



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Change

HEARING DATE: NOVEMBER 15, 2012

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Project Name: **Efficiency Dwelling Units: Numerical Cap, Open and Common Space Requirements**

Case Number: 2012.1322T [Board File No. 12-0996]

Initiated by: Supervisor Wiener / Introduced October 9, 2012

Staff Contact: Sophie Hayward, Legislative Affairs
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Recommendation: **Recommend Disapproval; if the Board were to forward the proposal, the Department recommends three modifications.**

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code by: (1) adding Section 318 to add a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; (2) amending Section 135(d), which outlines required open space; and (3) adding Section 135.4 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage.

The Way It Is Now:

The Planning Code has two distinct categories of residential uses: Dwelling Units (which have individual cooking facilities), and Group Housing (in which there are shared cooking facilities). Size is not considered in these two definitions. The Planning Code defines Single Room Occupancy (SRO) units as any one-room residential unit (a Dwelling Unit or Group Housing) that does not exceed 350 square feet in size and that is located in a Mixed Use District described in Article 8.¹ The Planning Code does not currently define Efficiency Dwelling Units.

While SROs are defined in the Planning Code based on a maximum size, so-called Efficiency Dwelling Units are defined only in the San Francisco Building Code based on a set of criteria that includes a living room with a minimum size of 220 square feet, individual cooking facilities, and a separate bathroom and closet.²

Group Housing, SRO Units, and Student Housing have reduced open space requirements that are 1/3 the requirement for dwelling units.

¹ Planning Code Sections 790.88, and 890.88

² San Francisco Building Code Section 1208.4

Legislation that is currently pending at the Board of Supervisors would amend the Building Code definition of Efficiency Dwelling Unit to include units that are as small as 220 square feet, including the bathroom and closets.³

The Way It Would Be:

The proposed Ordinance would add new Planning Code Section 318 to define "Efficiency Dwelling Unit with Reduced Square Footage" as a Dwelling Unit that (1) measures less than 220 square feet; (2) meets the criteria described in Building Code Section 1208.4; and (3) is not affordable housing, group housing or student housing, as defined in the Planning Code.

The proposed Ordinance would put a cap on the number of Efficiency Dwelling Units with Reduced Square Footage that may be approved. The Department may approve up to 375 units. In addition, the proposed Ordinance requires that after the approval of approximately 325 units, the Department shall submit a report to the Board of Supervisors in order to assist the Board in evaluating the requirements, including consideration as to whether more reduced size efficiency units should be allowed.

The proposed Ordinance would amend Section 135 to require that whenever possible, Efficiency Dwelling Units with Reduced Square Footage provide common usable open space rather than private open space.

The proposed Ordinance would add a new Section 135.4 to require the provision of interior common areas in buildings in which there are twenty or more Efficiency Dwelling Units with Reduced Square Footage. As proposed, interior common rooms such as study or reading rooms, shared kitchen or dining facilities, media rooms, game rooms, or fitness facilities would satisfy the new interior common space requirement.

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 **disapproval** of the proposed Ordinance to the Board of Supervisors. The Department understands that the Board may still wish to enact the proposed Ordinance. Therefore, the Department further recommends that the Commission urge the Board to **modify the proposed Ordinance as outlined in the attached Draft Resolution in the event that the Board chooses to move the proposal forward.**

BASIS FOR RECOMMENDATION

The proposed Ordinance would amend the Planning Code by creating a new subcategory of dwelling unit called an "Efficiency Dwelling Unit with reduced square footage." This dwelling category would be based on the existing "Efficiency Dwelling Unit" definition in the Building Code. The proposed Ordinance would then create a cap on the number of Efficiency Dwelling Units with reduced square footage that could be approved, as well as introduce a new reporting requirement and new common and open space requirements.

³ Board File 12-0191, currently pending before the Full Board of Supervisors. This pending Building Code amendment is tentatively scheduled for hearing on November 20, 2012.

The “Housing Element” of the *San Francisco General Plan* notes that San Francisco must plan for the capacity for roughly 31,000 new residential units, 60% of which should be suitable for housing the extremely low, very low, low and moderate income households in order to meet its share of the region’s projected housing demand.⁴ New construction that includes Efficiency Dwelling Units as small as 220 square feet provides a form of housing that can help to satisfy the demand for moderate income housing, while freeing up space in larger, existing units (including rent controlled units) for family housing.

