

JORDAN PARK IMPROVEMENT ASSOCIATION

March 11, 2018

Supervisors Kim, Tang, and Safai,

The Jordan Park Improvement Association (JPIA) strongly opposes SB 827. The City of San Francisco cannot afford to lose local control of planning matters — the quality of our neighborhoods will be compromised substantially. Essentially, this will be one big step towards "Manhattanizing" San Francisco. JPIA urges you to vote **"no" on SB 827**.

Larry Costello, President
Jordan Park Improvement Association
146 Jordan Ave.
San Francisco, CA
94118
415-225-5567

Jalipa, Brent (BOS)

To: Somera, Alisa (BOS); Lew, Lisa (BOS); Wong, Jocelyn (BOS)
Subject: RE: Oppose SB 827

From: anastasia Yovanopoulos [<mailto:shashacooks@yahoo.com>]
Sent: Tuesday, March 20, 2018 4:59 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Oppose SB 827

Dear President Breed and Members of the San Francisco Board of Supervisors,

Senate Bill 827 isn't in keeping with San Francisco's housing and planning policies.
Amendments cannot save SB 827.

Senator Wiener is promoting a "real estate bill" that caters to speculators. If passed, SB 827 would allow developers to build luxury units that our city neither needs nor wants, incentivize evictions and displace our most vulnerable residents.

- **Land use policies, and their impacts must be left to our local government, not the State Legislature, to determine.**

The State Legislature cannot possibly know the hundreds of unintended consequences of such a broad brush bill.

Supervisors, stand up for San Francisco now. Stand strong with communities, municipalities, and cities throughout California in opposition to SB 827.

- **Adopt a resolution opposing SB 827, with no amendments.**

Thank you.

Yours truly,

Anastasia Yovanopoulos,
Noe Valley Neighborhood Council member



**BARBARY COAST
NEIGHBORHOOD
ASSOCIATION**

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San Francisco, CA 94111
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February 28, 2018

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Kathleen James
Mary Lou Licwinko
Carol Parlette
Lee Robbins

Re: SB 827 (Wiener), January 3 Version: **STRONGLY OPPOSED**

Dear Ms. Nickolopoulos :

SB 827 would authorize significantly larger housing developments in areas meeting minimum levels of transit service. It does so by imposing minimum zoning standards in those "transit-rich" areas. It removes residential density limits, imposes minimum height limits, and prohibits enforcement of almost all design standards relating to the building envelope, among other things. We are **strongly opposed** to this measure. We are writing because Ms. Kathryn Angotti of the State Legislation Committee indicated the Planning Department would be recommending the position on this bill. The reasons for our opposition are the following:

- **It would upzone virtually the entire city of San Francisco.** San Francisco has an extensive public transit system. Thus, a majority of the streets in the City would have their height limits doubled from 40"/45' to 85'. This clearly allows massive new developments in heretofore low-rise neighborhoods. This height limit concern was echoed in 2013 when San Francisco voters supported the "**No Wall on the Waterfront**" campaign and decisively voted down a proposed high-rise housing development on the Embarcadero. Over time the drastic approach embraced in SB 827 will destroy the human scale and character of the City's neighborhoods.

- **It would eliminate the ability of a city to maintain any control over basic building designs.** This bill precludes the City from enforcing basic planning and design standards for housing. These standards often pertain to quality of life issues and involve aspects such as rear yards, open space, setbacks, etc. Taken together, they form the key to ensuring livability, walkability, and urban design quality. Blocking their enforcement will result in large institutional blockhouse structures that create a cold uninviting environment.

In summary, SB 827 eviscerates the ability of San Francisco and several other metropolitan areas to control the livability and quality of life in their residential neighborhoods. While it is broadly accepted that the state needs to build more housing, this bill is the wrong approach. It is unthinkable that a city cannot control the scale and character of its neighborhoods. Accordingly, we are **strongly opposed** to this bill and respectfully urge the Planning Department to recommend the City and County of San Francisco oppose it.

Sincerely,

Diana Taylor
President

cc: Ms. Kathryn Angotti
Supervisor Aaron Peskin
Ms. Sunny Angulo



January 18, 2017

Senator Scott Wiener
Capitol Building
Sacramento, CA 95814

RE: SB 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus-- OPPOSE

Dear Senator Wiener:

Sierra Club California opposes SB 827, which seeks to automatically increase zoning densities and building heights around high-quality transit corridors and major transit stops. High-quality transit corridors are defined as fixed-route bus services that have no more than 15-minute intervals during peak commute times, and major transit stops are defined by Public Resources Code section 21064.3 as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”

While infill development near transit is the most desirable option, we believe that your bill is a heavy-handed approach to encourage that development that will ultimately lead to less transit being offered and more pollution generated, among other unintended consequences. For these reasons we oppose SB 827.

