

File No. 160281

Committee Item No. 2

Board Item No. 10

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Date April 24, 2017

Board of Supervisors Meeting Date May 2, 2017

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Memorandum of Understanding (MOU)            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 - Ethics Commission                 |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Information Sheet                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determinations</u>                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution Nos. 19667</u> |
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Completed by: Alisa Somera Date April 20, 2017

Completed by: Alisa Somera Date April 27, 2017

1 [Planning Code - Dwelling Unit Mix Requirements]

2  
3 Ordinance amending the Planning Code to add an additional option for the dwelling  
4 unit mix of large buildings in specified zoning districts to allow developers to have a  
5 mix of two- and three-bedroom units that results in at least 50 no less than 35% percent  
6 of the total number of proposed units ~~bedrooms being in units that have more than one~~  
7 ~~bedroom~~ having two or three bedrooms with at least 10% of the total number of  
8 proposed units having three bedrooms; affirming the Planning Department's  
9 determination under the California Environmental Quality Act; and making findings of  
10 consistency with the General Plan, the eight priority policies of Planning Code, Section  
11 101.1, and findings of public necessity, convenience, and welfare under Planning Code,  
12 Section 302.

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

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

21 Section 1. Findings.

22 (a) The Planning Department has determined that the actions contemplated in this  
23 ordinance comply with the California Environmental Quality Act (California Public Resources  
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
25 Supervisors in File No. 160281 and is incorporated herein by reference. The Board affirms  
this determination.

1 (b) On June 16, 2016, the Planning Commission, in Resolution No.19667, adopted  
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the  
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board  
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the  
5 Board of Supervisors in File No. 160281, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, this Board of Supervisors finds that  
7 these Planning Code amendments will serve the public necessity, convenience, and welfare  
8 for the reasons set forth in Planning Commission Resolution No. 19667 and the Board hereby  
9 incorporates such reasons herein by reference.

10  
11 Section 2. The Planning Code is hereby amended by revising Sections 207.6 and 329,  
12 to read as follows:

13 **SEC. 207.6. REQUIRED MINIMUM DWELLING UNIT MIX IN RTO, RCD, NCT, DTR, AND**  
14 **EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

15 (a) **Purpose.** In order to foster flexible and creative infill development while  
16 maintaining the character of the district, dwelling unit density is not controlled by lot area in  
17 RTO, NCT, and Eastern Neighborhoods Mixed Use Districts but rather by the physical  
18 constraints of this Code (such as height, bulk, setbacks, open space, and dwelling unit  
19 exposure). However, to ensure an adequate supply of family-sized units in existing and new  
20 housing stock, new residential construction must include a minimum percentage of units of at  
21 least two 2 bedrooms.

22 \* \* \* \*

23 (c) **Controls.**

24 (1) ~~For the RTO, Hayes Gough NCT, Upper Market Street NCT, and NCT-3~~  
25 ~~districts, no less than 40 percent of the total number of dwelling units on site shall contain at~~

1 least two bedrooms. Any fraction resulting from this calculation shall be rounded to the  
2 nearest whole number of dwelling units. While existing dwelling units in buildings which do not  
3 comply with this Subsection need not be expanded to meet this requirement, all new dwelling  
4 units shall provide at least two bedrooms when less than 40 percent of the total number of  
5 dwelling units contain less than two bedrooms.

6 (2) For all other RTO, RCD and NCT districts, as well as DTR and Eastern  
7 Neighborhoods Mixed Use Districts, one of the following ~~two~~ three must apply;

8 (A 1) no less than ~~40%~~ percent of the total number of proposed ~~d~~Dwelling  
9 ~~u~~Units shall contain at least two bedrooms. Any fraction resulting from this calculation shall be  
10 rounded to the nearest whole number of ~~d~~Dwelling ~~u~~Units, or

11 (B 2) no less than ~~30%~~ percent of the total number of proposed ~~d~~Dwelling  
12 ~~u~~Units shall contain at least three bedrooms. Any fraction resulting from this calculation shall  
13 be rounded to the nearest whole number of ~~d~~Dwelling ~~u~~Units, or

14 (C 3) no less than 35% of the total number of proposed Dwelling Units  
15 shall contain at least two or three bedrooms with at least 10% of the total number of proposed  
16 Dwelling Units containing three bedrooms. at least 50% of the bedrooms are in units that have  
17 more than one bedroom. Any fraction resulting from this calculation shall be rounded to the  
18 nearest whole number of dwelling units.

19 \* \* \* \*

20 (e) Monitoring. The Department shall monitor projects that choose Option (B) or  
21 (C) in subsection (c)(2) above and shall include that data in the annual Housing Inventory  
22 starting in 2019.

23 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS MIXED**  
24 **USE DISTRICTS.**

25 \* \* \* \*

1 (d) **Exceptions.** As a component of the review process under this Section 329,  
2 projects may seek specific exceptions to the provisions of this Code as provided for below:

3 \* \* \* \*

4 (6) Provision of the required minimum dwelling unit mix, as set forth in  
5 Section 207.6, pursuant to the criteria of Section 305(c);

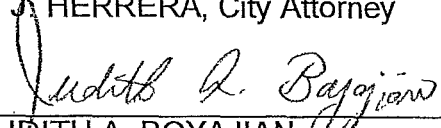
6 \* \* \* \*

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

12  
13 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
14 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
15 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
16 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
17 additions, and Board amendment deletions in accordance with the "Note" that appears under  
18 the official title of the ordinance.

19  
20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By:

  
23 JUDITH A. BOYAJIAN  
Deputy City Attorney

24 n:\legana\as2015\1600138\01186499.doc  
25

**REVISED LEGISLATIVE DIGEST**

(4/17/2017, Amended in Committee)

[Planning Code - Dwelling Unit Mix Requirements]

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 35% percent of the total number of proposed units having two or three bedrooms with at least 10% of the total number of proposed units having three bedrooms, 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 Section 302.**

Existing Law

Planning Code Section 207.6 establishes the required minimum Dwelling Unit mix in the Residential Transit Oriented (RTO), Residential Commercial (RC), Neighborhood Commercial Transit (NCT), Downtown Residential (DTR), and Eastern Neighborhoods Mixed Use Districts. In the RTO, Hayes-Gough NCT, Upper Market Street NCT, and NCT-3 Districts, no less than 40% of the total number of proposed Dwelling Units shall contain at least two bedrooms. For all other RTO, RCD and NCT districts, as well as DTR and Eastern Neighborhoods Mixed Use Districts, the following two options apply: (1) no less than 40% of the total number of proposed Dwelling Units shall contain at least two bedrooms or (2) no less than 30% of the total number of proposed Dwelling Units shall contain at least three bedrooms. Planning Code Section 329 establishes guidelines for the review of large projects in Eastern Neighborhoods Mixed Use Districts, including the criteria under which a project may receive specific exceptions from Code requirements.

