EXPANSION.

- ① AT FIRST FLOOR ADD A GARAGE AND FILL IN PATIO, REMODEL KITCHEN, LIVING ROOM AND POWDER ROOM.
- ② AT BASEMENT LEVEL, ADD FAMILY ROOM, STORAGE ROOM.
- ③ ADD ~~BE~~ NEW SECOND FLOOR, THIS WILL INCLUDE TWO BEDROOMS, TWO BATHROOMS AND A LAUNDRY ROOM.

# HISTORICAL RESOURCE EVALUATION

1375 NOE STREET

SAN FRANCISCO, CALIFORNIA



TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

# Sale & Tax History for 368 Diamond St

## Sale History

## Tax History

<b>Today</b>		
Mar 30, 2021	Sold (Public Records)	\$5,500,000
Date	Public Records	Price
<b>Mar, 2021</b>		
Mar 30, 2021	Sold (MLS) (Closed)	\$5,500,000
Date	San Francisco MLS #501965	Price
Nov 9, 2020	Listed (Active)	\$5,750,000
Date	San Francisco MLS #501965	Price
<b>Nov, 2016</b>		
Nov 30, 2016	Sold (MLS) (Closed)	\$1,550,000
Date	San Francisco MLS #452010	Price
Oct 26, 2016	Pending	—
Date	San Francisco MLS #452010	Price
Oct 26, 2016	Listed (Active)	\$1,345,000
Date	San Francisco MLS #452010	Price



Listing provided courtesy of San Francisco Association of Realtors (SFARMLS)

Location, Location and Location!! Large Hillside home has 3 levels, views and HUGE garage too. Nice high ceilings with hardwood floors and two bedrooms with one split bathroom on main level. Additional Formal Dining Room with eat-in kitchen and laundry room on main level. Lower level unwarranted rooms and garage. Upper level is high ceiling attic space with view dormer. Large Rear yard with gorgeous mature redwood trees. This is a Trust sale and the property needs TLC but is an excellent candidate for remodel project. COME SEE!!



368 Diamond St  
San Francisco, California



Street View - Apr 2019



Currently shown: Apr 2019

2007



2021



# Sale & Tax History for 457 Valley St

## Sale History

## Tax History

<b>Today</b>		
Jun 18, 2020 Date	Sold (Public Records) Public Records	\$5,250,000 (27.7%/yr) Price
<b>Jun, 2020</b>		
Jun 18, 2020 Date	Sold (MLS) (Closed) San Francisco MLS #495813	\$5,250,000 Price
May 22, 2020 Date	Pending San Francisco MLS #495813	— Price
May 14, 2020 Date	Listed (Active) San Francisco MLS #495813	\$4,995,000 Price
<b>Dec 2012, Sold for \$837,500</b>		
Dec 19, 2012 Date	Sold (Public Records) Public Records	\$837,500 Price
<b>Dec, 2012</b>		
Dec 19, 2012 Date	Sold (MLS) (Closed) San Francisco MLS #400567	\$837,500 Price
Nov 15, 2012 Date	Pending (Contingent - Show) San Francisco MLS #400567	— Price
Sep 28, 2012 Date	Price Changed San Francisco MLS #400567	\$875,000 Price
Sep 25, 2012 Date	Relisted (Active) San Francisco MLS #400567	— Price



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

Case No.: 2013.1846E  
Project Title: 457 Valley Street  
Zoning: RH-2 (Residential – House, Two Family) Use District  
40-X Height and Bulk District  
Block/Lot: 6621/036  
Lot Size: 2,848 square feet  
Project Sponsor: Ross Levy, Levy Art & Architecture, (415) 641-7320  
Staff Contact: Heidi Kline – (415) 575-9043, Heidi.Kline@sfgov.org

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### PROJECT DESCRIPTION:

The proposed project would allow the construction of a 1,605-square-foot, three-story addition to the rear of an existing 1,475-square-foot, two-story (plus partial attic and basement levels) single-family residence constructed in 1911. The resultant structure would be a three-story, 2,810-square-foot residence that would include a 270-square-foot garage. A portion of the existing gable roof and accompanying attic space would be replaced with a roof deck. New decks would be added at the rear of the residence on all three floors. The existing structure would be raised 3½ feet in height to accommodate the necessary floor-to-ceiling clearance for the new garage, resulting in an overall height of 25 feet as measured from the street to the top of the structure. The project is located within the Noe Valley neighborhood on the south side of Valley Street between Castro and Noe Streets.

### EXEMPT STATUS:

Categorical Exemption, Class 1 (California Environmental Quality Act (CEQA) Guidelines Section 15301(e)(2))

### REMARKS:

See next page.

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

  
Sarah Jones  
Environmental Review Officer

January 30, 2014  
Date

cc: Ross Levy, Project Sponsor

Supervisor Scott Wiener, District 8

**Subject:** Fwd: Item No.7 Large Residence Ordinance HPC Meeting July 7, 2021 # 2021-001791PCA  
**Date:** Thursday, July 1, 2021 at 8:38:36 PM Pacific Daylight Time  
**From:** SchuT  
**To:** Matsuda, Diane (CPC), Black, Kate (CPC), Foley, Chris (CPC), Johns, Richard (CPC), Nageswaran, Ruchira (CPC), Pearlman, Jonathan (CPC), So, Lydia (CPC)  
**CC:** CPC-Commissions Secretary, Ionin, Jonas (CPC), Merlone, Audrey (CPC), Bintliff, Jacob (BOS)  
**Attachments:** Screen Shot 2021-07-01 at 4.16.15 PM.pdf, Screen Shot 2021-07-01 at 4.17.57 PM.pdf, Screen Shot 2021-07-01 at 4.19.10 PM.pdf, Screen Shot 2021-07-01 at 4.32.08 PM.pdf, Screen Shot 2021-07-01 at 4.54.59 PM.pdf, Screen Shot 2021-07-01 at 4.56.26 PM.pdf, Screen Shot 2021-07-01 at 4.57.56 PM.pdf

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Dear President Matsuda and Fellow HPC Commissioners:

Attached are several pdf screenshots of two projects that could have been covered by the proposed Large Residence Ordinance.

Neither project had a hearing before any decision maker, either the HPC, the Planning Commission or the Board of Appeals.

The first one is **20 Raycliff Terrace** with the original structure designed by **H.O. Baumann** in 1947.

The second one is **143 Laidley Street** with the original structure designed by **Campbell and Wong** in 1957.

Both were "A" rated

It seems reasonable that both of these projects should have had a hearing as a CUA due to their historic and aesthetic value which they would have under this proposed Large Residence Ordinance.

Thank you.

Georgia Schuttish

---

Below is the Assessor's report with the original square footage as well as the sales price in 2017 prior to the issuance of the Alteration Permit for **20 Raycliff Terrace**.

This is the house at 20 Raycliff Terrace which is undergoing an Alteration and Expansion. This first photo is before the work, the second photo is during the work. It was found to be beyond the scope of the permit but with corrections to the Demolition Calculations of Section 317 it was abated and is still considered an Alteration.

The original house is a contributor to Raycliff Terrace...see the notation from the SFPIM below on the historical importance of Raycliff Terrace.

This house is a Second Bay Tradition designed by H.O. Baumann who is noted for his many fine apartment buildings throughout Pacific Heights and this was one of the few single family homes he designed in San Francisco according to the HRE on the SFPIM.

Here is the notation of Raycliff Terrace from the SFPIM.

This is the project information from the approved plans showing the square footage. Please note the discrepancy between the existing square footage listed in the SFPIM above and the square footage listed on the approved plans below. Nevertheless it is still an increase of more than 50%.

Next is **143 Laidley Street**.

Below is the link to the Redfin web ad for the sale of this Campbell and Wong home. It includes before and after photos of the home as well as the sales history.

<https://www.redfin.com/CA/San-Francisco/143-Laidley-St-94131/home/996491>

Here below are three pages: 1.The first page of the Notice of Violation;

2. The square footage of the original Campbell and Wong house prior to the Alteration as submitted to the City in the Environmental Application Form during the review process and; 3.The SFPIM notation on the original complaint.