Fuels Opposition to Future Transit Development

Many areas in California lack adequate quality transit. However, some influential community members have been resistant to increasing transit in these areas. One example that comes to mind is the proposal to establish light rail development between downtown Sacramento and the airport. This proposal has faced some opposition by residents in areas north of downtown. SB 827 would marry transit development to a loss of local zoning control, and promise to up zone to eight story buildings areas near a transit corridor and major transit stop. This approach would surely increase opposition—and likely stir up additional opposition—to sorely needed transit investments in the Sacramento case. In Los Angeles County, the automatic requirement to up-zone that SB 827 provides could impact efforts to extend the Green Line into certain coastal towns. In San Diego County, the up-zoning requirement could hinder future expansion of coastal commuter rail into already developed communities.

Not All Transit Stops are Equal

Unlike fixed rail routes, bus routes are not set in stone, and may and should change periodically. Bus routes can disappear when ridership or funding declines, as occurred during the last recession. Some transit agencies have found that updating bus routes to reflect land use changes over time is one way to keep transit use high. Appropriately identifying which bus routes and stops are likely to remain high use and which may change over time is a job best left to local community planners.

SB 827 Can Promote Displacement

SB 827 will allow for greater development near transit stops. Some of these areas consist of disadvantaged communities that already face extreme pressure from gentrification. By imposing much

higher density and taking over zoning from local governments, the bill could result in these communities losing protections that prevent economic pressures from driving people out of their homes, replacing single-family homes with luxury units that are not available to people with moderate or low incomes. The increase in the cost of land from new luxury units can increase rents that further displacement.

Displacement can force residents out into areas further from their jobs and city centers, increasing commute times and greenhouse gas emissions. While infill development near transit is necessary, this must be done in ways that protect existing communities and discourage displacement. SB 827 makes no accommodation to protect disadvantaged residents.

Allow Incentive-Based Approaches to Work

The legislature addressed housing and increased densities last year with a few bills that provided funding and other measures designed to increase infill development, allowing local governments to set new zoning plans themselves. This is a more collaborative approach, and should be given time to play out.

SB 827 and SB 35 Interact to Preclude Public Health and Environmental Protections

SB 35 allows for ministerial permitting for projects that are in jurisdictions that have not met their Regional Housing Needs Assessment production requirements. An eligibility requirement for SB 35 is a consistency with objective zoning and design review standards. SB 827 will exempt some areas from those standards. This means that certain projects up to 85 feet in height (about 8 stories) would be eligible for ministerial permitting, and thus avoid environmental review under the California Environmental Quality Act (CEQA), in areas where all design, review, and public comment focus on single-family homes. This would increase the amount of unmitigated pollution in these communities, while stifling public input. We continue to believe that developers should prevent or mitigate their pollution, and this potential avoidance of CEQA is unacceptable.

We support and understand and experience the need for affordable housing in California. We support higher density in urban areas. We support infill development. However, SB 827 is not the right way to create better development. It has too many unintended consequences. It will increase pollution, discourage transit, and potentially displace disadvantaged residents. We oppose this measure, and urge you to remove this bill from consideration.

Sincerely,



Kyle Jones
Policy Advocate

Cc: Senate Transportation and Housing Committee members and staff

COALITION FOR SAN FRANCISCO NEIGHBORHOODS

LAND USE COMMITTEE RESOLUTION TO OPPOSE SB 827 (TRANSIT-RICH HOUSING BONUS)

FEBRUARY 2018

WHEREAS, Senate Bill 827 (SB 827) [Wiener/Ting/Skinner] of the State of California enacts to set aside “local ordinance, general plan element, specific plan, charter or other local law, policy resolution or regulation” to allow building developments to be “exempt” from “maximum controls on residential density or floor area ratio”, “minimum automobile parking requirements”, “any design standards that restricts developer’s ability to construct the maximum number of units consistent with any applicable building code”; and

