

1 [Opposing California State Senate Bill No. 1085 (Skinner) - Expanded State Density Bonus  
2 Law - Unless Amended]

3 **Resolution opposing California State Senate Bill No. 1085, authored by Senator Nancy**  
4 **Skinner, and urging the San Francisco Legislative Delegation to amend Senate Bill No.**  
5 **1085 in recognition of San Francisco’s local planning and affordable housing tools.**  
6

7 WHEREAS, California Senate Bill No. 1085 (SB 1085) is intended to incentivize  
8 housing development through the State Density Bonus Law “to expand its use in California to  
9 increase affordable housing production,” according to its author; and

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

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

16 WHEREAS, SB 1085 would revoke the City and County of San Francisco’s ability to  
17 continue collecting fees to build affordable housing relative to the extra market-rate housing  
18 “bonus” units granted to a housing development under the State Density Bonus Law; and

19 WHEREAS, San Francisco voters have consistently expressed through their votes a  
20 desire for robust affordable housing programs that prioritize the needs of the City’s most  
21 vulnerable residents; and

22 WHEREAS, In June 2016, the voters of San Francisco overwhelmingly adopted  
23 Proposition C which modernized and strengthened the City’s “Inclusionary Housing” policy,  
24 including ensuring that market rate housing projects availing themselves of State Density  
25 Bonus Law “bonus units” would still provide equivalent affordable housing contributions to the

1 City the voters of San Francisco overwhelmingly adopted Proposition C which modernized  
2 and strengthened the City’s “Inclusionary Housing” policy, including ensuring that market rate  
3 housing projects availing themselves of State Density Bonus Law “bonus units” would still  
4 provide equivalent affordable housing contributions to the City; and

5 WHEREAS, This SB 1085 proposed state preemption over local policies and  
6 development standards handcuffs local jurisdictions from determining how to apply affordable  
7 housing requirements in context of local market conditions; and

8 WHEREAS, San Francisco has been reported to have the highest median rent in the  
9 United States with a one-bedroom asking monthly rent of \$3,7067 according to May 2020  
10 data from the rental listing website Rent Jungle; and

11 WHEREAS, The City is also one of the highest-priced home ownership markets in the  
12 United States with a median home sales price of \$1.353 million, a 3% increase from the  
13 previous year according to a 2019 report by real estate website Zillow; and

14 WHEREAS, The Mayor’s Office of Housing and Community Development (“MOHCD”)  
15 continues to see a widening affordability gap for extremely-low, low and middle-income  
16 households in both the rental and homeownership markets; and

17 WHEREAS, The housing affordability gap has the greatest impact on extremely-low  
18 and low income households such as seniors, persons with disabilities, low-income working  
19 families and veterans, and inhibits San Francisco from ensuring that economic diversity is  
20 maintained; and

21 WHEREAS, Limited state and federal resources and the high cost of housing  
22 development put a greater burden on local government to contribute their own limited  
23 resources, and consequently the City’s supply of affordable housing has not kept pace with  
24 demand; and

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1           WHEREAS, The State Density Bonus Law preemptions proposed by SB1085, if  
2 applied to the existing affordable housing requirements on market rate housing development  
3 in San Francisco, would result in *a reduction of* affordable units; and

4           WHEREAS, The failure to build sufficient affordable housing in San Francisco to meet  
5 the needs of low- and moderate-income essential workers results in long commutes, road  
6 congestion, and environmental harm as people seek affordable housing at ever-greater  
7 distances from where they work; now, therefore, be it

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

10          FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
11 Francisco opposes SB 1085 unless amended to allow San Francisco to continue applying  
12 affordable housing fees to market rate “bonus” units granted under the State Density Bonus  
13 Law; and, be it

14          FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
15 Francisco does hereby urge the San Francisco Legislative Delegation to oppose SB 1085, as  
16 it would eliminate a critical San Francisco affordable housing tool; and, be it

17          FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
18 Francisco will continue to collaborate with its State Legislative Delegation to consider ways to  
19 make the State Density Bonus law more equitable in dense urban environments like San  
20 Francisco with strong existing local affordable housing policies; and, be it

21          FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
22 Francisco directs the Clerk of the Board to transmit copies of this Resolution to the California  
23 State Legislature and the City Lobbyist upon passage.