# Complaints

The Planning Department and the Department of Building Inspection operate programs that ensure compliance with the San Francisco Planning Code and Building Inspection Commission Codes respectively. Additionally, they respond to customer complaints of potential code violations and initiate fair and unbiased enforcement action to correct those violations and educate property owners to maintain code compliance.

Report for: **143 LAIDLEY ST**



## Planning Department Complaints

Active

### 2018-002306ENF Enforcement (ENF) 143 Laidley

Opened: 2/8/2018

Status: Under Review 7/6/2020

Assigned Planner: Kelly Wong: [kelly.wong@sfgov.org](mailto:kelly.wong@sfgov.org) / 628-652-7397

Work exceeded scope of permit.

Address: 143 LAIDLEY ST 94131

Further Info:

Related Records: None

[Related Documents](#)

[Accela Citizen Access](#) 

▼ HIDE DETAILS

Completed

None



## NOTICE OF VIOLATION

December 24, 2020

**Property Owner**

Kletter Fmly Lvg Tr  
143 Laidley St  
San Francisco, CA 94131

**Site Address:** 143 Laidley St  
**Assessor's Block/Lot:** 6664/026  
**Zoning District:** RH-1, Residential, House, One-Family  
**Complaint Number:** 2018-002306ENF  
**Code Violation:** Section 175: Unauthorized Alteration and Construction  
Section 311: Neighborhood notification for all building expansions of an existing residential building  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Enforcement T&M Fee:** \$7,447.98 (Current fee, additional charges may apply)  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Kelly Wong, (628) 652-7384, kelly.wong@sfgov.org

The Planning Department finds the above referenced property to be in violation of the Planning Code. As the owner of the subject property, you are a responsible party to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

### Description of Violation

Our records indicate that the subject property is currently authorized for a single-family dwelling. The violation pertains to the unpermitted work on the subject property, specifically exceeding the permitted scope of work outlined under Building Permit Nos. 2014.09.25.7339 and 2015.09.03.6085. The previous approvals included: horizontal and vertical additions at the sides and rear of the existing building, infill of the open space between the garage and the residence, conditioning and enclosure of two stories under the existing rear deck, and excavation of the basement. The street-facing garage/fence elevation was to remain unaltered and the portion of the primary façade that faces the interior deck and courtyard and is visible from the entry way was to be retained. The work completed at the site does not reflect the permit and plans approved by the Planning Department. Specifically, the street-facing garage/fence elevation was altered, including replacement of the existing fence, gate, and garage cladding. In addition, there is unpermitted work to the rear elevation related to building cladding, deck railing, and window openings, size, design, and possibly materials that are not included in the scope of work of the previously approved permits. Per the Historic Resource Evaluation Response dated

#### 4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
<b>PROJECT FEATURES</b>				
Dwelling Units	1	1	0	1
Hotel Rooms	0	0	0	0
Parking Spaces	SIDE X SIDE	2	SIDE X SIDE	2
Loading Spaces	0	0	0	0
Number of Buildings	1	1	0	1
Height of Building(s)	13'-2 1/4"	13'-2 1/4"	0	13'-2 1/4"
Number of Stories	2 + BASEMENT	2 + BASEMENT	0	2 + BASEMENT
Bicycle Spaces	N/A	N/A	N/A	N/A
<b>GROSS SQUARE FOOTAGE (GSF)</b>				
Residential	2089 S.F.	2089 S.F.	3346 S.F.	5435 S.F.
Retail	0	0	0	0
Office	0	0	0	0
Industrial	0	0	0	0
PDR Production, Distribution, & Repair	0	0	0	0
Parking	436 S.F.	436 S.F.	0 S.F.	436 S.F.
Other (Specify Use)	737 S.F. basement	0 S.F.	-737 S.F.	0 SF.
<b>TOTAL GSF</b>	<b>3262 S.F.</b>	<b>2525 S.F.</b>	<b>2609 S.F.</b>	<b>5871 S.F.</b>

Please provide a narrative project description that summarizes the project and its purpose or describe any additional features that are not included in this table. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.

SEE 2014-0925-7339 (LARGER IN PROGRESS PERMIT). THIS PERMIT CHANGES THE AMOUNT OF EXCAVATION FROM THE OTHER PERMIT.

THE INFO ON THIS FORM COMBINES ALL IN PROGRESS PERMITS TO UPDATE THE PREVIOUSLY APPROVED ENVIRONMENTAL EVALUATION.

THE APPROVED PERMIT #2014-0925-7339 EXCAVATES THE EXISTING BASEMENT SO THAT THE ENTIRE AREA UNDER THE LOWER FLOOR CAN BE CLAIMED AS CONDITIONED SPACE. THAT SPACE CURRENTLY IS PARTIALLY EXCAVATED (ORIGINAL CONSTRUCTION) & THE FLOOR SLOPES ALONG WITH GRADE AFTER THE FOREMOST RETAINING WALL.

THE NEW PERMIT EXCAVATES MORE ON THE FRONT COURTYARD SIDE OF THE BUILDING.







None

## Historic Resource Evaluation Responses

None

**Evaluations for the Purposes of CEQA** - These evaluations do not result in the automatic listing or designation of any property within the study area.

### Districts:

#### Eligible Raycliff Terrace Historic District

∨ HIDE DETAILS

Raycliff Terrace is eligible for listing in the California Register under Criterion 3 as a historic district. Raycliff Terrace is a rare example of a grouping of residences designed in the Second Bay Tradition by notable master architects of the era. The residences were designed by master architects Joseph Esherick; Wurster, Bernardi & Emmons; Gardner Daily; Germano Milono; with example gardens designed by master landscape architect Thomas Church. Few examples of the Second Bay Tradition exist in San Francisco, as the style was often employed in suburban Bay Area communities. Therefore, the rarity of the building type further strengthens the Criterion 3 significance for the eligible historic district.



# Assessor's Report



**Parcel** 0962008A  
**Address** 20 RAYCLIFF TE

<b>Assessed Values</b>		<b>Construction Type</b>	Wood or steel frame
<b>Land</b>	\$3,710,513.00	<b>Use Type</b>	Dwelling
<b>Structure</b>	\$1,830,219.00	<b>Units</b>	1
<b>Fixtures</b>	-	<b>Stories</b>	2
<b>Personal Property</b>	-	<b>Rooms</b>	7
<b>Last Sale</b>	1/20/2017	<b>Bedrooms</b>	-
<b>Last Sale Price</b>	\$4,995,000.00	<b>Bathrooms</b>	3
<b>Year Built</b>	1947	<b>Basement</b>	-
<b>Building Area</b>	2,750 sq ft		
<b>Parcel Area</b>	3,402 sq ft	<b>Parcel Shape</b>	Other (not square or rectangular)
<b>Parcel Frontage</b>	-	<b>Parcel Depth</b>	-

Please send questions about this report to the [Office of the Assessor-Recorder](#)

Close

**Subject:** Record No. 2021-001791PCA, File No. 210116: Legislative Section 319 Review of Large Residence Developments

**EXHIBIT B-5**

**Date:** Wednesday, July 7, 2021 at 9:06:39 AM Pacific Daylight Time

**From:** Howard Blecher

**To:** Merlone, Audrey (CPC), CPC-Commissions Secretary, Board of Supervisors, (BOS)

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

In response to 'large developments' Supervisor Mandelman has developed a new **Legislative Section 319 Large Residence Developments** that states, "The purpose of this Section 319 is to protect and enhance existing neighborhood character, encourage new infill housing at compatible densities and scale, and provide for thorough assessment of proposed large single-family residences that could adversely impact neighborhood character and affordable housing opportunities."

It will require all RH properties to get a Conditional Use Authorization for any unit with a gross sf over 2,500sf, and for any expansion 10% of the gross sf of all development done in the last 10 years.

I am not supporting this legislation based on the negative impact it will have

1. It adversely changes the intent of zoning laws that typically use form-based regulations, i.e yards, setbacks, and height limitations to determine what can be developed allowing for the variety of lot conditions and sizes to create a rich diverse urban fabric.
2. It will add time and expense.
3. It will add workload for Planning Staff and Commissioners to a system overburdened with Conditional Use Authorizations.
4. It will not encourage density or create affordable housing.
5. It will not discourage large construction.

