

160657

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BY HAND

July 18, 2016

San Francisco Board of Supervisors  
c/o Land Use and Transportation Committee  
The Honorable Malia Cohen  
The Honorable Aaron Peskin  
The Honorable Scott Wiener  
Room 250, City Hall  
San Francisco, CA 94102

2016 JUL 18 PM 1:16  
BOARD OF SUPERVISORS  
SAN FRANCISCO, CA

Re: Case Number 160657  
Construction of Accessory Dwelling Units  
Hearing Date: July 18, 2016/Agenda Item 4

The 2014 Housing Element of the General Plan does not support the proposed ordinance because it would have citywide application and the extensive community planning process required by the Housing Element has not occurred. Also, environmental review under CEQA has not occurred, and the EIR prepared for the 2009 Housing Element did not evaluate impacts of citywide zoning changes enacted without an extensive community planning process.

The City would act at its own risk if it were to approve the proposed ordinance relating to Accessory Dwelling Units because environmental review of the proposal under CEQA relies primarily on the adequacy of the Final Environmental Impact Report for the 2009 Housing Element (FEIR), and the legal sufficiency of that FEIR is now being considered by the California Court of Appeal and has not been finally decided. Addendum 4 to this FEIR purports to substantiate a determination of the Planning Department that no supplemental or subsequent environmental review is needed because the proposal was analyzed in that FEIR.

However, the 2004 Housing Element, which sought to apply various increased density policies citywide, was repealed after the Court of Appeal held that an environmental impact report was required before the City could adopt the general plan changes embodied in the 2004 Housing Element, and the Superior Court set aside the City's approval of the 2004 Housing Element policy changes. When the City later approved the 2009 Housing Element, the City repealed the 2004 Housing Element, so the 2004 Housing Element policy changes never passed environmental review. (See Ex. A, attached Ordinance No. 97-14, repealing 2004 Housing Element, p. 4, lines 9-10.) Page 3 of the Addendum 4 to the FEIR inaccurately refers to Policy 1.8 of the 2004 Housing Element, which was repealed and never passed environmental review. (Ex. B)

Policy 1.5 of the 2009 Housing Element, which was continued in the 2014 Housing Element, did not encourage secondary units on a citywide basis. 2009 Housing Element Policy 1.5 is to "Consider secondary units *in community plans* where there is neighborhood support and

when other neighborhood goals can be achieved, especially if that housing is made permanently affordable to lower-income households....Within a community planning process, the City may explore where secondary units can occur without adversely affecting the exterior appearance of the building, or in the case of new construction, where they can be accommodated within the permitted building envelope” (Ex. C, p. 10, emphasis added)

2014 Implementation Measure 10 provides as follows that:

“At the initiation of any community planning process, the Planning Department shall notify all neighborhood organizations who have registered with the Planning Department on its neighborhood Organizations List and make continued outreach efforts will [sic] all established neighborhood and interest groups in that area of the city.” (Ex. C, p. C-3)

2014 Implementation Measure 11 provides as follows that:

“At the conclusion of any community planning process, the Planning Commission shall ensure that the community project’s planning process has entailed substantial public involvement before approving any changes to land use policies and controls.” (Ex. C, p. C-3)

In 2014 revised findings re-adopting the 2009 Housing Element and rejecting the alternative of the 2004 Housing Element, the City found that “Unlike in the 2004 Housing Element, the 2009 Housing Element contains policies which focus housing growth according to community plans (Policy 1.2), and which ensure that community based planning processes are used to generate changes to land use controls (Policy 1.4).” (Ex. F)

With respect to the proposed ordinance, at page 4 of the Planning Commission Resolution No. 19663, the City admits that “This change in land use controls is not part of a traditional ‘community planning effort’ as the Planning Department would typically pursue.” (See Ex. D, excerpt attached) Therefore, the City cannot lawfully rely upon the FEIR for the 2009 Housing Element as environmental review under CEQA for the proposed citywide ordinance, as that EIR did not analyze impacts of citywide implementation of secondary units, and a community planning process relating to citywide implementation of secondary units has not occurred.

The proposed ordinance would have potentially significant impacts on land use character, zoning plans, density, visual character and neighborhood character that must be analyzed and mitigated in an environmental impact report pursuant to CEQA before this ordinance may lawfully be adopted. Such significant impacts would result from provisions that allow the Zoning Administrator to “grant an Accessory Dwelling Unit a complete or partial waiver of the density limits and parking, rear yard, exposure, or open space standards of this Code,” which would encourage expansion of the building into the rear yards. Such significant impacts would also result from the proposed amendment that would define the “built envelope” to include “all spaces included in Zoning Administrator Bulletin 4, as amended from time to time, as well as

infilling underneath rear extensions.” At the top of page 3, Bulletin 4 describes the “building’s ‘envelope’ as the theoretical cube into which the building would fit,” so incorporating that document could provide ambiguity that could be exploited.

As a result of this measure, buildings could be extended into the rear yard in a way that significantly reduces the green open space available for birds and other wildlife and blocks neighboring residents’ enjoyment of the mid-block open space. The photo attached as Exhibit G shows a second story extension that obstructs the mid-block open space, and the impact could be increased because the proposed measure would permit infilling this area. Also, Bulletin 4 would allow filling in a lightwell which is visible only from an adjacent property, which could remove access to light and air from the adjacent property. The proposed legislation is also overly broad and unlawfully vague, as it incorporates unknown changes in standards that would apply as Bulletin 4 is amended from time to time. At page 3, Zoning Administrator Bulletin 4 refers to the “building’s ‘envelope’” as “the theoretical cube into which the building would fit, so is unclear.

In view of the attached July 5, 2016 *Business Insider* article discussing the end of the San Francisco housing boom, prudence dictates careful study of impacts of the “condo glut” before considering any measures designed to accelerate production of additional housing units. (Ex. E)

Thank you for your consideration of these matters.

Very truly yours,



Kathryn R. Devincenzi

Attachments:

- Ex. A - Ordinance No. 97-14, repealing 2004 Housing Element, p. 4, lines 9-10
- Ex. B - Page 3 of Addendum 4 to Environmental Impact Report
- Ex. C - 2014 Housing Element, excerpts
- Ex. D - Page 4 of Planning Commission Resolution No. 19663
- Ex. E - *Business Insider*, San Francisco’s housing bust is becoming ‘legendary,’ July 5, 2016.
- Ex. F - excerpts from 2014 findings re-adopting 2009 Housing Element
- Ex. G - photo of second story extension

**EXHIBIT A**

1 [General Plan - Repealing Ordinance No. 108-11 - Adoption of 2009 Housing Element]

2 **Ordinance amending the General Plan by repealing Ordinance No. 108-11 and adopting**  
3 **the 2009 Housing Element; and making findings, including environmental findings,**  
4 **Planning Code, Section 340, findings, and findings of consistency with the General**  
5 **Plan, and the eight priority policies of Planning Code, Section 101.1.**

7  
8 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.  
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
10 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
11 **Board amendment additions** are in Arial font.  
12 **Board amendment deletions** are in ~~Arial font~~.  
13 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
14 subsections or parts of tables.

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

16 Section 1. Introduction. On March 31, 2011, pursuant to San Francisco Charter  
17 section 4.105 and Planning Code section 340, the San Francisco Planning Commission  
18 recommended to the San Francisco Board of Supervisors the adoption of the 2009 Housing  
19 Element, an amendment to the San Francisco General Plan. On March 24, 2011, the  
20 Planning Commission had certified the San Francisco 2004 and 2009 Housing Element  
21 Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act  
22 ("CEQA") (Public Resources Code section 21000 et seq.) in Planning Commission Motion  
23 18307, adopted findings pursuant to CEQA in Motion 18308, and adopted the 2009 Housing  
24 Element as an amendment to the General Plan in Resolution 18309. A copy of said  
25 resolutions and motion are on file with the Clerk of the Board of Supervisors in File No.  
140414.

1 In June 2011, in Ordinance 108-11, the Board of Supervisors adopted the 2009  
2 Housing Element as the Housing Element of the San Francisco General Plan and adopted  
3 findings pursuant to CEQA. A copy of said Ordinance is on file with the Clerk of the Board of  
4 Supervisors in File No. 140414.

5 After the adoption of the 2009 Housing Element by the Board of Supervisors, an  
6 association of neighborhood groups challenged in San Francisco Superior Court, among other  
7 things, the adequacy of the final environmental impact report (FEIR) prepared for the 2009  
8 Housing Element and the adequacy of the Board's findings under CEQA. On December 19,  
9 2013, the Superior Court upheld the City's compliance with CEQA in all respects, except for  
10 the FEIR's analysis of the alternatives required by CEQA and the CEQA Guidelines, and the  
11 City's adoption of CEQA Findings. On January 15, 2014, the Superior Court ordered the City  
12 to set aside its certification of the FEIR and the approval of the 2009 Housing Element and  
13 related CEQA findings, revise the FEIR's alternatives analysis, and reconsider its previous  
14 approvals.

15 Pursuant to the Court's order, the Planning Department prepared a revised alternatives  
16 analysis and recirculated it for public review and comment. On April 24, 2014, the Planning  
17 Commission rescinded Motion 18307, and certified the Final EIR including the revised  
18 alternatives analysis in Motion 19121. A copy of said motion is on file with the Clerk of the  
19 Board of Supervisors in File No. 140414. On April 24, 2014, the Planning Commission also  
20 rescinded Resolution 18309 and Motion 18308, and reconsidered its approval of the 2009  
21 Housing Element and adoption of CEQA Findings in light of the revised certified FEIR. As set  
22 forth below, the Planning Commission continues to recommend the adoption of the 2009  
23 Housing Element as the Housing Element of the San Francisco General Plan.

24 Section 2. Findings. The Board of Supervisors of the City and County of San  
25 Francisco hereby finds and determines that:

1 (a) Pursuant to San Francisco Charter 4.105 and San Francisco Planning Code  
2 Section 340, any amendments to the General Plan shall first be considered by the Planning  
3 Commission and thereafter recommended for approval or rejection by the Board of  
4 Supervisors. On April 24, 2014, by Resolution 19123, the Planning Commission conducted a  
5 duly noticed public hearing on the General Plan amendment adopting the 2009 Housing  
6 Element as the Housing Element of the San Francisco General Plan ("2009 Housing  
7 Element"). A copy of the 2009 Housing Element is on file with the Clerk of the Board of  
8 Supervisors in File No. 140414. Pursuant to Planning Code Section 340, the Planning  
9 Commission found that the public necessity, convenience and general welfare required the  
10 General Plan amendment, adopted the General Plan amendment and recommended it for  
11 approval to the Board of Supervisors. A copy of Planning Commission Resolution No. 19123  
12 is on file with the Clerk of the Board of Supervisors in File No. 140414.