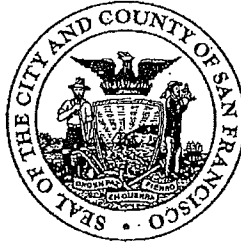
Amendments to Current Law

All the zoning districts regulated by Section 207.6 would be treated similarly and a third option is added. The proposed additional option would allow a project to have a mix of two- and three-bedroom units that results in no less than 35% of the total number of proposed units having two or three bedrooms with at least 10% of the total number of proposed units having three bedrooms. Section 329 is amended to add the criteria for granting an exception to Section 207.6's dwelling unit mix requirement. These criteria were inadvertently deleted in previous legislation.

Background Information

The proposed amendment encourages a project sponsor to build larger, family-sized units.

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

May 24, 2016

File No. 160281

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

Dear Ms. Jones

On May 17, 2016, Supervisor Yee introduced the following proposed substitute legislation:

**File No. 160281-2**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the bedrooms being in units that have more than one bedroom; 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 "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

Attachment

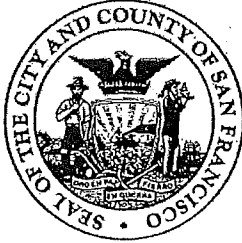
c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

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

Joy Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, ou=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sfgov.org, c=US  
Date: 2016.05.12 09:12:07 -0700

BOARD of SUPERVISORS



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

March 29, 2016

File No. 160281

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

Dear Ms. Jones

On March 22, 2016, Supervisor Yee introduced the following proposed legislation:

**File No. 160281**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the proposed units having more than one bedroom; 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 "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

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

Joy Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sfgov.org, c=US  
Date: 2016.04.04 17:11:54 -07'00'





# SAN FRANCISCO PLANNING DEPARTMENT

June 21, 2106

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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Re: Transmittal of Planning Department Case Number 2016-004077PCA  
Dwelling Unit Mix Option in Large Buildings  
Planning Commission Recommendation: Approval with Modifications

Dear Ms. Calvillo and Supervisor Yee:

On June 16, 2016 the Planning Commission conducted a duly noticed public hearing at regularly scheduled meetings to consider the proposed Ordinance that would amend Planning Code Sections 207.6 and 329 introduced by Supervisor Yee. At the hearing the Planning Commission recommended approval with modifications.

The Commission's proposed modifications were as follows:

1. To Provide the Dwelling Unit Mix Option for Bedrooms in RTO, Hayes Gough NCT, Upper Market NCT, and NCT-3 Districts
2. To include a minimum percentage floor for three bedroom units in the new Dwelling Unit Mix Option
3. To Monitor Projects that choose the bedroom option and include the data in the annual Housing Inventory starting in 2019.

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.

Supervisors Yee, 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,

Aaron D. Starr  
Manage of Legislative Affairs

Transmittal Materials  
Dwelling Unit Mix Option in Large Buildings

CASE NO. 2016-004077PCA

cc:

Jen Low, Aide to Supervisor Yee  
Judy Boyajan, Deputy City Attorney  
Alisa Somera, Office of the Clerk of the Board

Attachments:

Planning Commission Resolution  
Planning Department Executive Summary



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 19667

Hearing Date: June 16, 2016

*Project Name:* Dwelling Unit Mix Requirements  
*Case Number:* 2016-004077PCA [Board File No. 160281]  
*Initiated by:* Supervisor Yee / Introduced March 22, 2016 and May 17, 2016  
*Staff Contact:* Menaka Mohan, Legislative Affairs  
[menaka.mohan@sfgov.org](mailto:menaka.mohan@sfgov.org); 415-575-9141  
Aaron Starr, Manager of Legislative Affairs  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org); 415-558-6362

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS A PROPOSED ORDINANCE AMENDING THE PLANNING CODE TO ADD AN ADDITIONAL OPTION FOR THE DWELLING UNIT MIX OF LARGE BUILDINGS IN SPECIFIED ZONING DISTRICTS TO ALLOW DEVELOPERS TO HAVE A MIX OF TWO- AND THREE-BEDROOM UNITS THAT RESULTS IN AT LEAST 50% OF THE BEDROOMS BEING IN UNITS THAT HAVE MORE THAN ONE BEDROOM; ADOPT FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on March 22, 2016 and May 17, 2016 Supervisor Yee introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 160281, which would amend the Planning Code Section 207.6 to provide an additional option for dwelling unit mix to allow developer to have a mix of two and three bedroom units that result in at least 50% of the bedrooms being in units that more than one bedroom; and

WHEREAS, the proposed ordinance amends Planning Code Section 329 by adding back Variance findings to the exceptions to the Dwelling Unit Mix requirement; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** the proposed ordinance. Specifically, the Commission recommends the following modifications:

1. Provide the Dwelling Unit Mix Option for Bedrooms in RTO, Hayes-Gough NCT, Upper Market Street NCT and NCT-3 districts.  
These Districts are found in the Market and Octavia Area Plan and currently are subject to the 40% two-bedroom option. Providing another option for zoning districts could encourage the production of more multi-bedroom units.
2. To include a minimum percentage floor for three bedroom units in the new Dwelling Unit Mix Option.

3. Monitor projects that choose the bedroom option and include the data in the annual Housing Inventory starting in 2019.

## 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:

1. The City encourages the production of a variety of housing types and is currently working on a Family-Friendly Design Program which focuses on the quality of the housing stock suitable to a family's needs.
2. In 2015, San Francisco had a total of 382,551 units, with the largest share (32%) comprising of single-family homes.<sup>1</sup>
3. Although, San Francisco has a healthy existing stock of larger units, these units are more likely to be occupied by single-person households and unrelated individuals. In particular, only 30% of existing three or more bedroom units are occupied by families with children while 25% is occupied by seniors, 3% by singles, 13% unrelated individuals, and 25% couples living together.
4. At the same time, new units produced in the City tend to be smaller than the existing housing stock.
5. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are, *on balance*, consistent with the Objectives and Policies of the General Plan (Staff discussion is added in *italic font* below):

## HOUSING ELEMENT

### OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES

#### Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

## CENTRAL WATERFRONT

### OBJECTIVE 1.2

IN AREAS OF THE CENTRAL WATERFRONT WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER

#### POLICY 1.2.3

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

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<sup>1</sup>2015 San Francisco Housing Inventory [http://default.sfplanning.org/publications\\_reports/2015\\_Housing\\_Inventory\\_Final\\_Web.pdf](http://default.sfplanning.org/publications_reports/2015_Housing_Inventory_Final_Web.pdf)

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

**EAST SOMA**

**OBJECTIVE 2.3**

**ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES**

**POLICY 2.3.3**

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate Units are two or more bedrooms.

