FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



NET NEW SHADOW LOCATIONS & DURATIONS

Single Day Distribution

Duration Range of Net New Shadow

- Over 16 hr
- 8 hr - 16 hr
- 4 hr - 8 hr
- 2 hr - 4 hr
- 1 hr - 2 hr
- 30 min - 1 hr
- 15 min - 30 min
- 1 min - 15 min

JUNE 28

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



NET NEW SHADOW LOCATIONS & DURATIONS

Single Day Distribution

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- 1 hr - 2 hr
- 30 min - 1 hr
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- 1 min - 15 min

JULY 5

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

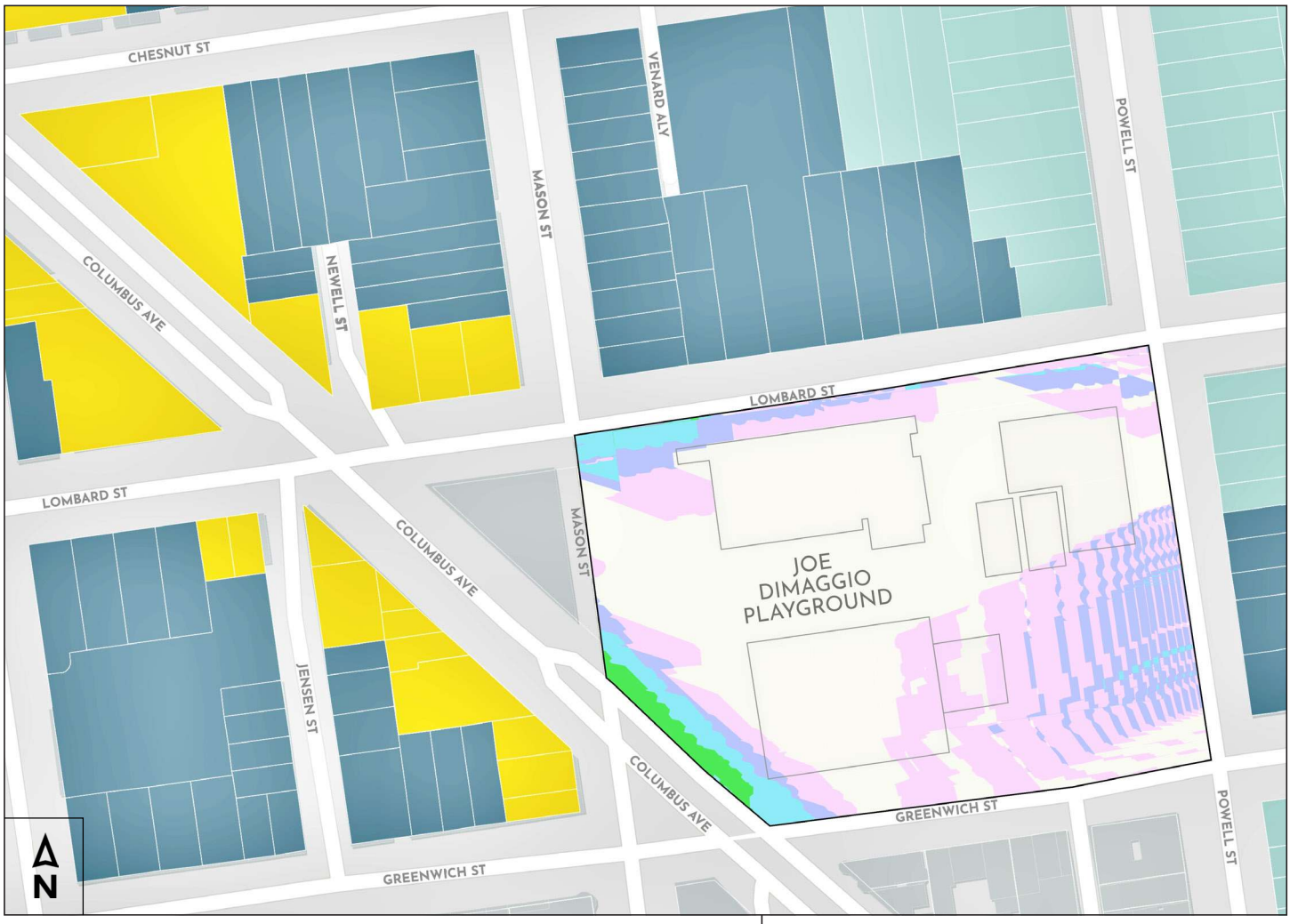
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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Single Day Distribution

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- 1 min - 15 min

JULY 12

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

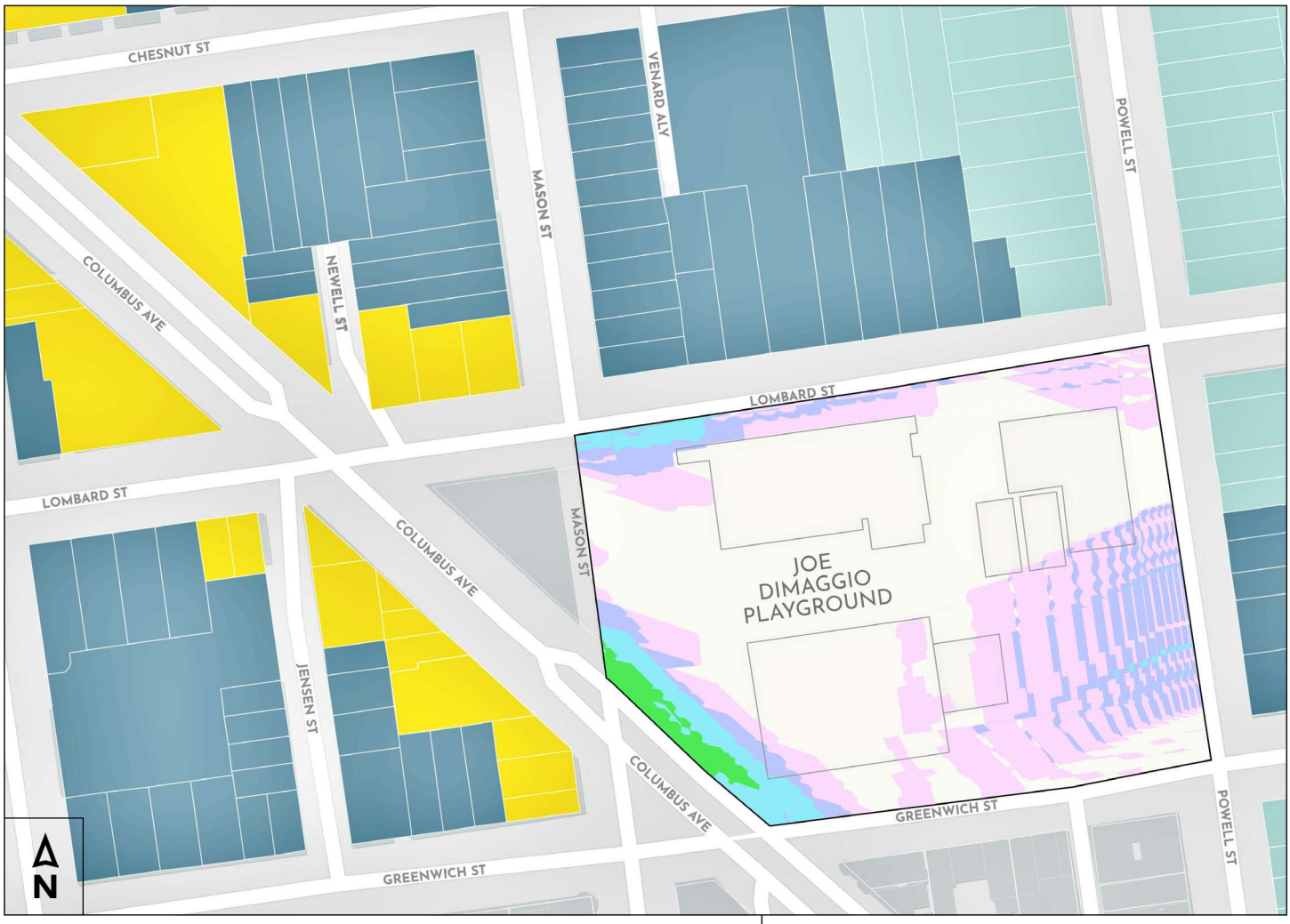
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



NET NEW SHADOW LOCATIONS & DURATIONS

Single Day Distribution

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- 1 min - 15 min

JULY 19

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

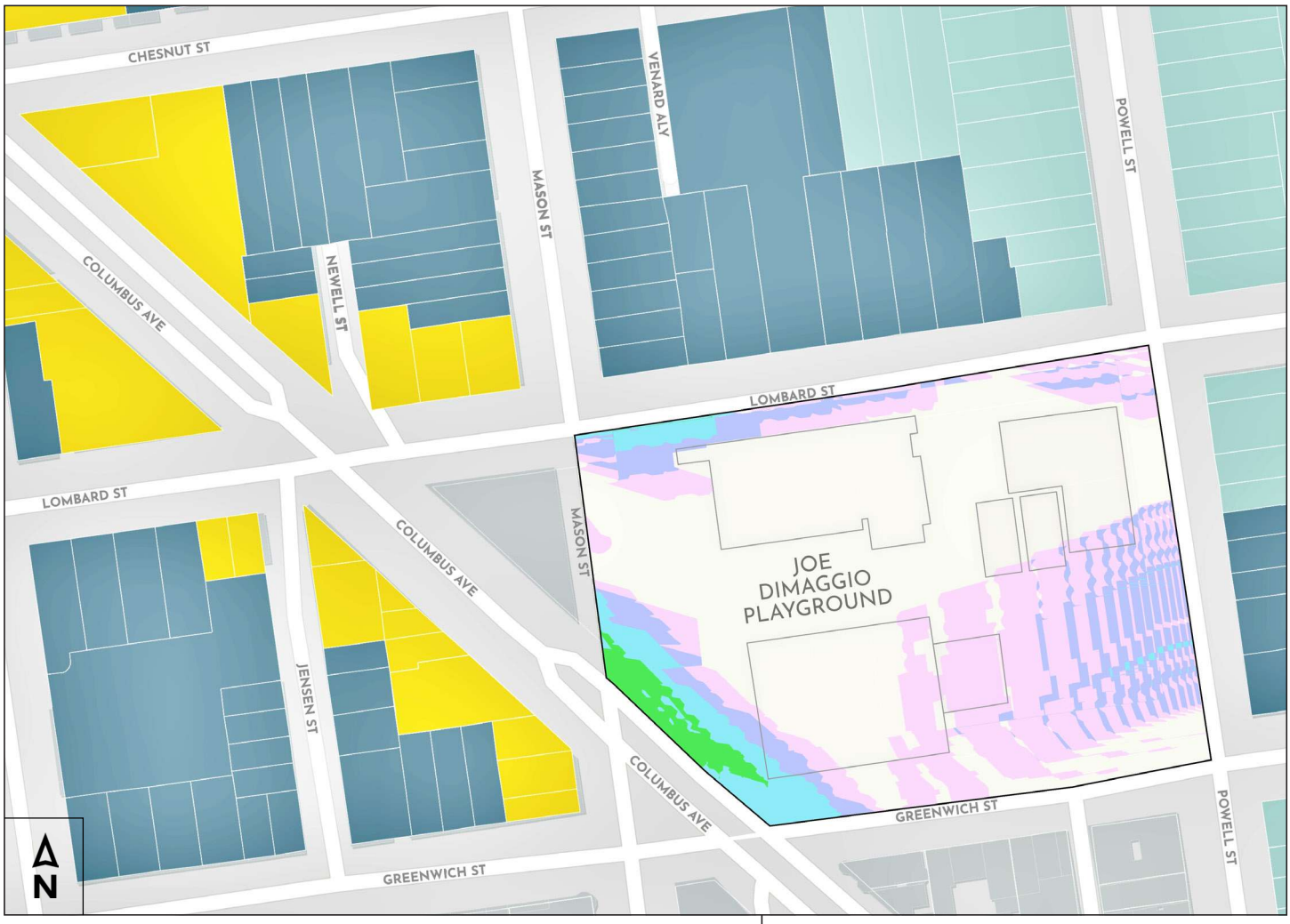
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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Single Day Distribution

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- 1 min - 15 min

JULY 26

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



NET NEW SHADOW LOCATIONS & DURATIONS

Single Day Distribution

Duration Range of Net New Shadow

- Over 16 hr
- 8 hr - 16 hr
- 4 hr - 8 hr
- 2 hr - 4 hr
- 1 hr - 2 hr
- 30 min - 1 hr
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- 1 min - 15 min

AUGUST 2

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

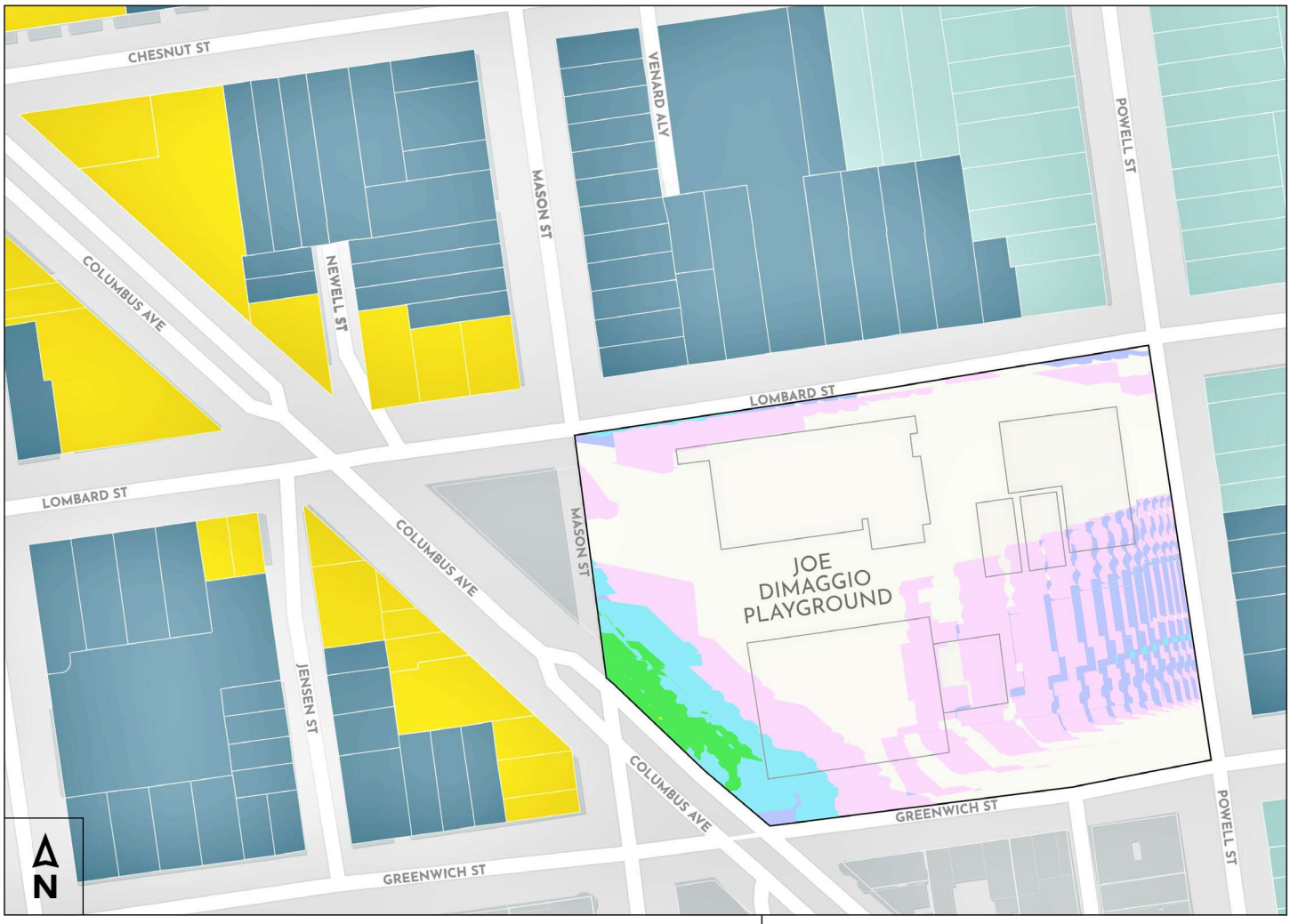
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



NET NEW SHADOW LOCATIONS & DURATIONS

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- 1 min - 15 min

AUGUST 9

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

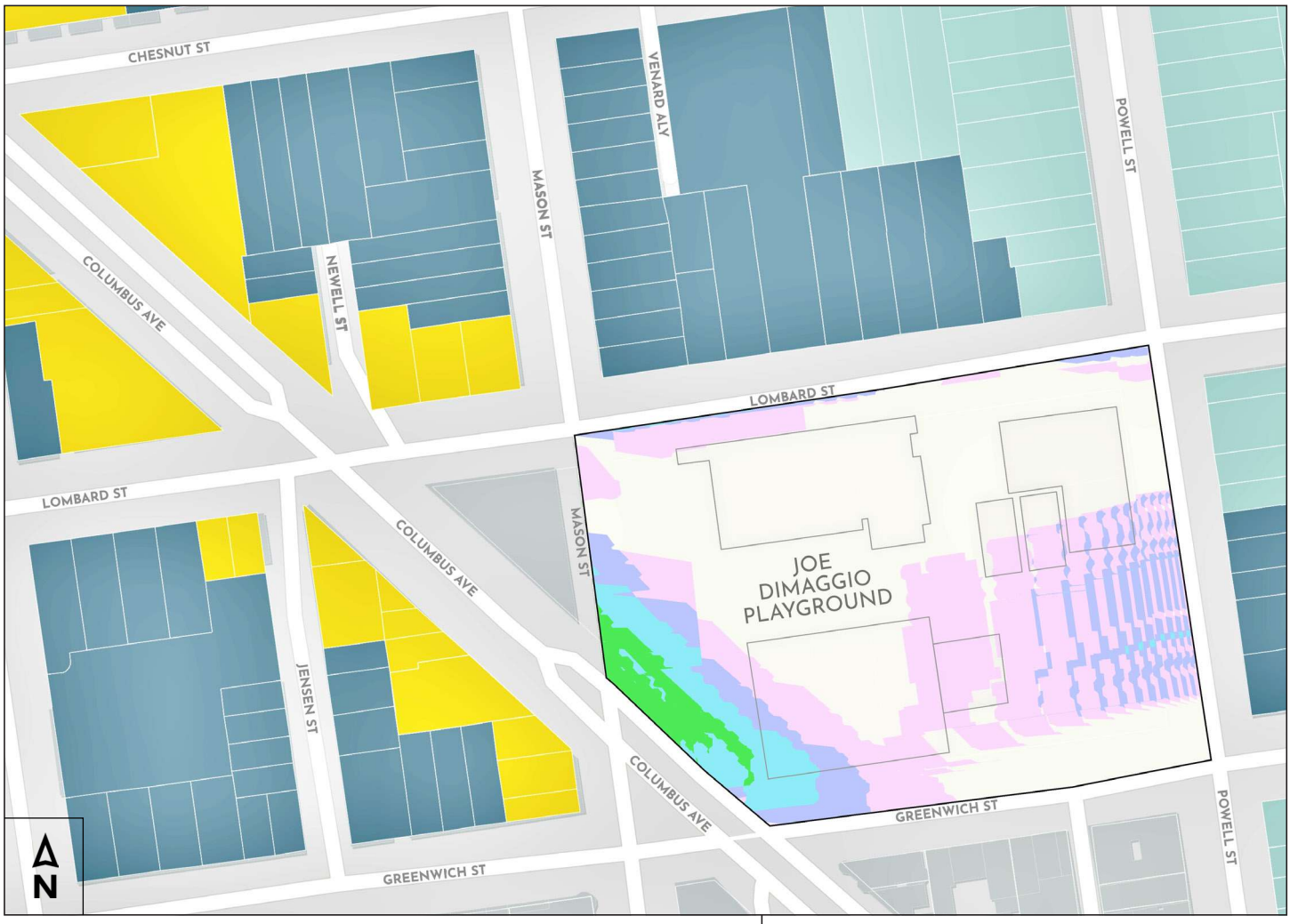
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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AUGUST 16

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

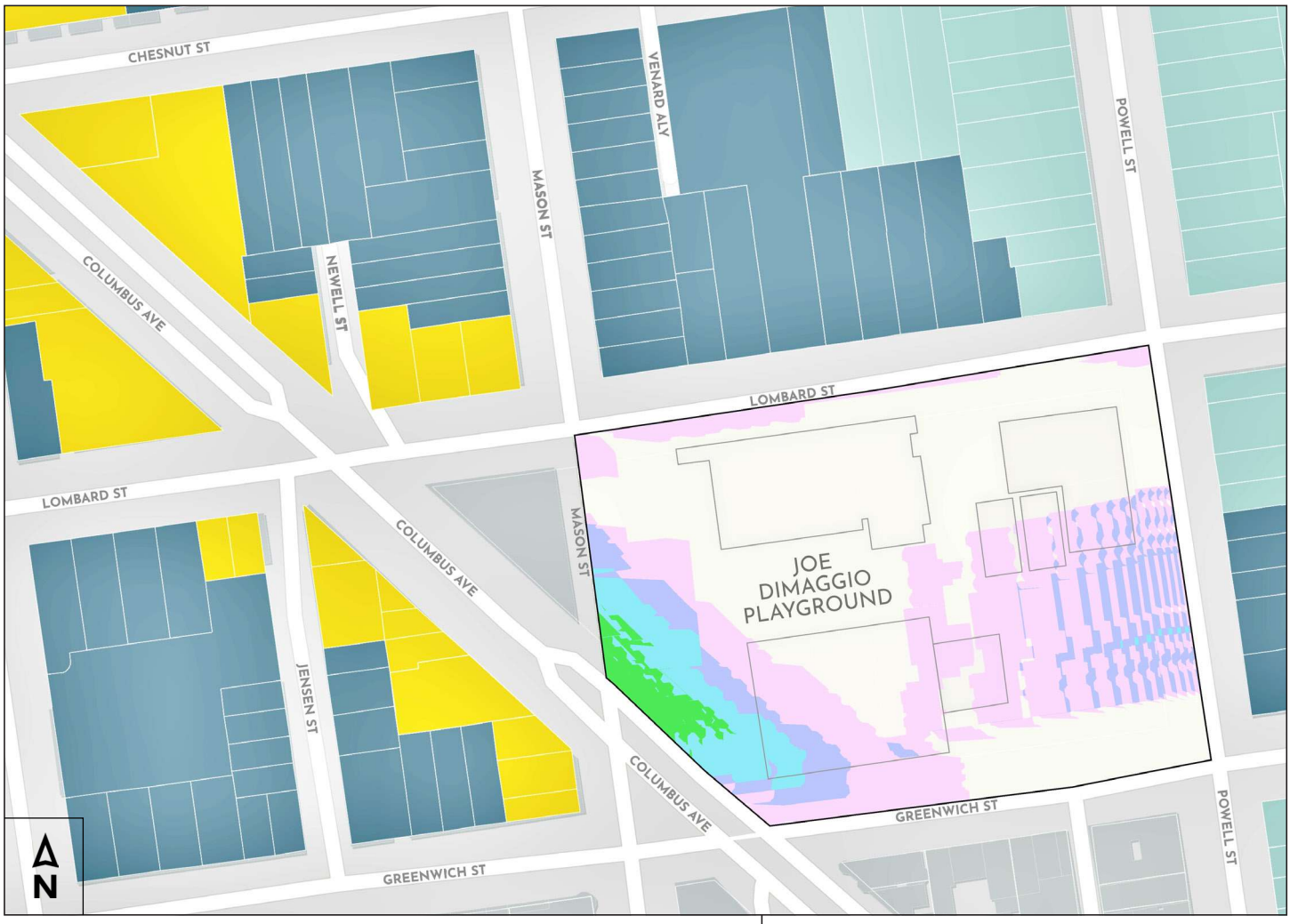
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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AUGUST 23

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

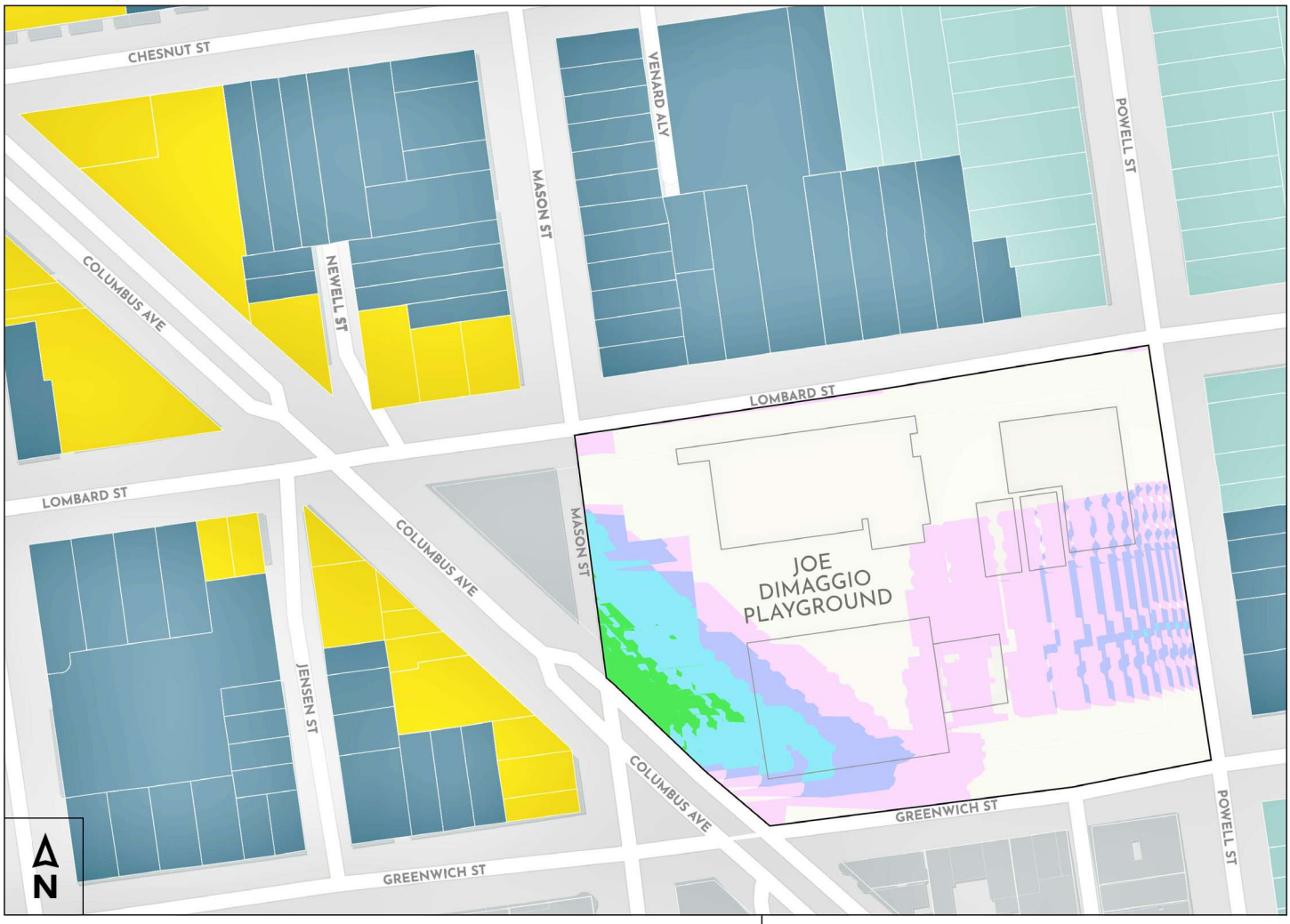
- Joe DiMaggio Playground

Proposed Local Program Height Limits

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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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AUGUST 30

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

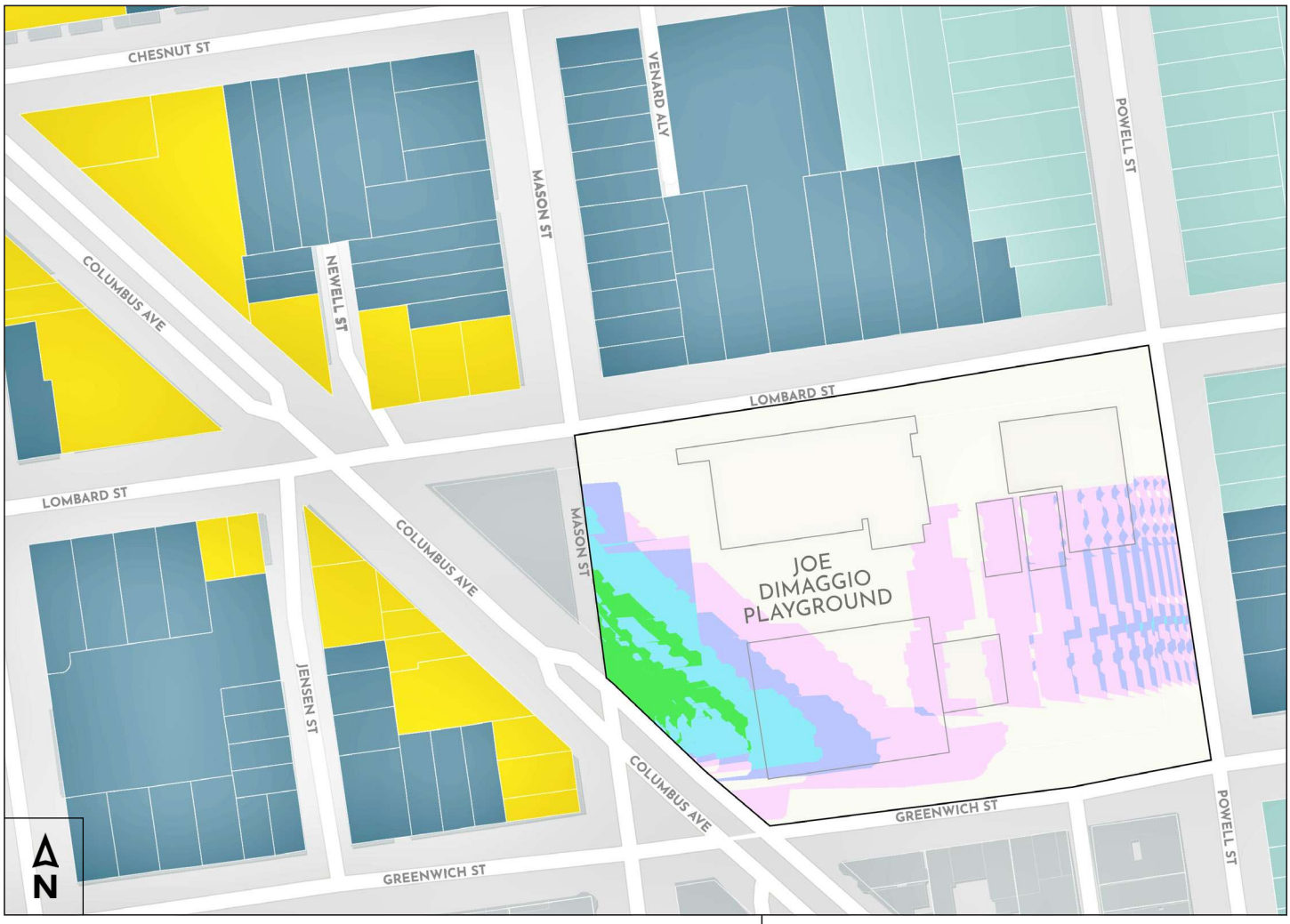
- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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SEPTEMBER 6

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

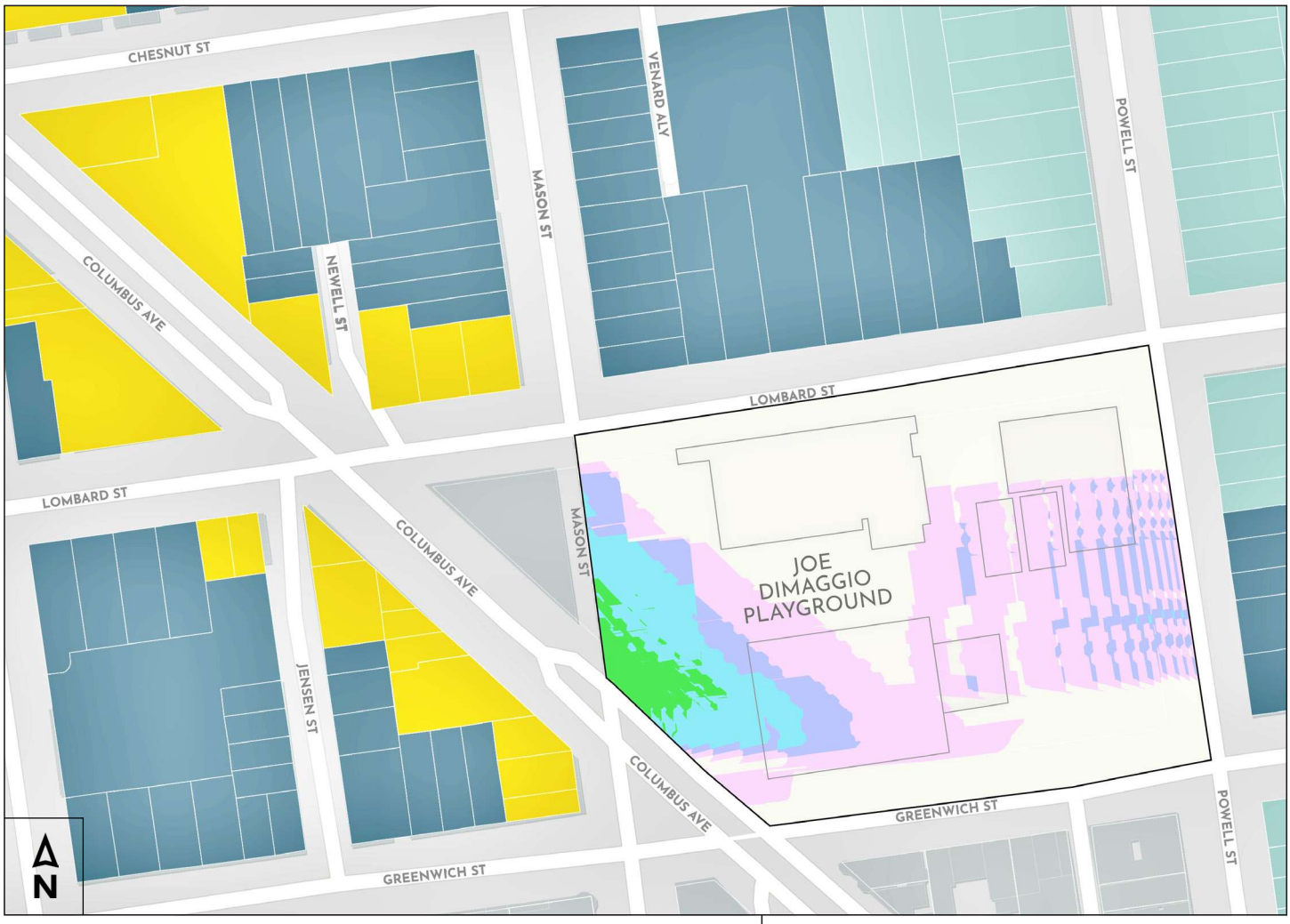
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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SEPTEMBER 13

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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SEPTEMBER 20

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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SEPTEMBER 27

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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OCTOBER 4

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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OCTOBER 11

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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OCTOBER 18

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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OCTOBER 25

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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NOVEMBER 1

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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NOVEMBER 8

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

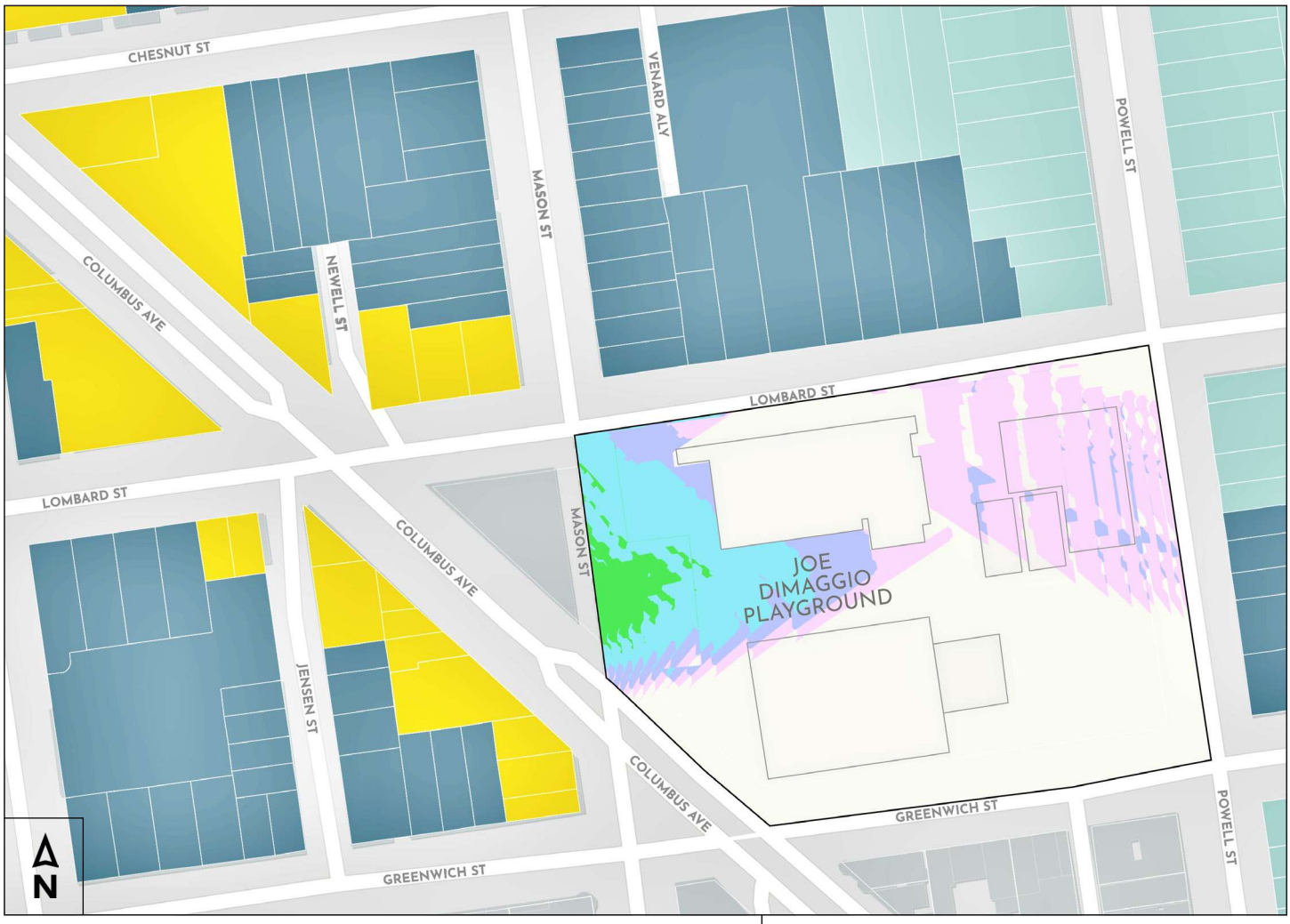
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NOVEMBER 15

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

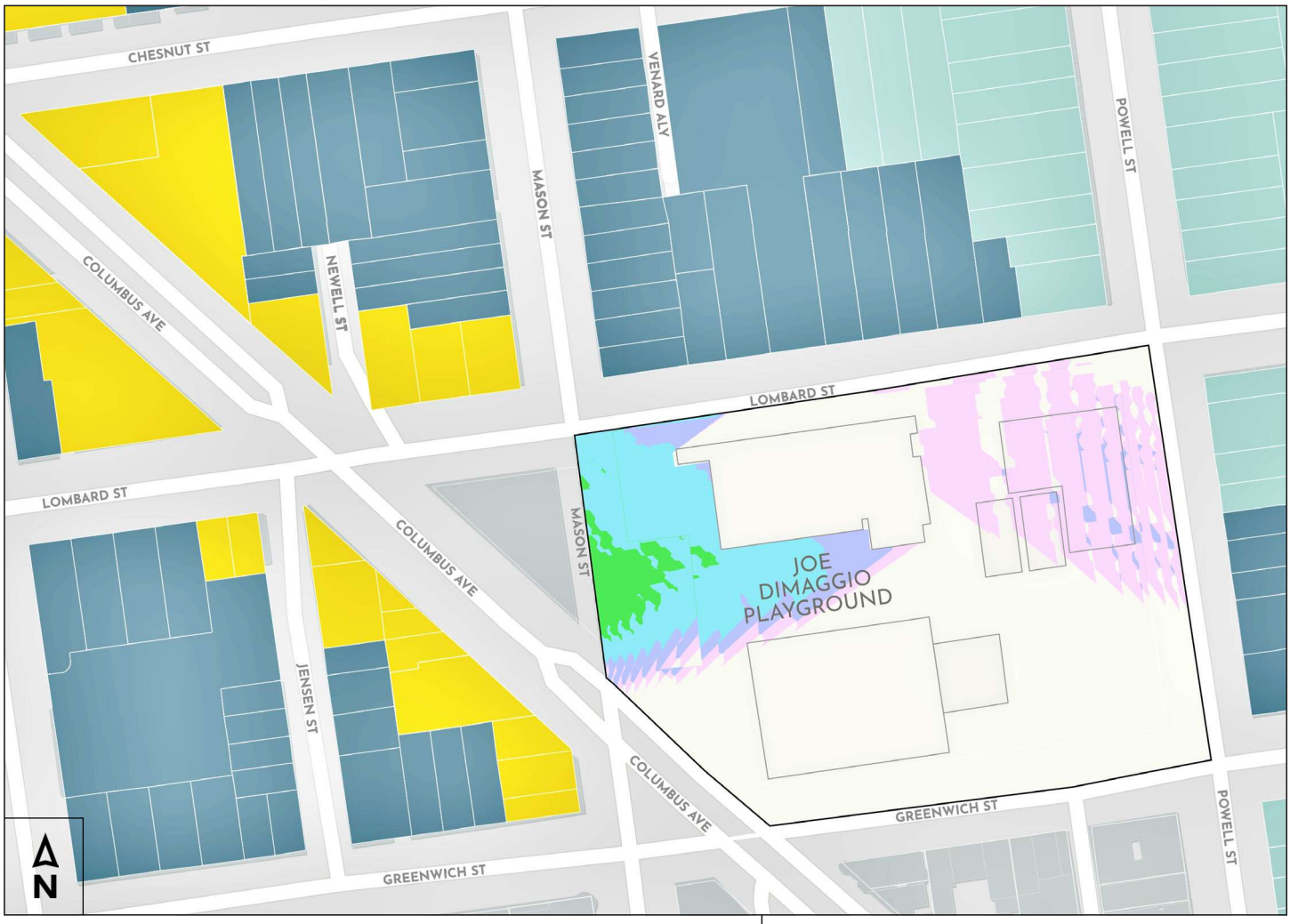
- Joe DiMaggio Playground

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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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NOVEMBER 22

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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NOVEMBER 29

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

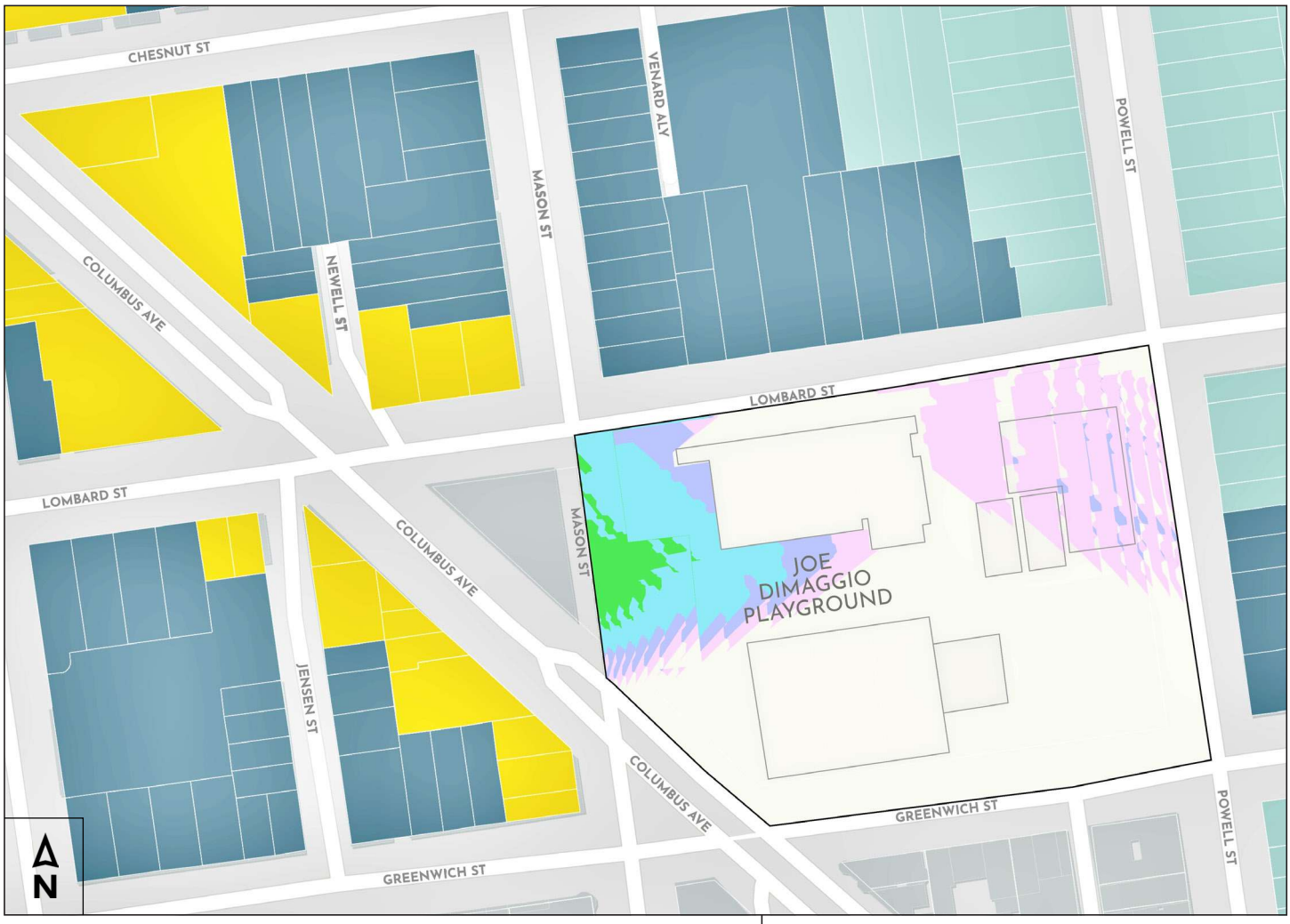
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- 65’

FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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DECEMBER 6

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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DECEMBER 13

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

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FAMILY ZONING SHADOW ANALYSIS

Joe DiMaggio Playground, Single Day



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DECEMBER 20

SHADOW FAN ANALYSIS

Rec & Park Open Spaces

- Joe DiMaggio Playground

Proposed Local Program Height Limits

- 40’
- 50’
- 65’

From:	Bruce Agid
To:	Melgar, Myrna (BOS); Mahmood, Bilal (BOS); Chen, Chyanne (BOS); Sherrill, Stephen (BOS); Walton, Shamann (BOS); Chan, Connie (BOS); Sauter, Danny (BOS); Dorsey, Matt (BOS); Fielder, Jackie (BOS); Alan.Wong1@sfgov.org; Mandelman, Rafael (BOS)
Cc:	Meaghan Mitchell; Tyra Fennell; Sean Karlin; Amerika Sanchez; Charley Goss; Derek Lee; Kurt Grimes; Chris Chang; Maika Pinkston; Latoya Pitcher; Spencer Lam; Eric Dew; Mark Malouf; Alan Tsui; Rachael Tanner; Gary Pegueros; Chanel Blackwell; Elijah Ball; Courtney Sid; sliubettencourt@gmail.com; JiLon Li; Rupali Singhal; Carroll, John (BOS); Calvillo, Angela (BOS); Herrera, Ana (BOS); Burch, Percy (BOS); Yan, Calvin (BOS); Andrews, Michelle (BOS); Tam, Madison (BOS); Rosas, Lorenzo (BOS); Low, Jen (BOS); Fieber, Jennifer (BOS); Cooper, Raynell (BOS); Sciammas, Charlie (BOS); Ho, Calvin (BOS); DorseyStaff (BOS); Waltonstaff (BOS); Mathew Castillon; Lurie, Daniel (MYR); Thongsavat, Adam (MYR); Zou, Han (MYR)
Subject:	San Francisco Eastern Neighborhoods Democratic Club (SFENDC) Support for Mayor Lurie"s Family Zoning Plan
Date:	Tuesday, December 2, 2025 9:01:55 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

December 2, 2025

RE: Support Mayor Lurie’s Family Zoning Plan

Dear Members of the Board of Supervisors,

The Board of the Eastern Neighborhoods Democratic Club (ENDC) supports the passage and adoption of Mayor Lurie’s Family Zoning Plan.

This proposal plans to build more housing for San Franciscans while ensuring we can control our own destiny by maintaining local land use controls. Without the Family Zoning Plan, San Francisco will face the Builder’s Remedy as well as fines and loss of ~$100 million in funding for transit and housing. Furthermore, this plan incentivizes family-sized homes of at least two, three, or more bedrooms. These types of homes help more families stay in San Francisco.

The plan aligns with ENDC's Mission & Vision. The San Francisco Eastern Neighborhoods Democratic Club (ENDC) was established by residents of San Francisco’s Supervisorial Districts 3, 6, and 10 to organize voters and provide a discussion and educational forum to address the most pressing issues facing the eastern neighborhoods of our City.

The ENDC provides a Democratic political voice to advocate an urbanist-equity platform (a focus on creating complete communities) with twin goals of keeping current residents and families in San Francisco while welcoming newcomers. The Family Zoning Plan aligns firmly with these values.

We are proud to support the Family Zoning Plan, which incorporates many important accepted amendments, and urge the Board of Supervisors to adopt the plan without delay.

Thanks in advance,

Bruce Agid
President, ENDC on behalf of the Board of ENDC

From:	Howard
To:	Carroll, John (BOS); Chen, Lisa (CPC); Shum, Ryan (CPC); CPC.SF.Housing.Choice; FamilyZoningCEQA@sfgov.org
Subject:	UPZONING: ANALYSIS: PERFECT PLANNING = ICONIC BEAUTY + HOUSING
Date:	Tuesday, December 2, 2025 7:28:54 AM
Attachments:	~~~~PERFECT PLANNING = ICONIC BEAUTY + HOUSING 12-25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FOR HEARINGS ON UPZONING PLAN
TO: Board of Supervisors
CC: Mayor Lurie/ Office, Planning Commission/ Staff
ATTACHED: PERFECT PLANNING = ICONIC BEAUTY + HOUSING

An entertaining and informative analysis of the history of Waterfront Land-Use Battles, development fights, upzoning, housing options, affordable housing around the world and photos.
Best Regards, Howard Wong, AIA
P.S.: Please include in Board Package---online and printed (if possible) for public education.

PERFECT PLANNING = ICONIC BEAUTY + HOUSING



OPPOSE WATERFRONT UPZONING *Please share this!*

SEE BELOW: HISTORY OF SF WATERFRONT LAND-USE BATTLES:

PROTECT WATERFRONT BEAUTY AND HISTORIC NEIGHBORHOODS AS ECONOMIC ASSETS
San Francisco's waterfront/ hilltop beauty is priceless. Environmental capital, like physical/ visual links to the Bay, has quantifiable value. The City's Mediterranean beauty differentiates it from most cities. Tourism attracts 23 million visitors and $9 billion/ year. Public vistas fuel a real estate industry of up to $10 billion/ year. Conservatively, waterfront beauty has a $2 billion valuation/ year---for perpetuity.

History makes the case for Voter Approval of waterfront development/ height increases
Generations of San Franciscans have fought to protect the beauty and scale of the northern waterfront. Upzoning at the northern waterfront would override General Plans, urban design/ environmental elements, planning priorities, design guidelines, settled law, ballot measures, legislation, codes, and voter advocacy for a Mediterranean scale---with building heights tapering gently upward to hilltops.

Planning codes have reinforced the waterfront's 40-foot height limit as a benchmark for tapering heights---protecting visual corridors to the bay. Public and legal directives have elevated environmental beauty as a priority, aspiring to the beauty of Venice, Florence, Santorini, Paris and great places that have protected their timeless treasures and World Heritage Sites---actual and potential.

HOUSING: SUPERLATIVE OPTIONS *Please share this!*

INSTEAD OF PLANNERS, HIRE MATHEMATICIANS AND FINANCIERS TO CREATE NEW HOUSING.
San Francisco's Chief Economist deems the SF Upzoning Plan as unrealistic. ***Why approve a deleterious upzoning plan, harming neighborhoods and waterfronts, when better options exist?*** Throughout the world, cities/ countries/ people have built vast amounts of affordable housing for their growing populations. Besides, San Francisco has already built, entitled more projects, and forecasts more development than almost any city in the region and state.

Mathematicians can finetune hypotheses and calculate housing construction accurately.
Depending on the timeline, completed projects, in-progress projects, entitled projects, proposed projects (more every day), untapped zoning capacity, infill development, availability of public land, new financing plans, new area/ neighborhood plans, and revised incentives/ housing types/ unit sizes/ densification, San Francisco can likely meet its RHNA (Regional Housing Needs Allocation)---without flailing citywide upzoning. Rather than number of housing units, the focus should be on the number of people housed.

Financiers can coalesce all funding to effectively build housing: $20 billion MTC Regional Affordable Housing Bond (2028 as a revolving fund), local/ state housing bonds, grants, trust funds, tax credits, tax increment financing, low-interest loans, public banks, nonprofits, philanthropy, partnerships, rent subsidies, and more. Many countries have affordable housing strategies and programs---worth emulating. ***Affordable housing is not for lack of zoning, but lack of comprehensive planning.***





DO THE MATH: HOUSING TAKES MANY FORMS: After the 1906 Earthquake, 250,000 San Franciscans were homeless (60% of the population)---quickly housed in tens/t camps and tiny redwood cottages. Today, the homeless instinctively gather in encampments, RV/ car clusters, for community and self-support. As seen throughout the world, affordable housing can take the form of cooperative housing, micro-housing, shared housing, land trusts, accessory units, modular dwellings, single-room occupancies, boarding houses, public housing, dual-use spaces, and informal communities (at least for the near/ short term). Rio de Janeiro's favelas are naturally-occurring low-income squatter housing---a normal human response to homelessness. 35% of Lima's population live in squatter settlements and 50% are employed in informal jobs. Around the world, 1 billion people live in slums or other informal settlements.