I propose these alternative suggestions to address Mandelman's concerns

1. Change the definition of area used in calculations to exclude the square footage of unoccupied ground floor and attic spaces, exterior walls, parking, and mechanical rooms.

2. Allow units to expand without CUA on a sliding scale proportional to their current size:

- Eliminate expansion limits resulting in units equal to or less than 3,000 sf .
- Allow 50% expansion of units between 3,001 – 3,500 sf
- Allow 25% expansion between 3,501 – 4,000 sf
- Allow 15% expansion between 4,001 – 4,500 sf
- Allow 10% between 4,501 sf and over

3. Do not include in the calculation of allowable % increases "all development performed on the lot within the last 10 years" before these restrictions even existed.

4. Do not include in the regulations and criteria for Findings for a CUA criteria that are already regulated by Planning in existing regulations and processes
5. Grandfathering: Change the applicability of the ordinance to instances where a complete Development Application is submitted after *the effective date of the legislation* rather than the date legislation was introduced (February 2, 2021).

**I support efforts to:**

1. Allow housing to adapt to accommodate the diverse community that occupies the Bay Area
2. Provide life and health safety measure and seismic upgrades
3. Adapt Sustainability and Energy Conservation methods
4. Encourage up-zoning to allow for density

Best regards,  
Howard Blecher

--

*If you are not replying to the substance of this message immediately please acknowledge receipt to let us know you have actually received it.*

Howard Blecher, Architect, NCARB, M.C.P., Certified GreenPoint Rater, LEED AP  
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Virus-free. [www.avast.com](http://www.avast.com)



1392 Pacific Avenue  
San Francisco, CA 94109

Ogrydziak Prillinger  
Architects

EXHIBIT B-6

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July 12, 2021

SF District 8 Supervisor, Rafael Mandelman, [mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)  
Planning Commission President, Joel Koppel, [joel.koppel@sfgov.org](mailto:joel.koppel@sfgov.org)  
Planning Commission Vice-President, Kathrin Moore, [kathrin.moore@sfgov.org](mailto:kathrin.moore@sfgov.org)  
Planning Commissioner, Deland Chan, [deland.chan@sfgov.org](mailto:deland.chan@sfgov.org)  
Planning Commissioner, Sue Diamond, [sue.diamond@sfgov.org](mailto:sue.diamond@sfgov.org)  
Planning Commissioner, Frank Fung, [frank.fung@sfgov.org](mailto:frank.fung@sfgov.org)  
Planning Commissioner, Theresa Imperial, [Theresa.imperial@sfgov.org](mailto:Theresa.imperial@sfgov.org)  
Planning Commissioner, Rachael Tanner, [Rachael.Tanner@sfgov.org](mailto:Rachael.Tanner@sfgov.org)  
Director of Current Planning, Elizabeth Watty, [Elizabeth.watty@sfgov.org](mailto:Elizabeth.watty@sfgov.org)

**Re: SFBOS FILE # 210116: Legislative Section 319 Review of Large Residence Developments**

Dear Supervisor Mandelman et al.:

We are living in an exciting moment of social change. Many traditional assumptions regarding race, gender, and class are being deeply questioned—with the goal not simply of disruption but of positively re-inventing our social relationships in a way which allows individuality to flourish.

In this context, it seems oddly paternalistic for the City of San Francisco to insist on a Procrustean one-size-fits-all approach to how people should live together. Is there really a “right” vs. “wrong” size of family or living group? What is the number? How is this arrived at? And is it really “better” not to allow people enough room to work at home?

This proposed legislation leverages resentment regarding tech gentrification as a fig-leaf for its real aim of restructuring the Planning Code to be based on abstract area calculations rather than lot specific massing. The notion that a 2,500 gross SF house (as defined in the legislation) is a “Large Residence” is comical. Only a handful of existing homes in San Francisco are small enough to meet this definition. All the existing Victorians in the City exceed the proposed limit. So, the historical morphology of San Francisco is denied in favor of an ideology privileging young, unattached recent college graduates who tend to live briefly in the City before the growth of their family forces them to move to the suburbs? Such family growth could happen through a combination of the following factors: additional children, multi-generational

cohabitation, and working-at-home. One obvious unintended consequence of this legislation will be to further accelerate the flight of large and/or non-traditional families away from San Francisco, which already has one of the lowest children per capita ratio of any major US City.

Rather than paternalistically telling San Franciscans how they should live, why not celebrate cultural diversity, and allow for a wider range of living styles? Such an attempt to define the proper family structure seems extremely conservative and un-San Franciscan.

Not only does this legislation ignore the variety of family structures that exist, it also limits the maximum allowable square-foot-per-human. This legislation attempts to “solve” economic inequality with a Soviet-style solution: total uniformity. Compassionate people support addressing the negative impacts of capitalism in its current form. But Planning legislation is the wrong tool to address economic inequality. The PC and BoS may attempt to limit the amount of sf single individuals can legally enjoy, but such an effort is naïve and doomed to fail. Developers and realtors will simply bundle units and adjacent lots in a trivial workaround of any legal limit. If the BoS is concerned about visible economic stratification within San Francisco, perhaps restaurant prices should be capped (per meal) along with the price of consumer goods? The underlying spirit of this proposed legislation is negative towards the enjoyment of space because it implies economic stratification. Mandating that no one should enjoy any extra space is a case of the tail-wagging-the-dog: addressing the symptoms rather than the deeper causes of economic inequality.

Finally, size and style are not the same thing. Why confuse them? A small house can be contemporary. A large building can be traditional. Why add a penalty for projects which are not in an historical style? This aspect of the proposal daylights an implicit bias against contemporary architecture—by suggesting that the only “correct” housing styles are historical. This is an oddly personal fantasy to impose on a city of nearly 900,000 people.

I support the various points made in Vivian Dwyer and Karin Payson’s thoughtful letter. I am simply trying to add the perspective that the City of San Francisco be more rather than less open to diversity and alternative ways of living and building.

Luke Ogrydziak AIA  
OPA, Principal, [oparch.net](http://oparch.net)  
AIASF Public Policy & Advocacy Committee, Steering Committee Member, [PPAC](http://PPAC)



# HISTORIC PRESERVATION COMMISSION RESOLUTION NO. 1193

**HEARING DATE: JULY 7, 2021**

**Project Name:** Review of Large Residence Developments  
**Case Number:** 2021-001791PCA [Board File No. 210116]  
**Initiated by:** Supervisor Mandelman / Introduced April 13, 2021  
**Staff Contact:** Audrey Merlone, Legislative Affairs  
Audrey.merlone@sfgov.org, 628-652-7534  
**Reviewed by:** Aaron D Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, (628) 652-7533

**RESOLUTION RECOMMENDING APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR CERTAIN LARGE RESIDENCE DEVELOPMENTS IN RESIDENTIAL, HOUSE (RH) ZONING DISTRICTS; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, on February 2, 2021 Supervisor Mandelman introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 210116, which would amend the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts;

WHEREAS, The Historic Preservation Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 7, 2021; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c); and

WHEREAS, the Historic Preservation Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Historic Preservation Commission has reviewed the proposed Ordinance; and

WHEREAS, the Historic Preservation Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

WHEREAS, the Historic Preservation Commission encourages the Planning Commission and Supervisor to take additional time to provide clarity and address the concerns raised by the Historic Preservation Commission;

MOVED, that the Historic Preservation Commission hereby adopts a resolution recommending **approval with modifications** of the proposed ordinance.

1. Approve recommended staff modification #6 to remove Section 319(d)3, which would require any historic property to obtain a CUA if the proposed alteration would increase the square footage of the existing building by 50% or more.

## **Findings**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

Objective 1 of the Urban Design Element instructs the City to guide development in such a manner where we place “Emphasis of the characteristic pattern which gives to the city and its neighborhoods an image, a sense of purpose, and a means of orientation.” Policy 1.3 of this objective is to “Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.” The proposed Ordinance, with all staff modifications, helps to maintain a balance between a neighborhood’s physical identity while also not impeding on the development of future housing. This proposed Ordinance, with all staff modifications, will encourage additional density while ensuring that the resulting building forms are complementary to a neighborhood’s context. The proposed Ordinance additionally ensures that large, single-family home expansions are not approved without careful consideration through a CU authorization.

