

File No. 210808 Committee Item No. 3
Board Item No. 16

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date October 25, 2021

Board of Supervisors Meeting Date November 2, 2021

Cmte Board

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Completed by: Erica Major Date October 21, 2021
Completed by: Erica Major Date October 27, 2021

1 [Planning Code - Requirements for Laundromats and On-site Laundry Services]

2

3 **Ordinance amending the Planning Code to add Laundromat as a defined term, to**
4 **require conditional use authorization for uses replacing Laundromats, and to prohibit**
5 **Accessory Dwelling Units that reduce on-site laundry services unless replaced;**
6 **affirming the Planning Department’s determination under the California Environmental**
7 **Quality Act; making findings of consistency with the General Plan and the eight priority**
8 **policies of Planning Code, Section 101.1, and findings of public necessity,**
9 **convenience, and welfare under Planning Code, Section 302.**

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

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

18

19 Section 1. Environmental and Land Use Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 210808 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On October 14, 2021, the Planning Commission, in Resolution No. 21012, adopted
findings that the actions contemplated in this ordinance are consistent, on balance, with the
City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 210808, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors find that this
4 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
5 Planning Commission Resolution No. 21012, and incorporates such reasons by this reference
6 thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
7 No. 210808.

8
9 Section 2. General Findings.

10 (a) By providing the space and appliances for San Francisco residents and visitors
11 to perform the basic, necessary act of cleaning their clothes, bedding, and other laundry,
12 Laundromats in San Francisco perform a critical community-serving function that
13 disproportionately serves lower-income San Franciscans, residents of Single-Room
14 Occupancy residential units, and residents of affordable housing who do not otherwise have
15 access to laundry services.

16 (b) Laundromats tend to be concentrated more heavily in denser parts of the City
17 that have smaller unit sizes and other architectural limitations that inhibit in-unit or on-site
18 laundry appliances. They also tend to be clustered in parts of the City with higher
19 concentrations of residents who make 50% or less of the City's Area Median Income.

20 (c) Lower-income residents of these smaller unit typologies incur costs that
21 residents with in-unit laundry do not, effectively increasing the cost of living of San Francisco's
22 most vulnerable, low-income residents.

23 (d) As Laundromats close down and convert to other, higher-revenue uses, the
24 availability of these critical community-serving uses to lower-income residents is constrained,
25

1 and the costs associated with accessing those services increases, or the accessibility of
2 laundry service is altogether eliminated.

3 (e) Laundromats also serve as community hubs where people in the neighborhood
4 can come together and form community bonds, strengthen neighborhood ties, and distribute
5 information of common interest to community members. In this regard, many Laundromats
6 serve as informal, quasi-public spaces.

7 (f) For decades, the number of Laundromats in San Francisco has steadily
8 declined. Under more recent pressures, that decline has become more dramatic. According to
9 data provided by the San Francisco Public Utilities Commission, 84 laundromats have closed
10 down since 2013, approximately one-third of neighborhood-serving laundromats. In the four-
11 year period from 2016 to 2020, the Office of Small Business reports that at least 67
12 Laundromat closures had been recorded throughout San Francisco. In 2019 alone, 21
13 Laundromats closed down, while only six opened; a net loss of 15 Laundromats in one year.

14 (g) While in-unit or on-site laundry services and appliances remain a highly desired
15 amenity among San Francisco renters, no Planning Code provisions protect against the
16 removal of those services, leading to repeat instances of on-site laundry services being
17 removed and replaced by other desired uses, including Accessory Dwelling Units.

18 (h) Preserving Laundromats and on-site laundry services is an urgent equity issue
19 for San Francisco residents and communities. Unless the City acts to protect these services
20 from demolition or conversion to more high-revenue use types, Laundromats and on-site
21 laundry services will continue to fail to effectively compete for limited space in the densest
22 parts of San Francisco.

1 Section 3. The Planning Code is hereby amended by revising Sections 102 (with the
2 new defined term, "Laundromat," placed in alphabetical sequence) and 207, and adding
3 Section 202.12, to read as follows:

4
5 **SEC. 102. DEFINITIONS.**

6 * * * *

7 *Laundromat.* A Retail Sales and Service Use that is used for the purpose of washing, drying,
8 *dry cleaning, starching, or ironing, for the general public, wearing apparel, household linens, or other*
9 *washable fabrics, or a place used or maintained for the storage, collection, or delivery of such articles*
10 *for such service. A Laundromat use shall include any place, whether self-service or otherwise,*
11 *maintained for the general public for the purpose of washing and drying wearing apparel, household*
12 *linens, or other washable fabrics, by coin-operated, or card-operated laundry machinery.*

13 * * * *

14 ***Retail Sales and Service, General.*** A Retail Sales and Service Use that provides
15 goods and/or services to the general public and that is not listed as a separate Retail Sales
16 and Service Use in this Section 102. This use includes, but is not limited to the sale or
17 provision of the following goods and services:

18 (a) Personal items such as tobacco and magazines;

19 ~~(b) Self-service laundromats and dry cleaning, where no portion of a building occupied~~
20 ~~by such use shall have any opening other than fixed windows and exits required by law within 50 feet of~~
21 ~~any R District;~~

22 ~~(eb)~~ Household goods and service (including paint, fixtures, and hardware, but
23 excluding other building materials);

24 ~~(ec)~~ Variety merchandise, pet supply stores, and pet grooming services;

25 ~~(ed)~~ Florists and plant stores;

- 1 (fe) Apparel and accessories;
- 2 (gf) Antiques, art galleries, art supplies, and framing service;
- 3 (hg) Home furnishings, furniture, and appliances;
- 4 (ih) Books, stationery, greeting cards, office supplies, copying service, music,
- 5 and sporting goods; and
- 6 (ji) Toys, gifts, and photographic goods and services.