AFFORDABLE HOUSING IS A PUBLIC POLICY CHOICE. Government has economic tools to invest in land, utilize public property, zone for public benefits, provide public services, incentivize smaller/ plentiful dwellings, provide flexibility in housing, give tax incentives, prioritize approvals and permitting. Not inconceivable, like China and forty other countries, government can build new cities and towns---on public land. China has built hundreds of new cities, including many with one million residents. ***The region and the state can carry its housing fair share, not just the 49 square miles of San Francisco.***

RENTCHAMBER: The Top 10 Countries with Exceptional Housing Policies
https://rentchamber.com/the-top-10-countries-with-exceptional-housing-policies/
WIKIPEDIA: Affordable Housing by Country:
https://en.wikipedia.org/wiki/Affordable_housing_by_country






GUARDIAN: The social housing secret: how Vienna became the world's most livable city
https://www.theguardian.com/lifeandstyle/2024/jan/10/the-social-housing-secret-how-vienna-became-the-worlds-most-livable-city
NPR: Could this city be the model for how to tackle the housing crisis and climate change?
https://www.npr.org/2025/06/15/nx-s1-5400642/affordable-housing-environment-vienna-climate-change
HOUSING PERSPECTIVES: What Can We Learn from the Dutch Social Housing System?
https://www.jchs.harvard.edu/blog/what-can-we-learn-dutch-social-housing-system
ASSEMBLE PAPERS: A primer on social housing in Amsterdam
https://assemblepapers.com.au/2018/12/13/amsterdam-social-housing-a-primer/
ROUTE FIFTY: Hungry for affordable housing, communities turn to land trusts **https://www.route-fifty.com/management/2024/09/hungry-affordable-housing-communities-turn-land-trusts/399784/?oref=rf-today-nl&utm_source=Sailthru&utm_medium=email&utm_campaign=Route%20Fifty%20Today:%20September%2025%2C%202024&utm_term=newsletter_rf_today**
BLOOMBERG: Why Singapore Has One of the Highest Home Ownership Rates
https://www.bloomberg.com/news/articles/2020-07-08/behind-the-design-of-singapore-s-low-cost-housing?cmpid=BBD102120_CITYLAB&utm_medium=email&utm_source=newsletter&utm_term=201021&utm_campaign=citylabdaily

WATERFRONT BEAUTY = BEST ECONOMICS ***Please share this!***

HISTORY: SF WATERFRONT LAND-USE BATTLES

Over time, by tapering heights downward towards the waterfront, public vistas and San Francisco's hills/ beauty will be preserved for all---an economic asset that attracts 23 million visitors and $9 billion per year.

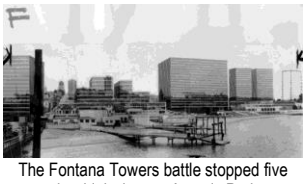


SAN FRANCISCO HAS THWARTED DARWINIAN MARKET FORCES, which threaten prime waterfront sites for obstructive development. Big money is spent to push projects by the few who benefit financially---developers, contractors, consultants, public relations firms, city staff, politicians, and groups that reap donations, fees, payments, and wages. Instead, citizens/ height limits/ codes have protected our Mediterranean village-like character for all.

SAN FRANCISCO'S WATERFRONT BATTLES led to protective tapering height limits, which preserve public vistas and a Mediterranean village-like beauty for everyone. Powerful special interests attempt to override codes---to gain extraordinary favors. Each code exemption is used to justify subsequent height increases----a never-ending ratcheting upward. Learning from history, we can better appreciate the waterfront's esthetic and economic value.



The Fontana Towers led to the 40-foot height limit on the waterfront.



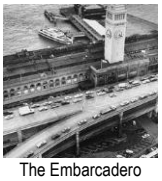
The Fontana Towers battle stopped five other high-rises at Aquatic Park.



San Francisco's Freeway Revolt started a national movement.



The Embarcadero Freeway was stopped at Broadway---in mid-construction.



The Embarcadero Freeways demolition opened the waterfront.



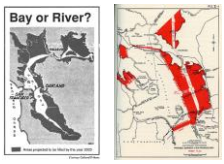
Freeway plans wrapped around the entire waterfront and throughout the city.



WPA Freeway Plan, around northern waterfront---and over Columbus Ave.



The freeway wall along the waterfront was a near reality.



"Save The Bay" map and Reber Plan for bay infill.



Citizen activists and founders of "Save The Bay": Esther Gulick, Sylvia McLaughlin, Catherine Kerr.

HISTORY TEACHES US that many design options exist for any site---like fully code-compliant alternatives or open space. After contentious debates, better designs often result.
FOUNDSF: The Fontana Towers and Waterfront Battle.
http://foundsf.org/index.php?title=Height_Limit_Revolt_Saves_Waterfront_Vistas
Residents of Russian Hill and Attorney Casper Weinberger (a Republican conservationist) stopped towers along the waterfront. A coalition fought for the waterfront 40-foot height limits. Later, height limits on Russian Hill were passed.



Bridge and large development proposed adjacent to Telegraph Hill---through North Beach.



Bridge and freeways proposed atop Telegraph Hill.



The Rush Bridge from Telegraph Hill had three stories of traffic lanes.



Proposed bridge from Telegraph Hill to Angel Island & Tiburon---stopped by Washington officials.



Russian Hill: Ten years after 40-foot height limit.



Ferry Building Project (1968) with helipad atop roof.



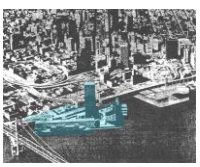
World Trade Center (1950) demolishes Ferry Building.



World Trade Center's terraced high-rises at waterfront.



Proposed 30-story skyscraper at waterfront.



U.S. Steel Building Complex---South of Ferry Building.



Embarcadero Crescent (1961): Ferry Building to Aquatic Park.



Embarcadero Crescent (1961): Bay development east of Telegraph Hill.



The 1963 Downtown Plan had two high-rises flanking the saved Ferry Building's tower.



Old Produce Market's tenants fought and were displaced by the Golden Gateway towers.



Instead of more Golden Gateway towers, activists fought for the low-rise Golden Gateway Commons.

ENVIRONMENTAL CAPITAL: A long-term economic measure includes incorporating "natural capital"---the value of such things as esthetics, nature, and generic diversity---into economic decision-making. From a long-range perspective, waterfront beauty has incalculable economic value---for regional drawing power and people's happiness quotient.



Russian Hill Towers (1958): Mies van der Rohe proposal with block-long parking garage.



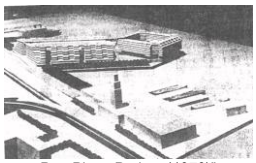
Port Authority Plan (1959: Office buildings, hotel, commercial, terminal….



International Market Place (1968): Multiblock complex at foot of Telegraph Hill.



Ferry Building Plans (1968): Northern Waterfront Plan.



Port Plaza Project (1970)" Ferry Building and Pier 1.



Villamarina Project (1974): The piers and area around Aquatic Park developed.



Pei-Cobb-Fried Proposal (1980)" Office and commercial at Ferry Building and Pier 1.



Koll's Sailing Center (1980)" Piers at Bay Bridge---Hotel, restaurant, retail, marina….



SWL 330 Condo Tower (2006) built though Pier 30-32 cruise terminal cancelled.



Arena/ Condo Project (2014): Entertainment venue and condo towers around Pier 30-32---moved.

THE DEVELOPER-POLITICAL COMPLEX of financial interests works to heighten development, to escalate land values and to transfer public assets to private interests. Freeways and subways are regional escalators of real estate values by promoting well-heeled commuters. The Developer-Political Complex is a network of financial self-interests --- developers, realtors, contractors, consultants, public relations firms, politicians, city staff, nonprofits, and groups who receive donations, fees, payments, and wages. Citizens have rightfully fought for their assets.

FOUNDSF: "The Freeway Revolt" **http://foundsf.org/index.php?title=The_Freeway_Revolt**

On November 2, 1956 the *San Francisco Chronicle* graciously published a map of the proposed and actual freeway routes through San Francisco even though its accompanying editorial was already chastising protestors: "The remarkable aspect of these protests and claims of injury is their tardiness. They concern projects that have for years been set forth in master plans, surveys, and expensive traffic studies. They have been ignored or overlooked by citizens and public official alike—until the time was at hand for concrete pouring and when revision had become either impossible or extremely costly. The evidence indicates that the citizenry never did know or had forgotten what freeways the planners had in mind for them."

WE ARE ON LIFE'S STAGE EVER SO BRIEFLY relative to the timeless beauty of the waterfront environment. It is the responsibility of each generation to protect natural assets for all.

Howard Wong, AIA









From: Kathryn Hyde
To: Press Office, Mayor (MYR); Severiano.Christian@sen.ca.gov; Raayan.Mohtashemi@sen.ca.gov
Cc: Carroll, John (BOS); Chan, Connie (BOS); MelgarStaff (BOS); Board of Supervisors (BOS); Hsieh, Frances (BOS); Mandelman, Rafael (BOS); Walton, Shamann (BOS); Andrews, Michelle (BOS); radhika.gawde@sen.ca.gov
Subject: Re: housing SF
Date: Monday, December 1, 2025 6:51:15 PM

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Dear Supervisors,

The City Economist's report shows clearly that Lurie's plan will not work and will trigger the State to hijack San Francisco's housing decisions. This is because zoning changes don't produce new affordable housing.

- We do not have the infrastructure, police force, roads, parking and water to support this plan.
- Structures should be limited to 5 stories to preserve lighting and wind

- Much of the new construction is poorly designed - i,e, Haight and Stanyan

- We are only 7 x 7 square miles. SF is not like cities that have space
- Concerns about earthquakes
- There is space to build on vacant lots, Walgreens sites, 7/11 on Clment/9th Ave., etc.
- No buildings close to the shoreline
- We still have 2 months to replace the Mayor's plan with one that will work. Here's a real strategy to solve the City's affordable housing crisis.

I favor producing housing out of existing vacancies and empty office space as much as possible, instead of building new units. New construction uses massive amounts of cement, wood, and diesel construction equipment, releasing more greenhouse gas emissions.

The Mayor's plan would build more excess housing for the wealthy, create more homelessness, and is an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators.

Thank you!

Kathryn Hyde
130 Frederick St SF 94117

From:	Dwyer, Debra (CPC)
To:	BOS Legislation, (BOS)
Cc:	Shum, Ryan (CPC); Gibson, Lisa (CPC); Chen, Lisa (CPC); Switzky, Joshua (CPC); Tanner, Rachael (CPC); Lew, Lisa (BOS); Carroll, John (BOS)
Subject:	Letter submitted 12/1 by Lozeau Drury law firm re Family Zoning Plan
Date:	Monday, December 1, 2025 3:27:42 PM
Importance:	High

Hello,

In the Land Use committee hearing today, a speaker indicated that a letter was submitted around 12:45 pm today from the law firm Lozeau Drury regarding the environmental review for the Family Zoning Plan, files 250700 and 250701.

Please forward a copy of this letter to Planning as soon as possible - to Planning staff on this email. We need to review it before the full board hearing tomorrow, 12/2.

Thank you very much for your attention to this matter.

Debra Dwyer

Debra Dwyer (she/her/hers)
Principal Environmental Planner
Environmental Planning Division
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7576 | www.sfplanning.org
San Francisco Property Information Map

From:	Richard Drury
To:	Board of Supervisors (BOS); MandelmanStaff (BOS); ChanStaff (BOS); SherrillStaff; SauterStaff; MelgarStaff (BOS); ChenStaff; MahmoodStaff; DorseyStaff (BOS); FielderStaff; Waltonstaff (BOS); Carroll, John (BOS); FamilyZoningCEQA@sfgov.org
Subject:	CEQA comments for Family Zoning Plan (Board File Nos. 250966, 250700, 251071, 250701, 251073 and 250985)
Date:	Monday, December 1, 2025 12:44:54 PM
Attachments:	2025.12.01.SF Rezone BOS ComLtr-PDF w exhibits.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors and Land Use and Transportation Committee:
Attached please find the comments of Neighbors United SF concerning the Family Zoning Plan, (Board File Nos. 250966, 250700, 251071, 250701, 251073 and 250985). Thank you for considering these comments. Please include these comments in the record for this matter.
Richard Drury

--
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Oakland, CA 94612
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richard@lozeaudrury.com

BY E-MAIL

December 1, 2025

Board President Rafael Mandelman and
Honorable Supervisors
San Francisco Board of Supervisors
Attn: Angela Calvillo, Clerk of the Board
Land Use and Transportation Committee c/o Clerk John Carroll
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Board.of.Supervisors@sfgov.org
mandelmanstaff@sfgov.org
ChanStaff@sfgov.org
SherrillStaff@sfgov.org
SauterStaff@sfgov.org
MelgarStaff@sfgov.org
ChenStaff@sfgov.org
MahmoodStaff@sfgov.org
DorseyStaff@sfgov.org
FielderStaff@sfgov.org
waltonstaff@sfgov.org
John.Carroll@sfgov.org
Lisa Chen, sf.housing.choice@sfgov.org
Ryan Shum, CPC, FamilyZoningCEQA@sfgov.org

RE: Comment on CEQA Addendum for San Francisco "Family Zoning Plan."
Board of Supervisors December 2, 2025.
Board File Nos. 250966, 250700, 251071, 250701, 251073 and 250985

President Mandelman and Honorable Supervisors:

I am writing on behalf of Neighborhoods United SF, a consortium of San Francisco neighborhood and community groups representing thousands of San Francisco residents, concerning the so-called San Francisco "Family Zoning Plan" ("Rezone"). We request that the Board defer any decision on the Rezone until the City Planning Department prepares a Supplemental Environmental Impact Report ("SEIR"). CEQA review would force the City to consider feasible mitigation measures to reduce the Rezone's impacts, and also to consider feasible alternatives, such as placing the proposed 4,000 additional units in specific locations (such as Park Merced, Stonestown, Treasure Island, Hunters Point, etc.), rather than upzoning entire swaths of the city in hopes that the 4,000 units will be built somewhere within the upzoned areas.

I. INTRODUCTION

The Rezone will forever change the face of the City. It will allow new development to accommodate 54,000 new housing units in so-called "well-resourced" areas of the City.[1] While the City prepared an environmental impact report ("EIR") for its Housing Element in 2022 (2022 EIR), the proposed Rezone is vastly different from the zoning studied in the 2022 Housing Element and its associated 2022 EIR. Nevertheless, the Planning Department proposes to rely on the 2022 EIR.

A rezoning of this magnitude requires thorough environmental review under the California Environmental Quality Act ("CEQA") so that the City's residents and decision-makers can be aware of its impacts, can consider all feasible mitigation measures and alternatives, and can have a robust and open discussion prior to making irreversible changes to San Francisco's landscape for all time. The California Court of Appeal recently held that a supplemental EIR ("SEIR") is required for a general plan amendment that allows taller buildings than allowed by a prior plan (as here), and that the SEIR must analyze all of the increased impacts caused by the taller buildings. (*Save Our Access v. City of San Diego*, 2025 WL 2945714, 115 Cal.App.5th 388 (Cal. Ct. App. Oct. 17, 2025) (*Save Our Access II*); *Save Our Access v. City of San Diego*, 92 Cal.App.5th 819 (2023) (*Save Our Access I*).) Under the *Save Our Access* line of cases, an SEIR is clearly required for the Rezone since it allows vastly taller building heights, and includes different geographic areas than the 2022 Plan.

The Rezone will have myriad significant new impacts that were not analyzed in the 2022 EIR or included in the Housing Element.

- HISTORIC RESOURCES: The Rezone, unlike the Housing Element, will allow new, high-rise development in the historic northeast neighborhoods of North Beach and the Northern Waterfront, including Fisherman's Wharf– something not allowed or analyzed the 2022 EIR or Housing Element.
- HEIGHT LIMITS INCREASED: The Rezone, unlike the Housing Element, includes amendments to base zoning and base height limits, and creating new zoning for many areas. The Rezone will allow the construction of buildings up to 350-feet taller than anything analyzed in the 2022 EIR, resulting in new wind, aesthetic, biological and shadow impacts not analyzed in the 2022 EIR.

[1] While the Rezone purports to address racial disparities in the City by targeting "well-resourced" areas, the Rezone seems to focus on largely Asian "well-resourced" areas, such as the Sunset District, Richmond District, and Northeast, while leaving largely untouched predominantly Caucasian "well-resourced" area such as Pacific Heights, Marina and Seacliff. As such, the Rezone may have discriminatory impacts, much like the development of the Western Addition, or the City's historic bans on wood-framed buildings that targeted Chinese-owned businesses. (See, *Yick Wo v. Hopkins*, 118 U.S. 356, 6 S. Ct. 1064, 1065, 30 L. Ed. 220 (1886).) The City should analyze the potentially racially discriminatory impacts of the Rezone.

- HOUSING SUSTAINABILITY DISTRICT: The Rezone, unlike the Housing Element, establishes a housing sustainability district.
- WIND: The Rezone will create significant new wind impacts from vastly taller buildings, while at the same time the Rezone ordinance proposes to weaken the City's wind ordinance to eliminate the requirement for mandatory wind mitigation, and to redefine significant wind impacts from 1-hour to 9-hours – all of which will conspire to create significant new wind impacts far greater than anything analyzed or contemplated in the 2022 EIR.
- DISPLACEMENT OF RENT-CONTROLLED HOUSING: The Rezone will result in the displacement of rent-controlled tenants and legacy businesses, by replacing rent-controlled and existing affordable units with luxury, high-rise condos and allowing development in the areas within the Priority Equity Geographies Special Use District – something avoided in the 2022 Housing Element.
- AIR POLLUTION: The Rezone will create significant airborne cancer risks in newly identified APEZ zones (air pollutant exposure zones), and will result in criteria air pollution far above CEQA significance threshold set by the Bay Area Air District .
- SHADOW: The Rezone will create significant new shadow impacts due to much taller buildings.
- CONTAMINATED SITES: The Rezone will allow development on contaminated sites not analyzed in the 2022 EIR.
- TRAFFIC: The Rezone will create new significant air quality impacts from increased vehicle miles travelled (VMT), and from construction emissions.
- SEWAGE TREATMENT PLANT: The Rezone will allow development on the site of the North Point Wet Weather Sewage Treatment Facility, which will require either a replacement facility or vast amounts of infrastructure to transport sewage to other plants.
- NORTH BEACH SUD: The Rezone will have cumulative impacts with the recent repeal of the North Beach Special Use District, which removes protections for almost all historic resources in the North Beach area.
- GREAT HIGHWAY CLOSURE CUMULATIVE IMPACTS: The City has failed to analyze new changed circumstances, particularly the closure of the Great Highway, which will exacerbate significant traffic and public transit impacts on the Rezone, which adds thousands of new residential units to the Sunset and Richmond neighborhoods.

It is legally improper for the City to bypass CEQA review for the Rezone. Addenda are only allowed where '(2) Only **minor technical changes** or additions are necessary to make the EIR under consideration adequate under CEQA." (CEQA Guidelines §15164, subd. (a); *Save Our Heritage Organization v. City of San Diego*, 28

Cal. App. 5th 656, 664–65 (2018) (emphasis added). The Proposed Rezone in this case allows **increased height of up to 350-feet above those analyzed in the 2022 EIR**. (Addendum No. 1 to 2022 Housing Element Environmental Impact Report, ("Addendum") at p. 11). The 2022 EIR analyzed building heights of up to 300 feet for proposed buildings, which the Rezone allows building heights of up to 500 to 650 feet – 350 feet taller than anything analyzed in the 2022 EIR. (Addendum 11). These are not "minor technical changes," but rather major substantive changes with significant environmental impacts.

For these reasons, we ask the City to prepare a Supplement EIR to analyze the Rezone, and to consider feasible mitigation measures and alternative to reduce its myriad impacts.

II. PROJECT DESCRIPTION

The Rezone proposes to add 54,000 new housing units to San Francisco, above levels that would occur without rezoning. The City contends that the Rezone is necessary to meet state-mandated Regional Housing Needs Assessment (RHNA) goals of 36,200 additional housing units. The 2022 Housing Element provided for 50,000 new units of housing, so the Rezone allows for significantly more housing – 4,000 additional units. The Rezone moves the proposed housing to different areas of the city where it will have far greater impacts to historic resources, air quality, transportation, displacement and other resources.

We are commenting on the version of the Rezone that has been provided to the public. However, we are aware that the Rezone is in a state of flux, as new amendments are being proposed on an almost daily basis. The Rezone is a moving target, which makes meaningful public comment all but impossible. "An accurate, stable and finite project description is the sine qua non of an informative and legally adequate EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192.) "[A] curtailed or distorted project description," on the other hand, "may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental costs, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the "no project" alternative) and weigh other alternatives in the balance." (*Id.* See also, CEQA section 15124.) The City has abjectly failed to provide the public with an accurate and stable project description that would allow meaningful comment. At the very least, the City should allow a 30-day public comment period between the first reading of the Rezone Ordinance at the Board of Supervisors, anticipated to occur on December 2, 2025 and the second reading. The Project description will not be stable until the December 2, 2025 vote. This will allow a 30-day period for the public to review and comment on the stable project description.

The Project description in the 2022 EIR simply does not accurately describe the Rezone project. As such, the City may not rely on the 2022 EIR, which describes a very different Project. Some courts have allowed agencies to rely on prior EIRs when the revised project has the same footprint or the same or reduced environmental impacts.

(*Sw. Reg'l Council of Carpenters v. City of Los Angeles* (2022) 76 Cal. App. 5th 1154). However, when, as here, the project's footprint is expanded, the project's height is increased, and/or the project's impacts are increased, a supplemental EIR is required. (*Save Our Access I and II*).

The City largely ignores or mischaracterizes the Rezone's environmental impacts. For example, the Addendum does not even mention the fact that the Rezone (unlike the 2022 Housing Element) will allow redevelopment in the northeast districts of Telegraph Hill, North Beach and the Northern Waterfront, including Fisherman's Wharf. The City also ignores the fact that it has already approved 71,772 new units of housing that have yet to be built. The City' RHNA goal is 82,069. Therefore, the City only needs another 10,297 units to meet its RHNA goal – not 36,200, or 54,000.[2] Nor does the City discuss the fact that the Rezone is likely to displace low-income residents from rent-controlled units, while constructing new market-rate units without rent-control. The Rezone does not require any affordable housing and allows rent-controlled units to be replaced with luxury housing. The net result is likely to be less affordable housing – not more. The City's own calculations show that the Rezone will abjectly fail to meet RHNA's affordable housing goals.

The City fails to accurately describe the Rezone project. The City calculates that the "realistic" projected build-out as a result of the Rezone will be 54,000 additional housing units – 4,000 more than analyzed in the 2022 EIR. However, the Rezone actually creates a capacity for an additional 800,000 housing units. Full build-out would more than double the population of the City. Even the City's own calculations estimate that the Rezone could result in a range of additional housing ranging from 64,000 units (soft sites method); 39,000 units (citywide capacity method); to 19,000 units (financial feasibility method). (SF Planning Dept., Family Zoning Plan Rezoning Capacity Calculations Fact Sheet). Since the City's own staff admits that these are all realistic scenarios, a CEQA document should be prepared to compare the environmental impacts of these feasible outcomes, as well as the full build-out scenario.

The Rezone is vastly different from the Housing Element analyzed in the 2022 EIR. Supplemental CEQA review is required to analyze the impacts created by these vast changes to the Housing Element. These major modifications are discussed in the attached letter from Certified Urban Planner, Deborah Holley. (Exhibit A). Ms. Holley provides a map showing that the Rezone adds massive amounts of new development to District 3 (North Beach, Fisherman's Warf), and District 8 (Mission/Noe Valley), none of which was even mentioned in the 2022 EIR.

- The 2025 Rezone adds 6,938 parcels and 12,150 units, that were not in the 2022 Housing Element.

[2] Housing and Community Development barely accounted for the capacity created by the 4-plex and 6-plex legislation passed in 2023. Roughly 120,000 parcels are eligible, and even a fraction of those converting to 4–6 units would generate hundreds of thousands of potential homes.

- The Rezone increases height on 7,580 parcels and 10,009 units, above heights analyzed in the 2022 EIR.
- The Rezone increases density on 16,135 parcels, with 16,135 units currently on those parcels.
- The Rezone adds 30,653 parcels with 38,692 units that were not analyzed in the 2022 EIR – mostly in District 3 and District 8.
- The Rezone almost doubles the square footage of developable land, increasing the amount by 254,211,574 square feet.

The Rezone opens up thousands of rent-controlled units for high density, market rate development, virtually ensuring that thousands of low-income residents will be displaced to make way for luxury housing. The Rezone includes 3,481 two-unit rent-controlled parcels with 32,237 units, increases height on 4,345 rent-controlled parcels with 26,784 units, an increases density on 1,341 rent-controlled parcels with 20,691 units. While the Board of Supervisors is considering amendments to protect rent-controlled units with 3 or more units, this leaves about 20,564 two-unit rent-controlled units (10,282 parcels) with absolutely no protection from displacement and redevelopment.

None of these impacts were proposed, discussed or analyzed in the 2022 EIR, and must be analyzed and mitigated in a supplemental EIR.

III. LEGAL STANDARD.

A. CEQA Addendum (Pub. Res. Code section 21166).

The City Planning Department proposes to approve the Rezone based on an Addendum to the 2022 Housing Element EIR. This is entirely inappropriate since, as discussed above, the Rezone adds 30,653 parcels that were not analyzed in the 2022 EIR. The proposed Rezone is vastly different from the project analyzed in the 2022 EIR, and will have significant new environmental impacts that must be analyzed in a Supplemental EIR. (SEIR).

The court of appeal has stated, “The addendum is the other side of the coin from the supplement to an EIR. This section provides an interpretation with a label and an explanation of the kind of document that does not need additional public review.” “It must be remembered that an addendum is prepared where ‘(2) **Only minor technical changes or additions are necessary to make the EIR under consideration adequate under CEQA; and (3) The changes to the EIR made by the addendum do not raise important new issues about the significant effects on the environment.**’ (CEQA Guidelines §15164 (a); *Save Our Heritage Organization v. City of San Diego*, 28 Cal. App. 5th 656, 664–65 (2018) (emphasis added).) Even a 15-foot increase in height for a residential building (increasing height from 75 feet to 90 feet) requires a supplemental EIR, not an addendum. “Accordingly, the appropriate protocol is to have the county draft and recirculate a focused supplemental EIR, limited solely to analysis of height and profile-related impacts of the medical clinic, as built and where built to a height of ninety feet.” *Ventura Foothills Neighbors v. Cty. of Ventura*, 232 Cal. App. 4th 429, 434, (2014).

Section 15164(a) of the CEQA Guidelines states that "the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Pursuant to Section 15162(a) of the State CEQA Guidelines, a subsequent EIR or Negative Declaration is only required when:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
(C) Mitigation measures or alternatives previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The "fair argument" standard applies to analysis under Section 21166 when the proposed project is outside the scope of the prior EIR. As the Court of Appeal recently held:

> We similarly apply the **fair argument** test to review an agency's determination whether to prepare a **new** or **supplemental EIR** in a later **new project** following certification of a **program EIR**. [Citation.] The Legislature's use of similar language in sections 21151 and 21094 indicate "it intended to establish a similar **low threshold** for an agency's determination **whether to prepare a new EIR** on a later new project that follows certification of a program or plan EIR. In other words, **if** there is **substantial evidence** in the record that the **later project may arguably have** a **significant adverse effect** on the environment

> which was **not examined in the prior program EIR, doubts must be resolved in favor of environmental review** and the agency **must prepare** a **new tiered EIR, notwithstanding** the existence of **contrary evidence**." [Citation.]
>
> (*Save Our Access I*, 92 Cal.App.5th at 860 [citing *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1320–1321] [emph. added].)

As the court held in *Save Our Access I*, a project that allows development of a greater height than analyzed in a prior programmatic EIR, is outside the scope of the prior EIR. (*Save Our Access I*, 92 Cal.App.5th at 845.) Therefore, the "fair argument" standard applies to subsequent projects that exceed the height limits in the program EIR. (*Id*. at 860). A project that includes geographic areas outside the scope of the prior program EIR is also subject to the fair argument standard. (*Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1320–1321). A subsequent project is not within the scope of a previous Program EIR if it is inconsistent with the plan addressed in the Program EIR. (14 CCR § 15168(c)(2); *see* PRC § 21094(b).) "**If the subsequent project is not consistent with the program or plan, it is treated as a new project and must be fully analyzed in a project—or another tiered EIR if it may have a significant effect on the environment.**" (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist*. (2016) 1 Cal.5th 937, 960 [emph. added]; *Save Our Access I,* 92 Cal.App.5th at 845.)

Since the Rezone allows vast swaths of development outside of geographic areas analyzed in the 2022 EIR, allows building heights of up to 350 taller than analyzed in the 2022 EIR, and allows development of historic resources and contaminated sites not analyzed in the 2022 EIR, the "fair argument" standard applies to the City's use of an Addendum. Under the fair argument standard, an EIR is required if there is a "fair argument" based on substantial evidence that the project may have any significant adverse environmental impacts. Pub. Res. Code § 21080(d).

B. SB 131.

The Addendum briefly argues that the recently passed SB 131 applies to some, but not all, of the Rezone. (Addendum 8). SB 131 exempts from CEQA review "a rezoning that implements the schedule of actions contained in an approved housing element pursuant to subdivision (c) of section 65583 of the Government Code." The City argues that this exemption applies to all but 3.4 percent of the parcels in the Rezone, which are excluded from SB 131 as "natural and protected lands." (Addendum 8).

The City misinterprets SB 131. First, the Rezone does not implement the approved 2022 Housing Element. In fact, the Rezone is flatly inconsistent with the 2022 Housing Element. Most obviously, the 2022 Housing Element included almost no new development in the historic Northeast sector of the city (800 units), while the Rezone allows 5,900 units in that area. (Addendum 19). The 2022 Housing Element provided for negative 1,800 units in Downtown, while the Rezone placed 500 units in the Downtown area. (Id.). The Rezone placed 2,800 additional units in the Western Addition. Also, the

Rezone allows construction of buildings up to 350 taller than allowed by the Housing Element. As discussed above, the Rezone adds 30,653 parcels that were not analyzed in the 2022 EIR. Since the Rezone is inconsistent with the 2022 Housing Element, SB 131 does not apply at all.

Second, SB 131 provides that it does not apply to "natural and protected lands," and the Rezone admittedly includes numerous parcels that meet this definition. (Pub. Res. Code § 21080.085).

> (a) This division does not apply to a rezoning that implements the schedule of actions contained in an approved housing element pursuant to subdivision (c) of Section 65583 of the Government Code.
> (b) (1) Subdivision (a) does not apply to either of the following:
> (B) A rezoning that would allow for construction to occur within the boundaries of any natural and protected lands as defined pursuant to Section 21067.5.
> (2) (A) (i) Subdivision (a) applies to a rezoning that contains within its boundaries any natural and protected lands as defined pursuant to Section 21067.5 if those natural and protected lands are excluded from the rezoning.
> (ii) The definition of "natural and protected lands" described in clause (i) does not include the lands described in subdivision (p) of Section 21067.5.
> (B) The rezoning of any parcel or portions of a parcel that is excluded from a rezoning under this paragraph shall be a separate project that is subject to this division.
>
> Public Resources Code §21067.5 defines "natural and protected land" as follows:
>
> "Natural and protected lands" means sites located within any of the following locations:
> (a) The state park system, as described in Article 1 (commencing with Section 5001) of Chapter 1 of Division 5.
> …
> (i) A hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless either of the following apply:
> (1) The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for the use proposed by the project. This paragraph does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to Section 65962.5 of the Government Code.
> (2) The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code has otherwise determined that the site is suitable for the use proposed by the project.

> (j) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
> …
> (m) An environmentally sensitive area within the coastal zone, as defined in Section 30107.5…

The Addendum admits that at least 3.4 percent of the Rezone area are "natural and protected lands," within the meaning of SB 131. The Upzoning Plan includes several Cortese List contaminated sites. Several of these sites are "active," meaning that they have not be remediated. We have retained a hazardous materials expert to identify all of the Cortese List sites covered by the Upzoning. But we have already identified at least nine active Cortese List sites in our informal review, including 1100 JUNIPERO SERRA BLVD; and 300 W PORTAL AVE. The Rezone also includes parcels in listed flood zones. The Rezone also includes environmentally sensitive areas in the Coastal zone. These areas are expressly excluded from SB 131 and render the entire Rezone project ineligible for an SB 131 exemption.[3]

IV. CEQA ANALYSIS.

A. HISTORIC RESOURCES.

The Rezone will have significant historic resources impacts that were not analyzed in the 2022 EIR. The 2022 EIR found significant and unmitigated impacts to historic resources, (Addendum 60), but the Rezone's impacts are far greater and also significant and unmitigated. (Addendum 61). Since "significant effects previously examined will be substantially more severe than shown in the previous EIR," a Supplemental EIR is required. (CEQA Guidelines 15162(a)(1)(3)(B).)

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[3] The Addendum suggests that it can review the Rezone using a hybrid approach – reviewing the natural and protected lands under CEQA section 21166, and the remainder of the Project under SB 131. However, CEQA prohibits such a schizophrenic analysis. Under CEQA, the agency must review the "whole of the action" in a single document. A "project" is "the whole of an action" directly undertaken, supported, or authorized by a public agency "which may cause either a direct physical change in the environment, or a reasonably foreseeable ***indirect*** physical change in the environment." (PRC § 21065; CEQA Guidelines, 14 CCR § 15378(a).) A public agency is not permitted to subdivide a single project into smaller individual subprojects in order to avoid the responsibility of considering the environmental impact of the project as a whole. "The requirements of CEQA, 'cannot be avoided by chopping up proposed projects into bite-size pieces which, individually considered, might be found to have no significant effect on the environment or to be only ministerial.' [Citation.]" (*Topanga Beach Renters Assn.* v. *Department of General Services* (1976) 58 Cal.App.3d 188, 195-196 [129 Cal.Rptr. 739].)

We submit herewith the comments of Architectural Historian Bridget Maley, former President of the San Francisco Landmarks Advisory Board. (Exhibit B). She states:

> The Rezone would result in a myriad of significant new impacts that were not analyzed in the 2022 EIR or included in the Housing Element, not the least of which are impacts to historic resources. The Rezone will have significant historic resources impacts that were not analyzed in the 2022 EIR. The 2022 EIR found significant and unmitigated impacts to historic resources, but the Rezone's impacts are far greater, with significant and unmitigated impacts. Since "significant effects previously examined will be substantially more severe than shown in the previous EIR," a Supplemental EIR is required. (CEQA Guidelines 15162(a)(1)(3)(B).)
>
> The Rezone allows high-rise development on, near, or within areas that contain historic resources. Many of these areas were not included for development in the 2022 Housing Element, and the impacts of this potential development on historic resources was not analyzed in the 2022 EIR.
>
> Further, the Rezone includes the following language related to Bonuses for "Historic Preservation." However, these bonuses, as shown below, encourage height increases, facadism, and other over-scaled additions that would result in diminished historic fabric and result in unintended impacts to historic resources. Additionally, this proposed legislation added at the last minute in the September 11, 2025 version of the legislation, and has not been evaluated in the Addendum or in a SEIR.
>
> (Maley at 2-3).

Maley goes on to discuss provisions of the Rezone that encourage development of historic buildings. She states, "This late addition to the legislation has the great potential to cause impacts to historic resources, instead of preserving them, as it would allow large sections of historic buildings to be demolished and over scaled additions and height increases to be implemented as bonuses. For the reasons listed above, it is my professional opinion that the Rezone, if approved, would have potentially significant environmental impacts that must be analyzed and mitigated under the California Environmental Quality Act ("CEQA") through a full recirculated SEIR." (Id. at 4).

The 2022 EIR assumed that historic buildings (Category A resources) would not be redeveloped for housing. (2022 EIR, App. C, pp. 10, 17). The 2022 EIR stated, "The department's housing growth projection factored in the locations of known historic districts in San Francisco and assumed that future development would primarily occur outside those districts." (2022 EIR p. 4.2-82). The HE EIR conceded that its "analysis cannot anticipate the exact manner in which future construction may be designed or whether such projects will propose altering or demolishing historic resources." (2022 EIR p. 4.2-85.) The 2022 EIR stated:

> The representative pattern of growth depicted in the department's projection of future housing units under the Housing Element 2022 Update takes into account

> the presence of individual built-environment historic resources and historic districts identified as of 2021 (including resources designated or found eligible for listing in local, state, and federal historic resource registers). Specifically, the projection assumes future housing construction would be less likely to occur on parcels that currently contain Category A resources (i.e., properties that are already known to qualify as historic resources)... This assumption reflects that Category A resource status would act as a development constraint for future housing development construction. Additionally, the planning department did not increase height limits in historic districts identified in [the Planning Code]. (2022 EIR, App. C, pp. 10, 17.)

However, the Rezone now identifies numerous historic resources for upzoning for residential development, contrary to the analysis in the 2022 EIR.

The 2022 EIR concluded that any impacts to historic resources would be significant even after mitigation. By increasing impacts to historic resource, the 2025 Rezone will have "significant effects previously examined will be substantially more severe than shown in the previous EIR," and a Supplemental EIR is required. (CEQA Guidelines 15162(a)(1)(3)(B).) The 2022 EIR concluded that even with the implementation of mitigation, impacts to "project-level and cumulative: built-environment historic resources" would be significant and unmitigated. (2022 EIR p. S-4.) "Because demolition of built-environment historic resources or alteration in an adverse manner could still occur, the impact would be significant and unavoidable with mitigation." (2022 EIR, p. 4.2-100.)

In *Communities for a Better Environ. v. Calif. Resources Agency* (2002) 103 Cal.App.4th 98 at 122-125 (*CBE v. CRA*), the court held that when a "first tier" EIR admits a significant, unavoidable environmental impact, a lead agency must prepare second tier EIRs for later projects to ensure that those unmitigated impacts are "mitigated or avoided." (Id.) The court reasoned that the unmitigated impacts were not "adequately addressed" in the first tier EIR since they were not "mitigated or avoided." (Id.) Thus, significant effects disclosed in first tier EIRs will trigger second tier EIRs unless such effects have been "adequately addressed," in a way that ensures the effects will be "mitigated or avoided." (Id.) Such a second tier EIR is required even if the impact still cannot be fully mitigated and a statement of overriding considerations will be required. The court explained, "The requirement of a statement of overriding considerations is central to CEQA's role as a public accountability statute; it requires public officials, in approving environmentally detrimental projects, to justify their decisions based on counterbalancing social, economic or other benefits, and to point to substantial evidence in support." (Id. at 124-125.) Since the 2022 EIR determined that impacts to historic resources would be significant and unmitigated, supplemental CEQA review is required for the 2025 Rezone, which increases impacts to historic resources.

The Rezone allows high-rise development in the Northeast Sector of the City, including in the historic district of North Beach. These areas were not included for development in the 2022 Housing Element, and the impacts of this development on historic resources was not analyzed in the 2022 EIR. By moving over 5000 units of new housing to this area, the Rezone exacerbates the impact on historic resources. Since this

is “one or more significant effects not discussed in the previous EIR,” (CEQA Guidelines 15162(a)(3)(A)), a supplemental EIR is required to analyze and mitigate this impact. Since this impact is beyond the scope of the 2022 EIR, it is subject to the fair argument standard.

The Housing Element EIR Addendum fails to analyze impacts of additional height and density increases, as well as changes in zoning use districts, on designated historic resources or historic districts or areas with known concentrations of “A” rated historic resources, but not yet designated as historic districts. Bridget Maley’s letter includes a listing of historic resources adversely affected by the Rezone. Impacts to these historic resources were not analyzed in the 2022 EIR and must be analyzed in a Supplemental EIR. That list included herein by reference. It includes, but is not limited to:

- Fully documented North Beach National Register Historic District submitted to the State Historic Preservation Office and awaiting hearing by the State Historical Resource Commission was not included in the 2022 Housing Element or analyzed in the 2022 EIR .The Rezone could have significant impacts to this identified historic district, including heights rezoned from 40 feet to 50 feet in block Block 0076.
- Designated Northeast Waterfront Article 10 Historic District.
- Eligible Washington Square Historic District, an eligible California Register Historic District. This area was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Eligible Upper Grant Avenue Historic District, an eligible California Register Historic District. This area was not included in the 2022 Housing Element or analyzed in the 2022 EIR .
- Designated Otis Elevator Company National Register No. 99001265 (1 Beach Street; Parcel 0018/001).
- Designated Grabhorn Press Building National Register No. 97000349 (1335 Sutter Street; Parcel 0690/012A).
- Designated Thomas Payne House National Register No. 80000847 (1409 Sutter Street; Parcel 0689/025). This parcel is rezoned from its existing height limit of 130 feet to 500 feet.
- Designated Washington Square Article 10 Landmark No. 226 (1651 Stockton Street and Filbert Street; 0102/022001) . The parcels on the northern edge of Washington Square are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the 2022 EIR . This could result in significant impacts to this park.
- Temple Sherith Israel National Register #10000114 (2266 California St., Parcel 0637/011).

- Designated Cable Car National Register Historic District No. 66000233. The Cable Car lines located within areas being upzoned and/or density decontrolled by the Upzone Plan could be significantly impacted.
- Designated Grace Cathedral Article 10 Landmark No. 170 (1100 California Street; Parcel 0246/001). This parcel and area of Nob Hill are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the EIR.
- Designated Old Flood Mansion, Pacific Union Club, both Article 10 Landmark No. 64 and National Register No. 66000230 (1000 California Street; Parcel 0245/001).
- Historic Category "A" rated buildings across the city would be impacted by the Rezone as it affords no protection for these previously identified but not designated historic resources. The City of San Francisco Planning Department has previously required full Historic Resource Evaluations for projects involving Category "A" rated buildings. This policy change was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Casebolt House Article 10 Landmark No 51 (2727 Pierce Street, Parcel 0560/005). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Spreckels Residence Article 10 Landmark No. 197 (2080 Washington Street, Parcel 0601/005. The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.
- Haas-Lilienthal House Article 10 Landmark No. 69 and National Register No 730000438 (2007 Franklin St. 0600/002). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.
- Sacred Heart Parish Complex Article 10 Landmark No.316 and National Register 10000112 (660 Oak Street, Parcel 0828/012; 735 Fell Street, Parcel 0828/022A; 554 Filmore Street, Parcel 0828/22; and 546-548 Filmore Street, Parcel 0828/21). The Rezone includes these parcels, which were not included in the 2022 Housing Element or analyzed in the EIR.
- Many other historic buildings listed in letter of Bridget Maley.

B. HEIGHT AND RELATED IMPACTS.

The Rezone will allow construction of buildings up to 350-feet taller than analyzed in the 2022 EIR. The 2022 EIR analyzed building height ranging from 55 feet to 300 feet high. (Addendum 11). The Rezone allows building heights up to 500 feet high, and up to 650 feet high in two areas. (Addendum 11). These taller buildings are beyond the scope of the 2022 EIR, triggering the fair argument standard of review, as in the *Save Our Access* cases, discussed above. As the court of appeal held in *Save Our Access II*, supplemental CEQA review is required to analyze all of the impacts stemming from the greater building heights allowed by the Rezone.

1. Biological Impacts.

The Addendum admits that taller buildings may have biological impacts by obstructing flight paths of birds and impacting movement of special status species. (Addendum 48-49). The 2022 EIR found biological impacts to be less than significant. Since the Rezone will have significant biological impacts, the project will have "one or more significant effects not discussed in the previous EIR," (CEQA Guidelines 15162(a)(3)(A),) and a supplemental EIR is required.

The 2022 EIR did not analyze biological impacts since it found the impact to be less than significant. (2022 EIR, p. 4.1-1.) Since the EIR found biological impacts to be less than significant, it imposed no mitigation measures. (2022 EIR, p. 4.1-149.) Since biological impacts were not examined as significant effects in the 2022 EIR, CEQA review is now mandated because the project will have one or more significant effects not discussed in the previous EIR or negative declaration. (CEQA Guildelines 15163(a)(3)(A)).

Expert wildlife biologist Dr. Smallwood, Ph.D., concludes that the 2025 Rezone will have significant biological impacts not analyzed in the 2022 EIR. (Exhibit C). Dr. Smallwood concludes that by adding 4,000 additional residential units, changing the spatial distribution of the buildings, and increasing building heights, that the Rezone will have greater impacts on birds than the 2022 Plan. In particular, he concludes that the Rezone will have greater impacts on bird-window collisions, and that these impacts will not be adequately mitigated by the City's bird-safe window requirements. (Smallwood at 2-3). Dr. Smallwood states, "the additional 4,000 residential units could result in very large numbers of collision fatalities despite implementation of the City's Standards for Bird-Safe Buildings." (Id. at 3).

Dr. Smallwood notes that San Francisco includes areas in the Pacific Flyway and areas that are rich in biological diversity. He states, "San Francisco is situated within the Pacific Flyway, which is one of the most intensely used bird migration pathways in the world." (Id. at 13). He states that "there are 147 special-status species of wildlife documented near enough to the project site to warrant a closer look at their occurrence likelihoods for the purpose of predicting potential project impacts." (Id.at 3). Dr. Smallwood concludes that the 2025 Rezone will result in 7,095 additional bird fatalities each year compared to the 2022 Plan, to a 95% confidence level. (Id. at 12). Dr. Smallwood concludes:

> Nearly all predicted deaths would be of birds protected under the Migratory Bird Treaty Act and under the California Migratory Bird Protection Act, thus causing significant impacts. Given the predicted level of bird-window collision mortality, it is my opinion that the proposed project would result in potentially significant adverse biological impacts, including the unmitigated take of aerial habitats of birds, bats and other volant wildlife. Not only would the project take habitat of rare and sensitive species of birds, but it would transform the building's airspace into a lethal collision trap to birds. (Id. at 13).

Dr. Smallwood concludes that CEQA review is required to analyze patterns of bird movement through the City and to propose feasible mitigation measures and alternatives to avoid impacts. (Id. at 17).

2. Wind.

The 2022 EIR concluded that the Housing Element would have significant and unmitigated wind impacts. (Addendum 99). The 2022 EIR did not analyze the impacts of the taller buildings allowed in the 2025 Rezone. The 2022 EIR assumed that projects would "stay within existing height limits." (2022 EIR, App. C, p. 17, 3.)

The Addendum admits that the Rezone will have significant unmitigated wind impacts. (Addendum 108). It concluded that buildings over 85-feet tall would have significant wind impacts. (Addendum 104). The Rezone will add taller buildings over 85-feet to more areas of the City, resulting in much greater wind impacts. Since "significant effects previously examined will be substantially more severe than shown in the previous EIR," (CEQA Guidelines 15162(a)(3)(B)), a supplemental EIR is required.

The Rezone allows buildings of up to 650-feet tall in certain areas. It allows increased heights along Market Street between Castro and Van Ness. Up to 160 feet. (Addendum 100). The Rezone allows 85-feet heights along Geary, and up to 300 feet at Geary and Masonic. (Addendum 101). The height difference between the rezoned blocks and the surrounding blocks with low heights would result in wind speeds that would likely exceed the hazard criteria. (Addendum 102).

The 2022 EIR stated, "Wind impacts are generally caused by large building masses that are substantially taller than their surroundings." (2022 EIR, p. 4.7-2.) The 2022 EIR states, "All projects greater than 85 feet In height would require a screening-level assessment conducted by a qualified wind expert in consultation with the department to determine their potential to result in a new wind hazard exceedance or aggravate an existing pedestrian-level wind hazard exceedance defined as the one-hour wind hazard criterion with a 26 mph equivalent wind speed." (2022 EIR, p. 4.7-11.) Since the Rezone will allow much taller buildings, well over 85-feet tall and up to 650-feet tall, it will have significant wind impacts under the standards set forth in the 2022 EIR, and an SEIR is required to analyze and mitigate these impacts.

The Rezone includes a change to the City's wind ordinance that requires CEQA review for buildings over 85 feet. The Rezone proposes to change the hazard criterion such that proposed development must not create any net new exceedance of 26 MPH wind speed for nine hours or more in a year, rather than one hour. (Addendum 104). In other words, after the Rezone, a building may cause hazardous wind conditions for a full workday, which is not currently allowed. The Rezone also eliminates an existing code requirement for "landscaping and/or wind baffling measure shall be installed on the windward side .. of the areas of concern.:" (Addendum 109).

By allowing vastly greater building heights, and eliminating previously existing mitigation standards and mitigation measures, the Rezone will have much greater wind

impacts that were never analyzed in the 2022 EIR. A supplemental EIR is required to analyze these wind impacts because "significant effects previously examined will be substantially more severe than shown in the previous EIR," (CEQA Guidelines section 15162(a)(3)(B)), and "Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative." (CEQA Guidelines section 15162(a)(3)(D)).

3. Shadow.

The vastly taller buildings allowed by the Rezone will have significant shadow impacts exceeding the City's CEQA significance thresholds. The 2022 Housing Element had significant unmitigated shadow impacts on Duboce Park, Larsen Playgrond, and Laurel Hill Playground.(Addendum 110-111). The Rezone creates new significant unmitigated shadow impacts on public parks including but not limited to, Noe Valley Town Square and Helen Wills Park, (Addendum 111, 113, 119) and on other parks and open spaces in areas added by the Rezone to the Northeast District including Washington Square, Joe DiMaggio Playground, and Levi Plazza Park. A supplemental EIR is required to analyze these impacts because "significant effects previously examined will be substantially more severe than shown in the previous EIR," (CEQA Guidelines section 15162(a)(3)(B))

We submit herewith the analysis of shadow expert Adam Noble of the consulting firm FastCast. (Exhibit D). Mr. Noble concludes that the Rezone will result in net new shadow impacts on Joe DiMaggio Playground not analyzed in the 2022 EIR. This is a zero-tolerance park, not allowed to have any additional shadow under CEQA and Measure M (Planning Code Section 295). Mr. Noble's analysis shows that on certain periods of the year and times of day, the Rezone will more than double the amount of shadow on Joe DiMaggio Park.

The City contends that a project that adds new shadow to sidewalks or a publicly accessible open space (whether subject to Section 295 or not) does not necessarily result in a significant impact under CEQA. The shadow impact analysis described in the city's Initial Study CEQA Checklist examines whether a project would "***create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces***".

Under planning code section 295 and the joint Planning Commission/Recreation and Park Commission criterion, the impact of any amount of shadow cast by a project on public parks, open spaces, or recreational facilities under the jurisdiction of SFRPD would be considered "significant" if it would affect a facility with an established quantitative limit.

Joe DiMaggio Playground has an established quantitative limit of zero, and as detailed below, the proposed rezoning would have a net increase in shadow cast on the playground, and would therefore, result in a significant impact.

In assessing impacts per the City's CEQA significance criterion, the environmental review requires evaluation of quantitative and qualitative factors but requires ***use and enjoyment of the park or public space to be substantially and adversely affected for the impact to be "significant."*** Therefore, the City contends that in certain situations, new shadow effects on an open space might not be a significant environmental impact under CEQA but could be found to be significant under planning code section 295. (Housing Element EIR p 4.8-17)[4]

Because Joe DiMaggio playground is heavily used throughout all periods of the day throughout the year by residents from the neighborhood and nearby neighborhoods, as well as schools for P.E. classes, the additional shadow would adversely and substantially impact the use and enjoyment of the park.

As detailed in Mr. Noble's analysis, this would be particularly true for fall periods when shadow impacts would be the most significant and lower temperatures create a greater need for sunlight to be able to enjoy the park.

C. DISPLACEMENT.

The Addendum admits that the Rezone will result in displacement of low-income residents, small businesses, and legacy businesses. (Addendum 37-38). The Addendum states, "new market-rate housing development may contribute to indirect displacement of lower-income communities in San Francisco." (Addendum 37). It continues, "there could be a connection between market rate housing development and displacement." (Addendum 38). By allowing more market rate housing in the Rezone than in the 2022

[4] Commenter disputes the City's shadow impacts methodology because it conflicts with well-established court of appeal precedent. Where a local or regional policy of general applicability, such as an ordinance, is adopted in order to avoid or mitigate environmental effects, a conflict with that policy in itself indicates a potentially significant impact on the environment. (*Pocket Protectors v. Sacramento* (2005) 124 Cal.App.4th 903.) Indeed, any inconsistencies between a proposed project and applicable plans must be discussed in an EIR. (14 CCR § 15125(d); *City of Long Beach v. Los Angeles Unif. School Dist.* (2009) 176 Cal. App. 4th 889, 918*; Friends of the Eel River v. Sonoma County Water* Agency (2003) 108 Cal. App. 4th 859, 874 (EIR inadequate when Lead Agency failed to identify relationship of project to relevant local plans).) A Project's inconsistencies with local plans and policies constitute significant impacts under CEQA. (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 783-4; *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358.) Since the Rezone Project has significant impacts under Prop M (Section 295), it also has significant impacts under CEQA. However, because the Rezone Project has significant shadow impacts even under the City's improperly narrow interpretation of the law, the issue is moot.

Housing Element, this displacement impact will be exacerbated. According to an economic analysis prepared by the San Francisco Office of the Controller, as a result of Rezone 500 to 1,000 additional units would be demolished over 20 years. Many of these units will be rent-controlled (pre-1979) units since these properties will have the lowest land value. This is very different than the 2022 Housing Element, which avoided Priority Equity Geographies (PEGs), where lower income residents live. By contrast, the Rezone includes large PEG areas, where displacement is inevitable.

While the Supervisors are considering measures to provide some protection for rent-controlled properties with 3 or more units, this does nothing to protect the thousands of duplex rent-controlled properties found throughout the Richmond and Sunset Districts and elsewhere in the City. Ms. Holley calculates that the Rezone will affect 3,838 2-unit rent-controlled parcels with 7,676 rent-controlled units. Holley states (Exhibit A):

> under the rezoning, there are a significant number of two-unit rent-controlled buildings on parcels with an existing height limit of 40 feet that would be rezoned to allow heights of 50', 65' and 85', and would no longer require setbacks, creating greater incentives and likelihood that they would be redeveloped under the proposed rezoning.

Also, the Rezone allows increased development in North Beach and the Western Addition (Addendum 19), which include high levels of rent-controlled units and Priority Equity Geographies, which were excluded from development in the 2022 Housing Element. San Francisco Planning Code states that "The Priority Equity Geographies SUD is comprised of areas or neighborhoods with a higher density of vulnerable populations" and that the 2022 Update of the Housing Element of the General Plan ((2022 Housing Element) identifies them as "areas…where zoning changes must be tailored to serve the specific needs of the communities that live there; and where programs that stabilize communities and meet community needs need to be prioritized."

The Rezone shifts 5,100 units of housing to the Northeast District, (Addendum 19) which is home to the highest percentage of rent-controlled units in the City. The Rezone adds 939 parcels in PEG areas, with 2,321 units, including 70 two-unit rent-controlled buildings with 140 units.

Urban Planner Deborah Holley states, "The inclusion of parcels in the Priority Equity Geographies SUD and the associated displacement impacts need to be identified and assessed in a supplemental EIR."

Allowing this development and displacement in the Priority Equity Geographies SUD is flatly inconsistent with the 2022 EIR and the 2022 Plan since the stated purpose of the 2022 Plan was to focus development on "well-resourced areas" and away from Priority Equity Geographies. The 2025 Rezone does the exact opposite of the stated goal of the 2022 Plan, which is an obvious inconsistency requiring supplemental CEQA review.

