

1 [Findings Regarding Tentative Subdivision Map – 1170-80 Green Street]

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3 **Motion adopting findings related to the Board's disapproval on January 30, 2007, of the**
4 **decision of the Director of Public Works, which approved a proposed tentative parcel**
5 **map for 6 unit condominium located at 1170-80 Green Street, Lot 012, Assessor's Block**
6 **0122.**

7 WHEREAS, on December 28, 2006, the Director of Public Works issued a decision
8 approving a proposed tentative parcel map for 6 unit condominium located at 1170-80 Green
9 Street, Lot 012, Assessor's Block 0122, and

10 WHEREAS, on January 8, 2007, the Russian Hill Community Association filed a timely
11 appeal of the Director's decision, and

12 WHEREAS, on January 30, 2007, the Board of Supervisors held a duly noticed hearing
13 to consider the appeal of the Director's decision. Representatives of the appellants and the
14 project sponsor and members of the public testified. The Board, having considered all of the
15 testimony and evidence submitted in support of and in opposition to the appeal, voted
16 unanimously to disapprove the Director's decision approving a proposed tentative parcel map
17 for 6 unit condominium located at 1170-80 Green Street, Lot 012, Assessor's Block 0122, for
18 the following reasons:

19 The subject property is a six unit building located at 1170-80 Green Street, Lot 012,
20 Assessor's Block 0122. The property owner applied for, and the Director of Public Works
21 approved, a tentative subdivision of the property to six condominium units, finding the project
22 was not a condominium conversion but instead "new construction". The Board disagrees with
23 the Director's interpretation of the Subdivision Code and finds that the proposed subdivision is
24 a conversion with in the meaning of section 1308 of the Subdivision Code in that it creates two
25 or more condominiums within an existing structure. In this case, the subject property currently

1 consists of six units and, upon completion of the proposed project, would consist of six
2 condominiums.

3 The proposed condominium project is therefore not consistent with three of the General
4 Plan Priority Policies. The proposed project is not consistent with Priority Policies Two and
5 Three, set forth in Planning Code Sections 101.1(b)(2) and (b)(3), that existing housing and
6 neighborhood character be conserved and protected in order to preserve the cultural and
7 economic diversity of our neighborhoods, and that the City's supply of affordable housing be
8 preserved and enhanced, because the proposed project would result in the loss of six rental
9 units that existed prior to the proposed subdivision and will provide no alternative residential
10 units.

11 In addition, this project is inconsistent with the following Policies and Objectives of the
12 Housing Element of the General Plan:

13 Objective 2: To increase the supply of housing without overcrowding or adversely
14 affecting the prevailing character of existing neighborhoods.

15 Policy 3.4: Restrict the conversion of rental housing to condominiums or other forms of
16 tenure or occupancy.

17 Policy 13.6: Provide adequate rental housing opportunities.

18 The City regulates condominium conversions by ordinance to preserve a reasonable
19 balance between ownership and rental housing in San Francisco by providing an annual
20 limitation on the number of units which may be converted in any one year, and to prevent the
21 effective loss of the City's low and moderate income housing stock. The conversion
22 provisions of the Subdivision Code also protect and control displacement of tenants, including
23 elderly and low-income tenants. The proposed subdivision would mean that the provisions of
24 the Subdivision code regarding condominium conversions would not apply.

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1 The project is thus inconsistent with the aforementioned Housing Element Policies and
2 Objectives found in the City's General Plan. California Government Code Sections 66473.5
3 and 66474 require disapproval of any tentative map where the legislative body does not find
4 the proposed project consistent with the General Plan.

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