

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 12/10/2018)

[Planning Code - HOME SF Project Authorization]

Ordinance amending the Planning Code to require additional findings for HOME-SF project authorizations; extending the application deadline for projects eligible for the HOME-SF temporary provisions; amending the fee for Affordable Housing Bonus Program projects; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Currently, the HOME-SF program requires the Planning Commission to approve a HOME-SF project under Planning Code Section 328. HOME-SF projects may also require a Conditional Use authorization.

The HOME-SF program allow density and development bonuses to residential projects that set aside 30% of units as units affordable to households earning between 55% and 130% of Area Median Income (AMI). Projects with environmental evaluation applications filed before January 1, 2020 are subject to the temporary requirements of HOME-SF. These temporary provisions allow density and development bonuses to residential projects that set aside between 20% and 30% of units as affordable units; the amount and type of bonus is awarded on a sliding scale, depending on the percentage of affordable units.

Planning Code section 415.10 requires the City to prepare a feasibility analysis of the inclusionary affordable housing requirements in Section 415 every three years.

Finally, projects needing a HOME-SF authorization are required to pay a fee under the Planning Department Fee Schedule.

Amendments to Current Law

This ordinance would clarify that HOME-SF projects do not require both a HOME-SF authorization under Section 328 and a Conditional Use authorization, unless the voters adopted the requirement for a Conditional Use. Instead, the Planning Commission will be required to make any findings otherwise required by the Conditional Use authorization in a Section 328 HOME-SF authorization, including findings regarding additional parking otherwise required in Section 151.1(f).

The ordinance would also extend the date by which a project must file a development application in order to qualify for HOME-SF's temporary requirements. The temporary provisions are available for projects with development applications filed before the Board of Supervisors amends Section 206.3 based on the Triennial Economic Feasibility Analysis required in Section 415.10.

This ordinance would also amend the Planning Department Fee Schedule for HOME-SF and other Affordable Housing Bonus Program projects under Section 206.

Background Information

In July 2018, the Board of Supervisors amended the HOME-SF program to require approval by the Planning Commission under Section 328, and not under the conditional use procedures in Planning Code section 303. This ordinance makes conforming amendments.

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