



Board Files 210564 & 210866

Planning Department Presentation

11/18/2021 Planning Commission Hearing

Background

- Supervisor Mandelman introduced two ordinances:
 - Board File 210564: four units on corner lots in RH Districts in May
 - Board File 210866: four units on all lots in RH Districts in July.
- In September Governor Newsom signed SB 9 and 10.
 - SB 9: Permits two units on single family lots, and lot splits.
 - SB 10: Exempts density increases of 10 units or less from CEQA.
- Supervisor Mandelman introduced extension resolutions, allowing Planning additional time to analyze the the impacts of SB 9 and 10 on his proposals.

The Department's Housing Goals

Advance Racial and Social Equity

Create opportunities for existing homeowners to increase their equity.

Protect existing residents from displacement.

Increase more housing choices in the City's lowest density neighborhoods.

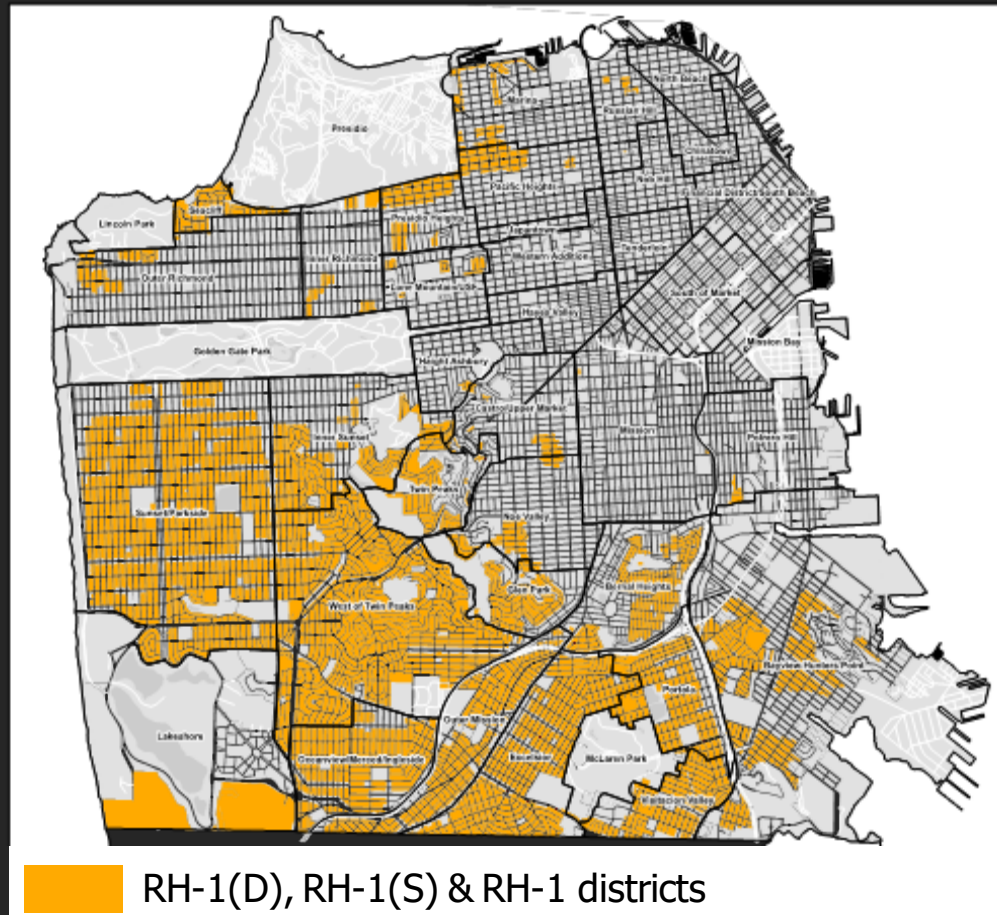
Support the preservation and improvement of historic buildings.

Responding to SB 9

- The State has already eliminated single-family zoning in urbanized areas.
- SB 9 includes many pro-housing reforms, but doesn't account for San Francisco's unique built environment, or history.
- Staff's proposal will keep many of SB 9's pro-housing provisions, while also:
 - Allowing us to continue to shape our urban form;
 - Eliminating exclusionary zoning;
 - Helping advance Racial and Social Equity; and
 - Increasing housing opportunities.

Recommendation 1:

Rezone all the City's RH-1 zoning districts to RH-2.



Recommendation 2:

Increase the density exception on corner lots from four units to six units.



Recommendation 3:

Adopt a local alternative to SB 9.

Two possible tracks for projects that meet the City's housing goals. Both tracks grant:

- Reduction of rear yard requirement with four units;
- Exempt from 311 notice and 317;
- Subject to objective design standards; and
- Lot split allowed on corner lots.

The “owner occupied” path additionally grants:

- Ability to bypass condo restrictions; and
- Historic Evaluation fee waiver.

Recommendation 4:



Explore establishing a fee on single-family homes larger than 4,000 sq. ft.

Recommendation 5:



Increase funding to supportive housing programs.

Recommendation 6:

Amend the proposed Ordinances to comply with Senate Bill 10's technical requirements.



Recommendation 7:



Pursue the adoption of objective residential design standards.

Recommendation 8:



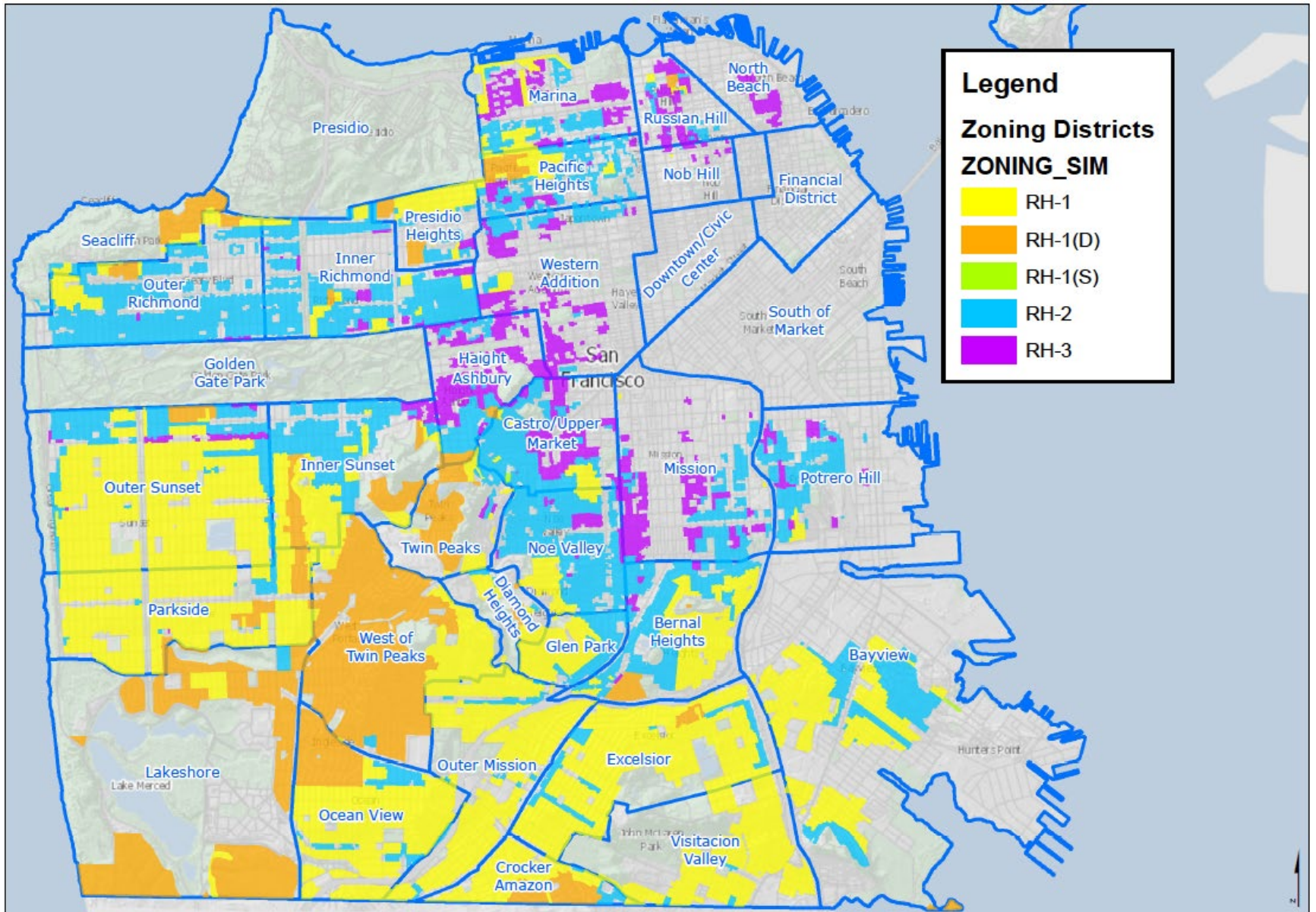
Recommend amendments to the Subdivision Code for projects that meet certain requirements, to apply to form condos via new construction pathway, even for existing units being retained.