13 (b) The Board finds that this ordinance adopting the 2009 Housing Element is, on  
14 balance, in conformity with the priority policies of Planning Code Section 101.1 and consistent  
15 with the General Plan as it is proposed for amendment herein, for the reasons set forth in  
16 Planning Commission Motion No. 19122, and the Board hereby incorporates these findings  
17 herein by reference.

18 (c) On April 24, 2014, by Motion No. 19121, the Planning Commission certified as  
19 adequate, accurate and complete the 2004 and 2009 Housing Element Final Environmental  
20 Impact Report, including the revised alternatives analysis ("Final EIR"), finding that the Final  
21 EIR reflected the independent judgment and analysis of the City and County of San  
22 Francisco, is adequate, accurate and objective, and that the content of the report and the  
23 procedures through which the Final EIR was prepared, publicized and reviewed comply with  
24 the provisions of CEQA, the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.)  
25 and Chapter 31 of the San Francisco Administrative Code. A copy of the Final EIR and

1 Planning Commission Motion No. 19121 are on file with the Clerk of the Board in File No.  
2 140414.

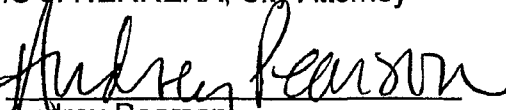
3 (d) In accordance with the actions contemplated herein, the Board has reviewed the  
4 Final EIR, and adopts and incorporates by reference, as though fully set forth herein, the  
5 findings required by CEQA, including a statement of overriding considerations and the  
6 mitigation monitoring and reporting program, adopted by the Planning Commission on April  
7 24, 2014, in Motion No. 19122. A copy of said Motion No. 19122 is on file with the Clerk of  
8 the Board of Supervisors in File No. 140414.

9 Section 3. The Board of Supervisors hereby rescinds Ordinance 108-11, repeals the  
10 2004 Housing Element, and adopts the 2009 Housing Element as the Housing Element to the  
11 San Francisco General Plan.

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

16  
17  
18 APPROVED AS TO FORM:  
19 DENNIS J. HERRERA, City Attorney

20 By:

  
21 Audrey Pearson  
Deputy City Attorney

22 n:\land\l2014\120178\00913186.doc



**EXHIBIT B**

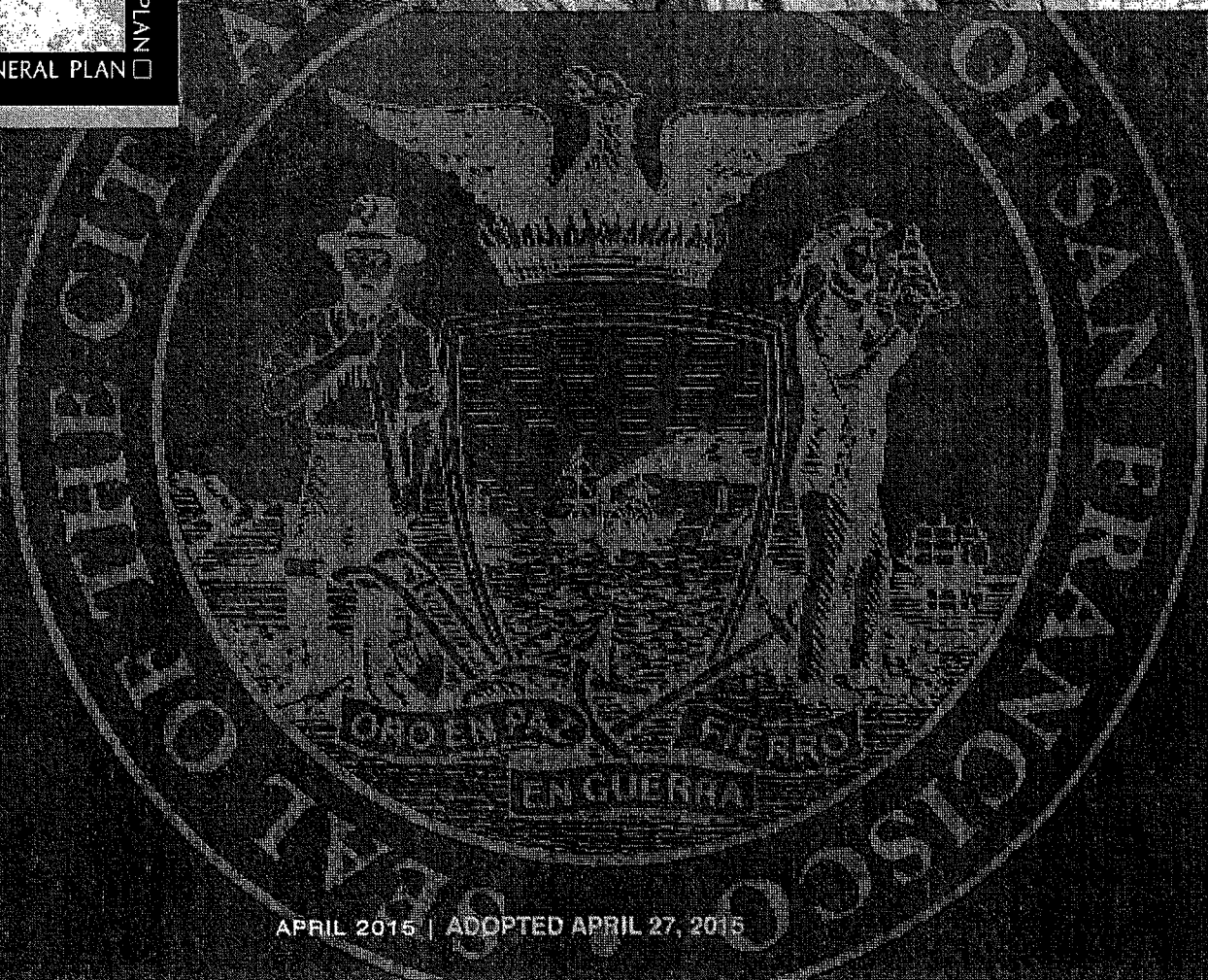
As discussed in the City's Housing Element, housing density standards in San Francisco have been traditionally set in terms of numbers of dwelling units in proportion to the size of the building lot. For the various zoning districts throughout the City, the San Francisco Planning Code ("Planning Code") limits the number of dwelling units permitted on a given lot. For example, in an RH-2 (Residential, House, Two-Family) District, two dwelling units are principally permitted per lot, and one dwelling unit is permitted for every 1,500 square feet of lot area with conditional use authorization. The 2004 and 2009 Housing Elements discussed the need to increase housing stock through policies that promote intensification of dwelling unit density on developed lots. As shown in Table 1: Housing Element Policies and Implementation Measures Related to ADUs, the following policies and associated implementation measures call for the creation of ADUs and were analyzed in the Final EIR:

**Table 1: Housing Element Policies and Implementation Measures Related to ADUs**

<b>Policies and Implementation Measures</b>	<b>2004 Housing Element</b>	<b>2009 Housing Element</b>	<b>2014 Housing Element</b>
Policies	<p><b>Policy 1.8:</b> Allow secondary units in areas where their effects can be dealt with and there is neighborhood support, especially if that housing is made permanently affordable to lower income households.</p>	<p><b>Policy 1.5:</b> Consider secondary units in community plans where there is neighborhood support and when other neighborhood goals can be achieved, especially if that housing is made permanently affordable to lower-income households.</p> <p><b>Policy 1.6:</b> Consider greater flexibility in the number and size of units within established building envelopes in community plan areas, especially if it can increase the number of affordable units in multi-family structures.</p>	<p><b>Policy 1.5:</b> Consider secondary units in community planning processes where there is neighborhood support and when other neighborhood goals can be achieved, especially if that housing is made permanently affordable to lower-income households.</p>
Implementation Measures	<p><b>Implementation Measure 1.8.1:</b> The Board has introduced Planning Code amendments to allow secondary units in new buildings that are in close proximity to neighborhood commercial districts and public transit.</p> <p><b>Implementation Measure 1.8.3 –</b> Ongoing planning will propose Planning Code amendments to encourage secondary units where appropriate.</p>	<p><b>Implementation Measure 13:</b> When considering legalization of secondary units within a community planning process, Planning should develop design controls that illustrate how secondary units can be developed to be sensitive to the surrounding neighborhood, to ensure neighborhood character is maintained.</p>	<p><b>Implementation Measure 13:</b> When considering legalization of secondary units within a community planning process, Planning should develop design controls that illustrate how secondary units can be developed to be sensitive to the surrounding neighborhood, to ensure neighborhood character is maintained.</p>

**EXHIBIT C**

# 2014 HOUSING ELEMENT



APRIL 2015 | ADOPTED APRIL 27, 2015

*Lead Agency:* Planning Department  
*Supporting Agencies:* Office of Community Investment and Infrastructure, Office of Economic and Workforce Development, San Francisco Housing Authority  
*Funding Source:* Maintain in annual Work Program  
*Schedule:* Implement long range planning processes for:  
 Cnadlestick/Hunters Point Shipyard  
 Japantown  
 Glen Park  
 Parkmerced  
 Transbay

9. Planning shall publish its work program annually, citing all community planning processes that are to be initiated or are underway. This annual work program shall be located on the Department's website after it is adopted by the Board of Supervisors.

*Lead Agency:* Planning Department  
*Funding Source:* Annual Work Program  
*Schedule:* Ongoing

10. At the initiation of any community planning process, the Planning Department shall notify all neighborhood organizations who have registered with the Planning Department on its Neighborhood Organization List and make continued outreach efforts will all established neighborhood and interest groups in that area of the city.

*Lead Agency:* Planning Department  
*Funding Source:* Annual Work Program (part of outreach for community planning process budget)  
*Schedule:* Implement at the beginning of every community planning process.

11. At the conclusion of any community planning process, the Planning Commission shall ensure that the community project's planning process has entailed substantial public involvement before approving any changes to land use policies and controls.

*Lead Agency:* Planning Commission  
*Funding Source:* Annual Work Program (part of outreach for community planning process budget)  
*Schedule:* Implement at the beginning of every community planning process.

12. Planning shall continue to require integration of new technologies that reduce space required for non-housing functions, such as parking lifts, tandem or valet parking, into new zoning districts, and shall also incorporate these standards as appropriate when revising existing zoning districts.

*Lead Agency:* Planning Department  
*Funding Source:* Annual Work Program

Plan Area / Major Project	Estimated New Housing Construction Potential*
Balboa Park Area Plan	1,800
Market/Octavia Area Plan	6,000
Central Waterfront Area Plan	2,000
Mission Area Plan	1,700
East SOMA Area Plan	2,900
Showplace Square/Potrero Hill Area Plan	3,200
Rincon Hill Area Plan	4,100
Visitation Valley Redevelopment Plan	1,680
Transbay Redevelopment Plan	1,350
Mission Bay Redevelopment Plan	6,090
Hunters Point Shipyard/ Candlestick Point	10,500
<b>Total Adopted Plans &amp; Projects:</b>	<b>41,320</b>
Executive Park	1,600
Glen Park	100
Parkmerced	5,600
Transit Center District	1,200
West SOMA	2,700
Treasure Island	8,000
<b>Total Plans &amp; Projects Underway:</b>	<b>28,844</b>
<b>TOTAL</b>	<b>70,164</b>

\* From individual NOP and EIR, rounded

**POLICY 1.3**

**Work proactively to identify and secure opportunity sites for permanently affordable housing.**

The City should aggressively pursue opportunity sites for permanently affordable housing development.

Publicly-owned land offers unique opportunity for development of affordable housing. The City should regularly review its inventory of surplus, vacant or underused public property, through an annual reporting process that provides such information to the Mayor’s Office of Housing. Public property no longer needed for current or foreseeable future public operations, such as public offices, schools or utilities should be considered for sale or lease for development of permanently affordable housing. The City should ensure that future land needs for transit, schools and other services will be considered before public land is repurposed

to support affordable housing. Where sites are not appropriate for affordable housing, revenue generated from sale of surplus lands should continue to be channeled into the City’s Affordable Housing Fund under the San Francisco Administrative Code Sections 23A.9 - 11.

The City’s land-holding agencies should also look for creative opportunities to partner with affordable housing developers. This may include identifying buildings where air rights may be made available for housing without interfering with their current public use; sites where housing could be located over public parking, transit facilities or water storage facilities; or reconstruction opportunities where public uses could be rebuilt as part of a joint-use affordable housing project. Agencies should also look for opportunities where public facilities could be relocated to other, more appropriate sites, thereby making such sites available for housing development. For example, certain Muni fleet storage sites located in dense mixed-use or residential areas could be relocated, thereby allowing in-fill mixed use or residential development. The City should proactively seek sites for affordable housing development by buying developments that are no longer moving towards completion. This may include properties that have received some or all City land use entitlements, properties that have begun construction but cannot continue, or properties that have completed construction, but whose owners must sell.

**POLICY 1.4**

**Ensure community based planning processes are used to generate changes to land use controls.**

Community plans are an opportunity for neighborhoods to work with the City to develop a strategic plan for their future, including housing, services and amenities. Such plans can be used to target growth strategically to increase infill development in locations close to transit and other needed services, as appropriate. Community plans also develop or update neighborhood specific design guidelines, infrastructure plans, and historic resources surveys, as appropriate. As noted above, in recent years the City has undertaken significant community based planning efforts to accommodate projected growth. Zoning changes that involve several parcels or blocks should always involve significant community outreach. Additionally zoning changes that involve several blocks should always be made as part of a community based planning process.

Any new community based planning processes should be initiated in partnership with the neighborhood, and involve the full range of City stakeholders. The process should be initiated by the Board of Supervisors, with the support of the District Supervisor, through their adoption of the Planning Department's or other overseeing agency's work program; and the scope of the process should be approved by the Planning Commission. To assure that the Planning Department, and other agencies involved in land use approvals conduct adequate community outreach, any changes to land use policies and controls that result from the community planning process may be proposed only after an open and publicly noticed process, after review of a draft plan and environmental review, and with comprehensive opportunity for community input. Proposed changes must be approved by the Planning Commission and Board of Supervisors at a duly noticed public hearing. Additionally, the Department's Work Program allows citizens to know what areas are proposed for community planning. The Planning Department should use the Work Program as a vehicle to inform the public about all of its activities, and should publish and post the Work Program to its webpage, and make it available for review at the Department.

**POLICY 1.5**

**Consider secondary units in community planning processes where there is neighborhood support and when other neighborhood goals can be achieved, especially if that housing is made permanently affordable to lower-income households.**

Secondary units (in-law" or "granny units") are smaller dwelling units within a structure containing another much larger unit(s), frequently in basements, using space that is surplus to the primary dwelling. Secondary units represent a simple and cost-effective method of expanding the housing supply. Such units could be developed to meet the needs of seniors, people with disabilities and others who, because of modest incomes or lifestyles, prefer or need small units at relatively low rents.

Within a community planning process, the City may explore where secondary units can occur without adversely affecting the exterior appearance of the building, or in the case of new construction, where they can be accommodated within the permitted building envelope. The process may also examine further enhancing the existing amnesty program where existing secondary units can be legalized.

Such enhancements would allow building owners to increase their safety and habitability of their units. Secondary units should be limited in size to control their impact.

**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.**

In San Francisco, housing density standards have traditionally been set in terms of numbers of dwelling units in proportion to the size of the building lot. For example, in an RM-1 district, one dwelling unit is permitted for each 800 square feet of lot area. This limitation generally applies regardless of the size of the unit and the number of people likely to occupy it. Thus a small studio and a large four-bedroom apartment both count as a single unit. Setting density standards encourages larger units and is particularly tailored for lower density neighborhoods consisting primarily of one- or two-family dwellings. However, in some areas which consist mostly of taller apartments and which are well served by transit, the volume of the building rather than number of units might more appropriately control the density.

Within a community based planning process, the City may consider using the building envelope, as established by height, bulk, set back, parking and other Code requirements, to regulate the maximum residential square footage, rather than density controls that are not consistent with existing patterns. In setting allowable residential densities in established neighborhoods, consideration should be given to the prevailing building type in the surrounding area so that new development does not detract from existing character. In some areas, such as RH-1 and RH-2, existing height and bulk patterns should be maintained to protect neighborhood character.

**POLICY 1.7**

**Consider public health objectives when designating and promoting housing development sites.**

A healthy neighborhood has a balance of housing and the amenities needed by residents at a neighborhood level, such as neighborhood serving retail, particularly stores offering

**EXHIBIT D**



*The proposed Ordinance would allow Accessory Dwelling units citywide in pursuit of goals to increase housing opportunities. San Francisco is in dire need for more housing due to high demand. Allowing ADUs in residential properties is an infill housing strategy and would provide one housing option among many options needed for San Francisco. This change in land use controls is not part of a traditional "community planning effort" as the Planning Department would typically pursue. However, the proposal emanates from an elected official who has done their own outreach. The Commission listened to the public comment and considered the outreach completed by the Board Member and finds that there is sufficient community support and compelling public goals in the interest of the neighborhoods and City, to warrant the undertaking of this change.*

**OBJECTIVE 7**

**SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING,  
INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON  
TRADITIONAL MECHANISMS OR CAPITAL.**

**POLICY 7.7**

**Support housing for middle income households, especially through programs that do not require a direct public subsidy.**

*ADUs are subordinate to the original unit due to their size, location of the entrance, lower ceiling heights, etc. ADUs are anticipated to provide a lower rent compared to the residential units developed in newly constructed buildings and therefore the proposed Ordinance would support housing for middle income households.*

1. **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 impact on neighborhood serving retail uses and will not impact 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. The new units would be built within the existing building envelope and therefore would impose minimal impact on the existing housing and 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 and aims to create units affordable to middle income households. The ordinance would, if adopted, increase the number of rent-controlled units in San Francisco.*

**EXHIBIT E**

# BUSINESS INSIDER

## San Francisco's housing bust is becoming 'legendary'



WOLF RICHTER, WOLF STREET  
22H

The San Francisco housing bubble – locally called “Housing Crisis” – needs a few things to be sustained forever, and that has been the plan, according to industry soothsayers: an endless influx of money from around the world via the startup boom that recycles that money into the local economy; endless and rapid growth of highly-paid jobs; and an endless influx of people to fill those jobs. That’s how the booms in the past have worked. And the subsequent busts have become legendary.

The current boom has worked that way too. And what a boom it was. *Was* – past tense because it’s over. And now jobs and the labor force itself are in decline.

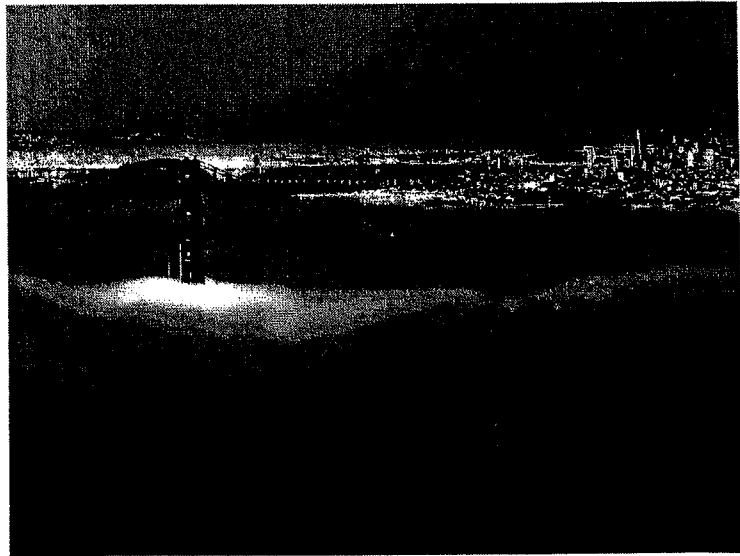
Until recently, jobs and the labor force (the employed plus the unemployed who’re deemed by the quirks of statistics to be looking for a job) in San Francisco have been on a mind-bending surge. According to the California Employment Development Department (EDD):

- The labor force soared 15% in six years, from 482,000 in January 2010 to its peak of 553,700 in March 2016.
- Employment skyrocketed 23%, from 436,700 in January 2010 to its peak of 536,400 in December 2015. That’s nearly 100,000 additional jobs.