On June 28, 2012, the Planning Commission expressed unanimous support for a piece of companion legislation that is pending at the Board of Supervisors that would amend the San Francisco Building Code by lowering the minimum size of an Efficiency Dwelling Unit. The reduction is from the existing requirements of the Building Code, which requires both a living area that measures at least 220 square feet and separate kitchen and bathroom areas. The proposed amendment to the Building Code would allow the living room to be as small as 150 square feet, and the total area for the unit to be as small as 220 square feet, including the kitchen and bathroom. The proposed amendment to the Building Code would apply only to new construction; existing structures may not subdivide units and take advantage of the reduced square footage. At the June hearing, all of the Planning Commissioners expressed support for the amendment while encouraging provisions for specific quality of life issues associated with the small units, including the common interior space and generous ceiling heights.⁵

As drafted, the Department’s primary concern is that the proposed Ordinance would result in metering the production of housing by adding a cap to the total number of small efficiency units that may be approved. The proposed Ordinance is only concerned about market-rate, small efficiency units, and exempts affordable housing units of the same size from the proposed cap and from the interior common and exterior open space requirements. The Commission expressed little concern about smaller efficiency units as a housing type at the most recent hearing on this issue. Therefore, the Department believes that there is not a good policy rationale for a cap on smaller units—whether market-rate or affordable. If there is a concern about small units as a type of housing, it seems that the quality-of-life issue should apply to both market rate and affordable housing. It appears that this proposal differentiates the appropriateness of housing based on affordability levels, and may be a step towards slowing or metering of market rate housing production. The Department’s goal is to encourage the production of a range of housing typologies and to address the production deficit for very low, low, and moderate income units. Small efficiency dwelling units offered at market rate will both help satisfy the existing demand for moderate income housing and generate funds for affordable housing through inclusionary housing fees.

New Definition of Efficiency Dwelling Units with Reduced Square Footage

The Department has concerns about introducing a new subcategory to the already complicated landscape of residential use definitions. The Code currently defines residential use based on the presence (a dwelling unit) or the absence (Group Housing) of cooking facilities. The proposed amendment would introduce a subcategory of dwelling units based on size: those units that provide individual kitchens yet are less than 220 square feet in area. The Department recommends that no new definition be added to the Planning Code. Rather, the Department recommends that the new common and open space requirements refer to the definition of Efficiency Dwelling Units used in the Building Code. As noted

⁴ “Housing Element” of the San Francisco General Plan. Introductory Statement. Available online at: http://www.sfplanning.org/ftp/general_plan/I1_Housing.html (November 6, 2012)

⁵ The Planning Department’s case report for this informational item is available online at: <http://commissions.sfplanning.org/cpcpackets/2012.0604T.pdf> (November 6, 2012)

above, the Planning Commission has expressed its support for the proposed amendment to the existing definition in the Building Code.

New Requirements for Open Space for Efficiency Dwelling Units

The Department is supportive of the proposed idea that Planning Code Section 135(6) be amended to require that in most cases, open space for Efficiency Dwelling Units be provided as shared – rather than private – open space. Planning Code Section 135 currently allows Group Housing and SROs to provide open space at a rate that is 1/3 the requirement for dwelling units. Therefore, private open space is not likely to be provided at a rate that is useful or proportional to the size of small Efficiency Units. Greater benefit is likely to be gained by aggregating the open space requirements of multiple Efficiency Dwelling Units into shared, common, open space. With the proposed Ordinance, the Zoning Administrator may determine that the provision of common open space is infeasible or undesirable and private open space may be provided.

New Requirements for Interior Common Areas

The Department is supportive of the proposal to add a requirement for shared interior common space for Efficiency Dwelling Units. As drafted, the proposed Ordinance includes a requirement for common interior space and specifies a maximum amount that can be required. The Department recommends that the proposed Ordinance be amended to require a minimum of 10 square feet of common interior space per Efficiency Dwelling Unit. For consistency, the Department recommends that the new provision for interior common space be added to Planning Code Section 140, rather than to Section 135.4, as currently proposed.

The basis for this recommendation is that a required provision of common interior space without a clearly stated numeric minimum requirement is not sufficiently specific to be implemented in a consistent manner. The proposed Ordinance requires the provision of at least one common room for use by residents. This room may take a variety of forms including but not limited to: a study or reading room, a shared kitchen or dining facility, a media or game room, or a fitness facility. The Department's recommendation is that in order to ensure that the common room is sufficient in size to be meaningful and useful, a minimum required size – rather than a maximum size – should be articulated. While the range of permitted uses makes the common space requirement fairly easy to fulfill, an explicitly stated minimum size would provide certainty in implementation. Department staff has discussed the requirement with developers of both market rate and affordable housing, and it appears that common interior space of the type described in the proposed Ordinance is generally provided in projects that include Efficiency Dwelling Units, and that the proposed minimum requirement would not be onerous.

Proposed Modifications

If the Board of Supervisors does approve the proposed Ordinance, the Department recommends three modifications that will facilitate the application of the new common and open space requirements in a manner that is consistent with efforts to simplify the Planning Code.

1. Remove the proposed new Planning Code Section 318, and do not introduce a new residential use category to the Planning Code. Rather, refer to the definition of the Efficiency Dwelling Unit in the Building Code;
2. Replace the proposed maximum amount of required interior common space with a minimum amount of required open space. The Department recommends a requirement of 10 square feet per unit, regardless of the total number of Efficiency Dwelling Units included in a proposed project.

3. Relocate the new requirement for interior common space to a new subsection of Planning Code Section 140.

ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code by: (1) adding Section 318 to add a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; (2) amending Section 135(d), which outlines required open space; and (3) adding Section 135.4 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage is covered under Case No. 2012.0846E, and is exempt from environmental review under the General Rule Exclusion (GRE), pursuant to CEQA Guidelines Section 15061(b)(3).

PUBLIC COMMENT

As of the date of this report, the Planning Department has no written comments regarding the proposed Ordinance.

RECOMMENDATION: Recommendation of Disapproval.
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Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 12-0996



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution

HEARING DATE NOVEMBER 15, 2012

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Initiated by: Supervisor Wiener / Introduced October 9, 2012

Staff Contact: Sophie Hayward, Legislative Affairs
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Reviewed by: AnMarie Rodgers, Manager Legislative Affairs
anmarie.rodgers@sfgov.org, 415-558-6395

Recommendation: **Recommend Disapproval; however, if the Board were to forward the proposal the Commission recommends modifications.**

RECOMMENDING THAT THE BOARD OF SUPERVISORS DISAPPROVE A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE BY ADDING SECTION 318 TO PUT A CAP ON THE NUMBER OF EFFICIENCY DWELLING UNITS, AS DEFINED IN THE BUILDING CODE, THAT CAN BE CONSTRUCTED WITH REDUCED SQUARE FOOTAGE UNLESS THE UNITS ARE GROUP HOUSING, AFFORDABLE HOUSING, OR STUDENT HOUSING; AMENDING SECTION 135 (D) AND ADDING SECTION 135.4 TO IMPOSE OPEN SPACE AND COMMON SPACE REQUIREMENTS FOR EFFICIENCY DWELLING UNITS WITH REDUCED SQUARE FOOTAGE; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1. HOWEVER, IF THE BOARD WERE TO FORWARD THE PROPOSAL, THE COMMISSION RECOMMENDS MODIFICATIONS TO THE PROPOSED ORDINANCE.

WHEREAS, on October 9, 2012, Supervisors Wiener introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 12-0996, which would amend Sections 318 and 135 of the Planning Code regarding the efficiency dwelling units with reduced square feet;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on November 15, 2012; and,

WHEREAS, the proposed Ordinance has been determined to be exempt from environmental review under the General Rule Exclusion, California Environmental Quality Act Section 15061(b)(3); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Commission hereby recommends that the Board of Supervisors *disapprove the proposed Ordinance* and adopts the attached Resolution to that effect. If the Board of Supervisors does approve the proposed Ordinance, the Planning Commission recommends the following modifications:

1. **Do not add a new definition to the Planning Code.** Rather, the new common and open space requirements should refer to the definition of Efficiency Dwelling Units used in the Building Code.
2. **Replace the maximum requirement for interior common space with a minimum requirement of 10 square feet of common interior space per Efficiency Dwelling Unit.**
3. **Relocate the proposed new interior common space requirement to Planning Code Section 140, from 135.4 as drafted in the proposed Ordinance.**

