

1 [Urging the State Legislature to Amend Costa Hawkins to Exempt Inclusionary Housing
2 Ordinances]

3 **Resolution urging the California Legislature to amend the Costa Hawkins Act to exempt**
4 **local inclusionary housing ordinances.**

5
6 WHEREAS, More than 30 million people in the United States spend an excessive
7 percentage of income on housing costs, and more than 13 million households pay more than
8 50 percent of their income for housing; and,

9
10 WHEREAS, More than six million households live in overcrowded homes where the
11 number of residents exceeds the number of rooms; and,

12
13 WHEREAS, These households include 3.6 million children, 1.6 million elderly adults,
14 and 1.3 million disabled adults; and,

15
16 WHEREAS, In California, housing prices have steadily outpaced its residents' incomes
17 over the past 20 years; and,

18
19 WHEREAS, In San Francisco the imbalance between housing supply and market
20 demand in San Francisco has made our city's housing market one of the most expensive in
21 the country; and,

22
23 WHEREAS, To address these challenges more than 100 cities and counties in
24 California have adopted policies for inclusionary zoning, which requires a certain percentage
25 of all new housing to be made affordable to lower income households; and,

WHEREAS, San Francisco's inclusionary housing ordinance has served as a model for
cities across the country seeking to implement policies to make housing more affordable to
lower incomes households; and,

FILE NO.

RESOLUTION NO.

1 WHEREAS, In the recent *Palmer/Sixth Street Properties v. City of Los Angeles*
2 decision, a California Court of Appeal found that the state Costa-Hawkins Rental Housing Act
3 does not specifically exempt local inclusionary zoning ordinances and local requirements as
4 they relate to affordable rental housing; and,

5 WHEREAS, A clear exemption in state code would strengthen inclusionary housing
6 ordinances across California, including in San Francisco; now, therefore, be it

7 RESOLVED, That to ensure the continued protection of local ordinances that provide
8 for affordable housing across the state and in our City, the Board of Supervisor urges our
9 state legislative delegation to amend the Costa Hawkins Act to make an explicit exemption to
10 exclude local inclusionary zoning ordinances.



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 091417

Date Passed: December 15, 2009

Resolution urging the California Legislature to amend the Costa Hawkins Act to exempt local inclusionary housing ordinances.


December 15, 2009 Board of Supervisors - ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

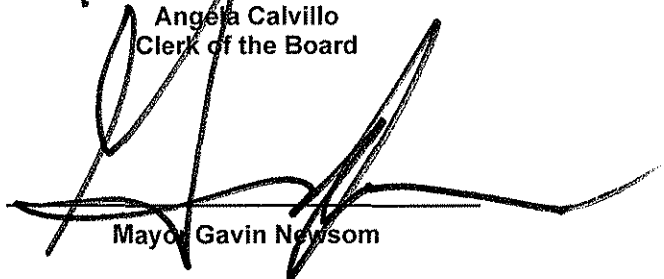
File No. 091417

I hereby certify that the foregoing Resolution was ADOPTED on 12/15/2009 by the Board of Supervisors of the City and County of San Francisco.

18 December 2009
Date Approved



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom