



April 2, 2025

Ms. Angela Calvillo, Clerk  
Honorable Supervisor Chan  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2025-000442PCA:**  
Notice for Housing Element Rezoning  
Board File No. 241210

**Planning Commission Recommendation: Adopt a Recommendation of Approval with Modification**

Dear Ms. Calvillo and Supervisor Chan,

On March 20, 2025, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Chan. The Ordinance would amend the Planning Code to require notice of rezoning intended to comply with Housing Element law. At the hearing the Planning Commission adopted a recommendation of approval with modifications.

The Commission's proposed modifications were as follows:

1. Strongly urge the Board of Supervisors to identify and allocate resources to cover the costs of the notice required under this proposed Ordinance.
2. Clarify the mailer recipients are only to those whose parcels are proposed for increased height or increased density through adding two or more units, plus the properties within a 300-foot radius of these parcels.
3. Remove codified language of mailer contents.
4. Eliminate or reduce the minimum font size with the intent to keep the font size legible.
5. Clarify that the proposed website would not need to include renderings for *all* corridors within the proposed rezoning area.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,



Aaron D. Starr

*Manager of Legislative Affairs*

cc: Austin Yang Deputy City Attorney  
Angelina Yu, Aide to Supervisor Chan  
Calvin Yan, Aide to Supervisor Chan  
John Carroll, Office of the Clerk of the Board

**ATTACHMENTS :**

Planning Commission Resolution  
Planning Department Executive Summary



# PLANNING COMMISSION RESOLUTION NO. 21706

**HEARING DATE:** March 20, 2025

*Project Name:* Notice for Housing Element Rezoning  
*Case Number:* 2025-000442PCA [Board File No. 241210]  
*Initiated by:* Supervisor Chan / Introduced December 17, 2024  
*Staff Contact:* Veronica Flores Legislative Affairs  
veronica.flores@sfgov.org, 628-652-7525  
*Reviewed by:* Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 628-652-7533

**RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL WITH MODIFICATION OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE NOTICE OF REZONING INTENDED TO COMPLY WITH HOUSING ELEMENT LAW; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE PURSUANT TO PLANNING CODE, SECTION 302.**

WHEREAS, on December 17, 2024 Supervisor Chan introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 241210, which would amend the Planning Code to require notice of rezoning intended to comply with Housing Element law.

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on March 20, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval with modifications** of the proposed ordinance. The Commission's proposed recommendations are as follows:

1. Strongly urge the Board of Supervisors to identify and allocate resources to cover the costs of the notice required under this proposed Ordinance.
2. Clarify the mailer recipients are only to those whose parcels are proposed for increased height or increased density through adding two or more units, plus the properties within a 300-foot radius of these parcels.
3. Remove codified language of mailer contents.
4. Eliminate or reduce the minimum font size with the intent to keep the font size legible.
5. Clarify that the proposed website would not need to include renderings for *all* corridors within the proposed rezoning area.

## Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The proposed Ordinance builds on the Department's multi-year efforts of community outreach regarding the Housing Element rezoning.

## General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

## HOUSING ELEMENT

### OBJECTIVE 2.A

MAKE AMENDS AND INFORM REPARATIVE ACTIONS BY TELLING THE TRUTH ABOUT DISCRIMINATORY ACTIONS AND THE RESULTING HARM.

### Policy 10

Acknowledge the truth about discriminatory practices and government actions as told by American Indian, Black, and other communities of color to understand the root causes of the housing disparities in these communities and to inform how to redress the harms.

### Policy 21

Prevent the potential displacement and adverse racial and social equity impacts of zoning changes, planning processes, or public and private investments especially for populations and areas vulnerable to displacement.

*The proposed Ordinance supports the Housing Element Update's strategy of outreach and engagement to communities historically underrepresented including low-income communities of color and vulnerable groups. The proposed Ordinance meets the intent of Objective 2.A which is to make amends and inform reparative actions by keeping the public informed on the rezoning plan. Additionally, the proposed Ordinance aligns with the spirit of Policy 10, which is to acknowledge discriminatory practices in the past. Policy 10 also addresses this by incorporating more feedback from vulnerable populations. Lastly, the proposed Ordinance advances racial and social equity impacts of zoning changes and the planning process as called upon in Policy 21.*

The proposed Ordinance is inconsistent with the following Objectives and Policies of the General Plan:

### Policy 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in Well-resourced Neighborhoods and adjacent lower-density areas near transit, including along SFMTA Rapid Network and other transit.

*As drafted, the proposed Ordinance would create significant obstacles to complying with **Policy 20**, which calls for increasing mid-rise and small multi-family housing types through zoning changes or density bonus programs in Well-Resourced Neighborhoods and adjacent lower-density areas near transit, including along the SFMTA Rapid Network. The Ordinance requires extensive renderings to be posted online, a task that would take years and substantial funding to complete for all corridors within the rezoning area. If the Department is unable to meet this requirement, the City would be prevented from adopting the rezoning plan by **January 31, 2026**, violating state law. This delay would directly conflict with **Policy 20**. However, if amended per staff recommendations, the proposed Ordinance would align with this policy.*

### Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of*

*neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

### **Planning Code Section 302 Findings.**

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on March 20, 2025.