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

**MARKET AND OCTAVIA**

**OBJECTIVE 2.2**

**ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA**

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

**MISSION**

**OBJECTIVE 2.3**

**ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES**

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

**RINCON HILL**

**OBJECTIVE 1.1**

**ENCOURAGE THE DEVELOPMENT OF A UNIQUE DYNAMIC, MIXED-USE RESIDENTIAL NEIGHBORHOOD CLOSE TO DOWNTOWN, WHICH WILL CONTRIBUTE SIGNIFICANTLY TO THE CITY'S HOUSING SUPPLY**

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

**SHOWPLACE SQUARE/POTRERO**

**OBJECTIVE 1.2**

IN AREAS OF SHOWPLACE/POTRERO WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER

POLICY 1.2.2

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

WESTERN SOMA

OBJECTIVE 3.5

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES

*The proposed ordinance provides the option to project sponsors to provide a mix of two and three bedroom units which could serve the needs of families.*

6. **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 will not have a negative effect on existing neighborhood serving retail uses as it only addresses the City's dwelling unit mix.*

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 will help maintain a diversity of housing types and income types in the City's various neighborhoods; helping to preserving the cultural and economic diversity of the City's neighborhoods.*

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

*The proposed amendments will not affect the supply of affordable housing.*

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

*The proposed Ordinance will 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 will 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 will not have an adverse effect on City's preparedness against injury and loss of life in an earthquake because the Ordinance modifies the City's dwelling unit mix requirements.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance will not have an adverse effect on the City's Landmarks and historic buildings because the Ordinance only addresses the City's dwelling unit mix requirements.*

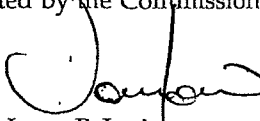
8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance will not have an adverse effect on the City's parks and open space and their access to sunlight and vistas because it only addresses the City's dwelling unit mix requirements.*

7. **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 recommends that the Board ADOPT the proposed Ordinance with the modification as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 16, 2016.

  
Jonas P. Ionin  
Commission Secretary

AYES: Richards, Antonini, Wu, Johnson, Hillis, Moore

NOES: None

ABSENT: Fong

ADOPTED: June 16, 2016



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Planning Code Text Amendment

HEARING DATE: JUNE 16, 2016  
90 DAY DEADLINE: AUGUST 22, 2016

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

Reception:  
415.558.6378

Fax:  
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Planning  
Information:  
415.558.6377

*Date:* June 16, 2016  
*Project Name:* Dwelling Unit Mix Requirements  
*Case Number:* 2016-004077PCA [Board File No. 160281]  
*Initiated by:* Supervisor Yee / Introduced March 22, 2016 and May 17, 2016  
*Staff Contact:* Menaka Mohan, Legislative Affairs  
[menaka.mohan@sfgov.org](mailto:menaka.mohan@sfgov.org); 415-575-9141  
Aaron Starr, Manager of Legislative Affairs  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org); 415-558-6362  
*Recommendation:* Recommend Approval with Modifications

### PLANNING CODE AMENDMENT

The proposed Ordinance would add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the bedrooms being in units that have more than one bedroom.

#### The Way It Is Now:

1. In the RTO, Hayes-Gough NCT, Upper Market Street NCT, and NCT-3 districts no less than 40% of the total number of Dwelling Units on site shall contain at least two-bedrooms.
2. In all other RTO, RCT, NCT, DTR, and Eastern Neighborhoods Mixed Use Districts, one of the following two must apply:
  1. No less than 40% of the total number of proposed Dwelling Units shall contain at least two-bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units, or
  2. No less than 30% of the total number of proposed Dwelling Units shall contain at least three-bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.
3. Section 329(d)(6), which provides exceptions from the required minimum dwelling unit mix requirement in Large Project Authorizations, does not reference any criteria for granting such exceptions.

#### The Way It Would Be:

1. The controls for RTO, Hayes-Gough NCT, Upper Market Street NCT, and NCT-3 districts would stay the same.
2. The proposed controls for all other RTO, RCD, NCT, as well as DTR and Eastern Neighborhoods Mixed Use Districts would also stay the same; however, a new option would be added to the other two options, which is as follows:



- At least 50% of the bedrooms are in units that have more than one bedroom.
3. Planning Code Section 329(d)(6) would be amended to reference Section 305(c), which is the criteria the Zoning Administrator uses to grant variances.

## BACKGROUND

The City is currently exploring different policies to support families in San Francisco, and the Department is working with Supervisor Yee's office on family friendly design guidelines. While there are many factors influencing a family's decision to stay in the City, the Family-Friendly Design Program focuses on the quality of the housing stock suitable to a family's needs. Creating quality stock that is flexible enough and suitable for a family to grow and change over time ensures that not only is the housing provided suitable and desired by our families, but also for our constantly changing households. The project includes a Family-Friendly Design Whitepaper discussing San Francisco's family-housing needs, current housing that is being constructed, and strategies that other cities have used to inform our most appropriate next steps to encourage a family-friendly City. The whitepaper will recommend actions for potential next steps; including creating a family-friendly housing definition.

One issue that has continued to emerge is the lack of family-sized units, or multi-bedrooms dwelling units in new developments. Encouraging family sized units, must also be examined with the existing housing stock and demographic trends.

Additionally, the Department is adding back a code section to 329 which was inadvertently deleted during a routine code clean up. This code section requires that the Planning Commission to make the findings required in a Variance<sup>1</sup> if a project sponsor chooses to request a dwelling unit mix exception.