In the City's FY 12-13 budget, responsibility for providing strategic direction, planning and oversight of early care and education programs was consolidated in the new agency, OECE

The proposed Ordinance will correct the Planning Code so that it is in line with the City’s current practices and adopted budget.

## **General Plan Compliance**

The proposed Ordinance and the Commission’s recommended modifications are consistent with the following Objectives and Policies of the General Plan:

### **URBAN DESIGN ELEMENT**

#### **OBJECTIVE 1**

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

*The proposed Ordinance, with all staff modifications, helps to maintain a balance between a neighborhood's physical identity while also not impeding on the development of future housing.*

**HOUSING ELEMENT**

**OBJECTIVE 2**

**RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY**

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

*The proposed Ordinance, with all staff modifications, will promote modest density across RH districts in the City through the addition of residential units and ADU's. The proposed Ordinance additionally ensures that large, single-family home construction or expansions are not approved without careful consideration through a CU authorization.*

**Planning Code Section 101 Findings**

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or*

*overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

#### **Planning Code Section 302 Findings.**

The Historic Preservation Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RESOLUTION RECOMMENDING APPROVAL WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on July 7, 2021.



Jonas P Ionin Digitally signed by Jonas P Ionin  
Date: 2021.07.14 09:05:11 -0700

Jonas P. Ionin  
*Commission Secretary*

AYES: Nageswaran, Black, Foley, Johns, Pearlman, So, Matsuda

NOES: None

ABSENT: None

ADOPTED: July 7, 2021

1 [Planning Code - Review of Large Residence Developments]

2

3 **Ordinance amending the Planning Code to require Conditional Use Authorization for**  
4 **certain large residence developments in Residential, House (RH) zoning districts;**  
5 **affirming the Planning Department’s determination under the California Environmental**  
6 **Quality Act; and making findings of consistency with the General Plan, and the eight**  
7 **priority policies of Planning Code, Section 101.1, and findings of public convenience,**  
8 **necessity, and welfare under Planning Code, Section 302.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
12 **Board amendment additions** are in double-underlined Arial font.  
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
14 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
15 subsections or parts of tables.

13

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

15

16 Section 1. Environmental and Land Use Findings.

17 (a) The Planning Department has determined that the actions contemplated in this  
18 ordinance comply with the California Environmental Quality Act (California Public Resources  
19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
20 Supervisors in File No. 210116 and is incorporated herein by reference. The Board affirms  
21 this determination.

22 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
23 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
24 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The  
25 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of

1 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

2 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
3 ordinance will serve the public necessity, convenience, and welfare for the reasons stated in  
4 Planning Commission Resolution No. \_\_\_\_\_.

5  
6 Section 2. The Planning Code is hereby amended by adding Section 319, to read as  
7 follows:

8  
9 **SEC. 319. REVIEW OF LARGE RESIDENCE DEVELOPMENTS.**

10 (a) Purpose. The purpose of this Section 319 is to protect and enhance existing  
11 neighborhood character, encourage new infill housing at compatible densities and scale, and provide  
12 for thorough assessment of proposed large single-family residences that could adversely impact  
13 neighborhood character and affordable housing opportunities.

14 (b) Applicability.

15 (1) This Section 319 applies to all Residential Buildings in Residential, House (RH)  
16 zoning districts, in those instances where a complete Development Application was submitted on or  
17 after February 2, 2021.

18 (2) All applicable provisions of the Planning Code shall continue to apply to  
19 Residential Buildings, except as otherwise stated in this Section 319.

20 (c) Conditional Use Authorizations. In all RH zoning districts, the following  
21 developments shall require a Conditional Use authorization:

22 (1) New Construction. Residential development on a vacant lot, or demolition and new  
23 construction, where the development will result in only one Dwelling Unit on the lot or in any Dwelling  
24 Unit with a gross floor area exceeding 2,500 square feet.

25 ///

1                   (2) **Expansion of Existing Development.** On a developed lot where no existing  
2 Dwelling Unit exceeds 2,500 square feet of gross floor area, expansion of the Residential Use that  
3 would result in an increase of more than 50% of gross floor area to any Dwelling Unit or in a Dwelling  
4 Unit exceeding 2,500 square feet of gross floor area, except where the total increase of gross floor area  
5 of any existing Dwelling Unit is not more than 10%. The calculation of total gross floor area increase  
6 shall include all development performed on the lot within the last 10 years.

7                   (3) **Expansion of Existing Large Residence Development.** On a developed lot where  
8 any existing Dwelling Unit exceeds 2,500 square feet of gross floor area, expansion of the Residential  
9 Use that would result in an increase of more than 10% of gross floor area of any Dwelling Unit. The  
10 calculation of total gross floor area increase shall include all development performed on the lot within  
11 the last 10 years.

12                   (d) **Exceptions.** Notwithstanding subsections (c)(2) and (c)(3) above, developments that  
13 increase the number of Dwelling Units on the lot shall not require Conditional Use authorization  
14 provided that: 1) no Dwelling Unit exceeds 2,500 square feet of gross floor area as a result of the  
15 development, 2) no proposed Dwelling Unit is less than one-third the gross floor area of the largest  
16 Dwelling Unit resulting on the lot, and 3) neither the property or any existing structure on the  
17 property: i) is listed on or formally eligible for listing in the California Register of Historic Resources;  
18 ii) has been adopted as a local landmark or a contributor to a local historic district under Articles 10  
19 or 11, or iii) has been determined to appear eligible for listing in the California Register of Historic  
20 Resources.

21                   (e) **Conditional Use Findings.** In addition to the criteria outlined in Planning Code Section  
22 303(c)(1), the Planning Commission shall also consider the following factors when deciding whether to  
23 approve Conditional Use applications under this Section 319:

24                   (1) whether the development increases the number of Dwelling Units on the lot;

25 ///



1                     (2) whether the property or any existing structure on the lot is listed in or formally  
2 eligible for listing in the California Register of Historic Resources or has been determined to appear  
3 eligible for listing in the California Register of Historic Resources; whether the property or any  
4 existing structure on the property is an "historical resource" under CEQA;

5                     (3) whether any existing structure on the lot has been adopted as a local landmark or a  
6 contributor to a local historic district under Articles 10 or 11 of this Code, and whether the proposed  
7 development would render the property ineligible for historic designation as an individual or  
8 contributing resource;

9                     (4) whether the proposed development preserves or enhances the neighborhood  
10 character by retaining existing design elements and meeting applicable Residential Design Guidelines;

11                     (5) whether the development proposes to remove more than 50% of the existing front  
12 façade; and

13                     (6) whether the project removes rental units subject to the Residential Rent Stabilization  
14 and Arbitration Ordinance.

15  
16           Section 3. Effective Date. This ordinance shall become effective 30 days after  
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
19 of Supervisors overrides the Mayor's veto of the ordinance.

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

22 By: /s/ KRISTEN A. JENSEN  
23 KRISTEN A. JENSEN  
24 Deputy City Attorney

25 n:\legana\as2021\2100212\01509786.docx

1 [Approval of a 90-Day Extension for Planning Commission Review of “Review of Large  
2 Residence Developments” (File No. 210116)]

3 **Resolution extending by 90 days the prescribed time within which the Planning**  
4 **Commission may render its decision on an Ordinance (File No. 210116) amending the**  
5 **Planning Code to require Conditional Use authorization for certain large residence**  
6 **developments in Residential, House (RH) zoning districts; affirming the Planning**  
7 **Department’s determination under the California Environmental Quality Act; making**  
8 **findings of consistency with the General Plan, and the eight priority policies of**  
9 **Planning Code, Section 101.1, and findings of public convenience, necessity, and**  
10 **welfare under Planning Code, Section 302.**

11  
12 WHEREAS, On February 2, 2021, Supervisor Mandelman introduced legislation  
13 amending the Planning Code to Ordinance amending the Planning Code to require  
14 Conditional Use Authorization for certain large residence developments in Residential, House  
15 (RH) zoning districts; affirming the Planning Department’s determination under the California  
16 Environmental Quality Act; and making findings of consistency with the General Plan, and the  
17 eight priority policies of Planning Code, Section 101.1, and findings of public convenience,  
18 necessity, and welfare under Planning Code, Section 302; and

19 WHEREAS, On or about February 11, 2021, the Clerk of the Board of Supervisors  
20 referred the proposed Ordinance to the Planning Commission; and

21 WHEREAS, The Planning Commission shall, in accordance with Planning Code,  
22 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date  
23 of referral of the proposed amendment or modification by the Board to the Commission; and

24 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to  
25 constitute disapproval; and

1           WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by  
2 Resolution, extend the prescribed time within which the Planning Commission is to render its  
3 decision on proposed amendments to the Planning Code that the Board of Supervisors  
4 initiates; and

5           WHEREAS, Supervisor Mandelman has requested additional time for the Planning  
6 Commission to review the proposed Ordinance; and

7           WHEREAS, The Board deems it appropriate in this instance to grant to the Planning  
8 Commission additional time to review the proposed Ordinance and render its decision; now,  
9 therefore, be it

10           RESOLVED, That by this Resolution, the Board hereby extends the prescribed time  
11 within which the Planning Commission may render its decision on the proposed Ordinance for  
12 approximately 90 additional days, until August 10, 2021.