This increase in employment put a lot of demand on housing. Low mortgage rates enabled the scheme. Investors from around the world piled into the market. And vacation rentals have taken off. As money was sloshing knee-deep through the streets, and many of the new jobs paid high salaries, the housing market went, to put it mildly, insane.

But the employment boom has peaked. Stories abound of startups that are laying off people or shutting down entirely. Some are going bankrupt. Others are redoing their business model to survive a little longer, and they’re not hiring. Old tech in the area has been laying off for months or years, such as HP or Yahoo in Silicon Valley, where many folks who live in San Francisco commute to.

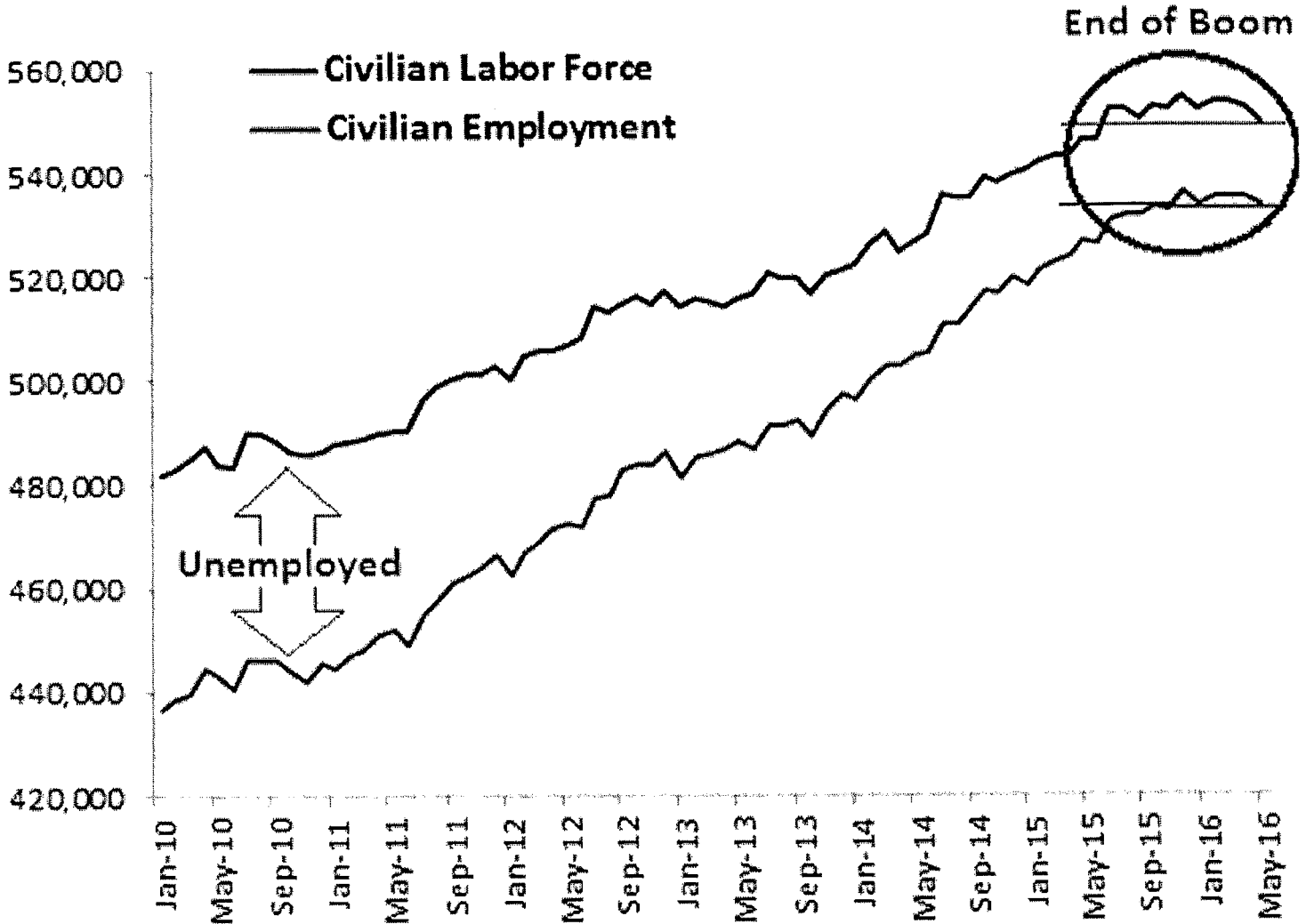
So civilian employment in May in SF, at 533,900, was below where it had been in December. The labor force in May, at 549,800, was below where it had been in July 2015. Some people are already leaving!



Shutterstock

The chart shows how the Civilian Labor Force (black line) and Civilian Employment (red line) soared from January 2010. As employment soared faster than the labor force, the gap between them – a measure of unemployment – narrowed sharply. But now both have run out of juice:

## San Francisco Labor Force & Employment Begin to Shrink



Source: California Employment Development Department

WOLFSTREET.com

wolfstreet

During the dotcom bust, the labor force and employment both peaked in December 2000 at 481,700 and 467,100 respectively. Employment bottomed out at 390,900 in May 2004, a decline of over 16%!

The workforce continued falling long past the bottom of employment. SF is too expensive for people without jobs to hang on for long. Eventually, they bailed out and went home or joined the Peace Corp or did something else. And this crushed the SF housing market.

But by the time the labor force bottomed out in May 2006 at 411,000, down 15% from its peak, the new housing boom was already well underway, powered by the pan-US housing bubble. In SF, this housing bubble peaked in November 2007 and then imploded spectacularly.

So now, even if employment in San Francisco doesn't drop off as sharply as it did during the dotcom bust, in fact, *even if employment and the labor force just languish in place*, they will take down the insane housing bubble for a simple reason: with impeccable timing, a historic surge in new housing units is coming on the market.

construction boom, many of which are now on the market, either as rentals or for sale.

This surge in new, mostly high-end units has created an epic condo glut that is pressuring the condo market, and rents too, to where mega-landlord Equity Residential issued an earnings warning in June, specifically blaming the pressures on rents in San Francisco (and in Manhattan).

Manhattan's condo glut also has taken on epic proportions. Sales of apartments in the second quarter dropped 10% year-over-year, to the lowest since 2009. And condo prices plummeted 14.5% in 3 months. Ugly!

Read the original article on Wolf Street. Copyright 2016. Follow Wolf Street on Twitter.

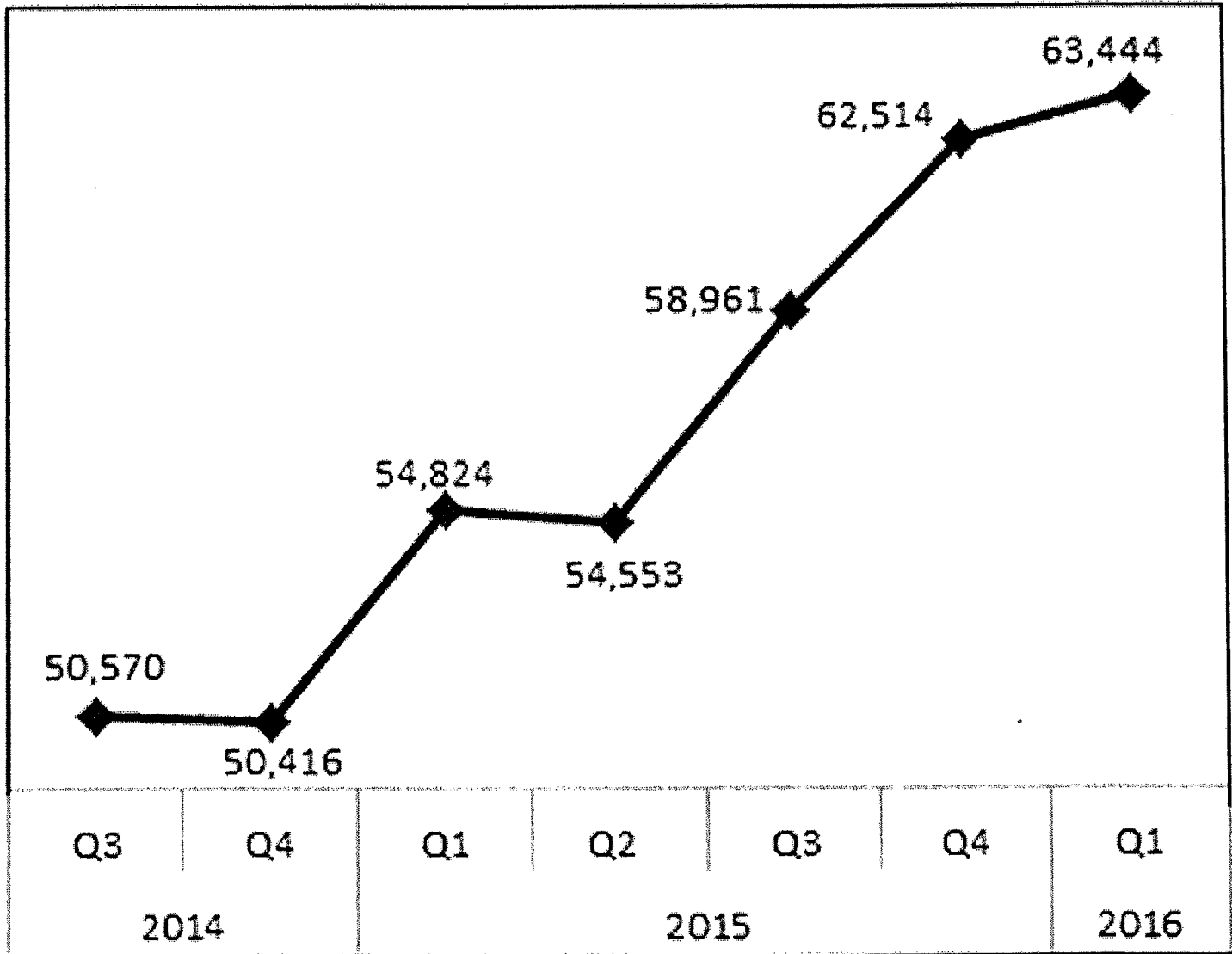
x

According to the SF Planning Department, at the end of Q1, there were 63,444 housing units at various stages in the development pipeline, from “building permit filed” to “under construction.” Practically all of them are apartments or condos.