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 proposed Ordinance would amend the Planning Code by creating a new subcategory of dwelling unit called an "Efficiency Dwelling Unit with reduced square footage." The proposed Ordinance would then create a cap on the number of Efficiency Dwelling Units with reduced square footage that could be approved, as well as introduce a new reporting requirement and new common and open space requirements.
2. The "Housing Element" of the *San Francisco General Plan* notes that San Francisco must plan for the capacity for roughly 31,000 new residential units, 60% of which should be suitable housing for extremely low, very low, low and moderate income households in order to meet its share of the region's projected housing demand.
3. New construction that includes Efficiency Dwelling Units as small as 220 square feet provide a form of housing that can help to satisfy the demand for moderate income housing, while freeing up space in larger, existing units(including rent controlled units) for family housing.
4. On June 28, 2012, the Planning Commission expressed unanimous support for a piece of companion legislation that is pending at the Board of Supervisors that would amend the San Francisco Building Code by lowering the minimum size an Efficiency Dwelling Unit to provide a living room of at least 150 square feet, in addition to a required kitchen and bathroom.
5. The proposed Ordinance is applicable only to market-rate, small efficiency units, and exempts affordable and student housing units of the same size from the proposed cap and from the interior common and exterior open space requirements.

6. The proposal differentiates the appropriateness of housing based on affordability levels, and may be a step towards slowing or metering market rate housing production.
7. The Planning Commission's goal is to encourage the production of a range of housing typologies in order to address the production deficit for very low, low, and moderate income units; small efficiency dwelling units offered at market rate will both help satisfy the existing demand for moderate income housing, and generate funds for affordable housing through inclusionary housing fees.
8. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

I. HOUSING ELEMENT

OBJECTIVE 3

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS

POLICY 3.1

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

POLICY 3.4

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

The proposed Ordinance is tied to a companion proposal that would amend the Building Code that would permit a reduction in the size of Efficiency Dwelling Units. As proposed, only Efficiency Dwelling Units located in new construction may be reduced in size to 220 square feet including the living area, the separate bathroom, and closets. Existing units may not be reconfigured into the small sized units described in the proposed Ordinance, a restriction that will preserve the rent controlled status of existing rent controlled units.

The proposed Ordinance permits the construction of new units that are of a small size – thus creating a housing typology that is "affordable by design." While cost per square foot of the units may fluctuate, the total cost is limited by their overall small size.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTRE THAT SERVES THE CITY'S GROWING POPULATION

POLICY 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The proposed Ordinance recognizes that common – rather than private – open space would provide the greatest benefit to residents of small efficiency dwelling units. Further, the proposed Ordinance sets forth a new requirement for common interior space in the form of reading or study rooms, a fitness room, or a shared kitchen or dining facility that would serve the needs of residents of small efficiency units.

9. **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 amendments will not have a negative impact on neighborhood serving retail uses and will not impact opportunities for resident employment in and ownership of neighborhood-serving retail.

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 would only be applicable to new construction, and not existing housing; Further, the proposal does not alter density limits or controls. The proposed small efficiency dwelling units will only be located in new construction in quantities supported by the underlying zoning districts.

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

The proposed Ordinance does not apply to affordable housing or to student housing, and applies only to new construction. The existing supply of affordable housing will not be impacted. New, market rate units will enhance the funding for new affordable housing through the inclusionary housing fees.

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 would 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 negatively impact the City's preparedness against injury and loss of life in an earthquake. The proposed Ordinance will only apply to new construction, which would be subject to all current Building Code requirements.

7. That the landmarks and historic buildings be preserved;

Landmarks and historic buildings would not be negatively impacted by the proposed Ordinance.

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

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board DISAPPROVE the proposed Ordinance; however, if the Board were to forward the proposal, the Commission recommend modifications as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on November 15, 2012.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

1 [Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space
2 Requirements]

2

3 **Ordinance amending the San Francisco Planning Code by adding Section 318 to put a**
4 **cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that**
5 **can be constructed with reduced square footage unless the units are group housing,**
6 **affordable housing, or student housing; amending Section 135(d) and adding Section**
7 **135.4 to impose open space and common space requirements on Efficiency Dwelling**
8 **Units with reduced square footage; and making environmental findings, Planning Code**
9 **Section 302 findings, and findings of consistency with the General Plan and the Priority**
10 **Policies of Planning Code Section 101.1.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are *strike-through italics Times New Roman*.
13 Board amendment additions are double-underlined;
Board amendment deletions are ~~strike-through normal~~.

