

1 [Opposing California State Senate Bill No. 50 (Wiener) - Housing Development: Incentives -
2 Unless Amended]

3 **Resolution opposing California State Senate Bill No. 50, authored by Senator Scott**
4 **Wiener, which would undermine community participation in planning for the well-being**
5 **of the environment and the public good, prevent the public from recapturing an**
6 **equitable portion of the economic benefits conferred to private interests, and**
7 **significantly restrict San Francisco’s ability to protect vulnerable communities from**
8 **displacement and gentrification, unless further amended.**

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10 WHEREAS, The California State Legislature is currently considering passage of State
11 Senate Bill No. 50 (SB 50), which would entitle real estate developers to increase both
12 residential and mixed use development with significantly less public review and in excess of
13 many existing local plans developed often after extensive public participation and in concert
14 with our regional governing agencies and consistent with state planning mandates; and

15 WHEREAS, SB 50 would incentivize market rate housing development unaffordable to
16 most San Franciscans without guaranteeing increased affordable housing development, while
17 94 percent of the City’s market-rate-housing goals through the year 2022 have already been
18 met and less than 30 percent of moderate and low income housing goals have been met,
19 according to the Planning Department's development pipeline report; and

20 WHEREAS, The City and County of San Francisco along with many other communities
21 is striving to address the social and environmental impacts of regional growth of private
22 industry, which include displacement of low income seniors, working families, and
23 communities of color, and strained public transit and infrastructure; and the City has been
24 most successful managing this growth through the adoption of community-driven local plans;
25 and

1 WHEREAS, SB 50 establishes an optional and only temporary exception from its
2 mandated development incentives for formulaically defined ‘Sensitive Communities’ with the
3 apparent purpose of controlling displacement while expanding growth; and

4 WHEREAS, SB 50 restricts the ability of the city to adopt long term zoning and land
5 use policies to assure equitable and affordable development in all its neighborhoods; denies
6 the city the ability to adjust or expand the boundaries of those protected neighborhoods based
7 upon community testimony and additional research; and SB 50’s temporary ‘Sensitive
8 Communities’ exemption fails to encompass many of the areas threatened by development
9 driven displacement and gentrification, including parts of the Mission, Chinatown, Western
10 South of Market, Portola, the Bayview, Castro, Inner Richmond and others; and

11 WHEREAS, Neighborhoods outside “Sensitive Communities” targeted by SB50 in hot
12 market cities like San Francisco can also experience hidden gentrification and displacement
13 pressures, including on cash poor homeowners, and experience significant barriers for
14 affordable housing production, such that raising land values through upzoning without the
15 certainty of affordable units getting built in these neighborhoods will exacerbate pressures and
16 barriers to develop non-speculative, permanently affordable housing, especially where there is
17 no local community plan to facilitate and guide increased development; and

18 WHEREAS, The upzoning proposed by SB 50 confers significant value to properties
19 for increased development opportunity and yet is not tied to any increased affordability
20 requirements for San Francisco above and beyond the baseline Inclusionary standard already
21 required of development projects, which undermines sound public policy that requires any
22 substantial value created by density increases or other upzoning be used, at least in part, to
23 provide a meaningful net increase in affordable housing; and

24 WHEREAS, While SB 50’s provisions standing alone may appear to preserve local
25 demolition controls and other local planning processes, without further clarifying amendments,

1 the combination of SB 50's development incentives with other state laws undermine the ability
2 of local governments to protect existing housing and small businesses and otherwise advance
3 the public good, specifically through community-driven local plans; now, therefore, be it

4 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
5 joins with other local jurisdictions and a growing statewide coalition of housing advocates in
6 opposing SB 50 unless amended to cure these concerns; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
8 Francisco is committed to working with its State Legislative Delegation to craft the necessary
9 amendments to SB 50 in order to adequately guarantee housing affordability, protect
10 vulnerable communities, and protect San Francisco's sovereign charter authority; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
12 Francisco requests that SB 50 be amended to address significant concerns regarding:

- 13 1) Use of SB 50 as the base zoning for purposes of calculating the State
14 Density Bonus;
- 15 2) Additional incentives or concessions;
- 16 3) The authority of local jurisdictions to deny demolition permits to
17 code-complying SB 50 projects which involve demolition of existing
18 residential units;
- 19 4) Local authority to increase inclusionary requirements on SB 50 projects;
- 20 5) Use of SB 50 incentives for construction of 'monster homes;'
- 21 6) Treatment of extant and future local Area Plans that increased zoned
22 capacity to levels akin to SB 50;
- 23 7) Amend application of Costa Hawkins and the Ellis Act to allow for greater
24 tenant protection in sensitive communities; and

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1 8) A meaningful process for community feedback on the proposed boundaries
2 of sensitive communities; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
4 Francisco directs the Clerk of the Board to transmit copies of this resolution to the State
5 Legislature and the City Lobbyist upon passage.

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