### Households

Households in San Francisco vary from those in the Bay Area<sup>2</sup>; the City has a higher proportion of single-person households, unrelated individuals, and unmarried couples living together. The City has a similar proportion of families without children and seniors as compared to the Bay Area (see the chart below for a full breakdown). At the same time, as the region recovers from the recession (2007) and housing prices are rising, the number of single-person households is falling and the number of unrelated individuals living together is rising.<sup>3</sup> In the City, single-person households have fallen by 2% since the 2007, while unrelated and individuals have grown by 21 percent. As a share of all households, single-person households decreased from 30% to 27% from 2007-2013, while unrelated couples and individuals living together rose from 14% to 16%. The City is also grappling with an aging baby boomer generation, with

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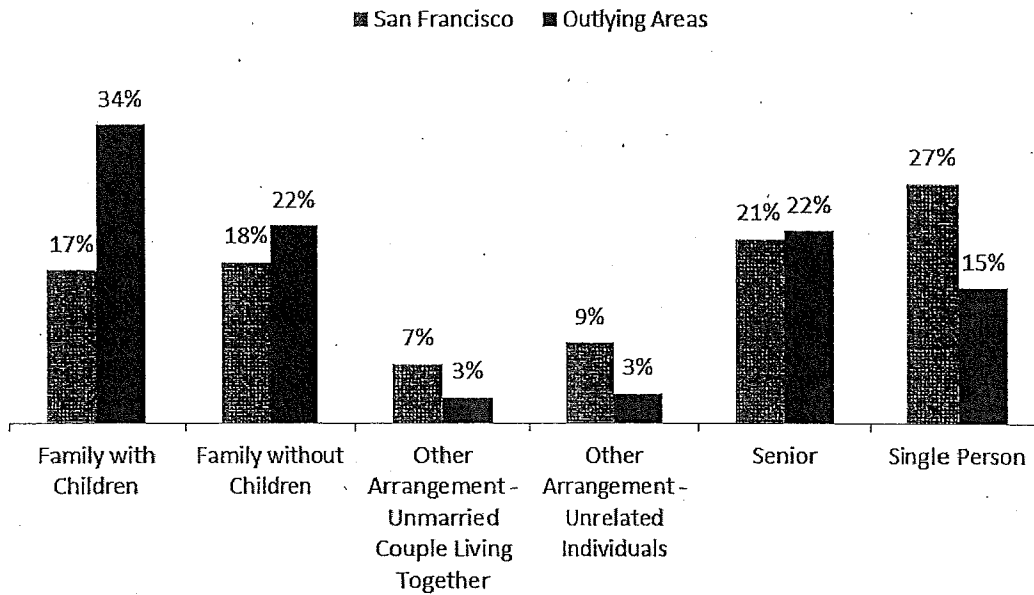
<sup>1</sup>Variance findings can be found in Section 305 of the Planning Code: [http://library.amlegal.com/nxt/gateway.dll/California/planning/article3zoningprocedures?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco\\_ca\\$sanc=ID\\_305](http://library.amlegal.com/nxt/gateway.dll/California/planning/article3zoningprocedures?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sanc=ID_305)

<sup>2</sup> Bay Area is defined as the nine county region by the Association of Bay Area Governments (ABAG) which include Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma County. Source of data is an analysis of Census Public Use Microdata Sample (PUMS), accessed via IPUMS USA.

<sup>3</sup> Source of data is an analysis of Census Public Use Microdata Sample (PUMS), accessed via IPUMS USA and was prepared by Graham MacDonald.

the number of senior households and families without children increasing 13% from 2007 to 2013 with similar trends in the Bay Area region.

**San Francisco Houses many Fewer Families with Children than Other Bay Areas Counties (Share of all Households)**

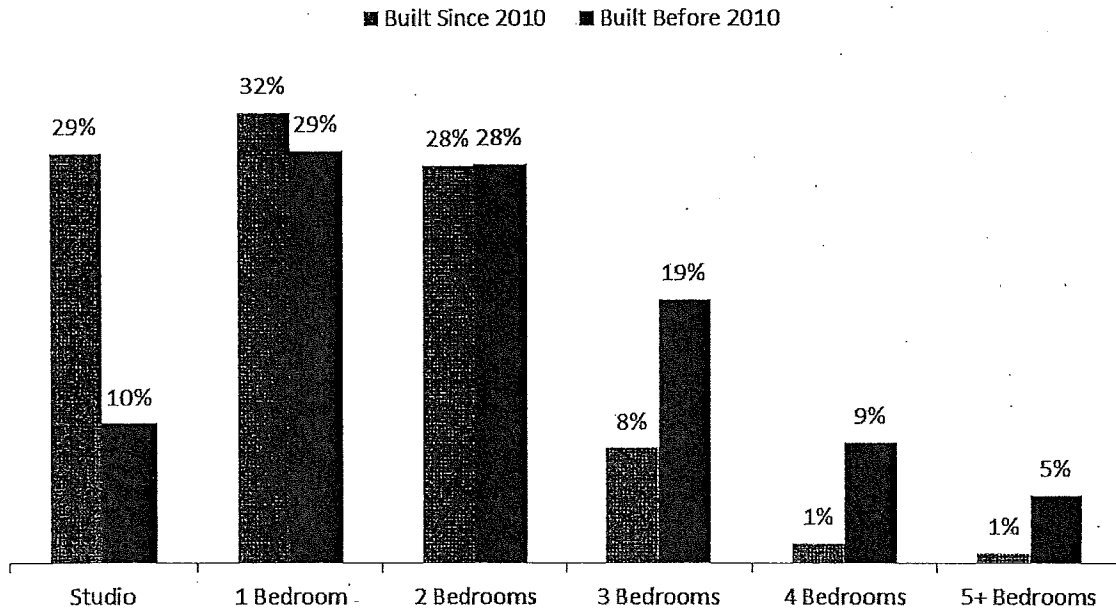


**Housing Stock**

In 2015, San Francisco had a total of 382,551 units, with the largest share (32%) comprising of single-family homes.<sup>4</sup> The San Francisco Housing Inventory provides data on the number of units in the City, but Census data is used to determine the number of bedrooms for the housing stock. Although, San Francisco has a healthy existing stock of larger units, these units are more likely to be occupied by single-person households and unrelated individuals. In particular, only 30% of existing three or more bedroom units are occupied by families with children while 25% is occupied by seniors, 3% by singles, 13% unrelated individuals, and 25% couples living together. At the same time, new units produced in the City tend to be smaller than the existing housing stock.

<sup>4</sup>2015 San Francisco Housing Inventory  
[http://default.sfplanning.org/publications\\_reports/2015\\_Housing\\_Inventory\\_Final\\_Web.pdf](http://default.sfplanning.org/publications_reports/2015_Housing_Inventory_Final_Web.pdf)

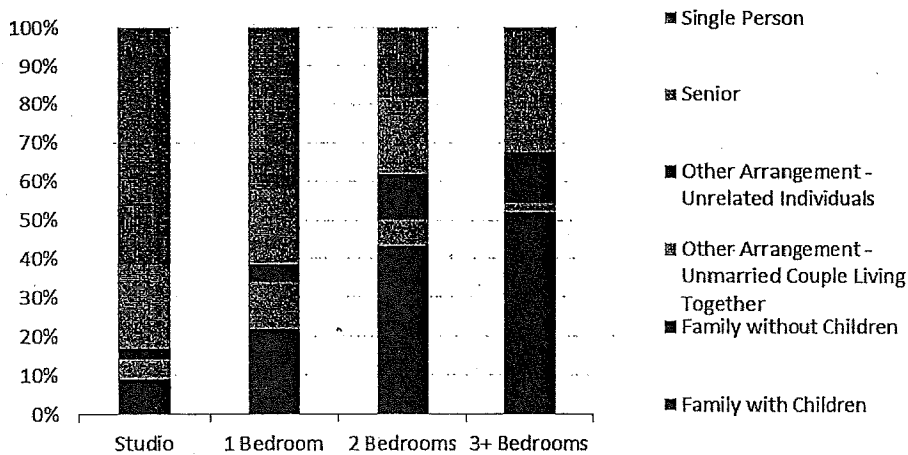
**Newly Constructed Units (Rental and Sales) Tend to be Smaller than Other Units (Share of Units by Date Constructed)**



Source: Analysis of SF Planning Department San Francisco Housing Database

The lack of available family-sized units for families with children in the City and other Bay Area counties tends to lead to households that are overcrowded-22% in San Francisco compared to 20% in the Bay Area.

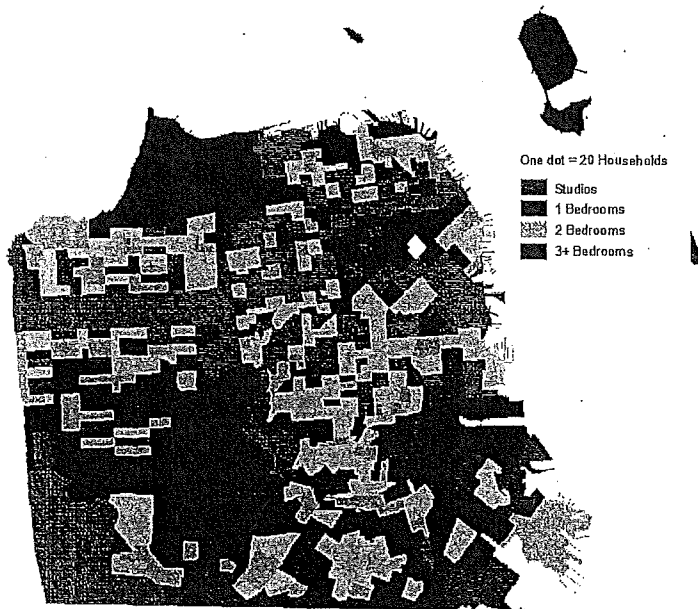
**Larger Units in San Francisco are More Likely to Be Occupied by Single Person Households and Unrelated Individuals... (Share of All Households, 2013)**



### Housing Mix by Neighborhood

Housing data, including number of units by unit size (bedroom count), was collected from the 5 year American Community Survey, years 2009 to 2012. While unit mix varies by neighborhood, on a whole, the City's housing stock consists mostly of three-bedroom or fewer units, with one- and two- bedrooms predominating (27% and 31% of the housing stock, respectively) and 90% of housing units in the City contain three or fewer bedrooms, however newly constructed rentals on the market have more one and two-bedroom units and less three- bedroom units. Units near downtown area tend to be studios and one-bedrooms, while units in the outer areas tend to two or more units. The map below demonstrates the dominate bedroom typology based on the analysis of five-year American Community Survey data and as expected larger units tend to be located on the western and southern portions of San Francisco:

Units, by Dominant Number of Bedrooms Category, 2009-13



## ISSUES AND CONSIDERATIONS

### Balancing large units with affordability

Understanding exactly what motivates a project sponsor to provide a certain size and mix of units is not an exact science- market condition and preferences affecting unit sizes and affordability changes over time. Furthermore, larger units tend to have higher sales prices and higher rental prices. A recent look at both Padminer demonstrates that multi-bedroom units are generally more expensive.

Rental Price per month based on Bedroom Count Using Padmapper as of 5/10/2016

Bedrooms	Count of beds	%of bedrooms	Average price
0	16870	22%	\$1,851
1	30069	39%	\$2,752
2	19934	26%	\$3,799
3	7664	10%	\$4,581
4	1868	2%	\$ 5,257
5	379	0%	\$ 6,102
6	64	0%	\$6,137
7	15	0%	\$4,571
8	14	0%	\$6,617
Grand Total	76877	100%	\$3,089

Sales Prices, May 2014 to May 2015

Beds	San Francisco			Other Bay Area Counties		
	25th Perc.	50th Perc.	75th Perc.	25th Perc.	50th Perc.	75th Perc.
1 Bedroom	\$636,250	\$750,000	\$900,000	\$260,000	\$339,000	\$445,000
2 Bedroom	\$840,000	\$1,100,000	\$1,408,750	\$329,000	\$469,000	\$670,000
3+ Bedrooms	\$1,050,000	\$1,435,000	\$2,142,125	\$450,000	\$680,000	\$990,000

Source: Analysis of San Francisco Assessor-Recorder office data.

Additionally, requiring larger units could reduce the overall unit count in some building types which could result in the loss of some affordable units given that the inclusionary program applies to projects with ten or more units. Furthermore, while the City can regulate the unit mix in new market rate developments, it cannot regulate that families be given preference for those units.