This chart shows that the development boom is not exhibiting any signs of tapering off. Planned units are entering the pipeline at a faster rate than completed units are leaving it; and the total number of units in the pipeline is still growing:

## Housing Construction Boom in San Francisco

### Housing units in the development pipeline



Source: SF Planning Department

WOLFSTREET.com

*wolfstreet*

Many units will come on the market this year, on top of the thousands of units that have hit the market over the last two years. Once these 63,444 units are completed – if they ever get completed – they’ll increase the city’s existing housing stock of 382,000 units by over 16%.

If each unit is occupied by an average of 2.3 people, these new units would amount to housing for 145,000 people. This is in addition to the thousands of units that have recently been completed as a result of the current

# **EXHIBIT F**

Environmental Quality Act, California Public Resources Code section 21000 et seq. ("CEQA"), the State CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Planning Commission held a public hearing on the DEIR on August 5, 2010; and,

Whereas, the Planning Department prepared responses to comments on the DEIR and published the Comments and Responses document on March 9, 2011; and

Whereas, as required the Court in *San Franciscans for Livable Neighborhoods v. City and County of San Francisco*, the Planning Department on December 18, 2013 published a Revised Alternatives Analysis (the Revision) to the DEIR. The Revision was circulated for public review in accordance with CEQA, the CEQA Guidelines and Chapter 31. The Planning Commission held a public hearing on the Revision on January 23, 2014; and,

Whereas the Planning Department prepared responses to comments on the Revision and published the comments and responses document on April 10, 2014; and,

Whereas, the Revision and the Comments and Responses on the Revision, together with the originally published DEIR and Comments and Responses document, and additional information that became available, constitute the Final Environmental Impact Report ("FEIR"). The FEIR files and other Project-related Department files have been available for review by the Planning Commission and the public, and those files are part of the record before this Commission; and,

Whereas, the Planning Commission, on April 24, 2014, by Resolution No. 19123, rescinded Resolution No. 18307, and reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines, Chapter 31 and the Superior Court's direction; and,

Whereas, the Planning Commission by Resolution No. 19121, also certified the FEIR and found that the FEIR was adequate, accurate, and objective, reflected the independent judgment of the Planning Commission, and adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines and the Superior Court; and,

Whereas, the Planning Department prepared proposed Findings, as required by CEQA and as amended pursuant to the direction of the Superior Court, regarding the alternatives, mitigation measures and significant environmental impacts analyzed in the FEIR and overriding considerations for approving the 2009 Housing Element, and a proposed mitigation monitoring and reporting program, attached as Exhibit 1 to Attachment A, which material was made available to the public and this Planning Commission for the Planning Commission's review, consideration and actions; and now

THEREFORE BE IT RESOLVED, that the Planning Commission has reviewed and considered the FEIR, and in particular, has reviewed and considered the Revision and the Comments and Responses on the Revision, and the actions associated with adoption of the 2009 Housing Element as the Housing Element of the San Francisco General Plan, and hereby adopts the Project Findings attached hereto as Attachment A including a statement of overriding considerations, and including as Exhibit 1 the Mitigation Monitoring and Reporting Program, which shall supercede the findings in Planning Commission Motion 18308.



commended the City for its many innovative strategies and programs. The City expects that HCD will continue to find that the 2009 Housing Element complies with state housing element law.

## **B. Alternatives Rejected and Reasons for Rejection**

An agency may reject project alternatives if it finds them infeasible. Feasible, under CEQA, is defined as capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social, technological and legal factors. (Public Resources Code §21061.1; CEQA Guidelines §15364.) Other considerations may also provide the basis for finding an alternative infeasible, such as whether an alternative is impractical, or undesirable from a policy standpoint. The City finds infeasible, and therefore rejects, the alternatives analyzed in the EIR, including the 2004 Housing Element, for the economic, legal, social, technological, policy, and other considerations set forth below and elsewhere in the record, including the reasons set forth in the Statement of Overriding Considerations in Section VII.

**Rejection of 2004 Housing Element:** The 2004 Housing Element was analyzed in the EIR at an equal level of detail as the 2009 Housing Element and was included as a Housing Element that the decision-makers could adopt in the alternative to the 2009 Housing Element, and in response to the Court's direction that the City analyze the 2004 Housing Element in an EIR. Generally, the policies and objectives in the 2004 Housing Element encourage housing in certain areas of the City, and encourage the construction of higher density developments and developments with reduced parking requirements. The overall impact conclusions for both the 2004 Housing Element and 2009 Housing Element were similar; however, there were differences in degree of the amount of impact.

Adoption of the 2004 Housing Element is hereby rejected as infeasible. The 2004 Housing Element would not meet the Project's Objectives to encourage housing development where supported by existing or planned infrastructure while maintaining neighborhood character, because the 2004 Housing Element "strongly encourages" developers to "take full advantage of building densities" (Policy 11.8) and to "use new housing as a means to enhance neighborhood vitality and diversity" (Policy 11.1). These two policies in particular could have more of an impact on neighborhood character and aesthetics than the Project, particularly in areas of the City that are dominated by lower density development. Although the EIR determined that neither the 2004 or the 2009 Housing Element would have a significant environmental impact on neighborhood character and aesthetics, because of these policies, the Department and Commission has determined that the 2004 Housing Element does not appropriately balance the need for new housing with the need to protect the character of established neighborhoods..

Although the conclusions regarding the impacts on transit for the 2004 and 2009 Housing Element are similar, based on the number of policies in the 2004 Housing Element regarding the reduction of parking requirements (such as Policy 4.4, and 11.7), as noted above, it is likely that the 2004 Housing Element would increase the significant and unavoidable impact on transit, as more housing units could be built without historically required parking, resulting in more person trips shifting to transit. This is because transit ridership increases as the cost of owning a private vehicle increases. In addition, the 2004 Housing Element included a number of policies designed to increase the allowable densities in a given building envelope. Studies have shown that transit use increases where housing densities are higher. An increase in the number of transit trips would decrease the amount of vehicle miles traveled and reduce the amount of greenhouse gas emissions and would better achieve the Project objective to support sustainable local, regional and state environmental goals. However, as noted above, the 2004 Housing Element does not appropriately balance that objective with the City's objective to maintain existing neighborhood character.

The policies and objectives in the 2004 Housing Element were proposed in response to San Francisco's RHNA goal for 2001-2006, which numbered 20,374. As noted, an updated Housing Element must now respond to ABAG's RHNA goal from 2007 to 2014. Although the higher density and reduced parking strategies encouraged in the 2004 Housing Element might better achieve the City's RHNA targets at the lower income levels, as noted above, the 2004 Housing Element does not appropriately balance that need with the City's objective to maintain existing neighborhood character. Unlike in the 2004 Housing Element, the 2009 Housing Element contains policies which focus housing growth according to community plans (Policy 1.2), and which ensure that community based planning processes are used to generate changes to land use controls (Policy 1.4). The 2009 Housing Element also contains more policies related to the preservation of neighborhood character (Objective 11).

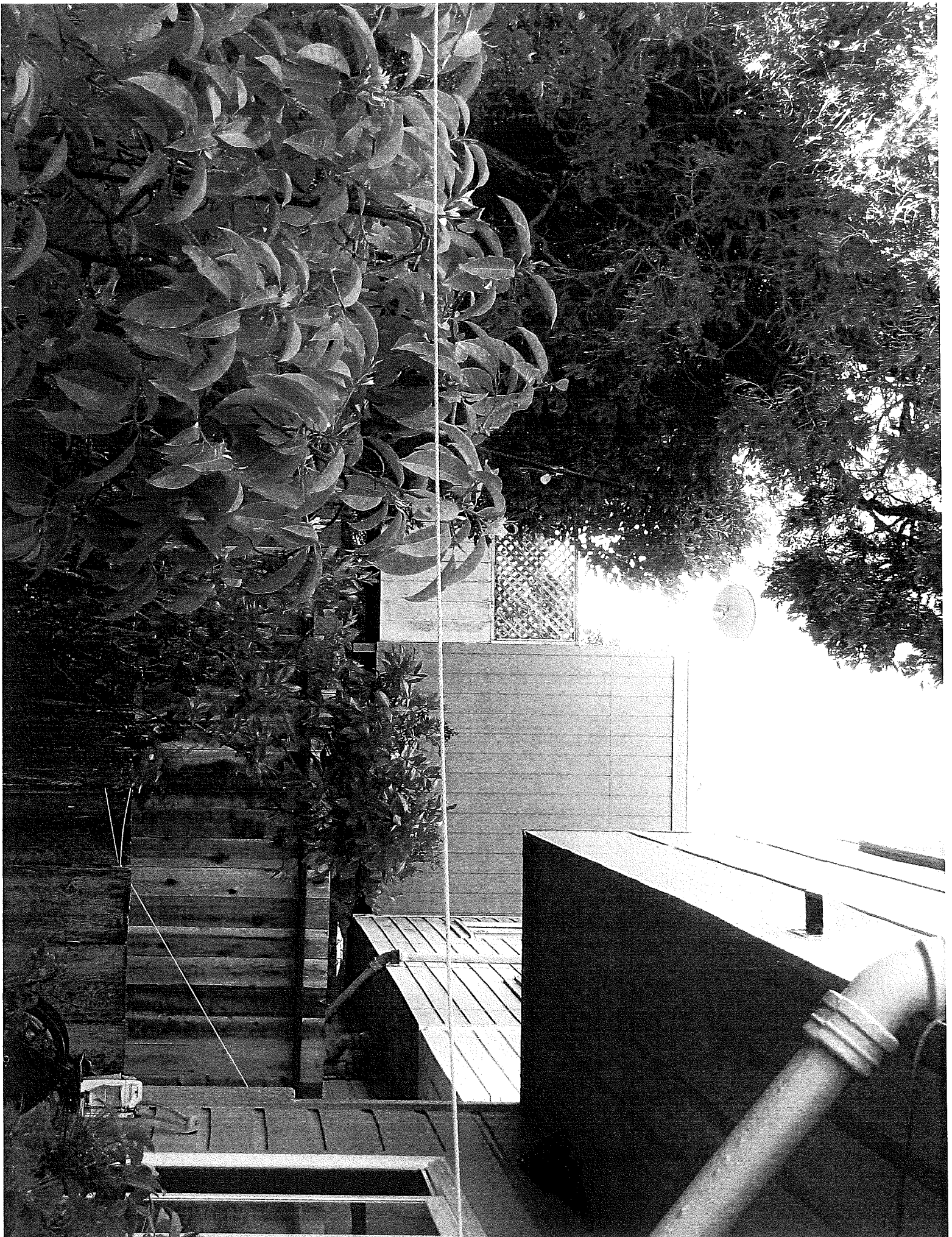
Finally, the 2004 Housing Element was not created with the depth and breadth of community input and involvement that the 2009 Housing Element was. The 2009 Housing Element includes input from a Citizens Advisory Committee, over 30 public workshops, staff office hours, online and written surveys as well as workshops hosted by the Planning Director over a two and a half year period. The scope of community input on the 2009 Housing Element is an important aspect of the City's determination to recommend the 2009 Housing Element as the vision for the City's housing growth and management through 2014. As noted, none of the other alternatives, including the 2004 Housing Element, can match the 2009 Housing Element's recent community outreach.