7 * * * *

8 **Sales and Services, Retail.** A Commercial Use category that includes Uses that
9 involve the sale of goods, typically in small quantities, or services directly to the ultimate
10 consumer or end user with some space for retail service on site, excluding Retail
11 Entertainment Arts and Recreation, and Retail Automobile Uses and including, but not limited
12 to: Adult Business, Animal Hospital, Bar, Cannabis Retail, Cat Boarding, Chair and Foot
13 Massage, Tourist Oriented Gift Store, General Grocery, Specialty Grocery, Gym, Hotel,
14 Jewelry Store, Kennel, Laundromat, Liquor Store, Massage Establishment, Mortuary
15 (Columbarium), Motel, Non-Auto Sales, Pharmacy, Restaurant, Limited Restaurant, General
16 Retail Sales and Service, Financial Service, Fringe Financial Service, Limited Financial
17 Service, Health Service, Instructional Service, Personal Service, Retail Professional Service,
18 Self-Storage, Tobacco Paraphernalia Establishment, and Trade Shop.

19
20 **SEC. 202.12. LIMITATION ON CHANGE IN USE OR DEMOLITION OF A**

21 **LAUNDROMAT USE.**

22 Notwithstanding any other provision of this Article 2, for the three years following the effective
23 date of the ordinance in Board File No. _____ adopting this Section 202.12, a change in use or
24 demolition of a Laundromat use, as defined in Section 102, shall require Conditional Use authorization
25 pursuant to Section 303. In acting on any application for Conditional Use authorization for changes in

1 use or demolition of a Laundromat use, the Commission shall ~~may~~ consider the following criteria in
2 addition to the criteria set forth in Section 303(c) and (d) of this Code:

3 (a) Whether comparable Laundromat uses and services are available at locations in
4 the immediate vicinity that are equally or more accessible to seniors, people with disabilities, and
5 other residents in the immediate vicinity;

6 (b) Whether, in the three years immediately prior to the date of the application for
7 Conditional Use authorization, the rate of Laundromat closures in the immediate vicinity of the
8 proposed change of use and/or citywide exceeds the rate of new Laundromat uses or equally accessible
9 alternatives;

10 (c) Whether the proposed change in use would serve the essential needs of lower-
11 income residents; and

12 (d) Whether the proposed change in use is in a census tract where at least 17% of the
13 households had income at or below the federal poverty level.

14
15 **SEC. 207. DWELLING UNIT DENSITY LIMITS.**

16 * * * *

17 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations
18 under this Section 207 shall be made in the following circumstances:

19 * * * *

20 (4) **Local Accessory Dwelling Unit Program: Accessory Dwelling Units in**
21 **Multifamily Buildings; Accessory Dwelling Units in Single-Family Homes That Do Not**
22 **Strictly Meet the Requirements in subsection (c)(6).**

23 * * * *

1 (C) **Controls on Construction.** An Accessory Dwelling Unit regulated by
2 this subsection (c)(4) is permitted to be constructed in an existing or proposed building under
3 the following conditions:

4 (i) For lots that have four existing Dwelling Units or fewer or where
5 the zoning would permit the construction of four or fewer Dwelling Units, one ADU is
6 permitted; for lots that have more than four existing Dwelling Units or are undergoing seismic
7 retrofitting under subsection (c)(4)(F) below, or where the zoning would permit the
8 construction of more than four Dwelling Units, there is no limit on the number of ADUs
9 permitted; provided, however, that the Department shall not approve an application for
10 construction of an ADU where a tenant on the lot has been evicted pursuant to Administrative
11 Code Sections 37.9(a)(9) through (a)(12) and 37.9(a)(14) under a notice of eviction served
12 within 10 years prior to filing the application for a building permit to construct the ADU or
13 where a tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8) under a
14 notice of eviction served within five years prior to filing the application for a building permit to
15 construct the ADU. This provision shall not apply if the tenant was evicted under Section
16 37.9(a)(11) or 37.9(a)(14) and the applicant(s) either (A) have certified that the original tenant
17 reoccupied the unit after the temporary eviction or (B) have submitted to the Department and
18 to the Rent Board a declaration from the property owner or the tenant certifying that the
19 property owner notified the tenant of the tenant's right to reoccupy the unit and the tenant
20 chose not to reoccupy it.

21 (ii) Except as provided in subsections (iii) and (iv) below, an
22 Accessory Dwelling Unit shall be constructed entirely within the buildable area of an existing
23 lot, provided that the ADU does not exceed the existing height of an existing building, or within
24 the built envelope of an existing and authorized stand-alone garage, storage structure, or
25 other auxiliary structure on the same lot, as the built envelope existed three years prior to the

1 time the application was filed for a building permit to construct the ADU. For purposes of this
2 provision, the “built envelope” shall include the open area under a cantilevered room or room
3 built on columns; decks, except for decks that are supported by columns or walls other than
4 the building wall to which they are attached and are multi-level or more than 10 feet above
5 grade; and lightwell infills provided that the infill will be against a blank neighboring wall at the
6 property line and not visible from any off-site location; as these spaces exist as of July 11,
7 2016. An ADU constructed entirely within the existing built envelope, as defined in this
8 subsection (ii), along with permitted obstructions allowed in Section 136(c)(32), of an existing
9 building or authorized auxiliary structure on the same lot, or where an existing stand-alone
10 garage or storage structure has been expanded to add dormers, is exempt from the
11 notification requirements of Section 311 of this Code unless the existing building or authorized
12 auxiliary structure on the same lot is in an Article 10 or Article 11 District in which case the
13 notification requirements will apply. If an ADU will be constructed under a cantilevered room
14 or deck that encroaches into the required rear yard, a pre-application meeting between the
15 applicant and adjacent neighbors for all the proposed work is required before the application
16 may be submitted.

17 (iii) When a stand-alone garage, storage, or other auxiliary
18 structure is being converted to an ADU, an expansion to the envelope is allowed to add
19 dormers even if the stand-alone garage, storage structure, or other auxiliary structure is in the
20 required rear yard.