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City and County of San Francisco

Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 210397

Date Passed: April 20, 2021

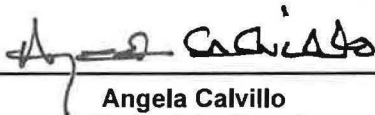
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 210116) amending the Planning Code to require Conditional Use authorization for certain large residence developments in Residential, House (RH) zoning districts; 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 findings of public convenience, necessity, and welfare under Planning Code, Section 302.

April 20, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210397

I hereby certify that the foregoing  
Resolution was ADOPTED on 4/20/2021 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
Angela Calvillo  
Clerk of the Board



London N. Breed  
Mayor

4.30.21  
Date Approved

1 [Approval of a 60-Day Retroactive Extension for Planning Commission Review of “Review of  
2 Large Residence Developments” (File No. 210116)]

3 **Resolution retroactively extending by 60 days the prescribed time within which the**  
4 **Planning Commission may render its decision on an Ordinance (File No. 210116)**  
5 **amending the Planning Code to require Conditional Use Authorization for certain large**  
6 **residence developments in Residential, House (RH) zoning districts; affirming the**  
7 **Planning Department’s determination under the California Environmental Quality Act;**  
8 **and making findings of consistency with the General Plan, and the eight priority**  
9 **policies of Planning Code, Section 101.1, and findings of public convenience,**  
10 **necessity, and welfare under Planning Code, Section 302.**

11  
12 WHEREAS, On February 2, 2021, Supervisor Mandelman introduced legislation  
13 amending the Planning Code to require Conditional Use Authorization for certain large  
14 residence developments in Residential, House (RH) zoning districts; affirming the Planning  
15 Department’s determination under the California Environmental Quality Act; and making  
16 findings of consistency with the General Plan, and the eight priority policies of Planning Code,  
17 Section 101.1, and findings of public convenience, necessity, and welfare under Planning  
18 Code, Section 302; and

19 WHEREAS, On or about February 11, 2021, the Clerk of the Board of Supervisors  
20 referred the proposed Ordinance to the Planning Commission; and

21 WHEREAS, The Planning Commission shall, in accordance with Planning Code,  
22 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date  
23 of referral of the proposed amendment or modification by the Board to the Commission; and

24 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to  
25 constitute disapproval; and

1           WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by  
2 Resolution, extend the prescribed time within which the Planning Commission is to render its  
3 decision on proposed amendments to the Planning Code that the Board of Supervisors  
4 initiates; and

5           WHEREAS, On April 20, 2021, the Board extended, by Resolution No. 165-21, the  
6 prescribed time for the Planning Commission's review of the proposed Ordinance an  
7 additional 90 days through August 10, 2021; and

8           WHEREAS, The Planning Commission held a duly noticed public hearing on the  
9 proposed Ordinance on July 22, 2021, and at that meeting voted to continue consideration of  
10 the Ordinance to the September 23, 2021, Planning Commission meeting; and

11           WHEREAS, The Board deems it appropriate in this instance to grant to the Planning  
12 Commission additional time to review the proposed Ordinance and render its decision; now,  
13 therefore, be it

14           RESOLVED, That by this Resolution, the Board hereby retroactively extends the  
15 prescribed time within which the Planning Commission may render its decision on the  
16 proposed Ordinance for approximately 60 additional days, until October 9, 2021.

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# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Resolution

**File Number:** 210881

**Date Passed:** September 07, 2021

Resolution retroactively extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 210116) amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

September 07, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210881

I hereby certify that the foregoing Resolution was ADOPTED on 9/7/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned

London N. Breed  
Mayor

\_\_\_\_\_  
09/17/2021

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
9/17/2021

Date

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Major, Erica \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#)  
**Subject:** FW: Comment on 210116 (Central Neighborhoods Large Residence SUD)  
**Date:** Thursday, February 24, 2022 10:09:19 AM

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**From:** Andrew Metcalf <agmetcalf@gmail.com>  
**Sent:** Saturday, February 12, 2022 9:05 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Comment on 210116 (Central Neighborhoods Large Residence SUD)

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

Hello,

I'm writing to express my objection to Supervisor Mandelman's proposed Central Neighborhoods Special Use District. I live in Noe Valley and have voted for Mandelman but I'm very disappointed by this legislation.

I believe that this legislation will do very little to promote multi-unit development on existing lots. Developers will continue to find ways to circumvent these provisions as they do with the residential merger provisions of Planning Code Section 317. I suspect that any legislation robust to circumvention will add untenable barriers to an already absurd permitting process.

If the Board truly wants these lots to be developed as multi-family, they should pass legislation that dramatically streamlines the process of doing so. For example, as Section 317 is currently written, replacing a single-family home with a multi-family complex usually requires Conditional Use Authorization by the Planning Commission, adding significant cost, time and risk to a project. The Board could pass legislation that removes these onerous requirements for projects that add units on a lot. I'm not familiar with all the impediments to developing these sorts of projects, but I suspect there are other areas where the Board could make it significantly more appealing for developers to pursue multi-family projects instead of massive single family projects.

Consider the case of 248 Valley St which recently sold near me for \$2.2m. This feels like a perfect candidate for a multi-family project -- extra-large lot, multi-family complex to one side and an existing property that may not warrant historic preservation. Assessor records show it sold to an LLC, so I assume a developer. I'd like the Board to consider what it would take to make it truly appealing for that developer to maximize the density on the lot (I think 2 units plus an ADU). Instead of raising even more barriers, can we lower barriers to building the sorts of multi-unit developments we're hoping for?



Separately, if the Board truly wants more multi-family housing, they should support projects like 469 Stevenson Street which would have added hundreds of units the city direly needs. Even the market-rate units in that complex would have been more affordable than a 3,000 square foot single-family home in Noe that would be untouched by the Special Use District proposal.

Housing has become such a critical problem in our city that I suspect my next vote for supervisor will go to whoever focuses the most on streamlining new development rather than scoring political points with ineffective new restrictions.

Thank you,  
Andrew Metcalf

**From:** [Matt Munz](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** RE: Please vote for the Central Neighborhoods Large Residence SUD ordinance (File No. 210116)  
**Date:** Monday, February 14, 2022 12:06:26 PM

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To the members of the Land Use and Transportation Committee:

My neighbor forwarded to me this message from another District 8 neighbor, Gary Weiss. While I have not read the legislation in question I wholeheartedly agree with this statement and urge you to adopt the ordinance.

I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These “monster homes” are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance. Thank you.

Matt Munz  
[matt.m.munz@gmail.com](mailto:matt.m.munz@gmail.com)

**From:** [David Pennebaker](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** RE: Please vote for the Central Neighborhoods Large Residence SUD ordinance (File No. 210116)  
**Date:** Sunday, February 13, 2022 1:02:29 AM

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

To the members of the Land Use and Transportation Committee:  
Thank you for your time regarding this matter.

I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These “monster homes” are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance.

Thank you,  
David



**From:** [Bruce Bowen](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [MandelmanStaff, \[BOS\]](#); [Major, Erica \(BOS\)](#)  
**Subject:** Please vote for the Central Neighborhoods Large Residence SUD ordinance (File No. 210116)  
**Date:** Monday, February 14, 2022 1:03:33 AM

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Supervisors

Please vote for the Central Neighborhoods Large Residence SUD ordinance.

I'd like to start by thanking Supervisor Mandelman and his staff for listening to us in Dolores Heights and other neighborhoods in District 8 and developing this proposed ordinance. We need stronger controls to slow or stop the destructive waves of demolition, de facto demolition, and oversized additions that are reshaping our neighborhoods with larger and larger single family homes (with or without sham second units).

Forty years ago, the Dolores Heights SUD was created to "...preserve and provide for an established area...and to encourage development in context and scale with established character and landscape..." Unfortunately, the founders of the SUD could not anticipate the corrosive and destructive power of near-limitless wealth as it has poured into recent development projects. On streets where homes had averaged close to 2,000 square feet in size, we've been seeing more and more houses with square footage of 5,000, 6,000, 7,000, 8,000 and more.

The reality that Dolores Heights, in particular, has attracted this kind of development, has also brought to our neighborhood the other aberrations of out-of-balance capital investment, such as merger of lots and de facto multi-lot compounds. Giving essentially free reign to demolition of sound existing homes, and allowing monster homes to be built in their place, has only heightened the affordability crisis in our City. Worst of all, we've also seen that these new mansions are not even necessarily primary residences: for example, the owner of the largest new home constructed in recent years, who acquired four adjacent lots for his family, identifies his "locations" on his Twitter page as "Kauai, Montana" - not San Francisco.

Please send a signal that you do not believe that our neighborhoods should just be handed over to the wealthiest. The proposed ordinance appropriately provides for reasonably-sized family housing and additional density. Please support this ordinance.

Thank you

Bruce Bowen  
Dolores Heights

**From:** [Christine Huhn](#)  
**To:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [MelgarStaff \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Subject:** Monster Home Ordinance for Noe Valley  
**Date:** Friday, February 11, 2022 7:24:02 AM

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

Good morning Supervisors,

Please take my comments into consideration for the Land Use Committee hearing on Monday, February 14th.

Monster homes are menace to the environment. They encourage overconsumption of energy and scarce environmental resources to maintain humongous buildings used by small households that is the norm in Noe Valley. Average family size in Noe Valley is around 2 members who certainly don't need over 4000 square feet for a home.

These supersized structures deprive surrounding homes from natural light and pit neighbors against neighbors. They are speculative tools for developers who buy modest old homes only to supersize and flip them for massive profits.

Our housing crisis is about a lack of affordable housing and starter homes for families with modest income. In a city with scarce available land, it's a terrible waste to use over 4000 square feet for one home.

Monster homes encourage the demolition of modest homes that are relatively affordable to middle-class families who lose in bidding wars against developers with the money and resources to demolish and convert them to gargantuan homes not in line with the average family size in Noe Valley.

The topography of Noe Valley with steep hills makes it particularly attractive for developers to overdevelop lots not only for more square footage but also for grabbing views. This is not sustainable and doesn't benefit anyone other than developers who flip these homes for extraordinary profits.

Best regards,

Christine Huhn

**From:** [Thomas Schuttish](#)  
**To:** [Major, Erica \(BOS\)](#)  
**Cc:** [Bintliff, Jacob \(BOS\)](#); [Hepner, Lee \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Low, Jen \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#)  
**Subject:** Central Neighborhoods Large Residence SUD Board File No. 210116 LUT on 2/14/2022  
**Date:** Friday, February 11, 2022 6:37:54 AM

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

Dear Supervisor Melgar, Supervisor Peskin and Supervisor Preston:

The other day in the U.S. Mail, I received a post card from a real estate company touting the highest sale in Noe Valley for a single family home last year, 2021. The home sold in July 2021.

According to the post card the highest sale was \$7.60 Million for 752 Elizabeth Street.

However, what the card did not say is that 752 Elizabeth Street was approved by the City as an “extreme” Alteration. Originally selling for \$2.150 Million in back in 2015, this project was flipped *for an increase* of \$5.45 Million.

752 Elizabeth according to the plans published on the SFPIM was originally 1,837 square feet. It was expanded to 4,468 square feet. It also needed to revise the Horizontal value of the Demolition Calculations during the construction, but the project was still below the Threshold for Tantamount to Demolition per Section 317. But more of that later in this email.

If you look at the before, during and after photos of this project, it is hard to not logically conclude that this Elizabeth Street project should have been considered and reviewed as a Demolition. And that is true of so many other projects.

There are at least 39 other projects just like this within the Noe Valley Planning Department boundaries (south side of 21st Street, west side of Dolores Street, north side of 30th Street and a jagged line fundamentally running along the east side of Diamond Height Blvd, along the east side of Market Street, etc).

This total of at least 40 projects have been flipped for an average price increase of \$3.9 million in the past decade. They all had a dramatic increase in square footage to become “mega mansions” over 3,000 square feet.

There are many other homes outside of the Noe Valley boundaries, some just across the street into Dolores Heights, or Glen Park, or Eureka Valley/Castro, or the blocks just outside of the Mission District, that fall into this category of mega mansions. Throughout the proposed SUD some of these properties were originally two units prior to the Site Permit.

While there have been some homes that have had legitimate, legally approved Demolitions that then built to a “mega mansion” or Monster Home sized square footage *in Noe Valley you can probably count those on one hand*.

In fact in the first iteration of the proposed Ordinance which covered a smaller geographic

area, the Planning Staff analysis made the astounding admission that “Noe Valley is an epicenter for de facto demolition”.

This has been going on for years.

Even back in 2015 after reviewing a sample of five Noe Valley projects, the Staff concurred that 40% of the sample should have been reviewed as a Demolition *under the existing Demo Calcs!*

Since December 2017 when the RET was rescinded, the Planning Commission could have tempered this trend of extreme Alterations becoming high priced, super large single family homes by adjusting the Demolition Calculations as they are empowered to do do under Planning Code Section 317 (b) (2) (D). By putting forward the RET, the Planning Department acknowledged the problem which had been brewing since the Demo Calcs were set in the Section 317 Code Implementation Document in 2009. As former Staff told the Planning Commission in March 2009, they would likely return within the year to possibly adjust the Demo Calcs. *That has never happened.*

Please remember what the point was of including the Demolition Calculations in the Planning Code. It was to allow reasonable expansion of a structure without becoming a Demolition. As it says in the Section 317 (a), or the Findings: *“The General Plan recognizes that existing housing is the greatest stock of rental and financially accessible residential units, and is a resource in need of protection.”*

*So what now?*

**I urge the LUT Committee to please put forward Supervisor Mandelman’s legislation for this SUD to the full Board.**

**ALSO, I urge the Committee to take Board File No. 200451 and somehow fold it into this proposed Ordinance. This File was passed unanimously and was Continued to the Call of the Chair on May 4, 2020. Please call it back.**

Thank you.  
Sincerely,  
Georgia Schuttish

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: Record No. 2021-001791PCA, File No. 210116: Legislative Section 319 Review of Large Residence Developments  
**Date:** Thursday, July 8, 2021 9:22:20 AM

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**From:** Howard Blecher <howard@bbudesign.com>  
**Sent:** Wednesday, July 7, 2021 9:06 AM  
**To:** Merlone, Audrey (CPC) <audrey.merlone@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Record No. 2021-001791PCA, File No. 210116: Legislative Section 319 Review of Large Residence Developments

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

In response to 'large developments' Supervisor Mandelman has developed a new **Legislative Section 319 Large Residence Developments** that states, "The purpose of this Section 319 is to protect and enhance existing neighborhood character, encourage new infill housing at compatible densities and scale, and provide for thorough assessment of proposed large single-family residences that could adversely impact neighborhood character and affordable housing opportunities."

It will require all RH properties to get a Conditional Use Authorization for any unit with a gross sf over 2,500sf, and for any expansion 10% of the gross sf of all development done in the last 10 years.