For the foregoing reasons as well as economic, legal, social, technological, policy, and other considerations set forth herein and elsewhere in the record, including the reasons set forth in the Statement of Overriding Considerations in Section VII below, the 2004 Housing Element is hereby rejected as infeasible.

**Rejection of Alternative A: The No Project/Continuation of 1990 Residence Element Alternative.** Alternative A is the CEQA-required "No Project" alternative. CEQA Guidelines Section 15126.6(e)(3)(A) provides that "when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the 'no project' alternative will be the continuation of the existing plan, policy or operation into the future." Under Alternative A: the No Project/Continuation of 1990 Residence Element Alternative, the 1990 Residence Element policies would remain in effect and neither the 2004 Housing Element nor the 2009 Housing Element policies would be implemented. Housing development in the City would continue as encouraged under the 1990 Residence Element.

Alternative A would not be desirable as a matter of policy nor meet the Project's Objectives as well as the 2009 Housing Element. Alternative A encourages housing in less limited areas than the Project, because the policies and implementation measures encourage housing that is consistent with existing land use patterns, and existing density patterns. Thus, because the City's projected growth and housing needs remain the same under Alternative A as they do under the Project, housing constructed in response under to the City's need would be constructed Citywide more so under Alternative A than the Project, which encourages housing along transit lines, or within a community planning process. In other words, similar amounts of total housing units would result from Alternative A and under the Project, but under Alternative A, these units would not be encouraged or concentrated where supported by existing or planned infrastructure, such as transit lines or in areas subject to community planning processes. Concentrating housing along transit lines or in areas subject to community planning processes better enables the City to meet the Objective of encouraging housing development where supported by existing or planned infrastructure.

## **EXHIBIT G**



## Young, Victor

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**From:** Board of Supervisors, (BOS)  
**Sent:** Monday, July 18, 2016 12:12 PM  
**To:** BOS-Supervisors; Somera, Alisa (BOS); Young, Victor  
**Subject:** File 160657 FW: Vote on Accessory Dwelling Units  
**Attachments:** Your ADU Legislation; Wiener/Farrell ADU legislation.; Construction of Accessory Dwelling Units; ADU legislation; "NO!" to Wiener and Farrell's proposal

Please see the following communications received regarding file 160657:

**From:** Jacob Rosenstein/Judith Wolfe [mailto:judyjake@pacbell.net]  
**Sent:** Sunday, July 17, 2016 9:26 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Vote on Accessory Dwelling Units

Honorable President Breed and  
Members of the Board of Supervisors:

We are residents of Noe Valley and members of Noe Neighborhood Council (formerly known as Protect Noe's Charm). We are writing to voice our opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone. Our neighborhood is currently gearing up to fight one such project, in which the new owners (developers) are proposing a building three to four times the size of existing buildings on the block. Please don't make it easier for people to build these outsized structures.

The idea of extending ADUs to future structures that don't currently exist in the rear yard is also preposterous. We are opposed to any ADUs beyond the built envelope as of July 2016.

The removal of neighborhood notification proposed by Wiener/Farrell's legislation is not at all in the public interest and should not be granted.

We are also disturbed by granting more discretion to the Zoning Administrator than afforded currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in one person's hands.

That is why we urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Jacob Rosenstein and Judith Wolfe  
319 28th St.

San Francisco, CA 94131

**Young, Victor**

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**From:** Ozzie Rohm <ozzierohm@sbcglobal.net>  
**Sent:** Sunday, July 17, 2016 9:49 PM  
**To:** Peskin, Aaron (BOS)  
**Cc:** Board of Supervisors, (BOS)  
**Subject:** Your ADU Legislation

Honorable Supervisor Peskin,

On behalf of Noe Neighborhood Council (formerly known as Protect Noe's Charm), I am writing to you to express our support for your ADU legislation. While we find your legislation far more neighborhood friendly than the one proposed by Supervisors Wiener and Farrell, we would like to urge you to consider the following few amendments to make your measure more protective of rear yards and mid-block open space:

1. The enactment of this legislation shall not provide a basis for extension outside the building envelope of any existing nonconforming unit.
2. A new ADU shall not be a permitted encroachment in the required rear yard under Planning Code Section 136(c)(25) or any applicable rear yard provision.
3. An ADU shall not be counted for rear yard averaging.

We appreciate your consideration of incorporating the above points in your proposed ADU legislation.

Very truly yours,

Ozzie Rohm  
On behalf of the 250+ members of Noe Neighborhood Council

**Young, Victor**

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**From:** Ralph Gutlohn <RALPHJACK@EARTHLINK.NET>  
**Sent:** Monday, July 18, 2016 11:36 AM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Construction of Accessory Dwelling Units

Honorable President Breed and Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm).

I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

This legislation erodes our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

I am opposed to any ADUs beyond the built envelope as of July 2016.

The removal of neighborhood notification proposed by Wiener/Farrell's legislation is not at all in the public interest and should not be granted.

I am also disturbed by granting more discretion to the Zoning Administrator than afforded currently.

As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance.

To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in one person's hands.

That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Ralph Gutlohn, 4047 Cesar Chavez St



## Young, Victor

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**From:** Ramon Sender <ramonsender@comcast.net>  
**Sent:** Monday, July 18, 2016 12:04 PM  
**To:** Board of Supervisors, (BOS)  
**Cc:** Wiener, Scott  
**Subject:** "NO!" to Wiener and Farrell's proposal

Honorable President Breed and  
Members of the Board of Supervisors:

I am a 35-year resident of Noe Valley. I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes.

This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

The idea of extending ADUs to future structures that don't currently exist in the rear yard is also preposterous. I am opposed to any ADUs beyond the built envelope as of July 2016.

The removal of neighborhood notification proposed by Wiener/Farrell's legislation is not at all in the public interest and should not be granted.

I am also disturbed by granting more discretion to the Zoning Administrator than afforded currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in one person's hands.

That is why I urge you to vote NO on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

It's hard for me to digest the fact that our own District 8 supervisor is behind this proposal. I guess he doesn't want our vote.

Very truly yours,

Ramon Sender

Board of Supervisors

Eric Mar - Eric.L.Mar@sfgov.org  
Mark Farrell - Mark.Farrell@sfgov.org  
Aaron Peskin - Aaron.Pekin@sfgov.org  
Katy Tang - Katy.Tang@sfgov.org  
London Breed - Breedstaff@sfgov.org  
Jane Kim - Jane.Kim@sfgov.org  
Norman Yee - Norman.Yee@sfgov.org

Scott Wiener - [Scott.Wiener@sfgov.org](mailto:Scott.Wiener@sfgov.org)  
David Campos - [David.Campos@sfgov.org](mailto:David.Campos@sfgov.org)  
Malia Cohen - [Malia.Cohen@sfgov.org](mailto:Malia.Cohen@sfgov.org)  
John Avalos - [John.Avalos@sfgov.org](mailto:John.Avalos@sfgov.org)

## Young, Victor

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**From:** David G.Kopf <dgk@teklaw.com>  
**Sent:** Sunday, July 17, 2016 10:10 PM  
**To:** Avalos, John (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Aaron.Pekin@sfgov.org  
**Cc:** Board of Supervisors, (BOS); info@noeneighborhoodcouncil.com  
**Subject:** Wiener/Farrell ADU legislation.

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

I am also disturbed by granting more discretion to the Zoning Administrator than afforded currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in one person's hands.

That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

David Kopf

469 Clipper Street

## Young, Victor

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**From:** scott kravitz <scottkravitz@gmail.com>  
**Sent:** Monday, July 18, 2016 12:03 PM  
**To:** BreedStaff, (BOS)  
**Cc:** Wiener, Scott; Board of Supervisors, (BOS)  
**Subject:** ADU legislation

Dear President Breed,

As a resident of Noe Valley, I am strongly opposed to Supervisor Weiner's legislation regarding ADU expansion.

His proposal will significantly increase the number of "monster homes" in the city and will not bring about an increase in occupancy, as most will remain single-family homes. Furthermore, how many of the allowed in-law structures will become rental units, as opposed to AirBnb lofts? Is there any requirement?

I am further alarmed by his proposal to remove the requirement for most neighborhood notifications. How is this a good thing for anyone but the developer?

Please oppose Supervisor Weiner's plan. Supervisor Peskin's is a far better proposal.

Sincerely,  
Scott Kravitz  
3827 Cesar Chavez St.

**Young, Victor**

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**From:** scott kravitz <scottkravitz@gmail.com>  
**Sent:** Monday, July 18, 2016 12:03 PM  
**To:** BreedStaff, (BOS)  
**Cc:** Wiener, Scott; Board of Supervisors, (BOS)  
**Subject:** ADU legislation

Dear President Breed,

As a resident of Noe Valley, I am strongly opposed to Supervisor Weiner's legislation regarding ADU expansion.

