

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

April 13, 2018

The Honorable E. Dotson Wilson  
Chief Clerk of the Assembly  
California State Assembly  
California State Capitol, Room 3196  
Sacramento, CA 95814

**Re: Board of Supervisors Resolution No. 84-18**

Dear Chief Clerk Wilson:

On April 3, 2018, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 84-18 (Opposing California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus), which was enacted on April 13, 2018. The Resolution was approved by the following vote:

Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Tang, Yee  
Noes: 3 - Breed, Safai, Sheehy

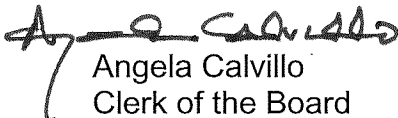
The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One certified copy of Resolution No. 84-18 (File No. 180162)

For informational purposes, the Senate Committee on Transportation and Housing Bill Analysis erroneously identifies Board President London N. Breed as an opponent of SB 827. In fact, President Breed voted on April 3 to not approve the resolution opposing Senator Wiener's Bill.

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

  
Angela Calvillo  
Clerk of the Board

- c. Allison Hughes, Consultant for Senate Committee on Transportation and Housing  
London Breed, President of the San Francisco Board of Supervisors  
Supervisors Aaron Peskin; Hillary Ronen; Norman Yee; Sandra Lee Fewer; and Jane Kim  
Mayor's Legislative Liaison to the Board of Supervisors, Andres Power  
City Lobbyists - Shaw/Yoder/Antwih Inc., Paul Yoder, and Karen Lange



City and County of San Francisco

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

Certified Copy

Resolution

180162 [ Opposing California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus ]

Sponsors: Peskin; Ronen, Yee, Fewer and Kim

Resolution opposing California Senate Bill 827, authored by Senator Wiener, which would fundamentally constrain, if not negate, San Francisco's local ability to recapture critical public value of development projects citywide and override local planning process.

4/3/2018 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 7 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani and Yee

Noes: 4 - Breed, Safai, Sheehy and Tang

4/3/2018 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Tang and Yee

Noes: 3 - Breed, Safai and Sheehy

4/13/2018 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

April 13, 2018

Date

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

1 [Opposing California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus]

2  
3 **Resolution opposing California Senate Bill 827, authored by Senator Wiener, which**  
4 **would fundamentally constrain, if not negate, San Francisco's local ability to recapture**  
5 **critical public value of development projects citywide and override local planning**  
6 **process.**

7  
8 WHEREAS, Senator Wiener has introduced legislation that would mandate that local  
9 jurisdictions confer significant benefits upon developers in exchange for building residential  
10 projects within a one-half mile radius of a major transit stop or a one-fourth mile radius of a  
11 high-quality transit corridor; and

12 WHEREAS, San Francisco appreciates the intent of Senator Wiener's recent  
13 amendments to SB 827 to strengthen tenant rights with Right to Remain which mandates that  
14 the developer must provide tenants with relocation benefits, comparable rent for 42 months,  
15 and right of first refusal in the new building offered at the previous rent, but does not  
16 guarantee that tenants will find commensurate temporary housing nor be ultimately protected  
17 from displacement; and

18 WHEREAS, SB 827 would apply to virtually all residential parcels citywide based on  
19 the definition of transit rich, essentially allow the State to override San Francisco's charter  
20 authority, circumvent local planning laws and limit value recapture; and

21 WHEREAS, San Francisco has prioritized transit-oriented development throughout the  
22 city and in its various neighborhood area plans, particularly in the downtown core and Transit  
23 District Plan and neighborhood commercial corridors through HOME-SF; and

24 WHEREAS, San Francisco has led the region and the state in housing construction,  
25 while taking a balanced approach to development that prioritizes tenant stabilization and

1 recaptures the maximum feasible value from private development for the public benefit,  
2 including implementing the highest affordable housing requirements in the country; and

3 WHEREAS, San Francisco has maintained this leadership, even after the dissolution of  
4 the Redevelopment Agency and related affordable housing funding streams, because of its  
5 charter authority and strong local planning process; and

6 WHEREAS, San Francisco has spent years working with communities on long-range  
7 planning efforts resulting in value capture for affordable housing, transportation and  
8 infrastructure impacts; and

9 WHEREAS, In Planning Department analysis of SB 827, dated February 5, 2018 and  
10 incorporated herein by reference, staff identified concerns about the State's attempt to  
11 undermine San Francisco's sovereign local Planning Code and Design standards, which are  
12 the backbone of the City's commitment to creating livable, walkable and complete  
13 neighborhoods; and

14 WHEREAS, San Francisco currently has capacity to build 145,000 new units of  
15 housing with no upzoning or violation of environmental laws, including 60,000 units of housing  
16 currently in the planning pipeline; and

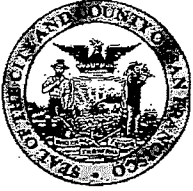
17 WHEREAS, Local planning laws and regulations have proven critical and effective in  
18 protecting vulnerable communities of concern from the escalating impacts of gentrification,  
19 displacement and speculation, while we wait for stronger tenant protections at the state level;  
20 now, therefore, be it

21 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
22 finds that SB 827 is fundamentally flawed, based on its preemption of San Francisco's  
23 sovereign charter authority and undermining of San Francisco's ability to recapture public  
24 value from private developers in exchange for the added benefits of density and height; and  
25

1 RESOLVED, That the Board of Supervisors of the City of and County of San Francisco  
2 joins with other local jurisdictions and a growing statewide coalition of housing, "complete  
3 neighborhood", environmental and tenant advocates, including those based in every district in  
4 San Francisco, in opposing SB 827; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors urges state leaders to fund  
6 permanent affordable housing streams to address the housing crisis throughout California;  
7 and, be it

8 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
9 Francisco directs the Clerk of the Board to transmit copies of this resolution to the State  
10 Legislature and the City Lobbyist upon passage.



City and County of San Francisco

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

Tails  
Resolution

File Number: 180162

Date Passed: April 03, 2018

Resolution opposing California Senate Bill 827, authored by Senator Wiener, which would fundamentally constrain, if not negate, San Francisco's local ability to recapture critical public value of development projects citywide and override local planning process.

March 12, 2018 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

March 12, 2018 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

April 03, 2018 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 7 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani and Yee

Noes: 4 - Breed, Safai, Sheehy and Tang

April 03, 2018 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Tang and Yee

Noes: 3 - Breed, Safai and Sheehy

File No. 180162

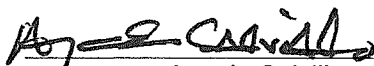
I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/3/2018 by the Board of Supervisors of the City and County of San Francisco.

*Peggy Neven*  
for Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned  
Mark E. Farrell  
Mayor

\_\_\_\_\_  
4/13/18  
Date Approved

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, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
Date

File No.  
180162