**Jonas P Ionin**

Digitally signed by Jonas P Ionin  
Date: 2025.03.27 19:13:31 -07'00'

Jonas P. Ionin  
*Commission Secretary*

AYES: Williams, Braun, Imperial, Moore, So

NOES: Campbell, McGarry

ABSENT: None

ADOPTED: March 20, 2025



# EXECUTIVE SUMMARY PLANNING CODE TEXT AMENDMENT

**HEARING DATE:** March 20, 2025

**90-Day Deadline:** June 10, 2025

*Project Name:* Notice for Housing Element Required Rezoning

*Case Number:* 2025-000442PCA [Board File No. 241210]

*Initiated by:* Supervisor Chan / Introduced December 17, 2024

*Staff Contact:* Veronica Flores Legislative Affairs

veronica.flores@sfgov.org, 628-652-7525

*Reviewed by:* Aaron Starr, Manager of Legislative Affairs

aaron.starr@sfgov.org, 628-652-7533

*Environmental*

*Review:* Not a Project Under CEQA

**RECOMMENDATION: Adopt of Recommendation for Approval with Modification**

## Planning Code Amendment

The proposed Ordinance would amend the Planning Code to require notice of rezoning required to comply with Housing Element law.

### The Way It Is Now:

Legislative actions do not typically require a mailed notice. The only exception is for a zoning map amendment if the area proposed for rezoning is 30 acres or less, excluding the area of the public streets and alleys.

## The Way It Would Be:

Legislative proposals to reclassify properties to comply with the City's Housing Element obligation to create sufficient capacity would require a notice. The requirements of this proposed noticing requirement are compared to the existing noticing requirements for legislative actions in *Issues and Considerations*.

## Background

The Planning Department is working on the Housing Element Rezoning Program. The Department started its public outreach in early 2023 to inform the affected property owners, residents, and business owners of the rezoning efforts; however, during that effort, some of the public expressed concerns that their neighbors were either unaware of the rezoning or did not fully understand its impacts. In response, Supervisor Chan introduced this Ordinance to require public notice for the Housing Element Rezoning Program to ensure all impacted parties are notified.

## Issues and Considerations

### Housing Element

The [Housing Element 2022 Update](#), adopted in January 2023, is San Francisco's plan for meeting our housing needs for the next eight years (January 31, 2023 to January 31, 2031). This corresponds with the City's Housing Element obligation to create sufficient capacity to meet its 6th cycle RHNA. Expanding Housing Choice (Housing Element Rezoning Program) is one of the key state-mandated implementation actions identified in the certified 2022 Housing Element. This has been a multi-year effort with a comprehensive community engagement effort starting in Spring 2023. A summary of outreach events to date is included below:

- 5 Field Walks
- 4 Open Houses
- More than 40 Community Conversations (meetings with community groups or organizations)
- 7 Focus Groups
- 3 Online Surveys
- 15 Stakeholder Interviews, published in the Story Map and on the Department's YouTube channel
- 85 Housing Education Workshops led by community partners
- 4 Workshops engaging architects and developers
- 2 Webinars
- 4 Presentations at other Advisory Bodies
- 5 other events (such as town halls and housing fairs)

Attendees of these events were invited and encouraged to sign up for Housing Element email newsletter for the latest rezoning updates. Additionally, attendees were informed the most accurate source of information after the events would be on the Expanding Housing Choice webpage. This includes the [Zoning Proposal Interactive Map](#). The Zoning Proposal Interactive Map is a helpful tool that allows the public to search for their address and zoom into their specific neighborhood to view proposed changes. This interactive map also allows the public to toggle between different layers of information, including the existing Zoning

Districts and permitted height. This makes it easy to compare the existing controls versus what the current proposed rezoning includes. In addition, the public can also toggle between the current and prior proposed rezoning maps to see the evolution of the proposed changes.

## Noticing Requirements for Zoning Map Amendments

Currently, Zoning Map amendments only trigger mailed notice if the area to be rezoned is 30 acres or less, excluding streets and alleys. This is because sending out notices to any geographic area larger than 30 acres is impractical and costly. Additionally, larger rezonings, like the Housing Element Rezoning Program, typically involve extensive public outreach and engagement ensuring impacted residents are informed.

The final rezoning area is likely to be more than 13,000 acres, which is more than 400x larger than rezoning proposals that trigger a mailed notice today.

The total area proposed to be rezoned has not yet been finalized; however, for the purposes of this report, staff assume the rezoning area will be the entire High-Opportunity Area (HOA)<sup>1</sup>. The total HOA plus 300' radius is approximately 13,409 acres, or more than 400x larger than what triggers a mailed notice today. Additionally, the Ordinance would require the mailed notice to include information that is not currently required. Table 1 compares the current noticing requirements for Zoning Map amendments to the required notice in the proposed Ordinance.

**Table 1: Comparing noticing requirements for legislative actions today versus the required notice under the proposed ordinance**

	NOTICING REQUIREMENTS FOR LEGISLATIVE ACTIONS TODAY	PROPOSED NOTICING FOR REZONING PROPOSALS TO COMPLY WITH THE HOUSING ELEMENT
<b>Triggers</b>	Zoning Map Amendments and Interim Controls reclassifying or interim controls applicable to 30 acres or less in total area, excluding the area of the public streets and alleys.	Any legislative proposal to reclassify property through a Planning Code amendment and/or Zoning Map amendment required to comply with the Housing Element obligation to create sufficient capacity.
<b>Length of notice</b>	20 days	30 days
<b>Format of mailed notice</b>	Written notice with minimum dimensions of 5.5"x 8.5". There is no minimum font size, but the Department ensures the font is legible.	The mailed notice shall consist of a postcard or similar mailer with minimum dimensions of 5.5"x 8.5". Headers shall have a minimum font size of 18 point and the content language shall have a minimum font size of 12 point.
<b>Recipients</b>	<ul style="list-style-type: none"><li>• All owners and, to the extent practicable, occupants of</li></ul>	Property owners, residents, and commercial lessees of properties that

<sup>1</sup> In the February 2024 draft rezoning map, some proposed rezoning areas extend beyond the HOA boundaries, but this report focuses on just the HOA for simplicity purposes.

	<b>NOTICING REQUIREMENTS FOR LEGISLATIVE ACTIONS TODAY</b>	<b>PROPOSED NOTICING FOR REZONING PROPOSALS TO COMPLY WITH THE HOUSING ELEMENT</b>
	<p>properties, within no less than 150 feet of the subject property, including the owner(s) and occupant(s) of the subject property, including any occupants of unauthorized dwelling units.</p> <ul style="list-style-type: none"><li>• Neighborhood organizations that have registered with the Planning Department</li><li>• Individuals who have made a specific request to be notified of hearings and applications at a subject lot.</li></ul>	<p>are within the proposed rezoning or within 300 feet or the proposed area.</p>
<b>Information required</b>	<ul style="list-style-type: none"><li>• A general description of the subject and purpose of the hearing; and instructions for how to contact the planner assigned to the case and provide comment to the hearing body.</li><li>• Include a map or general description of the area proposed for reclassification or action.</li><li>• If involves a single lot or development, a posted notice is also required.</li></ul>	<ul style="list-style-type: none"><li>• A website address and digital response code for the public to access more information.</li><li>• The mailed notice must include the following statement: "NOTICE OF POTENTIAL REZONING OF HEIGHT AND/OR DENSITY: A proposed rezoning may increase the height and/or density limits of your property or others in your neighborhood. Learn more by scanning the QR Code or visit our website listed below. Information on the proposal is also available in person at the Planning Department Counter, 2nd Floor, 49 South Van Ness Avenue."</li></ul>
<b>Other</b>	The ZA may modify some of the noticing requirements.	The ZA may not modify any of the noticing requirements.

## Costs of Mailer

The primary difference between the existing noticing requirements for legislative actions and those under the proposed ordinance is the significantly larger area that must be notified. Under the proposed ordinance, hundreds of thousands of recipients would need to be mailed notices, substantially increasing the city's costs. Beyond the sheer volume, production costs and translation costs further add to the expense. The key factors contributing to the high cost of these notices are outlined on the following page.

### Massive Geographic Area

The proposed rezoning area could potentially encompass most of the city. While the boundaries are not yet finalized, the current draft already results in a substantial mailing list. Notices would need to be sent to property owners, residents, and commercial lessees within the rezoning area, as well as those within a 300-foot radius of the exterior boundaries of such area. The description “within the areas of the proposed rezoning” is vague and may be interpreted to include properties located within the HOA, but not actually proposed for increased height/density. For this report, staff analysis focuses on properties within the HOA boundaries. The total number of recipients is estimated to be approximately 400,000. Since the draft rezoning map (as of February 2024; see Exhibit C) extends beyond current HOA boundaries, this estimate may be adjusted as the process continues.

### Production Costs

Currently, the Department has a work order with ReproMail for printing and mailing services. In February 2025, ReproMail provided a quote for the required notice prescribed in the proposed Ordinance. The quote is based on an estimated 400,000 recipients and includes the following:

- Estimated cost for merging and printing 6"x9" postcards = \$30,284.
- Estimated cost for USPS Postage - Flat rate \$0.384 per postcard x 400,000 = \$153,600.
- Total estimated cost = \$183,884

The Department also researched other quotes online for potential cost savings and found that ReproMail costs are significantly higher (50% more) for printing and mail merge services; however, the standard postage would remain the same even if a different vendor were used for printing services.

### Translation Costs

San Francisco's Language Access Ordinance (LAO) requires that all written materials and signs are translated into the most common non-English languages (Chinese, Filipino, and Spanish). Vietnamese was added as an official City language in summer 2024; however, the Department is still awaiting information on when written materials are required to also be translated to Vietnamese. For the purposes of this report, staff assumes that any written notices would be translated into four additional languages by the time the proposed Ordinance would be effective. The cost for translation services is per word, with costs varying per language. This will be a marginal cost compared to the mailing itself but should still be factored into the complete costs of the mailer.

### **Minimum Font Size for Mailer**

The proposed Ordinance requires headers to have a minimum font size of 18 point and the content language to have a minimum font size of 12 point. This is too strict and does not account for varying sizes for different fonts. Some examples are included below:

- Arial
- Calibri
- Source Sans Pro
- Times New Roman
- Verdana

The Department should have discretion on the font type and size while ensuring legibility. Further, the American Disabilities Act (ADA) does not specify a minimum font size for mailed notices. However, ADA guidelines generally emphasize accessibility to ensure that information is accessible to all, including those with visual impairments. The Department ensures that mailed notices are legible.

This minimum font size may also add additional costs not described above. This is because a minimum font size of 12 point for the content may require a mailer larger than the 6"x9" postcard featured in quote earlier. This would result in a one-page mailer because ReproMail does not have any larger postcards. For context, the price difference between a 6"x9" postcard and one-page mailer are included in Table 2.

**Table 2: Comparing costs for 6"x9" postcard versus one-page mailer**

	ADDRESS MERGING AND PRINTING	STANDARD POSTAGE	TOTAL
<b>Alternative 1: 6x9 postcard</b>	\$30,284	\$153,600 (\$0.384 per postcard)	<b>\$183,884</b>
<b>Alternative 2: 1-page letter with #10 window envelope</b>	\$75,303	\$153,600 (\$0.384 per letter)	<b>\$228,903</b>

This results in an additional \$45,000 to produce this mailer. Again, this is based on an estimates 400,000 recipients and likely to increase once the total area to be rezoned is finalized.

## Required Information on Website

The Department is required to maintain a website that includes the following:

- A general description of the legislative process, information on how to submit comments to Planning Department or Commission, and how to obtain additional information and/or information on how to request a meeting with the Planning Department.
- Map of rezoning proposal showing all parcels to be reclassified with increased height and density limits
- an interactive function where users can compare the existing and proposed zoning by address;
- the mailed notice required under this Ordinance;
- and renderings showing the existing conditions along with images of the height and bulk of the potential new development.

This website should be available 30 days after the effective date of the proposed Ordinance. The Department already has much of this information available online, except for the mailed notice (which would be produced later) and the full extent of the renderings. The Department currently has some renderings, but it would be too costly and time-prohibitive to produce the required renderings as detailed below.

## Rendings

The proposed Ordinance would require renderings showing the existing conditions and the potential development. There is concern that, as drafted, this Ordinance would require renderings for the entirety of the area proposed for rezoning. The Supervisor's office clarified that this was not the intent, and the goal was to have the Department's existing renderings easily available on the webpage. The Department has several renderings depicting existing conditions and potential development. These rendering locations were chosen based on major commercial corridors, key intersections, and by identifying opportunity sites. These are for illustrative purposes only and are not meant to showcase the final project. The Department does not know what is going to be built and renderings are just educated guesses of the potential impact.

The Department has two staff architects that have produced renderings for the Expanding Housing Choice Program and for other Department efforts. Consultants were also hired to produce some renderings, but this adds additional costs. Whether completed in-house or by a consultant, it takes months to produce quality renderings that consider the neighborhood context. Additionally, these renderings also factor in building setbacks, massing sculpting, and façade articulation to ensure that the rendering does not just depict a big, block box of a building.

## General Plan Compliance

The proposed Ordinance supports the Housing Element Update's strategy of outreach and engagement to communities historically underrepresented including low-income communities of color and vulnerable groups. The proposed Ordinance meets the intent of Objective 2.A which is to make amends and inform reparative actions by keeping the public informed on the rezoning plan. Additionally, the proposed Ordinance aligns with the spirit of Policy 10, which is to acknowledge discriminatory practices in the past. Policy 10 also addresses this by incorporating more feedback from vulnerable populations. Lastly, the proposed Ordinance advances racial and social equity impacts of zoning changes and the planning process as called upon in Policy 21.

As drafted, the proposed Ordinance would create significant obstacles to complying with **Policy 20**, which calls for increasing mid-rise and small multi-family housing types through zoning changes or density bonus programs in Well-Resourced Neighborhoods and adjacent lower-density areas near transit, including along the SFMTA Rapid Network. The Ordinance requires extensive renderings to be posted online, a task that would take years and substantial funding to complete for all corridors within the rezoning area. If the Department is unable to meet this requirement, the City would be prevented from adopting the rezoning plan by **January 31, 2026**, violating state law. This delay would directly conflict with **Policy 20**. However, if amended per staff recommendations, the proposed Ordinance would align with this policy.

## Racial and Social Equity Analysis

The proposed amendments help further racial and social equity by enhancing community outreach efforts related to the Housing Element rezoning plan. By expanding outreach to include comprehensive mailing notices or postcards, the proposed Ordinance ensures that impacted communities are directly informed. Residents who were not reached through Housing Element outreach effort will be informed of the rezoning

proposal. This proactive approach ensures that every individual is given the opportunity to be informed and participate in critical decisions affecting their neighborhoods.

Expanding current outreach efforts this way could increase community engagement. This is especially true for communities of color and low-income residents who have historically been excluded from important planning conversations. By directly reaching those most affected by rezoning decisions, the proposed Ordinance ensures that the Housing Element process is not just a top-down decision but an inclusive, community-driven effort that reflects the voices and needs of all residents. This proposed Ordinance builds upon the Department's ongoing commitment to equitable, transparent, and accessible public information, fostering a more just and informed community for everyone.

## Implementation

The Department has determined that this ordinance will impact our current implementation procedures. Firstly, the proposed Ordinance would impact Department budget. If the proposed Ordinance were enacted as drafted, this notice would likely be a minimum of \$200,000. This estimate is just for the mailer itself and does not factor in the translation costs or staff time to produce said notice and compile comprehensive mailing lists. The Department has not budgeted for these funds and would need to be reimbursed for them. Further, the proposed Ordinance would require this notice for future Housing Element-related rezonings for future Housing Element cycles. Staff does not anticipate future Housing Element-related rezonings to be as comprehensive as this cycle; therefore, the total number of mailing recipients and costs is anticipated to be less for future cycles.

Secondly, requiring renderings for all corridors within the proposed rezoning area is a huge undertaking. Producing renderings takes time to analyze the existing conditions and conceptualize what the potential development could look like. Often, this process occurs before even opening a computer-modeling program. It is also an iterative process that takes time to review drafts and incorporate feedback to improve the rendering. The Department does not have sufficient staff to complete this task in a timely fashion. Further, even if the Department were to outsource this work to a consultant, it would still take years to produce renderings for all the corridors, while adding a hefty expense to the budget.

Lastly, the proposed notice would require significant staff time to review the comprehensive list of addresses and weed out any duplicates. Additionally, producing the complete notices will be an inter-divisional effort to ensure that the information, including the rezoning maps, is legible and comply with ADA requirements. This would require the Department to reprioritize other efforts to comply with the new mailing requirement.

## Recommendation

The Department recommends that the Commission **adopt a recommendation for approval with modifications** of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendations are as follows:

1. Strongly urge the Board of Supervisors to identify and allocate resources to cover the costs of the notice

required under this proposed Ordinance.

2. Clarify the mailer recipients are only to those whose parcels are proposed for increased height or increased density through adding more than one unit.
3. Revise the notice to remove codified language of mailer contents.
4. Eliminate or reduce the minimum font size with the intent to keep the font size legible.
5. Clarify that the proposed website would not need to include renderings for *all* corridors within the proposed rezoning area.

### **Basis for Recommendation**

The Department supports the overall goals of this Ordinance because of Housing Element goals of enhancing community engagement. Staff understands the importance of community outreach and informing the public of opportunities to provide feedback. This is evident through the robust community engagement and outreach events to date; however, the Department's budgeted resources are not sufficient to cover the costs of the required notice or the renderings. Therefore, the Department recommends the following to support these efforts.

**Recommendation 1: Strongly urge the Board of Supervisors to identify and allocate resources to cover the costs of the notice required under this proposed Ordinance.** The Department relies on General Fund allocations to cover mailing costs. However, the proposed ordinance would place an even greater strain on these funds at a time when the Department has been directed to reduce expenses. The current budget does not account for this legislation, and the estimated \$200,000 cost of the required mailing would be a significant and unplanned financial burden. While the Planning Commission cannot dictate the Board's budget priorities, the intent of the proposed modification is to prompt the Board of Supervisors to identify and allocate funding for this mailing.

**Recommendation 2: Clarify the mailer recipients are only to those whose parcels are proposed for increased height or increased density through adding more than one unit.** The proposed Ordinance requires a mailed notice be sent to properties within the rezoning area. This direction is vague and may be interpreted to capture even parcels and whole blocks of properties that are not proposed for increased height/density. The recommended clarification would capture both properties with proposed height increased, as well as properties that are not proposed for height increases but remove density limits. If this recommended modification is incorporated, it would also decrease the overall mailer cost significantly.

**Recommendation 3: Revise the notice to remove codified language of mailer contents.** The proposed Ordinance requires the mailer to include the following statement:

**NOTICE OF POTENTIAL REZONING OF HEIGHT AND/OR DENSITY:**

A proposed rezoning may increase the height and/or density limits of your property or others in your neighborhood. Learn more by scanning the QR Code or visit our website listed

below. Information on the proposal is also available in person at the Planning Department Counter, 2nd Floor, 49 South Van Ness Avenue.

The recommendation is to remove this specific verbatim language from the proposed Ordinance to allow the Department the flexibility to craft language that accurately provides both background and up-to-date information about the Expanding Housing Choice program. This approach will ensure that the latest developments are included and that the description remains accurate and reflective of the program's current status. The intent is still to include a clear explanation of the potential height and density limit increases, in alignment with the Supervisor's desired language. Removing the specific statement is crucial, particularly as the Expanding Housing Choice program continues to evolve. This would allow the Department to provide the most accurate and relevant information without being constrained by fixed language.

**Recommendation 4: Eliminate or reduce the minimum font size with the intent to keep the font size legible.** The prescribed minimum font sizes in the Ordinance are excessively rigid and need to be reconsidered. Different font types vary significantly in size, and the Department is already committed to ensuring that all mailed notices are clear and legible. As such, the Ordinance should be revised to eliminate the minimum font size requirement entirely. At the very least, the Ordinance should adjust the minimum font size to account for the inherent differences in font sizes, allowing the Department greater flexibility in font choices while maintaining legibility and accessibility for all recipients.

Failure to incorporate this modification would result in the required text, along with essential background information and translated languages, likely exceeding the space available on the 6"x9" postcard. ReproMail's largest available postcard is 6"x9", and using these minimum font sizes would necessitate switching to a one-page mailer. This change would significantly increase costs, with the quote for a one-page mailer being at least \$50,000 more than the cost of the 6"x9" postcard. As described earlier, the Department does not have the budget for this mailer, and this minimum font size would further increase costs. This financial burden is untenable and further highlights the need for the Ordinance to provide more flexibility in font size requirements.

**Recommendation 5: Clarify that the proposed website would not need to include renderings for *all* corridors within the proposed rezoning area.** As drafted, the proposed Ordinance could be interpreted to require renderings for *all* corridors within the rezoning area. This would be both cost-prohibitive and time-consuming. Further, requiring our website to post these renderings within 30 days of the effective date of the proposed Ordinance would be impossible. The Supervisor confirmed this was not the intent and acknowledged that it would be a massive undertaking.

The recommendation is to explicitly clarify that renderings for all corridors are *not* required. Without this recommended modification, the Department is concerned about potentially not meeting the requirements of the mailed notice, which would prevent the City from adopting the rezoning plan. This would prevent us from complying with state law to adopt a compliant rezoning plan by January 31, 2026. The Department has several renderings illustrating existing conditions and potential development. Posting these current renderings on the website will meet the intent of this requirement.

## Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

## Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

## Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

## ATTACHMENTS:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 241210
- Exhibit C: Draft Rezoning Plan, February 2024

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# PLANNING COMMISSION DRAFT RESOLUTION

**HEARING DATE:** March 20, 2025

*Project Name:* Notice for Housing Element Required Rezoning

*Case Number:* 2025-000442PCA [Board File No. 241210]

*Initiated by:* Supervisor Chan / Introduced December 17, 2024

*Staff Contact:* Veronica Flores Legislative Affairs

veronica.flores@sfgov.org, 628-652-7525

*Reviewed by:* Aaron Starr, Manager of Legislative Affairs

aaron.starr@sfgov.org, 628-652-7533

**RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL WITH MODIFICATION OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REQUIRE NOTICE OF REZONING REQUIRED TO COMPLY WITH HOUSING ELEMENT LAW; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE PURSUANT TO PLANNING CODE, SECTION 302.**

WHEREAS, on December 17, 2024 Supervisor Chan introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 241210, which would amend the Planning Code to require notice of rezoning required to comply with Housing Element law.

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on March 20, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby adopts a **recommendation for approval with modifications** of the proposed ordinance. The Commission's proposed recommendations are as follows:

1. Strongly urge the Board of Supervisors to identify and allocate resources to cover the costs of the notice required under this proposed Ordinance.
2. Clarify the mailer recipients are only to those whose parcels are proposed for increased height or increased density through adding more than one unit.
3. Revise the notice to remove codified language of mailer contents.
4. Eliminate or reduce the minimum font size with the intent to keep the font size legible.
5. Clarify that the proposed website would not need to include renderings for *all* corridors within the proposed rezoning area.

## Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The proposed Ordinance builds on the Department's multi-year efforts of community outreach regarding the Housing Element rezoning.

## General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

## HOUSING ELEMENT

### OBJECTIVE 2.A

MAKE AMENDS AND INFORM REPARATIVE ACTIONS BY TELLING THE TRUTH ABOUT DISCRIMINATORY ACTIONS AND THE RESULTING HARM.

#### **Policy 10**

Acknowledge the truth about discriminatory practices and government actions as told by American Indian, Black, and other communities of color to understand the root causes of the housing disparities in these communities and to inform how to redress the harms.

#### **Policy 21**

Prevent the potential displacement and adverse racial and social equity impacts of zoning changes, planning processes, or public and private investments especially for populations and areas vulnerable to displacement.

*The proposed Ordinance supports the Housing Element Update's strategy of outreach and engagement to communities historically underrepresented including low-income communities of color and vulnerable groups. The proposed Ordinance meets the intent of Objective 2.A which is to make amends and inform reparative actions by keeping the public informed on the rezoning plan. Additionally, the proposed Ordinance aligns with the spirit of Policy 10, which is to acknowledge discriminatory practices in the past. Policy 10 also addresses this by incorporating more feedback from vulnerable populations. Lastly, the proposed Ordinance advances racial and social equity impacts of zoning changes and the planning process as called upon in Policy 21.*

The proposed Ordinance is inconsistent with the following Objectives and Policies of the General Plan:

#### **Policy 20**

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in Well-resourced Neighborhoods and adjacent lower-density areas near transit, including along SFMTA Rapid Network and other transit.

*As drafted, the proposed Ordinance would create significant obstacles to complying with **Policy 20**, which calls for increasing mid-rise and small multi-family housing types through zoning changes or density bonus programs in Well-Resourced Neighborhoods and adjacent lower-density areas near transit, including along the SFMTA Rapid Network. The Ordinance requires extensive renderings to be posted online, a task that would take years and substantial funding to complete for all corridors within the rezoning area. If the Department is unable to meet this requirement, the City would be prevented from adopting the rezoning plan by **January 31, 2026**, violating state law. This delay would directly conflict with **Policy 20**. However, if amended per staff recommendations, the proposed Ordinance would align with this policy.*

#### **Planning Code Section 101 Findings**

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future

opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

**Planning Code Section 302 Findings.**

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on March 20, 2025.

Jonas P. Ionin  
*Commission Secretary*

AYES:  
NOES:  
ABSENT:  
ADOPTED: March 20, 2025

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1 [Planning Code - Notice for Housing Element Rezoning]

2

3 **Ordinance amending the Planning Code to require notice of rezoning intended to**

4 **comply with Housing Element law; affirming the Planning Department's determination**

5 **under the California Environmental Quality Act; making findings of consistency with**

6 **the General Plan and the eight priority policies of Planning Code, Section 101.1; and**

7 **making findings of public necessity, convenience, and welfare pursuant to Planning**

8 **Code, Section 302.**

9       **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.

10      **Additions to Codes** are in *single-underline italics Times New Roman font*.

11      **Deletions to Codes** are in ~~strikethrough italics Times New Roman font~~.

12      **Board amendment additions** are in double-underlined Arial font.

13      **Board amendment deletions** are in ~~strikethrough Arial font~~.

14      **Asterisks** (\*) indicate the omission of unchanged Code subsections or parts of tables.

15

16       Be it ordained by the People of the City and County of San Francisco:

17

18       Section 1. Environmental and Land Use Findings.

19

20       (a) The Planning Department has determined that the actions contemplated in this

21 ordinance comply with the California Environmental Quality Act (California Public Resources

22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

23 Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Board affirms this

24 determination.

25       (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,

26 adopted findings that the actions contemplated in this ordinance are consistent, on balance,

27 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
2 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code  
4 amendments will serve the public necessity, convenience, and welfare for the reasons set  
5 forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board adopts such  
6 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of  
7 Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

8

9       Section 2. General Findings.

10      (a) San Francisco's Regional Housing Needs Allocation ("RHNA") in the current 2023-  
11 2031 Housing Element cycle is 82,069 units over eight years (46,598 units of which must be  
12 affordable to very low-, low-, and moderate-income households), which is more than 2.5 times  
13 the allocation of the previous eight-year cycle. San Francisco will face significant challenges in  
14 meeting this goal.

15      (b) To meet its RHNA obligation, the City is proposing to rezone large parts of San  
16 Francisco to accommodate more units. The Planning Department's current proposal is called  
17 the Expanding Housing Choice (Housing Element Rezoning Program), and available on the  
18 Department's website.

19      (c) Despite the Planning Department's public outreach efforts, many property owners,  
20 residents, and business owners of the properties that could be upzoned are either completely  
21 unaware, or only vaguely aware, of the proposed Housing Element Rezoning Program.

22      (d) It is reasonable and in the public interest to enhance outreach and public notice to  
23 property owners, residents, and business owners likely to be affected by the City's  
24 prospective upzoning. Expanding the public's knowledge of the nature, scale, and reasonably  
25 anticipated effects of the upzoning can help the public better understand and better adapt to

1 the proposed changes. This ordinance will serve those purposes by establishing procedures  
2 for providing public notice of proposed increases in height limits and/or density limits pursuant  
3 to the Planning Department's Housing Element Rezoning Program.

5 Section 3. Article 3 of the Planning Code is hereby amended by revising Section 333,  
6 to read as follows:

7 **SEC. 333. PUBLIC NOTIFICATION PROCEDURES.**

8 (a) **Purpose.** The purpose of this ~~§~~Section 333 is to establish procedures for all  
9 public notifications required by this Code, except for those requirements set forth in Section  
10 311.

11 (b) **Applicability.** The requirements of this Section 333 shall apply to any hearing  
12 before the Planning Commission, Historic Preservation Commission, and/or the Zoning  
13 Administrator for which public notice is required in this Code, except that the requirements set  
14 forth in Section 311 shall be applicable to certain applications as set forth in Section 311. The  
15 Zoning Administrator shall determine the means of delivering all forms of public notice, in a  
16 manner consistent with the Planning Commission's policy on notification, provided that the  
17 requirements of this Section 333 are satisfied.

18 (c) **Notification Period.** For the purposes of this ~~§~~Section 333, the Notification  
19 Period shall mean no fewer than 20 calendar days prior to the date of the hearing, or in the  
20 case of a Building Permit Application a period of no fewer than 20 calendar days prior to any  
21 Planning Department approval of the application.

22 (d) **Content of Notice.**

23 (1) All notices provided pursuant to this ~~§~~Section 333 shall have a format and  
24 content determined by the Zoning Administrator, and shall at a minimum include the following:  
25 (A) the address and block/lot number(s) of the subject project; and

(B) the Planning Department case number or Building Permit Application number, as applicable, for the subject project; and

(C) the basic details of the project, including whether the project is a demolition, new construction, alteration, or change of use; and basic details comparing the existing and proposed conditions at the property including building height, number of stories, dwelling unit count, number of parking spaces, and the use of the building; and

(D) instructions on how to access the online notice and plan sets for the project, including how to obtain paper copies of the plan sets, and additional information for any public hearings required by the Planning Code and for which public notification is required for a development application: the date, time and location of the hearing; instructions for how to submit comments on the proposed project to the hearing body; and an explanation as to why the hearing is required.

## (2) Language Access.

(A) All forms of public notice provided pursuant to this Section 333 shall comply with the requirements of the Language Access Ordinance, Chapter 91 of the Administrative Code, to provide vital information about the Department's services or programs in the languages spoken by a Substantial Number of Limited English Speaking Persons, as defined in Chapter 91.

(B) The notices required by this Section 333 shall contain the information set forth in Subsection 333(d)(1) in the languages spoken by a Substantial Number of Limited English Speaking Persons, as defined in Administrative Code Chapter 91.

(e) **Required Notices.** Except as provided in subsection 333(f), all notices provided pursuant to this §Section 333 shall be provided in the following formats:

(1) **Posted Notice.** A poster or posters with minimum dimensions of 11 x 17 inches, including the content set forth in subsection 333(d), shall be placed by the project

1 applicant at the subject property *and* for the entire duration of the Notification Period as set  
2 forth herein. This notice shall be in addition to any notices required by the Building Code,  
3 other City codes, or State law. One poster shall be required for each full 25 feet of each street  
4 frontage of the subject property. For example, *2two* posters would be required for a 50 foot  
5 street frontage; *3three* posters would be required for either a 75 foot frontage or a 99 foot  
6 frontage. Multiple posters shall be spread along the subject street frontage as regularly as  
7 possible. All required posters shall be placed as near to the street frontage of the property as  
8 possible, in a manner to be determined by the Zoning Administrator that is visible and legible  
9 from the sidewalk or nearest public right-of way. The requirements of this *Subsection*  
10 *333(e)(1)* may be modified upon a determination by the Zoning Administrator that a different  
11 location for the sign would provide better notice or that physical conditions make this  
12 requirement impossible or impractical, in which case the sign shall be posted as directed by  
13 the Zoning Administrator.

17 (A) Neighborhood organizations that have registered with the Planning  
18 Department, to be included in a list that shall be maintained by the Planning Department and  
19 available for public review for the purpose of notifying such organizations of hearings and  
20 applications in specific areas; *and*

21 (B) Individuals who have made a specific written request *for* to be  
22 notified of hearings and applications at a subject lot; and

23 (C) All owners and, to the extent practicable, occupants of properties,  
24 within no less than 150 feet of the subject property, including the owner(s) and occupant(s) of  
25 the subject property, including any occupants of unauthorized dwelling units. Names and

addresses of property owners shall be taken from the latest Citywide Assessor's Roll. Failure to send notice by mail to any such property owner where the address of such owner is not shown on such assessment roll shall not invalidate any proceedings in connection with such action. The Zoning Administrator shall determine the appropriate methodology for satisfying this requirement. If applicable State law requires notice to be provided in a different manner, such notice will be provided consistent with applicable State requirements.