21 (iv) On a corner lot, a legal stand-alone nonconforming garage,
22 storage structure, or other auxiliary structure may be expanded within its existing footprint by
23 up to one additional story in order to create a consistent street wall and improve the continuity
24 of buildings on the block.

25

1 (v) An Accessory Dwelling Unit shall not be constructed using
2 space from an existing Dwelling Unit except that an ADU may expand into habitable space on
3 the ground or basement floors provided that it does not exceed 25% of the gross square
4 footage of such space. The Zoning Administrator may waive this 25% limitation if (a) the
5 resulting space would not be usable or would be impractical to use for other reasonable uses
6 included but not limited to storage or bicycle parking or (b) waiving the limitation would help
7 relieve any negative layout issues for the proposed ADU.

8 (vi) An existing building undergoing seismic retrofitting may be
9 eligible for a height increase pursuant to subsection (c)(4)(F) below.

10 (vii) Notwithstanding any other provision of this Code, an
11 Accessory Dwelling Unit authorized under this Section 207(c)(4) may not be merged with an
12 original unit(s).

13 (viii) An Accessory Dwelling Unit shall not be permitted in any
14 building in a Neighborhood Commercial District or in the Chinatown Community Business or
15 Visitor Retail Districts if it would eliminate or reduce a ground-story retail or commercial space,
16 unless the Accessory Dwelling Unit is a Designated Child Care Unit, as defined in Section
17 102, and meets all applicable standards of Planning Code Section 414A.6(e).

18 (ix) An Accessory Dwelling Unit shall not be permitted under this
19 subsection (c)(4) if it would result in the reduction or removal of on-site laundry service, unless that
20 laundry service is replaced with at least the same number or capacity of washers and dryers within the
21 same building and as accessible as before to all building tenants.

22 * * * *

23
24 Section 4. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 10/25/2021)

[Planning Code - Requirements for Laundromats and On-site Laundry Services]

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Currently, the Planning Code considers laundromats and laundry services as a General Retail Sales and Service use, and does not define laundromats as a separate use category. When a laundromat changes to a new use, the new use may be principally or conditionally permitted. Finally, there is no prohibition on using on-site laundry space in residential buildings for accessory dwelling units (ADUs) under the City's discretionary ADU program.

Amendments to Current Law

This ordinance amends the Planning Code to separately define laundromats. The ordinance requires that, for three years from the effective date of the ordinance, any use that demolishes or changes the use of a laundromat obtain conditional use authorization from the Planning Commission. Finally, the ordinance precludes the use of the City's discretionary ADU program if the ADU would remove on-site laundry services, unless those services were replaced with similar on-site services.



October 19, 2021

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

Re: Transmittal of Planning Department Case Number 2021-007369PCA:
Requirements for Laundromats and On-site Laundry Services
Board File No. 210808

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Peskin,

On October 14, 2021, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Peskin that would amend Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

1. Revise the proposed Laundromat definition to require washing as part of the services.
2. Amend the Ordinance to include more quantifiable findings.

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

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc: Audrey Pearson, Deputy City Attorney
Lee Hepner, Aide to Supervisor Peskin
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21012

Project Name: Requirements for Laundromats and On-site Laundry Services
Case Number: 2021-007369PCA [Board File No. 210808]
Initiated by: Supervisors Peskin / Introduced July 13, 2021
Staff Contact: Veronica Flores Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ADD LAUNDROMAT AS A DEFINED TERM, TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR USES REPLACING LAUNDROMATS, AND TO PROHIBIT ACCESSORY DWELLING UNITS THAT REDUCE ON-SITE LAUNDRY SERVICES UNLESS REPLACED; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on July 13, 2021 Supervisors Peskin, Chan, Preston, Ronen, Mandelman, Haney, Walton, and Mar introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 210808, which would amend the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced;

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 14, 2021; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

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

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

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

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

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

1. Revise the proposed Laundromat definition to require washing as part of the services.
2. Amend the Ordinance to include more quantifiable findings.

Findings

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

The Commission finds that the proposed Ordinance supports the Commerce and Industry Elements goals of protecting existing commercial activity and retaining Laundromats for San Franciscans.

The Commission finds that the proposed will further protect existing tenants' rights.

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

General Plan Compliance

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

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

HOUSING ELEMENT

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The proposed Ordinance protects San Franciscans' access to on- or off-site laundry facilities. If a Laundromat is proposed for change of use or demolition, the Ordinance requires the Commission to review and determine if there are still accessible Laundromat(s) within the immediate vicinity. The Ordinance seeks to ensure residents still have convenient access to a Laundromat if their local neighborhood Laundromat closes. The Ordinance also ensures that residents still have access to existing on-site laundry facilities in certain Accessory Dwelling Unit projects.

Planning Code Section 101 Findings

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

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

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

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

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

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

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

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

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

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

employment and ownership in these sectors be enhanced;

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

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

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

7. That the landmarks and historic buildings be preserved;

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

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

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

Planning Code Section 302 Findings.

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

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

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 14, 2021.



Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2021.10.18 10:13:32 -0700

Jonas P. Ionin
Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel

NOES: None

ABSENT: Chan

ADOPTED: October 14, 2021

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EXECUTIVE SUMMARY PLANNING CODE TEXT AMENDMENT

HEARING DATE: OCTOBER 14, 2021

90-Day Deadline: October 19, 2021

Project Name: Requirements for Laundromats and On-site Laundry Services
Case Number: 2021-007369PCA [Board File No. 210808]
Initiated by: Supervisors Peskin / Introduced July 13, 2021
Staff Contact: Veronica Flores Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

Recommendation: Approval with Modifications

Planning Code Amendment

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced.

