[Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools and Significant Contributions to Regional Housing Development]

Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant exceptions from state density bonus requirements, and to oppose Assembly Bill 2522, authored by Assembly Member Bloom.

WHEREAS, The California Planning and Zoning Law requires that a California city, county, or city and county provide housing developers with a density bonus and other incentives or concessions in exchange for a specified percentage of affordable units within a housing development or for the donation of land within said housing developments; and

WHEREAS, Some local jurisdictions, because of local market conditions, depend on granting development incentives in order to produce additional affordable units within private housing development; and

WHEREAS, San Francisco, because of its unique local market conditions, has repeatedly demonstrated that private development can and will bear higher affordability requirements; and

WHEREAS, State density bonus pre-emptions, if applied to the demonstrated affordable housing requirements in San Francisco, would result in no additional affordable units; and

WHEREAS, State density bonus pre-emptions, if applied to the demonstrated affordable housing requirements in San Francisco, would restrict the future potential to use development incentives to further increase affordability beyond the existing requirements; and
WHEREAS, The California Department of Finance (DOF) estimates the Bay Area added 38,300 housing units between April 2010 and January 2014; and

WHEREAS, The same DOF calculation counts San Francisco among the top five counties responsible for 51% of the total growth of new regional housing between 2010 and the end of 2013, with San Francisco and San Jose counties alone accounting for 37% of the total regional housing growth during this same period; and

WHEREAS, The last Regional Housing Needs Assessment (RHNA) documented San Francisco’s significant contributions to the regional housing supply, including the creation of 7,064 permanently affordable low- and moderate-income housing units and 13,391 above moderate-income housing units; and

WHEREAS, Based on the same Regional Housing Needs Assessment, San Francisco produced a housing balance of 35% permanently affordable units relative to total housing production; and

WHEREAS, The City and County of San Francisco has developed a diverse toolkit of local planning requirements and housing development incentives tailored to address the unique pressures of the Bay Area housing market and maximize San Francisco’s limited land assets; and

WHEREAS, On February 19, 2016, Assembly Members Bloom and Low introduced AB 2501 “Housing: density bonuses,” which further prescribes density bonus law pre-emptions and would frustrate San Francisco’s ability to produce the maximum, economically feasible amount of affordable housing; and

WHEREAS, On February 19, 2016, Assembly Member Bloom introduced AB 2522 “Land Use: attached housing developments,” which pre-empts local land use policies and housing development requirements to allow certain development approvals as-of-right; and
WHEREAS, California State Assembly Bills 2501 and 2522 are specifically intended to incentivize housing development in local jurisdictions that are underperforming with respect to regional housing goals and are not uniformly applicable throughout California; and

WHEREAS, California State Assembly Bills 2501 and 2522 are scheduled to be heard in the Housing and Community Development Committee on April 13, 2016; now, therefore, be it

RESOLVED, That the Board of Supervisors recognizes the impressive legislative records and ongoing and effective work of Assembly Members Chiu and Ting, as well as State Senator Leno (the "San Francisco Legislative Delegation"), in representing the best interests of San Francisco constituents; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby urge the San Francisco Legislative Delegation to offer amendments to AB 2501 that state that the bill shall not apply to jurisdictions whose total housing production affordable to very low, low, and moderate income residents constitutes at least 25% of its total housing production, as documented in a current Residential Housing Needs Assessment (RHNA) cycle; and, be it

FURTHER RESOLVED, That San Francisco is committed to utilizing all affordable housing policy tools to achieve local housing balance goals for all income levels; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby urge the San Francisco Legislative Delegation to oppose AB 2522, as it would restrict critical local jurisdiction discretion regarding “attached housing;” and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco will continue to collaborate with its State Legislative Delegation to consider ways to make the State Density Bonus law workable in a dense urban environment; and, be it
FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco directs the Clerk of the Board to transmit this resolution to the respective offices of the San Francisco Legislative Delegation upon final passage.
Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant exceptions from state density bonus requirements, and to oppose Assembly Bill 2522, authored by Assembly Member Bloom.

April 12, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/12/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board