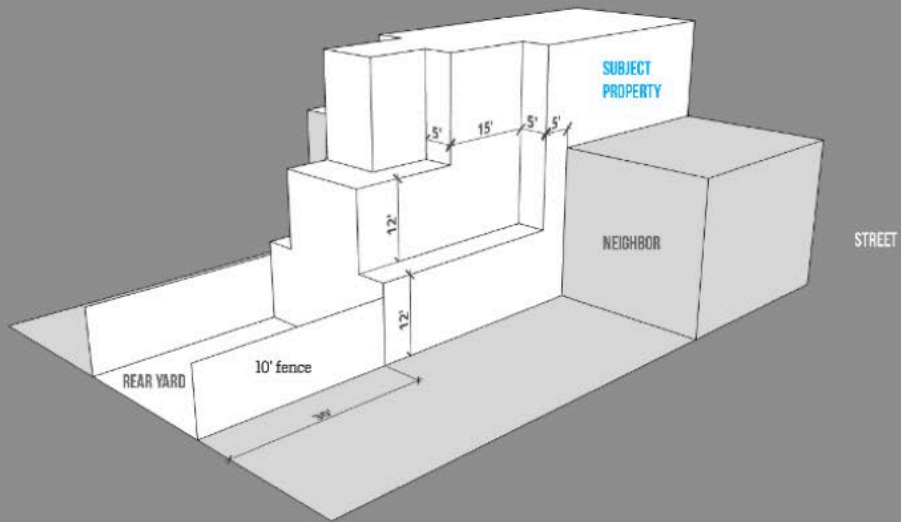
THANK YOU

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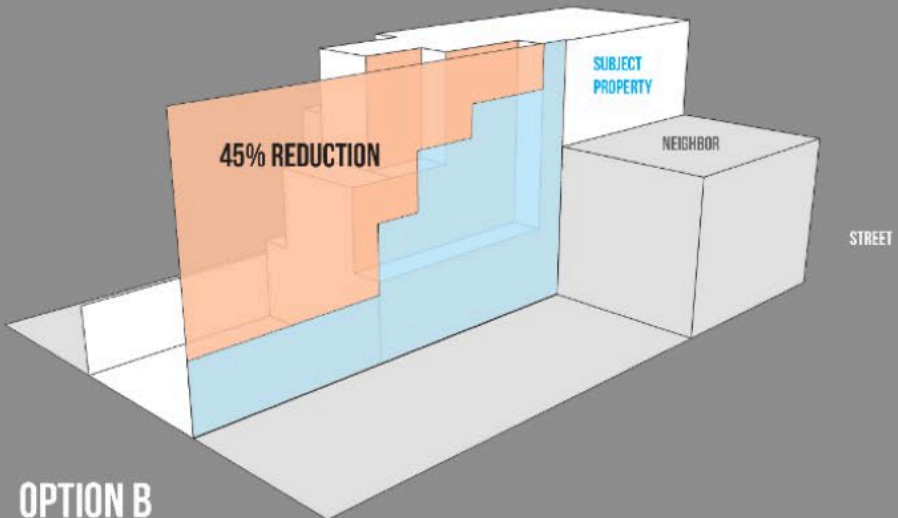
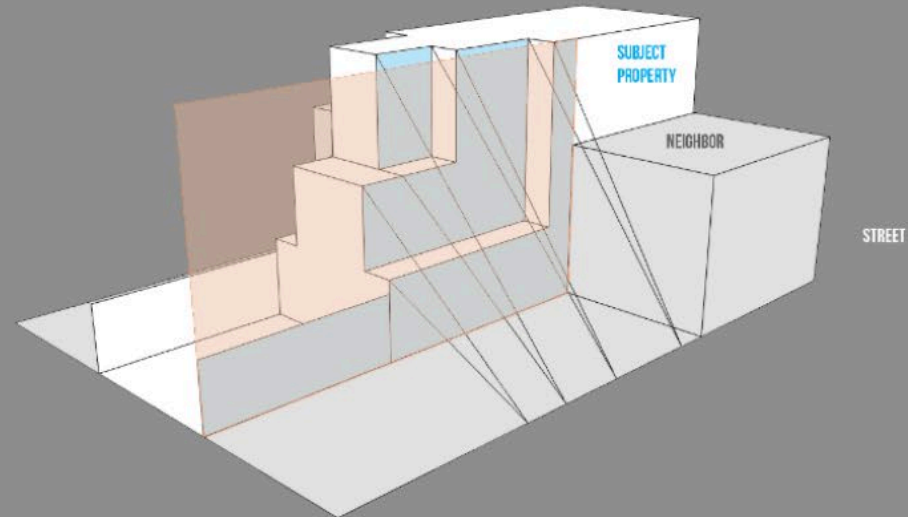


**San Francisco
Planning**





OPTION A



OPTION B

SB9 versus Local Alternative

		SB 9		Proposed Local Alternative	
Proposal		Lot Split	No Lot Split	Non-Owner Occupied	Owner Occupied or Owned by Nonprofit
Where it Applies		RH-1, RH-1(D), & RH-1(S)		All RH Districts	
Requirements	Maximum Density	2 units on each new lot + ADUs if allowed by local Ordinance	2 units + ADUs	4 units on Interior Lots, 6 on Corner Lots	
	Minimum Lot Size	1,200 sq ft for each new lot (2,400 sq ft total)	no minimum lot size required	Lot split allowed on corner lots with minimum lot size of 1,200 sq. ft. no variances required for existing building w/ minimum 4 ft setback from new property line	
	Owner Occupancy Requirement	Owner "Intent to Occupy" 3 years post lot split approval	No owner occupancy requirement pre/post project	No	Owner "Intent to Occupy" 3 years post construction*
	Required Rear Yard Setback	-No building standards are allowed that would prevent two, 800sqft units per parcel -4ft rear yard setback can be required by local Ordinance		30%	30% if project results in 4 units, otherwise underlying zoning.
	Unit Proportionality	None		2nd unit must be at least 50% of 1st unit size	
	Increase Density	An SB 9 development must include 2 units per lot		Must result in at least 4 units	Must add at least 1 new unit
	Eligibility	<ul style="list-style-type: none"> -Has not been tenant occupied for at least 3 years prior to filing the application (could be owner occupied or vacant) -Will not demolish a rent-controlled unit, or a unit with an Ellis Act eviction within the last 15 years -Is not a Historic Resource under Article 10 or in a Historic District 		<ul style="list-style-type: none"> •Has not been tenant occupied for at least 3 years prior to filing the application •Will not demolish a rent-controlled unit, or a unit with an Ellis Act eviction within the last 15 years •Es not an A building or Historic Resource under Article 10, etc. 	<ul style="list-style-type: none"> •Has been owner occupied for at least 3 years prior to filing the application (not allowed to be vacant)* •Owner signs affidavit stating intent to occupy for at least 3 years post construction* •Will not demolish a rent-controlled unit, or a unit with an Ellis Act eviction within the last 15 years. •Es not an A building or Historic Resource under Article 10, etc.