The Way It Is Now:	The Way It Would Be:
“Laundromat” is not defined as a separate land use in the Planning Code.	A new land use definition would be created for “Laundromat”. The definition of “Retail Sales and Service, General” would remove the example sub-use of self-service laundromats and dry cleaning.
A change of use or demolition of Laundromats do not require Conditional Use Authorization.	A change of use or demolition of Laundromats would require Conditional Use Authorization, for a period of three years after the effective date of this Ordinance.
There is an internal Department policy that proposed ADUs under the Local ADU Program need to retain or improve on-site laundry facilities.	Proposed ADUs under the Local ADU Program impacting any on-site laundry facilities would need to <ol style="list-style-type: none"> replace the laundry facilities with at least the same number or capacity of washers and

	<p>dryers within the same building and</p> <ol style="list-style-type: none">2. be as accessible as before to all building tenants. <p>ADU projects that do not comply with the above would not be approved.</p>
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Background

There has been growing concern around the loss of Laundromats even before the COVID-19 pandemic, but it was exacerbated during the crisis. According to data provided by the San Francisco Public Utilities Commission, 84 laundromats have closed since 2013, approximately one-third of neighborhood-serving laundromats. Further, according to research conducted by the Office of Small Business, more than 60 Laundromats have closed since 2016. 20 of these Laundromats closed in 2019, while only six opened during that same year. As a result, residents need to travel farther to reach a Laundromat. The Ordinance seeks to address these closures and help ensure that this essential service is protected.

In September 2020, the Planning Commission heard a Discretionary Review request to convert two commercial spaces at 998 Filbert Street into two Accessory Dwelling Units (ADUs). One of the commercial spaces was an existing Laundromat. The Planning Commission took Discretionary Review and disapproved the building permit application citing that the proposal would result in 1) the loss of ground floor corner retail space and 2) the eviction of an existing business, which provides an essential service to lower income and racially diverse residents in the surrounding neighborhoods. This case spotlighted the loss of Laundromats and the need to retain them in the city.

Issues and Considerations

Laundromat Use Definition

Initiated in 2013, the Code Reorganization Project seeks to restructure the Planning Code so that it's easier to read, understand, and use. Phase 1 occurred in 2015 and focused on consolidating duplicate use definitions into one section of the Code (Section 102). During these efforts, Section 220 for "Laundering, Cleaning and Pressing" was removed and then categorized as a "Retail Sales and Service, General" use. Phase 2, which was completed in 2017, deleted definitions in Article 7 (Section 790) effectively creating one place in the Planning Code for a consolidated list of definitions for Neighborhood Commercial Districts and Zoning Control Tables. It was during this phase that "self-service laundromats and dry cleaning" were added as an example under the "Retail Sales and Service, General" definition.

The proposed Ordinance would reestablish Laundromats as a separate land use. While past efforts sought to consolidate use definitions when possible, the proposed Laundromat definition is required to identify special controls and prohibitions for Laundromats.

Housing Stock and Tenure

There are about 400,000 housing units in San Francisco. Nearly half (48%) of these homes were built before 1940 while another 34% were built between 1940 and 1980.¹ Typically, older buildings do not have the appropriate water and electrical hookups to have on-site laundry facilities. Thus, residents living in older buildings are more likely to need access to a Laundromat in the neighborhood.

Laundromats tend to be concentrated in more heavily dense parts of the City that have smaller unit sizes.

Further, these older housing units likely do not have enough square footage to accommodate in-unit laundry even if there were the appropriate hookups. Thus, Laundromats are more integral in denser parts of the City that have smaller unit sizes. These residents often rely on the local neighborhood Laundromat and would be heavily impacted if the nearest location were to close.

According to the [Draft Needs Assessment of the 2022 Housing Element](#), San Francisco continues to be a majority renter city with 62% of households renting (over 226,000 in 2018) and 38% owning their homes (more than 136,000 in 2018). Renters are typically limited to what amenities are already provided within the housing unit or property. Those renters who do not have in-unit laundry facilities or a common laundry facility within the property need to rely on Laundromats or other laundering service.

Access to Laundromats

Residents typically travel to their local Laundromat by walking. As more Laundromats close, residents may have to walk long distances to be able to wash their clothes. Even for able-bodied people, walking a greater distance with a heavy sack of laundry is a barrier for accessing a Laundromat. Depending on what the Laundromat offers, residents may also have to factor in carrying their own detergent if it is not available on site or it is sold at a substantial mark-up at the facility.

Senior citizens or those that are not as able-bodied are disproportionately impacted by having to travel a farther distance to get to a Laundromat. In that case, residents may consider using public transit or a car to get to a Laundromat, both of which present their own burdens such as bus reliability or not having a car. The latter might be especially burdensome for low-income households who cannot afford a car.

As more Laundromats close, accessing a preferred, convenient location gets harder. Residents would be limited in their choice of services, prices, quality of washers and dryers, hours of operation, etc. Those residents who work swing or night shifts might also have extra obstacles in accessing a Laundromat depending on their work schedule. The Department will be mapping out Laundromats in the Neighborhood Life Equity Mapping project later this year to better understand the existing stock and assess which neighborhoods might not have access to a Laundromat.

Laundromat Support

Laundromats have major water expenses for their businesses. The San Francisco Public Utilities Commission currently offers an [Emergency Business/Non-Profit Customer Assistance Program](#). This program provides a 20%

¹ 2018 5 Year American Community Survey

reduction on water and sewer bills for eligible small businesses or non-profits experiencing financial hardship due to the COVID-19 pandemic. However, this is only a temporary program with applications due by March 31, 2022. More long-term support is needed to preserve Laundromats.

The Office of Economic and Workforce Development's Invest in Neighborhoods also has several programs that may benefit Laundromats, such as [Hardship Emergency Loans](#) or [Small Business Resiliency Fund](#). These programs strengthen small businesses, improve physical conditions, increase quality of life, and build community capacity. These programs, in conjunction with the Ordinance, may help preserve existing Laundromats.

Limits of Conditional Use Requirements

Requiring Conditional Use Authorizations for the change of use or removal of Laundromats is not the most effective tool to prevent their closure. While the Planning Code can prevent another use from locating in the space occupied by a Laundromat, it cannot force the Laundromat to stay open. Further, requiring extra process to remove a use could be a disincentive for a landlord to sign leases with new Laundromats. With that said, the Department does understand that applying a Conditional Use requirement in this instance can help slow the loss of Laundromats until the City has been able to find better tools to address the problem. The proposed Ordinance acknowledges the limits of the Conditional Use process and the need to find better ways to preserve Laundromats by including a three-year sunset. During that time, the Supervisor's office will investigate financial incentives or other regulatory tools that can help ensure all San Franciscans have convenient access to laundry facilities.

Impact on Housing Production

In most cases, project seeking to replace Laundromats won't involve the construction of housing. We anticipate that most applications will be for a change of use to convert an existing Laundromat to another commercial use. In some instances, such as when the Laundromat is in a standalone building on an underdeveloped lot, this could have an impact on large housing projects; however, those projects would very likely already require an entitlement and public hearing. In those instances, a Conditional Use requirement would not slow the production of housing, as it could be considered by the Planning Commission when the other entitlements are considered.

Existing Tenant Protections

Landlords are legally bound to provide housing services noted in agreements with their tenants, with most common housing services including off-street parking, laundry facilities, or a storage space. Landlords may replace housing services so long as they are not a substantial reduction of the existing housing service. There is an internal Planning Department policy that laundry facilities should be maintained. Laundry facilities can be relocated within the building so long as the laundry facility quality is retained or improved. For example, a communal laundry facility area can be relocated to a different part of the building, or alternatively, removed altogether if the property owner provides individual in-unit laundry facilities for all the affected tenants. In the latter case, the proposed in-unit laundry is an upgrade compared to the existing common laundry facility housing service. Tenants can work with the Rent Board for official determinations on what would be considered in-kind replacements of existing housing services.

This Ordinance builds on Supervisor Mandelman's recent Ordinance for Accessory Dwelling Units under [Board File No. 210699](#), which strived to protect existing tenants' rights. These two Ordinances should be reviewed in conjunction with each other to ensure proposed changes are consistent.

General Plan Compliance

The proposed Ordinance protects San Franciscans' access to on- or off-site laundry facilities. If a Laundromat is proposed for change of use or demolition, the Ordinance requires the Commission to review and determine if there are still accessible Laundromat(s) within the immediate vicinity. The Ordinance seeks to ensure residents still have convenient access to a Laundromat if their local neighborhood Laundromat closes. The Ordinance also ensures that residents still have access to existing on-site laundry facilities in certain Accessory Dwelling Unit projects.

Racial and Social Equity Analysis

Laundry is a basic amenity, and everyone should have access to safe, clean laundry. The Planning Code amendments in the proposed Ordinance ensure all residents retain access to off-site laundry facilities within the immediate vicinity. This is particularly important for low-income households who might not have a car to transport their laundry to and from a Laundromat. Further, low-income households who are more likely to rely on Laundromats, also are more likely to live in smaller units which have less space for on-site laundry facilities. The Ordinance would require the Commission to make a finding on the number of accessible Laundromats in the immediate vicinity of the Laundromat proposed for a change of use or demolition. While the Ordinance only requires a Conditional Use Authorization for a temporary three-year period, this ensures that the Laundromat closures are reviewed more closely in the next few years. In the interim, the City should conduct more research to better understand why Laundromats have such a high closure rate and determine if there are ways to better assist these businesses. This information may help provide enough assistance for Laundromats such that the closure rates will go down, and thus the need for the Conditional Use Authorization would no longer be required.

Other alternatives to Laundromats if on-site laundry is not available include drop-off services, door-to-door services, and even laundry apps. These other options do not require residents to travel to or wait at a Laundromat for their clean clothes; however, they are typically more costly for the concierge-like services. Thus, these other options may not be viable or financially feasible for low-income households. The Ordinance supports the most accessible forms of laundry facilities, whether on-site or at a local Laundromat.

Additionally, the Department's ["Housing for Families with Children" Report](#) discusses the importance of on-site laundry amenities. Traveling to and from laundry facilities may be an extra burden for families. The proposed Ordinance ensures on-site laundry facilities are maintained or upgraded when certain ADUs are proposed. The Department already reviews laundry facility relocations for proposed ADU projects, and this practice aligns well with the proposed Ordinance.

Implementation

The Department has determined that this ordinance will not impact our current implementation, but may potentially result in marginal additional Conditional Use Authorization applications for a temporary three-year period.

Recommendation

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

1. Revise the proposed Laundromat definition to require washing as part of the services.
2. Amend the Ordinance to include more quantifiable findings.

Basis for Recommendation

The Department supports the overall goals of this Ordinance because it supports San Franciscans and their basic rights to laundry facilities, whether on- or off-site. However, the Ordinance could further support residents with the proposed modifications:

Recommendation 1: Revise the proposed Laundromat definition to require washing as part of the services. The proposed Laundromat definition describes washing services, dry cleaning, ironing, or other services. If the intent of the Ordinance is to target self-service washing facilities, the proposed definition should be refined to require washing as part of the services. As written, dry cleaners that do not have washing services would also be required to seek a Conditional Use Authorization for a change of use or removal. This is an unintended consequence of the draft Ordinance. Staff recommends the Laundromat definition be revised to require washing as part of the business, with the option of having other ancillary services such as dry cleaning.

Recommendation 2: Amend the Ordinance to include more quantifiable findings. Staff recommends amending the proposed findings to also include more quantifiable data on the number of accessible Laundromats in the area. The proposed revised finding is as follows:

- Whether comparable, ADA-accessible Laundromat uses and services within a quarter mile of the existing facility.

The above proposed finding is recommended in place of the first two findings in the draft Ordinance. As written, this recommended language still achieves the same intent of the Ordinance of reviewing the proposal to ensure there are accessible Laundromats within the immediate vicinity. Further, the recommended modification defines "immediate vicinity" to be one-quarter mile, which would generally still be within walking distance of the Laundromat proposed for change of use or demolition.

Required Commission Action

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

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 210808

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PLANNING COMMISSION DRAFT RESOLUTION

HEARING DATE: October 14, 2021

Project Name: Requirements for Laundromats and On-site Laundry Services
Case Number: 2021-007369PCA [Board File No. 210808]
Initiated by: Supervisors Peskin / Introduced July 13, 2021
Staff Contact: Veronica Flores Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ADD LAUNDROMAT AS A DEFINED TERM, TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR USES REPLACING LAUNDROMATS, AND TO PROHIBIT ACCESSORY DWELLING UNITS THAT REDUCE ON-SITE LAUNDRY SERVICES UNLESS REPLACED; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on July 13, 2021 Supervisors Peskin, Chan, Preston, Ronen, Mandelman, Haney, Walton, and Mar introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 210808, which would amend the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced;

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 14, 2021; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

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

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

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

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

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

1. Revise the proposed Laundromat definition to require washing as part of the services.
2. Amend the Ordinance to include more quantifiable findings.

Findings

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

The Commission finds that the proposed Ordinance supports the Commerce and Industry Elements goals of protecting existing commercial activity and retaining Laundromats for San Franciscans.

The Commission finds that the proposed will further protect existing tenants' rights.

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

General Plan Compliance

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

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

HOUSING ELEMENT

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The proposed Ordinance protects San Franciscans' access to on- or off-site laundry facilities. If a Laundromat is proposed for change of use or demolition, the Ordinance requires the Commission to review and determine if there are still accessible Laundromat(s) within the immediate vicinity. The Ordinance seeks to ensure residents still have convenient access to a Laundromat if their local neighborhood Laundromat closes. The Ordinance also ensures that residents still have access to existing on-site laundry facilities in certain Accessory Dwelling Unit projects.

Planning Code Section 101 Findings

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

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

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

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

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

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

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

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

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

overburdening the streets or neighborhood parking.

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

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

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

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

7. That the landmarks and historic buildings be preserved;

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

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

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

Planning Code Section 302 Findings.

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

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

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 14, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: October 14, 2021

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1 [Planning Code - Requirements for Laundromats and On-site Laundry Services]

2

3 **Ordinance amending the Planning Code to add Laundromat as a defined term, to**
4 **require conditional use authorization for uses replacing Laundromats, and to prohibit**
5 **Accessory Dwelling Units that reduce on-site laundry services unless replaced;**
6 **affirming the Planning Department’s determination under the California Environmental**
7 **Quality Act; and making findings of consistency with the General Plan, and the eight**
8 **priority policies of Planning Code, Section 101.1, and findings of public necessity,**
9 **convenience, and welfare under Planning Code, Section 302.**

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

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

18

19 Section 1. Environmental and Land Use Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 210808 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On _____, the Planning Commission, in Resolution No. _____,
adopted findings that the actions contemplated in this ordinance are consistent, on balance,
with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
2 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors find that this
4 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
5 Planning Commission Resolution No. _____, and incorporates such reasons by this
6 reference thereto. A copy of said resolution is on file with the Clerk of the Board of
7 Supervisors in File No. _____.

8
9 Section 2. General Findings.

10 (a) By providing the space and appliances for San Francisco residents and visitors
11 to perform the basic, necessary act of cleaning their clothes, bedding, and other laundry,
12 Laundromats in San Francisco perform a critical community-serving function that
13 disproportionately serves lower-income San Franciscans, residents of Single-Room
14 Occupancy residential units, and residents of affordable housing who do not otherwise have
15 access to laundry services.

16 (b) Laundromats tend to be concentrated more heavily in denser parts of the City
17 that have smaller unit sizes and other architectural limitations that inhibit in-unit or on-site
18 laundry appliances. They also tend to be clustered in parts of the City with higher
19 concentrations of residents who make 50% or less of the City's Area Median Income.

20 (c) Lower-income residents of these smaller unit typologies incur costs that
21 residents with in-unit laundry do not, effectively increasing the cost of living of San Francisco's
22 most vulnerable, low-income residents.

23 (d) As Laundromats close down and convert to other, higher-revenue uses, the
24 availability of these critical community-serving uses to lower-income residents is constrained,
25

1 and the costs associated with accessing those services increases, or the accessibility of
2 laundry service is altogether eliminated.

3 (e) Laundromats also serve as community hubs where people in the neighborhood
4 can come together and form community bonds, strengthen neighborhood ties, and distribute
5 information of common interest to community members. In this regard, many Laundromats
6 serve as informal, quasi-public spaces.

7 (f) For decades, the number of Laundromats in San Francisco has steadily
8 declined. Under more recent pressures, that decline has become more dramatic. According to
9 data provided by the San Francisco Public Utilities Commission, 84 laundromats have closed
10 down since 2013, approximately one-third of neighborhood-serving laundromats. In the four-
11 year period from 2016 to 2020, the Office of Small Business reports that at least 67
12 Laundromat closures had been recorded throughout San Francisco. In 2019 alone, 21
13 Laundromats closed down, while only six opened; a net loss of 15 Laundromats in one year.

14 (g) While in-unit or on-site laundry services and appliances remain a highly desired
15 amenity among San Francisco renters, no Planning Code provisions protect against the
16 removal of those services, leading to repeat instances of on-site laundry services being
17 removed and replaced by other desired uses, including Accessory Dwelling Units.

18 (h) Preserving Laundromats and on-site laundry services is an urgent equity issue
19 for San Francisco residents and communities. Unless the City acts to protect these services
20 from demolition or conversion to more high-revenue use types, Laundromats and on-site
21 laundry services will continue to fail to effectively compete for limited space in the densest
22 parts of San Francisco.

