

OFFICE OF THE MAYOR
SAN FRANCISCO



WILLIE LEWIS BROWN, JR.

April 5, 2002

Honorable Tom Ammiano, President
Members, San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear President Ammiano and Members:

I am returning without my signature the Resolution imposing interim zoning controls to prohibit the construction of new live/work developments in San Francisco for a six-month period (File No. 020156).

In the midst of a housing crisis, I do not believe it is wise to stop building housing. I do not believe a housing moratorium, however politically expedient the notion may be, is the answer to our housing crisis.

Over a year ago, I returned the same interim controls without my signature and challenged the Board to forward to me legislation that contains a reasonable, long-term solution to the issue of live/work housing and its place in San Francisco – legislation that includes an inclusionary affordable housing requirement, full fees and a no-conversion clause that's backed up with a strong method of enforcement. I have also urged the Board to look at this type of housing comprehensively, and pursue reasonable zoning policies that will take into account where this type of housing may be appropriate, and where it may not be – rather than simply ban it outright.

As of today – despite good first steps taken by Supervisor Tony Hall, steps that were all but ignored by his colleagues – the only tangible action this Board has taken is to continue to ban this type of housing, and I understand you are currently considering a permanent moratorium. I urge you to reconsider this position, and focus your efforts on maximizing opportunities for new housing in San Francisco. The legislation before me now does not create new housing in San Francisco, nor will it lead to greater affordability in our existing housing stock. It simply prevents new housing from being built. Basic economics dictate that by cutting off the supply of new housing – any kind of housing – we will only drive housing prices up.

Today, I *am signing* into law inclusionary housing legislation that will create more affordable housing units in San Francisco. I agree with this policy, as the Planning Department has applied similar requirements administratively for some time, and I applaud the Board for codifying even stronger requirements into law. In fact, I am directing the San Francisco Redevelopment Commission to consider adopting these requirements as a minimum policy for residential development in redevelopment project areas.

As I continue working with you and members of our community to craft a second affordable housing bond measure for the November ballot, I am again reminded that we as a city *can* proactively work together to increase the production of housing in San Francisco. San Franciscans deserve this kind of cooperation, and I think we will all be better served by policies that aim to expand our housing market rather than contract it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Willie L. Brown, Jr.", written in dark ink.

Willie L. Brown, Jr.
Mayor

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[Zoning – Extension of Temporary Live/Work Moratorium.]

Resolution extending for an additional three-month period interim controls to prohibit the construction of new live/work developments.

WHEREAS, In February, 2001, the Board of Supervisors adopted Resolution No. 111-01, imposing for six months a temporary moratorium on the approval of any demolition permit, grading permit, site permit, building permit, conditional use authorization, or any other land use entitlement for live/work development on property located in the City and County of San Francisco; and,

WHEREAS, The temporary live/work moratorium went into effect on February 23, 2001, when the Mayor returned Resolution 111-01 without his signature; and,

WHEREAS, On August 13, 2001, the Board of Supervisors adopted a six-month extension of the live/work moratorium, which went into effect on August 24, 2001 when the Mayor returned Resolution No. 679-01 without his signature; and,

WHEREAS, The temporary live/work moratorium will expire on February 23, 2002; and,

WHEREAS, On December 3, 2001, the Clerk of the Board of Supervisors transmitted to the Planning Commission permanent controls that prohibit new live/work units except as an authorized accessory use and amend the definition of “Live/Work Unit” in the Planning Code to clarify that the residential use and the integrated work space must be in the same unit; and,

WHEREAS, The San Francisco Charter and Planning Code require the Planning Commission to hold a public hearing on an amendment to the Planning Code before the Board may act on the amendment; and,

1 WHEREAS, Pursuant to Planning Code Section 306.4(d)(3), the Planning Commission
2 has 90 days to act on the Planning Code amendment before the Board of Supervisors may
3 debate and enact the controls; and,

4 WHEREAS, With respect to the permanent live/work controls, that 90-day period will
5 expire on March 3, 2002; and,

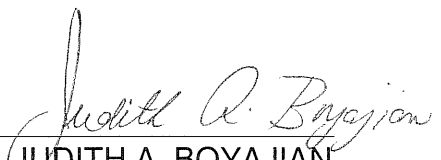
6 WHEREAS, An extension of the temporary live/work moratorium is needed to bridge
7 the gap between the moratorium and the enactment of permanent controls; now, therefore, be
8 it

9 RESOLVED, That the Board of Supervisors hereby extends the moratorium on new
10 live/work development set forth in Resolution Nos. 111-01 and 679-01 for an additional three
11 months pending the enactment of permanent legislation; and, be it

12 FURTHER RESOLVED, That the extension of the temporary moratorium will become
13 effective upon the enactment of this Resolution and the temporary moratorium on new
14 live/work development shall remain in effect until May 23, 2002 or until the adoption of
15 permanent legislation, whichever shall first occur.

16 APPROVED AS TO FORM:

17 DENNIS J. HERRERA
18 City Attorney

19
20 By: 
21 JUDITH A. BOYAJIAN
22 Deputy City Attorney



City and County of San Francisco

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

Tails Resolution

File Number: 020156

Date Passed:

Resolution extending for an additional three-month period interim controls to prohibit the construction of new live/work developments.

March 25, 2002 Board of Supervisors — ADOPTED

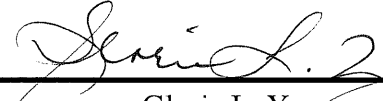
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin,
Sandoval, Yee

Noes: 1 - Hall

Excused: 1 - Newsom

File No. 020156

I hereby certify that the foregoing Resolution was ADOPTED on March 25, 2002 by the Board of Supervisors of the City and County of San Francisco.



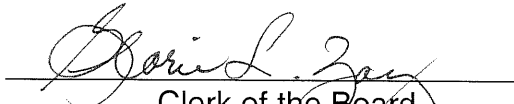
Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

Date: April 5, 2002

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.



Clerk of the Board

File No.
020156