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

15 Section 1. Findings.

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

20 (b) Pursuant to Planning Code Section 302, this Board finds that these amendments
21 will serve the public necessity, convenience, and welfare for the reasons set forth in Planning
22 Commission Resolution No. _____, and the Board incorporates such reasons herein by
23 reference. A copy of Planning Commission Resolution No. _____ is on file with the Clerk of
24 the Board of Supervisors in File No. _____.

25

1 (c) This Board finds that these Planning Code amendments are consistent with the
2 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
3 forth in Planning Commission Resolution No. _____, and the Board hereby incorporates
4 such reasons herein by reference.

5 Section 2. The San Francisco Planning Code is hereby amended by adding Section
6 318, to read as follows:

7 **SEC. 318. EFFICIENCY DWELLING UNITS WITH REDUCED SQUARE FOOTAGE.**

8 (a) **Definition.** For purposes of this Section, an “Efficiency Dwelling Unit with reduced square
9 footage” shall mean an Efficiency Dwelling Unit with a living room of less than 220 square feet and
10 meeting the requirements of Section 1208.4 of the San Francisco Building Code that is not affordable
11 housing, group housing, or student housing as defined in this Code.

12 (b) **Limitation on the total number of Efficiency Dwelling Units with reduced square footage**
13 **that can be constructed.** The Planning Department may approve the construction of up to a total
14 number of 375 Efficiency Dwelling Units with reduced square footage; provided, however, that
15 Efficiency Dwelling Units shall not be included in this total. For purposes of this subsection, individual
16 units will be counted even if they comprise less than the total number of units in the building.

17 (c) **Reporting and reauthorization.** After the approval of approximately 325 Efficiency
18 Dwelling Units with reduced square footage, the Planning Department shall submit a report to the
19 Board of Supervisors that provides whatever information the Department believes will assist the Board
20 in determining whether to increase the numerical cap on the number of Efficiency Units with reduced
21 square footage or to otherwise modify the requirements.

22 Section 3. The San Francisco Planning Code is hereby amended by amending Section
23 135(d), to read as follows:
24
25

1 **SEC.135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING, R,**
2 **NC, MIXED USE, C AND M DISTRICTS.**

3 (d) **Amount Required.** Usable open space shall be provided for each building in the
4 amounts specified herein and in Tables 135A and B for the district in which the building is
5 located.

6 In Neighborhood Commercial Districts, the amount of usable open space to be
7 provided shall be the amount required in the nearest Residential District, but the minimum
8 amount of open space required shall be in no case greater than the amount set forth in Table
9 135A for the district in which the building is located. The distance to each Residential District
10 shall be measured from the midpoint of the front lot line or from a point directly across the
11 street there from, whichever requires less open space.

12 (1) For dwellings other than those specified in Paragraphs (d)(2) through (d)(5) below,
13 the minimum amount of usable open space to be provided for use by each dwelling unit shall
14 be as specified in the second column of Table 135A if such usable open space is all private.
15 Where common usable open space is used to satisfy all or part of the requirement for a
16 dwelling unit, such common usable open space shall be provided in an amount equal to 1.33
17 square feet for each one square foot of private usable open space specified in the second
18 column of Table 135A. In such cases, the balance of the required usable open space may be
19 provided as private usable open space, with full credit for each square foot of private usable
20 open space so provided.

21 (2) For group housing structures and SRO units, the minimum amount of usable open
22 space provided for use by each bedroom or SRO unit shall be 1/3 the amount required for a
23 dwelling unit as specified in Paragraphs (d)(1) above and (d)(4) and (d)(5), below. For
24 purposes of these calculations, the number of bedrooms on a lot shall in no case be
25 considered to be less than one bedroom for each two beds. Where the actual number of beds

1 exceeds an average of two beds for each bedroom, each two beds shall be considered
2 equivalent to one bedroom.

3 (3) For dwellings specifically designed for and occupied by senior citizens ~~or physically~~
4 ~~handicapped persons~~, as defined and regulated by Section 209.1(m) of this Code, the minimum
5 amount of usable open space to be provided for use by each dwelling unit shall be ½ the
6 amount required for each dwelling unit as specified in Paragraph (d)(1) above.