1 Section 3. The Planning Code is hereby amended by revising Sections 102 (with the
2 new defined term, "Laundromat," placed in alphabetical sequence) and 207, and adding
3 Section 202.12, to read as follows:

4
5 **SEC. 102. DEFINITIONS.**

6 * * * *

7 *Laundromat.* A Retail Sales and Service Use that is used for the purpose of washing, drying,
8 *dry cleaning, starching, or ironing, for the general public, wearing apparel, household linens, or other*
9 *washable fabrics, or a place used or maintained for the storage, collection, or delivery of such articles*
10 *for such service. A Laundromat use shall include any place, whether self-service or otherwise,*
11 *maintained for the general public for the purpose of washing and drying wearing apparel, household*
12 *linens, or other washable fabrics, by coin-operated, or card-operated laundry machinery.*

13 * * * *

14 ***Retail Sales and Service, General.*** A Retail Sales and Service Use that provides
15 goods and/or services to the general public and that is not listed as a separate Retail Sales
16 and Service Use in this Section 102. This use includes, but is not limited to the sale or
17 provision of the following goods and services:

18 (a) Personal items such as tobacco and magazines;

19 ~~(b) Self-service laundromats and dry cleaning, where no portion of a building occupied~~
20 ~~by such use shall have any opening other than fixed windows and exits required by law within 50 feet of~~
21 ~~any R District;~~

22 ~~(eb)~~ Household goods and service (including paint, fixtures, and hardware, but
23 excluding other building materials);

24 ~~(ec)~~ Variety merchandise, pet supply stores, and pet grooming services;

25 ~~(ed)~~ Florists and plant stores;

- 1 (fe) Apparel and accessories;
- 2 (gf) Antiques, art galleries, art supplies, and framing service;
- 3 (hg) Home furnishings, furniture, and appliances;
- 4 (ih) Books, stationery, greeting cards, office supplies, copying service, music,
5 and sporting goods; and
- 6 (ji) Toys, gifts, and photographic goods and services.

7 * * * *

8 **Sales and Services, Retail.** A Commercial Use category that includes Uses that
9 involve the sale of goods, typically in small quantities, or services directly to the ultimate
10 consumer or end user with some space for retail service on site, excluding Retail
11 Entertainment Arts and Recreation, and Retail Automobile Uses and including, but not limited
12 to: Adult Business, Animal Hospital, Bar, Cannabis Retail, Cat Boarding, Chair and Foot
13 Massage, Tourist Oriented Gift Store, General Grocery, Specialty Grocery, Gym, Hotel,
14 Jewelry Store, Kennel, Laundromat, Liquor Store, Massage Establishment, Mortuary
15 (Columbarium), Motel, Non-Auto Sales, Pharmacy, Restaurant, Limited Restaurant, General
16 Retail Sales and Service, Financial Service, Fringe Financial Service, Limited Financial
17 Service, Health Service, Instructional Service, Personal Service, Retail Professional Service,
18 Self-Storage, Tobacco Paraphernalia Establishment, and Trade Shop.

19
20 **SEC. 202.12. LIMITATION ON CHANGE IN USE OR DEMOLITION OF A**

21 **LAUNDROMAT USE.**

22 Notwithstanding any other provision of this Article 2, for the three years following the effective
23 date of the ordinance in Board File No. 210808 adopting this Section 202.12, a change in use or
24 demolition of a Laundromat use, as defined in Section 102, shall require Conditional Use authorization
25 pursuant to Section 303. In acting on any application for Conditional Use authorization for changes in

1 use or demolition of a Laundromat use, the Commission shall consider the following criteria in
2 addition to the criteria set forth in Section 303(c) and (d) of this Code:

3 (a) Whether comparable Laundromat uses and services are available at locations that
4 are equally or more accessible to seniors, people with disabilities, and other residents in the immediate
5 vicinity;

6 (b) Whether, in the three years immediately prior to the date of the application for
7 Conditional Use authorization, the rate of Laundromat closures in the immediate vicinity of the
8 proposed change of use and/or citywide exceeds the rate of new Laundromat uses or equally accessible
9 alternatives;

10 (c) Whether the proposed change in use would serve the essential needs of lower-
11 income residents; and

12 (d) Whether the proposed change in use is in a census tract where at least 17% of the
13 households had income at or below the federal poverty level.

14
15 **SEC. 207. DWELLING UNIT DENSITY LIMITS.**

16 * * * *

17 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations
18 under this Section 207 shall be made in the following circumstances:

19 * * * *

20 (4) **Local Accessory Dwelling Unit Program: Accessory Dwelling Units in**
21 **Multifamily Buildings; Accessory Dwelling Units in Single-Family Homes That Do Not**
22 **Strictly Meet the Requirements in subsection (c)(6).**

23 * * * *

1 (C) **Controls on Construction.** An Accessory Dwelling Unit regulated by
2 this subsection (c)(4) is permitted to be constructed in an existing or proposed building under
3 the following conditions:

4 (i) For lots that have four existing Dwelling Units or fewer or where
5 the zoning would permit the construction of four or fewer Dwelling Units, one ADU is
6 permitted; for lots that have more than four existing Dwelling Units or are undergoing seismic
7 retrofitting under subsection (c)(4)(F) below, or where the zoning would permit the
8 construction of more than four Dwelling Units, there is no limit on the number of ADUs
9 permitted; provided, however, that the Department shall not approve an application for
10 construction of an ADU where a tenant on the lot has been evicted pursuant to Administrative
11 Code Sections 37.9(a)(9) through (a)(12) and 37.9(a)(14) under a notice of eviction served
12 within 10 years prior to filing the application for a building permit to construct the ADU or
13 where a tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8) under a
14 notice of eviction served within five years prior to filing the application for a building permit to
15 construct the ADU. This provision shall not apply if the tenant was evicted under Section
16 37.9(a)(11) or 37.9(a)(14) and the applicant(s) either (A) have certified that the original tenant
17 reoccupied the unit after the temporary eviction or (B) have submitted to the Department and
18 to the Rent Board a declaration from the property owner or the tenant certifying that the
19 property owner notified the tenant of the tenant's right to reoccupy the unit and the tenant
20 chose not to reoccupy it.