His proposal will significantly increase the number of "monster homes" in the city and will not bring about an increase in occupancy, as most will remain single-family homes. Furthermore, how many of the allowed in-law structures will become rental units, as opposed to AirBnb lofts? Is there any requirement?

I am further alarmed by his proposal to remove the requirement for most neighborhood notifications. How is this a good thing for anyone but the developer?

Please oppose Supervisor Weiner's plan. Supervisor Peskin's is a far better proposal.

Sincerely,  
Scott Kravitz  
3827 Cesar Chavez St.

## Young, Victor

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**From:** Board of Supervisors, (BOS)  
**Sent:** Monday, July 18, 2016 11:49 AM  
**To:** Somera, Alisa (BOS); Young, Victor  
**Subject:** File 160657 FW: Proposed ADU Legislation  
**Attachments:** Opposition to Wiener/Farrell's ADU Expansion Proposal

**From:** Mike Silverman [mailto:mgsilverman60@gmail.com]  
**Sent:** Monday, July 18, 2016 10:40 AM  
**To:** Mar, Eric (BOS) <eric.mar@sfgov.org>; Farrell, Mark (BOS) <mark.farrell@sfgov.org>; aaron.pesking@sfgov.org; Tang, Katy (BOS) <katy.tang@sfgov.org>; BreedStaff, (BOS) <breedstaff@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; scott.weiner@sfgov.org; Campos, David (BOS) <david.campos@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Avalos, John (BOS) <john.avalos@sfgov.org>  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; info@noeneighborhoodcouncil.com  
**Subject:** Proposed ADU Legislation

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard. We have a housing problem that requires addressing, but this is not the way to do it.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. I encourage any of you to walk through Noe Valley and see what is happening here. I am sure that is true in other neighborhoods as well. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

The idea of extending ADUs to future structures that don't currently exist in the rear yard is also preposterous. I am opposed to any ADUs beyond the built envelope as of July 2016.

The removal of neighborhood notification proposed by Wiener/Farrell's legislation is not at all in the public interest and should not be granted.

I am also disturbed by granting more discretion to the Zoning Administrator than afforded currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in one person's hands.

That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Michael Silverman  
4317 Cesar Chavez Street  
[mgsilverman60@gmail.com](mailto:mgsilverman60@gmail.com)

## Young, Victor

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**From:** Board of Supervisors, (BOS)  
**Sent:** Monday, July 18, 2016 11:44 AM  
**To:** BOS Legislation, (BOS); Somera, Alisa (BOS); Young, Victor  
**Subject:** FW: ADU LEGISLATION TODAY AT LAND USE COMMITTEE Files No. 160252 and Files No.160657

**From:** Thomas Schuttish [mailto:schuttishtr@sbcglobal.net]  
**Sent:** Monday, July 18, 2016 10:25 AM  
**To:** Breed, London (BOS) <london.breed@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Wiener, Scott <scott.wiener@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Mar, Eric (BOS) <eric.mar@sfgov.org>; Avalos, John (BOS) <john.avalos@sfgov.org>; Campos, David (BOS) <david.campos@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Farrell, Mark (BOS) <mark.farrell@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BreedStaff, (BOS) <breedstaff@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@SFGOV1.onmicrosoft.com>; Ang, April (BOS) <april.ang@sfgov.org>  
**Subject:** ADU LEGISLATION TODAY AT LAND USE COMMITTEE Files No. 160252 and Files No.160657

Dear Supervisors:

Please protect the Rear Yard Mid Block Open Space.

Do not allow ADUs to extend beyond the Built Envelope. Please let us use the Built Environment we have already and protect our precious Rear Yard Mid Block Open Space, our San Francisco Neighborhood's Natural Environment..

Here is the crux of the matter:

1. Keep ADUs within the existing Built Envelope. Do not allow ADUs in the potentially Buildable Envelope or what may be hypothetically permitted. This will preserve Rear Yards and the Mid Block Open Space. Keep them in the BUILT ENVELOPE. Do not allow them in the BUILDABLE ENVELOPE.
2. If there are exceptions to this, it should be to what exists now in the Rear Yard as long as it is a legal conforming structure or an authorized auxilliary structure. Do not use the Zoning Administrator Bulletin No. 4. The Zoning Administrator has the power to hold Public Hearings, that are publicly noticed and grant a Variance. The Zoning Administrator does not need the potentially unlimited power of a waiver of Rear Yard Requirements because ADUs should not extend into the Rear Yard. This Public Notice should also include the 311/312 Notification as currently exists.
3. Preserve existing housing....there are many loopholes that are not doing this currently. Save what exists.
4. The City has built more housing in the last five years than ever before...and more is in the pipeline...do not confuse lack of affordability of available housing with supply. We need more rent controlled housing, not less.

5. Think Livability. When adding ADUs within the built envelope you will have more people living per lot...they will need to share the Rear Yards as a place of refuge, serenity and to create a shared community of neighbors. If the Rear Yards are reduced due to expansion into the Rear Yards, this will create an unpleasant and less livable City.

Thank you.

Sincerely,  
GEORGIA SCHUTTISH  
Resident of District 8  
Member of Noe Neighborhood Council/formerly Protect Noe's Charm.



## Young, Victor

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**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:10 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope"  
**Attachments:** Please Share with Board.....From Eileen Lunny; ATT00001.htm

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 9:22:58 AM PDT  
**To:** BOS-Supervisors <[bos-supervisors@sfgov.org](mailto:bos-supervisors@sfgov.org)>, "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope"

**From:** Paula Symonds [<mailto:symondspaula@gmail.com>]  
**Sent:** Sunday, July 17, 2016 4:08 PM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope"

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

The idea of extending ADUs to future structures that don't currently exist in the rear yard is also preposterous. I am opposed to any ADUs beyond the built envelope as of July 2016.

The removal of neighborhood notification proposed by Wiener/Farrell's legislation is not at all in the public interest and should not be granted.

I am also disturbed by granting more discretion to the Zoning Administrator than afforded currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all

lots is a bad idea that puts far too much power in one person's hands.

That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Paula Symonds

## Young, Victor

---

**From:** eileen lunny <mlunny@earthlink.net>  
**Sent:** Sunday, July 17, 2016 6:17 PM  
**To:** Aaron.pekin@sfgov.org  
**Cc:** Board of Supervisors, (BOS)  
**Subject:** Please Share with Board.....From Eileen Lunny

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

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That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

My name is Eileen Lunny, Please Do share my email with the Board 415-370-7050

## Young, Victor

---

**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:03 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: Accessory Dwelling Units (ADUs)R

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 8:54:51 AM PDT  
**To:** "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: Accessory Dwelling Units (ADUs)R

**From:** Roz Itelson [<mailto:ritelson@comcast.net>]  
**Sent:** Sunday, July 17, 2016 2:31 PM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>  
**Cc:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** Accessory Dwelling Units (ADUs)R

Honorable President Breed and Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

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currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in one person's hands.

That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Roz Itelson  
Diamond Street  
San Francisco

## Young, Victor

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**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:03 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: ADU measures/Monday meeting

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 8:54:15 AM PDT  
**To:** BOS-Supervisors <[bos-supervisors@sfgov.org](mailto:bos-supervisors@sfgov.org)>, "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: ADU measures/Monday meeting

**From:** Alice West [<mailto:a.west@mindspring.com>]  
**Sent:** Sunday, July 17, 2016 1:40 PM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** ADU measures/Monday meeting

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

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That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,  
Alice West  
[a.west@mindspring.com](mailto:a.west@mindspring.com)  
4047 Cesar Chavez St.  
S.F. CA 94131

## Young, Victor

---

**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:03 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: monster houses

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 8:50:30 AM PDT  
**To:** "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: monster houses

**From:** Richard Tauber [<mailto:richard@tauberphotography.com>]  
**Sent:** Sunday, July 17, 2016 12:59 PM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Aaron.Pekin@sfgov.org; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** monster houses

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley with first hand experience of the encroachment of modern McMansions in our neighborhood. I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

During the last few years we have been surrounded by three oversized homes extended by height and length which have imposed on our privacy, light and view, removing beautiful, healthy trees, and boxing us in by concrete walls, changing the nature of our living experience in San Francisco. These homes are a blight on charming Noe Valley, and many more have been built just on our block within the last 10 years, causing continuous construction noise, dirt and upset in our streets.

The neighbors banded together, to fight the first project at \$200 per family, but soon realized we couldn't afford the time, money or mental anguish to wage a continuous war against the encroaching buildings.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes, and changing the



face of the neighborhood to plain, modern structures which go against the building code of keeping the look of the neighborhood's Victorian style buildings. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

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That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Richard Tauber

## Young, Victor

---

**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:03 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: Supervisors Wiener and Farrell's ADU legislation

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 8:49:54 AM PDT  
**To:** "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: Supervisors Wiener and Farrell's ADU legislation

**From:** [marycmcf@comcast.net](mailto:marycmcf@comcast.net) [<mailto:marycmcf@comcast.net>]  
**Sent:** Sunday, July 17, 2016 12:51 PM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Aaron Peskin <[Aaron.Pekin@sfgov.org](mailto:Aaron.Pekin@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>  
**Cc:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** Supervisors Wiener and Farrell's ADU legislation

To the Board of Supervisors:

Supervisors Wiener and Farrell's legislation allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard is at once environmentally damaging and not in the interest of the city or our neighborhoods. Rather than addressing the housing problem it proports to solve, this measure simply allows developers and real estate speculators to eliminate backyards, overbuild in desirably profitable areas, and literally darken the homes of long term residents. These ADUs are never really ADUs, but an excuse to expand and profit from manipulating politicians and pressuring residents.

Last week I spoke with five neighbors, three of them within Noe Valley, and two in Glen Park, all of whom have had monstrous expansions proposed in newly purchased buildings next to their homes. Every expansion claims to be necessary to accommodate an aged relative, a disabled sibling, and to make the place and the city "affordable." No amount of building will remedy the high cost of housing as long as San Francisco maintains the contradictory policy of using tax breaks to encourage tech companies growth by bringing in new residents while at the same time shutting out current residents. Granting more discretion to the Zoning Administrator and eliminating neighborhood notification is the strongest indication that this is not at all about

affordable housing or about keeping a lively city, but about selling everything, including our culture of mutual respect, to the highest bidder.

This supposedly "green" city has lost half its open space by allowing and encouraging builders to consume backyards and the trees that occupied them. Thirty years ago there was a swath of old growth redwoods, including Giant Sequoias, that ran from the top of Douglass street down through the backyards as far as Church Street and nesting trees everywhere. Now Los Angeles has more growing green than San Francisco. Thanks to measures like this one, and to consistently greedy real estate speculation, all of our large trees have disappeared, either cut down or poisoned in the name of the added value of a view, the "need" for a monster home, or an imagined affordable unit. Aside from the environmental unsustainability, this rapid growth is unsustainable as well.

So-called affordable housing inevitably gets re-categorized as market rate housing after a short time, one year, two years, three years and every year in an attempt to get around building codes and to make even more profit. Or, worse, individual units get approval to become one giant house within days of completion. Recently the Board of Supervisors overrode the Planning Commission and unanimous neighborhood opposition to the building of an 8300 square foot home to replace two houses. How does this act jive with this current proposal? With one vote you've removed housing, now want to make it appear you are interested in adding housing stock in the very same neighborhood.

San Franciscans' accommodation of difference has been contorted into forced acceptance of the will of the wealthy as imposed by political pressure and willful destruction of the very things that made this city a wonderful place to live.

Mary McFadden  
3993 24th street D  
San Francisco, Ca 94114

## Young, Victor

---

**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:03 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: Monster homes

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 8:49:14 AM PDT  
**To:** "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: Monster homes

**From:** Barbara Tauber [<mailto:barbara@tauberphotography.com>]  
**Sent:** Sunday, July 17, 2016 12:13 PM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Aaron.Pekin@sfgov.org; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** Monster homes

Honorable President Breed and  
Members of the Board of Supervisors:

I am a resident of Noe Valley with first hand experience of the encroachment of modern McMansions in our neighborhood. I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

During the last few years we have been surrounded by three oversized homes extended by height and length which have imposed on our privacy, light and view, removing beautiful, healthy trees, and boxing us in by concrete walls, changing the nature of our living experience in San Francisco. These homes are a blight on charming Noe Valley, and many more have been built just on our block within the last 10 years, causing continuous construction noise, dirt and upset in our streets.

The neighbors banded together, to fight the first project at \$200 per family, but soon realized we couldn't afford the time, money or mental anguish to wage a continuous war against the encroaching buildings.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up

to its maximum permissible limit to build supersized single-family homes, and changing the face of the neighborhood to plain, modern structures which go against the building code of keeping the look of the neighborhood's Victorian style buildings. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

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That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Barbara Tauber

Barbara Tauber  
4221 24th Street  
San Francisco, CA 94114  
[barbara@tauberphotography.com](mailto:barbara@tauberphotography.com)  
415-824-6837  
Cell#415-533-7348

## Young, Victor

---

**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:01 AM  
**To:** Young, Victor  
**Subject:** Fwd: File 160657 FW: ADU Legislation  
**Attachments:** The ADU Legislation Proposed by Supervisors Wiener and Farrell; ATT00001.htm; ADU legislation; ATT00002.htm; Planning, Administrative Code - Construction of Accessory Dwelling Units; ATT00003.htm; Vote NO! on the Wiener/Farrell version; ATT00004.htm

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 9:52:33 AM PDT  
**To:** "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: ADU Legislation

**From:** Janet Fowler [<mailto:jfowlers@aol.com>]  
**Sent:** Sunday, July 17, 2016 8:37 PM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>  
**Cc:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; [info@noeneighborhoodcouncil.com](mailto:info@noeneighborhoodcouncil.com)  
**Subject:** ADU Legislation

Honorable President Breed and Members of the Board of Supervisors:

Please vote No on the Wiener/Farrell ADU legislation.

Please restrict ADUs to the **built envelope**, *not* buildable envelope, with no further expansion. Free-standing ADUs, whether a totally new building or part of a non-conforming structure in the rear yard, should *not* be allowed. **No legislation should reduce the obligation to provide notice of expansion to neighbors and the neighborhood.** As a Noe Valley resident who is currently opposing a supersized single-family home that has now become a supersized-home-plus-unit that greedily wipes out light, privacy, and open-space to adjacent neighbors, as well as a taking down a spectacular street tree, I am well-aware of the importance of recognizing the site-specific impact to neighbors and the neighborhood.

Under the Wiener/Farrell ADU legislation, I could totally screw my neighbors, as I have a 150' lot with 75' of rear-yard open space where I could add a nice tall ADU at the rear of the yard, and then add on to it I suppose, and with no variance, too.

Respectfully,

Janet Fowler  
434 Hoffman Avenue

## Young, Victor

---

**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:00 AM  
**To:** Young, Victor  
**Cc:** Ausberry, Andrea  
**Subject:** Fwd: File 160657 FW: No Expansion of ADUs in Noe Valley

Victor... please add to today's file and include in the CR packet for tomorrow. There are several more I will be forwarding.

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 8:48:35 AM PDT  
**To:** "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** File 160657 FW: No Expansion of ADUs in Noe Valley

**From:** Hans Kolbe [<mailto:hanskolbe@celantrasystems.com>]  
**Sent:** Sunday, July 17, 2016 11:03 AM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; 'Aaron Peskin -' <[Aaron.Pekin@sfgov.org](mailto:Aaron.Pekin@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>  
**Cc:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; 'Matt McCabe' <[info@noeneighborhoodcouncil.com](mailto:info@noeneighborhoodcouncil.com)>  
**Subject:** No Expansion of ADUs in Noe Valley

Honorable President Breed and Members of the Board of Supervisors:

I am a resident of Noe Valley and a member of Noe Neighborhood Council (formerly known as Protect Noe's Charm). I am writing to you to voice my opposition to Supervisors Wiener and Farrell's legislation that allows ADUs to expand to the maximum allowable "buildable envelope" of the lot plus another 12-foot expansion in the remaining 45% rear yard.

It is bad enough that the recent monster home epidemic is consuming every inch of a lot up to its maximum permissible limit to build supersized single-family homes. This legislation, in effect, enables the trend for a monster-home-plus-in-law at the cost of further eroding our mid-block open space that is a community resource providing residents with light, air, privacy, visual relief, and a much-needed psychological comfort zone.

The idea of extending ADUs to future structures that don't currently exist in the rear yard is also preposterous. I am opposed to any ADUs beyond the built envelope as of July 2016.

The removal of neighborhood notification proposed by Wiener/Farrell's legislation is not at all in the public interest and should not be granted.

I am also disturbed by granting more discretion to the Zoning Administrator than afforded currently. As is, the Zoning Administrator has the power to approve further expansion into the required 45% rear yard by approving a requested variance. To allow an over-ride for all cases and all lots is a bad idea that puts far too much power in

one person's hands.

That is why I urge you to vote no on the measure proposed by Supervisors Wiener and Farrell and thereby, spare our mid-block open space and unique quality of life.

Very truly yours,

Hans Kolbe  
Celantra Systems  
Cell US 415-730-1131



## Young, Victor

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**From:** Somera, Alisa (BOS)  
**Sent:** Monday, July 18, 2016 11:01 AM  
**To:** Young, Victor  
**Subject:** Fwd: Proposed Accessory Dwelling Unit legislation #160252 and #160657

Lisa

Begin forwarded message:

**From:** "Board of Supervisors, (BOS)" <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** July 18, 2016 at 9:01:35 AM PDT  
**To:** "BOS Legislation, (BOS)" <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>, "Ausberry, Andrea" <[andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)>, "Somera, Alisa (BOS)" <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** **FW: Proposed Accessory Dwelling Unit legislation #160252 and #160657**

**From:** [anastasia Yovanopoulos \[mailto:shashacooks@yahoo.com\]](mailto:anastasia.Yovanopoulos@yaho.com)  
**Sent:** Sunday, July 17, 2016 3:35 PM  
**To:** Mar, Eric (BOS) <[eric.mar@sfgov.org](mailto:eric.mar@sfgov.org)>; Farrell, Mark (BOS) <[mark.farrell@sfgov.org](mailto:mark.farrell@sfgov.org)>; Peskin, Aaron (BOS) <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Tang, Katy (BOS) <[katy.tang@sfgov.org](mailto:katy.tang@sfgov.org)>; BreedStaff, (BOS) <[breedstaff@sfgov.org](mailto:breedstaff@sfgov.org)>; Wiener, Scott <[scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)>; Campos, David (BOS) <[david.campos@sfgov.org](mailto:david.campos@sfgov.org)>; Cohen, Malia (BOS) <[malia.cohen@sfgov.org](mailto:malia.cohen@sfgov.org)>; Avalos, John (BOS) <[john.avalos@sfgov.org](mailto:john.avalos@sfgov.org)>; Kim, Jane (BOS) <[jane.kim@sfgov.org](mailto:jane.kim@sfgov.org)>; Yee, Norman (BOS) <[norman.yee@sfgov.org](mailto:norman.yee@sfgov.org)>  
**Cc:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** Proposed Accessory Dwelling Unit legislation #160252 and #160657

Honorable President Breed and Members of the Board of Supervisors,

As renter living in District #8, I **support Supervisor Peskin's Accessory Dwelling Unit legislation #160252 and his amendments.**

I urge you to reject ADU legislation #160657 Supervisor Wiener and Farrell propose because it is important to keep ADU's within the existing built envelope. Mid-block open space is our right. Further:

- ? Do not allow ADU's in the hypothetically permitted building envelope. Any exceptions should be limited to what exists now in the rear yard.
- ? Do not incorporate Zoning Administrator Bulletin 4, as amended from time to time. The Zoning Administrator should not have unlimited discretion to waive rear yard requirements because ADU's should not extend into the rear yard.

I feel strongly about the intent of this legislation: ADU studios and one bedrooms of decent size are needed to address the paucity and attrition of **rent**

**controlled housing** in San Francisco. Supervisor Peskin's ADU legislation #160252 does this. The ADU legislation authored by Wiener and Farrell allows the ADU's to be sold as condos!

Yours truly,  
Anastasia Yovanopoulos