



# SAN FRANCISCO PLANNING DEPARTMENT

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## New Planning Code Summary

### Efficiency Dwelling Units: Numerical Cap and Open & Common Space Requirements

<b>Code Changes:</b>	Sections 318, 135, and 140
<b>Case Number:</b>	Board File No. 12-0996, Ordinance No. 242-12
<b>Initiated by:</b>	Supervisor Wiener
<b>Effective Date:</b>	January 7, 2013

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#### The Way It Was:

The Planning Code did not define Efficiency Dwelling Units nor did it require the Department to monitor the production of efficiency units.

Efficiency Dwelling Units were defined only in the San Francisco Building Code based on a set of criteria that included a living room with a minimum size of 220 square feet, individual cooking facilities, and a separate bathroom and closet. Recently, the Board approved BF 120191/Ordinance No 235-12. This Ordinance reduced the required size of the living area for those efficiency units and provided that the 220 square foot minimum size could include the total area of the unit (adding the bathroom and closets). These amendments apply only to new construction, and are not applicable to existing units.

#### The Way It Is Now:

Although the control allowing smaller efficiency units is a Building Code regulation, the Board determined that the Planning Department should monitor and analyze the production of these new, smaller units. To require this monitoring, this Ordinance [Board File No. 12-0996, Ord. No. 242-12] added a 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 Ordinance capped the number of Efficiency Dwelling Units with Reduced Square Footage that may be approved at 375. After the approval of 325 units, the Department, in collaboration with the Mayor's Office of Housing, must submit a report to the Board of Supervisors to help evaluate whether more of the units should be allowed.

**In order to implement the cap on the new micro-units, staff should please note the following:**

1. The Assistant Zoning Administrator should be alerted about all projects that may include Efficiency Dwelling Units with Reduced Square Footage. The Assistant ZA will maintain the Department's official list of units. It is anticipated that changes to plans may occur after Planning's review, such that the number of Efficiency Dwelling Units with Reduced Square Footage may change after our initial review. For this reason, the Assistant ZA will track the number of these units that the Department/Commission approves and will reconfirm this number once construction plans are finalized.
2. Please ensure that plans routed to Planning with studio units that measure less than 300 square feet 1) clearly indicate the dimensions of such units so that Planners may confirm whether the cap is applicable and 2) label those units that must be counted towards the cap as "Efficiency Dwelling Unit with Reduced Square Footage."

Note: units are counted toward the cap after the first approval action on a first come, first served basis. Efficiency Dwelling Units that are affordable housing or student housing as defined in the Planning Code are not counted towards the cap.

The Ordinance also amended 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 Ordinance added a new Section 140.1 to require the provision of interior common areas in buildings in which there are twenty or more Efficiency Dwelling Units with Reduced Square Footage.

Link to signed legislation:

File Number	Enacted Number	Effective Date	Short Title
120996	<a href="#">0242-12</a>	1/6/13	Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements  <a href="http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0242-12.pdf">http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances12/o0242-12.pdf</a>