SB9 versus Local Alternative

		SB 9		Proposed Local Alternative	
Proposal		Lot Split	No Lot Split	Non-Owner Occupied	Owner Occupied or Owned by Nonprofit
Where it Applies		RH-1, RH-1(D), & RH-1(S)		All RH Districts	
Process	Subject to 317	No		No	
	Subject to 311	No		No	
	Residential Design Guidelines	Objective Standards Only		Objective Standards Only	
	CEQA Review	No		Yes	
	Fee Waiver for Historic Evaluation	No		No	Yes
	Condo Conversion Process	Depends on the project		Condominiums may be formed as part of new construction, however, owners of non-owner occupied units would remain ineligible to apply for condominium conversion of non-owner occupied units under a new provision of the Subdivision Code enacted under this ordinance	Owner may apply to form condos via new construction pathway, even for existing units being retained (<i>would require a new provision of the Subdivision Code enacted under this Ordinance</i>)
<p>ALL OTHER PROJECTS in ANY RH DISTRICT: Up to 2 units allowed plus ADU's for all projects as of right, with up to 4 units on interior lots allowed and 6 units on corner lots allowed for projects not also seeking a density bonus. 30% rear yard allowed if building at least 4 units. Regular Planning Code processes (311, 317, RDG's, etc.) apply.</p> <p>A fee would be charged for projects in RH districts proposing new construction of a single-family home, or expansion of an existing single-family home that would result in a unit 4,000sqft or more. The amount of the fee should be based on both nexus and feasibility studies and should be distributed to the Down Payment Assistance Fund.</p> <p><i>*Not required if owned by a non-profit</i></p>					

Local Alternative

		Proposed Local Alternative	
		Non-Owner Occupied	Owner Occupied or Owned by Nonprofit
Where it Applies		All RH Districts	
Requirements	Maximum Density	4 units on Interior Lots, 6 on Corner Lots	
	Minimum Lot Size	Lot split allowed on corner lots with minimum lot size of 1,200 sq. ft. no variances required for existing building w/ minimum 4 ft setback from new property line Maximum 6 units across the two lots	
	Owner Occupancy Requirement	No	Owner "Intent to Occupy" 3 years post construction*
	Increase Density	Must result in at least 4 units	Must add at least 1 new unit
	Required Rear Yard Setback	30%	30% if project results in 4 units, otherwise underlying zoning.
	Unit Proportionality	2nd unit must be at least 50% of 1st unit size	
	Eligibility	<ul style="list-style-type: none"> Has not been tenant occupied for at least 3 years prior to filing the application Will not demolish a rent-controlled unit, or a unit with an Ellis Act eviction within the last 15 years Is not an A building or Historic Resource under Article 10, etc. 	<ul style="list-style-type: none"> Has been owner occupied for at least 3 years prior to filing the application (not allowed to be vacant)* Owner signs affidavit stating intent to occupy for at least 3 years post construction* Will not demolish a rent-controlled unit, or a unit with an Ellis Act eviction within the last 15 years. Is not an A building or Historic Resource under Article 10, etc.

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		Non-Owner Occupied	Owner Occupied or Owned by Nonprofit
Where it Applies		All RH Districts	
Process	Subject to 317	No	
	Subject to 311	No	
	Residential Design Guidelines	Objective Standards Only	
	CEQA Review	Yes	
	Fee Waiver for Historic Evaluation	No	Yes
	Condo Conversion Process	Condominiums may be formed as part of new construction, however, owners of non-owner occupied units would remain ineligible to apply for condominium conversion of non-owner occupied units under a new provision of the Subdivision Code enacted under this ordinance	Owner may apply to form condos via new construction pathway, even for existing units being retained. <i>(would require a new provision of the Subdivision Code enacted under this Ordinance)</i>
<p>ALL OTHER PROJECTS in ANY RH DISTRICT: Up to 2-3 units (depending on zoning district) allowed plus ADUs for all projects as of right, with up to 4 units on interior lots allowed and 6 units on corner lots allowed for projects not also seeking a density bonus. 30% rear yard allowed if building at least 4 units. Regular Planning Code processes (311, 317, RDG's, etc.) apply.</p> <p><i>*Not required if owned by a non-profit</i></p>			