I am not supporting this legislation based on the negative impact it will have

1. It adversely changes the intent of zoning laws that typically use form-based regulations, i.e yards, setbacks, and height limitations to determine what can be developed allowing for the variety of lot conditions and sizes to create a rich diverse urban fabric.
2. It will add time and expense.
3. It will add workload for Planning Staff and Commissioners to a system overburdened with Conditional Use Authorizations.
4. It will not encourage density or create affordable housing.
5. It will not discourage large construction.

I propose these alternative suggestions to address Mandelman's concerns

1. Change the definition of area used in calculations to exclude the square footage of unoccupied ground floor and attic spaces, exterior walls, parking, and mechanical rooms.
2. Allow units to expand without CUA on a sliding scale proportional to their current size:



- · Eliminate expansion limits resulting in units equal to or less than 3,000 sf .
- · Allow 50% expansion of units between 3,001 – 3,500 sf
- · Allow 25% expansion between 3,501 – 4,000 sf
- · Allow 15% expansion between 4,001 – 4,500 sf
- · Allow 10% between 4,501 sf and over

3. Do not include in the calculation of allowable % increases “all development performed on the lot within the last 10 years” before these restrictions even existed.

4. Do not include in the regulations and criteria for Findings for a CUA criteria that are already regulated by Planning in existing regulations and processes

5. Grandfathering: Change the applicability of the ordinance to instances where a complete Development Application is submitted after *the effective date of the legislation* rather than the date legislation was introduced (February 2, 2021).

**I support efforts to:**

1. Allow housing to adapt to accommodate the diverse community that occupies the Bay Area
2. Provide life and health safety measure and seismic upgrades
3. Adapt Sustainability and Energy Conservation methods
4. Encourage up-zoning to allow for density

Best regards,  
Howard Blecher

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*If you are not replying to the substance of this message immediately please acknowledge receipt to let us know you have actually received it.*

Howard Blecher, Architect, NCARB, M.C.P., Certified GreenPoint Rater, LEED AP  
Blecher Building + Urban Design  
3343 22nd Street  
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Virus-free. [www.avast.com](http://www.avast.com)

**From:** [Erik Honda](#)  
**To:** [David Troup](#)  
**Cc:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Re: Support Central Neighborhoods Large Residence SUD ordinance (File #210116)  
**Date:** Monday, February 7, 2022 6:15:52 PM

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

Hello honorable members of the Land Use and Transportation Committee of the Board of Supervisors:

As another long-time resident (since 1992) of Duboce Triangle I would like to add my voice in support of this legislation. I agree with everything David said, and I would add that claims that we need these giant houses for "families" are disingenuous. My wife and I raised two children (they are 18 and 25 now and living independently) in the same 1100-square foot flat we live in now. It was plenty big enough for a family, and is really too big for two people. Nobody needs 4000 square feet to raise a family.

Please vote to move this legislation forward.

Cheers,

Erik Honda  
Secretary, Duboce Triangle Neighborhood Association  
183 Henry Street  
415-987-1149

On Fri, Feb 4, 2022 at 8:27 PM David Troup <[david@troup.net](mailto:david@troup.net)> wrote:

To the honorable members of the Land Use and Transportation Committee of the Board of Supervisors:

I am writing as a long-time resident of District 8 to ask you to support the Large Residence SUD ordinance. This is sensible legislation to preserve moderately-sized housing which has served our city well for a century or more. Nobody needs 4000+ square feet, and monster homes replace more moderately-sized homes which are more affordable to average SF families. Unless we want to become nothing but an enclave for the ultra-rich, we must not allow our housing stock to be replaced by mega-mansions.

Monster homes also prevent the development of additional, more modest-sized housing units, which can be created within the building envelope of new and renovated buildings. One 6,000 square foot monster home, or four 1,500 square foot homes which are more affordable? The choice seems obvious.

As the former president of the Duboce Triangle Neighborhood Association, I worked with our neighbors in Corona Heights to get a similar SUD enacted in their neighborhood several years ago. That use district has been a success, and it's time to roll that out to a larger area, before we see even more average-scale housing replaced by obscenely large homes which do not serve San Francisco's housing needs.

Thank you for considering my views.

David Troup  
2224 15th St.  
415-861-0920

**From:** [Mary Jackman](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Mandelman's proposed Central Neighborhoods Large Residence SUD ordinance  
**Date:** Tuesday, February 8, 2022 9:46:37 AM

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

**RE: Please vote for the** Central Neighborhoods Large Residence SUD ordinance (File No. 210116)

To the members of the Land Use and Transportation Committee:

I am a District 8 resident and I strongly support this proposed ordinance. All too often, modestly-sized single-family homes in our neighborhood have been torn down and replaced with high-end single-family homes of 4,000 square feet or considerably larger than that—far larger than the original home that occupied the same parcel and way beyond the financial means of the working- and middle-class families who were the original residents. This trend is turning San Francisco into a city for rich people only, as more and more working- and middle-class families are unable to afford a home here.

Mandelman's proposed Central Neighborhoods Large Residence SUD ordinance is exactly what San Francisco needs to generate more of the affordable housing that is so urgently needed.

Thank you,  
Mary Jackman

4179 17th Street  
San Francisco CA 94114

**From:** [David Troup](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Support Central Neighborhoods Large Residence SUD ordinance (File #210116)  
**Date:** Friday, February 4, 2022 8:27:30 PM

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

To the honorable members of the Land Use and Transportation Committee of the Board of Supervisors:

I am writing as a long-time resident of District 8 to ask you to support the Large Residence SUD ordinance. This is sensible legislation to preserve moderately-sized housing which has served our city well for a century or more. Nobody needs 4000+ square feet, and monster homes replace more moderately-sized homes which are more affordable to average SF families. Unless we want to become nothing but an enclave for the ultra-rich, we must not allow our housing stock to be replaced by mega-mansions.

Monster homes also prevent the development of additional, more modest-sized housing units, which can be created within the building envelope of new and renovated buildings. One 6,000 square foot monster home, or four 1,500 square foot homes which are more affordable? The choice seems obvious.

As the former president of the Duboce Triangle Neighborhood Association, I worked with our neighbors in Corona Heights to get a similar SUD enacted in their neighborhood several years ago. That use district has been a success, and it's time to roll that out to a larger area, before we see even more average-scale housing replaced by obscenely large homes which do not serve San Francisco's housing needs.

Thank you for considering my views.

David Troup  
2224 15th St.  
415-861-0920

**From:** [victor mezhvinsky](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Major, Erica \(BOS\)](#)  
**Subject:** Please do not vote for Central Neighborhoods Large Residence SUD ordinance (File No. 210116)  
**Date:** Sunday, February 6, 2022 5:07:13 PM

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

To the members of the Land Use and Transportation Committee: I am a District 8 resident who does NOT support this proposed ordinance. Families work hard to live in the city and create enough space for children and multi generational households. We should not limit the supply of homes for those want to stay.

Our city does not need more restrictions. It will only drive up housing stock further as supply of homes that met particular needs becomes more scarce.

**From:** [teddytei](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Central Neighborhoods Large Residence Special Use District Ordinance  
**Date:** Wednesday, February 2, 2022 10:56:16 PM

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

**I'm asking you to please vote for the** Central Neighborhoods Large Residence SUD ordinance (File No. 210116)

To the members of the Land Use and Transportation Committee: I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These "monster homes" are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance. Thank you. Ted Teipel 4373 17th St 94114

**From:** [TAMRA MARSHALL](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Land use request - please vote against Monster homes  
**Date:** Friday, February 4, 2022 7:36:32 AM

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

**TO:** [myrna.melgar@sfgov.org](mailto:myrna.melgar@sfgov.org), [aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org), [dean.preston@sfgov.org](mailto:dean.preston@sfgov.org)  
**CC:** [Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org), [mandelmanstaff@sfgov.org](mailto:mandelmanstaff@sfgov.org)  
**FROM:** Tamra Marshall - 3609 21st Street, SF 94114  
**RE:** Please vote for the Central Neighborhoods Large Residence SUD ordinance (File No. 210116)

To the members of the Land Use and Transportation Committee: I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These “monster homes” are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance.

