



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Proposed Commission Policy

HEARING DATE: OCTOBER 12, 2017

*Project Name:* Planning Commission Policy: Removal of Residential Flats  
*Date:* October 5, 2017  
*Record Number:* 2016-003658GEN  
*Staff Contact:* Brittany Bendix, Current Planning  
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*Reviewed By:* Elizabeth Watty, Assistant Director of Current Planning  
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*Recommendation:* **Recommend Approval**

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### SUMMARY OF PROPOSED POLICY

On October 12, 2017, the Planning Commission will conduct a public hearing on a proposed Residential Flat Removal Policy that would require Mandatory Discretionary Review for projects that propose the removal of a 'Residential Flat.'

'Residential Flats' are a common San Francisco housing typology, in which a single dwelling unit, generally occupying an entire story of a building, has exposure onto open areas at the front and rear of its property. This type of unit configuration satisfies a number of housing needs, particularly for middle-income families. Because the production of market-rate housing is frequently not accessible to moderate-income families, making between 80-120 percent of area median income, Residential Flats are a housing typology that should be conserved. The purpose of this policy is to require Planning Commission review when such housing is lost.

### The Way It Is Now:

- There is no definition of a 'Residential Flat' in the Planning Code or General Plan, and there are no controls relative to removal of a Residential Flat.
- A dwelling unit can currently be relocated, or altered, such that it no longer functions as a Residential Flat without public notification or review by the Planning Commission, so long as the proposal complies with all other requirements of the Planning Code.

### The Way It Would Be:

- The policy would include a definition of 'Residential Flat' that would facilitate the review of future projects proposing alterations to existing dwelling units.
- Any project resulting in changes to a 'Residential Flat' such that it is no longer a 'Residential Flat' would require a Mandatory Discretionary Review and thereby both public notification and a Planning Commission hearing.

## ISSUES AND OTHER CONSIDERATIONS

- The policy indicates that a 'Residential Flat' generally has exposure at the front and rear of its property. This is not meant to exclude other flat configurations where a unit has two means of exposure.
- The policy also describes a 'Residential Flat' as generally occupying a full story. This is not meant to exempt layouts where multiple flats exist on a single story. Such a layout should be treated as having multiple 'Residential Flats' on a single story and dual exposure should be retained when possible.
- Similarly, a 'Residential Flat' does not need to span the full width of a front or rear building wall to be a 'Residential Flat.' It is anticipated that some units may share that area with ingress/egress to other units or common areas.
- As currently proposed, the Policy will only apply to projects where an application has not been filed as of the effective date of the resolution.

## REQUIRED COMMISSION ACTION

The proposed Policy is before the Commission so that it may be adopted, rejected or adopted with modifications.

## RECOMMENDATION

The Department recommends that the Commission *Adopt* the proposed Commission Policy.

## BASIS FOR RECOMMENDATION

- The Policy enables the Department to monitor the loss of an important housing typology that serves moderate-income families.
- The Planning Code and General Plan do not provide a way to track or publicly notice projects which result in the removal of 'Residential Flats.' The proposed policy addresses this issue by establishing a definition for 'Residential Flats' and applying a mechanism for Commission review.

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

Exhibit A:              Draft Planning Commission Resolution

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution No. XXXXX

HEARING DATE: OCTOBER 12, 2017

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**ADOPTING A POLICY THAT REQUIRES MANDATORY DISCRETIONARY REVIEW OF ANY PROJECT IN ALL ZONING DISTRICTS THAT RESULTS IN THE REMOVAL OF A RESIDENTIAL FLAT.**

WHEREAS, Objective 2 of the City's 2014 Housing Element states that "conserving and improving the existing (housing) stock is critical to San Francisco's long term housing strategy;" and

WHEREAS, the City is currently at 207% production and entitlement of market rate housing units, 16% production and entitlement of units affordable to moderate income households, and 31% production of below-market rate housing, as defined in the 2015-2022 RHNA goals;

WHEREAS, currently market-rate housing is frequently not accessible to moderate-income families, making between 80-120% of area median income;

WHEREAS, for the purpose of this Resolution a 'Residential Flat' is to be defined as a common San Francisco housing typology consisting of a single dwelling unit, generally occupying an entire story within a building, and having exposure onto open areas at the front and rear of the property;

WHEREAS, this unit typology satisfies a number of housing needs, particularly for middle-income families,

WHEREAS; a dwelling unit can currently be relocated, or altered, such that it no longer functions as a Residential Flat without public notification or review by the Planning Commission, so long as the proposal complies with all other requirements of the Planning Code;

WHEREAS, the Planning Commission is pursuing legislative amendments to Planning Code Section 317 that would require changes to the review process for projects that remove Residential Flats.

NOW THEREFORE BE IT RESOLVED that the Commission hereby adopts a new policy that requires a Mandatory Discretionary Review application to be filed for any building or site permit that proposes the modification of a Residential Flat such that it is no longer a Residential Flat; and, be it

FURTHER RESOLVED, that this policy will allow time for the orderly completion of a planning study and for the adoption of appropriate legislation; and, be it

FURTHER RESOLVED, that this policy shall apply to all building or site permit applications to remove a Residential Flat where the application has not been filed as of the effective date of this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 12, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:  
NOES:  
ABSENT:  
ADOPTED: