

File No. 120191

Committee Item No. \_\_\_\_\_

Board Item No. 15

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 12/4/12

#### Cmte Board

- Motion
- Resolution
- XX** Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

**OTHER** (Use back side if additional space is needed)

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<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Renee Craig

Date 7/11/12

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

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

1 [Building Code - Definition of Efficiency Unit]

2  
3 **Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the**  
4 **square footage requirement for Efficiency Dwelling Units in new structures or buildings**  
5 **pursuant to Section 17958.1 of the California Health and Safety Code; and making**  
6 **environmental findings.**

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

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

12 Section 1. Findings.

13 (a) Section 17958.1 of the California Health & Safety Code authorizes a city or county  
14 to reduce the required square footage of Efficiency Dwelling Units, as defined in Section  
15 1208.4 of the California Building Code, notwithstanding the requirement to make local findings  
16 under Health & Safety Code Sections 17922, 17958, and 17958.5.

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

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

23 Section 2. The San Francisco Building Code is hereby amended by amending Section  
24 1208.4, to read as follows:

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

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

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

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

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

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

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

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

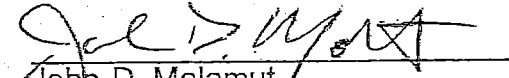
24           Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to  
25 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,

Supervisor Wiener  
BOARD OF SUPERVISORS

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

5  
6 APPROVED AS TO FORM:  
7 DENNIS J. HERRERA, City Attorney

8 By:

  
9 John D. Malamut  
Deputy City Attorney

LEGISLATIVE DIGEST

[Building Code – Definition of Efficiency Unit]

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

Existing Law

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

Amendments to Current Law

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

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

3           1. The unit shall *be occupied by no more than two persons and* have a living room of not  
4 less than ~~220~~ 150 square feet (~~20.4 m<sup>2</sup>~~) of floor area. ~~An additional 100 square feet (9.3 m<sup>2</sup>) of~~  
5 ~~floor area shall be provided for each occupant of such unit in excess of two.~~

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

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

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

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

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

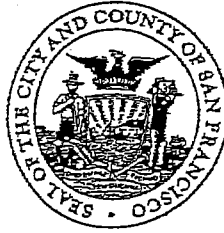
17           Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to  
18 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,  
19 punctuation, charts, diagrams, or any other constituent part of the Building Code that are  
20 explicitly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

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

25 By:   
JUDITH A. BOYAJIAN, Deputy City Attorney

Supervisor Wiener  
BOARD OF SUPERVISORS

BOARD of SUPERVISORS



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

March 5, 2012

File No. 120191

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

Dear Mr. Wycko:

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

**File No. 120191**

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

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

Angela Calvillo, Clerk of the Board

*Alisa Miller*

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

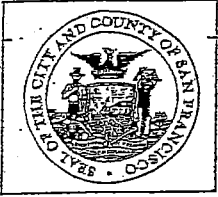
Attachment

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

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

*Nannie Turrell  
March 5, 2012  
2012, 0237E*

120191



**BUILDING INSPECTION COMMISSION (BIC)**

Department of Building Inspection  
1660 Mission Street, San Francisco, California 94103-2414

Voice (415) 558-6164 - Fax (415) 558-6509

April 24, 2012

Edwin M. Lee  
Mayor

**COMMISSION**

Angus McCarthy  
President

Warren Mar  
Vice-President

Kevin Clinch  
Frank Lee  
Dr. James McCray, Jr.  
Myrna Melgar  
Debra Walker

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

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

Dear Ms. Calvillo:

Sonya Harris  
Secretary

Vivian L. Day  
Director

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

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

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

Sincerely,

Sonya Harris  
Commission Secretary

cc: Director Vivian L. Day  
Supervisor Scott Wiener

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 APR 25 AM 11:14  
51-*OH*





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

Aaron Goodman to: alisa.miller

03/24/2012 08:24 AM

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

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

I am unable to attend the next hearings on

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

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

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

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

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

Sincerely

A. Goodman



2012\_3\_26\_landusememo.pdf

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



# TRANSFORM



File 120191

July 30, 2012

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

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

Dear Board of Supervisors:

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

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

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

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

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

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

Sincerely,

Sandra Padilla  
Land Use Program Director



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

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

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

---

Hello Mr. Powers,

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

Sincerely,

Sandra

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

Sandra Padilla, Land Use Program Director  
**TransForm**  
436 14th Street, Suite 600, Oakland, CA 94612  
510.740.3150 x304  
[www.TransformCA.org](http://www.TransformCA.org)  
[www.facebook.com/TransformCA](http://www.facebook.com/TransformCA)  
[www.twitter.com/TransformAlert](http://www.twitter.com/TransformAlert)



TransFormLetterofSupport.pdf