

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. 544-5227

May 5, 2016

The Honorable Mark Leno  
California State Senator  
California State Capitol, Room 5100  
Sacramento, CA 94814

Re: Board of Supervisors Resolution No. 127-16

Dear Senator Leno:


On April 12, 2016, the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 127-16 (Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools and Significant Contributions to Regional Housing Development), which was enacted on April 22, 2016.

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

- One copy of Resolution No. 127-16 (File No. 160333)

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. Supervisors Peskin and Campos  
Mayor's Legislative Liaison to the Board of Supervisors, Nicole Elliott

1 [Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and  
2 Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools  
3 and Significant Contributions to Regional Housing Development]

4 **Resolution urging the San Francisco Legislative Delegation to amend California State**  
5 **Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant**  
6 **exceptions from state density bonus requirements, and to oppose Assembly Bill 2522,**  
7 **authored by Assembly Member Bloom.**

8  
9 WHEREAS, The California Planning and Zoning Law requires that a California city,  
10 county, or city and county provide housing developers with a density bonus and other  
11 incentives or concessions in exchange for a specified percentage of affordable units within a  
12 housing development or for the donation of land within said housing developments; and

13 WHEREAS, Some local jurisdictions, because of local market conditions, depend on  
14 granting development incentives in order to produce additional affordable units within private  
15 housing development; and

16 WHEREAS, San Francisco, because of its unique local market conditions, has  
17 repeatedly demonstrated that private development can and will bear higher affordability  
18 requirements; and

19 WHEREAS, State density bonus pre-emptions, if applied to the demonstrated  
20 affordable housing requirements in San Francisco, would result in no additional affordable  
21 units; and

22 WHEREAS, State density bonus pre-emptions, if applied to the demonstrated  
23 affordable housing requirements in San Francisco, would restrict the future potential to use  
24 development incentives to further increase affordability beyond the existing requirements; and  
25

1           WHEREAS, The California Department of Finance (DOF) estimates the Bay Area  
2 added 38,300 housing units between April 2010 and January 2014; and

3           WHEREAS, The same DOF calculation counts San Francisco among the top five  
4 counties responsible for 51% of the total growth of new regional housing between 2010 and  
5 the end of 2013, with San Francisco and San Jose counties alone accounting for 37% of the  
6 total regional housing growth during this same period; and

7           WHEREAS, The last Regional Housing Needs Assessment (RHNA) documented San  
8 Francisco's significant contributions to the regional housing supply, including the creation of  
9 7,064 permanently affordable low- and moderate-income housing units and 13,391 above  
10 moderate-income housing units; and

11           WHEREAS, Based on the same Regional Housing Needs Assessment, San Francisco  
12 produced a housing balance of 35% permanently affordable units relative to total housing  
13 production; and

14           WHEREAS, The City and County of San Francisco has developed a diverse toolkit of  
15 local planning requirements and housing development incentives tailored to address the  
16 unique pressures of the Bay Area housing market and maximize San Francisco's limited land  
17 assets; and

18           WHEREAS, On February 19, 2016, Assembly Members Bloom and Low introduced AB  
19 2501 "Housing: density bonuses," which further prescribes density bonus law pre-emptions  
20 and would frustrate San Francisco's ability to produce the maximum, economically feasible  
21 amount of affordable housing; and

22           WHEREAS, On February 19, 2016, Assembly Member Bloom introduced AB 2522  
23 "Land Use: attached housing developments," which pre-empts local land use policies and  
24 housing development requirements to allow certain development approvals as-of-right; and  
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1 WHEREAS, California State Assembly Bills 2501 and 2522 are specifically intended to  
2 incentivize housing development in local jurisdictions that are underperforming with respect to  
3 regional housing goals and are not uniformly applicable throughout California; and

4 WHEREAS, California State Assembly Bills 2501 and 2522 are scheduled to be heard  
5 in the Housing and Community Development Committee on April 13, 2016; now, therefore, be  
6 it

7 RESOLVED, That the Board of Supervisors recognizes the impressive legislative  
8 records and ongoing and effective work of Assembly Members Chiu and Ting, as well as  
9 State Senator Leno (the "San Francisco Legislative Delegation"), in representing the best  
10 interests of San Francisco constituents; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
12 Francisco does hereby urge the San Francisco Legislative Delegation to offer amendments to  
13 AB 2501 that state that the bill shall not apply to jurisdictions whose total housing production  
14 affordable to very low, low, and moderate income residents constitutes at least 25% of its total  
15 housing production, as documented in a current Residential Housing Needs Assessment  
16 (RHNA) cycle; and, be it