Ms. Holley also points out that the Rezone for the first time adds Laguna Honda Hospital. Redevelopment of this parcel would result in massive displacement. Ms. Holley

states, “The 62-acre Laguna Honda hospital and rehabilitation center located 375 Laguna Honda Boulevard was added to the rezoning plan, and if redeveloped would result in significant displacement impacts for the long-term nursing home residents. Laguna Honda has 769 beds and offers short-term rehab and long-term nursing care…The FEIR did not address the impacts of redevelopment of Laguna Honda with housing because this site was not designated for rezoning. The rezoning program changes the allowable height limit on this site from 40’ which covers the majority of the 62 acres under existing height limits, to 85’ for the entire site, and increases the likelihood that it would be redeveloped with housing.”

Displacement is an environmental issue under CEQA. (*Save Berkeley Neighborhoods v. Regents* (2020) 51 Cal.App.5th 226, 233 (displacement of tenants is a CEQA impact)). CEQA requires the lead agency to determine whether the “environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly,” (PRC § 21083(b)(3), (d)). CEQA Guidelines Appendix G, Section XII provides that a project will have significant impacts where it will:

- Induce substantial population growth or concentration of population in an area, either directly (for example, by proposing new housing or businesses), or indirectly (for example, through extension of roads or other infrastructure);
- Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere; or
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. See CEQA Guidelines Appendix G, Section XII.

The Addendum suggests vague mitigation measures such as “advancing equitable housing access, promoting racial and social equity, and eliminating displacement with strategies such as tenant protections, preservation of affordability, production of affordable housing, and advancing equitable access to housing resources and affordable units.” However, these are vague and unenforceable measures. The Addendum fails to propose any binding and enforceable mitigation measures, such as requiring the mandatory construction of affordable housing, requiring payment for the construction of affordable housing, or requiring public lands to be used for 100% affordable housing. In fact, the city is reversing or weakening all of these requirements. The 2025 Rezone requires absolutely no affordable housing.

A public agency may not rely on mitigation measures of uncertain efficacy or feasibility. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727.) “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. (14 CCR § 15364.) Mitigation measures must be fully enforceable through permit conditions, agreements or other legally binding instruments. (14 CCR § 15126.4(a)(2).) In fact, proposals to provide benefits to legacy businesses, may not be legally allowable, let alone, legally enforceable. (*City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 134.)

The Rezone is reminiscent of the City's "urban renewal" of the Western Addition in the 1960s and 1970s, which wiped out what was at that time one of the most ethnically diverse communities in the United States and displaced much of the City's African-American community. Like the current "Family Zoning Plan," the urban renewal of the Western Addition was justified by the alleged need for more affordable housing. However, to make way for the new housing, the City destroyed a thriving African-American, Latino and Asian-American community, which never fully recovered, and the new housing was occupied largely by wealthier, white residents. The main difference is that the 2025 Family Zoning Plan is now targeting the City's Chinese Community, in the Richmond and Sunset Districts, which will undoubtedly face widescale displacement under the Rezone. This form of "White Urbanism" is now well-documented. (See, e.g,, Goetz, Whiteness and Urban Planning, *Journal of the American Planning Association*, Vol 86 (2020).)

The Federal Reserve Bank has concluded that supply-side constraints such as zoning and environmental regulation have absolutely no impact on housing costs. The single most significant factors driving high housing costs are extreme wealth disparities, and remote work. (Federal Reserve Bank of San Francisco, J. Mondragon, Supply Constraints Do Not Explain House Price and Quantity Growth Across U.S. Cities (2025), https://www.frbsf.org/research-and-insights/publications/working-papers/2025/03/supply-constraints-do-not-explain-house-price-and-quantity-growth-across-u-s-cities/); Federal Reserve Bank, J. Mondragon, Housing Demand and Remote Work (2025), https://www.nber.org/papers/w30041). Building more luxury housing does not decrease housing costs and in fact often leads to gentrification of previously affordable neighborhoods. Trickle-down economics did not work in the Reagan Administration and it will not work now.

Since the Rezone will displace both existing housing and people, it will have a significant impact that must be analyzed in a supplemental EIR. The SEIR must consider mitigation measures and feasible alternatives to reduce this impact.

D. AIR QUALITY AND CANCER RISK.

The Addendum admits that the Rezone will create significant air quality impacts, including additional cancer risk from fine particulate matter, known as PM-2.5. (Addendum 95). The Housing Element EIR admitted significant unmitigated PM-2.5 cancer risk (Addendum 90), but the Rezone will have even greater air quality and cancer risks since it allows more development and taller buildings, and will result in more vehicle miles traveled (VMT). (Addendum 90, 92-93).

The 2022 EIR concluded that buildings under 240-feet and 495 units would have less than significant construction air quality impacts. (Addendum 89). Taller buildings have significant PM-2.5 and nitrogen oxide impacts. (Addendum 94). But allowing taller and larger buildings, the Rezone will create more significant construction air quality impacts, including emissions of cancer-cause PM-2.5. The Rezone will have significant unmitigated cancer risk from PM-2.5 and the Rezone will change the distribution of those risks compared to the Housing Element. (Addendum 95).

The 2022 EIR concluded that even with the implementation of mitigation, air quality impacts would be significant and unmitigated. (2022 EIR, p. S-4, 4.6-56, 4,6-70.) By adding another 4,000 housing units, the 2025 Rezone will have "Significant effects previously examined will be substantially more severe than shown in the previous EIR." (CEQA Guidelines §15164(a)(3)(B).)

Attached hereto are the comments of Dr. Paul Rosenfeld and Matthew Hagemann, P.G., C. Hg., of the environmental consulting firm Soil, Water, Air Protection Enterprise (SWAPE). (Exhibit E). SWAPE notes that the Addendum erroneously states, "The proposed rezoning program and subsequent development is expected to result in the same significant criteria air pollutant impacts from construction but not substantially more severe impacts than those disclosed in the EIR" (Addendum 93). However, SWAPE points out that by adding 4,000 additional residential units, the Rezone vastly exceeds air quality significance threshold set by the Bay Area Air District ("BAAD").

The Bay Area Air District has published screening thresholds to determine whether proposed projects will have significant impacts to air quality. (https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqa-guidelines-chapter-4-screening_final-pdf.pdf?rev=ac551d35a52d479dad475e7d4c57afa6&sc_lang=en) Under the official BAAQMD thresholds, construction of 416 apartments is expected to have significant air quality impacts from the construction phase, and 638 apartments are expected to have significant operational air quality impacts. The addition of 4,000 residential units will vastly exceed these significance thresholds, and will therefore have a significant impacts on air quality that must be analyzed under CEQA. (SWAPE at 4).

SWAPE calculates that the additional 4,000 units of housing will create emissions of Reactive Organic Gases (ROGs) of 148 pounds per day (ppd) for the construction phase (far above the CEQA significance threshold of 54 ppd) and 145 ppd of operation ROG emissions (far above the CEQA significance threshold of 54 ppd). (SWAPE at 5). SWAPE concludes, "This finding indicates a potentially significant air quality impact that the Addendum did not identify or address. In our opinion, a subsequent EIR should be conducted to provide a more substantial calculation of the Project's emissions and a more detailed evaluation of the Project's potential air quality impacts." (SWAPE at 5).

When a project exceeds an Air District CEQA significance threshold, as here, this alone establishes substantial evidence that the project will have a significant adverse environmental impact. Indeed, in many instances, such air quality thresholds are the only criteria reviewed and treated as dispositive in evaluating the significance of a project's air quality impacts. (See, e.g. *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 960 [County applies Air District's "published CEQA quantitative criteria" and "threshold level of cumulative significance"]; see also *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 110-11 ["A 'threshold of significance' for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant"].) The California Supreme Court has shown the importance an air district significance threshold has in providing substantial

evidence of a significant adverse impact. (*Communities for a Better Environment v. South Coast Air Quality Management Dist*. (2010) 48 Cal.4th 310, 327 [estimated emissions in excess of air district's significance thresholds "constitute substantial evidence supporting a fair argument for a significant adverse impact"].)

Also, in 2025 city released a new APEZ (air pollutant exposure zone) map showing areas with high cancer risk. The Rezone allows development in some of these newly identified areas. This is a significant new information and a changed circumstance that was not known at the time of the 2022 EIR. (Addendum 95). The new APEZ areas include Sunset Blvd, and Lake Merced. These areas will receive significant development under the Rezone. This impact must be analyzed. (Addendum 96). The Addendum admits that the cancer risks created by the Rezone in the new APEZ areas are significant and unmitigated. (Addendum 97). The Northeast District is within the APEZ area. By moving over 5000 units of new housing to this area, the Rezone exacerbates cancer risks from airborne pollutants.

A supplemental EIR is required because "significant effects previously examined will be substantially more severe than shown in the previous EIR." (CEQA Guidelines section 15162(a)(3)(B).) Also, the new APEZ map constitutes, "new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete." (CEQA Guidelines section 15162(a)(3).)

SWAPE states,

> The Addendum proposes development in the Downtown, Marina, Mission, Northeast, and Western Addition planning districts, which have areas within the City's air pollutant exposure zones ("APEZ"). The Addendum states that "the proposed rezoning program may result in a small proportion of additional rezoned parcels being in the APEZ, which could increase the number of people exposed to the generally high pollutant concentrations in the APEZ" (p. 97).
>
> In 2025, the City identified new APEZ areas, defined as locations "where particulate matter (PM2.5) is greater than or equal to 9 µg/m3 or where the risk of cancer from air pollutants is greater than or equal to 100 in a million." (SWAPE at 5).

The Addendum concludes that this impact is "significant and unavoidable." (Addendum 97). SWAPE disagrees with this conclusion and proposes numerous feasible mitigation measures to reduce air pollution impacts that should be analyzed in a supplemental EIR. (SWAPE at 7-9). Among the mitigation measures suggested by SWAPE are requiring the use of ultra-low VOC paints, advanced air filtration units, emissions controls on backup generators, and many other measures. These mitigation measures should all be analyzed and imposed through a supplemental EIR process.

E. TRANSIT DELAY.

The Addendum admits that the Rezone will create significant impacts related to public transit delay, particularly along the busy 19th Avenue corridor, and on the 38-Geary and 19-Polk lines. (Addendum 71, 78, 84). The Addendum concludes that Rezone would contribute considerably to significant and unavoidable bus loading impacts. (Addendum 84). These impacts, particularly along the 19th Avenue corridor, will be exacerbated by the recent closure of the Great Highway, which has caused congestion on 19th Avenue by closing a major thoroughfare in the Western side of the City. The closure of the Great Highway is a changed circumstance that was unknown at the time of the 2022 EIR.

A supplemental EIR is required because "substantial changes [have] occur[ed] with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects." (CEQA Guidelines §15162(a)(2).) The closure of the Great Highway is clearly a significant changed circumstance that was not analyzed in the 2022 EIR and that will impact the Transportation analysis for the Rezone.

F. PUBLIC SERVICES.

The Rezone will allow residential development on the site of the North Point Wet Weather Sewage Treatment Facility. This site was not slated for development in the 2022 Plan. This amendment will require either a replacement facility or vast amounts of infrastructure to transport sewage to other plants. The sewage currently treated by the North Point Plant must go somewhere. Urban Planner Deborah Holley states, "This City-owned and -operated sewage treatment plant is one of three facilities in San Francisco that treats wastewater. It is only active during wet weather and treats up to 150 million gallons a day (MGD) during rainstorms, or 26 percent of the wastewater treated on a rainy day." She continues, "The FEIR did not address the impacts of redevelopment of this treatment plant with housing because this site was not designated for rezoning. The rezoning program changes the allowable height limit on this site from 40' to 85' and increases the likelihood that it would be redeveloped with housing. The site is in the P (Public) District where residential uses in 100 percent Affordable Housing Projects and Educator Housing Projects are permitted, and other residential uses are conditional. There is no reason the City would include this site in the rezoning program other than the fact that the City believes rezoning this site will increase the likelihood of housing development at this location. Since it is inconceivable that a developer would build housing on top of a sewage treatment plant, the City needs to analyze the impacts associated with elimination of the sewage treatment plant." Ms. Holley states:

> Elimination of the sewage treatment plant would result in reduced sewage treatment capacity during wet weather. This would require (a) the construction of a new sewage treatment facility in this area of the city, or (b) the construction of new infrastructure to convey wastewater from the northeast quadrant of the city to the Oceanside Treatment Plant or the Southeast Treatment Plant in Bayview/Hunters

Point and expansion of one of these facilities to expand the treatment capacity by 150 MGD to compensate for the loss of the North Point facility.

The potential public health and hazardous materials impacts of redeveloping the site with housing must be identified and analyzed and mitigation measures must be identified in a supplemental EIR. This includes but would not be limited to testing and classification of contaminants, calculations of health risk, specific remediation measures, associated secondary impacts due to the excavation of contaminated soil, transportation and disposal of infrastructure, and treatment and disposal of contaminated water and soil.

CEQA does not allow the City to defer analysis of obvious sewage treatment needs. When a project will require construction of additional sewage treatment infrastructure, the CEQA document must analyze and mitigate the impacts of that necessary new construction. (*Sundstrom v. Cnty. of Mendocino* (1988) 202 Cal. App. 3d 296; *San Joaquin Raptor/Wildlife Rescue Ctr. v. Cnty. of Stanislaus* (1994) 27 Cal. App. 4th 713 (EIR was also inadequate with respect to project description by its lack of reference to wastewater treatment plant which was necessary element of project).)

V. GENERAL PLAN ANALYSIS.

The Rezone is legally prohibited because it is inconsistent with the General Plan. "The Legislature has mandated that every county and city must adopt a 'comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning.'" (*Citizens of Goleta Valley v. Bd. of Sups*. (1990) 52 Cal.3d 553, 570 (quoting Gov. Code §65300).) The Supreme Court has described the general plan as "the constitution for all future developments within the city or county." *Id*. (internal quotation marks omitted). The "propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Id. DeVita v. Cty. of Napa*, 9 Cal. 4th 763, 803 (1995).) The "propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements." (*Citizens of Goleta Valley v. Bd. of Sups.* (1990) 52 C.3d 553, 570.)

The Rezone is flatly inconsistent with the adopted General Plan, and its adopted Housing Element. The Rezone allows development in historic districts, such as North Beach and Telegraph Hill, which were protected from development in the General Plan. The Rezone allows development in Priority Equity Geographies that were protected from development in the General Plan. The Rezone allows building heights and density throughout the City that vastly exceed limits set forth in the General Plan. As such, the Rezone is legally prohibited unless and until the City amends its General Plan.

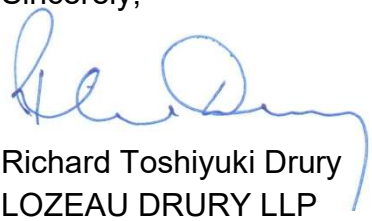
In addition, each of these General Plan inconsistencies is a significant impact that must be analyzed in an EIR. Any inconsistencies between a proposed project and applicable plans must be discussed in an EIR. (14 CCR § 15125(d); *City of Long Beach v. Los Angeles Unif. School Dist*. (2009) 176 Cal. App. 4th 889, 918; *Friends of the Eel*

River v. Sonoma County Water Agency (2003) 108 Cal. App. 4th 859, 874 (EIR inadequate when Lead Agency failed to identify relationship of project to relevant local plans).) A Project's inconsistencies with local plans and policies constitute significant impacts under CEQA. (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 783-4.)

VI. CONCLUSION.

For the foregoing reasons, we respectfully request that the Planning Commission direct the Planning Staff to prepare a Supplement EIR to analyze the Rezone and to consider feasible mitigation measures and alternatives to reduce its significant environmental impacts that were not analyzed in the 2022 EIR for the Housing Element. We further request that the Planning Commission conclude that the Rezone is prohibited since it is inconsistent with the City's General Plan.

Sincerely,



Richard Toshiyuki Drury
LOZEAU DRURY LLP

EXHIBIT A

December 1, 2025

Richard Drury
Lozeau | Drury LLP
1939 Harrison St., Suite 150
Oakland, CA 94612

RE: Adequacy of the San Francisco Housing Element 2022 Update FEIR Addendum

Dear Mr. Drury,

The San Francisco Planning Department published an Addendum to the Final Environmental Impact Report for the 2022 Housing Element ("Housing Element FEIR") on September 3, 2025, stating that no supplemental or subsequent environmental review was required for the Family Housing Rezoning Program ("proposed rezoning program, Family Zoning Plan, FZP, rezoning plan").

Because there are potential new or more severe environmental impacts that would result from the proposed rezoning program that were not identified and analyzed in the Housing Element FEIR, a supplemental EIR should have been prepared instead of an Addendum.

Such impacts include, but are not limited to the following:

A. The rezoning plan would result in new impacts associated with the potential redevelopment of the North Point Wet Weather Sewage Treatment Facility which was not included and therefore not analyzed in the Housing Element FEIR but which, as a result of the rezoning plan, is now designated as a site for the development of housing.

B. The rezoning plan would result in more severe displacement impacts, particularly those associated with the addition of numerous parcels within the Priority Equity Geographies SUD that were added to the rezoning plan but not included, and therefore not analyzed, in the Housing Element FEIR.

My qualifications for preparing this analysis include over 25 years of professional experience in land use and environmental planning, including the management and preparation of CEQA documents, and a Master of Science degree in Urban Planning

from Columbia University. My resume can be accessed via this link: https://www.holleyconsulting.com/resume/.

The Addendum to the Housing Element FEIR maintains that no supplemental or subsequent environmental review is required for the proposed rezoning program because the environmental impacts were adequately identified and analyzed in the Housing Element FEIR, and the rezoning program "…would not result in any new or more severe environmental impacts than were identified previously."

Specifically, the Addendum states that "…no additional environmental review is required under CEQA Section 21166 and CEQA Guideline Sections 15162-15164 for the following reasons:

(1) the Family Housing Rezoning Program would not involve new significant environmental effects or a substantial increase in the severity of significant effects previously identified in the Housing Element EIR;
(2) no substantial changes have occurred that would require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Housing Element EIR; and
(3) no new information of substantial importance has become available which would indicate that (i) the Family Housing Rezoning Program will have significant effects not discussed in the Final EIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measure or alternatives found not feasible that would reduce one or more significant effects have become feasible, or (iv) mitigation measures or alternatives that are considerably different from those in the Housing Element EIR would substantially reduce one or more significant effects on the environment."

2022 FEIR compared to Proposed Rezoning

Baseline Map. In order to understand what was analyzed in the 2022 FEIR, and what was added in subsequent policy changes, I reconstructed "Figure 2-7 Projected Heights and Density Controls Under the Proposed Action" from page 2-25 of Vol. 1 of the FEIR. ***Figure 1***, below, provides the most detailed description of the parcel-level impacts of the proposed rezoning for parcels analyzed in the 2022 Final EIR.

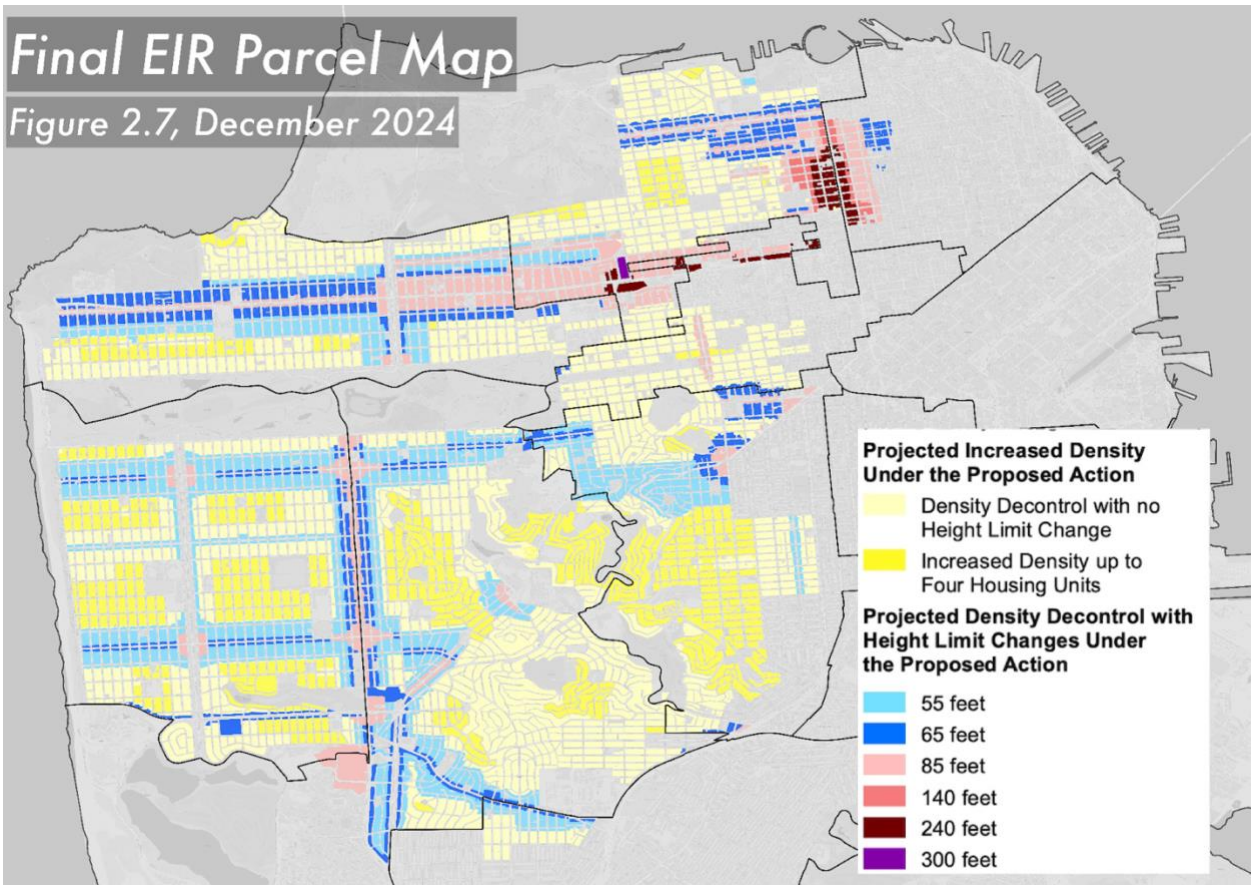


Figure 1. Baseline Map: 2022 FER Map Compared to the September 2025 Map, plus removing 3-unit+ Rent-Controlled Buildings and Hotels

The September 2025 map, based on the rezoning legislation introduced in board file 250700, was the most recent parcel-level map released by the Planning Department. The most significant amendments passed include exempting rent-controlled buildings of three units or larger from the local program, and exempting hotel parcels. *Planning recently released a November 17th map but it is not accurate as it does not yet exclude three-units+ rent controlled buildings.*

Figure 2 below shows that 6,938 new parcels were added in the proposed rezoning plan, 7,580 parcels have increased heights, and 16,135 parcels allow for greater densities. Associated unit counts were also estimated and are provided in the table following Figure 2.

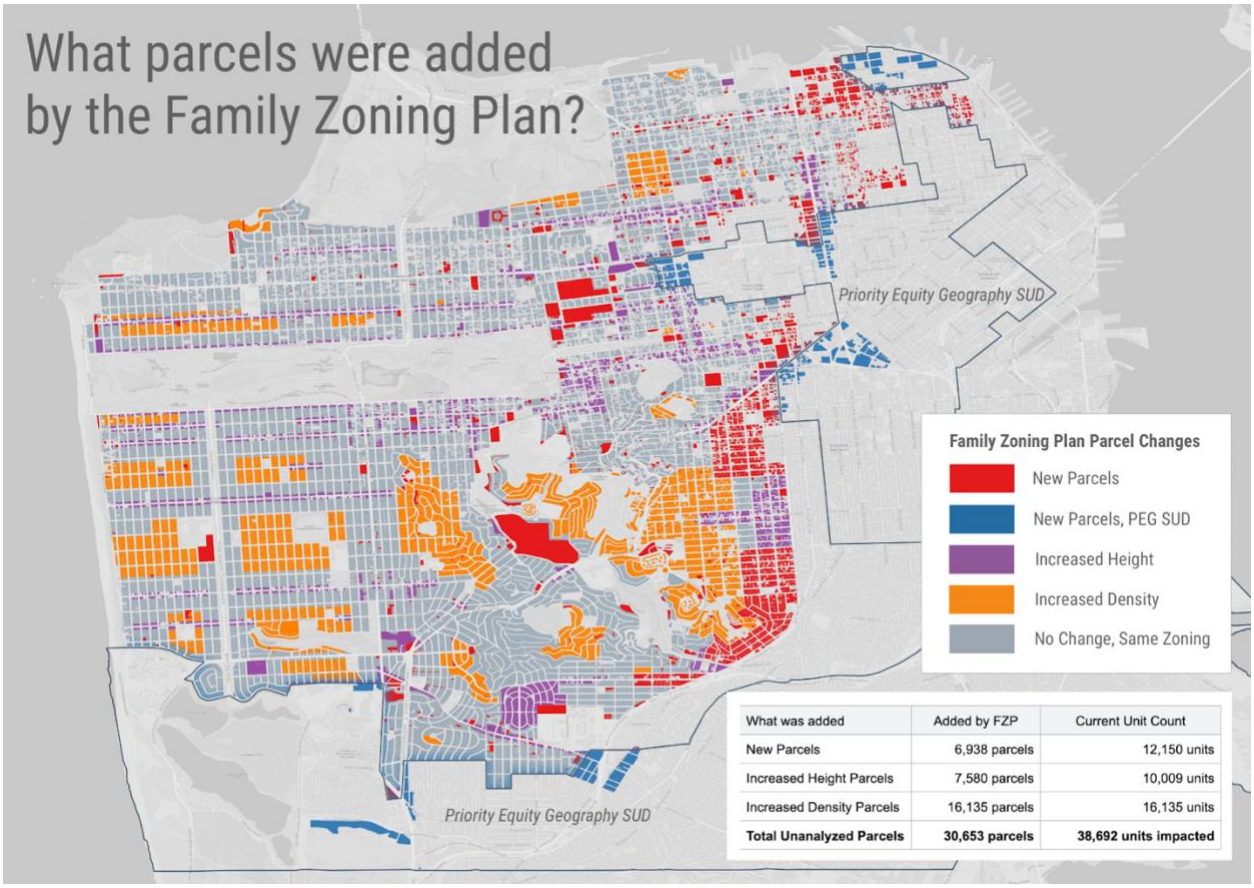


Figure 2. Parcels added and parcels with increased heights and densities under the rezoning

1. What was added to the Family Zoning Plan from the FEIR?

What was added	Added by FZP	Current Unit Count
New Parcels	6,938 parcels	12,150 units
Increased Height Parcels	7,580 parcels	10,009 units
Increased Density Parcels	16,135 parcels	16,135 units
Total Unanalyzed Parcels	**30,653 parcels**	**38,692 units impacted**

2) Scope of Family Zoning Plan vs. 2022 Final EIR

Total Count	Final EIR - 2022	Family Zoning Plan - 2025
Parcel Count	82,834	79,932
Current Units Count*	150,031	94,281
Area Added (sq ft)	257,461,954	254,211,574

** Residential and non-residential "units" (commercial spaces) impacted*

3. Existing Parcels with increased height limits

a. **7,580 parcels** with increased height limits
b. **10,009 currently existing units** in parcels with increased height limits
c. **31,424,690 sq ft** of total lot area in parcels with increased height limits

Height Limit Increase	Parcels	Current Unit Count
100' +	73	201
60' - 100'	34	31
40' - 60'	667	823
20' - 40'	3,244	4,906
< 20'	3,562	4,048

The following discussion describes potential impacts that were not analyzed in the CEQA document for the rezoning project. The Addendum is inadequate under CEQA and a supplemental EIR must be prepared to identify and analyze the potentially new and more severe impacts described below.

A. Rezoning of the North Point Wet Weather Sewage Treatment Facility

There are new potentially significant impacts associated with the proposed rezoning plan that were not identified and assessed in the Housing Element EIR or Addendum including impacts associated with development of the North Point Wet Weather Facility located at Bay Street and the Embarcadero. This City-owned and -operated sewage treatment plant is one of three facilities in San Francisco that treats wastewater. It is only active during wet weather and treats up to 150 million gallons a day (MGD) during rainstorms, or 26 percent of the wastewater treated on a rainy day.

The 2022 FEIR did not address the impacts of redevelopment of this treatment plant with housing because this site was not designated for rezoning at that time. The rezoning program changes the allowable height limit on this site from 40' to 85' and increases the likelihood that it would be redeveloped with housing. The site is in the P (Public) District where residential uses in 100 percent Affordable Housing Projects and Educator Housing Projects are permitted, and other residential uses are conditional.

There is no reason the City would include this site in the rezoning program other than the fact that the City believes rezoning this site will increase the likelihood of housing development at this location. Since it is inconceivable that a developer would build housing on top of a sewage treatment plant, the City needs to analyze the impacts associated with elimination of the sewage treatment plant.

Moreover, although the Addendum states that "It is likely that the Oceanside Water Pollution Control Plant would experience reduced pollutant loads under the proposed rezoning program compared to the adopted housing element because housing growth distribution under the proposed rezoning program would be more evenly distributed in the western and northern parts of the city and along transit corridors, instead of heavily concentrated in the Inner Sunset, Outer Sunset, and Richmond planning districts as assumed under the adopted housing element; thus pollutant load generation, would be more evenly distributed throughout the city rather than concentrated in the western portion of the city," there is no mention at all of the North Point treatment plant. (See pages 127-128 of the Addendum.)

Potentially significant impacts that should have been identified and analyzed in a supplemental EIR include, but are not limited to the following:

1. Elimination of the sewage treatment plant would result in reduced sewage treatment capacity during wet weather. This would require (a) the construction of a new sewage treatment facility in this area of the city, or (b) the construction of new infrastructure to convey wastewater from the northeast quadrant of the city to the Oceanside Treatment Plant or the Southeast Treatment Plant in Bayview/Hunters Point and expansion of one of these facilities to expand the treatment capacity by 150 MGD to compensate for the loss of the North Point facility.

2. The potential public health and hazardous materials impacts of redeveloping the site with housing must be identified and analyzed and mitigation measures must be identified in a supplemental EIR. This includes but would not be limited to

testing and classification of contaminants, calculations of health risk, specific remediation measures, associated secondary impacts due to the excavation of contaminated soil, transportation and disposal of infrastructure, and treatment and disposal of contaminated water and soil.

B. More severe displacement Impacts would result from the proposed rezoning program than were assumed in the Housing Element FEIR

Potentially significant displacement impacts that should have been identified and analyzed in a supplemental EIR include, but are not limited to the following:

1. ***Rezoning and displacement of tenants in two-unit rent-controlled buildings***. As shown below, under the proposed rezoning, there are a significant number of two-unit rent-controlled buildings on parcels with an existing height limit of 40 feet that would be rezoned to allow heights of 50', 65' and 85', and would no longer require setbacks, creating greater incentives and likelihood that they would be redeveloped under the proposed rezoning. In other words, it is reasonably foreseeable that they would be redeveloped and therefore should have been considered in the CEQA review for the project.

Rent Controlled Parcels

What was added	Parcels affected	Existing units affected
New Parcels	1,237 parcels	2,474 units
Increased Height Parcels	1,818 parcels	3,636 units
Increased Density Parcels	783 parcels	1,566 units
Total Rent Controlled Parcels	3,838 parcels	7,676 units

It is widely accepted that tenants of two-unit rent-controlled buildings already have fewer protections than tenants who live in buildings with three or more units because a two-unit building can more easily be converted into condos. In two-unit buildings, all an owner needs to do is move in, and they can evict a tenant to do so.

The inclusion of parcels with two-unit rent controlled buildings in the rezoning plan and the associated displacement impacts need to be identified and assessed in a supplemental EIR.

2. ***Rezoning and displacement in the Priority Equity Geographies Special Use District.*** Section 249.97 (b) of the San Francisco Planning Code states that "The Priority Equity Geographies SUD is comprised of areas or neighborhoods with a higher density of vulnerable populations" and that the 2022 Update of the Housing Element of the General Plan ((2022 Housing Element) identifies them as "***areas***…***where zoning changes must be tailored to serve the specific needs of the communities that live there; and where programs that stabilize communities and meet community needs need to be prioritized***."

   As shown in ***Figure 2*** above and quantified below, close to 1,000 parcels in the proposed rezoning program that were not analyzed in the Housing Element FEIR are located within the PEG SUD. Displacement impacts for residents in these areas are more severe than for residents outside of the SUD.

   New Priority Equity Geography Parcels
   a. 939 parcels
   b. 2,321 current existing units (including RC and non-RC)
   c. 70 two-unit RC buildings, 140 units

   The inclusion of parcels in the Priority Equity Geographies SUD and the associated displacement impacts need to be identified and assessed in a supplemental EIR.

3. ***Rezoning and displacement of Laguna Hospital and Rehabilitation Center occupants***. As shown in ***Figure, 2*** above, the 62-acre Laguna Honda hospital and rehabilitation center located 375 Laguna Honda Boulevard was added to the rezoning plan, and if redeveloped would result in significant displacement impacts for the long-term nursing home residents.

   Laguna Honda has 769 beds and offers short-term rehab and long-term nursing care. in the Forest Hill neighborhood of San Francisco.

   The FEIR did not address the impacts of redevelopment of Laguna Honda with housing because this site was not designated for rezoning. The rezoning program changes the allowable height limit on this site from 40' which covers the majority of the 62 acres under existing height limits, to 85' for the entire site, and increases the likelihood that it would be redeveloped with housing. The site is in the P (Public) District where residential uses in 100 percent Affordable Housing Projects and Educator Housing Projects are permitted, and other residential uses are conditional.

There is no reason the City would include this site in the rezoning program other than the fact that the City believes rezoning this site will increase the likelihood of housing development there.

Because the impacts of redevelopment of Laguna Honda Hospital and Rehabilitation Center was not analyzed in the Housing Element FEIR, a supplemental EIR is needed to determine the impacts and required mitigation measures.

EXHIBIT B

November 30, 2025

Mr. Richard Drury
Lozeau | Drury LLP
1939 Harrison St., Suite 150
Oakland, CA 94612

RE: Family Zoning Plan (Rezone) – Impacts on Historic Resources

Dear Mr. Drury,

This letter sets forth my professional opinion concerning the impacts on historic resources from the proposed San Francisco Rezoning Plan ("Rezone"), also known as the "Family Zoning Plan."

As a professional with 32 years of experience in historic preservation and with the California Environmental Quality Act (CEQA), I meet the Secretary of the Interior's Professional Qualification Standards in History and Architectural History. I also have the following credentials: received a Master of Arts Degree in Architectural History from the University of Virginia's School of Architecture; previously served as president of the San Francisco Landmarks Advisory Board (appointed by Mayor Newsom); since 2012 have continuously been on the City of San Francisco Planning Department's approved consultant pool for historic resources consultants; and certified by the San Francsico Contract Monitoring Division (CMD) as a woman-owned Local Business Enterprise (LBE). I have written innumerable historic resource and historic district designation and evaluation reports throughout the course of my career.

While the City of San Francisco (City) prepared and certified an Environmental Impact Report (EIR) for its 2022 Housing Element, the proposed Rezone is vastly different from the rezoning scenarios studied in the 2022 EIR. Nevertheless, the Planning Department proposes to rely on an Addendum (September 3, 2022) to the previously certified EIR. A rezoning of this magnitude requires thorough environmental review under CEQA so that the City's residents and decision-makers can be aware of its impacts, can consider all feasible mitigation measures and alternatives, and can have a robust and open discussion prior to making irreversible changes to San Francisco's landscape for all time.

The Rezone would result in a myriad of significant new impacts that were not analyzed in the 2022 EIR or included in the Housing Element, not the least of which are impacts to historic resources. The Rezone would result in significant impacts to historic resources that have not yet been analyzed. The 2022 EIR found significant and unmitigated impacts to historic resources, but the Rezone's impacts are far greater and substantially more severe than shown in the previous EIR, with significant and unmitigated impacts. Since "significant effects previously examined will be substantially more severe than shown in the previous EIR," a Supplemental EIR is required. (CEQA Guidelines 15162(a)(1)(3)(B).)

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As set forth in the Attachments to this letter, the Rezone would allow the demolition and redevelopment on, near, or within areas containing historic resources. Many known and designated, either locally under Article 10 of the Planning Code, or through state or federal historic designation programs, are within areas that were not included for rezoning in the 2022 Housing Element or analyzed in the 2022 EIR, while others were included in the analysis, but have since been upzoned or changed to form based density or have significantly higher heights on or around them by the Upzone. None of the potentially significant impacts that could result from redevelopment of these historic resources were analyzed in the 2022 EIR. See the following attachments for further analysis: Attachment 1 - Historic Resource Impact Analysis of Rezone and Attachment 2 - North Beach National Register of Historic Places Historic District Parcel Analysis.

Since this new information provided in the Attachments constitute significant and substantially more severe effects not discussed in the 2022 EIR, a Supplemental EIR is required to analyze and mitigate these impacts. The newly identified impacts are beyond the scope of the 2022 EIR. The Addendum barely mentions additional historic resources impacts and fails to analyze impacts of the drastically additional height and density increases as they relate to known historic resources. Further, the Addendum fails to analyze changes in zoning use districts on designated historic resources or historic districts or areas with known concentrations of "A" rated historic resources, which are identified, but not yet designated resources.

Further, the Rezone now includes the following language related to Bonuses for "Historic Preservation." However, these bonuses, as shown below, encourage height increases, facadism, and other over-scaled additions that would result in diminished historic fabric and result in unintended impacts to historic resources. Additionally, this proposed legislation, added in the September 11, 2025 version of the legislation, has not been evaluated for its potentially significant impacts on historic resources.

The following language has been added to Section 206.10(e) of the Rezone legislation providing additional height and square footage bonuses for the "preservation" of Historic Building.

> *(e)* ***Additional Height, Square Footage, and Other Bonuses.*** *HC-SF Projects that contain certain uses, amenities, or other building features are eligible for additional bonuses and code modifications, as described below.*
>
> *********

(6) ***Preservation of Historic Buildings.*** *In districts other than Residential districts, projects proposing an alteration to a Historic Building and/or constructing new buildings on sites that contain a Historic Building shall be permitted to include additional square footage, as provided below:*

(A) up to 1.5 times the gross floor area foregone by retaining the Historic Building and complying with Objective Standards pertaining to Historic Buildings, including through setting back building additions and/or new construction in relation to the Historic Building. For the purposes of this subsection (e)(56)(A), the foregone gross floor area shall be equal to the gross floor area within the volume that would otherwise be permitted under the Planning Code and all applicable Objective Standards, inclusive of modifications allowed pursuant to this Section 206.10, but is not being constructed in order to accommodate a reduced building mass above or around a Historic Building and that complies with or exceeds the setbacks or mass reductions required by the Objective Standards pertaining to Historic Buildings. The Zoning Administrator may publish further guidance on the calculation of foregone gross floor area; and

(B) for Historic Buildings with storefronts that contain character-defining features, an additional 0.25 square feet for every square foot of space in the storefront, provided that the project preserves the storefront in compliance with Objective Standards pertaining to Historic Buildings; and

(C) *horizontal or vertical additions to accommodate this extra square footage, except that any such additions shall not:*

(i) exceed 20 feet above the Housing Choice-SF height limit (Section 263.19); or

(ii) reduce the required rear yard above the ground floor to less than 15 feet where the site abuts the rear yard of adjacent parcels containing residential uses.

(D*) The Historic Building* and/or historic storefront *shall be maintained in compliance with the Preservation Design Standards for the life of the project, and the requirement shall be recorded in a Notice of Special Restrictions.*

This late addition of the above language to the legislation has the great potential to cause impacts to historic resources, instead of preserving them, as it would allow large sections of historic buildings to be demolished and over scaled additions and height increases to be implemented as bonuses.

For the reasons listed above, and as set forth in the Attachments, it is my professional opinion that the Rezone, if approved, would have additional and substantially more severe impacts to historic resources than were analyzed in the certified EIR. These potentially significant environmental impacts must be analyzed and mitigated under the California Environmental Quality Act ("CEQA") through a full recirculated Supplemental EIR.

Sincerely,



Bridget Maley
Principal

Attachment 1: Historic Resource Impact Analysis of Rezone
Attachment 2: North Beach National Register of Historic Places Historic District Parcel Analysis

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Attachment 1: Historic Resource Impact Analysis of Family Zoning Plan (Rezone)
November 30, 2025
Compiled by Bridget Maley, architecture + history, llc

The Family Zoning Plan (Rezone) would result in significant new impacts on historic resources that were not included in the 2022 Housing Element or analyzed in its associated Environmental Impact Report (2022 EIR). The area of the Rezone is significantly larger than the area included in the 2022 Housing Element and analyzed in the 2022 EIR.

It should be noted that all projects using the Rezone would be subject to form-based density (i.e. density decontrol) regardless of height limit or underlying zoning district. These height and density changes would encourage demolition of smaller-scale historic resources throughout the Rezone area.

In addition, for many parcels within the Rezone area, increases to the existing base height limits and/or changes from density limited to form based density (i.e. density decontrol) would be allowed for projects NOT using the Rezone, which would encourage demolition and development using the State Density Bonus or other State programs that provide density or development bonuses.

The Housing Element EIR Addendum No. 1 (September 3, 2025) fails to analyze impacts of additional height and density increases described above, as well as changes in zoning use districts, on designated historic resources and historic districts or on areas with known concentrations of “A” rated historic resources, but not yet designated as historic districts, including, but not limited to those resources listed below.

The list below includes landmarks and contributors to historic districts designated pursuant to Article 10 of the San Francisco Planning Code that may be removed from the Upzone by a pending amendment to the Upzone legislation.

Historic Resources Not Evaluated in 2022 Housing Element EIR

The following districts and individual historic resources were not included in the 2022 Housing Element or analyzed in the 2022 EIR, but are now included in the Rezone as of November 2025.

- Fully documented North Beach National Register Historic District submitted to the State Historic Preservation Office and awaiting hearing by the State Historical Resource Commission was not included in the 2022 Housing Element or analyzed in the 2022 EIR. The Rezone could have significant impacts to this identified historic district, including heights rezoned from 40 feet to 50 feet in block Block 0076. (See Attachment 2: List of Historic Resources in North Beach Historic District in Rezone.)

- Designated Northeast Waterfront Article 10 Historic District. Sansome Street Area Revision contained in “Appendix D: Memorandum Regarding Potential Zoning Map Changes in Supervisor District 3” disclosed the intent to include in the Rezone Plan areas within this Historic District centered along Sansome Street include the following seventeen parcels: Block 0085/Lots 005 and 048; Block 0106/Lots 001, 002, 003, 004, and 042; Block 0112/Lots 008 and 009; Block 0113/Lots 006, 041, 040, and 063; Block 0134/Lot 001; and Block 0135/Lots 007, 008, and 009. This area was not included in the

2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this Historic District.

- Eligible Washington Square Historic District, an eligible California Register Historic District. This area was not included in the 2022 Housing Element or analyzed in the 2022 EIR. The Rezone now includes six parcels on Filbert Street between Powell Street and Stockton Street, including the Church of Saints Peter and Paul and the Priests' Residence, which could result in significant impacts to this Historic District.

- Eligible Upper Grant Avenue Historic District, an eligible California Register Historic District. This area was not included in the 2022 Housing Element or analyzed in the 2022 EIR. The Rezone now includes seven contributory buildings in this District along Filbert Street, Medau Place, and Grant Avenue (Blk 0088/Lots 5, 41-57, and 9), which could result in significant impacts to this Historic District.

- Designated Otis Elevator Company National Register No. 99001265 (1 Beach Street; Parcel 0018/001). This parcel is rezoned from its existing height limit of 40 feet to 65 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Grabhorn Press Building National Register No. 97000349 (1335 Sutter Street; Parcel 0690/012A). This parcel was rezoned from its existing height limit of 130 feet to to 500 feet. The Rezone also increases the base height limit from 130 feet to 200 feet and changes the density to form-based, which would encourage demolition and development using the State Density Bonus or other State programs that provide density or development bonuses.This drastic upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Thomas Payne House National Register No. 80000847 (1409 Sutter Street; Parcel 0689/025). This parcel is rezoned from its existing height limit of 130 feet to 500 feet. The Rezone also increases the base height limit from 130 feet to 200 feet and changes the density to form-based, which would encourage demolition and development using the State Density Bonus or other State programs that provide density or development bonuses. This drastic upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Myrtle Street Flats Building, both National Register No. 76000520 and Article 10 Landmark No. 71 (234-248 Myrtle Street; Parcel 0714/020), sometimes referred to as part of the Goodman Building. This parcel is rezoned from its existing height limit of 130 feet to 650 feet. The Rezone also increases the base height limit from 130 feet to 260 feet and changes the density to form-based, which would encourage demolition and development using the State Density Bonus or other State programs that provide density or development bonuses.This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Washington Square Article 10 Landmark No. 226 (1651 Stockton Street and Filbert Street; 0102/022001). The parcels on the northern edge of Washington Square are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the 2022 EIR. This could result in significant impacts to this park.

- Designated Article 10 "Structure of Merit" The Cannery (600 Beach Street; Parcel 0010/001). This parcel is rezoned from its existing height limit of 40 feet to 65 feet. As the density is form-based, the use of the State Density Bonus or other State programs that provide development bonuses would be allowed. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this site.

- Designated Building at 1840-1842 Eddy Street National Register No. 73000437 (1840-1842 Eddy Street, Parcel 1127/015). This parcel is rezoned from its existing height limit of 65 feet to 85 feet and changed to form-based density (density decontrol). This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Building at 45-57 Beideman Place National Register No. 73000436 (45-57 Beideman Place, Parcel 1100/118). This parcel is included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-1 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Building at 33-35 Beideman Place National Register No. 73000435 (33-35 Beideman Place, Parcel 1100/095). This parcel is included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-1 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated House at 1331-1335 Scott Street National Register No. 73000440 (1331-35 Scott Street, Parcel 1100/120). This parcel is included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-1 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated House at 1321 Scott Street National Register No. 7300439 (1321 Scott Street, Parcel 1100/049). This parcel is included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-1 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated House at 1249-1251 Scott Street National Register No. 73000442 (1249-51 Scott Street, Parcel 1127/035). This parcel now included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-1 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated House at 1239-1245 Scott Street National Register No. 7300441 (1239-45 Scott Street, Parcel 1127/043). This parcel now included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-1 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Temple Sherith Israel National Register #10000114 (2266 California St., Parcel 0637/011). Now included in the Rezone, this parcel is being upzoned from its existing 40 feet to 85 feet with a new base height of 50 feet. It is also changed to form based density and rezoned to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Dallam-Merritt House National Register #84001185 (2355 Washington Street, Parcel 0613/021). Now in the Rezone, this parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated site of Third Baptist Church California Registered Historical Landmark No. 1010 (483 Greenwich Street, Parcel 0087047). Now in the Rezone, this parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated Fillmore-Pine Building National Landmark No. 82002247 (1940-1946 Fillmore Street, Parcel 0660/023). Now in the Rezone, this parcel is being rezoned from its existing height limit of 40 feet to 65 feet. This parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Park View Hotel National Register No. 83001235 (750 Stanyan Street, Parcel 1250/025). Now in the Rezone, this parcel is being rezoned from its existing height limit of 50 feet to 65 feet. This parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Delane House National Register No. 82000984 (70 Buena Vista Terrace, Parcel 2608/013). Now in the Rezone, this parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated House at 584 Page Street National Register No. 85002195 (584 Page Street, Parcel 0842/017). Now in the Rezone, this parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Moss Beach House National Register No. 83001232 (1626 Great Highway, Parcel 1895/038). Now in the Rezone, this parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Real Estate Associates (TREA) Houses National Register No. 85000705 (2503, 2524, 2530 and 2536 Clay Street (Parcel 0630/032, 0611/008, 0611/009 and 0611/010). Now in the Rezone, the house at 2503 Clay is upzoned from 40 feet to 65 feet. These 4 historic houses were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Wilford Houses National Register No.85001914 (2121 & 2127 Vallejo Street, Parcels 0565/021and 0565/022). Now in the Rezone, these parcels adjoin parcels upzoned to 65 feet. These 2 historic houses were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Sinton House National Register No. 11000944(1020 Francisco Street, Parcel 0476002C).Now in the Rezone, this parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated Russian Hill Paris Block Architectural Historic District National Register of Historic Places Historic District No. 87002288. The Rezone includes four parcels in this District between Green Street and Macondray Lane (Block 0121/Lots 005, 006, 049, and 056), which were not included in the 2022 Housing Element or analyzed in the 2022 EIR. This could result in significant impacts to this Historic District.

- Designated Russian Hill Macondray Lane National Register Historic District No. 87002286. The Rezone includes this entire Historic District, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR. This could result in significant impacts to this Historic District, especially corner parcels that could be up to 65 feet in height in this residential district.

- Designated Port of San Francisco Embarcadero National Register Historic District No. 06000372. The Rezone includes increased height and density along the Embarcadero, especially on Bay, North Point, Beach and Jefferson Streets, which could impact this Historic District. These heights, not included in the 2022 Housing Element or analyzed in the 2022 EIR, could result in significant impacts to this Historic District.

- Designated Golden Gate Park National Register Historic District No. 04001137. The Rezone includes height increases along Fulton Street and Lincoln Boulevard bordering the north and south sides of Golden Gate Park and Stanyon Street bordering the east side. The heights along Fulton Street are increased from 40 feet to 85 feet and along

Lincoln from 40 feet to 65 feet, both streets are changed to form-based density (density decontrol) and rezoned to RTO-C that allows commercial uses on the ground floors. Heights along a portion of Stanyan Street are rezoned from 50 feet to 65 feet. Heights are also increased in places along Fell and Oak Streets in the Panhandle of the Park. These proposed height, density, and use changes in the Rezone were not included in the 2022 Housing Element or analyzed in the 2022 EIR and would have significant impacts on this designated historic district.

- Designated Presidio of San Francisco National Historic Landmark Historic District No. 66000232. Development proposed in the Rezone adjacent to the Presidio of San Francisco at 300 Lake Street; Parcel No. 1354/001, upzoned from 40 feet to 65 and from 65 feet to 85 feet. Also upzoned at the Lombard Gate from 40 feet to 65 feet. Additionally, development in the residential zoned areas of Presidio Terrace and Sea Cliff heights would be allowed to 65 feet on 8,000 square foot parcels. These Rezone heights were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated Lower Nob Hill Apartment Hotel National Register Historic District No. 91000957. Height increases along the edges would impact this designated Historic District. The increased heights at Bush and Leavenworth Streets from the existing height limit of 65 feet to 120 feet and Polk Street between Geary and Sutter Streets from the existing height limit of 80 feet to 240 feet. These heights were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could impact this Historic District.

- Designated Veterans Affairs Medical Center National Register Historic District No. 05001112 (4150 Clement Street). Along the southern edge of this District the Rezone includes increases from the existing height limit of 40 feet to 65 feet on Clement Street. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could impact this Historic District.

- Designated Cable Car National Register Historic District No. 66000233. The Cable Car lines located within areas being upzoned and/or density decontrolled by the Upzone Plan could be significantly impacted. These include, without limitation, those lines along the following routes: Hyde between Beach and Washington, Washington between Hyde and Mason, Jackson between Leavenworth and Hyde, California between Van Ness and Mason, Mason between Green and Columbus, Columbus between Mason and Taylor, and Taylor between Chestnut and Francisco. Height increases adjacent to these streets could impact these linear transit historic resources, and construction activities resulting from development incentivized by the Upzone could cause extensive service interruptions. Impacts to the Cable Car National Register Historic District were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated Geneva Office Building and Power House (S.F. & San Mateo Railroad Co.Office Building), both National Register No. 10000111 and Article 10 Landmark No. 180 (500 Geneva; Parcel 6972/036). The Rezone Plan upzones this publicly owned site from the existing height of 40 feet to 85 feet and includes it in the Non-Contiguous SFMTA Special Use District, which allows the site to be developed for mixed use residential development. The Rezone Plan also increases the base height limit from 40

feet to 50 feet and changes the density to form-based, which would allow development using the State Density Bonus or other State programs that provide density or development bonuses. New development on and adjacent to this historic site could result in significant impacts. These changes were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Eligible Hayes Valley Residential Historic District, an eligible California Register Historic District. The current Rezone includes a significant portion of the District. This area of Hayes Valley was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this Historic District.

- Eligible Northpoint Sewage Treatment Plant Historic District, an eligible National Register and California Historic District. The District includes 101 North Point (Parcel 0033/005), 66 Bay Street (0034/002) and 160 Bay Street (0033/003). This entire site is increased from the existing height limit of 40 feet to 85 feet. The Rezone of this eligible district was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could have significant impacts to this District.

- Designated Dietle Residence Article 10 Landmark No.48 (294 Page Street, Parcel 0839/017). Located within and adjacent to the Hayes Valley Residential Historic District, an eligible California Register Historic District, the Rezone includes this parcel which is rezoned to RTO-1.This parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this Historic District.

- Designated Nightingale House Article 10 Landmark No. 47 (201 Buchanan Street, Parcel 0858/002). Located within and adjacent to the Hayes Valley Residential Historic District, an eligible California Register Historic District, the Rezone includes this parcel which is rezoned to RTO-1.This parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this Historic District.

- Designated McMorry-Lagan Building Article 10 Landmark No.164 (188-198 Haight Street, Parcels 0852/033 and 0852/034). Located within and adjacent to the Hayes Valley Residential Historic District, an eligible California Register Historic District, the Rezone includes this parcel which is rezoned to RTO-1.This parcel was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this Historic District.

- Designated Duboce Park Article 10 Historic District, specifically the contributory buildings located along Waller and Steiner Streets being rezoned RTO-1. Although certain parcels within the Duboce Park Historic District are proposed for removal from the Rezone by a pending amendment to the Upzone legislation (see list below), the contributory buildings located along Waller and Steiner Streets would remain in the Rezone. This Historic District was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

Historic Resources Evaluated in 2022 Housing Element and 2022 EIR, But Now with Significant Height Increases

- Designated St. Luke's Episcopal Church, National Register No. 100009644 (1755 Clay; Parcel 0622/013). Included in the 2022 EIR as being upzoned from its existing height limit of 80 feet to 240 feet, but height increased by the Rezone to 350 feet with a base height of 140 feet. These increased heights were not studied in the 2022 EIR and could have significant impacts to this historic site. Further, as the density is form-based, the use of the State Density Bonus or other State programs that provide development bonuses would be allowed from the new base height.

- Designated Paige Motor Company National Register No. 83001234 (1699 Van Ness Parcel 0642/001). Included in the 2022 EIR as being upzoned from existing height limit of 80 feet to 240 feet, but height increased by the Rezone to 350 feet with a base height of 140 feet. These increased heights were not studied in the 2022 EIR and could have significant impacts to this historic site. Further, as the density is form-based, the use of the State Density Bonus or other State programs that provide development bonuses would be allowed from the new base height.

- Eligible Ocean Avenue Commercial Historic District, a documented eligible California Register Historic District under review by the Planning Department. The EIR analyzed the height along Ocean Avenue at a height of 65 feet, which was increased by the Rezone to 85 feet. This increased height was not studied in the 2022 EIR and could have significant impacts to this Historic District.

- Eligible fully documented Ingleside Terraces National Register Historic District submitted to the State Historic Preservation Office and awaiting hearing by the State Historical Resource Commission. The EIR analyzed the height along Ocean Avenue, Block 6915, with a height of 65 feet, which was increased by the Rezone to both 85 feet and 140 feet. These increased heights were not included in the 2022 Housing Element or analyzed in the 2022 EIR and could have significant impacts on this fully documented historic district.

