

LEGISLATIVE DIGEST

[Planning Code - Creating a New Definition of Student Housing]

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 3) amending Section 207(b)(3) to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR, and Eastern Neighborhoods Mixed Used Districts; 4) amending Section 307 to permit the conversion of Student Housing into residential uses, when certain conditions are met; 5) amending Section 312 to require notice for a change of use to Group Housing; 6) amending Section 317 to prohibit the conversion of residential units into Student Housing; 7) amending Section 401 to make conforming amendments and amend the definition of Qualified Student Housing; and 7) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Existing Law

While the Planning Code contains definitions for many different uses in the City, it currently does not contain a definition of student housing.

Amendments to Current Law

This Ordinance creates a new definition of Student Housing, based on occupancy and ownership or control and applicable citywide. The new Section 102.36 defines Student Housing as "a living space for students of accredited post-secondary Educational Institutions that may take the form of dwelling units, group housing, or a SRO." It establishes that "[t]he use of Student Housing is permitted where the form of housing is permitted in the underlying Zoning District in which it is located. Student Housing must be owned, operated or otherwise controlled by an accredited post-secondary Educational Institution..."

The Ordinance creates a process to allow conversions of Student Housing into other residential uses. It provides that "[i]f a residential project no longer qualifies as Student Housing," the Zoning Administrator may allow the conversion of the Student Housing to any permitted residential use in the zoning district in which the Student Housing is located, once the Zoning Administrator finds that the converted Student Housing has complied with any applicable Inclusionary Affordable Housing Requirements, and that all other Planning Code requirements applicable to that residential use have been met or modified through appropriate procedures. (See new subsection 307(j).)

On the other hand, the Ordinance prohibits conversion of residential uses into Student Housing. (See amended subsection 317(f)(1).)

The Ordinance makes other changes related to this new definition of Student Housing. It amends Section 135(d)(2), to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; it amends Section 207(b)(3), to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR and Eastern Neighborhoods Mixed Used Districts; and it amends Section 312, to require notice for a change of use to Group Housing. It also makes conforming amendments to the definition of "Qualified Student Housing" in Section 401 of the Planning Code.

Background Information

This legislation originated in the Planning Department. The Planning Commission found that the adoption of the Ordinance would encourage the production of new student housing while protecting the City's existing housing stock, by prohibiting the conversion from any form of housing to student housing, and by providing incentives for the construction of new student housing. It also found that the proposed definition of student housing acknowledges the different forms that new student housing may take, such as very small efficiency dwellings with individual kitchens and bathrooms in addition to group housing. Finally, the Commission found that the Ordinance provides incentives to construct new student housing such as an exemption from the unit mix requirements within RTO, NCT, DTR, and Eastern Neighborhood Mixed-Use districts.