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SAN FRANCISCO SUPERVISOR ANNOUNCES RENEWED “FOURPLEX” PROPOSAL FOR SINGLE-FAMILY NEIGHBORHOODS

Supervisor Rafael Mandelman announced revised legislation to allow new housing opportunities in neighborhoods with restrictive density limits.

SAN FRANCISCO — Today District 8 Supervisor Rafael Mandelman introduced an ordinance to allow small multi-unit buildings in areas of San Francisco that have been primarily reserved for single-family homes since the 1970s. The ordinance would provide an exception to density limits in the RH, or “Residential House” zoning districts, which cover roughly 60% of the city’s developable land area. The density exception would allow four units on most lots, and six units on corner lots, for projects that conform to existing height, bulk, and open space requirements and are not seeking waivers under the State Density Bonus program.

“The way much of San Francisco is zoned today makes it easier to flip existing housing into monster homes than to build small apartment buildings for regular working people,” said Mandelman, who represents neighborhoods including Glen Park, Noe Valley, Diamond Heights, the Castro, Eureka Valley, Corbett Heights, Mission Dolores, and Twin Peaks. “If someone is going to build what our current zoning allows in a given neighborhood, why not have four middle class households in that same size box rather than one very wealthy family?”

“Reforming San Francisco’s antiquated and exclusionary zoning laws is long overdue and Supervisor Mandelman’s legislation is a strong step toward the more equitable and inclusive housing policies our city desperately needs,” said Todd David, Executive Director of the Housing Action Coalition. “Eliminating exclusionary zoning is both a moral imperative and an essential means of creating more naturally affordable middle-income housing for SF residents.”

The ordinance introduced today is a revised version of the “fourplex” ordinance the Supervisor introduced last summer that incorporates recommendations from the Planning Commission, which unanimously recommended approval of the ordinance with modifications in November. The Planning Commission’s recommended changes responded, in part, to the passage of SB 9 in September, a new state law that allows owner-occupied homes in single family zoning districts to be converted into duplexes, or subdivided into two lots with two units on each, for a total of four units. SB 9 allows these projects to be approved through a “ministerial” process, which means they cannot be subject to CEQA environmental review, local design standards, or local conditional use approvals or discretionary review.

Specifically, this ordinance incorporates the Planning Commission’s recommendation to rezone all RH-1 zoning districts, which restrict nearly 40% of the city’s land area to single-family homes only, to RH-2 districts, which allow a baseline of two units per lot. This would provide a local alternative to SB 9 that allows for the same or greater number of units per lot while

maintaining the city's existing environmental and design review and rear yard open space requirements. Properties that are designated as a local, state, or federal historic resource or a historic or cultural resource under CEQA may only use the density exception if the project would not result in a significant impact on the resource.

The revised ordinance also includes a recommendation to allow projects using the density exception to provide at least four units to be subject to a 30% rear yard requirement, the same as currently applies in RH-1 districts, but smaller than the rear yard requirement typically applied in RH-2 districts. The ordinance also allows for an exception of up to six units on corner lots, which was also recommended by the Commission, recognizing the historic pattern of more dense buildings on corner lots in residential neighborhoods.

“As an architect and housing advocate, I am more than happy to support Mandelman's efforts to remove RH-1 zoning and create new housing opportunities,” said Kevin Riley Jr. a Duboce Triangle resident. “It is far past time to mitigate the missteps of downzoning, and it is never too early to enact progressive policies to prepare for the future. Legalizing multi-family housing throughout the city is a step in the direction of every parcel in San Francisco to be used to its full potential.”

“Supervisor Mandelman's team has put in the work to bring constituents on board with a thoughtful proposal that policy experts know to be effective,” said Mike Schiraldi, founder of Glen Park Urbanists. “This will help San Francisco welcome new arrivals (and homegrown young adults) while maintaining and enhancing all we love about our neighborhoods.”

For existing homes that have been occupied by a low-income tenant in the past five years, a replacement unit with a right of first offer at a comparable rent to the prior tenant would be required, pursuant to recent changes in state law. The ordinance will incorporate the Commission's recommendation to allow property owners to provide new condominium units through the density exception, provided there has not been a renter residing at the property in the prior five years.

The legislation introduced today is the latest step in a yearlong effort by Mandelman to open a path in RH zoning districts to small residential buildings with more than one or two units. In February 2021 he announced an effort to draft legislation that would allow fourplexes in RH districts along with companion legislation that would discourage the conversion of existing housing in these same neighborhoods into luxury single-family “monster homes.” That separate ordinance was recommended by the Board's Land Use and Transportation Committee on Monday and would establish controls for large home conversions in a new overlay zone in District 8 neighborhoods.

“This ordinance advances equity and sustainability by removing exclusionary zoning across San Francisco that will allow for more diverse housing choices in all neighborhoods to accommodate households of differing sizes, types, ages, physical abilities, and financial means,” said Tom Radulovich, Executive Director of Livable City. “San Francisco has a long and rich tradition of creating small multi-unit buildings, compatible in scale and character, in established

neighborhoods to expand housing choices. This ordinance will re-legalize San Francisco's successful 'gentle density' tradition to help address our city's urgent housing needs."

Mandelman followed up on his fourplex pledge with an ordinance in May that would allow a density exception for four units on corner lots only, and another ordinance in July that would allow four units on all RH districts citywide. The ordinance introduced today revises that citywide proposal, which may now move forward on an accelerated timeline following the passage of SB 10 last year, which allows cities to rezone for up to 10 units without requiring a full environmental impact report for the legislation. Individual projects developed under the ordinance would still be subject to CEQA review.

"Housing leadership makes a difference," said Maureen Sedonaen, CEO of Habitat for Humanity Greater San Francisco. "We are so appreciative of Supervisor Mandelman's effort to allow for small, multi-unit buildings in residential neighborhoods to be built to increase the number of families that can continue to call SF home while meeting the height, open space, aesthetic and design standards of that neighborhood."

The ordinance is expected to come before the Board's Land Use and Transportation Committee in early March before going to the full Board.

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