7 (4) **DTR Districts.** For all residential uses, 75 square feet of open space is required per
8 dwelling unit. All residential open space must meet the provisions described in this Section
9 unless otherwise established in this subsection or in Section 825 or a Section governing an
10 individual DTR District. Open space requirements may be met with the following types of open
11 space: "private usable open space" as defined in Section 135(a) of this Code, "common
12 usable open space" as defined in Section 135(a) of this Code, and "publicly accessible open
13 space" as defined in subsection (h) below. At least 40 percent of the residential open space is
14 required to be common to all residential units. Common usable open space is not required to
15 be publicly-accessible. Publicly-accessible open space, including off-site open space
16 permitted by subsection (i) below and by Section 827(a)(9), meeting the standards of
17 subsection (h) may be considered as common usable open space. For residential units with
18 direct access from the street, building setback areas that meet the standards of Section 145.1
19 and the Ground Floor Residential Design Guidelines may be counted toward the open space
20 requirement as private non-common open space.

21 (5) **Eastern Neighborhoods Mixed Use Districts.** The minimum amount of usable
22 open space to be provided for use by each dwelling unit shall be as specified in Table 135B.
23 For group housing structures and SRO units, the minimum amount of usable open space
24 provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as
25 specified in Table 135B.

1 (6) Efficiency Dwelling Units With Reduced Square Footage. Common usable open space
 2 shall be the preferred method of meeting the open space requirement for Efficiency Dwelling Units with
 3 reduced square footage, as defined in Section 318 of this Code. Private open space shall not be
 4 credited toward satisfaction of the open space requirement for such units unless the Zoning
 5 Administrator determines that the provision of common open space is infeasible or undesirable, in
 6 whole or in part, due to (i) site constraints, (ii) the special needs of anticipated residents, or (iii)
 7 conflicts with other applicable policies and regulations, including but not limited to standards for the
 8 treatment of historic properties, the Americans with Disabilities Act, or the Building Code.

TABLE 135A
MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING
OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1, RTO, RTO-M	100	1.33
RM-2, RC-2, SPD	80	1.33
RM-3, RC-3, RED	60	1.33
RM-4, RC-4, RSD	36	1.33
C-3, C-M, SLR, SLI, SSO, M-1, M-2	36	1.33

1	C-1, C-2	Same as for the R District establishing the dwelling unit density ratio for the C-1 or C-2 District property	
2			
3	NC-1, NC-2, NCT-1, NCT-2, NC-S, Inner Sunset, Sacramento Street, West Portal Avenue, Ocean Avenue, Glen Park	100	1.33
4			
5			
6	NC-3, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley, NCT-3, SoMa, Mission Street	80	1.33
7			
8			
9			
10			
11	Broadway, Hayes-Gough, Upper Market Street, North Beach, Polk Street	60	1.33
12			
13	Chinatown Community Business, Chinatown Residential Neighborhood Commercial, Chinatown Visitor Retail	48	1.00
14			
15			
16	DTR	This table not applicable. 75 square feet per dwelling. See Sec. 135(d)(4).	

TABLE 135B
MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING IN THE
EASTERN NEIGHBORHOODS MIXED USE DISTRICTS

21	Square feet of usable open space per dwelling unit, if not publicly accessible	Square feet of usable open space per dwelling unit, if publicly accessible	Percent of open space that may be provided off site
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1	80 square feet	54 square feet	50%
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3 Section 4. The San Francisco Planning Code is hereby amended by adding Section
4 135.4, to read as follows:

5 **SEC. 135.4. INTERIOR COMMON AREAS FOR EFFICIENCY DWELLING UNITS WITH**
6 **REDUCED SQUARE FOOTAGE.**

7 *Buildings with 20 or more Efficiency Dwelling Units with reduced square footage, as defined in*
8 *Section 318 of this Code, shall include at least one common room for use by the residents. Such*
9 *common room(s) may be used as study or reading rooms, shared kitchen or dining facilities, media*
10 *rooms, game rooms, fitness facilities, or similar uses appropriate to the needs of residents. Interior*
11 *common areas shall be of sufficient size to reasonably accommodate residents' needs, but in no event*
12 *shall the area required exceed ten square feet per unit.*

13 Section 5. Effective Date. This ordinance shall become effective 30 days from the
14 date of passage.

15 Section 6. This section is uncodified. In enacting this ordinance, the Board intends to
16 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
17 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
18 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
19 Board amendment deletions in accordance with the "Note" that appears under the official title
20 of the legislation.

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

24 By: _____
25 JUDITH A. BOYAJIAN
Deputy City Attorney