- Designated St. Francis Wood National Register Historic District No. 100007846 was listed on June 30, 2022. This historic district was not included in the 2022 Housing Element or analyzed in the 2022 EIR. The Rezone could have significant impacts on this historic district.

- *The Gardens in the City; San Francisco Residence Parks, 1906-1940, Historic Context Statement* identified 8 residence parks neighborhoods as eligible historic districts. Since this was last heard by the Historic Preservation Commission in April 2021, St. Francis Wood has been listed on the National Register of Historic Place No. 100007846 and Ingleside Terraces has been fully documented as a National Register Historic District and submitted to the State Historic Preservation Office. Six other neighborhoods Jordan Park, West Clay Park, Forest Hill and Forest Hill Extension, Sea Cliff, Lincoln Manor and

Balboa Terrace are identified as potential historic districts. These six neighborhoods would be impacted by upzoning in and along the edges.

- Historic Category "A" rated buildings across the city would be impacted by the Rezone as it affords no protection for these previously identified, but not designated historic resources. The City of San Francisco Planning Department has previously required full Historic Resource Evaluations for projects involving Category "A" rated buildings. This policy change was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

The following landmarks and contributors to historic districts designated pursuant to Article 10 of the San Francisco Planning Code may be removed from the Upzone by a pending amendment to the Upzone legislation:

- Designated Telegraph Hill Article 10 Historic District. The Rezone includes this entire Historic District, which was not in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated Alamo Square Article 10 Historic District. The Rezone includes most of this Historic District, including increased heights from 40 feet to 50 feet along Scott Street. This District was not in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to the District.

- Designated Webster Street Article 10 Historic District. The Rezone includes this entire Historic District, which was not in the 2022 Housing Element or analyzed in the EIR.

- Designated Haslett Warehouse, both National Register No. 75000172 and Article 10 Landmark No. 57 (680 Beach Street; Parcel 0010/002). he Rezone includes this parcel, owned by the United States National Park Service, upzoning it from its existing height of 40 feet to 65 feet. This was not included in the 2022 Housing Element or analyzed in the EIR.

- Designated San Francisco Art Institute Article 10 Landmark No 85 including the Diego Rivera Gallery Landmark No 284 (800 Chestnut Street; Parcel 0049/001). This parcel is rezoned from its existing height of 40 feet to 50 feet. This was not included in the 2022 Housing Element or analyzed in the EIR.

- Designated Ghiradelli Square, both National Register No. 82002249 and Article 10 Landmark No. 36 (920 North Point; Parcel 0452/002). This parcel is rezoned from its existing height limit of 40 feet to 65 feet. This was not included in the 2022 Housing Element or analyzed in the EIR.

- Designated Goodman Building/Emeric Building, both National Register No. 75000473 and Article 10 Landmark No. 71 (1117 Geary Blvd; Parcel 0714/018). This parcel is rezoned from its existing height limit of 130 feet to 650 feet. The Rezone also increases the base height limit from 130 feet to 260 feet and changes the density to form-based, which would encourage demolition and development using the State Density Bonus or

other State programs that provide density or development bonuses. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, it is surrounded by parcels zoned to 650 feet, which could result in significant impacts to this historic resource.

- Designated First Unitarian Church Article 10 Landmark No. 40 (1187 Franklin Street; Parcel 0713/034). This parcel is rezoned from its existing height limit of 130 feet to 500 feet. The Rezone also increases the base height limit from 130 feet to 200 feet and, as the density is form-based, use of the State Density Bonus or other State programs that provide development bonuses would be encouraged. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, it is surrounded by parcels zoned to 650 feet, which could result in significant impacts to this historic resource.

- Designated Earl C. Anthony Packard Showroom Article 10 Landmark No. 153 (901 Van Ness Avenue; Parcel 0719/002). The parcel is rezoned from its existing height limit of 130 feet to 500 feet. The Rezone also increases the base height limit from 130 feet to 200 feet and, as the density is form-based, use of the State Density Bonus or other State programs that provide development bonuses would be encouraged. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, it is surrounded by parcels zoned to 500 feet and 350 feet, which could result in significant impacts to this historic resource.

- Designated Don Lee Auto Showroom, both National Register No. 01001179 and Article 10 Landmark No.152 (1000 Van Ness Avenue; Parcel 0715/014). This parcel is rezoned from its existing height limit of 130 feet to 500 feet. The Rezone also increases the base height limit from 130 feet to 200 feet and as the density is form-based, use of the State Density Bonus or other State programs that provide development bonuses would be encouraged. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, it is surrounded by parcels zoned to 500 feet and 650 feet, which could result in significant impacts to this historic resource.

- Designated Stradtmuller House, both National Register No. 76000523 and Article 10 Landmark No. 35 (819 Eddy Street; Parcel 0743/015). This parcel is rezoned from its existing height limit of 130 feet to 300 feet. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, it is surrounded by parcels zoned to 350 feet, which could result in significant impacts to this historic resource.

- Designated Engine Company Number 31 Fire House Article 10 Landmark No. 220 (1088 Green St (0121/010). This parcel is now within the Rezone but was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic building.

- Designated Clay Theater Article 10 Landmark No. 302 (2261 Fillmore Street; Parcel 0630/002). This parcel and area of Fillmore Street are rezoned from their existing height limit of 40 feet to 65 feet. This was not included in the 2022 Housing Element or analyzed in the EIR and this could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, it is surrounded by parcels zoned to 65 feet, which could result in significant impacts to this historic resource.

- Designated Calvary Presbyterian Church National Register No 78000755 and Article 10 Landmark No. 103 (2501 Fillmore Street; Parcel 0587/027). This parcel and area of Fillmore are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the 2022 EIR. This could result in significant impacts to this historic site.

- Designated Grace Cathedral Article 10 Landmark No. 170 (1100 California Street; Parcel 0246/001). This parcel and area of Nob Hill are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the EIR. This could result in significant impacts to this site.

- Designated Chambord Apartments, both Article 10 Landmark No. 106 and National Register No. 84001184 (1298 Sacramento Street; Parcel 0221/125). This parcel and area of Nob Hill are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the EIR. This could result in significant impacts to this site.

- Designated Old Flood Mansion, Pacific Union Club, both Article 10 Landmark No. 64 and National Register No. 66000230 (1000 California Street; Parcel 0245/001). This parcel and area of Nob Hill are now within the Rezone but were not included in the 2022 Housing Element or analyzed in the EIR. This could result in significant impacts to this site.

- Designated Westfield House Article 10 Landmark No. 135 (1198 Fulton Street, Parcel 0777/015) located in the Alamo Square Article 10 Historic District. The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR. The Rezone could result in significant impacts to this historic site and the Alamo Square Historic District.

- Designated Third Baptist Church Complex Article 10 Landmark No. 275 (1399 McAllister Street, Parcel 0778/013). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR. The Rezone could result in significant impacts to this historic site.

- Designated Archbishop's Mansion Article 10 Landmark No. 151 (1000 Fulton Street, Parcel 0778/006) located in the Alamo Square Article 10 Historic District. The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR. The Rezone could result in significant impacts to this historic site and the Alamo Square Historic District.

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- Designated Abner Phelps House, both National Register No. 71000187 and Article 10 Landmark No. 32 (1111 Oak Street; Parcel 1218/050). This parcel is rezoned from its existing height limit of 40 feet to 50 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 85 feet, this could result in significant impacts to this historic resource.

- Designated Sarah Mish House, both National Register No. 79000534 and Article 10 Landmark No. 62 (1153 Oak Street; Parcel 1218/029). This parcel is rezoned from its existing height limit of 40 feet to 50 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site.

- Designated Firehouse Engine Company No. 2, both Article 10 Landmark No. 89 (1152 Oak Street, Parcel 1215/010) and a contributor to the Buena Vista North Historic District, an eligible California Register Historic District. The inclusion of this parcel in the Rezone was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, because it is surrounded by parcels zoned 65 feet and 85 feet, this could result in significant impacts to this historic resource.

- Designated Richard Doolan/Norman Larson Residence Article 10 Landmark No. 253 (557 Ashbury Street, Parcel 1231/009). As the density is form-based, the use of the State Density Bonus or other State programs that provide development bonuses would be allowed. Even if this parcel is removed from the Rezone, because it is surrounded by parcels zoned to 65 feet with form-based density and rezoned to RTO-C, this could result in significant impacts to this historic resource.

- Designated Theodore Green Apothecary Article 10 Landmark No. 182 (500 Divisadero Street, Parcel 1203/017A). This parcel is rezoned from its existing height limit of 65 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, because it is surrounded by parcels zoned up to 85 feet, this could result in significant impacts to this historic resource.

- Designated Charles L. Hinkel House and Carriage House Article 10 Landmark No. 190 (280 Divisadero Street; Parcel 1238/023). This parcel is rezoned from its existing height limit of 40 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 85 feet, this could result in significant impacts to this historic resource.

- Designated Old Saint Patrick's Church Article 10 Landmark No. 6 (1820 Eddy Street, Parcel 1127/007A). This parcel now included in the Rezone and changed to form-based density (density decontrol) and rezoned from RM-3 to RTO-C which allows commercial uses on the ground floor. These changes were not included in the 2022 Housing

Element or analyzed in the EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, because it is surrounded by parcels zoned to 65 feet with form-based density and rezoned to RTO-C, this could result in significant impacts to this historic resource.

- Glazer-Keating House Article 10 Landmark No. 251 (1110 Taylor Street, Parcel 0222/018). The Rezone now includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Merryvale Antiques (S.F. Gas Light Co.) Article 10 Landmark No 58 (3640 Buchanan Street, Parcel 0459/003) This parcel is included in the Rezone and changed to form-based density (density decontrol). The Rezone now includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Ladies Protection and Relief Society Article 10 Landmark No 320 (3400 Laguna Street, Parcel 0471/003). The Rezone now includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Blackstone Court Article 10 Historic District (30 Blackstone Court, 1545 Lombard Street, and 1549 Lombard Street (Parcels 0504/003, 0504/003H & 0504/019). The Rezone increases the height of two of the parcels in this District from 40 feet to140 feet and the density is changed to form-based. This Historic District was not included in the 2022 Housing Element or analyzed in the EIR. Even if this parcel is removed from the Rezone, because it is surrounded by parcels zoned to 140 feet with form-based density, this could result in significant impacts to this historic resource.

- North End Police Station and Garage Article 10 Landmark No. 218 (2475 Greenwich, Parcel 0513/015). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Filbert Street Cottages Article 10 Landmark No 232 (1338 Lombard Street, Parcel 0524/031). This parcel is rezoned from its existing height limit of 40 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR and could result in significant impacts to this historic site. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 85 feet, this could result in significant impacts to this historic resource.

- Metro Theater Article 10 Landmark No 261 (2055 Union Street, Parcel 0541/018. The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 65 feet. This site was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- The Colonial Dames (McElroy) Octagon House Article 10 Landmark No. 17 and National Register No 720000250 (2645 Gough Street, Parcels 0544/001 and 0544/001C. This historic site, included in the Upzone, is rezoned from its existing height limit of 40 feet to 65 feet and its density changed to form-based. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Alhambra Theater Article 10 Landmark No. 21 (2320-366 Polk Street, Parcel 0548/022). The Rezone includes this parcel, which is upzoned from its existing height limit of 65 to 85 and now form-based. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- The Burr Mansion Article 10 Landmark No.31 and National Register #14000967 (1772 Vallejo Street, Parcel 0552/029). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 85 feet, this could result in significant impacts to this historic resource.

- Golden Gate Valley Carnegie Library Article 10 Landmark No. 300 (1801 Green Street, Parcel 0554/001). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Casebolt House Article 10 Landmark No 51 (2727 Pierce Street, Parcel 0560/005). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Church For The Fellowship of All People Article 10 Landmark No. 309 (2041 Larkin Street, Parcel 0572/003). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 65 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 85 feet, this could result in significant impacts to this historic resource.

- Engine Company No. 8 Truck No. 4 Article 10 Landmark No. 188 (1648 Pacific St., Parcel 0574/011). The Rezone includes this parcel, which is upzoned from its existing height limit of 65 feet to 350 feet. This extreme upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 350 feet, this could result in significant impacts to this historic resource.

- Talbot-Dutton House Article 10 Landmark No. 57 (2200 Franklin/1782 Pacific Avenue, Parcel 0575/010). The Rezone includes this parcel, which is upzoned from its existing height limit of 80 feet to 240 feet, its density is changed form-based, and rezoned from residential to RTO-C. This extreme rezoning was not included in the 2022 Housing Element or analyzed in the2022 EIR. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 240 feet to 350 feet, this could result in significant impacts to this historic resource.

- St. Brigid's Church Article 10 Landmark No. 252 (2151 Van Ness Avenue, Parcel 575/015). The Rezone includes this parcel, which is upzoned from its existing height limit of 80 feet to 350. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 240 feet to 350 feet, this could result in significant impacts to this historic resource.

- Bourne Mansion Article 10 Landmark No 38 (2550 Webster Street, Parcel 0580/013). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 65 feet, and rezoned from residential to RTO-C. Even if this parcel is removed from the Rezone, because it is adjacent to parcels zoned up to 65 feet, this could result in significant impacts to this historic resource.

- Leale House Article 10 Landmark No. 45 (2475 Pacific Avenue, Parcel 0587/018). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Whittier Mansion Article 10 Landmark No. 75 and National Register No 76000524 (2090 Jackson St, Parcel 0591/007). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Haas-Lilienthal House Article 10 Landmark No. 69 and National Register No 730000438 (2007 Franklin St. 0600/002). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Spreckels Residence Article 10 Landmark No. 197 (2080 Washington Street, Parcel 0601/005. The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Sacred Heart Parish Complex Article 10 Landmark No.316 and National Register 10000112 (660 Oak Street, Parcel 0828/012; 735 Fell Street, Parcel 0828/022A; 554 Filmore Street, Parcel 0828/22; and 546-548 Filmore Street, Parcel 0828/21). The Rezone includes these parcels, which were not included in the 2022 Housing Element or analyzed in the EIR.

- Market Street Masonry Historic District Article 10 Historic District and listed in the California Register of Historical Resources (7 non-contiguous historic buildings on Market Street Between Franklin Street and Valencia Street, including Parcels 3504/038, 3504/040, 3504/046, 3504/001, 0854/004 and 0854/005, and the Miramar Apartments at 1582 Market Street, Parcel 0836/010. The Rezone includes the parcels in this District, which are upzoned from their existing height limit of 85 feet to 140 feet. Even if these parcels are removed from the Upzone, because they are surrounded by parcels rezoned to 140 feet, this could result in significant impacts to this historic resource.

- Health Sciences Library Article 10 Landmark No. 115 (2395 Sacramento Street, Parcel 0637/016). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- William Vale House Article 10 Landmark No. 168 (2226 California Street, Parcel 0637/040). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 85 feet, and the density is changed to form-based. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 85 feet, this could result in significant impacts to this historic resource.

- Chambers Mansion Article 10 Landmark No.119 (2220-2222 Sacramento Street, Parcel 0627/054). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Richard E. Queen House Article 10 Landmark No. 198 (2212 Sacramento Street, Parcel 0627/004). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Atherton House Article 10 Landmark No. 70 and National Register No. 79000527 (1990 California Street, Parcel 0640/010). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 85 feet, and rezoned from residential to RTO-C. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 85 feet, this could result in significant impacts to this historic resource.

- Isaac Wormser House/John C. Coleman House Article 10 Landmark No. 53 (1834 California Street, Parcel 0641/005). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Lilienthal-Orville Pratt House Article 10 Landmark No. 55 (1818-1820 California Street, Parcel 0641/004). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Golden Gate Commandery of the Knights Templar (Macedonia Missionary Baptist Church Article 10 Landmark No. 202 (2135 Sutter Street, Parcel 0682/006). The Rezone includes this parcel, which is upzoned from its existing height limit of 50 feet to 85 feet and is now form-based. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Richardson Hall Article 10 Landmark Nos. 256, 257, and 258 (55 Laguna Street, Parcel 0870/001). The Rezone includes these Landmarks, which are upzoned from their existing height limits to 85 feet and their density has been changed to form-based. These buildings were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Carmel Fallon Building Article 10 Landmark No. 223 and Contributor to the designated Hayes Valley Residential Historic District listed on the California Register of Historic Resources (1800-1806 Market Street, Parcel 0871/014). The Rezone includes this parcel, which is upzoned from its existing height limit of 85 feet to 120 feet and its density has been changed to form-based. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Upzone,

because it is surrounded by parcels rezoned to 140 feet, this could result in significant impacts to this historic resource.

- Roos Residence both Article 10 Landmark No. 56 and National Register 09000805 (3500 Jackson Street, Parcel 0970/002). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Ellingwood House Article 10 Landmark No. 207 (2799 Pacific Ave, Parcel 0978/010) and within the California Register eligible Presidio Heights Historic District. The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Koshland House Article 10 Landmark No. 95 and National Register No. 84001186, within the CA eligible Presidio Heights Historic District. (3800 Washington, Parcel 0989/028). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Ortman-Shumate House Article 10 Landmark No. 98 (1901 Scott Street, Parcel 1027/003). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Theodore Roosevelt Jr. High School Article 10 Landmark No. 285 (460 Arguello Street, Parcel 1061/049). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- San Francisco Memorial Columbarium Article 10 Landmark No. 209 (1 Loraine Court, Parcel 1084/002).The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Clunie House Article 10 Landmark No. 128 (301 Lyon Street, Parcel 1207/008). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Alfred G. Hanson Residence Article 10 Landmark No. 196 (128 27th Avenue, Parcel 1332/049). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- St. John's Presbyterian Church Article 10 Landmark No. 83 (201 Arguello Boulevard, Parcel 1361/001). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Campfire Girls Building Article 10 Landmark No. 169 (325 Arguello Boulevard), Parcel 1432/003). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Richmond Branch Library Article 10 Landmark No. 247 (351 9th Avenue, Parcel 1441/007). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Refugee Shack Article 10 Landmark No. 171 (1227 24th Avenue, Parcel 1726/004). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Doelger Building Article 10 Landmark No.265 (320-26 Judah Street, Parcel 1763/020). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 85 feet and its density has been changed to form-based. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 85 feet, this could result in significant impacts to this historic resource.
- Old Fire House Article 10 Landmark No.29 (1348 10th Avenue, Parcel 1764/031). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Sunset Branch Library Article 10 Landmark No. 239 (1305-49 18th Street, Parcel 1773/001). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 65, 85 and 140 feet, this could result in significant impacts to this historic resource.
- Shriners' Hospital for Crippled Children Article 10 Landmark No.221 (1601 19th Avenue, Parcel 1924/004). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- San Francisco Conservatory of Music Article 10 Landmark No. 242 (1201 Ortega Street, Parcel 2115/037). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- The McCormick House Article 10 Landmark No. 208 (4040-4042 17th Street, Parcel 2623/012). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 120 feet, its density is changed form-based, and it is rezoned from residential to RTO-C. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 140 feet with form based density, this could result in significant impacts to this historic resource.
- Alfred E. (Nobby) Clarke Mansion Article 10 Landmark No. 80 (250 Douglass St., Parcel 2700/001). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- Miller-Joost House Article 10 Landmark No. 79 (3224 Market Street, Parcel 2704/040). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.
- David Lewis House Article 10 Landmark No.186 (4143 23rd Street, Parcel 2804/040). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- 171 San Marcos Avenue (aka Cowell House) Article 10 Landmark No. 270 (171 San Marcos Avenue, Parcel 2882/035). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- El Rey Theater Article 10 Landmark No.274 (1970 Ocean Avenue, Parcel 3280/018). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Juvenile Court and Detention Center Article 10 Landmark No. 248 (170 Otis Street, Parcel 3513/207). The Rezone includes this parcel, which is upzoned from its existing height limit of 125 feet to 160 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- 396-398 12th Street (aka San Francisco Eagle Bar) Article 10 Landmark No. 295 (396-398 12th Street, Parcel 3522/014). The Rezone includes this parcel, which is upzoned from its existing height limit of 55 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Saint Francis Lutheran Church Article 10 Landmark No. 39 (152 Church Street, Parcel 3537010). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 85 feet. This was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Swedish American Hall Building Article 10 Landmark No. 267 (2168-2174 Market Street, Parcel 3542/062). The Rezone includes this parcel, which is upzoned from its existing height limit of 40-50 feet to 120 feet. This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 120 feet and 160 feet with form based density, this could result in significant impacts to this historic resource.

- 2117-2123 Market Street (aka New Era Hall) Article 10 Landmark No. 277 (2117-2123 Market Street, Parcel 3543/012). The Rezone includes this parcel, which is upzoned from its existing height limit of 40-50 feet to 120 feet. This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 120 feet and 160 feet with form based density, this could result in significant impacts to this historic resource.

- 22 Beaver Street (aka Benedict-Gieling House) Article 10 Landmark No. 284 (22 Beaver Street, Parcel 3561060). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 50 feet. This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- The Jose Theater/Names Project Building Article 10 Landmark No. 241 (2362 Market Street, Parcel 3562/011). The Rezone includes this parcel, which is upzoned from its existing height limit of 65 feet to 120 feet. This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the

Upzone, because it is surrounded by parcels rezoned to 120 feet and 160 feet with form based density, this could result in significant impacts to this historic resource.

- Mission Dolores Article 10 Landmark No. 1 and National Register No.72000251 (310-20 Dolores Street, Parcel 3566/001). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 50 feet. This upzoning was not included in the 2022 Housing Element or analyzed in the EIR.

- Mission High School Article 10 Landmark No. 255 (3750 18th Street, Parcel 3579/006). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the EIR.

- Twin Peaks Tavern Article 10 Landmark No. 264 (3997 17th Street, Parcel 3582/071). The Rezone includes this parcel as being upzoned from its existing height limit of 65 feet to 160 feet and its density is changed to form-based. While this site was included in the 2022 Housing Element and the 2022 EIR as upzoned to 85 feet, the Rezone upzones it to 160 feet. Even if this parcel is removed from the Upzone, because it is surrounded by parcels rezoned to 160 feet with form based density, this could result in significant impacts to this historic resource.

- Castro Theater Article 10 Landmark No. 100 (429-431 Castro Street, Parcel 3582/085). The Rezone includes this parcel, which is upzoned from its existing height limit of 65 feet to 85 feet and its density is changed to form-based. This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR. Even if this parcel is removed from the Upzone, because it is adjacent to parcels rezoned to 160 feet with form based density, this could result in significant impacts to this historic resource.

- Castro Camera Article 10 Landmark No. 227 (573-75 Castro Street, Parcel 3583/061). The Rezone includes this parcel, which is upzoned from its existing height limit of 40 feet to 50 feet. This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Axford House Article 10 Landmark No. 133 (1190 Noe Street, Parcel 6538/048). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Carnegie Noe Valley/Sally Brunn Branch Library Article 10 Landmark No. 259 (451 Jersey Street, Parcel 6539/034). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- 651 Duncan Street (aka Lyon-Martin House) Article 10 Landmark No. 292 (651 Duncan Street, Parcel 6604/036). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Sunnyside Conservatory Article 10 Landmark No. 78 (236 Monterey Blvd, Parcel 6770/057). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Joseph Leonard/Cecil F. Poole House Article 10 Landmark No. 213 (90 Cedro Avenue, Parcel 6908/016). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- 1345 Ocean Ave (aka Ingleside Presbyterian Church and the Great Cloud of Witnesses) Article 10 Landmark No. 273 (1345 Ocean Avenue, Parcel 6942/050). The Rezone includes this parcel, which is upzoned from its existing height limit of 50 feet to 85 feet.

- This upzoning was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Sherman House Article 10 Landmark No. 49 (2160 Green Street, Parcels 0540/030 and 0540/028). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Gibbs Residence and Caretaker's Cottage Article 10 Landmark 203 (2622-24 Jackson Street and 2624-29 Pacific Avenue, Parcels 0585/008, 0585/009 and 0585/010). The Rezone includes these parcels, which were not included in the 2022 Housing Element or analyzed in the 2022 EIR.
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- Southern Pacific Co. Hospital Complex Article 10 Landmark No. 192 and National Register 89000319 (1400-1599 Fell Street & 1509-1599 Hayes Street, Parcels 1206/002 and 1206/003). Also within the Panhandle Historic District, an eligible California Register Historic District. The Rezone includes these parcels, which were not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Edward Coleman House Article 10 Landmark No. 54 (1701 Franklin Street, Parcels 0641/014 and 0641/015). The Rezone includes this parcel, which was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

- Designated Duboce Park Article 10 Historic District, is proposed for removal from the Rezone except for the contributory buildings located along Waller and Steiner Streets are proposed to be rezoned RTO-1, remaining in the Rezone. This Historic District was not included in the 2022 Housing Element or analyzed in the 2022 EIR.

Attachment 2: North Beach National Register of Historic Places Historic District
Parcel Analysis Within Rezone
November 30, 2025
Compiled by Bridget Maley, architecture + history, llc

Address	APN Number	Year Built	District Status
490 Lombard St	0062017B	1926	C
1916-18 Stockton St	0062017C	1940	C
1922-24 Stockton St	0062017D	1940	C
1934-36 Stockton St	0062017E	1940	C
1946-48 Stockton St	0062019	1908	C
1952-56 Stockton St	0062020	1908	C
1958-60 Stockton St	0062021	1906	C
379-99 Chestnut St/1952-56 Stockton	0062022	1906	C
1940 Stockton St	0062052-058	1980	NC
401 Chestnut St/1957-61 Stockton	0063001	c. 1906	C
1951-55 Stockton St	0063002	1906	C
1943-47 Stockton St	0063003	1907	C
1935-41 Stockton St	0063004	1907	C
1929-33 Stockton St	0063005	1907	C
1923-25 Stockton St	0063006	1908	C
1915-17 Stockton St	0063007	1907	C
1901-05 Stockton St	0063009	1906	C
520-24 Lombard St	0063010	1911	C
526-30 Lombard St	0063011	1909	C
532-36 Lombard St	0063012	1912	C
538-42 Lombard St	0063013	1912	C
544-46 Lombard St	0063014	1916	C
548 Lombard St	0063015	1926	NC
566-76 Lombard St	0063017	1908	C
590-94 Lombard St	0063018	1925	C
2006-08 Powell St	0063018A	1924	C

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Address	APN Number	Year Built	District Status
2018-20 Powell St	0063018C	1924	NC
2024-30 Powell St	0063019	1906	C
2038-40 Powell St	0063021	1956	NC
2044-48 Powell St	0063022	1909	C
2050-64 Powell St	0063023	1907	C
475 Chestnut St	0063024	1946	C
461-67 Chestnut St	0063025	c. 1907	C
455-59 Chestnut St	0063025A	1908	C
449-53 Chestnut St	0063026	1912	C
443-47 Chestnut St	0063027	1908	C
437-41 Chestnut St	0063027A	1908	C
427 Chestnut St	0063028	1932	C
421-23 Chestnut St	0063029	1907	C
1907-13 Stockton St	0063030-033	1906	C
560-64A Lombard St	0063034-036 & 16A	1907	C
2032-34 Powell St	0063037-038	1912	C
2061-65 Powell St	0064001	1906	C
2055-59 Powell St	0064002	1908	C
2049-53 Powell St	0064003	1909	C
2043-47 Powell St	0064004	1909	C
2035-41 Powell St	0064005	1909	C
2027-31 Powell St	0064006	1907	C
2017-21 Powell St	0064007	1912	C
602-04 Lombard St	0064009	1926	C
616-18 Lombard St	0064032	1922	C
2011-15 Powell St	0064033-035	c. 1912	C
513-19 Lombard St	0076001	1917	C

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Address	APN Number	Year Built	District Status
1847-57 Stockton St	0076003	1910	C
1843 Stockton St	0076004	1906	NC
1815-25 Stockton St	0076006	1907	C
1807-09 Stockton St	0076007	1907	C
1801-03 Stockton St	0076008	1908	C
622-24 Greenwich St	0076009	1908	C
628-30 Greenwich St	0076010	1908	C
638-42 Greenwich St & 632A Greenwich	0076011	1906	C
644-46 Greenwich St	0076012	1925	C
652-56 Greenwich St	0076013	1906	C
658-64 Greenwich St	0076014	1907	C
666-76 Greenwich St	0076015	1906	C
678-80 Greenwich St	0076016	1906	C
1906 Powell St & 690-92 Greenwich	0076017	1923	C
1918-22 Powell St	0076020	1906	C
1930-34 Powell St	0076022	1912	C
1936-38 Powell St	0076023	1906	C
1942-46 Powell St	0076024	1912	C
1948-54 Powell St	0076025	1914	C
1956-66 Powell St	0076025A	1914	C
585-87 Lombard St	0076025B	1908	C
567-79 Lombard St	0076026	1914	C
563-65 Lombard St	0076027	1906	C
551-61 Lombard St	0076027A	1914	C
547-49 Lombard St	0076028	1913	C
537-39 Lombard St	0076030	1907	C

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Address	APN Number	Year Built	District Status
1 Tuscany Alley	0076032	1906	C
529-31 Lombard St	0076033	1925	C
525-27 Lombard St	0076033A	1925	C
543-45 Lombard St	0076034-035	1925	C
1839-41 Stockton St	0076054-055	c. 2014	NC
1924-26 Powell St	0076056-057	1922	C
1865-76 Stockton St	0076058-059	1906	C
5-11 Edith St/1721-25 Grant	0077008	1913	C
1707-09 Grant Ave	0077009	1907	NC
1703-05 Grant Ave	0077010	1909	NC
500-12 Greenwich St	0077011	1908	C
514-16 Greenwich St & 15-17 Edith	0077012	1924	C
520-22 Greenwich St & 19-21 Edith	0077013	1910	C
528-30 Greenwich St & 25-27 Edith	0077014	1909	C
532-34 Greenwich St	0077015	1908	C
540 Greenwich St & 33-35 Edith	0077016	1931	C
544-46 Greenwich St & 43-45 Edith	0077017	1912	C
550-52 Greenwich St & 49-51 Edith	0077018	1912	C
558-60 Greenwich St	0077019	1911	C
562-64 Greenwich St	0077020	1908	C
568-70 Greenwich St	0077021	1908	C
586-90 Greenwich St	0077023	1908	C
1800-04 Stockton St	0077023A	1907	C
1814 Stockton St	0077024	1966	C
1816-20 Stockton St	0077025	1911	C
1822-26 Stockton St	0077026	1915	C
1828-32 Stockton St	0077027	1914	C

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Address	APN Number	Year Built	District Status
1848 Stockton St	0077030	1907	C
1852-56 Stockton St	0077031	1906	C
1858-60 Stockton St	0077032	1914	C
1864-66 Stockton St	0077032A	1915	C
576-80 Greenwich St	0077049-051	1997	NC
1840-44 Stockton St	0077052-054	1911	C
1653-67 Grant Ave	0088001	1908	C
1647-51 Grant Ave	0088002	1908	C
1639-45 Grant Ave	0088003	1913	C
1635-37 Grant Ave	0088004	1908	C
12-26 Medau Place & 1615-33 Grant	0088005	1908	C
1601 Grant Ave	0088006	1965	NC
540-50 Filbert St & 51-61 Medau	0088009	1909	C
552-56 Filbert St & 63-65 Medau	0088010	1906	C
558-62A Filbert St	0088011	1907	C
566 Filbert St	0088012	c. 1907	C
570-74 Filbert St & 12-18 Krausgrill	0088013	1907	C
579-81 Greenwich St	0088023	1908	C
561 Greenwich St	0088025	1961	C
551-57 Greenwich St	0088026	1911	C
547-49 Greenwich St	0088027	1911	C
533-57 Greenwich St	0088029	1912	C
517-23 Greenwich St	0088031	1912	C
1-3 Kramer Place	0088034	1910	C
577 Greenwich St	0088036	1909	C
567-69 Greenwich St	0088037	1906	C
19-33 Medau Place	0088041-048	1909	C

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Address	APN Number	Year Built	District Status
526-30 Filbert St	0088052-054	1912	C
532-36 Filbert St	0088055-057	c. 1986	NC
539-45 Greenwich St	0088058-061	1913	C
525-31 Greenwich St	0088071-072	1914	C
7-9 Kramer Place	0088073-074	1910	C
608-20 Filbert St	0089011	1951	C
622-26 Filbert St	0089013	1913	C
630-34 Filbert St	0089014	1910	C
650-60 Filbert St	0089015	1912-1939	C
666 Filbert St	0089016	1917	C
673-77 Greenwich St	0089022A	1915	C
667-71 Greenwich St	0089022B	1914	NC
695-99 Greenwich St	0089022C	1925	C
659-59BGreenwich St	0089024	1907/2002	C/NC
651-55 Greenwich St	0089025	1908	C
643 Greenwich St	0089026	1907	C
637-41 Greenwich St	0089027	1911	C
637A-641A Greenwich St	0089027	unknown	C
619-21 Greenwich St	0089029	1961	C
1856-60 Powell St	0089031-036	1934	C
625-27 Greenwich St	0089038	1908	C
631A-C Greenwich St	0089039-041	1983	NC
1850-52 Powell St	0089042-043	1933	C
661-65 Greenwich St	0089044-046	1906	C
680 Filbert St	0089048-049	1971	NC
690 Filbert St	0089050-051	1961	NC

EXHIBIT C

Shawn Smallwood, PhD
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24 October 2025

RE: San Francisco Housing Element 2022 Update FEIR Addendum

Dear Mr. Drury,

I write to comment on potential impacts on biological resources from the proposed Addendum to the San Francisco Housing Element 2022 Update Final Environmental Impact Report (FEIR). The FEIR, which was adopted by the Board of Supervisors and later signed by the Mayor on 31 January 2023, evaluated the impacts on the environment that could result from adoption and implementation of the San Francisco Housing Element 2022 Update. According to the Addendum, the FEIR anticipated "future actions, such as San Francisco Planning Code … amendments, designation of housing sustainability districts, and approval of development projects consistent with the goals, policies, and actions of the housing element update." The Addendum characterizes the proposed actions as "reasonably foreseeable changes," and states that its purpose "is to evaluate the environmental impacts of the rezoning program and document the San Francisco Planning Department's … determination that these impacts are adequately addressed in the FEIR." I am concerned that the proposed actions in the Addendum have not been adequately addressed, and that the action's impacts on wildlife would be excessive and highly significant.

My qualifications for preparing expert comments are the following. I hold a Ph.D. degree in Ecology from University of California at Davis, where I also worked as a post-graduate researcher in the Department of Agronomy and Range Sciences. My research has been on animal density and distribution, habitat selection, wildlife interactions with the anthrosphere, and conservation of rare and endangered species. I authored many papers on these and other topics. I served as Chair of the Conservation Affairs Committee for The Wildlife Society – Western Section. I am a member of The Wildlife Society and Raptor Research Foundation, and I've lectured part-time at California State University, Sacramento. I was Associate Editor of wildlife biology's premier scientific journal, The Journal of Wildlife Management, as well as of Biological Conservation, and I was on the Editorial Board of Environmental Management. I have performed wildlife surveys in California for thirty-seven years. My CV is attached.

POTENTIAL IMPACTS ON THE WILDLIFE COMMUNITY

The Addendum claims that the FEIR's analysis of wildlife impacts potentially caused by the originally planned 50,000 residential units have already addressed the impacts of the additionally proposed of 4,000 residential units. It further claims that the change in

outlay of the height and density of the originally planned 50,000 residential units are irrelevant to the analysis of potential impacts on wildlife. Deemed in no need of additional environmental review is the planned addition of 4,000 residential units, major shifts in the spatial distribution of the original 50,000 units, and increases in maximum building heights from 300 feet to 650 feet.

The Addendum (p. 48) points out that the FEIR had determined that future development associated with the adopted housing element would not adversely affect candidate, sensitive, or special-status species or sensitive natural communities, nor would it interfere with wildlife movement. I disagree with these determinations as they applied to the originally planned 50,000 residential units, as these determinations were simply not credible in the face of this much change to the environment. Here and now the City attempts to extend these same claims to the development associated with an additional 4,000 residential units and to substantial shifts in the spatial and vertical outlay of all 54,000 residential units.

One rationalization for the determinations was that special-status species such as peregrine falcon are adapted to the structural environment of San Francisco. Another was that compliance with existing state and federal regulations would ensure less-than-significant impacts to nesting birds. And for bats, the rationale was that compliance with the open space element of the general plan (Chapter 8 of the San Francisco Environment Code), would avoid potential impacts. These rationalizations, however, were speculative, having cited no evidence in their support. There was no citation of any comparative study of peregrine falcon population performance within the City versus in natural areas. There was no citation of monitoring data that would support the notion that existing state and federal regulations have been preventing significant impacts to nesting birds in the face of development pressure. There was no citation of monitoring data that would support the notion that Chapter 8 of the San Francisco Environment Code has managed to avoid development impacts on bats. Instead of relying on scientific inference, each argument leading to less-than-significant impact determinations was speculative. And this same strategy is carried forward in the Addendum with respect to the added 4,000 residential units and the changes in lateral and vertical outlay.

In fact, the evidence is overwhelming that overall bird abundance is on the decline, having declined 29% across North America over the past half-century (Rosenberg et al. 2019). In fact, all but three of the bat species in California are special-status species, indicating that bats as a taxonomic group are of serious conservation concern in California. And in fact, along with my co-investigator I have measured substantial declines in birds and special-status species as results of development projects (Smallwood and Smallwood 2023). The Addendum selects Peregrine falcon as an anecdote to imply that all birds simply adapt to the cityscape, but even the Peregrine falcon is vulnerable to window collisions. As another anecdote to the Addendum's, I happened to be in a meeting with attorneys of the California Attorney General's Office and agents with the U.S. Fish and Wildlife Service when we observed a Peregrine falcon nearly collide with our 14th story window as it chased after a rock pigeon in Oakland. And yet another anecdote from a few years ago, a Peregrine falcon fledgling fatally

collided with a window on the same UC Berkely building where it attempted its first flight from the nest. Peregrine falcons are vulnerable to window collision mortality just like any other bird, and perhaps even more so.

The Addendum does not consider the potential loss and fragmentation of the aerosphere in which these species travel and forage. The aerosphere is that part of the gaseous atmosphere where birds and bats and other volant animals with wings migrate, disperse, forage, perform courtship and where some of them mate (Davy et al. 2017, Diehl et al. 2017). Nor does the Addendum give any consideration to the potential loss and fragmentation of aerohabitat, which is that portion of the aerosphere used by each species (Kunz et al. 2008), and usually within 1,000 feet of the ground. Although both the peregrine falcon and bats often take prey on the ground, these animals are known for taking prey largely on the wing. These animals hunt other volant wildlife, which means that both these hunters and their prey perform vital life functions and interact with each other within the aerosphere. As for nesting birds, there would be no nesting birds without the birds' access to the aerosphere. Despite the vital importance of the aerosphere to peregrine falcons, nesting birds, and to bats, the Addendum fails to recognize the aerosphere as essential habitat to volant wildlife.

The Addendum does recognize that the new buildings would pose barriers to movement and collision hazards to birds. At page 49, the Addendum warns, "Changes to building heights could result in new impacts on migratory species if they result in flight paths being obstructed, more bird strikes, or impacts on falcon nesting habitat." The Addendum then dismisses these potential impacts by citing the adoption in the Aesthetics section of the FEIR of planning code section 139's Standards for Bird-Safe Buildings. However, there exist major logic problems with this purported solution. First, the standards for bird-safe buildings do not avoid the barrier effects of buildings, and in fact the strategic objective of bird-safe building guidelines is to increase the visibility of buildings as barriers to bird movement so that birds less often collide with the structural glass on the exteriors of the buildings. Second, the Standards for Bird-Safe Buildings, while meritorious as a first step toward reducing bird-window collision mortality, are of unmeasured efficacy. While it is great that the City adopted the Bird-Safe Guidelines, the City has yet to follow up with any study of whether or to what degree the Standards truly minimize or reduce bird-window collision mortality. In the face of this uncertainty, the additional 4,000 residential units, greater building heights, and revised spatial distribution could result in significantly larger numbers of collision fatalities compared to the 2022 plan, despite implementation of the City's Standards for Bird-Safe Buildings.

In my assessment, there are 147 special-status species of wildlife documented near enough to the project site to warrant a closer look at their occurrence likelihoods for the purpose of predicting potential project impacts (Table 1). Of these 147 special-status species, 14 are bats that, if they truly occur where construction would take place, would be at risk of losing aerohabitat in which they travel and forage. Another 112 special-status species of wildlife would be birds, 49 of which have been documented throughout the project area, eight of which are known to be centrally located, six are known to Golden Gate Park or Lake Merced, and 19 of which have been documented as generally

coastal. All these bird species would be vulnerable to collision mortality and greater expenditures of indispensable energy to negotiate the structural hazards of another 4,000 residential units and the reallocation of vertical building heights across the planning area.

All the birds represented in Table 1 can quickly fly from wherever they have been documented to any of the new buildings that would be part of the added project, so they would all be within brief flights to the proposed project's windows. At the California Academy of Sciences, the glass facades facing adjacent gardens killed 0.077 and 0.086 birds per m^2 of glass per year (Kahle et al. 2016), which might look like small numbers at first read, but which translate to large numbers of dead birds when projected to the extent of glass in the project (see below).

Window collisions are often characterized as either the second or third largest source or human-caused bird mortality. The numbers behind these characterizations are often attributed to Klem's (1990) and Dunn's (1993) estimates of about 100 million to 1 billion bird fatalities in the USA, or more recently by Loss et al.'s (2014) estimate of 365-988 million bird fatalities in the USA or Calvert et al.'s (2013) and Machtans et al.'s (2013) estimates of 22.4 million and 25 million bird fatalities in Canada, respectively. The proposed project would impose windows in the airspace normally used by birds.

Glass-façades of buildings intercept and kill many birds, but they are differentially hazardous to birds based on spatial extent, contiguity, orientation, and other factors. At Washington State University, Johnson and Hudson (1976) found 266 bird fatalities of 41 species within 73 months of monitoring of a three-story glass walkway (no fatality adjustments attempted). Prior to marking the windows to warn birds of the collision hazard, the collision rate was 84.7 per year. At that rate, and not attempting to adjust the fatality estimate for the proportion of fatalities not found, 4,574 birds were likely killed over the 54 years since the start of their study, and that's at a relatively small building façade. Accounting for the proportion of fatalities not found, the number of birds killed by this walkway over the last 54 years would have been about 14,270. And this is just for one 3-story, glass-sided walkway between two college campus buildings.

Klem's (1990) estimate was based on speculation that 1 to 10 birds are killed per building per year, and this speculated range was extended to the number of buildings estimated by the US Census Bureau in 1986. Klem's speculation was supported by fatality monitoring at only two houses, one in Illinois and the other in New York. Also, the basis of his fatality rate extension has changed greatly since 1986. Whereas his estimate served the need to alert the public of the possible magnitude of the bird-window collision issue, it was highly uncertain at the time and undoubtedly outdated more than three decades hence. Indeed, by 2010 Klem (2010) characterized the upper end of his estimated range – 1 billion bird fatalities – as conservative. Furthermore, the estimate lumped species together as if all birds are the same and the loss of all birds to windows has the same level of impact.

Table 1. *Occurrence likelihoods of special-status bird species at or near the proposed project site, according to eBird/iNaturalist records (https://eBird.org, https://www.inaturalist.org) and on-site survey findings, where 'Very close' indicates within 1.5 miles of the site, "nearby" indicates within 1.5 and 4 miles, and "in region" indicates within 4 and 30 miles, and 'in range' means the species' geographic range overlaps the site.*

Common name	***Species name***	**Status[1]**	**Occurrence records**	**Locations of On-site and Very-close records**
San Bruno elfin butterfly	*Callophrys mossii bayensis*	FE	In region	iNat obscured points
Monarch	*Danaus plexippus*	FC	On site	Throughout
Bay checkerspot butterfly	*Euphydryas editha bayensis*	FT	In region	iNat obscured points
Mission blue butterfly	*Icaricia icarioides missionensis*	FE	In region	iNat obscured points
Callippe silverspot butterfly	*Speyeria callippe callippe*	FE	In region	iNat obscured points
Myrtle's silverspot butterfly	*Speyeria zerene myrtleae*	FE	In region	
Crotch's bumble bee	*Bombus crotchii*	CCE	In region	
Western bumble bee	*Bombus occidentalis*	CCE	Very close	
Longfin smelt	*Spirinchus thaleichthys*	CT	In region	
Delta Smelt	*Hypomesus transpacificus*	FT, CE	In region	
Tidewater goby	*Eucyclogobius newberryi*	FE, SSC	In region	iNat obscured points
California giant salamander	*Dicamptodon ensatus*	SSC	In region	Obscured
Foothill yellow-legged frog	*Rana boylii*	FT, CE	In region	
California red-legged frog	*Rana draytonii*	FT, SSC	In region	iNat obscured points
Green sea turtle	*Chelonia mydas*	FT	In region	
Northwestern pond turtle	*Actinemys marmorata*	FC, SSC	On site	West and SW
San Francisco garter snake	*Thamnophis sirtalis tetrataenia*	FE, CE, CFP	In region	iNat obscured points
Brant	*Branta bernicla*	SSC2	On site	West and NE, along shores
Cackling goose (Aleutian)	*Branta hutchinsii leucopareia*	WL	On site	Generally throughout
Redhead	*Aythya americana*	SSC2	On site	North
Harlequin duck	*Histrionicus histrionicus*	SSC2	Very close	Presidio
Barrow's goldeneye	*Bucephala islandica*	SSC	On site	NW
Short-tailed albatross	*Phoebastria albatrus*	FE, SSC	In region	
Fork-tailed storm petrel		SSC	Very close	North and west shores
Ashy storm-petrel	*Hydrobates homochroa*	BCC, SSC	Very close	Lake Merced
Black storm-petrel	*Hydrobates melania*	SSC, BCC	Very close	NW corner of peninsula
Western grebe	*Aechmophorus occidentalis*	BCC	On site	Throughout

Common name	***Species name***	**Status[1]**	**Occurrence records**	**Locations of On-site and Very-close records**
Clark's grebe	*Aechmophorus clarkii*	BCC	On site	Throughout
Western yellow-billed cuckoo	*Coccyzus americanus occidentalis*	FT, CE	In region	
Black swift	*Cypseloides niger*	SSC3, BCC	On site	Central
Vaux's swift	*Chaetura vauxi*	SSC2	On site	Throughout
Calliope hummingbird	*Selasphorus calliope*	BCC	On site	Central/South
Rufous hummingbird	*Selasphorus rufus*	BCC	On site	Throughout
Allen's hummingbird	*Selasphorus sasin*	BCC	On site	Throughout
Yellow rail	*Coturnicops noveboracensis*	BCC, SSC	In region	
Ridgway's rail (San Francisco Bay)	*Rallus obsoletus obsoletus*	FE, CE, CFP	On site	North
California black rail			In range	
Black oystercatcher	*Haematopus bachmani*	BCC	On site	Throughout, mostly shoreines
Mountain plover	*Charadrius montanus*	SSC2, BCC	Very close	San Francisco Zoo
Snowy plover	*Charadrius nivosus*	BCC	On site	North and west shores, 1 central
Western snowy plover	*Charadrius nivosus nivosus*	FT, SSC	Very close	West along shore
Long-billed curlew	*Numenius americanus*	WL	On site	Throughout
Marbled godwit	*Limosa fedoa*	BCC	On site	Throughout
Black turnstone	*Arenaria melanocephala*	BCC	On site	Mostly along north, west shores
Red knot (Pacific)	*Calidris canutus*	BCC	On site	West along coast
Pectoral sandpiper	*Calidris melanotos*	BCC	Very close	Lake Merced and Presidio
Short-billed dowitcher	*Limnodromus griseus*	BCC	On site	West, North, and central
Wandering tattler	*Tringa incana*	BCC	On site	North and W, mostly shores
Lesser yellowlegs	*Tringa flavipes*	BCC	On site	North /central (Richmond)
Willet	*Tringa semipalmata*	BCC	On site	Throughout
Marbled murrelet	*Brachyramphus marmoratus*	FT, CE	On site	West and N/central (Richmond)
Rhinoceros auklet	*Cerorhinca monocerata*	WL	On site	North and W, along shores
Cassin's auklet	*Ptychoramphus aleuticus*	SSC	Very close	North and W of along shores
Scripps' murrelet	*Synthliboramphus scrippsi*	CT, BCC	Very close	NW of site along shore
Tufted puffin			Very close	West along shore

Common name	***Species name***	**Status[1]**	**Occurrence records**	**Locations of On-site and Very-close records**
Laughing gull	*Leucophaeus atricilla*	WL	Very close	Presidio, West shore, Lake Merced
Franklin's gull	*Leucophaeus pipixcan*	BCC	Very close	West shore, Golden Gate Park, Lake Merced
Heermann's gull	*Larus heermanni*	BCC	On site	Throughout
Western gull	*Larus occidentalis*	BCC	On site	Throughout
California gull	*Larus californicus*	BCC, WL	On site	Throughout
California least tern	*Sternula antillarum browni*	FE, CE, CFP	Very close	North and Lake Merced
Black tern	*Chlidonias niger*	SSC2, BCC	Very close	Golden Gate Park, North and west aspects
Elegant tern	*Thalasseus elegans*	BCC, WL	On site	Throughout
Black skimmer	*Rynchops niger*	BCC, SSC3	On site	North shore
Common loon	*Gavia immer*	SSC	On site	Throughout
Brandt's cormorant	*Urile penicillatus*	BCC	On site	Throughout, mostly along North and west shores
Double-crested cormorant	*Phalacrocorax auritus*	WL	On site	Throughout
American white pelican	*Pelacanus erythrorhynchos*	SSC1	On site	Throughout, mostly North, central
Least bittern	*Ixobrychus exilis*	SSC2	Very close	Golden Gate Park, Lake Merced
White-faced ibis	*Plegadis chihi*	WL	On site	West side
Turkey vulture	*Cathartes aura*	BOP	On site	Throughout
Osprey	*Pandion haliaetus*	WL, BOP	On site	Throughout
White-tailed kite	*Elanus luecurus*	CFP, BOP	On site	Throughout
Golden eagle	*Aquila chrysaetos*	BGEPA, CFP, BOP, WL	On site	Throughout, mostly central
Northern harrier	*Circus cyaneus*	BCC, SSC3, BOP	On site	Throughout
Sharp-shinned hawk	*Accipiter striatus*	WL, BOP	On site	Throughout
Cooper's hawk	*Accipiter cooperii*	WL, BOP	On site	Throughout
American goshawk	*Accipiter atricapillus*	SSC2, BOP	On site	North

Common name	***Species name***	**Status[1]**	**Occurrence records**	**Locations of On-site and Very-close records**
Bald eagle	*Haliaeetus leucocephalus*	CE, BGEPA, BOP	On site	Throughout
Red-shouldered hawk	*Buteo lineatus*	BOP	On site	Throughout
Swainson's hawk	*Buteo swainsoni*	CT, BOP	On site	Throughout
Red-tailed hawk	*Buteo jamaicensis*	BOP	On site	Throughout
Ferruginous hawk	*Buteo regalis*	WL, BOP	On site	Throughout
Rough-legged hawk	*Buteo lagopus*	BOP	On site	Central
American barn owl	*Tyto furcata*	BOP	On site	Throughout
Northern spotted owl	*Strix occidentalis caurina*	FT, CT, BOP	In range	
Western screech-owl	*Megascops kennicotti*	BOP	Very close	Presidio, Golden Gate Park
Great horned owl	*Bubo virginianus*	BOP	On site	Throughout
Burrowing owl	*Athene cunicularia*	BCC, SSC2, BOP, CCE	On site	Throughout
Long-eared owl	*Asio otus*	BCC, SSC3, BOP	In region	
Short-eared owl	*Asia flammeus*	BCC, SSC3, BOP	On site	Central
Northern saw-whet owl	*Aegolius acadicus*	BOP	On site	North
Northern pygmy-owl	*Glaucidium gnoma*	BOP	Very close	Lake Merced
Lewis's woodpecker	*Melanerpes lewis*	BCC	On site	North and central
Nuttall's woodpecker	*Picoides nuttallii*	BCC	On site	Throughout
American kestrel	*Falco sparverius*	BOP	On site	Throughout
Merlin	*Falco columbarius*	WL, BOP	On site	Throughout
Peregrine falcon	*Falco peregrinus*	BOP	On site	Throughout
Prairie falcon	*Falco mexicanus*	WL, BOP	On site	Throughout
Olive-sided flycatcher	*Contopus cooperi*	BCC, SSC2	On site	Throughout
Willow flycatcher	*Empidonax trailii*	CE	On site	Throughout
Vermilion flycatcher	*Pyrocephalus rubinus*	SSC2	On site	North /central (Richmond)
Least Bell's vireo	*Vireo bellii pusillus*	FE, CE	In region	
Loggerhead shrike	*Lanius ludovicianus*	SSC2	Very close	Presidio, Lake Merced, Golden Gate Park, SE of site

Common name	***Species name***	**Status[1]**	**Occurrence records**	**Locations of On-site and Very-close records**
Yellow-billed magpie	*Pica nuttalli*	BCC	On site	Central/South
Oak titmouse	*Baeolophus inornatus*	BCC	On site	North and central
California horned lark	*Eremophila alpestris actia*	WL	On site	North and central
Bank swallow	*Riparia riparia*	CT	On site	Throughout
Purple martin	*Progne subis*	SSC2	On site	Throughout
Wrentit	*Chamaea fasciata*	BCC	On site	Throughout
California thrasher	*Toxostoma redivivum*	BCC	On site	N and central
Cassin's finch	*Haemorhous cassinii*	BCC	On site	N and central
Lawrence's goldfinch	*Spinus lawrencei*	BCC	On site	N and central
Grasshopper sparrow	*Ammodramus savannarum*	SSC2	On site	N and central
Black-chinned sparrow	*Spizella atrogularis*	BCC	In region	
Bell's sparrow	*Amphispiza b. belli*	WL	On site	South
Large-billed savannah sparrow	*Passerculus sandwichensis rostratus*	SSC2	In region	
Yellow-breasted chat	*Icteria virens*	SSC3	On site	Throughout
Yellow-headed blackbird	*Xanthocephalus xanthocephalus*	SSC3	On site	North and central
Bullock's oriole	*Icterus bullockii*	BCC	On site	Throughout
Tricolored blackbird	*Agelaius tricolor*	CT, BCC, SSC1	On site	Throughout
Lucy's warbler	*Leiothlypis luciae*	SSC3	On site	SW and North
Virginia's warbler	*Leiothlypis virginiae*	WL, BCC	On site	Throughout
San Francisco common yellowthroat	*Geothlypis trichas sinuosa*	SSC3, BCC	In range	
Prothonotary warbler	*Protonotaria citrea*	BCC	On site	Central and West
Prairie warbler	*Setophaga discolor*	BCC	On site	Central
Yellow warbler	*Setophaga petechia*	SSC2	On site	Throughout
Hepatic tanager	*Piranga flava*	WL	On site	Central/South
Summer tanager	*Piranga rubra*	SSC1	On site	Throughout
Little brown bat	*Myotis lucifugus*	WBWG: M	In region	
Yuma myotis	*Myotis yumanensis*	WBWG: LM	Very close	In golden gate park

Common name	***Species name***	**Status**[1]	**Occurrence records**	**Locations of On-site and Very-close records**
Long-eared myotis	*Myotis evotis*	WBWG: M	In region	
Fringed myotis	*Myotis thysanodes*	WBWG: H	In range	
Long-legged myotis	*Myotis volans*	WBWG: H	In range	
California myotis	*Myotis californicus*	WBWG:L	Very close	In golden gate park
Canyon bat	*Parastrellus hesperus*	WBWG: M	In range	
Big brown bat	*Episticus fuscus*	WBWG: L	Very close	In golden gate park
Silver-haired bat	*Lasionycteris noctivagans*	WBWG: M	On site	North
Hoary bat	*Lasiurus cinereus*	WBWG: M	Very close	In golden gate park
Western red bat	*Lasiurus blossevillii*	SSC, WBWG: H	Very close	In golden gate park
Townsend's big-eared bat	*Corynorhinus townsendii*	SSC, WBWG: H	In region	
Pallid bat	*Antrozous pallidus*	SSC, WBWG: H	In region	
Mexican free-tailed bat	*Tadarida brasiliensis*	WBWG: L	Very close	Golden Gate Park
San Francisco dusky-footed woodrat	*Neotoma fuscipes annectens*	SSC	In region	
Southern sea otter	*nhydra lutris nereis*	FT, CFP, SSC	In region	
Salt-marsh harvest mouse	*Reithrodontomys raviventris*	FE, CE, CFP	In region	
American badger	*Taxidea taxus*	SSC	Nearby	

[1] Listed on CDFW's Special Animals List (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406) as FT or FE = federal threatened or endangered; FC = federal candidate for listing; BGEPA = Bald and Golden Eagle Protection Act; CT or CE = California threatened or endangered; CCT or CCE = Candidate California threatened or endangered; CFP = California Fully Protected (California Fish and Game Code 3511); SSC = California Species of Special Concern, and SSC1, SSC2 and SSC3 = California Bird Species of Special Concern priorities 1, 2 and 3, respectively); WL = CDFW's Taxa to Watch List; WBWG = Western Bat Working Group with priority rankings, of low (L), moderate (M), and high (H); BCC = U.S. Fish and Wildlife Service's Bird of Conservation Concern (https://www.fws.gov/sites/default/files/documents/birds-of-conservation-concern-2021.pdf); and BOP = protected by Birds of Prey (California Fish and Game Code 3503.5, see https://wildlife.ca.gov/Conservation/Birds/Raptors).