WHEREAS SB 827 designates that the height minimum for development projects that are “transit-rich housing” (residential development project the parcels of which are all within a ½-mile radius of a *major transit stop* (CA Public Resources Code Sec. 21064.3: “has existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during morning and afternoon peak commute periods)) within ¼-mile radius of a *high-quality transit corridor* (a corridor with fixed route bus service that has service intervals of no more than 15 minutes during peak commute hours) or within one block of a major transit stop to be 85 feet except when the parcel facing a street that is less than 45 feet wide from curb to curb shall be at least 55 feet tall; and

WHEREAS, SB 827 designates that “if the transit-rich housing project is within ½-mile of a major transit stop” but does not meet the prior criteria, “any maximum height limitation that is less than 55 feet, except in cases where a parcel facing a street that is less than 45 feet wide from curb to curb”, shall be “not be less than 45 feet”; and

WHEREAS, SB 827 designates that “if the project is exempted from the local maximum height limitation, the governing height limitation for a transit-rich housing project shall be 55 feet or 45 feet; and

WHEREAS, SB 827 enacts that if a parcel has a street frontage on two or more different streets, the height maximum shall be based on the widest street; and

WHEREAS, SB 827 would allow virtually unrestricted housing units by transit contrary to existing San Francisco Planning Code; and

WHEREAS, SB 827 could potentially allow matching heights for the residential streets that share property lines with the “transit-rich housing project” parcels; and

WHEREAS, SB 827 would affect many low-income residents and those of color who predominantly live along the parcels along the transit corridors further exacerbating the affordability when they get evicted for the landowner to be incentivized by this Bill to gain additional height and units; and

WHEREAS, SB 827 would increase the cost of housing making it harder to create and meet affordable housing targets since developers would tend to aim for luxury and market-rate units thereby getting huge windfalls and also SF would welcome that for their tax revenue; and

WHEREAS, SB 827 does not take into consideration the increase in affordable units through SF's existing Accessory Dwelling Unit (ADU) ordinances that seek to create more affordable housing without the impacts that could last for many years should SB 827 pass; and

WHEREAS, SB 827 would negate the powers of the Planning Commission and the Supervisors, including the Mayor of San Francisco from all decisions on any "Transit-rich Project"; and

WHEREAS, if municipalities have to defend their positions that go counter to SB 827, such as not having resulted in truly affordable housing among other consequences, the judicial system would be overburdened as well as local and state resources to hear cases; and

WHEREAS, SB 827 over-reaches in its powers to control nearly 95% of SF with no regard to long-standing diverse communities created out of decades of land use regulations for a much more vibrant and cosmopolitan quality of life for long-time residents and visitors; and

WHEREAS, SB 827 is premature in relation to first having a fully functional transportation system before putting housing along the transit that is supposed to serve the additional load of residents; and

WHEREAS, SB 827 could incentivize landowners on these transit corridors to evict existing merchants to demolish and build to the new state criteria; and

WHEREAS, SB 827 would change the character of the low-density residence neighborhoods throughout the city and the state; and

WHEREAS, SB 827 does not guarantee that residents who may occupy the newly built "Transit-rich Housing Project" would *not* drive and therefore add to the congestion in the cities and *not* reduce greenhouse gas emissions per se; and

WHEREAS, low-density residential-housing zoned neighborhoods butt up against these transit corridors with specific lower height caps, density and floor area ratios, and new buildings under SB 827 would create a disconnect to the character of the neighborhoods;

RESOLVED, the Coalition for San Francisco Neighborhoods (CSFN) Land Use Committee (LUC) urges all members of its organizations and anybody else agreeing with this Resolution to communicate to the State legislators for the district in which he/she resides to oppose SB 827; and

BE IT FURTHER RESOLVED, that the CSFN LUC urges the California State Senate/Assembly to oppose SB 827; and

BE IT FINALLY RESOLVED, that the CSFN LUC supports the Board of Supervisors' Resolution of February 13, 2018 to oppose SB 827.

Paul A. Webber
A North Beach Resident
San Francisco, CA 94133
February 12, 2018

Mayor Mark Farrell
Members of the Board of Supervisors

Re: SB 827 (Wiener)

Dear Mayor Farrell and Members
Of the Board of Supervisors

I am writing to urge you to oppose SB 827 authored by Senator Wiener, which can up zone the entire City & County of San Francisco by replacing zoning height limitations for housing with height bonuses based on proximity to “transit-rich”

corridors or major transit stops as defined. It would set minimum heights for projects within these locations at 85,55 or 45 feet depending upon street widths and proximity.

In addition to replacing height limits, it also eliminates maximum controls on residential density or floor area ratios, auto parking requirements, design standards that “restricts...the ability to construct the maximum number of units consistent with any...building code.”