We purchased our home on 21st St. in 1995 and have raised our children comfortably in 2500 square feet, considered a large family home. Our immediate neighborhood has seen monster home after monster home built around us. I worry that our sons, who are both SFUSD teachers, will never be able to afford a family home in San Francisco or even afford this home that they could inherit one day. Please vote to keep San Francisco affordable for working class people who are committed to our communities. The monster homes are putting everything off balance... if someone needs that much space they should move out of the city. A 4000 square building should provide housing for two families considering the housing crunch in this city.

Thank You,

Tamra & Robert Marshall



**From:** [Gary Weiss](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Please support the Central Neighborhoods Large Residence SUD ordinance (File # 210116)  
**Date:** Wednesday, February 2, 2022 3:52:36 PM

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

To the members of the Land Use and Transportation Committee:

I am a District 8 resident and I strongly support this proposed ordinance. I worked on the Corona Heights Large Residence SUD ordinance that was passed a few years ago and, although there has been plenty of development here, fewer small, more affordable homes were bulldozed and replaced with 5,000+ square foot luxury homes. It's about time that something like this was able to affect a much larger area.

Please vote for the Central Neighborhoods Large Residence SUD.

Thank you,

Gary Weiss  
SF Land Use Coalition  
78 Mars Street  
San Francisco, CA 94114

**From:** [Juliet Fleischmann](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Please vote for the Central Neighborhoods Large Residence SUD ordinance  
**Date:** Tuesday, February 1, 2022 6:14:54 PM

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

To the members of the Land Use and Transportation Committee: I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These “monster homes” are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance. Thank you.

>>

Juliet Fleischmann  
3637 21st Street  
San Francisco, CA 94114  
(415) 425-4113

**From:** [Carolyn Kenady](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Please vote for the Central Neighborhoods Large Residence SUD ordinance  
**Date:** Tuesday, February 1, 2022 10:19:04 AM

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

To the members of the Land Use and Transportation Committee:

I chair the Dolores Heights Improvement Club in District 8. We support this proposed ordinance. Our neighborhood is ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These “monster homes” are two to four times the size of the original structure and are sold for \$6 - 7 million. As a result, those with capital can and do outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance. Thank you.

Carolyn

Carolyn Kenady  
[carolynkenady@gmail.com](mailto:carolynkenady@gmail.com)  
408-218-3115  
<http://www.linkedin.com/in/ckenady>

**From:** [Sam Fleischmann](#)  
**To:** [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)  
**Subject:** Please vote for the Central Neighborhoods Large Residence SUD ordinance  
**Date:** Tuesday, February 1, 2022 9:22:38 AM

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To the members of the Land Use and Transportation Committee: I am a District 8 resident who supports this proposed ordinance. Our neighborhoods are ground zero for construction projects building single-family homes that are 4000 square feet and much much larger. These “monster homes” are two to four times the size of the original structure and are sold for \$6 - 7 million. This creates a dynamic where those with capital outbid families who have saved enough to afford a modestly-sized home in San Francisco. Please vote for the Central Neighborhoods Large Residence SUD ordinance. Thank you.

Sam Fleischmann  
3637 21st Street  
San Francisco, CA 94114-2912  
(415) 647-7421

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

January 28, 2022

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

Dear Commissioners:

On January 25, 2022, Supervisor Mandelman introduced the following legislation:

**File No. 210116-2**

**Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the District and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of gross floor area in most circumstances; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, 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

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Rich Hillis, Director  
Dan Sider, Chief of Staff  
Aaron Starr, Manager of Legislative Affairs  
AnMarie Rodgers, Director of Citywide Planning  
Tina Tam, Deputy Zoning Administrator  
Corey Teague, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
Devyani Jain, Deputy Environmental Review Officer  
Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

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January 28, 2022

**File No. 210116-2**

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

Dear Ms. Gibson:

On January 25, 2022, Supervisor Mandelman submitted the following legislation:

**File No. 210116-2**

**Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the District and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of gross floor area in most circumstances; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Board of Supervisors  
Land Use and Transportation  
Referral for CEQA  
Page 2

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning



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

February 11, 2021

**File No. 210116**

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

Dear Ms. Gibson:

On February 2, 2021, Supervisor Mandelman submitted the following legislation:

**File No. 210116**

**Ordinance amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



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

February 11, 2021

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

Dear Commissioners:

On February 2, 2021, Supervisor Mandelman introduced the following legislation:

**File No. 210116**

**Ordinance amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, 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

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Rich Hillis, Director  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
AnMarie Rodgers, Legislative Affairs  
Devyani Jain, Deputy Environmental Review Officer  
Adam Varat, Acting Director of Citywide Planning  
Aaron Starr, Manager of Legislative Affairs  
Andrea Ruiz-Esquide, Deputy City Attorney  
Joy Navarrete, Major Environmental Analysis

BOARD of SUPERVISORS



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**NOTICE OF PUBLIC HEARING**  
**LAND USE AND TRANSPORTATION COMMITTEE**  
**BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**

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

**Date:** Monday, February 14, 2022

**Time:** 1:30 p.m.

**Location:** REMOTE MEETING VIA VIDEOCONFERENCE

**Watch:** [www.sfgovtv.org](http://www.sfgovtv.org)

**Watch:** SF Cable Channel 26, 78, or 99 (*depending on your provider*) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen.

**Public Comment Call-In:** <https://sfbos.org/remote-meeting-call>

**Subject:** **File No. 210116.** Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the District and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of gross floor area in most circumstances; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

**PUBLIC COMMENT CALL-IN**

**WATCH:** SF Cable Channel 26, 78, or 99, (*depending on your provider*) once the meeting starts, and the telephone number and Meeting ID will be displayed on the screen; or

**VISIT:** <https://sfbos.org/remote-meeting-call>

Please visit the Board's website (<https://sfbos.org/city-board-response-covid-19>) regularly to be updated on the City's response to COVID-19 and how the legislative process may be impacted.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. 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 or sent via email ([board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, February 11, 2022.

For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee:

Erica Major ([Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org)) ~ (415) 554-4441)

**Please Note:** *The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.*



Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco

em:jec:ams

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ERICA MAJOR  
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)  
1 DR CARLTON B GOODLETT PL #244  
SAN FRANCISCO, CA 94102

EXM# 3553444

### COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description

EDM 02.14.2022 Land Use - 210116 Zoning Map

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

02/04/2022

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$438.75
Total	\$438.75

**NOTICE OF PUBLIC HEARING SAN FRANCISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE MONDAY, FEBRUARY 14, 2022 - 1:30 PM** NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a remote public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 210116. Ordinance amending the Planning Code and Zoning Map to create the Central Neighborhoods Large Residence Special Use District (the area within a perimeter established by Waller Street, Steiner Street, Duboce Avenue, Sanchez Street, 16th Street, Guerrero Street, 20th Street, Valencia Street, Tiffany Avenue, 29th Street, San Jose Avenue, Mission Street, Alemany Boulevard, Tingley Street, Monterey Boulevard, Joost Avenue, Congo Street, Bosworth Street, O'Shaughnessy Boulevard, Portola Drive, Twin Peaks Boulevard, Clayton Street, Ashbury Street, Frederick Street, Buena Vista Avenue West, Haight Street, and Buena Vista Avenue East), to preserve and enhance neighborhood context and affordability by, among other things, requiring Conditional Use authorization for large residential developments in the District and prohibiting new residential development or expansion of an existing Residential Building that would result in any Dwelling Unit exceeding 4,000 square feet of gross floor area in most circumstances; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan; and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

**PUBLIC COMMENT CALL-IN WATCH:** SF Cable Channel 26, 78, or 99, (depending on your provider) once the meeting starts, and the telephone number and Meeting ID will be displayed on the screen; or **VISIT:** <https://sfbos.org/remotemeeting-call> Please visit the Board's website (<https://sfbos.org/city-board-response-covid-19>) regularly

to be updated on the City's response to COVID-19 and how the legislative process may be impacted. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. 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 or sent via email ([board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, February 11, 2022. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee: Erica Major ([Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org)) - (415) 554-4441 Please Note: The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.



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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Mandelman

Subject:

[Planning Code - Review of Large Residence Developments]

The text is listed:

Ordinance amending the Planning Code to require Conditional Use Authorization for certain large residence developments in Residential, House (RH) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1 and findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Signature of Sponsoring Supervisor: [ ]

For Clerk's Use Only