

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

April 13, 2022

The Honorable Erika Contreras  
Secretary of the Senate  
California State Senate  
California State Capitol, Room 3044  
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 95-22

Dear Secretary Contreras:

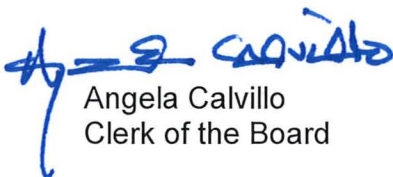
On March 15, 2022, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 95-22 (Opposing California State Assembly Bill No. 2063 (Berman) - Expanded State Density Bonus Law - Unless Amended), which was enacted on March 25, 2022.

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

- One copy of Resolution No. 95-22 (File No. 220246)

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

ll:jw:bh:ams

- c. Members of the Board of Supervisors, Supervisors Aaron Peskin, Connie Chan, Gordon Mar, Hillary Ronen, Dean Preston, Shamann Walton, Myrna Melgar, Rafael Mandelman  
Tom Paulino, Mayor's Liaison to the Board of Supervisors  
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs  
Andres Power, Mayor's Policy Director  
Susanna Conine-Nakano, Mayor's Office

1 [Opposing California State Assembly Bill No. 2063 (Berman) - Expanded State Density Bonus  
2 Law - Unless Amended]

3 **Resolution opposing California State Assembly Bill No. 2063, authored by Assembly**  
4 **Member Marc Berman, and urging the San Francisco Legislative Delegation to amend**  
5 **Assembly Bill No. 2063, in recognition of San Francisco’s local planning and affordable**  
6 **tools.**

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8 WHEREAS, California Assembly Bill No. 2063 (AB 2063) is intended to “prohibit  
9 affordable housing impact fees, including inclusionary zoning fees, in-lieu fees, and public  
10 benefit fees, from being imposed on a housing development’s [State] density bonus units,”  
11 according to the author’s bill language, on file with the Clerk of the Board of Supervisor in File  
12 No. 220246 which is hereby declared to be a part of this Resolution as if set forth fully herein;  
13 and

14 WHEREAS, AB 2063’s prescription that “By imposing new restrictions on the ability of  
15 a local government to impose affordable housing impact fees, the bill would impose a state-  
16 mandated local program,” would have the debilitating effect of revoking the City and County of  
17 San Francisco’s ability to continue collecting fees to build affordable housing relative to the  
18 extra market-rate housing “bonus” units granted to a housing development under the State  
19 Density Bonus Law; and

20 WHEREAS, Some local jurisdictions in California, because of local market conditions,  
21 depend on granting significant development incentives in order to produce affordable units  
22 within private housing development; and

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

1           WHEREAS, San Francisco voters have consistently expressed through their votes a  
2           desire for robust affordable housing programs that prioritize the needs of the City’s most  
3           vulnerable residents; and

4           WHEREAS, In June 2016, the voters of San Francisco overwhelmingly adopted  
5           Proposition C which modernized and strengthened the City’s “Inclusionary Housing” policy,  
6           including ensuring that market-rate housing projects availing themselves of State Density  
7           Bonus Law “bonus units” would still provide equivalent affordable housing contributions to the  
8           City; and

9           WHEREAS, AB 2063’s proposed state preemption from considered and equitable local  
10          policies and established development standards handcuffs local jurisdictions, including San  
11          Francisco, from determining how to apply affordable housing requirements in the context of  
12          local market conditions; and

13          WHEREAS, San Francisco has one of the highest median rents in the United States  
14          with the average rent for a two-bedroom listing at \$3,570 according to the San Francisco  
15          Planning Department’s 2020 Housing Inventory based on data from Zumper.com and  
16          Priceonomics; and

17          WHEREAS, San Francisco also comprises one of the highest-priced home ownership  
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19          from the previous year according to the San Francisco Planning Department’s 2020 Housing  
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21          WHEREAS, The Mayor’s Office of Housing and Community Development (“MOHCD”)  
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23          homes to meet its Regional Housing Needs Allocation (RHNA) obligations for extremely-low,  
24          low and middle-income households in both the rental and homeownership markets; and

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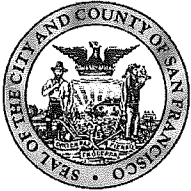
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City and County of San Francisco

City Hall
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Tails
Resolution

File Number: 220246

Date Passed: March 15, 2022

Resolution opposing California State Assembly Bill No. 2063, authored by Assembly Member Marc Berman, and urging the San Francisco Legislative Delegation to amend Assembly Bill No. 2063, in recognition of San Francisco's local planning and affordable tools.

March 15, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220246

I hereby certify that the foregoing Resolution was ADOPTED on 3/15/2022 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

3/25/2022
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 her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

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April 13, 2022

The Honorable Sue Parker  
Chief Clerk of the Assembly  
California State Assembly  
California State Capitol, Room 3196  
Sacramento, CA 95814

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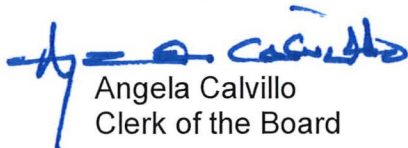
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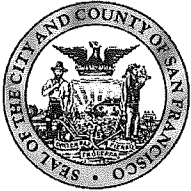
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April 13, 2022

Mr. Paul Yoder  
Ms. Karen Lange  
Ms. Erica Smith  
Shaw/Yoder/Antwih, Inc.  
1415 L Street, Suite 1000  
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 95-22

Dear Mr. Yoder, Ms. Lange, and Ms. Smith:

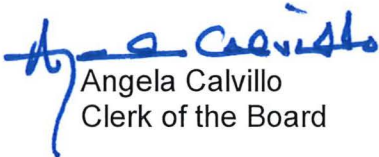
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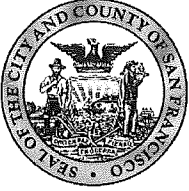


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Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220246

I hereby certify that the foregoing Resolution was ADOPTED on 3/15/2022 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

3/25/2022
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 her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

3/25/2022
Date