By the time Loss et al. (2014) performed their effort to estimate annual USA bird-window fatalities, many more fatality monitoring studies had been reported or were underway. Loss et al. (2014) incorporated many more fatality rates based on scientific monitoring, and they were more careful about which fatality rates to include. However, they included estimates based on fatality monitoring by homeowners, which in one study were found to detect only 38% of the available window fatalities (Bracey et al. 2016). Loss et al. (2014) excluded all fatality records lacking a dead bird in hand, such as injured birds or feather or blood spots on windows. Loss et al.'s (2014) fatality metric was the number of fatalities per building (where in this context a building can include a house, low-rise, or high-rise structure), but they assumed that this metric was based on window collisions. Because most of the bird-window collision studies were limited to migration seasons, Loss et al. (2014) developed an admittedly assumption-laden correction factor for making annual estimates. Also, only 2 of the studies included adjustments for carcass persistence and searcher detection error, and it was unclear how and to what degree fatality rates were adjusted for these factors. Although Loss et al. (2014) attempted to account for some biases as well as for large sources of uncertainty mostly resulting from an opportunistic rather than systematic sampling data source, their estimated annual fatality rate across the USA was highly uncertain and vulnerable to multiple biases, most of which would have resulted in fatality estimates biased low.

In my review of bird-window collision monitoring, I found that the search radius around homes and buildings was very narrow, usually 2 meters. Based on my experience with bird collisions in other contexts, I would expect that a large portion of bird-window collision victims would end up farther than 2 m from the windows, especially when the windows are higher up on tall buildings. In my experience, searcher detection rates tend to be low for small birds deposited on ground with vegetation cover or woodchips or other types of organic matter. Also, vertebrate scavengers entrain on anthropogenic sources of mortality and quickly remove many of the carcasses, thereby preventing the fatality searcher from detecting these fatalities. Adjusting fatality rates for these factors – search radius bias, searcher detection error, and carcass persistence rates – would greatly increase nationwide estimates of bird-window collision fatalities.

Buildings can intercept many nocturnal migrants as well as birds flying in daylight. As mentioned above, Johnson and Hudson (1976) found 266 bird fatalities of 41 species within 73 months of monitoring of a four-story glass walkway at Washington State University (no adjustments attempted for undetected fatalities). Somerlot (2003) found 21 bird fatalities among 13 buildings on a university campus within only 61 days. Monitoring twice per week, Hager at al. (2008) found 215 bird fatalities of 48 species, or 55 birds/building/year, and at another site they found 142 bird fatalities of 37 species for 24 birds/building/year. Gelb and Delacretaz (2009) recorded 5,400 bird fatalities under buildings in New York City, based on a decade of monitoring only during migration periods, and some of the high-rises were associated with hundreds of fatalities each. Klem et al. (2009) monitored 73 building façades in New York City during 114 days of two migratory periods, tallying 549 collision victims, nearly 5 birds per day. Borden et al. (2010) surveyed a 1.8 km route 3 times per week during 12-month period and found 271 bird fatalities of 50 species. Parkins et al. (2015) found 35 bird fatalities of 16 species within only 45 days of monitoring under 4 building façades. From

24 days of survey over a 48-day span, Porter and Huang (2015) found 47 fatalities under 8 buildings on a university campus. Sabo et al. (2016) found 27 bird fatalities over 61 days of searches under 31 windows. In San Francisco, Kahle et al. (2016) found 355 collision victims within 1,762 days under a 5-story building. Ocampo-Peñuela et al. (2016) searched the perimeters of 6 buildings on a university campus, finding 86 fatalities after 63 days of surveys. One of these buildings produced 61 of the 86 fatalities, and another building with collision-deterrent glass caused only 2 of the fatalities, thereby indicating a wide range in impacts likely influenced by various factors. There is ample evidence available to support my prediction that the proposed project would result in many collision fatalities of birds.

Project Impact Prediction

By the time of these comments, I had reviewed and processed results of bird collision monitoring at 213 buildings and façades for which bird collisions per m^2 of glass per year could be calculated and averaged (Johnson and Hudson 1976, O'Connell 2001, Somerlot 2003, Hager et al. 2008, Borden et al. 2010, Hager et al. 2013, Porter and Huang 2015, Parkins et al. 2015, Kahle et al. 2016, Ocampo-Peñuela et al. 2016, Sabo et al. 2016, Barton et al. 2017, Gomez-Moreno et al. 2018, Schneider et al. 2018, Loss et al. 2019, Brown et al. 2020, City of Portland Bureau of Environmental Services and Portland Audubon 2020, Riding et al. 2020). These study results averaged 0.073 bird deaths per m^2 of glass per year (95% CI: 0.042-0.102). This average and its 95% confidence interval provide a robust basis for predicting fatality rates at a proposed new project.

The Addendum includes an increase of 4,000 residential units. The floorspace per residential unit of condominiums, townhouses and apartments among the projects I have reviewed as an expert have averaged 1,296.3 square feet per unit. The average square footage of the apartments that contributed to this average was consistent with the floorspace reported in the Addendum as an example 590-foot-tall apartment building in the project, which itself would average 949 sf per unit with 60,700 sf of retail space. I estimate the total square footage of 4,000 residential units would be 5,185,251 sf.

Among the 45 residential projects I have reviewed as an expert and for which I was able to measure the extent of structural glass on proposed building facades depicted in renderings provided in the environmental review documents, I measured an average 0.01872 (95% confidence interval: 0.00989–0.02754) m^2 per square foot of floorspace. This rate multiplied by the total square footage of 4,000 additional residential units would predict 97,060 (95% CI: 51,300–142,821) m^2 of additional structural glass on the facades of new buildings in the City. The mean window area multiplied against the mean collision mortality measured across North America predicts 7,095 (aggregate[1] 95% CI: 2,226–14,82) bird fatalities per year. More than seven thousand additional fatalities per

[1] What I mean by aggregate CI is that the lower bound estimate of the window area is multiplied by the lower bound estimate of collision mortality, and the upper bound estimate of the window area is multiplied by the upper bound estimate of collision mortality.

year above the level that would be expected under the 2022 plan would be a substantial number, and it should easily qualify as a highly significant impact.

Nearly all predicted deaths would be of birds protected under the Migratory Bird Treaty Act and under the California Migratory Bird Protection Act, thus causing significant impacts. Given the predicted level of bird-window collision mortality, it is my opinion that the proposed project would result in potentially significant adverse biological impacts, including the unmitigated take of aerial habitats of birds, bats and other volant wildlife. Not only would the project take habitat of rare and sensitive species of birds, but it would transform the building's airspace into a lethal collision trap to birds.

SPATIAL DISTRIBUTION OF PREDICTED AVIAN COLLISION MORTALITY

San Francisco is situated within the Pacific Flyway, which is one of the most intensely used bird migration pathways in the world. It is also known that birds migrate along the coast and across Hawk Hill and the Marin Headlands, many headed to or from the Altamont Pass where I spent thousands of hours observing migrants during both day and night over about 20 years. Between Hawk Hill and the Altamont Pass is San Francisco, which must be visited by many thousands of migrating birds. Knowing which species of birds and how many birds move across San Francisco, and knowing specific flight paths that are disproportionately used by season would be useful for predicting where increases in building heights would pose greater risks to birds. Unfortunately, the data on bird movement through San Francisco are sparse.

There *are* data on bird species richness. Golden Gate Audubon Society ("GGAS") (2020), tallied 47 species of birds on Mount Sutro Open Space Reserve in about 54 hours of surveys between 16 March and 29 December 2019. On the same Reserve on 20 August 2020, I detected 23 species of birds over a much shorter time, but a model I fit to my data predicts that I would have detected the same number of bird species as GGAS (2020) had I surveyed for 11 hours and 40 minutes, and that I would have detected 117 species of birds had I surveyed for 54 hours (Figure 1).

I repeated my survey on Mount Sutro Open Space Reserve on 16 July 2021, and I implemented the same survey methods such as start time, duration, and survey route. The second survey yielded even more species detections and at a faster rate (red circles in Figure 2). Between both surveys I detected 37 species of birds, but adding the results of GGAS (2021) brings the total number of bird species to 71. With additional surveys, this number would surely increase. The evidence is that many birds find and use aerohabitat in San Francisco.

Kahle et al. (2016) detected 40 species of birds at the California Academy of Sciences building in Golden Gatee Park (Table 2). More importantly, members of 34 (85%) of these species were also recorded as window collision fatalities, and members of 37 (93%) of these species appear in the scientific literature as window collision fatalities. Killed disproportionately relative to their observed abundances were special-status species such as Allen's hummingbird and yellow warbler (Figure 3). Both these species are found in abundance in San Francisco (Photo 1).

Figure 1. *Cumulative number of bird species detected as a power function of the number of minutes devoted to the survey. The model explained 98% of the variation, with a root mean square error of 17.71. Had I been able to commit more time to the survey, I am confident a different model would have better fit the resulting data – a model more expressive of an asymptote.*

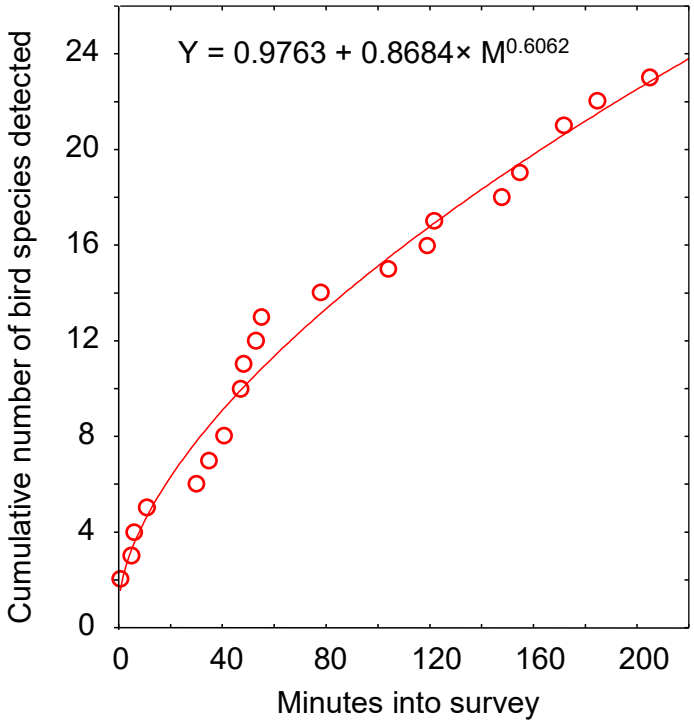


Figure 2. *Actual and predicted relationships between the number of vertebrate wildlife species (all but 2 were birds) detected and the elapsed survey time based on my visual-scan surveys on 20 August 2020 and 16 July 2021.*

$$Y_{2020} = \frac{1}{0.001559 + 0.935847(X+1)^{-0.580731}}$$

$$Y_{2021} = \frac{1}{0.0016586 + 0.459981(X+1)^{-0.543857}}$$

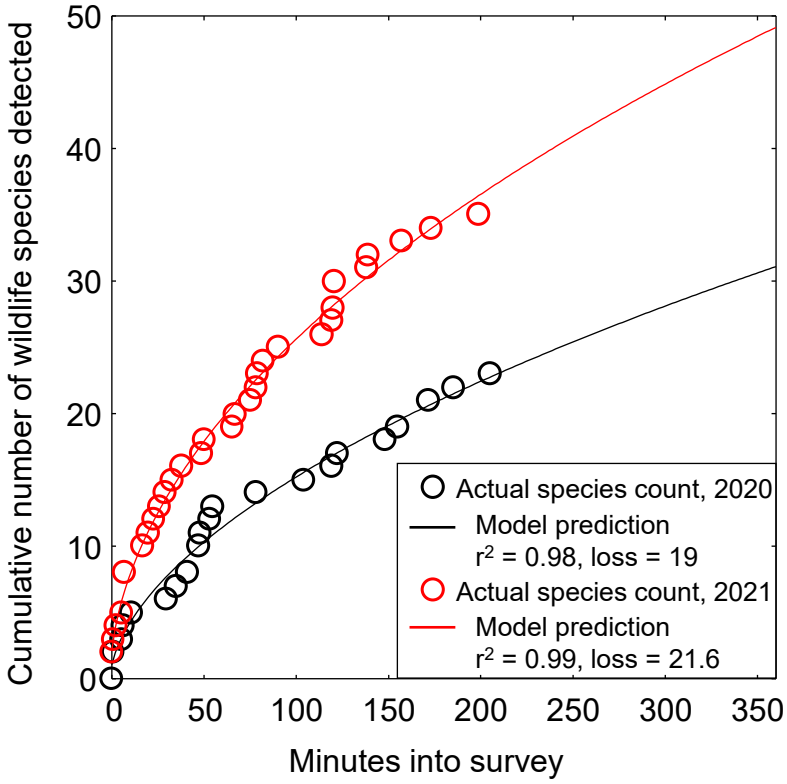


Table 2. *Species observed on site or reported as window-collision victims at the California Academy of Sciences (CAS) buildings (Kahle et al. 2016).*

Species	Scientific name	Status[1]	Number counted at CAS study		Known window deaths in North America
			As window deaths	Alive in survey plots	
Western gull	*Larus occidentalis*	BCC		4	
Red-tailed hawk	*Buteo jamaicensis*	BOP		1	Yes
Red-shouldered hawk	*Buteo lineatus*	BOP		1	Yes
Mourning dove	*Zenaida macroura*		6	3	Yes
Great-horned owl	*Bubo virginianus*	BOP		1	Yes
Anna's hummingbird	*Calypte anna*		131	256	Yes
Allen's hummingbird	*Selasphorus sasin*	BCC	37	29	Yes
Costa's hummingbird	*Calypte costae*	BCC	1	0	Yes
Rufous hummingbird	*Selasphorus rufus*	BCC	4	0	Yes
Nuttall's woodpecker	*Picoides nuttallii*	BCC		13	
Pacific-slope flycatcher	*Empidonax difficilis*		1	5	Yes
Black phoebe	*Sayornis nigricans*		3	34	Yes
Chestnut-backed chickadee	*Poecile rufescens*		1	203	Yes
Bushtit	*Psaltriparus minimus*		1	399	Yes
Brown creeper	*Certhia americana*		1	52	Yes
Pygmy nuthatch	*Sitta pygmaea*		1	242	Yes
Swainson's thrush	*Catharus ustulatus*		1	1	Yes
Hermit thrush	*Catharus guttatus*		8	82	Yes
American robin	*Turdus vulvaris*		3	389	Yes
Warbling vireo	*Vireo gilvus*		1	5	Yes
Yellow-rumped warbler	*Setophaga coronata*		7	92	Yes
Orange-crowned warbler	*Oreothlypis celata*		2	29	Yes
Townsend's warbler	*Setophaga townsendi*		3	101	Yes
Wilson's warbler	*Cardellina pusilla*		3	11	Yes
Yellow warbler	*Setophaga petechia*	SSC2, BCC	7	18	Yes
San Francisco common yellowthroat	*Geothlypis trichas sinuosa*	SSC3, BCC	3	0	Yes
Song sparrow	*Melospiza melodia*		5	435	Yes
Golden-crowned sparrow	*Zonotrichia atricapilla*		3	230	Yes
White-crowned sparrow	*Zonotrichia leucophrys*		1	249	Yes
Savannah sparrow	*Passerculus sandwichensis*		2	0	Yes
Lincoln's sparrow	*Melospiza lincolnii*		3	35	Yes
Fox sparrow	*Passerella iliaca*		6	152	Yes

Species	Scientific name	Status[1]	Number counted at CAS study		Known window deaths in North America
			As window deaths	Alive in survey plots	
Dark-eyed junco	*Junco hyemalis*		22	510	Yes
California towhee	*Melozone crissalis*		1	92	Yes
Brown-headed cowbird	*Molothrus ater*		1	39	Yes
Red-winged blackbird	*Agelaius phoeniceus*		1	261	Yes
Brewer's blackbird	*Euphagus cyanocephalus*		25	1027	Yes
Tricolored blackbird	*Agelaius tricolor*	CT, BCC		15	
House finch	*Haemorhous mexicanus*		5	213	Yes
Lesser goldfinch	*Spinus psaltria*		1	44	Yes

[1] Listed as BCC = U.S. Fish and Wildlife Service Bird Species of Conservation Concern, CT = California threatened, BOP = California Fish and Game Code 3503.5 (Birds of Prey), and SSC1, SSC2 and SSC3 = California Bird Species of Special Concern priorities 1, 2 and 3, respectively.

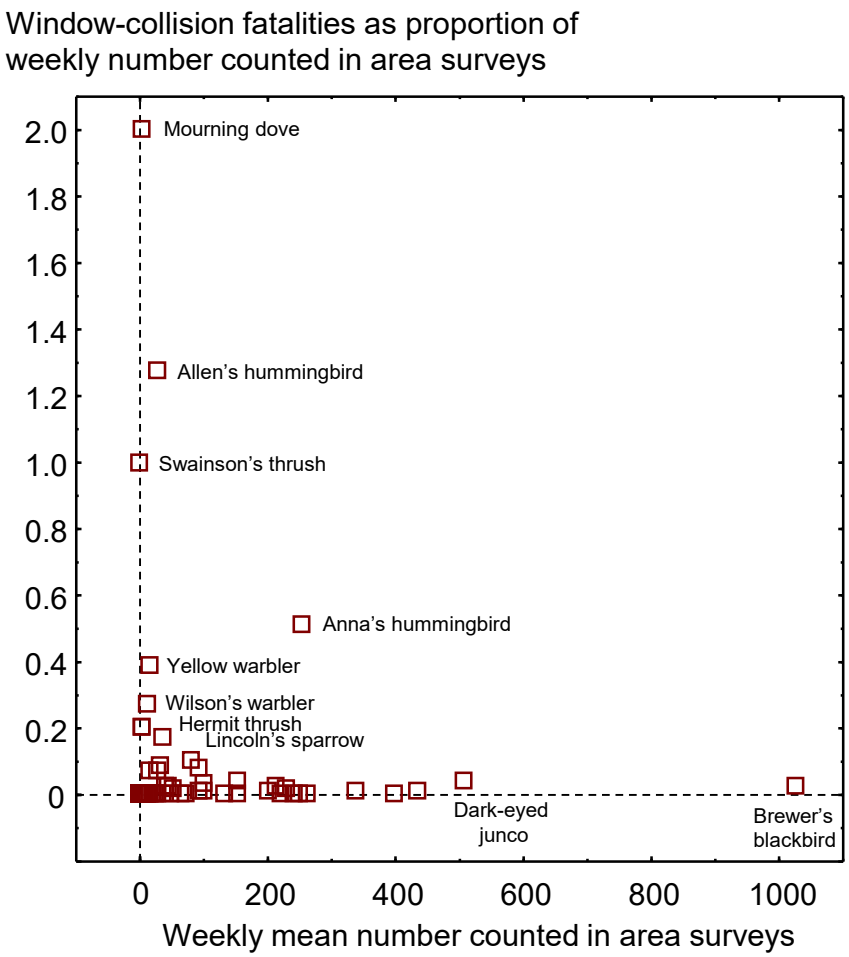


Figure 3. *Window collision fatalities as a proportion of those observed in visual-scan surveys at the California Academy of Sciences building (data from Kahle et al. 2016).*



Photo 1. *Allen's hummingbird in Mount Sutro Open Space Reserve, 16 July 2021. As found at the nearby California Academy of Sciences Building, this species is highly vulnerable to window collision mortality (Kahle et al. 2016).*

What is needed is a study of bird movement through San Francisco. Needed are data on species occurrences, numbers of birds, heights above ground, flight direction, specific behaviors and timing of flights across the City. These same types of data were collected in the nearby Altamont Pass Wind Resource Area to acquire an understanding of bird flight traffic for the purposed of guiding the sitings of new wind turbines as part of repowering (Smallwood 2017, Smallwood et al. 2017). The data could be acquired by performing periodic surveys from stations established systematically or randomly across the City, covering all times of day and night (using thermal imaging cameras) and lasting at least one year to characterize seasonality of bird movement. Based on such data, the City could more carefully plan the vertical and lateral outlay of new buildings to minimize the encounter frequencies of birds with buildings. This is important because the existing Bird-Safe Building Guidelines can accomplish only so much, and the efficacy of these Guidelines remains unmeasured and unknown. Therefore, what is also needed is a program to measure the efficacy of the Guidelines by designing an experiment to search for and count bird-window collision victims along with the implementation of carcass detection trials. The San Francisco guidelines should have also covered scientific monitoring of impacts as well as compensatory mitigation for impacts that could not be avoided, minimized or reduced. Until these types of bird movement data are in hand, the City can only speculate as to the magnitude of bird-window collision mortality and whether the mortality can be minimized or reduced via Bird-Safe Building Guidelines.

In the face of such a large increase in the number of residential units, as well as a major shift in the lateral and vertical layout of 54,000 residential units, another need is for an update in the Bird-Safe Building Guidelines (San Francisco Planning Department 2011). Much has been learned about causal factors and mitigation solutions (e.g., Sheppard and Phillips 2015). The American Bird Conservancy (ABC) produced an excellent set of

guidelines recommending actions to: (1) Minimize use of glass; (2) Placing glass behind some type of screening (grilles, shutters, exterior shades); (3) Using glass with inherent properties to reduce collisions, such as patterns, window films, decals or tape; and (4) Turning off lights during migration seasons (Sheppard and Phillips 2015).

New research results inform of the efficacy of marking windows. Whereas Klem (1990) found no deterrent effect from decals on windows, Johnson and Hudson (1976) reported a fatality reduction of about 69% after placing decals on windows. In an experiment of opportunity, Ocampo-Peñuela et al. (2016) found only 2 of 86 fatalities at one of 6 buildings – the only building with windows treated with a bird deterrent film. At the building with fritted glass, bird collisions were 82% lower than at other buildings with untreated windows. Kahle et al. (2016) added external window shades to some windowed façades to reduce fatalities 82% and 95%. Brown et al. (2020) reported an 84% lower collision probability among fritted glass windows and windows treated with ORNILUX R UV. City of Portland Bureau of Environmental Services and Portland Audubon (2020) reduced bird collision fatalities 94% by affixing marked Solyx window film to existing glass panels of Portland's Columbia Building. Many external and internal glass markers have been tested experimentally, some showing no effect and some showing strong deterrent effects (Klem 1989, 1990, 2009, 2011; Klem and Saenger 2013; Rössler et al. 2015).

Van Doren et al. (2021) found that nocturnal migrants contributed most of the collision fatalities in their study, and the largest predictors of fatalities were peak migration and lit windows. Van Doren et al. (2021) predicted that a light-out mitigation measure could reduce bird-window collision mortality by 60%.

Monitoring and the use of compensatory mitigation should be incorporated at any new building project because the measures recommended in the available guidelines remain of uncertain efficacy, and even if these measures are effective, they will not reduce collision fatalities to zero. The only way to assess mitigation efficacy and to quantify post-construction fatalities is to monitor the project for fatalities.

The Addendum (p. 49) concludes, "In summary, the proposed rezoning program would not result in new significant biological resources impacts that were not previously identified in the FEIR, nor would it result in more severe impacts than those previously identified. No new mitigation measures or changes to existing mitigation measures are required." However, the FEIR did not identify the loss of aerohabitat of birds and bats as any sort of project impact, and neither does the Addendum. Furthermore, the FEIR did not identify as an impact my predicted mean mortality of 7,095 birds per year just from the additional 4,000 residential units, and an upper bound CI prediction of 14,082 birds per year.

Thank you for your consideration,



Shawn Smallwood, Ph.D.

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Curriculum Vitae

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Born May 3, 1963 in
Sacramento, California.
Married, father of two.

Ecologist

Expertise

- Finding solutions to controversial problems related to wildlife interactions with human industry, infrastructure, and activities;
- Wildlife monitoring and field study using GPS, thermal imaging, behavior surveys;
- Using systems analysis and experimental design principles to identify meaningful ecological patterns that inform management decisions.

Education

Ph.D. Ecology, University of California, Davis. September 1990.
M.S. Ecology, University of California, Davis. June 1987.
B.S. Anthropology, University of California, Davis. June 1985.
Corcoran High School, Corcoran, California. June 1981.

Experience

- 762 professional reports, including:
- 90 peer reviewed publications
- 24 in non-reviewed proceedings
- 646 reports, declarations, posters and book reviews
- 8 in mass media outlets
- 92 public presentations of research results

Editing for scientific journals: Guest Editor, *Wildlife Society Bulletin*, 2012-2013, of invited papers representing international views on the impacts of wind energy on wildlife and how to mitigate the impacts. Associate Editor, *Journal of Wildlife Management*, March 2004 to 30 June 2007. Editorial Board Member, *Environmental Management*, 10/1999 to 8/2004. Associate Editor, *Biological Conservation*, 9/1994 to 9/1995.

Member, Alameda County Scientific Review Committee (SRC), August 2006 to April 2011. The five-member committee investigated causes of bird and bat collisions in the Altamont Pass Wind Resource Area, and recommended mitigation and monitoring measures. The SRC reviewed the science underlying the Alameda County Avian Protection Program, and advised

the County on how to reduce wildlife fatalities.

Consulting Ecologist, 2004-2007, California Energy Commission (CEC). Provided consulting services as needed to the CEC on renewable energy impacts, monitoring and research, and produced several reports. Also collaborated with Lawrence-Livermore National Lab on research to understand and reduce wind turbine impacts on wildlife.

Consulting Ecologist, 1999-2013, U.S. Navy. Performed endangered species surveys, hazardous waste site monitoring, and habitat restoration for the endangered San Joaquin kangaroo rat, California tiger salamander, California red-legged frog, California clapper rail, western burrowing owl, salt marsh harvest mouse, and other species at Naval Air Station Lemoore; Naval Weapons Station, Seal Beach, Detachment Concord; Naval Security Group Activity, Skaggs Island; National Radio Transmitter Facility, Dixon; and, Naval Outlying Landing Field Imperial Beach.

Part-time Lecturer, 1998-2005, California State University, Sacramento. Instructed Mammalogy, Behavioral Ecology, and Ornithology Lab, Contemporary Environmental Issues, Natural Resources Conservation.

Senior Ecologist, 1999-2005, BioResource Consultants. Designed and implemented research and monitoring studies related to avian fatalities at wind turbines, avian electrocutions on electric distribution poles across California, and avian fatalities at transmission lines.

Chairman, Conservation Affairs Committee, The Wildlife Society--Western Section, 1999-2001. Prepared position statements and led efforts directed toward conservation issues, including travel to Washington, D.C. to lobby Congress for more wildlife conservation funding.

Systems Ecologist, 1995-2000, Institute for Sustainable Development. Headed ISD's program on integrated resources management. Developed indicators of ecological integrity for large areas, using remotely sensed data, local community involvement and GIS.

Associate, 1997-1998, Department of Agronomy and Range Science, University of California, Davis. Worked with Shu Geng and Mingua Zhang on several studies related to wildlife interactions with agriculture and patterns of fertilizer and pesticide residues in groundwater across a large landscape.

Lead Scientist, 1996-1999, National Endangered Species Network. Informed academic scientists and environmental activists about emerging issues regarding the Endangered Species Act and other environmental laws. Testified at public hearings on endangered species issues.

Ecologist, 1997-1998, Western Foundation of Vertebrate Zoology. Conducted field research to determine the impact of past mercury mining on the status of California red-legged frogs in Santa Clara County, California.

Senior Systems Ecologist, 1994-1995, EIP Associates, Sacramento, California. Provided consulting services in environmental planning, and quantitative assessment of land units for their conservation and restoration opportunities basedon ecological resource requirements of 29 special-status species. Developed ecological indicators for prioritizing areas within Yolo County

to receive mitigation funds for habitat easements and restoration.

Post-Graduate Researcher, 1990-1994, Department of Agronomy and Range Science, *U.C. Davis*. Under Dr. Shu Geng's mentorship, studied landscape and management effects on temporal and spatial patterns of abundance among pocket gophers and species of Falconiformes and Carnivora in the Sacramento Valley. Managed and analyzed a data base of energy use in California agriculture. Assisted with landscape (GIS) study of groundwater contamination across Tulare County, California.

Work experience in graduate school: Co-taught Conservation Biology with Dr. Christine Schonewald, 1991 & 1993, UC Davis Graduate Group in Ecology; Reader for Dr. Richard Coss's course on Psychobiology in 1990, UC Davis Department of Psychology; Research Assistant to Dr. Walter E. Howard, 1988-1990, UC Davis Department of Wildlife and Fisheries Biology, testing durable baits for pocket gopher management in forest clearcuts; Research Assistant to Dr. Terrell P. Salmon, 1987-1988, UC Wildlife Extension, Department of Wildlife and Fisheries Biology, developing empirical models of mammal and bird invasions in North America, and a rating system for priority research and control of exotic species based on economic, environmental and human health hazards in California. Student Assistant to Dr. E. Lee Fitzhugh, 1985-1987, UC Cooperative Extension, Department of Wildlife and Fisheries Biology, developing and implementing statewide mountain lion track count for long-term monitoring.

Fulbright Research Fellow, Indonesia, 1988. Tested use of new sampling methods for numerical monitoring of Sumatran tiger and six other species of endemic felids, and evaluated methods used by other researchers.

Projects

Repowering wind energy projects through careful siting of new wind turbines using map-based collision hazard models to minimize impacts to volant wildlife. Funded by wind companies (principally NextEra Renewable Energy, Inc.), California Energy Commission and East Bay Regional Park District, I have collaborated with a GIS analyst and managed a crew of five field biologists performing golden eagle behavior surveys and nocturnal surveys on bats and owls. The goal is to quantify flight patterns for development of predictive models to more carefully site new wind turbines in repowering projects. Focused behavior surveys began May 2012 and continue. Collision hazard models have been prepared for seven wind projects, three of which were built. Planning for additional repowering projects is underway.

Test avian safety of new mixer-ejector wind turbine (MEWT). Designed and implemented a before-after, control-impact experimental design to test the avian safety of a new, shrouded wind turbine developed by Ogin Inc. (formerly known as FloDesign Wind Turbine Corporation). Supported by a $718,000 grant from the California Energy Commission's Public Interest Energy Research program and a 20% match share contribution from Ogin, I managed a crew of seven field biologists who performed periodic fatality searches and behavior surveys, carcass detection trials, nocturnal behavior surveys using a thermal camera, and spatial analyses with the collaboration of a GIS analyst. Field work began 1 April 2012 and ended 30 March 2015 without Ogin installing its MEWTs, but we still achieved multiple important scientific advances.

Reduce avian mortality due to wind turbines at Altamont Pass. Studied wildlife impacts caused by 5,400 wind turbines at the world's most notorious wind resource area. Studied how impacts are perceived by monitoring and how they are affected by terrain, wind patterns, food resources, range management practices, wind turbine operations, seasonal patterns, population cycles, infrastructure management such as electric distribution, animal behavior and social interactions.

Reduce avian mortality on electric distribution poles. Directed research toward reducing bird electrocutions on electric distribution poles, 2000-2007. Oversaw 5 founds of fatality searches at 10,000 poles from Orange County to Glenn County, California, and produced two large reports.

Cook *et al*. v. Rockwell International *et al*., No. 90-K-181 (D. Colorado). Provided expert testimony on the role of burrowing animals in affecting the fate of buried and surface-deposited radioactive and hazardous chemical wastes at the Rocky Flats Plant, Colorado. Provided expert reports based on four site visits and an extensive document review of burrowing animals. Conducted transect surveys for evidence of burrowing animals and other wildlife on and around waste facilities. Discovered substantial intrusion of waste structures by burrowing animals. I testified in federal court in November 2005, and my clients were subsequently awarded a $553,000,000 judgment by a jury. After appeals the award was increased to two billion dollars.

Hanford Nuclear Reservation Litigation. Provided expert testimony on the role of burrowing animals in affecting the fate of buried radioactive wastes at the Hanford Nuclear Reservation, Washington. Provided three expert reports based on three site visits and extensive document review. Predicted and verified a certain population density of pocket gophers on buried waste structures, as well as incidence of radionuclide contamination in body tissue. Conducted transect surveys for evidence of burrowing animals and other wildlife on and around waste facilities. Discovered substantial intrusion of waste structures by burrowing animals.

Expert testimony and declarations on proposed residential and commercial developments, gas-fired power plants, wind, solar and geothermal projects, water transfers and water transfer delivery systems, endangered species recovery plans, Habitat Conservation Plans and Natural Communities Conservation Programs. Testified before multiple government agencies, Tribunals, Boards of Supervisors and City Councils, and participated with press conferences and depositions. Prepared expert witness reports and court declarations, which are summarized under Reports (below).

Protocol-level surveys for special-status species. Used California Department of Fish and Wildlife and US Fish and Wildlife Service protocols to search for California red-legged frog, California tiger salamander, arroyo southwestern toad, blunt-nosed leopard lizard, western pond turtle, giant kangaroo rat, San Joaquin kangaroo rat, San Joaquin kit fox, western burrowing owl, Swainson's hawk, Valley elderberry longhorn beetle and other special-status species.

Conservation of San Joaquin kangaroo rat. Performed research to identify factors responsible for the decline of this endangered species at Lemoore Naval Air Station, 2000-2013, and implemented habitat enhancements designed to reverse the trend and expand the population.

Impact of West Nile Virus on yellow-billed magpies. Funded by Sacramento-Yolo Mosquito and Vector Control District, 2005-2008, compared survey results pre- and post-West Nile Virus epidemic for multiple bird species in the Sacramento Valley, particularly on yellow-billed magpie and American crow due to susceptibility to WNV.

Workshops on HCPs. Assisted Dr. Michael Morrison with organizing and conducting a 2-day workshop on Habitat Conservation Plans, sponsored by Southern California Edison, and another 1-day workshop sponsored by PG&E. These Workshops were attended by academics, attorneys, and consultants with HCP experience. We guest-edited a Proceedings published in Environmental Management.

Mapping of biological resources along Highways 101, 46 and 41. Used GPS and GIS to delineate vegetation complexes and locations of special-status species along 26 miles of highway in San Luis Obispo County, 14 miles of highway and roadway in Monterey County, and in a large area north of Fresno, including within reclaimed gravel mining pits.

GPS mapping and monitoring at restoration sites and at Caltrans mitigation sites. Monitored the success of elderberry shrubs at one location, the success of willows at another location, and the response of wildlife to the succession of vegetation at both sites. Also used GPS to monitor the response of fossorial animals to yellow star-thistle eradication and natural grassland restoration efforts at Bear Valley in Colusa County and at the decommissioned Mather Air Force Base in Sacramento County.

Mercury effects on Red-legged Frog. Assisted Dr. Michael Morrison and US Fish and Wildlife Service in assessing the possible impacts of historical mercury mining on the federally listed California red-legged frog in Santa Clara County. Also measured habitat variables in streams.

Opposition to proposed No Surprises rule. Wrote a white paper and summary letter explaining scientific grounds for opposing the incidental take permit (ITP) rules providing ITP applicants and holders with general assurances they will be free of compliance with the Endangered Species Act once they adhere to the terms of a "properly functioning HCP." Submitted 188 signatures of scientists and environmental professionals concerned about No Surprises rule US Fish and Wildlife Service, National Marine Fisheries Service, all US Senators.

Natomas Basin Habitat Conservation Plan alternative. Designed narrow channel marsh to increase the likelihood of survival and recovery in the wild of giant garter snake, Swainson's hawk and Valley Elderberry Longhorn Beetle. The design included replication and interspersion of treatments for experimental testing of critical habitat elements. I provided a report to Northern Territories, Inc.

Assessments of agricultural production system and environmental technology transfer to China. Twice visited China and interviewed scientists, industrialists, agriculturalists, and the Directors of the Chinese Environmental Protection Agency and the Department of Agriculture to assess the need and possible pathways for environmental clean-up technologies and trade opportunities between the US and China.

Yolo County Habitat Conservation Plan. Conducted landscape ecology study of Yolo County to spatially prioritize allocation of mitigation efforts to improve ecosystem functionality within the County from the perspective of 29 special-status species of wildlife and plants. Used a hierarchically structured indicators approach to apply principles of landscape and ecosystem ecology, conservation biology, and local values in rating land units. Derived GIS maps to help guide the conservation area design, and then developed implementation strategies.

Mountain lion track count. Developed and conducted a carnivore monitoring program throughout California since 1985. Species counted include mountain lion, bobcat, black bear, coyote, red and gray fox, raccoon, striped skunk, badger, and black-tailed deer. Vegetation and land use are also monitored. Track survey transect was established on dusty, dirt roads within randomly selected quadrats.

Sumatran tiger and other felids. Upon award of Fulbright Research Fellowship, I designed and initiated track counts for seven species of wild cats in Sumatra, including Sumatran tiger, fishing cat, and golden cat. Spent four months on Sumatra and Java in 1988, and learned Bahasa Indonesia, the official Indonesian language.

Wildlife in agriculture. Beginning as post-graduate research, I studied pocket gophers and other wildlife in 40 alfalfa fields throughout the Sacramento Valley, and I surveyed for wildlife along a 200 mile road transect since 1989 with a hiatus of 1996-2004. The data are analyzed using GIS and methods from landscape ecology, and the results published and presented orally to farming groups in California and elsewhere. I also conducted the first study of wildlife in cover crops used on vineyards and orchards.

Agricultural energy use and Tulare County groundwater study. Developed and analyzed a data base of energy use in California agriculture, and collaborated on a landscape (GIS) study of groundwater contamination across Tulare County, California.

Pocket gopher damage in forest clear-cuts. Developed gopher sampling methods and tested various poison baits and baiting regimes in the largest-ever field study of pocket gopher management in forest plantations, involving 68 research plots in 55 clear-cuts among 6 National Forests in northern California.

Risk assessment of exotic species in North America. Developed empirical models of mammal and bird species invasions in North America, as well as a rating system for assigning priority research and control to exotic species in California, based on economic, environmental, and human health hazards.

Peer Reviewed Publications

Smallwood, K. S. 2022. Utility-scale solar impacts to volant wildlife. Journal of Wildlife Management: e22216. https://doi.org/10.1002/jwmg.22216

Smallwood, K. S., and N. L. Smallwood. 2021. Breeding Density and Collision Mortality of Loggerhead Shrike (*Lanius ludovicianus*) in the Altamont Pass Wind Resource Area. Diversity 13, 540. https://doi.org/10.3390/d13110540.

Smallwood, K. S. 2020. USA wind energy-caused bat fatalities increase with shorter fatality search intervals. Diversity 12(98); https://doi.org/10.3390/d12030098

Smallwood, K. S., D. A. Bell, and S. Standish. 2020. Dogs detect larger wind energy impacts on bats and birds. Journal of Wildlife Management 84:852-864. DOI: 10.1002/jwmg.21863.

Smallwood, K. S., and D. A. Bell. 2020. Relating bat passage rates to wind turbine fatalities.

Diversity 12(84); doi:10.3390/d12020084.

Smallwood, K. S., and D. A. Bell. 2020. Effects of wind turbine curtailment on bird and bat fatalities. Journal of Wildlife Management 84:684-696. DOI: 10.1002/jwmg.21844

Kitano, M., M. Ino, K. S. Smallwood, and S. Shiraki. 2020. Seasonal difference in carcass persistence rates at wind farms with snow, Hokkaido, Japan. Ornithological Science 19: 63 – 71.

Smallwood, K. S. and M. L. Morrison. 2018. Nest-site selection in a high-density colony of burrowing owls. Journal of Raptor Research 52:454-470.

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EXHIBIT D

FASTCAST

Deborah Holley

Cc/ Richard Drurey

December 1, 2025

PRELIMINARY SHADOW ANALYSIS: **PROPOSED FAMILY ZONING 2025**, JOE DIMAGGIO PLAYGROUND, SAN FRANCISCO

Fastcast is hereby submitting the results of a **programmatic shadow analysis** prepared for the proposed **Family Zoning Plan**. This analysis is intended to quantify the **generalized potential change in shadow on Joe DiMaggio Playground** under a scenario in which the proposed height increases on surrounding parcels are fully utilized.

As part of the methodology, **City building footprint data** was used to define both the **existing zoning height extrusions** and the **Family Zoning Plan height extrusions** using the **same building footprints**. In this area, the **existing zoning envelope** (**generally 40 feet in height**) is treated as an **existing shadow-casting condition**, and the Family Zoning scenario adds only the **incremental height above this existing zoning envelope**. The **proposed shadows are therefore based solely on the height increase introduced by the Family Zoning Plan**, and **net new shadow** on Joe DiMaggio Playground is calculated only for this **incremental zoning height increase**.

The analysis applies **methodologies and data models consistent with San Francisco Planning Department and Planning Code Section 295 (“Shadow Ordinance”) standards and procedures**, as outlined in the July 2014 memorandum *“Shadow Analysis Procedures and Scope Requirements”* and as refined by subsequent written directives issued by the San Francisco Planning Department.

I. INTRODUCTION

This memorandum documents **preliminary quantitative shadow results** for **Joe DiMaggio Playground** associated with proposed height increases under the **San Francisco Family Zoning Plan** (**FZP**) in the North Beach area.

The purpose is to:

1. Summarize the **Family Zoning Plan objectives**,
2. Describe the **objective of the shadow analysis** for Joe DiMaggio Playground, and
3. Present a **neutral, scientific summary** of the **net new shadow** on the playground and the **times of day/season** when this potential shadow increase overlaps with typical playground activities.

No conclusions are offered regarding policy, compliance, or adequacy; this memo is limited to **description and quantification**.

II. FAMILY ZONING PLAN – CONTEXT & OBJECTIVES

According to the **Family Zoning Plan "Five Fast Facts"** document:

- The Plan is intended to create capacity for **over 36,000 homes** on San Francisco's north and west sides.
- In most areas, existing building heights remain **40 feet** (**approximately four stories**).
- The Plan allows **two to four additional stories** in select locations, mainly **near shopping, transit, and on major streets**, with high-rise buildings permitted only in limited areas.
- The Plan uses a **form-based approach**, regulating height, bulk, and setbacks, and is paired with **objective design standards**.
- The stated goals include meeting state housing requirements, maintaining local control over land use decisions, and strengthening tenant protections by directing growth toward underused and vacant sites.

Within this framework, the North Beach area surrounding **Joe DiMaggio Playground** is identified for **increased maximum building heights**, which in turn has the potential to increase shadow on the playground.

III. OBJECTIVE OF THE SHADOW ANALYSIS

The objective of the shadow analysis is to **quantify net new shadow** that could occur on **Joe DiMaggio Playground** as a result of the **proposed Family Zoning height increases**, using standard methods applied in San Francisco shadow studies.

Specifically, the analysis aims to:

1. Measure **annual shadow load** on Joe DiMaggio Playground under:
    - Existing conditions, and
    - A scenario with Family Zoning Plan height increases.
2. Determine:
    - **Net new annual shadow** (in square foot hours, sfh),
    - **Percent of available sunlight time** affected,
    - **Maximum area of net new shadow** and **percentage of the playground covered**, and
    - **Dates, times of day, and seasons** when net new shadow occurs.

These results are summarized in the City's **"PROPOSED FAMILY ZONING HEIGHT INCREASE – JOE DIMAGGIO ANNUAL SHADOW LOADS / SQUARE FOOT HOURS (sfh)"** sheet, which is the primary quantitative source referenced here.

FASTCAST

IV. QUANTITATIVE SHADOW RESULTS – JOE DIMAGGIO PLAYGROUND

All values below are taken directly from the **Joe DiMaggio Playground shadow summary** unless otherwise noted. Note: Existing shadow is based on Data SF Building Footprints : https://data.sfgov.org/Geographic-Locations-and-Boundaries/Building-Footprints/ynuv-fyni/about_data and Zoning heights derived from Proposed zoning interactive map: https://experience.arcgis.com/experience/6e0e399f9c82456dbda233eacebc433d/

PROPOSED FAMILY ZONING HEIGHT INCREASE JOE DIMAGGIO ANNUAL SHADOW LOADS / SQUARE FOOT HOURS (sfh)			
Existing / Current Shadow	Project Net New Shadow	Existing + Project Shadow	Remaining Sunlight
9.63%	**1.485%**	**11.115%**	**88.89%**
31,210,748 sfh	4,814,888 sfh	36,025,636 sfh	288,182,732 sfh

Joe DiMaggio Annual Shadow Load with Project (sfh)	36,025,636 sfh

EXISTING SHADOW DETAILS	
Range in existing shadow area coverage throughout the year	Between 2% - 72%
Time of year / time of day most affected by existing shadow	Fall / Early Morning (before 8:00 AM)

NET NEW SHADOW DETAILS	
Days net new shadow would occur (date range)	Year-round
Date(s) with most sfh net new shadow	October 11 & March 1
Season / Time of day most affected by net new shadow	Winter / Late Afternoon (after 4:30 PM)
Area of largest net new shadow (date and time)	23,682 sf (October 11 & March 1 @ 5:37 PM)
Percentage of Joe DiMaggio covered by largest shadow	27.18%
Range in shadow coverage throughout the year (area range)	Between 0% - 27% (0 - 23,682 sf)
Average shadow size across affected dates (percent coverage)	4,488 sf (5.15%)
Date(s) with the longest duration of net new shadow (duration)	October 11 & March 1 (4 hr 6 min +/- 14 min)
Range in daily net new shadow duration across affected dates	Between zero minutes up to 4 hr 6 min (+/- 14 min)
Average daily net new shadow duration across affected dates	3 hr 22 min

Timing and Seasonal Pattern of Net New Shadow

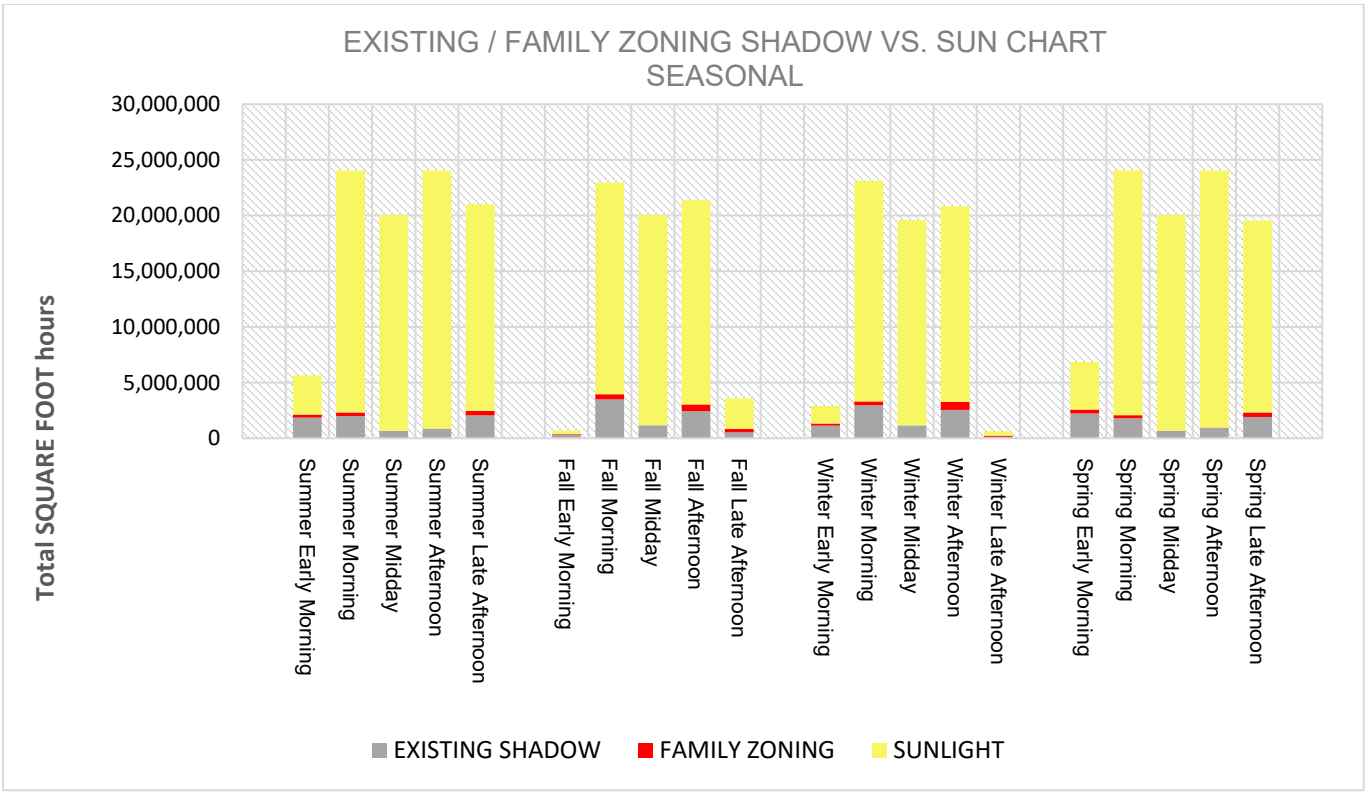
Also from the shadow summary:

- **Days net new shadow would occur:**
  - **Year-round**
- **Date(s) with most sfh net new shadow:**
  - **October 11 & March 1**
  - **Season / Time of day most affected by net new shadow: Winter / Late Afternoon (after 4:30 PM)**

Existing Shadow Context

For reference, the summary characterizes **existing shadow** as:

- **Range in existing shadow area coverage throughout the year: 2% – 72%** of the playground area
- **Time of year / time of day most affected by existing shadow: Fall / Early Morning (before 8:00 AM)**



V. QUALITATIVE CONTEXT: PLAYGROUND ACTIVITIES & TIME OF USE

This section does **not** evaluate impact or significance. It is limited to describing **typical types of activities** that commonly occur in neighborhood playgrounds like Joe DiMaggio during the times identified in the shadow summary.

A. Typical Playground Use Patterns

Based on the nature of Joe DiMaggio Playground as a neighborhood-serving facility (with play equipment, courts/fields, and open space), typical use patterns can reasonably be described as including:

- **Morning hours:**
  - Caregivers with young children,
  - Individual exercise and walking.
- **Midday / Early afternoon:**
  - Younger children and caregivers,
  - Some daytime recreation by residents and visitors.
- **Afternoon / Late afternoon (after school):**
  - **School-aged children and teens** using play areas and courts,
  - Potential **organized or informal sports activities**,
  - Families visiting after school pick-up.
- **Early evening (seasonally):**
  - Adults and families using the space after work,
  - Light recreation, socializing, and play until dusk.

These patterns are typical of urban playgrounds serving nearby residential neighborhoods with families.

B. Alignment with Net New Shadow Timing

The **shadow summary** identifies the **season and time of day most affected by net new shadow** as **"Winter / Late Afternoon (after 4:30 PM)"**, with net new shadow occurring **year-round** and the **longest durations and largest footprints** occurring around **October 11 and March 1 in the late afternoon (e.g., 5:37 PM for the largest single footprint).**
That time window generally overlaps with:

- **After-school hours** for school-aged children and teens, and
- **After-work hours** when adults and families may visit the playground.

The **existing shadow** is described as being most pronounced in **"Fall / Early Morning (before 8:00 AM)"**, which is a different part of the day than the late-afternoon period identified for net new shadow. This indicates that, under the Family Zoning scenario, the **distribution of shadow over the day** changes, with **additional shadow present during late-afternoon hours** when playground use often involves family and youth activities.
Again, this section is descriptive only and does not characterize these changes as beneficial or adverse.

VI. SUMMARY

- The Family Zoning Plan allows **increased building heights** in select areas, including near Joe DiMaggio Playground, in order to support housing production goals and apply form-based, objective design standards.
- The City's **Joe DiMaggio shadow summary** quantifies **net new annual shadow load, coverage, and timing** for the playground under the Family Zoning height scenario, showing:
    - Net new shadow of **4,814,888 sfh (1.485% of available sunlight time)**,
    - A combined total shadow load of **36,025,636 sfh (11.115%)**,
    - Maximum net new momentary coverage of **23,682 square feet (27.18% of the playground)** on specific dates and times, and
    - Concentration of net new shadow in **winter late afternoons (after 4:30 PM)**, with **year-round occurrence**.
- Typical playground use during late afternoons includes **after-school and after-work** activities by children, teens, and families, which may coincide in time with the **period identified as most affected by net new shadow**.

This concludes the **descriptive, non-evaluative summary** of the Family Zoning Plan context and the associated shadow analysis results for Joe DiMaggio Playground.

Conclusion

Fastcast has determined, based on the 3D digital zoning-based massing model and related design information provided by DataSF and the proposed Family Zoning Plan that the height increase would introduce net new shadow on Joe DiMaggio Playground relative to existing zoning conditions. The results presented herein reflect a programmatic, zoning-based analysis; as individual development proposals are advanced and more detailed building designs become available, additional project-specific shadow studies can be prepared using the same methodologies to further refine these findings.