17 FURTHER RESOLVED, That San Francisco is committed to utilizing all affordable  
18 housing policy tools to achieve local housing balance goals for all income levels; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
20 Francisco does hereby urge the San Francisco Legislative Delegation to oppose AB 2522, as  
21 it would restrict critical local jurisdiction discretion regarding "attached housing;" and, be it

22 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
23 Francisco will continue to collaborate with its State Legislative Delegation to consider ways to  
24 make the State Density Bonus law workable in a dense urban environment; and, be it  
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FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco directs the Clerk of the Board to transmit this resolution to the respective offices of the San Francisco Legislative Delegation upon final passage.



City and County of San Francisco  
Tails  
Resolution

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

File Number: 160333

Date Passed: April 12, 2016

Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant exceptions from state density bonus requirements, and to oppose Assembly Bill 2522, authored by Assembly Member Bloom.

April 12, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160333

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/12/2016 by the Board of Supervisors of the City and County of San Francisco.

*for* Regina Nevina  
Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned  
Mayor

\_\_\_\_\_  
4/22/2016  
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  
Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
4/22/16  
Date

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May 5, 2016

The Honorable Phil Ting  
California State Assembly Member  
California State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0019

Re: Board of Supervisors Resolution No. 127-16

Dear Assembly Member Ting:


On April 12, 2016, the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 127-16 (Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools and Significant Contributions to Regional Housing Development), which was enacted on April 22, 2016.

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- One copy of Resolution No. 127-16 (File No. 160333)

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. Supervisors Peskin and Campos  
Mayor's Legislative Liaison to the Board of Supervisors, Nicole Elliott

AMENDED IN BOARD

4/12/2016

FILE NO. 160333

RESOLUTION NO. 127-16

1 [Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and  
2 Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools  
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4 **Resolution urging the San Francisco Legislative Delegation to amend California State**  
5 **Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant**  
6 **exceptions from state density bonus requirements, and to oppose Assembly Bill 2522,**  
7 **authored by Assembly Member Bloom.**

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9 WHEREAS, The California Planning and Zoning Law requires that a California city,  
10 county, or city and county provide housing developers with a density bonus and other  
11 incentives or concessions in exchange for a specified percentage of affordable units within a  
12 housing development or for the donation of land within said housing developments; and

13 WHEREAS, Some local jurisdictions, because of local market conditions, depend on  
14 granting development incentives in order to produce additional affordable units within private  
15 housing development; and

16 WHEREAS, San Francisco, because of its unique local market conditions, has  
17 repeatedly demonstrated that private development can and will bear higher affordability  
18 requirements; and

19 WHEREAS, State density bonus pre-emptions, if applied to the demonstrated  
20 affordable housing requirements in San Francisco, would result in no additional affordable  
21 units; and

22 WHEREAS, State density bonus pre-emptions, if applied to the demonstrated  
23 affordable housing requirements in San Francisco, would restrict the future potential to use  
24 development incentives to further increase affordability beyond the existing requirements; and  
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1           WHEREAS, The California Department of Finance (DOF) estimates the Bay Area  
2 added 38,300 housing units between April 2010 and January 2014; and

3           WHEREAS, The same DOF calculation counts San Francisco among the top five  
4 counties responsible for 51% of the total growth of new regional housing between 2010 and  
5 the end of 2013, with San Francisco and San Jose counties alone accounting for 37% of the  
6 total regional housing growth during this same period; and

7           WHEREAS, The last Regional Housing Needs Assessment (RHNA) documented San  
8 Francisco's significant contributions to the regional housing supply, including the creation of  
9 7,064 permanently affordable low- and moderate-income housing units and 13,391 above  
10 moderate-income housing units; and

11           WHEREAS, Based on the same Regional Housing Needs Assessment, San Francisco  
12 produced a housing balance of 35% permanently affordable units relative to total housing  
13 production; and

14           WHEREAS, The City and County of San Francisco has developed a diverse toolkit of  
15 local planning requirements and housing development incentives tailored to address the  
16 unique pressures of the Bay Area housing market and maximize San Francisco's limited land  
17 assets; and

18           WHEREAS, On February 19, 2016, Assembly Members Bloom and Low introduced AB  
19 2501 "Housing: density bonuses," which further prescribes density bonus law pre-emptions  
20 and would frustrate San Francisco's ability to produce the maximum, economically feasible  
21 amount of affordable housing; and

22           WHEREAS, On February 19, 2016, Assembly Member Bloom introduced AB 2522  
23 "Land Use: attached housing developments," which pre-empts local land use policies and  
24 housing development requirements to allow certain development approvals as-of-right; and  
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1           WHEREAS, California State Assembly Bills 2501 and 2522 are specifically intended to  
2 incentivize housing development in local jurisdictions that are underperforming with respect to  
3 regional housing goals and are not uniformly applicable throughout California; and

4           WHEREAS, California State Assembly Bills 2501 and 2522 are scheduled to be heard  
5 in the Housing and Community Development Committee on April 13, 2016; now, therefore, be  
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7           RESOLVED, That the Board of Supervisors recognizes the impressive legislative  
8 records and ongoing and effective work of Assembly Members Chiu and Ting, as well as  
9 State Senator Leno (the "San Francisco Legislative Delegation"), in representing the best  
10 interests of San Francisco constituents; and, be it

11           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
12 Francisco does hereby urge the San Francisco Legislative Delegation to offer amendments to  
13 AB 2501 that state that the bill shall not apply to jurisdictions whose total housing production  
14 affordable to very low, low, and moderate income residents constitutes at least 25% of its total  
15 housing production, as documented in a current Residential Housing Needs Assessment  
16 (RHNA) cycle; and, be it

17           FURTHER RESOLVED, That San Francisco is committed to utilizing all affordable  
18 housing policy tools to achieve local housing balance goals for all income levels; and, be it

19           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
20 Francisco does hereby urge the San Francisco Legislative Delegation to oppose AB 2522, as  
21 it would restrict critical local jurisdiction discretion regarding "attached housing;" and, be it

22           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
23 Francisco will continue to collaborate with its State Legislative Delegation to consider ways to  
24 make the State Density Bonus law workable in a dense urban environment; and, be it  
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FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco directs the Clerk of the Board to transmit this resolution to the respective offices of the San Francisco Legislative Delegation upon final passage.



City and County of San Francisco

Tails
Resolution

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

File Number: 160333

Date Passed: April 12, 2016

Resolution urging the San Francisco Legislative Delegation to amend California State Assembly Bill 2501, authored by Assembly Members Bloom and Low, to grant exceptions from state density bonus requirements, and to oppose Assembly Bill 2522, authored by Assembly Member Bloom.

April 12, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160333

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/12/2016 by the Board of Supervisors of the City and County of San Francisco.

for Peggy Nevin
Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/22/2016
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

4/22/16
Date

BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
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TDD/TTY No. 544-5227

May 5, 2016

The Honorable David Chiu  
California State Assembly Member  
California State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0017

Re: Board of Supervisors Resolution No. 127-16

Dear Assembly Member Chiu:


On April 12, 2016, the Board of Supervisors for the City and County of San Francisco adopted Resolution No. 127-16 (Urging California State Legislators to Amend California State Assembly Bill 2501 (Bloom and Low) and oppose AB 2522 (Bloom) in Recognition of San Francisco's Local Planning Tools and Significant Contributions to Regional Housing Development), which was enacted on April 22, 2016.

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Sincerely,

  
Angela Calvillo  
Clerk of the Board

- c. Supervisors Peskin and Campos  
Mayor's Legislative Liaison to the Board of Supervisors, Nicole Elliott

AMENDED IN BOARD

4/12/2016

FILE NO. 160333

RESOLUTION NO. 127-16

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12 Francisco does hereby urge the San Francisco Legislative Delegation to offer amendments to  
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City and County of San Francisco  
Tails  
Resolution

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

File Number: 160333

Date Passed: April 12, 2016

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April 12, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160333

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/12/2016 by the Board of Supervisors of the City and County of San Francisco.

*Regina Nevins*  
for Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
Unsigned  
Mayor

\_\_\_\_\_  
4/22/2016  
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*  
Angela Calvillo  
Clerk of the Board

\_\_\_\_\_  
4/22/16  
Date