(3) **Online Notice.** For the entire duration of the Notification Period established herein, the following notification materials shall be provided on a publicly accessible website that is maintained by the Planning Department:

(A) A digital copy formatted to print on 11 x 17 inch paper of the posted notice including the contents set forth in subsection 333(d) for the hearing or application; and

(B) Digital copies of any architectural and/or site plans that are scaled to print on 11 x 17 inch paper, are consistent with Plan Submittal Guidelines established by the Planning Department, and that describe and compare, at a minimum, existing and proposed conditions at the subject property, the existing and proposed relationship to adjacent properties, and that may include a site plan, elevations documenting dimensional changes required to describe the

**(f) Notice of Hearings for Legislative Actions.** Notwithstanding the foregoing, for all hearings required for consideration of legislation, including but not limited to a Planning Code Amendment, Zoning Map Amendment, General Plan Amendment, or Interim Zoning Controls, an online notice shall be provided for the entire duration of the Notification Period established herein on a publicly accessible website that is maintained by the Planning Department, and shall include the date, time, and location of the hearing; the case number for the subject action; a general description of the subject and purpose of the hearing; and

1 instructions for how to contact the planner assigned to the case and provide comment to the  
2 hearing body.

3 (1) **Zoning Map Amendments and Interim Controls.** Except as provided in subsection  
4 (f)(2), Ffor any legislative proposal to reclassify property through a Zoning Map Amendment,  
5 or to establish Interim Zoning Controls, if the area to be reclassified or the area in which the  
6 interim controls are applicable is 30 acres or less in total area, excluding the area of public  
7 streets and alleys, the information specified in this subsection (f) shall be provided in a mailed  
8 notice consistent with the requirements of subsection 333(d), and the notices shall also  
9 include a map or general description of the area proposed for reclassification or action. For  
10 any legislative proposal to reclassify property through a Zoning Map Amendment, if the area  
11 to be reclassified comprises a single development lot or site, the required information shall  
12 also be provided in a posted notice consistent with the requirements of subsection 333(d).

13 (2) **Housing Element Rezoning.** This subsection (f)(2) applies to any legislative  
14 proposal to reclassify property through a Planning Code amendment and/or Zoning Map amendment  
15 intended to comply with the City's Housing Element obligation to create sufficient capacity, pursuant to  
16 California Government Code Section 65583(c), as may be amended from time to time.

17 (A) For any such proposal, the Department shall provide 30 days mailed notice  
18 consistent with the requirements of subsection (d). The mailed notice shall consist of a postcard or  
19 similar mailer with minimum dimensions of 5.5 x 8.5 inches, and a minimum font size of 18 point for  
20 the header and 12 point for the content of the postcard. The mailed notice shall include a website  
21 address and digital response code where the public can access the following:

22 (i) A map of the Department's Draft Citywide Rezoning Proposal  
23 showing all parcels to be reclassified with increased height and density limits.

24  
25

(ii) A comparison of the proposed height and density limits to the existing height and density limits, including a general depiction of the parcels proposed to be rezoned in the neighborhood.

(iii) A general description of the legislative process, information on how to submit comments to the Planning Department or Commission, and how to obtain additional information, and/or information on how to request a meeting with the Planning Department.

(iv) The mailed notice must include the following statement: "NOTICE OF POTENTIAL REZONING OF HEIGHT AND/OR DENSITY: A proposed rezoning may increase the height and/or density limits of your property or others in your neighborhood. Learn more by scanning the QR Code or visit our website listed below. Information on the proposal is also available in person at the Planning Department Counter, 2nd Floor, 49 South Van Ness Avenue."

(B) Within 30 days of the effective date of the ordinance in Board File \_\_\_\_\_, enacting this subsection (f)(2), the Department shall maintain a website that includes: the map referenced in subsection (f)(2)(A)(i); the mailed notice statement referenced in subsection (f)(2)(A)(iv); an interactive function where users can compare the existing and proposed zoning by address; and renderings showing the existing conditions along with images of the height and bulk of the potential new development.

(C) In addition to the recipients listed in subsection (e)(2), the notice required by this subsection (f)(2) shall be mailed to the property owners, residents, and commercial lessees, of properties that are either within the areas subject to the proposed rezoning or within a distance of 300 feet of the exterior boundaries of such areas. Failure to send notice by mail to any such property owner, resident, or commercial lessee shall not invalidate any proceedings in connection with the rezoning.

(D) Notwithstanding subsection (g), the requirements of this subsection (f)(2) may not be waived by the Zoning Administrator.

(g) **Elimination of Duplicate Notice.** The notice provisions of this Section 333 may be waived by the Zoning Administrator for applications that have been, or prior to any approval will be, the subject of an otherwise duly noticed public hearing before the Planning Commission or Zoning Administrator, provided that the nature of work for which the application is required is both substantially included in the hearing notice and was the subject of the hearing.

(h) **Newspaper Notice.** If newspaper notice is required by applicable State law, the City shall provide such newspaper notice.

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:  
DAVID CHIU, City Attorney

By: /s/ Austin Yang  
AUSTIN M. YANG  
Deputy City Attorney

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# Proposed Zoning Map

## February 2024

Graphic Source: San Francisco Planning Department



### EXHIBIT C