Please direct any question to Adam Noble. adam@fastcastcity.com

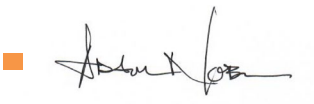


EXHIBIT A

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

FASTCAST

JUNE 21

Summer solstice
Analysis hours: 6:46 AM-7:36 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
6:46 AM	54,298 sf	62.33%	2,884 sf	3.31%	
7:00 AM	37,059 sf	42.54%	4,008 sf	4.60%	
7:15 AM	27,564 sf	31.64%	3,779 sf	4.34%	
7:30 AM	21,585 sf	24.78%	3,408 sf	3.91%	
7:45 AM	16,695 sf	19.16%	3,117 sf	3.58%	
8:00 AM	12,478 sf	14.32%	2,829 sf	3.25%	
8:15 AM	8,935 sf	10.26%	2,548 sf	2.92%	
8:30 AM	5,965 sf	6.85%	2,316 sf	2.66%	
8:45 AM	4,408 sf	5.06%	1,881 sf	2.16%	
9:00 AM	4,173 sf	4.79%	730 sf	0.84%	
9:15 AM	3,995 sf	4.59%	6 sf	0.01%	
9:30 AM	3,816 sf	4.38%	0 sf	0.00%	
9:45 AM	3,655 sf	4.20%	0 sf	0.00%	
10:00 AM	3,476 sf	3.99%	0 sf	0.00%	
10:15 AM	3,299 sf	3.79%	0 sf	0.00%	
10:30 AM	3,114 sf	3.57%	0 sf	0.00%	
10:45 AM	2,951 sf	3.39%	0 sf	0.00%	
11:00 AM	2,772 sf	3.18%	0 sf	0.00%	
11:15 AM	2,615 sf	3.00%	0 sf	0.00%	
11:30 AM	2,434 sf	2.79%	0 sf	0.00%	
11:45 AM	2,277 sf	2.61%	0 sf	0.00%	
12:00 PM	2,094 sf	2.40%	0 sf	0.00%	
12:15 PM	1,940 sf	2.23%	0 sf	0.00%	
12:30 PM	1,737 sf	1.99%	0 sf	0.00%	
12:45 PM	1,578 sf	1.81%	0 sf	0.00%	
1:00 PM	1,344 sf	1.54%	0 sf	0.00%	
1:15 PM	1,442 sf	1.66%	0 sf	0.00%	
1:30 PM	1,521 sf	1.75%	0 sf	0.00%	
1:45 PM	1,658 sf	1.90%	0 sf	0.00%	
2:00 PM	1,721 sf	1.98%	0 sf	0.00%	
2:15 PM	1,841 sf	2.11%	0 sf	0.00%	
2:30 PM	1,898 sf	2.18%	0 sf	0.00%	
2:45 PM	1,995 sf	2.29%	0 sf	0.00%	
3:00 PM	2,049 sf	2.35%	0 sf	0.00%	
3:15 PM	2,132 sf	2.45%	0 sf	0.00%	
3:30 PM	2,186 sf	2.51%	0 sf	0.00%	
3:45 PM	2,248 sf	2.58%	0 sf	0.00%	
4:00 PM	2,241 sf	2.57%	0 sf	0.00%	
4:15 PM	2,472 sf	2.84%	0 sf	0.00%	
4:30 PM	3,013 sf	3.46%	0 sf	0.00%	
4:45 PM	3,530 sf	4.05%	0 sf	0.00%	
5:00 PM	4,110 sf	4.72%	0 sf	0.00%	
5:15 PM	4,753 sf	5.46%	0 sf	0.00%	
5:30 PM	5,486 sf	6.30%	0 sf	0.00%	
5:45 PM	6,314 sf	7.25%	0 sf	0.00%	
6:00 PM	7,287 sf	8.36%	0 sf	0.00%	
6:15 PM	8,437 sf	9.68%	0 sf	0.00%	
6:30 PM	9,878 sf	11.34%	0 sf	0.00%	
6:45 PM	11,730 sf	13.46%	295 sf	0.34%	
7:00 PM	14,222 sf	16.33%	1,770 sf	2.03%	
7:15 PM	17,809 sf	20.44%	5,586 sf	6.41%	
7:36 PM	29,084 sf	33.38%	10,652 sf	12.23%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

JUNE 28

Mirror date: June 14
Analysis hours: 6:48 AM-7:36 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
6:48 AM	54,172 sf	62.18%	2,814 sf	3.23%	
7:00 AM	38,856 sf	44.60%	4,046 sf	4.64%	
7:15 AM	28,513 sf	32.73%	3,845 sf	4.41%	
7:30 AM	22,279 sf	25.57%	3,463 sf	3.97%	
7:45 AM	17,311 sf	19.87%	3,154 sf	3.62%	
8:00 AM	12,968 sf	14.88%	2,875 sf	3.30%	
8:15 AM	9,336 sf	10.72%	2,593 sf	2.98%	
8:30 AM	6,273 sf	7.20%	2,353 sf	2.70%	
8:45 AM	4,507 sf	5.17%	2,014 sf	2.31%	
9:00 AM	4,222 sf	4.85%	875 sf	1.00%	
9:15 AM	4,036 sf	4.63%	30 sf	0.03%	
9:30 AM	3,857 sf	4.43%	0 sf	0.00%	
9:45 AM	3,694 sf	4.24%	0 sf	0.00%	
10:00 AM	3,516 sf	4.04%	0 sf	0.00%	
10:15 AM	3,340 sf	3.83%	0 sf	0.00%	
10:30 AM	3,152 sf	3.62%	0 sf	0.00%	
10:45 AM	2,989 sf	3.43%	0 sf	0.00%	
11:00 AM	2,807 sf	3.22%	0 sf	0.00%	
11:15 AM	2,650 sf	3.04%	0 sf	0.00%	
11:30 AM	2,469 sf	2.83%	0 sf	0.00%	
11:45 AM	2,308 sf	2.65%	0 sf	0.00%	
12:00 PM	2,127 sf	2.44%	0 sf	0.00%	
12:15 PM	1,973 sf	2.26%	0 sf	0.00%	
12:30 PM	1,769 sf	2.03%	0 sf	0.00%	
12:45 PM	1,612 sf	1.85%	0 sf	0.00%	
1:00 PM	1,364 sf	1.57%	0 sf	0.00%	
1:15 PM	1,451 sf	1.67%	0 sf	0.00%	
1:30 PM	1,523 sf	1.75%	0 sf	0.00%	
1:45 PM	1,661 sf	1.91%	0 sf	0.00%	
2:00 PM	1,728 sf	1.98%	0 sf	0.00%	
2:15 PM	1,848 sf	2.12%	0 sf	0.00%	
2:30 PM	1,902 sf	2.18%	0 sf	0.00%	
2:45 PM	2,006 sf	2.30%	0 sf	0.00%	
3:00 PM	2,063 sf	2.37%	0 sf	0.00%	
3:15 PM	2,146 sf	2.46%	0 sf	0.00%	
3:30 PM	2,197 sf	2.52%	0 sf	0.00%	
3:45 PM	2,264 sf	2.60%	0 sf	0.00%	
4:00 PM	2,230 sf	2.56%	0 sf	0.00%	
4:15 PM	2,455 sf	2.82%	0 sf	0.00%	
4:30 PM	2,953 sf	3.39%	0 sf	0.00%	
4:45 PM	3,470 sf	3.98%	0 sf	0.00%	
5:00 PM	4,046 sf	4.64%	0 sf	0.00%	
5:15 PM	4,679 sf	5.37%	0 sf	0.00%	
5:30 PM	5,407 sf	6.21%	0 sf	0.00%	
5:45 PM	6,230 sf	7.15%	0 sf	0.00%	
6:00 PM	7,192 sf	8.26%	0 sf	0.00%	
6:15 PM	8,321 sf	9.55%	0 sf	0.00%	
6:30 PM	9,741 sf	11.18%	0 sf	0.00%	
6:45 PM	11,553 sf	13.26%	223 sf	0.26%	
7:00 PM	13,976 sf	16.04%	1,556 sf	1.79%	
7:15 PM	17,471 sf	20.05%	5,228 sf	6.00%	
7:36 PM	28,841 sf	33.10%	10,732 sf	12.32%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

JULY 5

Mirror date: June 7
Analysis hours: 6:52 AM-7:36 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
6:52 AM	53,801 sf	61.75%	2,547 sf	2.92%	
7:00 AM	41,891 sf	48.08%	4,088 sf	4.69%	
7:15 AM	29,973 sf	34.40%	3,979 sf	4.57%	
7:30 AM	23,337 sf	26.79%	3,577 sf	4.11%	
7:45 AM	18,182 sf	20.87%	3,252 sf	3.73%	
8:00 AM	13,674 sf	15.70%	2,949 sf	3.39%	
8:15 AM	9,879 sf	11.34%	2,662 sf	3.06%	
8:30 AM	6,755 sf	7.75%	2,412 sf	2.77%	
8:45 AM	4,826 sf	5.54%	2,115 sf	2.43%	
9:00 AM	4,330 sf	4.97%	1,079 sf	1.24%	
9:15 AM	4,139 sf	4.75%	107 sf	0.12%	
9:30 AM	3,954 sf	4.54%	0 sf	0.00%	
9:45 AM	3,782 sf	4.34%	0 sf	0.00%	
10:00 AM	3,600 sf	4.13%	0 sf	0.00%	
10:15 AM	3,421 sf	3.93%	0 sf	0.00%	
10:30 AM	3,230 sf	3.71%	0 sf	0.00%	
10:45 AM	3,063 sf	3.52%	0 sf	0.00%	
11:00 AM	2,880 sf	3.31%	0 sf	0.00%	
11:15 AM	2,722 sf	3.12%	0 sf	0.00%	
11:30 AM	2,539 sf	2.91%	0 sf	0.00%	
11:45 AM	2,377 sf	2.73%	0 sf	0.00%	
12:00 PM	2,192 sf	2.52%	0 sf	0.00%	
12:15 PM	2,041 sf	2.34%	0 sf	0.00%	
12:30 PM	1,835 sf	2.11%	0 sf	0.00%	
12:45 PM	1,675 sf	1.92%	0 sf	0.00%	
1:00 PM	1,424 sf	1.63%	0 sf	0.00%	
1:15 PM	1,483 sf	1.70%	0 sf	0.00%	
1:30 PM	1,568 sf	1.80%	0 sf	0.00%	
1:45 PM	1,705 sf	1.96%	0 sf	0.00%	
2:00 PM	1,776 sf	2.04%	0 sf	0.00%	
2:15 PM	1,894 sf	2.17%	0 sf	0.00%	
2:30 PM	1,956 sf	2.24%	0 sf	0.00%	
2:45 PM	2,062 sf	2.37%	0 sf	0.00%	
3:00 PM	2,117 sf	2.43%	0 sf	0.00%	
3:15 PM	2,204 sf	2.53%	0 sf	0.00%	
3:30 PM	2,256 sf	2.59%	0 sf	0.00%	
3:45 PM	2,337 sf	2.68%	0 sf	0.00%	
4:00 PM	2,358 sf	2.71%	0 sf	0.00%	
4:15 PM	2,466 sf	2.83%	0 sf	0.00%	
4:30 PM	2,885 sf	3.31%	0 sf	0.00%	
4:45 PM	3,408 sf	3.91%	0 sf	0.00%	
5:00 PM	3,984 sf	4.57%	0 sf	0.00%	
5:15 PM	4,615 sf	5.30%	0 sf	0.00%	
5:30 PM	5,340 sf	6.13%	0 sf	0.00%	
5:45 PM	6,165 sf	7.08%	0 sf	0.00%	
6:00 PM	7,127 sf	8.18%	0 sf	0.00%	
6:15 PM	8,255 sf	9.48%	0 sf	0.00%	
6:30 PM	9,671 sf	11.10%	0 sf	0.00%	
6:45 PM	11,478 sf	13.17%	170 sf	0.20%	
7:00 PM	13,898 sf	15.95%	1,396 sf	1.60%	
7:15 PM	17,367 sf	19.94%	4,992 sf	5.73%	
7:36 PM	28,122 sf	32.28%	10,951 sf	12.57%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

JULY 12

Mirror date: May 31
Analysis hours: 6:56 AM-7:33 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
6:56 AM	53,097 sf	60.95%	2,408 sf	2.76%	
7:00 AM	47,045 sf	54.00%	3,395 sf	3.90%	
7:15 AM	32,076 sf	36.82%	4,194 sf	4.81%	
7:30 AM	24,775 sf	28.44%	3,764 sf	4.32%	
7:45 AM	19,251 sf	22.10%	3,412 sf	3.92%	
8:00 AM	14,578 sf	16.73%	3,072 sf	3.53%	
8:15 AM	10,583 sf	12.15%	2,769 sf	3.18%	
8:30 AM	7,405 sf	8.50%	2,490 sf	2.86%	
8:45 AM	5,297 sf	6.08%	2,234 sf	2.56%	
9:00 AM	4,503 sf	5.17%	1,333 sf	1.53%	
9:15 AM	4,299 sf	4.93%	244 sf	0.28%	
9:30 AM	4,099 sf	4.71%	0 sf	0.00%	
9:45 AM	3,921 sf	4.50%	0 sf	0.00%	
10:00 AM	3,732 sf	4.28%	0 sf	0.00%	
10:15 AM	3,545 sf	4.07%	0 sf	0.00%	
10:30 AM	3,347 sf	3.84%	0 sf	0.00%	
10:45 AM	3,178 sf	3.65%	0 sf	0.00%	
11:00 AM	2,989 sf	3.43%	0 sf	0.00%	
11:15 AM	2,825 sf	3.24%	0 sf	0.00%	
11:30 AM	2,640 sf	3.03%	0 sf	0.00%	
11:45 AM	2,482 sf	2.85%	0 sf	0.00%	
12:00 PM	2,290 sf	2.63%	0 sf	0.00%	
12:15 PM	2,134 sf	2.45%	0 sf	0.00%	
12:30 PM	1,930 sf	2.22%	0 sf	0.00%	
12:45 PM	1,769 sf	2.03%	0 sf	0.00%	
1:00 PM	1,511 sf	1.73%	0 sf	0.00%	
1:15 PM	1,552 sf	1.78%	0 sf	0.00%	
1:30 PM	1,648 sf	1.89%	0 sf	0.00%	
1:45 PM	1,788 sf	2.05%	0 sf	0.00%	
2:00 PM	1,857 sf	2.13%	0 sf	0.00%	
2:15 PM	1,980 sf	2.27%	0 sf	0.00%	
2:30 PM	2,043 sf	2.34%	0 sf	0.00%	
2:45 PM	2,144 sf	2.46%	0 sf	0.00%	
3:00 PM	2,204 sf	2.53%	0 sf	0.00%	
3:15 PM	2,300 sf	2.64%	0 sf	0.00%	
3:30 PM	2,352 sf	2.70%	0 sf	0.00%	
3:45 PM	2,434 sf	2.79%	0 sf	0.00%	
4:00 PM	2,473 sf	2.84%	0 sf	0.00%	
4:15 PM	2,494 sf	2.86%	0 sf	0.00%	
4:30 PM	2,739 sf	3.14%	0 sf	0.00%	
4:45 PM	3,340 sf	3.83%	0 sf	0.00%	
5:00 PM	3,920 sf	4.50%	0 sf	0.00%	
5:15 PM	4,559 sf	5.23%	0 sf	0.00%	
5:30 PM	5,289 sf	6.07%	0 sf	0.00%	
5:45 PM	6,121 sf	7.03%	0 sf	0.00%	
6:00 PM	7,093 sf	8.14%	0 sf	0.00%	
6:15 PM	8,235 sf	9.45%	0 sf	0.00%	
6:30 PM	9,661 sf	11.09%	0 sf	0.00%	
6:45 PM	11,496 sf	13.20%	125 sf	0.14%	
7:00 PM	13,972 sf	16.04%	1,296 sf	1.49%	
7:15 PM	17,555 sf	20.15%	5,128 sf	5.89%	
7:33 PM	26,959 sf	30.95%	11,312 sf	12.98%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

JULY 19

Mirror date: May 24
Analysis hours: 7:01 AM-7:30 PM (PDT)

Shadow / Sunlight Balance Key

Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:01 AM	52,271 sf	60.00%	2,281 sf	2.62%	
7:16 AM	33,985 sf	39.01%	4,487 sf	5.15%	
7:30 AM	26,609 sf	30.54%	4,026 sf	4.62%	
7:45 AM	20,576 sf	23.62%	3,616 sf	4.15%	
8:00 AM	15,675 sf	17.99%	3,246 sf	3.73%	
8:15 AM	11,348 sf	13.03%	2,894 sf	3.32%	
8:30 AM	8,334 sf	9.57%	2,614 sf	3.00%	
8:45 AM	5,925 sf	6.80%	2,348 sf	2.69%	
9:00 AM	4,748 sf	5.45%	1,645 sf	1.89%	
9:15 AM	4,521 sf	5.19%	435 sf	0.50%	
9:30 AM	4,297 sf	4.93%	0 sf	0.00%	
9:45 AM	4,101 sf	4.71%	0 sf	0.00%	
10:00 AM	3,908 sf	4.49%	0 sf	0.00%	
10:15 AM	3,712 sf	4.26%	0 sf	0.00%	
10:30 AM	3,506 sf	4.02%	0 sf	0.00%	
10:45 AM	3,328 sf	3.82%	0 sf	0.00%	
11:00 AM	3,134 sf	3.60%	0 sf	0.00%	
11:15 AM	2,966 sf	3.40%	0 sf	0.00%	
11:30 AM	2,777 sf	3.19%	0 sf	0.00%	
11:45 AM	2,612 sf	3.00%	0 sf	0.00%	
12:00 PM	2,418 sf	2.78%	0 sf	0.00%	
12:15 PM	2,259 sf	2.59%	0 sf	0.00%	
12:30 PM	2,055 sf	2.36%	0 sf	0.00%	
12:45 PM	1,889 sf	2.17%	0 sf	0.00%	
1:00 PM	1,634 sf	1.88%	0 sf	0.00%	
1:15 PM	1,667 sf	1.91%	0 sf	0.00%	
1:30 PM	1,764 sf	2.03%	0 sf	0.00%	
1:45 PM	1,906 sf	2.19%	0 sf	0.00%	
2:00 PM	1,976 sf	2.27%	0 sf	0.00%	
2:15 PM	2,103 sf	2.41%	0 sf	0.00%	
2:30 PM	2,169 sf	2.49%	0 sf	0.00%	
2:45 PM	2,279 sf	2.62%	0 sf	0.00%	
3:00 PM	2,341 sf	2.69%	0 sf	0.00%	
3:15 PM	2,433 sf	2.79%	0 sf	0.00%	
3:30 PM	2,495 sf	2.86%	0 sf	0.00%	
3:45 PM	2,579 sf	2.96%	0 sf	0.00%	
4:00 PM	2,632 sf	3.02%	0 sf	0.00%	
4:15 PM	2,708 sf	3.11%	0 sf	0.00%	
4:30 PM	2,796 sf	3.21%	0 sf	0.00%	
4:45 PM	3,271 sf	3.75%	0 sf	0.00%	
5:00 PM	3,867 sf	4.44%	0 sf	0.00%	
5:15 PM	4,521 sf	5.19%	0 sf	0.00%	
5:30 PM	5,258 sf	6.04%	0 sf	0.00%	
5:45 PM	6,110 sf	7.01%	0 sf	0.00%	
6:00 PM	7,108 sf	8.16%	0 sf	0.00%	
6:15 PM	8,283 sf	9.51%	0 sf	0.00%	
6:30 PM	9,748 sf	11.19%	0 sf	0.00%	
6:45 PM	11,658 sf	13.38%	95 sf	0.11%	
7:00 PM	14,252 sf	16.36%	1,311 sf	1.50%	
7:15 PM	18,041 sf	20.71%	5,948 sf	6.83%	
7:30 PM	25,516 sf	29.29%	11,670 sf	13.39%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

JULY 26

Mirror date: May 17
Analysis hours: 7:07 AM-7:25 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:07 AM	51,090 sf	58.64%	2,572 sf	2.95%	
7:15 AM	38,869 sf	44.62%	4,946 sf	5.68%	
7:30 AM	29,015 sf	33.30%	4,396 sf	5.05%	
7:45 AM	22,226 sf	25.51%	3,892 sf	4.47%	
8:00 AM	17,041 sf	19.56%	3,464 sf	3.98%	
8:15 AM	12,600 sf	14.46%	3,080 sf	3.54%	
8:30 AM	9,453 sf	10.85%	2,749 sf	3.16%	
8:45 AM	6,765 sf	7.77%	2,461 sf	2.82%	
9:00 AM	5,085 sf	5.84%	1,979 sf	2.27%	
9:15 AM	4,794 sf	5.50%	709 sf	0.81%	
9:30 AM	4,553 sf	5.23%	0 sf	0.00%	
9:45 AM	4,336 sf	4.98%	0 sf	0.00%	
10:00 AM	4,121 sf	4.73%	0 sf	0.00%	
10:15 AM	3,918 sf	4.50%	0 sf	0.00%	
10:30 AM	3,704 sf	4.25%	0 sf	0.00%	
10:45 AM	3,517 sf	4.04%	0 sf	0.00%	
11:00 AM	3,313 sf	3.80%	0 sf	0.00%	
11:15 AM	3,139 sf	3.60%	0 sf	0.00%	
11:30 AM	2,940 sf	3.37%	0 sf	0.00%	
11:45 AM	2,774 sf	3.18%	0 sf	0.00%	
12:00 PM	2,575 sf	2.96%	0 sf	0.00%	
12:15 PM	2,411 sf	2.77%	0 sf	0.00%	
12:30 PM	2,204 sf	2.53%	0 sf	0.00%	
12:45 PM	2,039 sf	2.34%	0 sf	0.00%	
1:00 PM	1,783 sf	2.05%	0 sf	0.00%	
1:15 PM	1,826 sf	2.10%	0 sf	0.00%	
1:30 PM	1,921 sf	2.21%	0 sf	0.00%	
1:45 PM	2,063 sf	2.37%	0 sf	0.00%	
2:00 PM	2,139 sf	2.45%	0 sf	0.00%	
2:15 PM	2,261 sf	2.60%	0 sf	0.00%	
2:30 PM	2,336 sf	2.68%	0 sf	0.00%	
2:45 PM	2,452 sf	2.81%	0 sf	0.00%	
3:00 PM	2,518 sf	2.89%	0 sf	0.00%	
3:15 PM	2,619 sf	3.01%	0 sf	0.00%	
3:30 PM	2,681 sf	3.08%	0 sf	0.00%	
3:45 PM	2,775 sf	3.19%	0 sf	0.00%	
4:00 PM	2,839 sf	3.26%	0 sf	0.00%	
4:15 PM	2,913 sf	3.34%	0 sf	0.00%	
4:30 PM	2,900 sf	3.33%	0 sf	0.00%	
4:45 PM	3,172 sf	3.64%	0 sf	0.00%	
5:00 PM	3,822 sf	4.39%	0 sf	0.00%	
5:15 PM	4,489 sf	5.15%	0 sf	0.00%	
5:30 PM	5,251 sf	6.03%	0 sf	0.00%	
5:45 PM	6,127 sf	7.03%	0 sf	0.00%	
6:00 PM	7,164 sf	8.22%	0 sf	0.00%	
6:15 PM	8,391 sf	9.63%	0 sf	0.00%	
6:30 PM	9,922 sf	11.39%	0 sf	0.00%	
6:45 PM	11,942 sf	13.71%	76 sf	0.09%	
7:00 PM	14,750 sf	16.93%	2,024 sf	2.32%	
7:15 PM	18,880 sf	21.67%	7,511 sf	8.62%	
7:25 PM	23,869 sf	27.40%	11,981 sf	13.75%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

AUGUST 2

Mirror date: May 10
Analysis hours: 7:12 AM-7:18 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:12 AM	48,899 sf	56.13%	3,210 sf	3.68%	
7:15 AM	44,825 sf	51.45%	4,215 sf	4.84%	
7:30 AM	31,918 sf	36.64%	4,868 sf	5.59%	
7:45 AM	24,175 sf	27.75%	4,263 sf	4.89%	
8:00 AM	18,553 sf	21.30%	3,728 sf	4.28%	
8:15 AM	14,279 sf	16.39%	3,295 sf	3.78%	
8:30 AM	10,743 sf	12.33%	2,923 sf	3.36%	
8:45 AM	7,817 sf	8.97%	2,600 sf	2.98%	
9:00 AM	5,672 sf	6.51%	2,244 sf	2.58%	
9:15 AM	5,131 sf	5.89%	1,027 sf	1.18%	
9:30 AM	4,852 sf	5.57%	31 sf	0.04%	
9:45 AM	4,613 sf	5.30%	0 sf	0.00%	
10:00 AM	4,376 sf	5.02%	0 sf	0.00%	
10:15 AM	4,168 sf	4.78%	0 sf	0.00%	
10:30 AM	3,937 sf	4.52%	0 sf	0.00%	
10:45 AM	3,739 sf	4.29%	0 sf	0.00%	
11:00 AM	3,523 sf	4.04%	0 sf	0.00%	
11:15 AM	3,342 sf	3.84%	0 sf	0.00%	
11:30 AM	3,133 sf	3.60%	0 sf	0.00%	
11:45 AM	2,962 sf	3.40%	0 sf	0.00%	
12:00 PM	2,757 sf	3.16%	0 sf	0.00%	
12:15 PM	2,591 sf	2.97%	0 sf	0.00%	
12:30 PM	2,382 sf	2.73%	0 sf	0.00%	
12:45 PM	2,210 sf	2.54%	0 sf	0.00%	
1:00 PM	1,959 sf	2.25%	0 sf	0.00%	
1:15 PM	2,024 sf	2.32%	0 sf	0.00%	
1:30 PM	2,120 sf	2.43%	0 sf	0.00%	
1:45 PM	2,258 sf	2.59%	0 sf	0.00%	
2:00 PM	2,339 sf	2.69%	0 sf	0.00%	
2:15 PM	2,465 sf	2.83%	0 sf	0.00%	
2:30 PM	2,542 sf	2.92%	0 sf	0.00%	
2:45 PM	2,661 sf	3.05%	0 sf	0.00%	
3:00 PM	2,738 sf	3.14%	0 sf	0.00%	
3:15 PM	2,844 sf	3.26%	0 sf	0.00%	
3:30 PM	2,912 sf	3.34%	0 sf	0.00%	
3:45 PM	3,018 sf	3.46%	0 sf	0.00%	
4:00 PM	3,086 sf	3.54%	0 sf	0.00%	
4:15 PM	3,193 sf	3.67%	0 sf	0.00%	
4:30 PM	3,263 sf	3.74%	0 sf	0.00%	
4:45 PM	3,320 sf	3.81%	0 sf	0.00%	
5:00 PM	3,739 sf	4.29%	0 sf	0.00%	
5:15 PM	4,484 sf	5.15%	0 sf	0.00%	
5:30 PM	5,284 sf	6.06%	0 sf	0.00%	
5:45 PM	6,195 sf	7.11%	0 sf	0.00%	
6:00 PM	7,291 sf	8.37%	0 sf	0.00%	
6:15 PM	8,600 sf	9.87%	0 sf	0.00%	
6:30 PM	10,238 sf	11.75%	20 sf	0.02%	
6:45 PM	12,439 sf	14.28%	571 sf	0.66%	
7:00 PM	15,579 sf	17.88%	3,668 sf	4.21%	
7:15 PM	20,473 sf	23.50%	9,975 sf	11.45%	
7:18 PM	22,329 sf	25.63%	11,739 sf	13.47%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

AUGUST 9

Mirror date: May 3
Analysis hours: 7:19 AM-7:10 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:19 AM	47,564 sf	54.60%	3,935 sf	4.52%	
7:30 AM	35,705 sf	40.98%	5,440 sf	6.24%	
7:45 AM	26,531 sf	30.45%	4,730 sf	5.43%	
8:00 AM	20,849 sf	23.93%	4,088 sf	4.69%	
8:15 AM	16,239 sf	18.64%	3,560 sf	4.09%	
8:30 AM	12,269 sf	14.08%	3,131 sf	3.59%	
8:45 AM	9,041 sf	10.38%	2,768 sf	3.18%	
9:00 AM	6,489 sf	7.45%	2,425 sf	2.78%	
9:15 AM	5,524 sf	6.34%	1,383 sf	1.59%	
9:30 AM	5,210 sf	5.98%	162 sf	0.19%	
9:45 AM	4,940 sf	5.67%	0 sf	0.00%	
10:00 AM	4,678 sf	5.37%	0 sf	0.00%	
10:15 AM	4,449 sf	5.11%	0 sf	0.00%	
10:30 AM	4,206 sf	4.83%	0 sf	0.00%	
10:45 AM	3,993 sf	4.58%	0 sf	0.00%	
11:00 AM	3,769 sf	4.33%	0 sf	0.00%	
11:15 AM	3,570 sf	4.10%	0 sf	0.00%	
11:30 AM	3,356 sf	3.85%	0 sf	0.00%	
11:45 AM	3,181 sf	3.65%	0 sf	0.00%	
12:00 PM	2,969 sf	3.41%	0 sf	0.00%	
12:15 PM	2,796 sf	3.21%	0 sf	0.00%	
12:30 PM	2,582 sf	2.96%	0 sf	0.00%	
12:45 PM	2,405 sf	2.76%	0 sf	0.00%	
1:00 PM	2,161 sf	2.48%	0 sf	0.00%	
1:15 PM	2,255 sf	2.59%	0 sf	0.00%	
1:30 PM	2,348 sf	2.69%	0 sf	0.00%	
1:45 PM	2,489 sf	2.86%	0 sf	0.00%	
2:00 PM	2,572 sf	2.95%	0 sf	0.00%	
2:15 PM	2,707 sf	3.11%	0 sf	0.00%	
2:30 PM	2,790 sf	3.20%	0 sf	0.00%	
2:45 PM	2,916 sf	3.35%	0 sf	0.00%	
3:00 PM	2,993 sf	3.44%	0 sf	0.00%	
3:15 PM	3,113 sf	3.57%	0 sf	0.00%	
3:30 PM	3,195 sf	3.67%	0 sf	0.00%	
3:45 PM	3,308 sf	3.80%	0 sf	0.00%	
4:00 PM	3,388 sf	3.89%	0 sf	0.00%	
4:15 PM	3,499 sf	4.02%	0 sf	0.00%	
4:30 PM	3,591 sf	4.12%	0 sf	0.00%	
4:45 PM	3,715 sf	4.26%	0 sf	0.00%	
5:00 PM	3,848 sf	4.42%	0 sf	0.00%	
5:15 PM	4,499 sf	5.16%	0 sf	0.00%	
5:30 PM	5,347 sf	6.14%	0 sf	0.00%	
5:45 PM	6,322 sf	7.26%	0 sf	0.00%	
6:00 PM	7,490 sf	8.60%	0 sf	0.00%	
6:15 PM	8,906 sf	10.22%	38 sf	0.04%	
6:30 PM	10,707 sf	12.29%	646 sf	0.74%	
6:45 PM	13,191 sf	15.14%	1,973 sf	2.26%	
7:10 PM	20,827 sf	23.91%	11,528 sf	13.23%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

AUGUST 16

Mirror date: April 26
Analysis hours: 7:25 AM-7:02 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:25 AM	47,761 sf	54.82%	4,668 sf	5.36%	
7:30 AM	41,320 sf	47.43%	5,845 sf	6.71%	
7:45 AM	30,535 sf	35.05%	5,324 sf	6.11%	
8:00 AM	23,646 sf	27.14%	4,536 sf	5.21%	
8:15 AM	18,585 sf	21.33%	3,889 sf	4.46%	
8:30 AM	14,077 sf	16.16%	3,376 sf	3.88%	
8:45 AM	10,458 sf	12.00%	2,964 sf	3.40%	
9:00 AM	7,514 sf	8.62%	2,604 sf	2.99%	
9:15 AM	5,982 sf	6.87%	1,796 sf	2.06%	
9:30 AM	5,623 sf	6.45%	383 sf	0.44%	
9:45 AM	5,318 sf	6.10%	0 sf	0.00%	
10:00 AM	5,027 sf	5.77%	0 sf	0.00%	
10:15 AM	4,774 sf	5.48%	0 sf	0.00%	
10:30 AM	4,509 sf	5.18%	0 sf	0.00%	
10:45 AM	4,281 sf	4.91%	0 sf	0.00%	
11:00 AM	4,052 sf	4.65%	0 sf	0.00%	
11:15 AM	3,842 sf	4.41%	0 sf	0.00%	
11:30 AM	3,612 sf	4.15%	0 sf	0.00%	
11:45 AM	3,421 sf	3.93%	0 sf	0.00%	
12:00 PM	3,203 sf	3.68%	0 sf	0.00%	
12:15 PM	3,026 sf	3.47%	0 sf	0.00%	
12:30 PM	2,811 sf	3.23%	0 sf	0.00%	
12:45 PM	2,630 sf	3.02%	0 sf	0.00%	
1:00 PM	2,394 sf	2.75%	0 sf	0.00%	
1:15 PM	2,524 sf	2.90%	0 sf	0.00%	
1:30 PM	2,617 sf	3.00%	0 sf	0.00%	
1:45 PM	2,760 sf	3.17%	0 sf	0.00%	
2:00 PM	2,850 sf	3.27%	0 sf	0.00%	
2:15 PM	2,986 sf	3.43%	0 sf	0.00%	
2:30 PM	3,074 sf	3.53%	0 sf	0.00%	
2:45 PM	3,210 sf	3.68%	0 sf	0.00%	
3:00 PM	3,298 sf	3.79%	0 sf	0.00%	
3:15 PM	3,431 sf	3.94%	0 sf	0.00%	
3:30 PM	3,519 sf	4.04%	0 sf	0.00%	
3:45 PM	3,645 sf	4.18%	0 sf	0.00%	
4:00 PM	3,749 sf	4.30%	0 sf	0.00%	
4:15 PM	3,879 sf	4.45%	0 sf	0.00%	
4:30 PM	3,999 sf	4.59%	0 sf	0.00%	
4:45 PM	4,134 sf	4.75%	0 sf	0.00%	
5:00 PM	4,283 sf	4.92%	0 sf	0.00%	
5:15 PM	4,533 sf	5.20%	0 sf	0.00%	
5:30 PM	5,442 sf	6.25%	0 sf	0.00%	
5:45 PM	6,492 sf	7.45%	0 sf	0.00%	
6:00 PM	7,765 sf	8.91%	81 sf	0.09%	
6:15 PM	9,339 sf	10.72%	840 sf	0.96%	
6:30 PM	11,363 sf	13.04%	2,115 sf	2.43%	
6:45 PM	14,244 sf	16.35%	3,921 sf	4.50%	
7:02 PM	19,740 sf	22.66%	11,497 sf	13.20%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

AUGUST 23

Mirror date: April 19
Analysis hours: 7:31 AM-6:52 PM (PDT)

Shadow / Sunlight Balance Key

Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:31 AM	49,794 sf	57.16%	5,555 sf	6.38%	
7:45 AM	35,845 sf	41.14%	5,990 sf	6.88%	
8:00 AM	26,999 sf	30.99%	5,084 sf	5.84%	
8:15 AM	21,114 sf	24.24%	4,292 sf	4.93%	
8:30 AM	16,082 sf	18.46%	3,674 sf	4.22%	
8:45 AM	12,020 sf	13.80%	3,182 sf	3.65%	
9:00 AM	8,672 sf	9.95%	2,776 sf	3.19%	
9:15 AM	6,533 sf	7.50%	2,192 sf	2.52%	
9:30 AM	6,083 sf	6.98%	646 sf	0.74%	
9:45 AM	5,739 sf	6.59%	0 sf	0.00%	
10:00 AM	5,409 sf	6.21%	0 sf	0.00%	
10:15 AM	5,131 sf	5.89%	0 sf	0.00%	
10:30 AM	4,843 sf	5.56%	0 sf	0.00%	
10:45 AM	4,602 sf	5.28%	0 sf	0.00%	
11:00 AM	4,341 sf	4.98%	0 sf	0.00%	
11:15 AM	4,132 sf	4.74%	0 sf	0.00%	
11:30 AM	3,892 sf	4.47%	0 sf	0.00%	
11:45 AM	3,696 sf	4.24%	0 sf	0.00%	
12:00 PM	3,471 sf	3.98%	0 sf	0.00%	
12:15 PM	3,284 sf	3.77%	0 sf	0.00%	
12:30 PM	3,059 sf	3.51%	0 sf	0.00%	
12:45 PM	2,867 sf	3.29%	0 sf	0.00%	
1:00 PM	2,667 sf	3.06%	0 sf	0.00%	
1:15 PM	2,825 sf	3.24%	0 sf	0.00%	
1:30 PM	2,926 sf	3.36%	0 sf	0.00%	
1:45 PM	3,069 sf	3.52%	0 sf	0.00%	
2:00 PM	3,164 sf	3.63%	0 sf	0.00%	
2:15 PM	3,304 sf	3.79%	0 sf	0.00%	
2:30 PM	3,407 sf	3.91%	0 sf	0.00%	
2:45 PM	3,551 sf	4.08%	0 sf	0.00%	
3:00 PM	3,655 sf	4.20%	0 sf	0.00%	
3:15 PM	3,794 sf	4.35%	0 sf	0.00%	
3:30 PM	3,904 sf	4.48%	0 sf	0.00%	
3:45 PM	4,052 sf	4.65%	0 sf	0.00%	
4:00 PM	4,165 sf	4.78%	0 sf	0.00%	
4:15 PM	4,327 sf	4.97%	0 sf	0.00%	
4:30 PM	4,458 sf	5.12%	0 sf	0.00%	
4:45 PM	4,647 sf	5.33%	0 sf	0.00%	
5:00 PM	4,824 sf	5.54%	0 sf	0.00%	
5:15 PM	5,061 sf	5.81%	0 sf	0.00%	
5:30 PM	5,505 sf	6.32%	0 sf	0.00%	
5:45 PM	6,760 sf	7.76%	168 sf	0.19%	
6:00 PM	8,184 sf	9.39%	1,072 sf	1.23%	
6:15 PM	9,975 sf	11.45%	2,417 sf	2.77%	
6:30 PM	12,345 sf	14.17%	4,204 sf	4.83%	
6:45 PM	16,012 sf	18.38%	7,130 sf	8.18%	
6:52 PM	19,022 sf	21.83%	11,173 sf	12.82%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

AUGUST 30

Mirror date: April 12
Analysis hours: 7:37 AM-6:42 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:37 AM	51,378 sf	58.97%	6,128 sf	7.03%	
7:45 AM	42,077 sf	48.30%	6,569 sf	7.54%	
8:00 AM	31,050 sf	35.64%	5,750 sf	6.60%	
8:15 AM	23,975 sf	27.52%	4,748 sf	5.45%	
8:30 AM	18,431 sf	21.16%	3,986 sf	4.58%	
8:45 AM	13,812 sf	15.85%	3,398 sf	3.90%	
9:00 AM	10,078 sf	11.57%	2,926 sf	3.36%	
9:15 AM	7,344 sf	8.43%	2,468 sf	2.83%	
9:30 AM	6,600 sf	7.58%	976 sf	1.12%	
9:45 AM	6,204 sf	7.12%	0 sf	0.00%	
10:00 AM	5,837 sf	6.70%	0 sf	0.00%	
10:15 AM	5,526 sf	6.34%	0 sf	0.00%	
10:30 AM	5,216 sf	5.99%	0 sf	0.00%	
10:45 AM	4,950 sf	5.68%	0 sf	0.00%	
11:00 AM	4,674 sf	5.37%	0 sf	0.00%	
11:15 AM	4,450 sf	5.11%	0 sf	0.00%	
11:30 AM	4,196 sf	4.82%	0 sf	0.00%	
11:45 AM	3,989 sf	4.58%	0 sf	0.00%	
12:00 PM	3,759 sf	4.32%	0 sf	0.00%	
12:15 PM	3,567 sf	4.09%	0 sf	0.00%	
12:30 PM	3,338 sf	3.83%	0 sf	0.00%	
12:45 PM	3,147 sf	3.61%	0 sf	0.00%	
1:00 PM	2,985 sf	3.43%	0 sf	0.00%	
1:15 PM	3,168 sf	3.64%	0 sf	0.00%	
1:30 PM	3,268 sf	3.75%	0 sf	0.00%	
1:45 PM	3,418 sf	3.92%	0 sf	0.00%	
2:00 PM	3,516 sf	4.04%	0 sf	0.00%	
2:15 PM	3,673 sf	4.22%	0 sf	0.00%	
2:30 PM	3,782 sf	4.34%	0 sf	0.00%	
2:45 PM	3,934 sf	4.52%	0 sf	0.00%	
3:00 PM	4,052 sf	4.65%	0 sf	0.00%	
3:15 PM	4,215 sf	4.84%	0 sf	0.00%	
3:30 PM	4,340 sf	4.98%	0 sf	0.00%	
3:45 PM	4,507 sf	5.17%	0 sf	0.00%	
4:00 PM	4,653 sf	5.34%	0 sf	0.00%	
4:15 PM	4,844 sf	5.56%	0 sf	0.00%	
4:30 PM	5,019 sf	5.76%	0 sf	0.00%	
4:45 PM	5,239 sf	6.01%	0 sf	0.00%	
5:00 PM	5,496 sf	6.31%	0 sf	0.00%	
5:15 PM	5,783 sf	6.64%	0 sf	0.00%	
5:30 PM	6,102 sf	7.00%	265 sf	0.30%	
5:45 PM	7,111 sf	8.16%	1,248 sf	1.43%	
6:00 PM	8,743 sf	10.04%	2,673 sf	3.07%	
6:15 PM	10,847 sf	12.45%	4,619 sf	5.30%	
6:30 PM	13,976 sf	16.04%	7,537 sf	8.65%	
6:42 PM	18,780 sf	21.56%	10,984 sf	12.61%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

SEPTEMBER 6

Mirror date: April 5
Analysis hours: 7:44 AM-6:31 PM (PDT)

Shadow / Sunlight Balance Key

Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:44 AM	51,583 sf	59.21%	6,349 sf	7.29%	
8:00 AM	35,558 sf	40.82%	6,199 sf	7.12%	
8:15 AM	27,140 sf	31.15%	5,098 sf	5.85%	
8:30 AM	21,004 sf	24.11%	4,222 sf	4.85%	
8:45 AM	15,770 sf	18.10%	3,569 sf	4.10%	
9:00 AM	11,600 sf	13.32%	3,055 sf	3.51%	
9:15 AM	8,406 sf	9.65%	2,619 sf	3.01%	
9:30 AM	7,169 sf	8.23%	1,322 sf	1.52%	
9:45 AM	6,717 sf	7.71%	35 sf	0.04%	
10:00 AM	6,300 sf	7.23%	0 sf	0.00%	
10:15 AM	5,963 sf	6.84%	0 sf	0.00%	
10:30 AM	5,617 sf	6.45%	0 sf	0.00%	
10:45 AM	5,334 sf	6.12%	0 sf	0.00%	
11:00 AM	5,043 sf	5.79%	0 sf	0.00%	
11:15 AM	4,802 sf	5.51%	0 sf	0.00%	
11:30 AM	4,538 sf	5.21%	0 sf	0.00%	
11:45 AM	4,315 sf	4.95%	0 sf	0.00%	
12:00 PM	4,074 sf	4.68%	0 sf	0.00%	
12:15 PM	3,874 sf	4.45%	0 sf	0.00%	
12:30 PM	3,640 sf	4.18%	0 sf	0.00%	
12:45 PM	3,403 sf	3.91%	0 sf	0.00%	
1:00 PM	3,367 sf	3.86%	0 sf	0.00%	
1:15 PM	3,544 sf	4.07%	0 sf	0.00%	
1:30 PM	3,646 sf	4.18%	0 sf	0.00%	
1:45 PM	3,800 sf	4.36%	0 sf	0.00%	
2:00 PM	3,913 sf	4.49%	0 sf	0.00%	
2:15 PM	4,072 sf	4.67%	0 sf	0.00%	
2:30 PM	4,193 sf	4.81%	0 sf	0.00%	
2:45 PM	4,370 sf	5.02%	0 sf	0.00%	
3:00 PM	4,501 sf	5.17%	0 sf	0.00%	
3:15 PM	4,683 sf	5.37%	0 sf	0.00%	
3:30 PM	4,830 sf	5.54%	0 sf	0.00%	
3:45 PM	5,036 sf	5.78%	0 sf	0.00%	
4:00 PM	5,217 sf	5.99%	0 sf	0.00%	
4:15 PM	5,444 sf	6.25%	0 sf	0.00%	
4:30 PM	5,666 sf	6.50%	0 sf	0.00%	
4:45 PM	5,950 sf	6.83%	0 sf	0.00%	
5:00 PM	6,254 sf	7.18%	0 sf	0.00%	
5:15 PM	6,630 sf	7.61%	396 sf	0.45%	
5:30 PM	7,134 sf	8.19%	1,335 sf	1.53%	
5:45 PM	7,737 sf	8.88%	2,848 sf	3.27%	
6:00 PM	9,498 sf	10.90%	4,921 sf	5.65%	
6:15 PM	12,376 sf	14.21%	8,246 sf	9.46%	
6:31 PM	18,770 sf	21.54%	13,560 sf	15.56%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

SEPTEMBER 13

Mirror date: March 29
Analysis hours: 7:50 AM-6:21 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:50 AM	50,273 sf	57.71%	6,355 sf	7.29%	
8:00 AM	39,499 sf	45.34%	6,482 sf	7.44%	
8:15 AM	29,502 sf	33.86%	5,471 sf	6.28%	
8:30 AM	22,804 sf	26.18%	4,477 sf	5.14%	
8:45 AM	17,204 sf	19.75%	3,746 sf	4.30%	
9:00 AM	12,773 sf	14.66%	3,183 sf	3.65%	
9:15 AM	9,286 sf	10.66%	2,730 sf	3.13%	
9:30 AM	7,542 sf	8.66%	1,693 sf	1.94%	
9:45 AM	7,088 sf	8.14%	170 sf	0.19%	
10:00 AM	6,704 sf	7.69%	0 sf	0.00%	
10:15 AM	6,361 sf	7.30%	0 sf	0.00%	
10:30 AM	6,063 sf	6.96%	0 sf	0.00%	
10:45 AM	5,761 sf	6.61%	0 sf	0.00%	
11:00 AM	5,448 sf	6.25%	0 sf	0.00%	
11:15 AM	5,181 sf	5.95%	0 sf	0.00%	
11:30 AM	4,898 sf	5.62%	0 sf	0.00%	
11:45 AM	4,672 sf	5.36%	0 sf	0.00%	
12:00 PM	4,420 sf	5.07%	0 sf	0.00%	
12:15 PM	4,214 sf	4.84%	0 sf	0.00%	
12:30 PM	3,970 sf	4.56%	0 sf	0.00%	
12:45 PM	3,751 sf	4.31%	0 sf	0.00%	
1:00 PM	3,791 sf	4.35%	0 sf	0.00%	
1:15 PM	3,956 sf	4.54%	0 sf	0.00%	
1:30 PM	4,063 sf	4.66%	0 sf	0.00%	
1:45 PM	4,226 sf	4.85%	0 sf	0.00%	
2:00 PM	4,346 sf	4.99%	0 sf	0.00%	
2:15 PM	4,524 sf	5.19%	0 sf	0.00%	
2:30 PM	4,658 sf	5.35%	0 sf	0.00%	
2:45 PM	4,847 sf	5.56%	0 sf	0.00%	
3:00 PM	5,003 sf	5.74%	0 sf	0.00%	
3:15 PM	5,213 sf	5.98%	0 sf	0.00%	
3:30 PM	5,394 sf	6.19%	0 sf	0.00%	
3:45 PM	5,629 sf	6.46%	0 sf	0.00%	
4:00 PM	5,852 sf	6.72%	0 sf	0.00%	
4:15 PM	6,139 sf	7.05%	0 sf	0.00%	
4:30 PM	6,418 sf	7.37%	0 sf	0.00%	
4:45 PM	6,788 sf	7.79%	36 sf	0.04%	
5:00 PM	7,188 sf	8.25%	518 sf	0.59%	
5:15 PM	7,717 sf	8.86%	1,419 sf	1.63%	
5:30 PM	8,362 sf	9.60%	2,769 sf	3.18%	
5:45 PM	9,273 sf	10.64%	5,045 sf	5.79%	
6:00 PM	10,898 sf	12.51%	8,608 sf	9.88%	
6:15 PM	16,029 sf	18.40%	13,134 sf	15.08%	
6:21 PM	18,876 sf	21.67%	16,664 sf	19.13%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

SEPTEMBER 20

Fall equinox (Spring equinox on March 22 similar)
Analysis hours: 7:57 AM-6:09 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:57 AM	48,971 sf	56.21%	6,393 sf	7.34%	
8:00 AM	44,700 sf	51.31%	6,801 sf	7.81%	
8:15 AM	32,008 sf	36.74%	5,865 sf	6.73%	
8:30 AM	24,397 sf	28.00%	4,773 sf	5.48%	
8:45 AM	18,510 sf	21.25%	3,953 sf	4.54%	
9:00 AM	13,724 sf	15.75%	3,317 sf	3.81%	
9:15 AM	9,958 sf	11.43%	2,829 sf	3.25%	
9:30 AM	7,589 sf	8.71%	2,092 sf	2.40%	
9:45 AM	7,131 sf	8.19%	396 sf	0.45%	
10:00 AM	6,763 sf	7.76%	0 sf	0.00%	
10:15 AM	6,427 sf	7.38%	0 sf	0.00%	
10:30 AM	6,131 sf	7.04%	0 sf	0.00%	
10:45 AM	5,854 sf	6.72%	0 sf	0.00%	
11:00 AM	5,600 sf	6.43%	0 sf	0.00%	
11:15 AM	5,362 sf	6.15%	0 sf	0.00%	
11:30 AM	5,141 sf	5.90%	0 sf	0.00%	
11:45 AM	4,939 sf	5.67%	0 sf	0.00%	
12:00 PM	4,746 sf	5.45%	0 sf	0.00%	
12:15 PM	4,570 sf	5.25%	0 sf	0.00%	
12:30 PM	4,334 sf	4.97%	0 sf	0.00%	
12:45 PM	4,138 sf	4.75%	0 sf	0.00%	
1:00 PM	4,241 sf	4.87%	0 sf	0.00%	
1:15 PM	4,404 sf	5.06%	0 sf	0.00%	
1:30 PM	4,516 sf	5.18%	0 sf	0.00%	
1:45 PM	4,690 sf	5.38%	0 sf	0.00%	
2:00 PM	4,822 sf	5.54%	0 sf	0.00%	
2:15 PM	5,015 sf	5.76%	0 sf	0.00%	
2:30 PM	5,166 sf	5.93%	0 sf	0.00%	
2:45 PM	5,381 sf	6.18%	0 sf	0.00%	
3:00 PM	5,564 sf	6.39%	0 sf	0.00%	
3:15 PM	5,805 sf	6.66%	0 sf	0.00%	
3:30 PM	6,023 sf	6.91%	0 sf	0.00%	
3:45 PM	6,309 sf	7.24%	0 sf	0.00%	
4:00 PM	6,577 sf	7.55%	0 sf	0.00%	
4:15 PM	6,934 sf	7.96%	0 sf	0.00%	
4:30 PM	7,307 sf	8.39%	99 sf	0.11%	
4:45 PM	7,784 sf	8.93%	546 sf	0.63%	
5:00 PM	8,321 sf	9.55%	1,360 sf	1.56%	
5:15 PM	9,028 sf	10.36%	2,637 sf	3.03%	
5:30 PM	9,912 sf	11.38%	4,651 sf	5.34%	
5:45 PM	11,638 sf	13.36%	8,117 sf	9.32%	
6:00 PM	15,343 sf	17.61%	13,814 sf	15.86%	
6:09 PM	19,013 sf	21.82%	20,103 sf	23.08%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

SEPTEMBER 27

Mirror date: March 15
Analysis hours: 8:03 AM-5:58 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:03 AM	47,524 sf	54.55%	6,398 sf	7.34%	
8:15 AM	35,019 sf	40.20%	6,254 sf	7.18%	
8:30 AM	26,112 sf	29.97%	5,127 sf	5.89%	
8:45 AM	19,923 sf	22.87%	4,186 sf	4.80%	
9:00 AM	14,724 sf	16.90%	3,480 sf	3.99%	
9:15 AM	10,705 sf	12.29%	2,948 sf	3.38%	
9:30 AM	7,691 sf	8.83%	2,458 sf	2.82%	
9:45 AM	7,111 sf	8.16%	685 sf	0.79%	
10:00 AM	6,725 sf	7.72%	0 sf	0.00%	
10:15 AM	6,401 sf	7.35%	0 sf	0.00%	
10:30 AM	6,116 sf	7.02%	0 sf	0.00%	
10:45 AM	5,852 sf	6.72%	0 sf	0.00%	
11:00 AM	5,614 sf	6.44%	0 sf	0.00%	
11:15 AM	5,384 sf	6.18%	0 sf	0.00%	
11:30 AM	5,178 sf	5.94%	0 sf	0.00%	
11:45 AM	4,985 sf	5.72%	0 sf	0.00%	
12:00 PM	4,796 sf	5.51%	0 sf	0.00%	
12:15 PM	4,613 sf	5.30%	0 sf	0.00%	
12:30 PM	4,431 sf	5.09%	0 sf	0.00%	
12:45 PM	4,341 sf	4.98%	0 sf	0.00%	
1:00 PM	4,541 sf	5.21%	0 sf	0.00%	
1:15 PM	4,738 sf	5.44%	0 sf	0.00%	
1:30 PM	4,926 sf	5.65%	0 sf	0.00%	
1:45 PM	5,135 sf	5.89%	0 sf	0.00%	
2:00 PM	5,340 sf	6.13%	0 sf	0.00%	
2:15 PM	5,552 sf	6.37%	0 sf	0.00%	
2:30 PM	5,727 sf	6.57%	0 sf	0.00%	
2:45 PM	5,966 sf	6.85%	0 sf	0.00%	
3:00 PM	6,182 sf	7.10%	0 sf	0.00%	
3:15 PM	6,460 sf	7.42%	0 sf	0.00%	
3:30 PM	6,727 sf	7.72%	0 sf	0.00%	
3:45 PM	7,066 sf	8.11%	0 sf	0.00%	
4:00 PM	7,407 sf	8.50%	0 sf	0.00%	
4:15 PM	7,852 sf	9.01%	143 sf	0.16%	
4:30 PM	8,332 sf	9.56%	511 sf	0.59%	
4:45 PM	8,956 sf	10.28%	1,221 sf	1.40%	
5:00 PM	9,677 sf	11.11%	2,395 sf	2.75%	
5:15 PM	10,670 sf	12.25%	4,275 sf	4.91%	
5:30 PM	12,408 sf	14.24%	7,222 sf	8.29%	
5:45 PM	15,944 sf	18.30%	12,848 sf	14.75%	
5:58 PM	21,172 sf	24.30%	22,202 sf	25.48%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

OCTOBER 4

Mirror date: March 8
Analysis hours: 8:09 AM-5:47 PM (PDT)