In discussions with Senator Wiener at his town hall meeting at the Taraval Police Station, he said that local demolition rules would continue to apply and he would clarify that, but that he was proposing

some as well that would be contained in forthcoming amendments. It was unclear whether his definition was intended to trump the local definitions or augment them in some fashion.

Senator Wiener also said that local inclusionary/affordable housing rules would continue to apply, which would mean that “feeing out” would be permitted, at least in San Francisco. More about that below.

I urge you to oppose SB 827, for a number of reasons, as set forth below.

1. There is no need for the Bill. The State Density Bonus Law (Government Code Section 65915) can achieve the

same purpose and requires onsite construction for the affordable housing bonus units. For the reason described in 2 below, that is very important. Also, State Law would give a greater height bonus.

2. Under the Bill, applying local inclusionary/affordable housing rules, a developer would not be required to build affordable units on the site of the transit rich project. I confirmed that with Senator Wiener. That means that those with an even greater need for public transportation, and thus housing in a transit rich project, would not be eligible for that housing unless a developer chose to voluntarily build

all units on site. That defeats a key purpose of the Bill.

3. While, according to Weiner, local demolition rules would apparently apply, the Bill offers no requirement for the preservation of rent controlled or other below market-rate housing. While the State Bonus program does not preserve it, it does address it.
4. The very existence of the 827 program would likely run up land prices. And yet the Bill does not require any quid pro quo from a developer in return for an 827 bonus. This is just not right.

On a similar note, the Planning Department Staff, in its well written Analysis of the Bill dated February 5, 2018, suggests that by building more market rate housing, the cost of housing will come down. But that depends upon a number of factors, not the least of which is whether housing can equal or exceed demand, which hasn't happened for some time. The best one can say is that the housing cost increase may not be as great.

5. The definition under the Bill of a “high- quality transit corridor”, allows the locale of the housing to be “managed” by simply changing the frequency of bus service intervals,

which seems too serendipitous and subject to abuse.

Please act on this soon to avoid giving property owners and speculators an economic and zoning bonus for nothing.

Thank you.

Paul A. Webber

CC: San Francisco Planning Commissioners.

John Rahaim

AnMarie Rodgers

Jonas. P. Ionin

Coalition For San Francisco Neighborhoods

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [Somera, Alisa \(BOS\)](#)
Subject: FW: Oppose SB 827
Date: Thursday, February 15, 2018 10:31:09 AM

From: zrants [mailto:zrants@gmail.com]
Sent: Monday, February 12, 2018 6:40 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; SheehyStaff (BOS) <sheehystaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: Oppose SB 827

Supervisors:

We oppose SB 827 and support Supervisor Peskin's resolution opposing SB 827.

Thanks for your consideration.

Mari Eliza

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [Somera, Alisa \(BOS\)](#)
Subject: FW: Opposition to SB827
Date: Thursday, February 15, 2018 10:31:20 AM

From: Jean Barish [mailto:jeanbbarish@hotmail.com]
Sent: Monday, February 12, 2018 8:37 PM
To: Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Aaron Peskin <aaron.peskin@earthlink.net>; Breed, London (BOS) <london.breed@sfgov.org>; catherine.stefani@sfgov.org j <catherine.stefani@sfgov.org> j; Tang, Katy (BOS) <katy.tang@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Opposition to SB827

I am writing to support the Board of Supervisors resolution opposing SB827.

SB827 is a bad law and needs to be Opposed by the Board of Supervisors.

Thank you,

Jean

Jean B Barish
jeanbbarish@hotmail.com
415-752-0185

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; Somera, Alisa \(BOS\)](#)
Subject: FW: Please reject SB 827
Date: Thursday, February 15, 2018 10:31:28 AM

From: Rodney Minott [mailto:rodneyminott@outlook.com]
Sent: Tuesday, February 13, 2018 12:04 PM
To: Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; SheehyStaff (BOS) <sheehystaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Please reject SB 827

Dear Supervisors:

I'm writing to urge you to go on record opposing Senate Bill 827 (Wiener housing bill) .. and, in turn, supporting Supervisor Peskin's resolution opposing SB 827. SB 827 is an ill-considered piece of legislation that promises only to severely damage San Francisco through significant upzoning and loss of local control over planning decisions. The proposed bill would not remedy the challenges of providing thoughtful growth and affordable housing.

Best,
Rodney Minott
Potrero Hill