**Providing Flexibility-Some Scenarios**

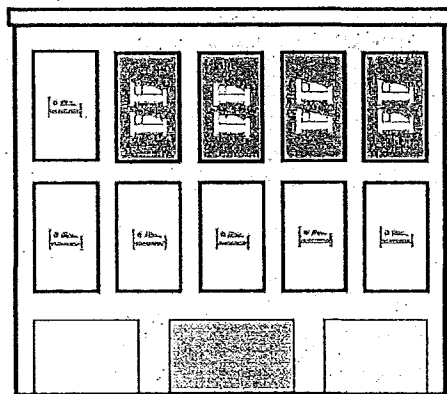
This ordinance provides flexibility in parcels that are governed with by a Dwelling Unit Mix, which is found in districts without density controls based on lot area. The current options regulate unit mix by the number of units while this ordinance provides a third option to regulate unit mix by bedroom. The following provide examples on the options for a ten unit building<sup>5</sup>.

<sup>5</sup> Note that this does not indicate a trend in building types in San Francisco, a ten unit building was chosen as an easy number to demonstrate how the ordinance would operate.

Option A. 40% At least two-bedrooms<sup>6</sup>

- $0.4 * 10 = 4$  units must have two or more bedrooms
- 14 bedrooms total, 8 bedrooms are in units with 2 bedrooms
- $8/14 = 57\%$  of all bedrooms are in units with more than one bedroom

**OPTION A** **40%** Two bedroom or larger required



4 UNITS must have two or more bedrooms

14 total bedrooms  
 8 are in units with 2-br

57% of all bedrooms are in units with more than one bedroom

This is the most commonly used option by developers with most providing the remaining 60% as a mix of studios and one bedroom units. Some larger projects provide a mix of two and three-bedrooms, for example the recently approved project on 1301 16<sup>th</sup> Street provides 176 dwelling units, consisting of 62 two-bedroom units and ten three-bedroom units with the rest as studios and one bedroom units.<sup>7</sup>

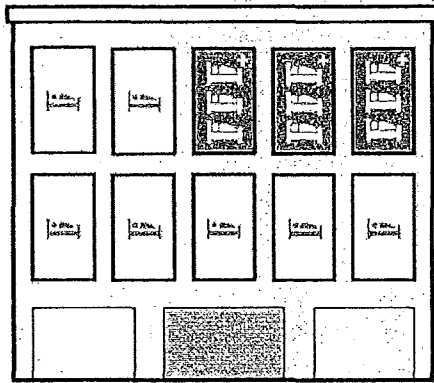
<sup>6</sup> Graphics created by Gary Chen, staff at SF Planning

<sup>7</sup> <http://commissions.sfplanning.org/cpcpackets/2013.0698X.pdf>

**Option B. 30% At least three-bedrooms**

- $0.3 * 10 = 3$  units must have three or more bedrooms
- 19 bedrooms total, 9 bedrooms are in units with 3 bedrooms or more
- $9/16 = 56\%$  of all bedrooms are in units with more than one bedroom

**OPTION B 30% Three bedroom or larger required**



**3 UNITS** must have three or more bedrooms

**19** total bedrooms  
**9** are in units with 3-br or more

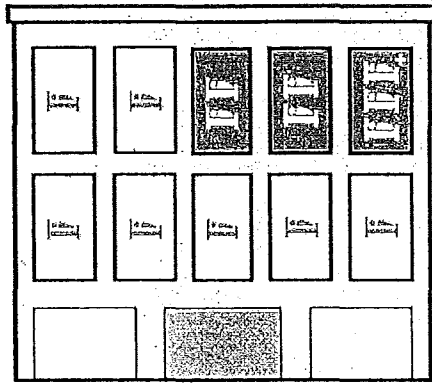
**56%** of all bedrooms are in units with more than one bedroom

**Option C. At least 50% of the bedrooms are in units that have more than one bedroom**

*Alternative 1*

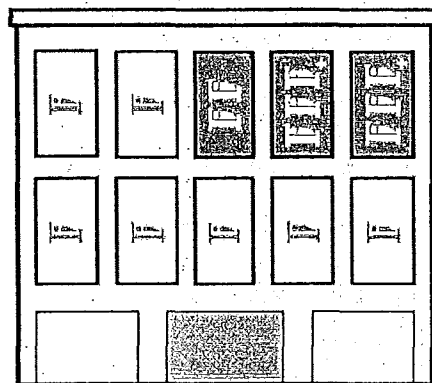
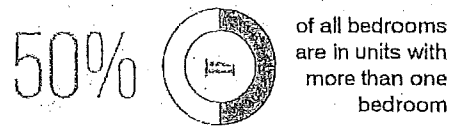
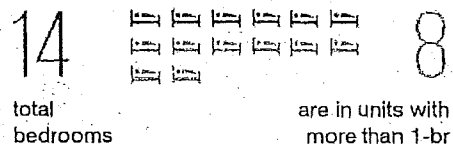
- 14 bedrooms total, 8 bedrooms are in units with more than one bedroom
- $7/14 = 50\%$  of all bedrooms are in units with more than one bedroom

**OPTION C** AT LEAST **50%** Bedrooms are in units that have more than one bedroom

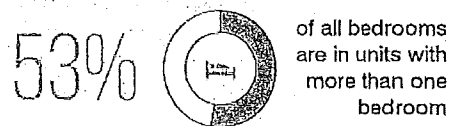
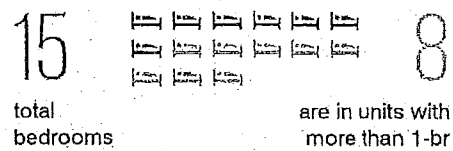


**ALTERNATIVE 1**

Fewer two bedrooms than Option A, but one three bedroom



**ALTERNATIVE 2**



This alternative results in less two bedroom units than Option A, but produces one three-bedroom unit.

*Alternative 2*

- 15 bedrooms total, 8 bedrooms are in units with more than one bedroom
- $8/15 = 53\%$  of all bedrooms are in units with more than one bedroom



This alternative also produces fewer two-bedroom units than the 40% two or more bedroom requirements, but results in two additional three-bedroom units.

Note that as the unit count increases beyond ten units, a project sponsor could have more flexibility in providing more three-bedrooms and fewer-two bedroom options.

## IMPLEMENTATION

The Department has the ability to implement the ordinance noting that studios and one bedroom units will be counted as one bedroom if a project sponsor elects to use the option to provide that 50% of all bedrooms in a project should be in units with more than one bedroom.

## REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

## RECOMMENDATION

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

1. Provide the Bedroom Dwelling Unit Mix Option in RTO, Hayes-Gough NCT, Upper Market Street NCT and NCT-3 zoning districts.
2. Monitor projects that choose the Bedroom Option and Include the Data in the Annual Housing Inventory Starting in 2019.