21 (ii) Except as provided in subsections (iii) and (iv) below, an
22 Accessory Dwelling Unit shall be constructed entirely within the buildable area of an existing
23 lot, provided that the ADU does not exceed the existing height of an existing building, or within
24 the built envelope of an existing and authorized stand-alone garage, storage structure, or
25 other auxiliary structure on the same lot, as the built envelope existed three years prior to the

1 time the application was filed for a building permit to construct the ADU. For purposes of this
2 provision, the “built envelope” shall include the open area under a cantilevered room or room
3 built on columns; decks, except for decks that are supported by columns or walls other than
4 the building wall to which they are attached and are multi-level or more than 10 feet above
5 grade; and lightwell infills provided that the infill will be against a blank neighboring wall at the
6 property line and not visible from any off-site location; as these spaces exist as of July 11,
7 2016. An ADU constructed entirely within the existing built envelope, as defined in this
8 subsection (ii), along with permitted obstructions allowed in Section 136(c)(32), of an existing
9 building or authorized auxiliary structure on the same lot, or where an existing stand-alone
10 garage or storage structure has been expanded to add dormers, is exempt from the
11 notification requirements of Section 311 of this Code unless the existing building or authorized
12 auxiliary structure on the same lot is in an Article 10 or Article 11 District in which case the
13 notification requirements will apply. If an ADU will be constructed under a cantilevered room
14 or deck that encroaches into the required rear yard, a pre-application meeting between the
15 applicant and adjacent neighbors for all the proposed work is required before the application
16 may be submitted.

17 (iii) When a stand-alone garage, storage, or other auxiliary
18 structure is being converted to an ADU, an expansion to the envelope is allowed to add
19 dormers even if the stand-alone garage, storage structure, or other auxiliary structure is in the
20 required rear yard.

21 (iv) On a corner lot, a legal stand-alone nonconforming garage,
22 storage structure, or other auxiliary structure may be expanded within its existing footprint by
23 up to one additional story in order to create a consistent street wall and improve the continuity
24 of buildings on the block.

25

1 (v) An Accessory Dwelling Unit shall not be constructed using
2 space from an existing Dwelling Unit except that an ADU may expand into habitable space on
3 the ground or basement floors provided that it does not exceed 25% of the gross square
4 footage of such space. The Zoning Administrator may waive this 25% limitation if (a) the
5 resulting space would not be usable or would be impractical to use for other reasonable uses
6 included but not limited to storage or bicycle parking or (b) waiving the limitation would help
7 relieve any negative layout issues for the proposed ADU.

8 (vi) An existing building undergoing seismic retrofitting may be
9 eligible for a height increase pursuant to subsection (c)(4)(F) below.

10 (vii) Notwithstanding any other provision of this Code, an
11 Accessory Dwelling Unit authorized under this Section 207(c)(4) may not be merged with an
12 original unit(s).

13 (viii) An Accessory Dwelling Unit shall not be permitted in any
14 building in a Neighborhood Commercial District or in the Chinatown Community Business or
15 Visitor Retail Districts if it would eliminate or reduce a ground-story retail or commercial space,
16 unless the Accessory Dwelling Unit is a Designated Child Care Unit, as defined in Section
17 102, and meets all applicable standards of Planning Code Section 414A.6(e).

18 (ix) An Accessory Dwelling Unit shall not be permitted under this
19 subsection (c)(4) if it would result in the reduction or removal of on-site laundry service, unless that
20 laundry service is replaced with at least the same number or capacity of washers and dryers within the
21 same building and as accessible as before to all building tenants.

22 * * * *

23
24 Section 4. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10
11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: /s/
15 AUDREY WILLIAMS PEARSON
16 Deputy City Attorney

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 21, 2021

File No. 210808

Lisa Gibson
Environmental Review Officer
Planning Department
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

Dear Ms. Gibson:

On July 13, 2021, Supervisor Peskin submitted the following legislation:

File No. 210808

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

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

Attachment

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

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

July 22, 2021

A handwritten signature in cursive script, appearing to read "Joy Navarrete".

BOARD of SUPERVISORS



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MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448
FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee
DATE: July 21, 2021
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 210808

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

- No Comment
Recommendation Attached

Chairperson, Small Business Commission

BOARD of SUPERVISORS



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MEMORANDUM

TO: Michael Carlin, Acting General Manager, Public Utilities Commission
Robert Collins, Executive Director, Rent Board

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

DATE: July 21, 2021

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Peskin on July 13, 2021:

File No. 210808

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

cc: Masood Ordikhani, Public Utilities Commission
Donna Hood, Public Utilities Commission
John Scarpulla, Public Utilities Commission

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July 21, 2021

Planning Commission
Attn: Jonas Ionin
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

Dear Commissioners:

On July 13, 2021, Supervisor Peskin submitted the following legislation:

File No. 210808

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted for review. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

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

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

c: Rich Hillis, Director
Scott Sanchez, Deputy Zoning Administrator
Corey Teague, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Devyani Jain, Deputy Environmental Review Officer
Adam Varat, Acting Director of Citywide Planning
AnMarie Rodgers, Legislative Affairs
Dan Sider, Director of Executive Programs
Aaron Starr, Manager of Legislative Affairs
Joy Navarrete, Environmental Planning

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July 21, 2021

File No. 210808

Lisa Gibson
Environmental Review Officer
Planning Department
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

Dear Ms. Gibson:

On July 13, 2021, Supervisor Peskin submitted the following legislation:

File No. 210808

Ordinance amending the Planning Code to add Laundromat as a defined term, to require conditional use authorization for uses replacing Laundromats, and to prohibit Accessory Dwelling Units that reduce on-site laundry services unless replaced; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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

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

Attachment

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

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only