## BASIS FOR RECOMMENDATION

The Department is pursuing efforts such as the Family Friendly Design Guidelines to focus the housing stock on meeting the needs of families. To accommodate family friendly housing in new housing stock, the Department instituted the dwelling unit mix option that currently exists in parcels that govern density by height, bulk and other planning code standards; however few developers have ever chosen the option to provide 30% of the units as three-bedrooms. Some project sponsors provide a mix of two-bedrooms and threes but the new housing stock is primarily composed of one bedroom and two-bedrooms. By providing another option for developers, new multi-unit projects could use the bedroom option to provide a few more three bedroom units in a project that would have just provided the standard two bedroom unit mix.

This proposed legislation provides an option—not a requirement—for developers to provide a mix of multi-bedroom units by counting bedrooms and not units and grants the ability to be flexible to regarding bedroom counts based on input by the community and the Department. The ordinance also contributes to multi-bedroom housing stock by having some projects build more three-bedroom units.

Given, that the current housing stock in San Francisco is primarily composed of single family homes and yet new construction tends to produce units that are smaller than the existing housing stock providing flexibility to developers in how they choose to meet the bedroom mix requirement can contribute to more multi-bedroom units. Additionally, as the demographics of San Francisco continue to change it is

important that as a City we provide a balanced housing stock that meets the needs of current and future residents.

The Department is also recommending that a reference to Section 329 regarding the exception to the dwelling unit mix be added back into the Planning Code. This section of the code states the project sponsors who are seeking an exception to dwelling unit mix must meet *all* of the findings required in a variance. To be granted a variance, the project sponsor must meet the following five requirements to be considered for a dwelling unit mix exception:

- (1) That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;
- (2) That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;
- (3) That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;
- (4) That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and
- (5) That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

The Planning Commission would need to make findings regarding these five requirements in order for any dwelling unit mix exception to be considered. It is a high bar to meet these findings and one the Department wants to keep for the housing stock or projects subject to Planning Code Section 329.

**Recommendation 1: Provide the Bedroom Dwelling Unit Mix Option in RTO, Hayes-Gough NCT, Upper Market Street NCT and NCT-3 Zoning Districts**

Currently, the RTO, Hayes-Gough NCT, Upper Market Street NCT and NCT-3 zoning districts, which are found in the Market and Octavia Plan Area-are only subject to the 40% two-bedroom requirement. Given that that the zoning in Market and Octavia is similar to Eastern Neighborhoods it makes sense to provide the option to encourage the production of more multi-bedroom units in the RTO, Hayes-Gough NCT, Upper Market NCT and NCT-3 Zoning Districts.

**Recommendation 2: Monitor Projects that Choose the Bedroom Option and Include the Data in the annual Housing Inventory Starting in 2019**

At the request of Supervisor Yee, the Department is adding a recommendation to monitor the number of bedrooms in projects that require a dwelling unit mix. Currently, the Department tracks the number of units in each project; however most of the bedroom counts are tracked through ACS data. While the bedroom count is marked on actual project plans the ability of bedroom data to be entered into a specific field was limited. Sometimes the number of bedrooms in a project is noted in the project description which is difficult to retrieve in data collection. Given this difficulty, there is now a requirement to add bedroom data to the Department's PPTS-or permit tracking system. This requirement, however, has only been instituted in the past month. Therefore meaningful data generated from the new requirement will take a few years to accumulate as it generally takes three to five years for a project to navigate through the City process and begin construction.

## ENVIRONMENTAL REVIEW

The proposed Ordinance is not defined as a project under CEQA Guidelines Section 15378 and 15060(c) (2) because it does not result in a physical change in the environment.

## PUBLIC COMMENT

To date the Planning Department has received no public comment on this legislation.

<b>RECOMMENDATION:</b> Recommendation of Approval with Modifications
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### Attachments:

Exhibit A: Draft Planning Commission Resolution  
Exhibit B: Board of Supervisors File No. 160281



San Francisco  
HOUSING  
ACTION  
COALITION

95 Brady Street  
San Francisco, CA 94103  
415 541 9001  
info@sfhac.org  
www.sfhac.org

File No 170281  
4/17/17 Received  
in Committee

The Honorable Norman Yee  
San Francisco Board of Supervisors  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

April 17, 2017

**RE: Dwelling Unit Mix - Support Letter**

Dear Supervisor Yee,

On behalf of the 300 businesses, organizations and individuals that represent the San Francisco Housing Action Coalition (SFHAC) membership, I'm pleased to share our support of the intent of your "Dwelling Unit Mix" Legislation.

As you know, San Francisco has the lowest percentage of under 18 population of any City in the United States. While there are many reasons for this, one of the efforts that can be made on the City's part is requiring more "family friendly" housing units, defined as units with two or more bedrooms. The City has taken steps towards requiring more family friendly housing in Area Plans, but the time is right to expand the legislation to cover more of the City. We applaud the flexibility your legislation provides regarding the creation of three-bedroom units. These types of policies keep and attract families to San Francisco.

We thank you for your leadership on this critical issue. Please let us know how our advocacy can be helpful in the passing of this critical legislation.

Sincerely,

Todd David  
Executive Director



**SPUR**

San Francisco | San Jose | Oakland

Received via Email  
4/17/17 @ 11:53 am  
AS

April 16, 2017

Land Use & Transportation Committee  
San Francisco Board of Supervisors  
1 Dr. Carlton B Goodlett Place  
San Francisco, CA 94102

RE: **Dwelling Unit Mix Requirements**  
File No. 160281

Dear Supervisors Farrell, Peskin and Tang:

Thank you for the opportunity to share support for the Dwelling Unit Mix Requirements legislation, which would amend the Planning to add a third option for possible unit mixes in RTO, RCD, NCT, DTR and Eastern Neighborhoods Mixed-Use Districts.

Currently there are two options to meet dwelling unit mix requirements in these zoning districts: providing at least 40 percent two-bedroom units or at least 30 percent three-bedroom units. We appreciate the latest proposal to add a third option to require at least 35 percent of units to be two-bedrooms or more, with at least 10 percent three-bedrooms. This will facilitate more flexibility in meeting the requirement (i.e. a mix of two- and three-bedroom units, if not even units with more bedrooms) while still remaining in keeping with the existing policy of trying to ensure that the new construction stock provides a mix of housing unit types, including but not limited to families.

We do want to flag that there are some potential conflicts coming up with the inclusionary proposals coming up. Either of the proposed inclusionary ordinances would change the required dwelling unit mix from what is today *and* would differ from this proposal. The city needs to work out how those conflicts will be resolved and which requirement will take precedent.

Thank you for considering our recommendation to support this legislation and move it to the full Board of Supervisors. Should you have any questions, please do not hesitate to contact me at 415-644-4884.

Best

Kristy Wang  
Community Planning Policy Director

CC: Supervisor Norman Yee  
SPUR Board of Directors

BOARD of SUPERVISORS



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

May 24, 2016

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On May 17, 2016, Supervisor Yee introduced the following substitute legislation:

**File No. 160281-2**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the bedrooms being in units that have more than one bedroom; 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 pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

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

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

c: John Rahaim, Director of Planning  
Aaron Starr, Acting Manager of Legislative Affairs  
Scott Sanchez, Zoning Administrator

Sarah Jones, Chief, Major Environmental Analysis  
AnMarie Rodgers, Legislative Affairs  
Jeanie Poling, Environmental Planning  
Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



City Hall  
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San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection  
Olson Lee, Director, Mayor's Office of Housing and Community  
Development  
Tiffany Bohee, Executive Director, Office of Community Investment and  
Infrastructure  
Robert Collins, Acting Executive Director, Rent Board

FROM: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

DATE: May 24, 2016

SUBJECT: SUBSTITUTE - LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Yee on May 17, 2016.

**File No. 160281-2**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the bedrooms being in units that have more than one bedroom; 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: [andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)

c: Sonya Harris, Building Inspection Commission  
William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection  
Sophie Hayward, Mayor's Office of Housing and Community Development  
Eugene Flannery, Mayor's Office of Housing and Community Development  
Natasha Jones, Commission on Community Investment and Infrastructure  
Claudia Guerra, Commission on Community Investment and Infrastructure



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San Francisco 94102-4689  
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TDD/TTY No. 554-5227

May 24, 2016

File No. 160281

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

Dear Ms. Jones

On May 17, 2016, Supervisor Yee introduced the following proposed substitute legislation:

**File No. 160281-2**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the bedrooms being in units that have more than one bedroom; 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 "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS



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

March 29, 2016

File No. 160281

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

Dear Ms. Jones

On March 22, 2016, Supervisor Yee introduced the following proposed legislation:

File No. 160281

Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the proposed units having more than one bedroom; 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 "A. Ausberry".

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection  
Olson Lee, Director, Mayor's Office of Housing and Community  
Development  
Tiffany Bohee, Executive Director, Office of Community Investment and  
Infrastructure  
Robert Collins, Acting Executive Director, Rent Board

FROM: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

DATE: March 29, 2016

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Yee on March 22, 2016.

**File No. 160281**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the proposed units having more than one bedroom; 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: [andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)

c: Sonya Harris, Building Inspection Commission  
William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection  
Sophie Hayward, Mayor's Office of Housing and Community Development  
Eugene Flannery, Mayor's Office of Housing and Community Development  
Natasha Jones, Commission on Community Investment and Infrastructure  
Claudia Guerra, Commission on Community Investment and Infrastructure

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March 29, 2016

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On March 22, 2016, Supervisor Yee introduced the following legislation:

**File No. 160281**

**Ordinance amending the Planning Code to add an additional option for the dwelling unit mix of large buildings in specified zoning districts to allow developers to have a mix of two- and three-bedroom units that results in at least 50% of the proposed units having more than one bedroom; 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 pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

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

By: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

c: John Rahaim, Director of Planning  
Aaron Starr, Acting Manager of Legislative Affairs  
Scott Sanchez, Zoning Administrator  
Sarah Jones, Chief, Major Environmental Analysis  
AnMarie Rodgers, Legislative Affairs

Jeanie Poling, Environmental Planning  
Joy Navarrete, Environmental Planning

Additional  
Supervisor Yee Amendments  
4/17/17. Accepted

ADDITIONAL AMENDMENT FOR SECTION 207.6

(c) **Controls.**

(1) For the RTO, Hayes-Gough NCT, Upper Market Street NCT, and NCT-3 districts, no less than 40 percent of the total number of dwelling units on site shall contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. While existing dwelling units in buildings which do not comply with this Subsection need not be expanded to meet this requirement, all new dwelling units shall provide at least two bedrooms when less than 40 percent of the total number of dwelling units contain less than two bedrooms.

(2) For all other RTO, RCD and NCT districts, as well as DTR and Eastern Neighborhoods Mixed Use Districts, one of the following ~~two-three~~ must apply;

(A 1) no less than 40% ~~percent~~ of the total number of proposed ~~d~~Dwelling ~~u~~Units shall contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of ~~d~~Dwelling ~~u~~Units, or

(B 2) no less than 30% ~~percent~~ of the total number of proposed ~~d~~Dwelling ~~u~~Units shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of ~~d~~Dwelling ~~u~~Units, ~~or-~~

(C 3) no less than 35% of the total number of proposed Dwelling Units shall contain at least two or three bedrooms with at least 10% of the total number of proposed Dwelling Units containing three bedrooms. at least 50% of the bedrooms are in units that have more than one bedroom. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

\* \* \* \*

(e) Monitoring. The Department shall monitor projects that choose Option (2) (B) or (3) (C) in subsection (c)(2) above and shall include that data in the annual Housing Inventory starting in 2019.

document1

Print Form

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

2016 MAY 17 PM 3:56

BY *JLB*

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  inquires"
- 5. City Attorney request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attach written motion):
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) 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

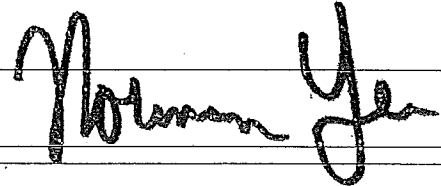
**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

**Subject:**

**The text is listed below or attached:**

Signature of Sponsoring Supervisor: \_\_\_\_\_



For Clerk's Use Only:

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

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

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**Sponsor(s):**

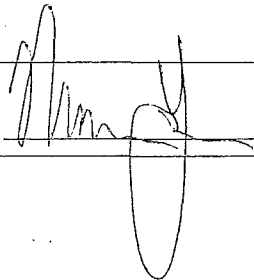
Supervisor Yee

**Subject:**

Planning Code - Dwelling Unit Mix Requirements

**The text is listed below or attached:**

See attached.

Signature of Sponsoring Supervisor: 

**For Clerk's Use Only:**