Shadow / Sunlight Balance Key

Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:09 AM	46,677 sf	53.58%	6,434 sf	7.39%	
8:15 AM	40,180 sf	46.12%	6,501 sf	7.46%	
8:30 AM	28,410 sf	32.61%	5,559 sf	6.38%	
8:45 AM	21,439 sf	24.61%	4,472 sf	5.13%	
9:00 AM	15,853 sf	18.20%	3,693 sf	4.24%	
9:15 AM	11,527 sf	13.23%	3,094 sf	3.55%	
9:30 AM	8,163 sf	9.37%	2,599 sf	2.98%	
9:45 AM	7,075 sf	8.12%	1,070 sf	1.23%	
10:00 AM	6,698 sf	7.69%	0 sf	0.00%	
10:15 AM	6,372 sf	7.31%	0 sf	0.00%	
10:30 AM	6,088 sf	6.99%	0 sf	0.00%	
10:45 AM	5,824 sf	6.69%	0 sf	0.00%	
11:00 AM	5,583 sf	6.41%	0 sf	0.00%	
11:15 AM	5,360 sf	6.15%	0 sf	0.00%	
11:30 AM	5,154 sf	5.92%	0 sf	0.00%	
11:45 AM	4,957 sf	5.69%	0 sf	0.00%	
12:00 PM	4,789 sf	5.50%	0 sf	0.00%	
12:15 PM	4,620 sf	5.30%	0 sf	0.00%	
12:30 PM	4,443 sf	5.10%	0 sf	0.00%	
12:45 PM	4,424 sf	5.08%	0 sf	0.00%	
1:00 PM	4,643 sf	5.33%	0 sf	0.00%	
1:15 PM	4,875 sf	5.60%	0 sf	0.00%	
1:30 PM	5,088 sf	5.84%	0 sf	0.00%	
1:45 PM	5,312 sf	6.10%	0 sf	0.00%	
2:00 PM	5,537 sf	6.36%	0 sf	0.00%	
2:15 PM	5,795 sf	6.65%	0 sf	0.00%	
2:30 PM	6,050 sf	6.94%	0 sf	0.00%	
2:45 PM	6,350 sf	7.29%	0 sf	0.00%	
3:00 PM	6,654 sf	7.64%	0 sf	0.00%	
3:15 PM	7,007 sf	8.04%	0 sf	0.00%	
3:30 PM	7,384 sf	8.48%	0 sf	0.00%	
3:45 PM	7,820 sf	8.98%	0 sf	0.00%	
4:00 PM	8,307 sf	9.53%	119 sf	0.14%	
4:15 PM	8,892 sf	10.21%	440 sf	0.51%	
4:30 PM	9,517 sf	10.92%	1,000 sf	1.15%	
4:45 PM	10,337 sf	11.87%	2,078 sf	2.38%	
5:00 PM	11,321 sf	12.99%	3,797 sf	4.36%	
5:15 PM	13,160 sf	15.11%	6,402 sf	7.35%	
5:30 PM	16,396 sf	18.82%	11,567 sf	13.28%	
5:47 PM	23,202 sf	26.63%	23,546 sf	27.03%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

OCTOBER 11

Mirror date: March 1
Analysis hours: 8:16 AM-5:37 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:16 AM	47,593 sf	54.63%	6,445 sf	7.40%	
8:30 AM	31,988 sf	36.72%	5,996 sf	6.88%	
8:45 AM	23,183 sf	26.61%	4,817 sf	5.53%	
9:00 AM	17,155 sf	19.69%	3,926 sf	4.51%	
9:15 AM	12,468 sf	14.31%	3,266 sf	3.75%	
9:30 AM	8,774 sf	10.07%	2,746 sf	3.15%	
9:45 AM	7,044 sf	8.09%	1,531 sf	1.76%	
10:00 AM	6,662 sf	7.65%	24 sf	0.03%	
10:15 AM	6,337 sf	7.27%	0 sf	0.00%	
10:30 AM	6,058 sf	6.95%	0 sf	0.00%	
10:45 AM	5,801 sf	6.66%	0 sf	0.00%	
11:00 AM	5,559 sf	6.38%	0 sf	0.00%	
11:15 AM	5,335 sf	6.12%	0 sf	0.00%	
11:30 AM	5,131 sf	5.89%	0 sf	0.00%	
11:45 AM	4,938 sf	5.67%	0 sf	0.00%	
12:00 PM	4,769 sf	5.47%	0 sf	0.00%	
12:15 PM	4,596 sf	5.28%	0 sf	0.00%	
12:30 PM	4,406 sf	5.06%	0 sf	0.00%	
12:45 PM	4,524 sf	5.19%	0 sf	0.00%	
1:00 PM	4,743 sf	5.44%	0 sf	0.00%	
1:15 PM	4,969 sf	5.70%	0 sf	0.00%	
1:30 PM	5,188 sf	5.96%	0 sf	0.00%	
1:45 PM	5,424 sf	6.23%	0 sf	0.00%	
2:00 PM	5,675 sf	6.51%	0 sf	0.00%	
2:15 PM	5,950 sf	6.83%	0 sf	0.00%	
2:30 PM	6,247 sf	7.17%	0 sf	0.00%	
2:45 PM	6,560 sf	7.53%	0 sf	0.00%	
3:00 PM	6,900 sf	7.92%	0 sf	0.00%	
3:15 PM	7,286 sf	8.36%	0 sf	0.00%	
3:30 PM	7,703 sf	8.84%	1 sf	0.00%	
3:45 PM	8,189 sf	9.40%	73 sf	0.08%	
4:00 PM	8,745 sf	10.04%	319 sf	0.37%	
4:15 PM	9,415 sf	10.81%	762 sf	0.87%	
4:30 PM	10,214 sf	11.72%	1,657 sf	1.90%	
4:45 PM	11,226 sf	12.89%	3,291 sf	3.78%	
5:00 PM	12,880 sf	14.78%	5,580 sf	6.41%	
5:15 PM	15,792 sf	18.13%	10,343 sf	11.87%	
5:30 PM	20,669 sf	23.72%	18,729 sf	21.50%	
5:37 PM	24,126 sf	27.69%	23,682 sf	27.18%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

OCTOBER 18

Mirror date: February 22
Analysis hours: 8:22 AM-5:27 PM (PDT)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:22 AM	49,356 sf	56.65%	6,407 sf	7.35%	
8:30 AM	39,444 sf	45.28%	6,313 sf	7.25%	
8:45 AM	26,211 sf	30.09%	5,247 sf	6.02%	
9:00 AM	18,682 sf	21.44%	4,215 sf	4.84%	
9:15 AM	13,562 sf	15.57%	3,469 sf	3.98%	
9:30 AM	9,551 sf	10.96%	2,890 sf	3.32%	
9:45 AM	7,027 sf	8.07%	2,062 sf	2.37%	
10:00 AM	6,625 sf	7.60%	188 sf	0.22%	
10:15 AM	6,299 sf	7.23%	0 sf	0.00%	
10:30 AM	6,024 sf	6.91%	0 sf	0.00%	
10:45 AM	5,767 sf	6.62%	0 sf	0.00%	
11:00 AM	5,537 sf	6.36%	0 sf	0.00%	
11:15 AM	5,315 sf	6.10%	0 sf	0.00%	
11:30 AM	5,111 sf	5.87%	0 sf	0.00%	
11:45 AM	4,923 sf	5.65%	0 sf	0.00%	
12:00 PM	4,755 sf	5.46%	0 sf	0.00%	
12:15 PM	4,595 sf	5.27%	0 sf	0.00%	
12:30 PM	4,416 sf	5.07%	0 sf	0.00%	
12:45 PM	4,591 sf	5.27%	0 sf	0.00%	
1:00 PM	4,820 sf	5.53%	0 sf	0.00%	
1:15 PM	5,051 sf	5.80%	0 sf	0.00%	
1:30 PM	5,281 sf	6.06%	0 sf	0.00%	
1:45 PM	5,528 sf	6.35%	0 sf	0.00%	
2:00 PM	5,787 sf	6.64%	0 sf	0.00%	
2:15 PM	6,079 sf	6.98%	0 sf	0.00%	
2:30 PM	6,391 sf	7.34%	0 sf	0.00%	
2:45 PM	6,728 sf	7.72%	0 sf	0.00%	
3:00 PM	7,097 sf	8.15%	0 sf	0.00%	
3:15 PM	7,511 sf	8.62%	0 sf	0.00%	
3:30 PM	7,978 sf	9.16%	15 sf	0.02%	
3:45 PM	8,511 sf	9.77%	190 sf	0.22%	
4:00 PM	9,128 sf	10.48%	492 sf	0.57%	
4:15 PM	9,887 sf	11.35%	1,215 sf	1.39%	
4:30 PM	10,804 sf	12.40%	2,651 sf	3.04%	
4:45 PM	12,255 sf	14.07%	4,803 sf	5.51%	
5:00 PM	14,625 sf	16.79%	8,955 sf	10.28%	
5:15 PM	18,254 sf	20.95%	15,624 sf	17.93%	
5:27 PM	24,202 sf	27.78%	22,907 sf	26.29%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

OCTOBER 25

Mirror date: February 15
Analysis hours: 7:30 AM-4:18 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:30 AM	51,336 sf	58.93%	5,893 sf	6.76%	
7:45 AM	32,576 sf	37.39%	5,790 sf	6.65%	
8:00 AM	21,547 sf	24.73%	4,568 sf	5.24%	
8:15 AM	14,922 sf	17.13%	3,712 sf	4.26%	
8:30 AM	10,530 sf	12.09%	3,061 sf	3.51%	
8:45 AM	7,289 sf	8.37%	2,511 sf	2.88%	
9:00 AM	6,606 sf	7.58%	571 sf	0.66%	
9:15 AM	6,272 sf	7.20%	0 sf	0.00%	
9:30 AM	6,002 sf	6.89%	0 sf	0.00%	
9:45 AM	5,744 sf	6.59%	0 sf	0.00%	
10:00 AM	5,513 sf	6.33%	0 sf	0.00%	
10:15 AM	5,299 sf	6.08%	0 sf	0.00%	
10:30 AM	5,090 sf	5.84%	0 sf	0.00%	
10:45 AM	4,910 sf	5.64%	0 sf	0.00%	
11:00 AM	4,749 sf	5.45%	0 sf	0.00%	
11:15 AM	4,593 sf	5.27%	0 sf	0.00%	
11:30 AM	4,439 sf	5.10%	0 sf	0.00%	
11:45 AM	4,654 sf	5.34%	0 sf	0.00%	
12:00 PM	4,885 sf	5.61%	0 sf	0.00%	
12:15 PM	5,128 sf	5.89%	0 sf	0.00%	
12:30 PM	5,367 sf	6.16%	0 sf	0.00%	
12:45 PM	5,624 sf	6.46%	0 sf	0.00%	
1:00 PM	5,896 sf	6.77%	0 sf	0.00%	
1:15 PM	6,202 sf	7.12%	0 sf	0.00%	
1:30 PM	6,528 sf	7.49%	0 sf	0.00%	
1:45 PM	6,893 sf	7.91%	0 sf	0.00%	
2:00 PM	7,282 sf	8.36%	0 sf	0.00%	
2:15 PM	7,731 sf	8.87%	0 sf	0.00%	
2:30 PM	8,229 sf	9.45%	97 sf	0.11%	
2:45 PM	8,819 sf	10.12%	291 sf	0.33%	
3:00 PM	9,500 sf	10.90%	715 sf	0.82%	
3:15 PM	10,350 sf	11.88%	1,914 sf	2.20%	
3:30 PM	11,536 sf	13.24%	3,813 sf	4.38%	
3:45 PM	13,493 sf	15.49%	7,533 sf	8.65%	
4:00 PM	16,681 sf	19.15%	13,991 sf	16.06%	
4:15 PM	22,420 sf	25.73%	20,793 sf	23.87%	
4:18 PM	24,096 sf	27.66%	21,706 sf	24.92%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

NOVEMBER 1

Mirror date: February 8
Analysis hours: 7:36 AM-4:10 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:36 AM	53,393 sf	61.29%	5,303 sf	6.09%	
7:45 AM	41,612 sf	47.76%	5,811 sf	6.67%	
8:00 AM	27,149 sf	31.16%	5,000 sf	5.74%	
8:15 AM	17,945 sf	20.60%	4,002 sf	4.59%	
8:30 AM	11,806 sf	13.55%	3,269 sf	3.75%	
8:45 AM	8,030 sf	9.22%	2,706 sf	3.11%	
9:00 AM	6,601 sf	7.58%	1,129 sf	1.30%	
9:15 AM	6,254 sf	7.18%	0 sf	0.00%	
9:30 AM	5,977 sf	6.86%	0 sf	0.00%	
9:45 AM	5,727 sf	6.57%	0 sf	0.00%	
10:00 AM	5,495 sf	6.31%	0 sf	0.00%	
10:15 AM	5,284 sf	6.06%	0 sf	0.00%	
10:30 AM	5,080 sf	5.83%	0 sf	0.00%	
10:45 AM	4,898 sf	5.62%	0 sf	0.00%	
11:00 AM	4,748 sf	5.45%	0 sf	0.00%	
11:15 AM	4,591 sf	5.27%	0 sf	0.00%	
11:30 AM	4,485 sf	5.15%	0 sf	0.00%	
11:45 AM	4,705 sf	5.40%	0 sf	0.00%	
12:00 PM	4,947 sf	5.68%	0 sf	0.00%	
12:15 PM	5,195 sf	5.96%	0 sf	0.00%	
12:30 PM	5,445 sf	6.25%	0 sf	0.00%	
12:45 PM	5,714 sf	6.56%	0 sf	0.00%	
1:00 PM	5,988 sf	6.87%	0 sf	0.00%	
1:15 PM	6,314 sf	7.25%	0 sf	0.00%	
1:30 PM	6,654 sf	7.64%	0 sf	0.00%	
1:45 PM	7,036 sf	8.08%	0 sf	0.00%	
2:00 PM	7,451 sf	8.55%	0 sf	0.00%	
2:15 PM	7,934 sf	9.11%	28 sf	0.03%	
2:30 PM	8,468 sf	9.72%	119 sf	0.14%	
2:45 PM	9,107 sf	10.45%	266 sf	0.31%	
3:00 PM	9,853 sf	11.31%	1,111 sf	1.27%	
3:15 PM	10,863 sf	12.47%	2,800 sf	3.21%	
3:30 PM	12,362 sf	14.19%	5,846 sf	6.71%	
3:45 PM	14,775 sf	16.96%	11,579 sf	13.29%	
4:00 PM	19,191 sf	22.03%	17,790 sf	20.42%	
4:10 PM	24,483 sf	28.10%	19,556 sf	22.45%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

NOVEMBER 8

Mirror date: February 1
Analysis hours: 7:43 AM-4:03 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:43 AM	55,430 sf	63.63%	4,886 sf	5.61%	
7:45 AM	53,511 sf	61.42%	5,070 sf	5.82%	
8:00 AM	34,979 sf	40.15%	5,259 sf	6.04%	
8:15 AM	23,271 sf	26.71%	4,374 sf	5.02%	
8:30 AM	14,809 sf	17.00%	3,524 sf	4.05%	
8:45 AM	9,424 sf	10.82%	2,883 sf	3.31%	
9:00 AM	6,613 sf	7.59%	1,811 sf	2.08%	
9:15 AM	6,252 sf	7.18%	25 sf	0.03%	
9:30 AM	5,968 sf	6.85%	0 sf	0.00%	
9:45 AM	5,720 sf	6.57%	0 sf	0.00%	
10:00 AM	5,492 sf	6.30%	0 sf	0.00%	
10:15 AM	5,276 sf	6.06%	0 sf	0.00%	
10:30 AM	5,077 sf	5.83%	0 sf	0.00%	
10:45 AM	4,901 sf	5.63%	0 sf	0.00%	
11:00 AM	4,755 sf	5.46%	0 sf	0.00%	
11:15 AM	4,604 sf	5.28%	0 sf	0.00%	
11:30 AM	4,514 sf	5.18%	0 sf	0.00%	
11:45 AM	4,744 sf	5.45%	0 sf	0.00%	
12:00 PM	4,994 sf	5.73%	0 sf	0.00%	
12:15 PM	5,251 sf	6.03%	0 sf	0.00%	
12:30 PM	5,503 sf	6.32%	0 sf	0.00%	
12:45 PM	5,784 sf	6.64%	0 sf	0.00%	
1:00 PM	6,066 sf	6.96%	0 sf	0.00%	
1:15 PM	6,401 sf	7.35%	0 sf	0.00%	
1:30 PM	6,760 sf	7.76%	0 sf	0.00%	
1:45 PM	7,173 sf	8.23%	0 sf	0.00%	
2:00 PM	7,601 sf	8.72%	0 sf	0.00%	
2:15 PM	8,104 sf	9.30%	16 sf	0.02%	
2:30 PM	8,672 sf	9.95%	83 sf	0.10%	
2:45 PM	9,355 sf	10.74%	377 sf	0.43%	
3:00 PM	10,167 sf	11.67%	1,621 sf	1.86%	
3:15 PM	11,341 sf	13.02%	4,143 sf	4.76%	
3:30 PM	13,065 sf	15.00%	8,806 sf	10.11%	
3:45 PM	16,324 sf	18.74%	14,673 sf	16.84%	
4:00 PM	24,209 sf	27.79%	17,105 sf	19.63%	
4:03 PM	27,281 sf	31.31%	16,856 sf	19.35%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

NOVEMBER 15

Mirror date: January 25
Analysis hours: 7:51 AM-3:57 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:51 AM	57,456 sf	65.95%	4,431 sf	5.09%	
8:00 AM	44,494 sf	51.07%	5,133 sf	5.89%	
8:15 AM	29,993 sf	34.43%	4,572 sf	5.25%	
8:30 AM	19,421 sf	22.29%	3,823 sf	4.39%	
8:45 AM	12,326 sf	14.15%	3,104 sf	3.56%	
9:00 AM	7,383 sf	8.47%	2,508 sf	2.88%	
9:15 AM	6,271 sf	7.20%	368 sf	0.42%	
9:30 AM	5,967 sf	6.85%	0 sf	0.00%	
9:45 AM	5,723 sf	6.57%	0 sf	0.00%	
10:00 AM	5,494 sf	6.31%	0 sf	0.00%	
10:15 AM	5,282 sf	6.06%	0 sf	0.00%	
10:30 AM	5,082 sf	5.83%	0 sf	0.00%	
10:45 AM	4,904 sf	5.63%	0 sf	0.00%	
11:00 AM	4,764 sf	5.47%	0 sf	0.00%	
11:15 AM	4,619 sf	5.30%	0 sf	0.00%	
11:30 AM	4,538 sf	5.21%	0 sf	0.00%	
11:45 AM	4,772 sf	5.48%	0 sf	0.00%	
12:00 PM	5,029 sf	5.77%	0 sf	0.00%	
12:15 PM	5,292 sf	6.07%	0 sf	0.00%	
12:30 PM	5,552 sf	6.37%	0 sf	0.00%	
12:45 PM	5,835 sf	6.70%	0 sf	0.00%	
1:00 PM	6,127 sf	7.03%	0 sf	0.00%	
1:15 PM	6,471 sf	7.43%	0 sf	0.00%	
1:30 PM	6,838 sf	7.85%	0 sf	0.00%	
1:45 PM	7,253 sf	8.33%	0 sf	0.00%	
2:00 PM	7,709 sf	8.85%	0 sf	0.00%	
2:15 PM	8,235 sf	9.45%	4 sf	0.00%	
2:30 PM	8,834 sf	10.14%	54 sf	0.06%	
2:45 PM	9,552 sf	10.96%	602 sf	0.69%	
3:00 PM	10,422 sf	11.96%	2,338 sf	2.68%	
3:15 PM	11,766 sf	13.51%	5,933 sf	6.81%	
3:30 PM	13,946 sf	16.01%	11,220 sf	12.88%	
3:45 PM	19,955 sf	22.91%	14,991 sf	17.21%	
3:57 PM	31,138 sf	35.74%	14,108 sf	16.19%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

NOVEMBER 22

Mirror date: January 18
Analysis hours: 7:57 AM-3:54 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
7:57 AM	59,462 sf	68.25%	4,024 sf	4.62%	
8:00 AM	56,106 sf	64.40%	4,258 sf	4.89%	
8:15 AM	37,839 sf	43.43%	4,598 sf	5.28%	
8:30 AM	25,145 sf	28.86%	4,022 sf	4.62%	
8:45 AM	16,356 sf	18.77%	3,360 sf	3.86%	
9:00 AM	9,898 sf	11.36%	2,721 sf	3.12%	
9:15 AM	7,077 sf	8.12%	1,031 sf	1.18%	
9:30 AM	6,019 sf	6.91%	0 sf	0.00%	
9:45 AM	5,735 sf	6.58%	0 sf	0.00%	
10:00 AM	5,508 sf	6.32%	0 sf	0.00%	
10:15 AM	5,293 sf	6.08%	0 sf	0.00%	
10:30 AM	5,094 sf	5.85%	0 sf	0.00%	
10:45 AM	4,921 sf	5.65%	0 sf	0.00%	
11:00 AM	4,782 sf	5.49%	0 sf	0.00%	
11:15 AM	4,642 sf	5.33%	0 sf	0.00%	
11:30 AM	4,551 sf	5.22%	0 sf	0.00%	
11:45 AM	4,786 sf	5.49%	0 sf	0.00%	
12:00 PM	5,042 sf	5.79%	0 sf	0.00%	
12:15 PM	5,311 sf	6.10%	0 sf	0.00%	
12:30 PM	5,580 sf	6.40%	0 sf	0.00%	
12:45 PM	5,869 sf	6.74%	0 sf	0.00%	
1:00 PM	6,165 sf	7.08%	0 sf	0.00%	
1:15 PM	6,509 sf	7.47%	0 sf	0.00%	
1:30 PM	6,887 sf	7.90%	0 sf	0.00%	
1:45 PM	7,318 sf	8.40%	0 sf	0.00%	
2:00 PM	7,785 sf	8.94%	0 sf	0.00%	
2:15 PM	8,321 sf	9.55%	0 sf	0.00%	
2:30 PM	8,937 sf	10.26%	31 sf	0.04%	
2:45 PM	9,680 sf	11.11%	824 sf	0.95%	
3:00 PM	10,624 sf	12.20%	3,146 sf	3.61%	
3:15 PM	12,246 sf	14.06%	7,550 sf	8.67%	
3:30 PM	15,814 sf	18.15%	12,449 sf	14.29%	
3:45 PM	24,777 sf	28.44%	13,761 sf	15.80%	
3:54 PM	34,860 sf	40.01%	11,627 sf	13.35%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

NOVEMBER 29

Mirror date: January 11
Analysis hours: 8:04 AM-3:51 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:04 AM	60,975 sf	69.99%	3,790 sf	4.35%	
8:15 AM	46,327 sf	53.18%	4,521 sf	5.19%	
8:30 AM	31,415 sf	36.06%	4,084 sf	4.69%	
8:45 AM	20,984 sf	24.09%	3,555 sf	4.08%	
9:00 AM	13,129 sf	15.07%	2,935 sf	3.37%	
9:15 AM	8,485 sf	9.74%	1,824 sf	2.09%	
9:30 AM	6,811 sf	7.82%	0 sf	0.00%	
9:45 AM	5,872 sf	6.74%	0 sf	0.00%	
10:00 AM	5,532 sf	6.35%	0 sf	0.00%	
10:15 AM	5,316 sf	6.10%	0 sf	0.00%	
10:30 AM	5,117 sf	5.87%	0 sf	0.00%	
10:45 AM	4,940 sf	5.67%	0 sf	0.00%	
11:00 AM	4,804 sf	5.51%	0 sf	0.00%	
11:15 AM	4,670 sf	5.36%	0 sf	0.00%	
11:30 AM	4,546 sf	5.22%	0 sf	0.00%	
11:45 AM	4,759 sf	5.46%	0 sf	0.00%	
12:00 PM	5,000 sf	5.74%	0 sf	0.00%	
12:15 PM	5,294 sf	6.08%	0 sf	0.00%	
12:30 PM	5,585 sf	6.41%	0 sf	0.00%	
12:45 PM	5,879 sf	6.75%	0 sf	0.00%	
1:00 PM	6,178 sf	7.09%	0 sf	0.00%	
1:15 PM	6,517 sf	7.48%	0 sf	0.00%	
1:30 PM	6,904 sf	7.92%	0 sf	0.00%	
1:45 PM	7,335 sf	8.42%	0 sf	0.00%	
2:00 PM	7,810 sf	8.96%	0 sf	0.00%	
2:15 PM	8,358 sf	9.59%	0 sf	0.00%	
2:30 PM	8,980 sf	10.31%	24 sf	0.03%	
2:45 PM	9,745 sf	11.19%	1,069 sf	1.23%	
3:00 PM	10,930 sf	12.55%	3,847 sf	4.42%	
3:15 PM	13,003 sf	14.93%	8,515 sf	9.77%	
3:30 PM	17,870 sf	20.51%	12,500 sf	14.35%	
3:45 PM	29,585 sf	33.96%	12,017 sf	13.79%	
3:51 PM	38,226 sf	43.88%	9,782 sf	11.23%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

DECEMBER 6

Mirror date: January 4
Analysis hours: 8:10 AM-3:51 PM (PST)

Shadow / Sunlight Balance Key

Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:10 AM	62,077 sf	71.25%	3,623 sf	4.16%	
8:15 AM	55,171 sf	63.33%	3,964 sf	4.55%	
8:30 AM	37,834 sf	43.43%	4,133 sf	4.74%	
8:45 AM	25,717 sf	29.52%	3,623 sf	4.16%	
9:00 AM	16,650 sf	19.11%	3,157 sf	3.62%	
9:15 AM	10,386 sf	11.92%	2,530 sf	2.90%	
9:30 AM	7,843 sf	9.00%	260 sf	0.30%	
9:45 AM	6,564 sf	7.53%	0 sf	0.00%	
10:00 AM	5,653 sf	6.49%	0 sf	0.00%	
10:15 AM	5,348 sf	6.14%	0 sf	0.00%	
10:30 AM	5,150 sf	5.91%	0 sf	0.00%	
10:45 AM	4,967 sf	5.70%	0 sf	0.00%	
11:00 AM	4,834 sf	5.55%	0 sf	0.00%	
11:15 AM	4,701 sf	5.40%	0 sf	0.00%	
11:30 AM	4,542 sf	5.21%	0 sf	0.00%	
11:45 AM	4,757 sf	5.46%	0 sf	0.00%	
12:00 PM	5,024 sf	5.77%	0 sf	0.00%	
12:15 PM	5,298 sf	6.08%	0 sf	0.00%	
12:30 PM	5,573 sf	6.40%	0 sf	0.00%	
12:45 PM	5,859 sf	6.72%	0 sf	0.00%	
1:00 PM	6,163 sf	7.07%	0 sf	0.00%	
1:15 PM	6,497 sf	7.46%	0 sf	0.00%	
1:30 PM	6,881 sf	7.90%	0 sf	0.00%	
1:45 PM	7,318 sf	8.40%	0 sf	0.00%	
2:00 PM	7,793 sf	8.95%	0 sf	0.00%	
2:15 PM	8,341 sf	9.57%	0 sf	0.00%	
2:30 PM	8,961 sf	10.29%	23 sf	0.03%	
2:45 PM	9,870 sf	11.33%	1,182 sf	1.36%	
3:00 PM	11,182 sf	12.83%	4,220 sf	4.84%	
3:15 PM	13,645 sf	15.66%	8,831 sf	10.14%	
3:30 PM	19,347 sf	22.21%	12,156 sf	13.95%	
3:45 PM	32,446 sf	37.24%	10,874 sf	12.48%	
3:51 PM	41,983 sf	48.19%	7,815 sf	8.97%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

DECEMBER 13

Mirror date: December 28
Analysis hours: 8:15 AM-3:52 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:15 AM	62,797 sf	72.08%	3,498 sf	4.02%	
8:30 AM	44,071 sf	50.59%	4,120 sf	4.73%	
8:45 AM	30,241 sf	34.71%	3,724 sf	4.27%	
9:00 AM	19,954 sf	22.90%	3,236 sf	3.71%	
9:15 AM	12,851 sf	14.75%	2,723 sf	3.13%	
9:30 AM	8,805 sf	10.11%	869 sf	1.00%	
9:45 AM	7,255 sf	8.33%	0 sf	0.00%	
10:00 AM	6,109 sf	7.01%	0 sf	0.00%	
10:15 AM	5,439 sf	6.24%	0 sf	0.00%	
10:30 AM	5,186 sf	5.95%	0 sf	0.00%	
10:45 AM	4,998 sf	5.74%	0 sf	0.00%	
11:00 AM	4,857 sf	5.58%	0 sf	0.00%	
11:15 AM	4,731 sf	5.43%	0 sf	0.00%	
11:30 AM	4,548 sf	5.22%	0 sf	0.00%	
11:45 AM	4,709 sf	5.40%	0 sf	0.00%	
12:00 PM	4,976 sf	5.71%	0 sf	0.00%	
12:15 PM	5,253 sf	6.03%	0 sf	0.00%	
12:30 PM	5,528 sf	6.35%	0 sf	0.00%	
12:45 PM	5,821 sf	6.68%	0 sf	0.00%	
1:00 PM	6,123 sf	7.03%	0 sf	0.00%	
1:15 PM	6,454 sf	7.41%	0 sf	0.00%	
1:30 PM	6,831 sf	7.84%	0 sf	0.00%	
1:45 PM	7,258 sf	8.33%	0 sf	0.00%	
2:00 PM	7,731 sf	8.87%	0 sf	0.00%	
2:15 PM	8,270 sf	9.49%	0 sf	0.00%	
2:30 PM	8,933 sf	10.25%	0 sf	0.00%	
2:45 PM	9,859 sf	11.32%	1,062 sf	1.22%	
3:00 PM	11,281 sf	12.95%	4,068 sf	4.67%	
3:15 PM	13,808 sf	15.85%	8,530 sf	9.79%	
3:30 PM	19,540 sf	22.43%	11,753 sf	13.49%	
3:45 PM	32,452 sf	37.25%	10,549 sf	12.11%	
3:52 PM	44,996 sf	51.65%	6,232 sf	7.15%	

PROJECT: Family Zoning Plan
OPEN SPACE: Joe DiMaggio (87,120 sf)

DECEMBER 20

Winter solstice (December 21 similar)
Analysis hours: 8:19 AM-3:54 PM (PST)

Shadow / Sunlight Balance Key
Existing Shadow | Project Shadow | Sunlight Remaining

Analysis Time	EXISTING SHADOW		PROJECT NET NEW SHADOW		SHADOW/SUNLIGHT BALANCE
	Shadow Area	Coverage	Shadow Area	Coverage	Relative levels of Shadow vs. Sun
8:19 AM	63,052 sf	72.37%	3,457 sf	3.97%	
8:30 AM	49,142 sf	56.41%	4,080 sf	4.68%	
8:45 AM	34,003 sf	39.03%	3,810 sf	4.37%	
9:00 AM	22,611 sf	25.95%	3,341 sf	3.83%	
9:15 AM	14,836 sf	17.03%	2,875 sf	3.30%	
9:30 AM	9,679 sf	11.11%	1,488 sf	1.71%	
9:45 AM	7,787 sf	8.94%	0 sf	0.00%	
10:00 AM	6,454 sf	7.41%	0 sf	0.00%	
10:15 AM	5,621 sf	6.45%	0 sf	0.00%	
10:30 AM	5,229 sf	6.00%	0 sf	0.00%	
10:45 AM	5,039 sf	5.78%	0 sf	0.00%	
11:00 AM	4,883 sf	5.61%	0 sf	0.00%	
11:15 AM	4,765 sf	5.47%	0 sf	0.00%	
11:30 AM	4,623 sf	5.31%	0 sf	0.00%	
11:45 AM	4,656 sf	5.34%	0 sf	0.00%	
12:00 PM	4,923 sf	5.65%	0 sf	0.00%	
12:15 PM	5,200 sf	5.97%	0 sf	0.00%	
12:30 PM	5,472 sf	6.28%	0 sf	0.00%	
12:45 PM	5,762 sf	6.61%	0 sf	0.00%	
1:00 PM	6,064 sf	6.96%	0 sf	0.00%	
1:15 PM	6,389 sf	7.33%	0 sf	0.00%	
1:30 PM	6,753 sf	7.75%	0 sf	0.00%	
1:45 PM	7,175 sf	8.24%	0 sf	0.00%	
2:00 PM	7,635 sf	8.76%	0 sf	0.00%	
2:15 PM	8,165 sf	9.37%	0 sf	0.00%	
2:30 PM	8,816 sf	10.12%	0 sf	0.00%	
2:45 PM	9,715 sf	11.15%	772 sf	0.89%	
3:00 PM	11,060 sf	12.70%	3,478 sf	3.99%	
3:15 PM	13,417 sf	15.40%	7,731 sf	8.87%	
3:30 PM	18,450 sf	21.18%	11,434 sf	13.12%	
3:45 PM	30,188 sf	34.65%	10,821 sf	12.42%	
3:54 PM	46,296 sf	53.14%	5,558 sf	6.38%	

EXHIBIT E

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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November 14, 2025

Richard Drury
Lozeau | Drury LLP
1939 Harrison St., Suite 150
Oakland, CA 94612

Subject: **Comments on the Family Zoning Plan – Housing Element Rezoning Program (SCH No. 2021060358)**

Dear Mr. Drury,

We have reviewed the September 2025 Addendum No. 1 to Environmental Impact Report ("Addendum") and the November 2022 Final Environmental Impact Report ("FEIR") for the Family Zoning Plan – Housing Element Rezoning Program ("Project") located in the City of San Francisco ("City"). The Addendum proposes to develop an additional 4,000 housing units to bring the total units under the Family Zoning Plan to 54,000 housing units.

Our review concludes that the Addendum fails to adequately evaluate the Project's hazards, hazardous materials, and air quality impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project may be underestimated and inadequately addressed. A subsequent Environmental Impact Report ("EIR") should be prepared to adequately assess and mitigate the potential hazards, hazardous materials, and air quality impacts that the project may have on the environment.

Hazards and Hazardous Materials

Inadequate Disclosure and Analysis of Impacts

The Addendum and FEIR do not mention the newly passed AB 130 which mandates that hazardous waste sites be addressed through the completion of a Phase I Environmental Site Assessments ("ESAs"). AB 130 states: [1]

> "The development can proceed as a "use by right" if, [among other provisions],

[1] "Assembly Bill No. 130." California State Legislature, 2025, *available at:* https://legiscan.com/CA/text/AB130/id/3258333

(13) (A) The development proponent completes a Phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code, and a Phase II environmental assessment, as defined in subdivision (o) of Section 25403 of the Health and Safety Code, if warranted.

(B) If a recognized environmental condition is found, the development proponent shall undertake a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(i) If a release of hazardous substance is found to exist on the site, the release shall be removed, or any significant effect of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(ii) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current state and federal requirements."

These requirements are not mentioned in the Addendum or FEIR. There are thousands of hazardous waste sites in San Francisco. According to the FEIR, there are 2,000 Maher sites and 2,300 Cortese List sites within San Francisco (p. 4.1-219) [2]. All Maher- and Cortese-listed sites that will be subject to development under this Project will need to undergo a Phase I ESA according to the AB 130 text cited above.

Phase I ESAs are conducted to identify if any recognized environmental conditions are found that would potentially pose a health risk to construction workers or for future residents. If a recognized environmental condition is found, a more detailed preliminary endangerment assessment is required to identify any hazardous substance release.

A subsequent EIR should be prepared to include specific mitigation measures for dealing with Maher- and Cortese-listed sites in a manner consistent with AB 130. These mitigation measures must include provisions for conducting Phase I ESAs and, if recognized conditions are found, Phase II ESAs so that the health of construction workers, future occupants and workers is protected.

[2] The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California Environmental Protection Agencyopens in a new window to develop at least annually an updated Cortese List. DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. https://dtsc.ca.gov/dtscs-cortese-list/

Air Quality

Failure to Quantify and Adequately Evaluate Criteria Air Pollutant Emissions

The Addendum fails to quantify the criteria air pollutant emissions associated with Project construction and operation. Rather, in regard to the proposed Project's construction-related air quality impacts, the Addendum states:

> "The proposed rezoning program and subsequent development is expected to result in the same significant criteria air pollutant impacts from construction but not substantially more severe impacts than those disclosed in the EIR" (p. 93).

Similarly, in regard to the Project's operational air quality impacts, the Addendum states:

> "The conclusion in the FEIR is that total operational emissions for future development would be below the air district's thresholds of significance for all pollutants. That conclusion also applies to the proposed rezoning program. Operational emissions would not exceed any thresholds for any representative building type that would be constructed under the proposed rezoning program, and the impact would be less than significant" (p. 95).

However, relevant Bay Area Air Quality Management District ("BAAQMD") guidance supports the calculation of the Project's air pollutant emissions. The Addendum proposes to construct an additional 4,000 residential units. According to BAAQMD's screening criteria, apartments and condo-townhouse land uses must undergo further environmental review if they exceed 416 units for construction or 637/638 units for operational emissions (see table below).[3]

[3] "Screening For Criteria Air Pollutants and Precursors." BAAQMD, 2022, *available at*: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqa-guidelines-chapter-4-screening_final-pdf.pdf?la=en, p. 4.

Land Use Category	Land Use Subcategory	Land Use Unit	Screening Level	
			Construction	Operation
Education	Worship Place	KSF	452	642
Industrial	General Heavy Industry	KSF	452	1,009
Industrial	General Light Industry	KSF	452	998
Industrial	Industrial Park	KSF	452	1,247
Industrial	Manufacturing	KSF	452	1,009
Industrial	Warehouse[1]	KSF	452	1,423
Recreational	Arena	KSF	732	600
Recreational	City Park	Acres	10	175
Recreational	Fast Food Restaurant	KSF	452	21
Recreational	Health Club	KSF	452	261
Recreational	Hotel	Rooms	312	633
Recreational	Motel	Rooms	230	767
Recreational	Movie Theater	KSF	458	80
Recreational	Restaurant – High Turnover (Sit-Down)	KSF	452	75
Recreational	Restaurant – Quality (Fine Dining)	KSF	452	105
Recreational	Racquet Club	KSF	452	457
Recreational	Recreational Swimming Pool	KSF	452	376
Residential	Apartments	DU	416	638
Residential	Condo-Townhouse	DU	416	637
Residential	Mobile Home Park	DU	377	721
Residential	Congregate Care/Retirement Community	DU	416	1,008
Residential	Single Family Housing	DU	254	421
Retail	Auto Care Center	KSF	452	356
Retail	Convenience Market	KSF	452	11
Retail	Discount Store	KSF	452	150
Retail	Home Improvement Superstore/Hardware-Paint Store	KSF	452	221
Retail	Regional Shopping Center	KSF	452	221
Retail	Strip Mall	KSF	452	204
Retail	Supermarket	KSF	452	72

Notes: DU = dwelling unit; KSF = thousand square feet.

Furthermore, the BAAQMD indicates that if a Project includes any of the listed screening criteria, "then the lead agency would need to perform a detailed assessment of the project's criteria air pollutant and precursor emissions."[4] Thus, pursuant to relevant BAAQMD guidance, a quantitative air quality analysis should be prepared in a subsequent EIR.

Without making an effort to estimate the Project's potential construction-related and operational criteria air pollutant emissions, the Addendum lacks evidence to support the conclusion that the Project's emissions would not exceed the applicable BAAQMD significance thresholds. Until further analysis is provided, we cannot verify the Project would not result in new, significant air quality impacts already addressed in the FEIR. The Project should not be approved until a subsequent EIR is prepared to adequately assess and mitigate the potential air quality impacts that Project construction and operation may have on the surrounding environment.

SWAPE's Analysis Indicates a Potentially Significant Air Quality Impact

In an effort to estimate construction-related and operational emissions that may result from development of the additional 4,000 housing units under the Addendum, we prepared a preliminary CalEEMod model. Our analysis provides a generalized evaluation of a range of potential residential building types. Specifically, we modeled accounting for 2,000 "Apartments Mid Rise" and 2,000

[4] "Screening For Criteria Air Pollutants and Precursors." BAAQMD, 2022, *available at*: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqa-guidelines-chapter-4-screening_final-pdf.pdf?la=en, p. 4.

"Condo/Townhouse High Rise" land use subtypes. Because Project-specific details such as construction schedule, equipment types, and operating parameters are not known at this time, all other values were left as default.

Our analysis estimates that the Project's construction and operational related reactive organic gases/volatile organic compounds ("ROG/VOC") emissions exceed the BAAQMD daily threshold of 54 pounds per day ("lbs/day") (see table below).

SWAPE Criteria Air Pollutant Emissions Estimates		
	Construction ROG/VOC (lbs/day)	**Operational ROG/VOC** (lbs/day)
SWAPE	148	145
BAAQMD Threshold	**54**	**54**
Exceeds?	***Yes***	***Yes***

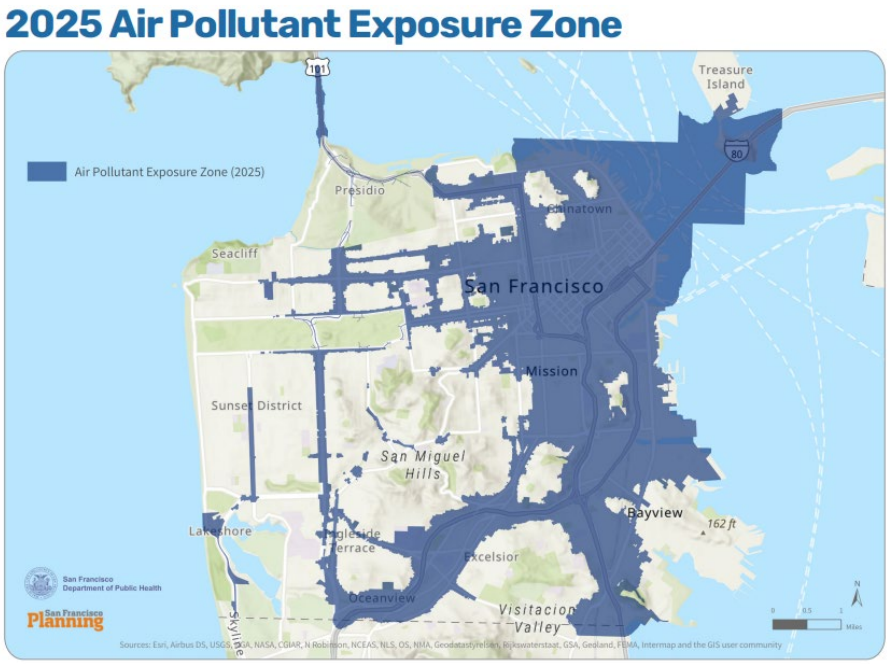
According to our analysis, the construction and operational related ROG/VOC emissions are estimated to be approximately 148 and 145 lbs/day, respectively, exceeding the BAAQMD daily threshold. This finding indicates a potentially significant air quality impact that the Addendum did not identify or address. In our opinion, a subsequent EIR should be conducted to provide a more substantial calculation of the Project's emissions and a more detailed evaluation of the Project's potential air quality impacts.

Failure to Adequately Account for Air Pollution Exposure Zones

The Addendum proposes development in the Downtown, Marina, Mission, Northeast, and Western Addition planning districts, which have areas within the City's air pollutant exposure zones ("APEZ"). The Addendum states that "the proposed rezoning program may result in a small proportion of additional rezoned parcels being in the APEZ, which could increase the number of people exposed to the generally high pollutant concentrations in the APEZ" (p. 97).

In 2025, the City identified new APEZ areas, defined as locations "where particulate matter ($PM_{2.5}$) is greater than or equal to 9 $\mu g/m^3$ or where the risk of cancer from air pollutants is greater than or equal to 100 in a million," and are displayed in the APEZ map presented below:[5]

[5] "2025 Air Pollutant Exposure Zone." San Francisco Department of Public Health, February 2025, available at: https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=216571d03e991ee3e00bc434a2415eb36eabc17a8f25a39dc8105f404b976d2f&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0.



According to the City:

> "Since 2008, San Francisco Health Code article 38 requires new residential construction projects in the APEZ to install enhanced ventilation in buildings to protect residents from the health effects of poor air quality. In addition, through the environmental review process, many construction projects in the APEZ are required to use the cleanest available construction equipment to reduce air quality impacts."[6][7]

As demonstrated above, residential projects are recommended to install enhanced ventilation in buildings. The Addendum and FEIR have failed to do so. Additionally, the Addendum concludes that the $PM_{2.5}$ and cancer risk impacts associated with the Project would be significant-and-unavoidable with mitigation, stating:

> "The maximum increases in $PM_{2.5}$ concentrations and cancer risks would not be meaningfully different than those found in the FEIR analysis, and the results would most likely still be above the air district's thresholds and thus significant and unavoidable with mitigation" (p. 97).

While we agree that the Project would result in significant air quality impacts, the Addendum's assertion that this impact is significant-and-unavoidable is unsupported. The Project proposed by the Addendum would allow further residential development within newly designated APEZ areas, which are already characterized by elevated $PM_{2.5}$ levels and an increased cancer risk. By facilitating new housing in these

[6] "Air Quality Review." San Francisco Planning, 2025, *available at:* https://sfplanning.org/air-quality#permit-anchor-3.
[7] "ARTICLE 38: Enhanced Ventilation for Urban Infill." City and County of San Francisco, December 2008, *available at: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_health/0-0-0-6054*.

areas without committing to additional mitigation, the Addendum could expose future residents to potentially significant health impacts. According to CEQA Guidelines §15096(g)(2):

> "When an updated EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment."[8]

As such, the Addendum is required under CEQA to implement all feasible mitigation to reduce impacts to a less-than-significant level. To reduce the Project's air quality impacts to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled "Feasible Mitigation Measures Available to Reduce Emissions." The Project should not be approved until a subsequent EIR is prepared, incorporating all feasible mitigation to reduce emissions to the maximum extent possible.

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

The Addendum is required under CEQA to implement all feasible mitigation to reduce the Project's potential impacts. As demonstrated above, the Project would result in potentially significant air quality impacts that should be mitigated further.

To reduce the VOC emissions associated with Project construction and operation, we recommend the Addendum consider incorporating the following mitigation measures:[9]

- Use super-compliant VOC-content architectural coatings (0 grams per liter to less than 10 grams per liter VOC) during Project construction application of paints and other architectural coatings.
- If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, or they do not reduce emissions to below thresholds, the developer shall avoid application of architectural coatings during the peak smog season: July, August, and September.

While the Project is not located in Los Angeles County, the above mitigation measures would decrease emissions regardless. Further mitigation used by other land use development projects to address VOC emissions include:[10]

[8] "Cal. Code Regs. tit. 14 § 15096." California Legislature, available at: https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15096-process-for-a-responsible-agency.

[9] "Mitigation Monitoring and Reporting Program." Los Angeles County Housing Element Update Program EIR. August 2021, *available at*: https://planning.lacounty.gov/wp-content/uploads/2023/07/Housing_final-peir-mitigation-monitoring.pdf.

[10] "Banning Commerce Center Project." Kimley-Horn and Associates, Inc., June 2024, *available at*: https://ceqanet.opr.ca.gov/2022090102/2; Draft Environmental Impact Report, p. 1-7.

- Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
- Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
- For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain
- Use compliant low-VOC cleaning solvents to clean paint application equipment.
- Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.
- Contractors shall construct/build with materials that do not require painting and use pre-painted construction materials to the extent practicable.
- Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.
- Manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent application efficiency.

In order to reduce the $PM_{2.5}$ and cancer risk emissions associated with the Project and recommend the Addendum consider incorporating several mitigation measures as listed below. Incorporating these measures would also reduce cumulative exposure for future residential developments proposed within APEZ zones, where pollutant concentrations are already elevated. The Southern California Association of Governments' Certified Final Program Environmental Impact Report for Connect SoCal 2024 recommends the following Project-level air quality mitigation measures: [11]

- Installing high-efficiency or enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.
- Disclose potential health impacts to prospective sensitive receptors from living in close proximity to freeways or other sources of air pollution and the reduced effectiveness of air filtration systems when windows are open or residents are outside.
- Identify the responsible implementing and enforcement agency to ensure that enhanced filtration units are installed on-site before a permit of occupancy is issued.
- Identify the responsible entity such as future residents themselves, Homeowner's Association, or property managers for ensuring enhanced filtration units are replaced on time.
- Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units.
- Set criteria for assessing progress in installing and replacing the enhanced filtration units,
- Develop a process for evaluating the effectiveness of the enhanced filtration units.
- Diesel generators on site for more than 10 total days shall be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.

[11] "Certified Final Program Environmental Impact Report for Connect SoCal 2024." SCAG, May 2020, *available at:* https://scag.ca.gov/program-environmental-impact-report-0.

- Establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.
- Obtain CARB Portable Equipment Registration with the state or a local district permit for portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles. Arrange appropriate consultations with CARB or the local air district to determine registration and permitting requirements prior to equipment operation at the site.
- Provide pedestrian network improvements, such as interconnected street network, narrower roadways and shorter block lengths, sidewalks, parks and public spaces, minimize pedestrian barriers.
- Create urban non-motorized zones.
- Provide bike parking in non-residential and multi-unit residential projects
- Require residential area parking permit.
- Provide ride-sharing programs:
    - Designate a certain percentage of parking spacing for ride sharing vehicles,
    - Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles,
    - Providing a web site or messaging board for coordinating rides, and
    - Permanent transportation management association membership and finding requirement.

Provided above are several mitigation measures that would reduce Project-related VOC and $PM_{2.5}$/cancer risk emissions. These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently reduces emissions released during Project construction and operation.

A subsequent EIR should be prepared that includes all feasible mitigation measures, as well as an updated air quality analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to the maximum extent feasible. The subsequent EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's potentially significant emissions are reduced to the maximum extent possible.

Disclaimer

SWAPE has received limited documentation regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was

reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

Attachment A: CalEEMod Output Files
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Attachment A

San Francisco Housing Element Detailed Report

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1.1. Basic Project Information

Data Field	Value
Project Name	San Francisco Housing Element
Construction Start Date	1/1/2026
Operational Year	2050
Lead Agency	—
Land Use Scale	Plan/community
Analysis Level for Defaults	County
Windspeed (m/s)	3.9
Precipitation (days)	42
Location	San Francisco, CA, USA
County	San Francisco
City	San Francisco
Air District	Bay Area AQMD
Air Basin	San Francisco Bay Area
TAZ	1047
EDFZ	1
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.32

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Apartments Mid Rise	2,000	Dwelling Unit	53	1,920,000	—	—	4,660	—

Condo/Townhouse High Rise	2,000	Dwelling Unit	31	1,920,000	—	—	4,660	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	493	493	33	121	0.10	1.2	27	27	1.1	10	11	—	39,740	39,740	2.1	2.0	105	40,504
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	493	493	35	113	0.10	1.1	27	27	1.0	6.5	6.9	—	38,384	38,384	2.3	2.8	2.7	39,270
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	148	148	23	76	0.07	0.74	19	19	0.68	4.5	4.8	—	26,971	26,971	1.5	1.6	29	27,454
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	27	27	4.2	14	0.01	0.14	3.4	3.5	0.12	0.83	0.87	—	4,465	4,465	0.25	0.26	4.8	4,545

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2026	3.8	3.2	29	29	0.06	1.2	20	21	1.1	10	11	—	6,776	6,776	0.27	0.05	0.62	6,799
2027	11	8.6	33	121	0.10	0.42	27	27	0.39	6.5	6.9	—	39,740	39,740	2.1	2.0	105	40,504
2028	11	8.4	31	116	0.10	0.38	27	27	0.36	6.5	6.8	—	38,945	38,945	2.1	1.9	94	39,672
2029	11	8.1	29	111	0.10	0.35	27	27	0.33	6.5	6.8	—	38,138	38,138	1.9	1.9	84	38,850
2030	9.5	7.8	28	107	0.10	0.34	27	27	0.32	6.5	6.8	—	37,342	37,342	1.8	1.9	74	38,018
2031	9.2	7.6	26	104	0.10	0.32	27	27	0.30	6.5	6.8	—	36,693	36,693	1.7	1.8	65	37,333
2032	8.9	7.4	24	101	0.10	0.30	27	27	0.29	6.5	6.8	—	35,954	35,954	1.6	1.8	57	36,583
2033	493	493	5.9	16	0.01	0.18	4.8	4.8	0.17	1.1	1.1	—	4,730	4,730	0.06	0.04	7.6	4,750
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2026	3.7	3.1	27	28	0.06	1.1	9.4	10	1.0	3.7	4.7	—	6,766	6,766	0.27	0.06	0.02	6,791
2027	11	8.5	35	113	0.10	1.0	27	27	0.96	6.5	6.9	—	38,384	38,384	2.3	2.8	2.7	39,270
2028	11	8.2	33	108	0.10	0.38	27	27	0.36	6.5	6.8	—	37,614	37,614	2.1	2.7	2.4	38,471
2029	11	7.8	31	104	0.10	0.35	27	27	0.33	6.5	6.8	—	36,830	36,830	2.0	2.7	2.2	37,685
2030	9.5	7.7	29	100	0.10	0.34	27	27	0.32	6.5	6.8	—	36,055	36,055	2.0	1.9	1.9	36,663
2031	9.1	7.4	27	97	0.10	0.32	27	27	0.30	6.5	6.8	—	35,418	35,418	1.7	1.8	1.7	35,996
2032	8.8	7.3	26	93	0.10	0.30	27	27	0.29	6.5	6.8	—	34,697	34,697	1.6	1.8	1.5	35,273
2033	493	493	25	90	0.10	0.28	27	27	0.27	6.5	6.8	—	34,007	34,007	1.5	1.7	1.3	34,556
2034	493	493	1.5	14	< 0.005	0.01	4.8	4.8	0.01	1.1	1.1	—	4,430	4,430	0.07	0.04	0.17	4,443
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2026	2.4	2.0	18	18	0.03	0.74	5.8	6.6	0.68	2.7	3.4	—	3,709	3,709	0.15	0.03	0.17	3,723
2027	6.8	5.1	23	66	0.07	0.39	16	17	0.37	4.1	4.5	—	22,553	22,553	1.3	1.6	25	23,076
2028	7.8	5.8	23	76	0.07	0.27	19	19	0.25	4.5	4.8	—	26,971	26,971	1.5	1.4	29	27,454
2029	7.5	5.6	22	73	0.07	0.25	19	19	0.24	4.5	4.7	—	26,337	26,337	1.4	1.4	26	26,813
2030	6.7	5.5	20	69	0.07	0.24	19	19	0.23	4.5	4.7	—	25,782	25,782	1.4	1.3	23	26,237

2031	6.4	5.2	19	67	0.07	0.23	19	19	0.22	4.5	4.7	—	25,327	25,327	1.2	1.3	20	25,759
2032	6.2	5.2	19	65	0.07	0.22	19	19	0.20	4.5	4.7	—	24,879	24,879	1.1	1.3	17	25,307
2033	148	148	5.0	17	0.02	0.09	4.4	4.5	0.08	1.0	1.1	—	5,689	5,689	0.21	0.21	3.4	5,760
2034	2.9	2.9	0.01	0.08	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	—	26	26	< 0.005	< 0.005	0.02	26
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2026	0.43	0.37	3.3	3.3	0.01	0.14	1.1	1.2	0.12	0.49	0.61	—	614	614	0.02	0.01	0.03	616
2027	1.2	0.93	4.2	12	0.01	0.07	2.9	3.0	0.07	0.75	0.82	—	3,734	3,734	0.21	0.26	4.2	3,820
2028	1.4	1.1	4.2	14	0.01	0.05	3.4	3.5	0.05	0.83	0.87	—	4,465	4,465	0.25	0.23	4.8	4,545
2029	1.4	1.0	4.0	13	0.01	0.05	3.4	3.5	0.04	0.82	0.87	—	4,360	4,360	0.23	0.23	4.3	4,439
2030	1.2	1.00	3.7	13	0.01	0.04	3.4	3.5	0.04	0.82	0.86	—	4,269	4,269	0.22	0.22	3.8	4,344
2031	1.2	0.95	3.5	12	0.01	0.04	3.4	3.5	0.04	0.82	0.86	—	4,193	4,193	0.20	0.21	3.3	4,265
2032	1.1	0.94	3.4	12	0.01	0.04	3.4	3.5	0.04	0.83	0.86	—	4,119	4,119	0.19	0.21	2.9	4,190
2033	27	27	0.91	3.1	< 0.005	0.02	0.80	0.82	0.02	0.19	0.21	—	942	942	0.03	0.03	0.56	954
2034	0.53	0.53	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	4.3	4.3	< 0.005	< 0.005	< 0.005	4.3

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	167	161	70	547	1.1	4.3	82	86	4.2	21	25	1,819	147,054	148,873	189	3.7	35	154,742
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	146	141	71	313	1.0	4.2	82	86	4.2	21	25	1,819	143,053	144,872	189	4.0	28	150,827
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	149	145	31	386	0.75	1.1	76	77	1.1	19	20	1,819	90,932	92,751	188	3.7	31	98,577

Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	27	27	5.7	70	0.14	0.20	14	14	0.20	3.5	3.7	301	15,055	15,356	31	0.61	5.1	16,321

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	44	41	19	298	0.75	0.27	82	82	0.25	21	21	—	76,997	76,997	3.1	2.9	7.6	77,951
Area	122	119	42	245	0.26	3.3	—	3.3	3.3	—	3.3	0.00	50,720	50,720	0.97	0.10	—	50,774
Energy	1.0	0.52	8.9	3.8	0.06	0.72	—	0.72	0.72	—	0.72	—	18,912	18,912	2.2	0.17	—	19,019
Water	—	—	—	—	—	—	—	—	—	—	—	225	425	650	23	0.56	—	1,394
Waste	—	—	—	—	—	—	—	—	—	—	—	1,594	0.00	1,594	159	0.00	—	5,577
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	28	28
Total	167	161	70	547	1.1	4.3	82	86	4.2	21	25	1,819	147,054	148,873	189	3.7	35	154,742
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	44	41	23	293	0.72	0.27	82	82	0.25	21	21	—	73,602	73,602	3.4	3.2	0.20	74,645
Area	102	99	39	17	0.25	3.2	—	3.2	3.2	—	3.2	0.00	50,113	50,113	0.94	0.09	—	50,165
Energy	1.0	0.52	8.9	3.8	0.06	0.72	—	0.72	0.72	—	0.72	—	18,912	18,912	2.2	0.17	—	19,019
Water	—	—	—	—	—	—	—	—	—	—	—	225	425	650	23	0.56	—	1,394
Waste	—	—	—	—	—	—	—	—	—	—	—	1,594	0.00	1,594	159	0.00	—	5,577
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	28	28
Total	146	141	71	313	1.0	4.2	82	86	4.2	21	25	1,819	143,053	144,872	189	4.0	28	150,827
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	41	38	21	269	0.69	0.26	76	76	0.24	19	20	—	70,060	70,060	3.1	3.0	3.1	71,022

Area	107	107	2.0	113	0.01	0.13	—	0.13	0.12	—	0.12	0.00	1,535	1,535	0.04	< 0.005	—	1,537
Energy	1.0	0.52	8.9	3.8	0.06	0.72	—	0.72	0.72	—	0.72	—	18,912	18,912	2.2	0.17	—	19,019
Water	—	—	—	—	—	—	—	—	—	—	—	225	425	650	23	0.56	—	1,394
Waste	—	—	—	—	—	—	—	—	—	—	—	1,594	0.00	1,594	159	0.00	—	5,577
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	28	28
Total	149	145	31	386	0.75	1.1	76	77	1.1	19	20	1,819	90,932	92,751	188	3.7	31	98,577
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	7.5	7.0	3.7	49	0.13	0.05	14	14	0.04	3.5	3.6	—	11,599	11,599	0.51	0.49	0.52	11,759
Area	20	19	0.37	21	< 0.005	0.02	—	0.02	0.02	—	0.02	0.00	254	254	0.01	< 0.005	—	255
Energy	0.19	0.09	1.6	0.69	0.01	0.13	—	0.13	0.13	—	0.13	—	3,131	3,131	0.37	0.03	—	3,149
Water	—	—	—	—	—	—	—	—	—	—	—	37	70	108	3.8	0.09	—	231
Waste	—	—	—	—	—	—	—	—	—	—	—	264	0.00	264	26	0.00	—	923
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.6	4.6
Total	27	27	5.7	70	0.14	0.20	14	14	0.20	3.5	3.7	301	15,055	15,356	31	0.61	5.1	16,321

3. Construction Emissions Details

3.1. Demolition (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	2.7	2.3	21	19	0.03	0.84	—	0.84	0.78	—	0.78	—	3,427	3,427	0.14	0.03	—	3,438
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	2.7	2.3	21	19	0.03	0.84	—	0.84	0.78	—	0.78	—	3,427	3,427	0.14	0.03	—	3,438
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.75	0.63	5.7	5.2	0.01	0.23	—	0.23	0.21	—	0.21	—	939	939	0.04	0.01	—	942
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.14	0.11	1.0	0.95	< 0.005	0.04	—	0.04	0.04	—	0.04	—	155	155	0.01	< 0.005	—	156
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	0.04	0.04	0.03	0.52	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	133	133	< 0.005	< 0.005	0.46	134
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.03	0.47	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	126	126	< 0.005	< 0.005	0.01	127
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.13	0.00	0.00	0.03	0.03	0.00	0.01	0.01	—	34	34	< 0.005	< 0.005	0.05	35
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.7	5.7	< 0.005	< 0.005	0.01	5.8
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.3. Site Preparation (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.7	3.1	29	29	0.05	1.2	—	1.2	1.1	—	1.1	—	5,298	5,298	0.21	0.04	—	5,316

Dust From Material Movement	—	—	—	—	—	—	20	20	—	10	10	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.62	0.52	4.8	4.7	0.01	0.20	—	0.20	0.19	—	0.19	—	871	871	0.04	0.01	—	874
Dust From Material Movement	—	—	—	—	—	—	3.2	3.2	—	1.7	1.7	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.11	0.09	0.87	0.86	< 0.005	0.04	—	0.04	0.03	—	0.03	—	144	144	0.01	< 0.005	—	145
Dust From Material Movement	—	—	—	—	—	—	0.59	0.59	—	0.30	0.30	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.04	0.03	0.61	0.00	0.00	0.14	0.14	0.00	0.03	0.03	—	155	155	< 0.005	< 0.005	0.54	156

Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.09	0.00	0.00	0.02	0.02	0.00	0.01	0.01	—	24	24	< 0.005	< 0.005	0.04	24
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	4.0	4.0	< 0.005	< 0.005	0.01	4.1
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.6	3.0	27	28	0.06	1.1	—	1.1	1.0	—	1.0	—	6,599	6,599	0.27	0.05	—	6,621
Dust From Material Movement	—	—	—	—	—	—	9.2	9.2	—	3.7	3.7	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.6	3.0	27	28	0.06	1.1	—	1.1	1.0	—	1.0	—	6,599	6,599	0.27	0.05	—	6,621
Dust From Material Movement	—	—	—	—	—	—	9.2	9.2	—	3.7	3.7	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.99	0.83	7.4	7.5	0.02	0.31	—	0.31	0.28	—	0.28	—	1,795	1,795	0.07	0.01	—	1,801
Dust From Material Movement	—	—	—	—	—	—	2.5	2.5	—	0.99	0.99	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.18	0.15	1.4	1.4	< 0.005	0.06	—	0.06	0.05	—	0.05	—	297	297	0.01	< 0.005	—	298
Dust From Material Movement	—	—	—	—	—	—	0.46	0.46	—	0.18	0.18	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.05	0.04	0.69	0.00	0.00	0.17	0.17	0.00	0.04	0.04	—	177	177	< 0.005	< 0.005	0.62	178
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.05	0.04	0.63	0.00	0.00	0.17	0.17	0.00	0.04	0.04	—	168	168	< 0.005	0.01	0.02	170
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.01	0.01	0.17	0.00	0.00	0.04	0.04	0.00	0.01	0.01	—	46	46	< 0.005	< 0.005	0.07	46
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	7.6	7.6	< 0.005	< 0.005	0.01	7.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.7. Grading (2027) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.5	2.9	26	27	0.06	1.0	—	1.0	0.96	—	0.96	—	6,598	6,598	0.27	0.05	—	6,621
Dust From Material Movement	—	—	—	—	—	—	9.2	9.2	—	3.7	3.7	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.54	0.46	4.0	4.2	0.01	0.16	—	0.16	0.15	—	0.15	—	1,020	1,020	0.04	0.01	—	1,024
Dust From Material Movement	—	—	—	—	—	—	1.4	1.4	—	0.56	0.56	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.10	0.08	0.72	0.77	< 0.005	0.03	—	0.03	0.03	—	0.03	—	169	169	0.01	< 0.005	—	169
Dust From Material Movement	—	—	—	—	—	—	0.26	0.26	—	0.10	0.10	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.05	0.04	0.60	0.00	0.00	0.17	0.17	0.00	0.04	0.04	—	165	165	< 0.005	0.01	0.01	167
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.09	0.00	0.00	0.02	0.02	0.00	0.01	0.01	—	25	25	< 0.005	< 0.005	0.04	26
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	4.2	4.2	< 0.005	< 0.005	0.01	4.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2027) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.2	1.0	9.4	13	0.02	0.34	—	0.34	0.31	—	0.31	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.2	1.0	9.4	13	0.02	0.34	—	0.34	0.31	—	0.31	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.69	0.58	5.3	7.2	0.01	0.19	—	0.19	0.17	—	0.17	—	1,342	1,342	0.05	0.01	—	1,346
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.13	0.11	0.96	1.3	< 0.005	0.03	—	0.03	0.03	—	0.03	—	222	222	0.01	< 0.005	—	223
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	8.0	7.2	5.2	94	0.00	0.00	24	24	0.00	5.6	5.6	—	25,057	25,057	0.38	0.19	80	25,204
Vendor	2.2	0.40	19	14	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	12,286	12,286	1.7	1.8	25	12,895
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	8.0	7.1	6.3	86	0.00	0.00	24	24	0.00	5.6	5.6	—	23,705	23,705	0.51	0.93	2.1	23,998

Vendor	2.2	0.39	20	14	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	12,282	12,282	1.7	1.8	0.65	12,866
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	4.4	3.8	3.0	47	0.00	0.00	13	13	0.00	3.0	3.0	—	13,291	13,291	0.25	0.52	19	13,472
Vendor	1.2	0.22	11	7.8	0.04	0.04	1.7	1.8	0.04	0.50	0.54	—	6,875	6,875	0.93	1.0	6.1	7,208
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.80	0.70	0.55	8.5	0.00	0.00	2.4	2.4	0.00	0.55	0.55	—	2,200	2,200	0.04	0.09	3.2	2,230
Vendor	0.22	0.04	2.0	1.4	0.01	0.01	0.32	0.33	0.01	0.09	0.10	—	1,138	1,138	0.15	0.17	1.0	1,193
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Building Construction (2028) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.2	0.99	8.9	13	0.02	0.30	—	0.30	0.28	—	0.28	—	2,397	2,397	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.2	0.99	8.9	13	0.02	0.30	—	0.30	0.28	—	0.28	—	2,397	2,397	0.10	0.02	—	2,406

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.85	0.71	6.4	9.3	0.02	0.22	—	0.22	0.20	—	0.20	—	1,717	1,717	0.07	0.01	—	1,723
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.13	1.2	1.7	< 0.005	0.04	—	0.04	0.04	—	0.04	—	284	284	0.01	< 0.005	—	285
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	7.9	7.0	4.4	90	0.00	0.00	24	24	0.00	5.6	5.6	—	24,628	24,628	0.38	0.19	72	24,767
Vendor	2.0	0.40	17	14	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	11,919	11,919	1.6	1.7	23	12,499
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	7.8	6.8	5.5	81	0.00	0.00	24	24	0.00	5.6	5.6	—	23,300	23,300	0.44	0.93	1.9	23,591
Vendor	2.0	0.38	18	14	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	11,916	11,916	1.6	1.7	0.58	12,475
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	5.5	4.8	3.8	57	0.00	0.00	17	17	0.00	3.9	3.9	—	16,718	16,718	0.32	0.14	22	16,789
Vendor	1.4	0.28	13	9.7	0.06	0.06	2.2	2.3	0.06	0.64	0.70	—	8,536	8,536	1.1	1.2	7.0	8,943

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.00	0.88	0.70	10	0.00	0.00	3.0	3.0	0.00	0.71	0.71	—	2,768	2,768	0.05	0.02	3.7	2,780
Vendor	0.26	0.05	2.3	1.8	0.01	0.01	0.41	0.42	0.01	0.12	0.13	—	1,413	1,413	0.19	0.21	1.2	1,481
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Building Construction (2029) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.2	0.97	8.6	13	0.02	0.28	—	0.28	0.25	—	0.25	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.2	0.97	8.6	13	0.02	0.28	—	0.28	0.25	—	0.25	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.82	0.69	6.1	9.2	0.02	0.20	—	0.20	0.18	—	0.18	—	1,712	1,712	0.07	0.01	—	1,718

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.13	1.1	1.7	< 0.005	0.04	—	0.04	0.03	—	0.03	—	283	283	0.01	< 0.005	—	284
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	7.6	6.8	4.4	85	0.00	0.00	24	24	0.00	5.6	5.6	—	24,223	24,223	0.32	0.19	64	24,352
Vendor	1.9	0.32	16	13	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	11,518	11,518	1.5	1.7	20	12,093
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	7.6	6.6	5.4	78	0.00	0.00	24	24	0.00	5.6	5.6	—	22,917	22,917	0.44	0.93	1.7	23,208
Vendor	1.9	0.30	17	13	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	11,517	11,517	1.5	1.7	0.51	12,073
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	5.3	4.7	3.8	54	0.00	0.00	17	17	0.00	3.9	3.9	—	16,398	16,398	0.27	0.14	20	16,465
Vendor	1.4	0.21	12	9.4	0.06	0.06	2.2	2.3	0.06	0.64	0.70	—	8,227	8,227	1.1	1.2	6.1	8,630
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.97	0.86	0.69	9.9	0.00	0.00	3.0	3.0	0.00	0.71	0.71	—	2,715	2,715	0.05	0.02	3.3	2,726
Vendor	0.25	0.04	2.1	1.7	0.01	0.01	0.40	0.41	0.01	0.12	0.13	—	1,362	1,362	0.18	0.21	1.0	1,429
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.15. Building Construction (2030) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.1	0.94	8.4	13	0.02	0.26	—	0.26	0.24	—	0.24	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.1	0.94	8.4	13	0.02	0.26	—	0.26	0.24	—	0.24	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.80	0.67	6.0	9.2	0.02	0.19	—	0.19	0.17	—	0.17	—	1,712	1,712	0.07	0.01	—	1,718
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.12	1.1	1.7	< 0.005	0.03	—	0.03	0.03	—	0.03	—	283	283	0.01	< 0.005	—	284

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	6.6	6.5	4.3	82	0.00	0.00	24	24	0.00	5.6	5.6	—	23,839	23,839	0.32	0.19	57	23,961
Vendor	1.7	0.31	15	13	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	11,106	11,106	1.4	1.7	17	11,653
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	6.6	6.5	5.4	74	0.00	0.00	24	24	0.00	5.6	5.6	—	22,553	22,553	0.44	0.19	1.5	22,622
Vendor	1.7	0.30	16	13	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	11,105	11,105	1.4	1.7	0.45	11,636
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	4.7	4.6	3.2	51	0.00	0.00	17	17	0.00	3.9	3.9	—	16,138	16,138	0.27	0.14	18	16,203
Vendor	1.2	0.21	11	9.1	0.06	0.06	2.2	2.3	0.06	0.64	0.70	—	7,932	7,932	1.0	1.2	5.4	8,316
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.85	0.83	0.59	9.3	0.00	0.00	3.0	3.0	0.00	0.71	0.71	—	2,672	2,672	0.05	0.02	2.9	2,683
Vendor	0.23	0.04	2.0	1.7	0.01	0.01	0.40	0.41	0.01	0.12	0.13	—	1,313	1,313	0.17	0.20	0.89	1,377
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.17. Building Construction (2031) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.1	0.92	8.1	13	0.02	0.24	—	0.24	0.22	—	0.22	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.1	0.92	8.1	13	0.02	0.24	—	0.24	0.22	—	0.22	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.78	0.66	5.8	9.2	0.02	0.17	—	0.17	0.16	—	0.16	—	1,712	1,712	0.07	0.01	—	1,718
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.14	0.12	1.1	1.7	< 0.005	0.03	—	0.03	0.03	—	0.03	—	283	283	0.01	< 0.005	—	284
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	6.5	6.3	3.5	79	0.00	0.00	24	24	0.00	5.6	5.6	—	23,605	23,605	0.32	0.19	50	23,720
Vendor	1.6	0.31	14	12	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	10,691	10,691	1.2	1.6	15	11,208
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	6.3	6.2	4.6	72	0.00	0.00	24	24	0.00	5.6	5.6	—	22,330	22,330	0.38	0.19	1.3	22,397
Vendor	1.6	0.30	15	12	0.08	0.08	3.2	3.3	0.08	0.91	0.99	—	10,692	10,692	1.2	1.6	0.39	11,194
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	4.5	4.3	3.2	49	0.00	0.00	17	17	0.00	3.9	3.9	—	15,978	15,978	0.27	0.14	15	16,041
Vendor	1.2	0.21	10	8.8	0.06	0.06	2.2	2.3	0.06	0.64	0.70	—	7,637	7,637	0.89	1.1	4.6	8,000
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.82	0.79	0.58	9.0	0.00	0.00	3.0	3.0	0.00	0.71	0.71	—	2,645	2,645	0.05	0.02	2.6	2,656
Vendor	0.21	0.04	1.9	1.6	0.01	0.01	0.40	0.41	0.01	0.12	0.13	—	1,264	1,264	0.15	0.19	0.76	1,324
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.19. Building Construction (2032) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.1	0.90	7.9	13	0.02	0.22	—	0.22	0.21	—	0.21	—	2,397	2,397	0.10	0.02	—	2,405

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.1	0.90	7.9	13	0.02	0.22	—	0.22	0.21	—	0.21	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.77	0.64	5.6	9.2	0.02	0.16	—	0.16	0.15	—	0.15	—	1,717	1,717	0.07	0.01	—	1,723
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.14	0.12	1.0	1.7	< 0.005	0.03	—	0.03	0.03	—	0.03	—	284	284	0.01	< 0.005	—	285
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	6.3	6.2	3.5	76	0.00	0.00	24	24	0.00	5.6	5.6	—	23,278	23,278	0.32	0.19	44	23,387
Vendor	1.5	0.31	13	12	0.08	0.08	3.1	3.2	0.08	0.91	0.99	—	10,279	10,279	1.2	1.6	13	10,791
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	6.3	6.1	4.5	68	0.00	0.00	24	24	0.00	5.6	5.6	—	22,020	22,020	0.38	0.19	1.1	22,087
Vendor	1.5	0.30	14	12	0.08	0.08	3.1	3.2	0.08	0.91	0.99	—	10,280	10,280	1.2	1.6	0.33	10,780
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	4.4	4.3	3.2	47	0.00	0.00	17	17	0.00	3.9	3.9	—	15,800	15,800	0.23	0.14	14	15,860
Vendor	1.1	0.21	9.7	8.5	0.06	0.06	2.2	2.2	0.06	0.64	0.70	—	7,363	7,363	0.83	1.1	3.9	7,725
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.80	0.79	0.58	8.7	0.00	0.00	3.0	3.0	0.00	0.71	0.71	—	2,616	2,616	0.04	0.02	2.2	2,626
Vendor	0.19	0.04	1.8	1.6	0.01	0.01	0.40	0.41	0.01	0.12	0.13	—	1,219	1,219	0.14	0.19	0.65	1,279
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.21. Building Construction (2033) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.0	0.88	7.7	13	0.02	0.20	—	0.20	0.19	—	0.19	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road	0.12	0.10	0.87	1.5	< 0.005	0.02	—	0.02	0.02	—	0.02	—	272	272	0.01	< 0.005	—	273
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.16	0.26	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	45	45	< 0.005	< 0.005	—	45
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	6.1	5.9	4.4	66	0.00	0.00	24	24	0.00	5.6	5.6	—	21,738	21,738	0.38	0.19	0.99	21,805
Vendor	1.4	0.30	13	12	0.08	0.08	3.1	3.2	0.08	0.91	0.99	—	9,872	9,872	1.1	1.5	0.28	10,347
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.68	0.67	0.41	7.3	0.00	0.00	2.6	2.6	0.00	0.62	0.62	—	2,472	2,472	0.04	0.02	1.9	2,481
Vendor	0.16	0.03	1.4	1.3	0.01	0.01	0.34	0.35	0.01	0.10	0.11	—	1,120	1,120	0.12	0.17	0.52	1,175
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.12	0.08	1.3	0.00	0.00	0.48	0.48	0.00	0.11	0.11	—	409	409	0.01	< 0.005	0.31	411
Vendor	0.03	0.01	0.26	0.24	< 0.005	< 0.005	0.06	0.06	< 0.005	0.02	0.02	—	185	185	0.02	0.03	0.09	194
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.23. Paving (2033) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.70	0.59	5.9	9.8	0.01	0.18	—	0.18	0.17	—	0.17	—	1,511	1,511	0.06	0.01	—	1,516
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.70	0.59	5.9	9.8	0.01	0.18	—	0.18	0.17	—	0.17	—	1,511	1,511	0.06	0.01	—	1,516
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.21	0.18	1.8	3.0	< 0.005	0.06	—	0.06	0.05	—	0.05	—	455	455	0.02	< 0.005	—	457
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.04	0.03	0.33	0.54	< 0.005	0.01	—	0.01	0.01	—	0.01	—	75	75	< 0.005	< 0.005	—	76
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.03	0.02	0.38	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	120	120	< 0.005	< 0.005	0.20	120
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.03	0.03	0.02	0.34	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	113	113	< 0.005	< 0.005	0.01	114
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.10	0.00	0.00	0.04	0.04	0.00	0.01	0.01	—	34	34	< 0.005	< 0.005	0.03	34
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.7	5.7	< 0.005	< 0.005	< 0.005	5.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.25. Architectural Coating (2033) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.11	0.09	0.76	1.1	< 0.005	0.01	—	0.01	0.01	—	0.01	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	492	492	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.11	0.09	0.76	1.1	< 0.005	0.01	—	0.01	0.01	—	0.01	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	492	492	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.03	0.23	0.33	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	40	40	< 0.005	< 0.005	—	40

Architectural Coating	146	146	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	< 0.005	0.04	0.06	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	6.6	6.6	< 0.005	< 0.005	—	6.6
Architectural Coatings	27	27	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.2	1.2	0.69	15	0.00	0.00	4.8	4.8	0.00	1.1	1.1	—	4,596	4,596	0.05	0.04	7.6	4,616
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.2	1.2	0.89	13	0.00	0.00	4.8	4.8	0.00	1.1	1.1	—	4,348	4,348	0.08	0.04	0.20	4,361
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.36	0.35	0.22	3.8	0.00	0.00	1.4	1.4	0.00	0.32	0.32	—	1,296	1,296	0.02	0.01	0.98	1,300
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.07	0.06	0.04	0.69	0.00	0.00	0.25	0.25	0.00	0.06	0.06	—	214	214	< 0.005	< 0.005	0.16	215
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.27. Architectural Coating (2034) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.11	0.09	0.76	1.1	< 0.005	0.01	—	0.01	0.01	—	0.01	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	492	492	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.78	0.78	< 0.005	< 0.005	—	0.79
Architectural Coatings	2.9	2.9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.13	0.13	< 0.005	< 0.005	—	0.13
Architectural Coatings	0.53	0.53	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.2	1.1	0.74	13	0.00	0.00	4.8	4.8	0.00	1.1	1.1	—	4,296	4,296	0.06	0.04	0.17	4,309
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	< 0.005	0.07	0.00	0.00	0.03	0.03	0.00	0.01	0.01	—	25	25	< 0.005	< 0.005	0.02	25
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	4.2	4.2	< 0.005	< 0.005	< 0.005	4.2
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	22	20	9.7	149	0.38	0.13	41	41	0.13	10	11	—	38,498	38,498	1.5	1.5	3.8	38,975
Condo/Townhouse High Rise	22	20	9.7	149	0.38	0.13	41	41	0.13	10	11	—	38,498	38,498	1.5	1.5	3.8	38,975
Total	44	41	19	298	0.75	0.27	82	82	0.25	21	21	—	76,997	76,997	3.1	2.9	7.6	77,951
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	22	20	11	146	0.36	0.13	41	41	0.13	10	11	—	36,801	36,801	1.7	1.6	0.10	37,323
Condo/Townhouse High Rise	22	20	11	146	0.36	0.13	41	41	0.13	10	11	—	36,801	36,801	1.7	1.6	0.10	37,323
Total	44	41	23	293	0.72	0.27	82	82	0.25	21	21	—	73,602	73,602	3.4	3.2	0.20	74,645
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Apartments Mid Rise	3.7	3.5	1.9	25	0.06	0.02	6.9	7.0	0.02	1.8	1.8	—	5,800	5,800	0.26	0.25	0.26	5,879
Condo/Townhouse High Rise	3.7	3.5	1.9	25	0.06	0.02	6.9	7.0	0.02	1.8	1.8	—	5,800	5,800	0.26	0.25	0.26	5,879
Total	7.5	7.0	3.7	49	0.13	0.05	14	14	0.04	3.5	3.6	—	11,599	11,599	0.51	0.49	0.52	11,759

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	3,813	3,813	0.62	0.07	—	3,851
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	—	3,813	3,813	0.62	0.07	—	3,851
Total	—	—	—	—	—	—	—	—	—	—	—	—	7,626	7,626	1.2	0.15	—	7,701
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	3,813	3,813	0.62	0.07	—	3,851

Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	—	3,813	3,813	0.62	0.07	—	3,851
Total	—	—	—	—	—	—	—	—	—	—	—	—	7,626	7,626	1.2	0.15	—	7,701
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	631	631	0.10	0.01	—	638
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	—	631	631	0.10	0.01	—	638
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,263	1,263	0.20	0.02	—	1,275

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	0.52	0.26	4.4	1.9	0.03	0.36	—	0.36	0.36	—	0.36	—	5,643	5,643	0.50	0.01	—	5,659
Condo/Townhouse High Rise	0.52	0.26	4.4	1.9	0.03	0.36	—	0.36	0.36	—	0.36	—	5,643	5,643	0.50	0.01	—	5,659
Total	1.0	0.52	8.9	3.8	0.06	0.72	—	0.72	0.72	—	0.72	—	11,286	11,286	1.00	0.02	—	11,318
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Apartments Mid Rise	0.52	0.26	4.4	1.9	0.03	0.36	—	0.36	0.36	—	0.36	—	5,643	5,643	0.50	0.01	—	5,659
Condo/Townhouse High Rise	0.52	0.26	4.4	1.9	0.03	0.36	—	0.36	0.36	—	0.36	—	5,643	5,643	0.50	0.01	—	5,659
Total	1.0	0.52	8.9	3.8	0.06	0.72	—	0.72	0.72	—	0.72	—	11,286	11,286	1.00	0.02	—	11,318
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	0.09	0.05	0.81	0.35	0.01	0.07	—	0.07	0.07	—	0.07	—	934	934	0.08	< 0.005	—	937
Condo/Townhouse High Rise	0.09	0.05	0.81	0.35	0.01	0.07	—	0.07	0.07	—	0.07	—	934	934	0.08	< 0.005	—	937
Total	0.19	0.09	1.6	0.69	0.01	0.13	—	0.13	0.13	—	0.13	—	1,869	1,869	0.17	< 0.005	—	1,874

4.3. Area Emissions by Source

4.3.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	4.6	2.3	39	17	0.25	3.2	—	3.2	3.2	—	3.2	0.00	50,113	50,113	0.94	0.09	—	50,165
Consumer Products	82	82	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architectural Coating	15	15	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	21	20	2.1	228	0.01	0.10	—	0.10	0.08	—	0.08	—	607	607	0.03	0.01	—	609
Total	122	119	42	245	0.26	3.3	—	3.3	3.3	—	3.3	0.00	50,720	50,720	0.97	0.10	—	50,774
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	4.6	2.3	39	17	0.25	3.2	—	3.2	3.2	—	3.2	0.00	50,113	50,113	0.94	0.09	—	50,165
Consumer Products	82	82	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	15	15	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	102	99	39	17	0.25	3.2	—	3.2	3.2	—	3.2	0.00	50,113	50,113	0.94	0.09	—	50,165
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	0.02	0.01	0.18	0.08	< 0.005	0.01	—	0.01	0.01	—	0.01	0.00	205	205	< 0.005	< 0.005	—	205
Consumer Products	15	15	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	2.7	2.7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	1.9	1.8	0.19	21	< 0.005	0.01	—	0.01	0.01	—	0.01	—	50	50	< 0.005	< 0.005	—	50
Total	20	19	0.37	21	< 0.005	0.02	—	0.02	0.02	—	0.02	0.00	254	254	0.01	< 0.005	—	255

4.4. Water Emissions by Land Use

4.4.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	112	212	325	12	0.28	—	697
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	112	212	325	12	0.28	—	697
Total	—	—	—	—	—	—	—	—	—	—	—	225	425	650	23	0.56	—	1,394
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	112	212	325	12	0.28	—	697
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	112	212	325	12	0.28	—	697
Total	—	—	—	—	—	—	—	—	—	—	—	225	425	650	23	0.56	—	1,394
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	19	35	54	1.9	0.05	—	115

Condo/Townhouse	—	—	—	—	—	—	—	—	—	—	—	19	35	54	1.9	0.05	—	115
Total	—	—	—	—	—	—	—	—	—	—	—	37	70	108	3.8	0.09	—	231

4.5. Waste Emissions by Land Use

4.5.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	797	0.00	797	80	0.00	—	2,789
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	797	0.00	797	80	0.00	—	2,789
Total	—	—	—	—	—	—	—	—	—	—	—	1,594	0.00	1,594	159	0.00	—	5,577
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	797	0.00	797	80	0.00	—	2,789
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	797	0.00	797	80	0.00	—	2,789
Total	—	—	—	—	—	—	—	—	—	—	—	1,594	0.00	1,594	159	0.00	—	5,577

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	132	0.00	132	13	0.00	—	462
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	132	0.00	132	13	0.00	—	462
Total	—	—	—	—	—	—	—	—	—	—	—	264	0.00	264	26	0.00	—	923

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14	14
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14	14
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	28	28
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14	14

Condo/T High Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14	14
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	28	28
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Mid Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.3	2.3
Condo/Townhouse High Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.3	2.3
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.6	4.6

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	1/1/2026	5/21/2026	5.0	100	—
Site Preparation	Site Preparation	5/22/2026	8/14/2026	5.0	60	—
Grading	Grading	8/15/2026	3/20/2027	5.0	155	—
Building Construction	Building Construction	3/21/2027	2/27/2033	5.0	1,550	—
Paving	Paving	2/28/2033	8/1/2033	5.0	110	—
Architectural Coating	Architectural Coating	8/2/2033	1/3/2034	5.0	110	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Rubber Tired Dozers	Diesel	Average	2.0	8.0	367	0.40
Demolition	Excavators	Diesel	Average	3.0	8.0	36	0.38
Demolition	Concrete/Industrial Saws	Diesel	Average	1.00	8.0	33	0.73

Site Preparation	Rubber Tired Dozers	Diesel	Average	3.0	8.0	367	0.40
Site Preparation	Tractors/Loaders/Backhoes	Diesel	Average	4.0	8.0	84	0.37
Grading	Graders	Diesel	Average	1.00	8.0	148	0.41
Grading	Excavators	Diesel	Average	2.0	8.0	36	0.38
Grading	Tractors/Loaders/Backhoes	Diesel	Average	2.0	8.0	84	0.37
Grading	Scrapers	Diesel	Average	2.0	8.0	423	0.48
Grading	Rubber Tired Dozers	Diesel	Average	1.00	8.0	367	0.40
Building Construction	Forklifts	Diesel	Average	3.0	8.0	82	0.20
Building Construction	Generator Sets	Diesel	Average	1.00	8.0	14	0.74
Building Construction	Cranes	Diesel	Average	1.00	7.0	367	0.29
Building Construction	Welders	Diesel	Average	1.00	8.0	46	0.45
Building Construction	Tractors/Loaders/Backhoes	Diesel	Average	3.0	7.0	84	0.37
Paving	Pavers	Diesel	Average	2.0	8.0	81	0.42
Paving	Paving Equipment	Diesel	Average	2.0	8.0	89	0.36
Paving	Rollers	Diesel	Average	2.0	8.0	36	0.38
Architectural Coating	Air Compressors	Diesel	Average	1.00	6.0	37	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	Worker	15	12	LDA,LDT1,LDT2
Demolition	Vendor	—	8.4	HHDT,MHDT
Demolition	Hauling	0.00	20	HHDT
Demolition	Onsite truck	—	—	HHDT
Site Preparation	Worker	18	12	LDA,LDT1,LDT2

Site Preparation	Vendor	—	8.4	HHDT,MHDT
Site Preparation	Hauling	0.00	20	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Grading	Worker	20	12	LDA,LDT1,LDT2
Grading	Vendor	—	8.4	HHDT,MHDT
Grading	Hauling	0.00	20	HHDT
Grading	Onsite truck	—	—	HHDT
Building Construction	Worker	2,880	12	LDA,LDT1,LDT2
Building Construction	Vendor	428	8.4	HHDT,MHDT
Building Construction	Hauling	0.00	20	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	Worker	15	12	LDA,LDT1,LDT2
Paving	Vendor	—	8.4	HHDT,MHDT
Paving	Hauling	0.00	20	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	Worker	576	12	LDA,LDT1,LDT2
Architectural Coating	Vendor	—	8.4	HHDT,MHDT
Architectural Coating	Hauling	0.00	20	HHDT
Architectural Coating	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	7,776,000	2,592,000	0.00	0.00	—

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (cy)	Material Exported (cy)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	—	0.00
Site Preparation	—	—	90	0.00	0.00
Grading	—	—	465	0.00	0.00
Paving	0.00	0.00	0.00	0.00	0.00

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Phase Name	Land Use	Area Paved (acres)	% Asphalt
Paving	Apartments Mid Rise	—	0%
Paving	Condo/Townhouse High Rise	—	0%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2026	0.00	204	0.03	< 0.005
2027	0.00	204	0.03	< 0.005
2028	0.00	204	0.03	< 0.005
2029	0.00	204	0.03	< 0.005
2030	0.00	204	0.03	< 0.005
2031	0.00	204	0.03	< 0.005
2032	0.00	204	0.03	< 0.005
2033	0.00	204	0.03	< 0.005

2034	0.00	204	0.03	< 0.005

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Apartments Mid Rise	10,880	9,820	8,180	3,775,143	57,891	52,251	43,525	20,087,074
Condo/Townhouse High Rise	10,880	9,820	8,180	3,775,143	57,891	52,251	43,525	20,087,074

5.10. Operational Area Sources

5.10.1. Hearths

Land Use	Hearth Type	Unmitigated (number)	Mitigated (number)
Apartments Mid Rise	Wood Fireplaces	0	0
Apartments Mid Rise	Gas Fireplaces	1,020	1,020
Apartments Mid Rise	Propane Fireplaces	0	0
Apartments Mid Rise	Electric Fireplaces	0	0
Apartments Mid Rise	No Fireplaces	980	980
Apartments Mid Rise	Conventional Wood Stoves	0	0
Apartments Mid Rise	Catalytic Wood Stoves	0	0
Apartments Mid Rise	Non-Catalytic Wood Stoves	0	0
Apartments Mid Rise	Pellet Wood Stoves	0	0
Condo/Townhouse High Rise	Wood Fireplaces	0	0
Condo/Townhouse High Rise	Gas Fireplaces	1,020	1,020
Condo/Townhouse High Rise	Propane Fireplaces	0	0
Condo/Townhouse High Rise	Electric Fireplaces	0	0
Condo/Townhouse High Rise	No Fireplaces	980	980

Condo/Townhouse High Rise	Conventional Wood Stoves	0	0
Condo/Townhouse High Rise	Catalytic Wood Stoves	0	0
Condo/Townhouse High Rise	Non-Catalytic Wood Stoves	0	0
Condo/Townhouse High Rise	Pellet Wood Stoves	0	0

5.10.2. Architectural Coatings

—	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
undefined	7,776,000	2,592,000	0.00	0.00	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Apartments Mid Rise	6,822,902	204	0.0330	0.0040	17,608,142
Condo/Townhouse High Rise	6,822,902	204	0.0330	0.0040	17,608,142

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Apartments Mid Rise	58,681,050	0.00

Condo/Townhouse High Rise	58,681,050	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Apartments Mid Rise	1,479	0.00
Condo/Townhouse High Rise	1,479	0.00

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Apartments Mid Rise	Average room A/C & Other residential A/C and heat pumps	R-410A	2,088	< 0.005	2.5	2.5	10.0
Apartments Mid Rise	Household refrigerators and/or freezers	R-134a	1,430	0.12	0.60	0.00	1.00
Condo/Townhouse High Rise	Average room A/C & Other residential A/C and heat pumps	R-410A	2,088	< 0.005	2.5	2.5	10.0
Condo/Townhouse High Rise	Household refrigerators and/or freezers	R-134a	1,430	0.12	0.60	0.00	1.00

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

5.16.2. Process Boilers

5.17. User Defined

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	5.9	annual days of extreme heat

Extreme Precipitation	7.5	annual days with precipitation above 20 mm
Sea Level Rise	—	meters of inundation depth
Wildfire	4.4	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (Radke et al., 2017, CEC-500-2017-008), and consider inundation location and depth for the San Francisco Bay, the Sacramento-San Joaquin River Delta and California coast resulting different increments of sea level rise coupled with extreme storm events. Users may select from four scenarios to view the range in potential inundation depth for the grid cell. The four scenarios are: No rise, 0.5 meter, 1.0 meter, 1.41 meters
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	2	0	0	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score

Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	2	1	1	3
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—
AQ-Ozone	3.1
AQ-PM	25
AQ-DPM	99
Drinking Water	15
Lead Risk Housing	59
Pesticides	9.0
Toxic Releases	45
Traffic	53

Effect Indicators	—
CleanUp Sites	74
Groundwater	71
Haz Waste Facilities/Generators	98
Impaired Water Bodies	0.00
Solid Waste	80
Sensitive Population	—
Asthma	81
Cardio-vascular	18
Low Birth Weights	84
Socioeconomic Factor Indicators	—
Education	48
Housing	67
Linguistic	82
Poverty	65
Unemployment	54

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Economic	—
Above Poverty	21.28833569
Employed	26.07468241
Median HI	16.37366868
Education	—
Bachelor's or higher	64.48094444
High school enrollment	100
Preschool enrollment	38.90671115

Transportation	—
Auto Access	0.372128834
Active commuting	99.53804697
Social	—
2-parent households	2.643397921
Voting	31.75927114
Neighborhood	—
Alcohol availability	4.516874118
Park access	38.62440652
Retail density	99.05042987
Supermarket access	94.25125112
Tree canopy	6.03105351
Housing	—
Homeownership	10.15013474
Housing habitability	0.526113178
Low-inc homeowner severe housing cost burden	32.54202489
Low-inc renter severe housing cost burden	44.3731554
Uncrowded housing	36.46862569
Health Outcomes	—
Insured adults	41.04965995
Arthritis	59.3
Asthma ER Admissions	18.9
High Blood Pressure	44.4
Cancer (excluding skin)	68.9
Asthma	37.3
Coronary Heart Disease	43.7
Chronic Obstructive Pulmonary Disease	33.2
Diagnosed Diabetes	36.9

Life Expectancy at Birth	23.5
Cognitively Disabled	4.4
Physically Disabled	1.7
Heart Attack ER Admissions	60.2
Mental Health Not Good	34.8
Chronic Kidney Disease	35.4
Obesity	39.8
Pedestrian Injuries	98.0
Physical Health Not Good	33.1
Stroke	34.3
Health Risk Behaviors	—
Binge Drinking	24.0
Current Smoker	20.2
No Leisure Time for Physical Activity	36.8
Climate Change Exposures	—
Wildfire Risk	0.0
SLR Inundation Area	0.0
Children	86.0
Elderly	54.5
English Speaking	11.2
Foreign-born	81.4
Outdoor Workers	88.7
Climate Change Adaptive Capacity	—
Impervious Surface Cover	0.2
Traffic Density	58.5
Traffic Access	87.4
Other Indices	—
Hardship	58.6

Other Decision Support	—
2016 Voting	44.8

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	71
Healthy Places Index Score for Project Location (b)	20
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

7.6. Health & Equity Custom Measures

No Health & Equity Custom Measures created.

8. User Changes to Default Data

8.1. Justifications

Screen	Justification
Operations: Water and Waste Water	Outdoor water use set to zero.

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Matthew F. Hagemann, P.G., C.Hg.

- **Geologic and Hydrogeologic Characterization, Investigation and Remediation Strategies**
- **Industrial Stormwater Compliance**
- **CEQA Review**
- **Expert Testimony**

Professional Certifications:
California Professional Geologist, P.G.
California Certified Hydrogeologist, C.Hg.

Education:
M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Experience:
30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. Spent nine years with the U.S. EPA in the Resource Conservation Recovery Act (RCRA) and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where I identified emerging threats to groundwater. While with EPA, I served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. Led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, I developed extensive client relationships and has managed complex projects that include consultations as an expert witness and a regulatory specialist, and managing projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions held include:

Government:
Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);

Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
Geologist, U.S. Forest Service (1986 – 1998).

Educational:
Geology Instructor, Golden West College, 2010 – 2104, 2017;
Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
Instructor, College of Marin, Department of Science (1990 – 1995).

Private Sector:
Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);
Executive Director, Orange Coast Watch (2001 – 2004);
Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, responsibilities have included:

- Lead analyst and testifying expert, for both plaintiffs and defendants, in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards.
- Recommending additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce exposure to hazards from toxins.
- Stormwater analysis, sampling and best management practice evaluation, for both government agencies and corporate clients, at more than 150 industrial facilities.
- Serving as expert witness for both plaintiffs and defendants in cases including contamination of groundwater, CERCLAcompliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns, for both government agencies and corporate clients.
- Lead analyst and testifying expert in the review of environmental issues in license applicationsfor large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking

water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.
- Lead author for a multi-volume remedial investigation report for an operating school in LosAngeles that met strict Sate of California regulatory requirements.
- Development of strategic approaches for cleanup of contaminated sites in consultation withclients and regulators.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities included:

- Leading efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiating a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identifying emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. Used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. Prepared geologic reports, conducted hearings, and responded to public comments from residents who were very concerned about the impact of designation.
- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Served as a hydrogeologist with the RCRA Hazardous Waste program. Duties included:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliancewith Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S.EPA legal counsel.

- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexicoand advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation- wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served as senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advising the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinkingwater supplies.
- Shaping EPA's national response to these threats by serving on workgroups and by contributingto guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improving the technical training of EPA's scientific and engineering staff.
- Earning an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Establishing national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities included:

- Mapping geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinating research with community stakeholders who were concerned with natural resource protection.
- Characterizing the geology of an aquifer that serves as the sole source of drinking water for thecity of Medford, Oregon.

As a consultant with Dames and Moore, led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large RCRA hazardous waste site in eastern Oregon.

Duties included the following:

- Supervising year-long effort for soil and groundwater sampling.
- Conducting aquifer tests.
- Investigating active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.
- Part time geology instructor at Golden West College in Huntington Beach, California from 2010 to 2014 and in 2017.

Summary of Testimony Experience Over Past Four Years

In Re New Jersey Department of Environmental Protection et al. vs. E.I. DuPont de Nemours and Company, in the United States District Court, District of New Jersey, Civil Action No. 1:19-cv-14766-RMB-JBC. Deposition in 2025. Representing Plaintiffs in matters regarding contamination of groundwater, wastewater, soil, and air with per- and poly-fluoroalkyl substances.

In Re Edmond Asher, et al., vs. RTX Corporation (f/k/a Raytheon Technologies Corporation, et al.) in the County of Huntington Superior Court, Indiana, Cause number 35D01-2006-CT-000338. Deposition in 2024. Representing Plaintiffs in matters regarding contamination of groundwater and soil vapor with trichlorethylene.

In Re Wright vs Consolidated Rail Corporation In the Circuit Court of Cook County, Illinois, Case No: 21L3966. Deposition in 2023, Representing Plaintiff in matters involving groundwater and drinking water contamination of perchloroethylene, trichlorethylene, 1,2-dichloroethane, and carbon tetrachloride.

In Re Behr Dayton Thermal Products LLC In the United States District Court for the Southern District of Ohio Western Division at Dayton, Case No: 08-cv-326. Deposition in 2022. Representing Plaintiff in matters regarding contamination of groundwater and indoor air with perchloroethylene and trichloethelene.

Orange County Water District vs. Sabic Innovative Plastics US, LLC, et al. In the Court of Appeal, Fourth District,

Division 1, California, Case No: D070553. Deposition in 2020. Representing Plaintiff in matters involving compliance with The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
Los Angeles Waterkeeper vs. AAA Plating and Inspection, Inc. In the United States District Court for the Central District of California, Case No: No. CV 18-5916 PA (GJSx). Deposition in 2019. Expert witness representing Plaintiff in matters involving contaminated stormwater runoff at an industrial facility in Compton, California.

Californians for Alternatives to Toxics vs. Schneider Dock and Intermodal Facility. In the United States District Court for the Northern District of California, Case No: 3:17-cv-05287-JST. Deposition in 2019. Expert witness representing Plaintiff in matters involving contaminated stormwater runoff at an industrial facility in Eureka, California.

Bells et al. vs. The 3M Company et al. In the United States District Court for the District of Colorado, Case No: 1:16-CV-02531-RBJ. Deposition in 2018. Expert witness representing Plaintiff on matters regarding the general hydrogeological conditions present in an area impacted by per- and poly-fluoroalkyl substances.

Ungar vs. Foundation for Affordable Housing. In the Superior Court, State of California, Los Angeles County, Case No. BC628890 Deposition in 2017. Expert witness representing defendant on matters involving alleged drinking water contamination.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S.EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making andPublic Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins atschools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBEReleases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells.

Presentation to the Ground Water and Environmental Law Conference, National GroundwaterAssociation.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Waterin Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Waterin the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to atribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to ameeting of tribal representatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking WaterSupplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant.Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting ofthe National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to ameeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to AddressImpacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater(and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA andState Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublishedreport.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground StorageTanks.

Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal WatercraftUsage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George WrightSociety Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval AirStation, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui,October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Airand Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Basesin California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:
Selected as subject matter expert for the California Professional Geologist licensing examinations,2009-2011.

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years of experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Rosenfeld, P.E., Spaeth, K.R., McCarthy, S.J. *et al.* Camp Lejeune Marine Cancer Risk Assessment for Exposure to Contaminated Drinking Water From 1955 to 1987. *Water Air Soil Pollut* **235**, 124 (2024). https://doi.org/10.1007/s11270-023-06863-y.

Rosenfeld P.E., Spaeth K.R., Remy L.L., Byers V., Muerth S.A., Hallman R,C., Summers-Evans J., Barker S. (2023) Perfluoroalkyl substances exposure in firefighters: Sources and implications, *Environmental Research*, Volume 220, https://doi.org/10.1016/j.envres.2022.115164.

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Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution.* **233,** 171.

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Cheremisinoff, N.P., & **Rosenfeld, P.E.,** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution,* 123 (17), 319-327.

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Rosenfeld, P. E., M. Suffet. (2007). The Anatomy of Odour Wheels for Odours of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

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Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

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Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated with Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

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Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

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Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

Rosenfeld, P.E., and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and **P. Rosenfeld. (**1998). Compost Amendment Handbook for Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation on St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Master's thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelor's Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society.* Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution.* Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (20-22 July (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water.* Platform lecture conducted at University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting.* Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition.* Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference.* Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference.* Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference.* Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus on Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference.* Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model for PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants*. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium on Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium on Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting for Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington.

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conferenc*e. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation.* Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest.* Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation with High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell.* Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest.* Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation with High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. The course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate the effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University.
Goal: investigate the effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate the effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the District Court of Harris County Texas
Mt Davis Interest, Inc v Sesco Cement Corp
Cause No 2023-26512
Trial 6-6-2-25

In the United States Southern District of New York
Gallo vs Avon Products Inc., et al
Civil Action No.: 1:23-cv-2023
Deposition 4-24-2025

In Vanderburgh Superior Court 5, County of Vanderburgh, Indiana
Markello v CSX
Civil Action No 82D05-2011-CT-004962
Deposition 3-26-25

Iin the Circuit Court of Cook County Illinois
Jarosiewicz v Northeast Regional Railroad
Case No 2023 L 002290
Deposition 2-27-25

In the District Court 191st Judicial District Dallas County
Acklin v Poly America International
Cause No DC-22-08610
Deposition 1-8-2025

United States District Court, Norther District of California
Asustin Vs Monsanto
Case No 2:23-cv-272
Deposition 12-20-25

In Jefferson Circuit Court Division One, Louisville, Kentucky
Stafford vs, CSX
Case No. 18-CI-001790

Deposition: 8-27-24

In the Twenty-Second Judicial Circuit of St. Louis. State of Missouri
Patricia Godfrey vs, Amtrak
Case No. 2122-CC-00525
Deposition: 7-17-24

In the Circuit Court of Jefferson County Alabama
Linda Early Vs. CSX
Case number CV-2021-00241
Deposition 6-24-24

In the Court of Common Please Lucas County, Ohio
Brenda Conkright vs. CSX
Case No. G-4801-CI-0202102664-000
Deposition: 6-4-24

In the Commonwealth of Kentucky, Greenup Circuit Court
Patsy Sue Napier vs. CSX
Case No. 19-CI-0012
Deposition: 5-8-2-24

In United States District Court of Hawaii
Patrick Feindt, Jr. et al. vs. The United States of America
Case No. 1:22-cv-LEK-KJM
Trial 3-29-24 and 4-5-24

In the District Court of Hood County State of Texas
Artie Gray vs. Exxon Mobil
Case No. C-2018047
Rosenfeld Deposition:4-22-2024

In the Elkhart Superior Court State of Indiana
Estate of Clark Stacy vs. Penn Central Corporation
Cause No 2D01-2001-CT-00007
Rosenfeld Deposition 1-25-2024 and 3-7-2024

In the Circuit Court of Trempealeau County, State of Wisconsin
Michael J. Sylla et al. vs. High-Crush Whitehall LLC
Case No. 2019-CV-63, 2019-CV-64, 2019-CV-65, 2019-CV-66
Rosenfeld Deposition: 3-5-2024

In the Circuit Court of Trempealeau County, State of Wisconsin
Leland Drangstveit vs. High-Crush Blair LLC
Case No. 19-CV-66
Rosenfeld Deposition 3-5-2024

In the Circuit Court of Jefferson County Alabama
Donald Lee Ashworth vs. CSX Transportation Inc.
Case No CV-2021-901261
Rosenfeld Deposition 1-23-2024

In the United States District Court for the Eastern District of Wisconsin
Gary L Siepe vs. Soo Line Railroad
Case No. 2:21-cv-00919
Rosenfeld Deposition 1-19-2024

In the United States District Court for the Western District of Louisiana
Ricky Bush v. Clean Harbors Colfax LLC
Case No. 1:22-cv-02026-DDD-JPM
Rosenfeld Deposition 12-18-2023 and 1-15-2024

In United States District Court of Hawaii
Patrick Feindt, Jr. et al. vs. The United States of America
Case No. 1:22-cv-LEK-KJM
Rosenfeld Deposition 11-29-2023

In the Circuit Court for the Twentieth Judicial Circuit St. Clair County, Illinois
Timothy Gray vs. Rural King et al.
Case No 2022-LA-355
Rosenfeld Deposition 9-26-2023

In United States District Court Eastern District of Wisconsin
Gary L. Siepe vs. Soo Line Railroad Company
Case No. 2:21-cv-00919
Rosenfeld Deposition 9-15-2023

In the Circuit Court of Cook County Illinois
Donald Fox vs. BNSF
Case No. 2021 L12
Rosenfeld Deposition 9-12-2023

In the Court of Common Please Cuyahoga County, Ohio
Thomas Schleich vs. Penn Central Corporation
Lead Case No. CV-20-939184
Rosenfeld Deposition 8-27-2023

In the Circuit Court of Jackson County Missouri at Kansas City
Timothy Dalsing vs. BNSF
Case No. No. 2216-cv06539
Rosenfeld Deposition 7-28-2023

In the United States District Court for the Southern District of Texas Houston Division
International Terminals Company LLC Deer Park Fire Litigation
Lead Case No. 4:19-cv-01460
Rosenfeld Deposition 7-25-2023

In the Circuit Court of Livingston County Missouri
Shirley Ralls vs. Canadian Pacific Railway and Soo Lind Railroad
Case No. 28LV-CV0020
Rosenfeld Daubert Hearing 7-18-2023 Trial Testimony 7-19-2023

In the Circuit Court of Cook County Illinois
Brenda Wright vs. Penn Central and Conrail
Case No. No. 2032L003966
Rosenfeld Deposition 6-13-2023

In the Circuit Court Common Please Philadelphia of Jefferson County Alabama
Frank Belle vs. Birmingham Southern Railroad Company et al.
Case No. 01-cv-2021-900901.00
Rosenfeld Deposition 4-6-2023

In the Circuit Court of Jefferson County Alabama
Linda De Gregorio vs. Penn Central
Case No. 002278
Rosenfeld Deposition 3-27-20203

In the United States District Court Eastern District of New York
Rosalie Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-16-2023

In the Superior Court of Washington, Spokane County
Judy Cundy vs. BNSF
Case No. 21-2-03718-32
Rosenfeld Deposition 3-9-2023

In The Court of Common Pleas of Philadelphia County, PA Civil Trial Division
Feaster v Conrail
Case No. 001075
Rosenfeld Deposition 2-1-2023

In United States District Court for the Central District of Illinois
Sherman vs. BNSF
Case No. 3:17-cv-01192
Rosenfeld Deposition 1-18-2023

In United States District Court District of Colorado
Gonzales vs. BNSF
Case No. 1:21-cv-01690
Rosenfeld Deposition 1-17-2023

In United States District Court District of Colorado
Abeyta vs. BNSF
Case No. 1:21-cv-01689-KMT
Rosenfeld Deposition 1-3-2023

In United States District Court For The Easter District of Louisiana
Nathaniel Smith vs. Illinois Central Railroad
Case No. 2:21-cv-01235
Rosenfeld Deposition 11-30-2022

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division

Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022, Trial 1-10-2023

In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation

Case No.16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021

In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021

In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021

In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al. vs Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021

In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021

In the United States District Court For the Northern District of Illinois

Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021

In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021

In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021

In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021

In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

In the United States District Court For The District of New Jersey
Duarte et al, Plaintiffs, vs. United States Metals Refining Company et. al. Defendant.
Case No. 2:17-cv-01624-ES-SCM
Rosenfeld Deposition 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" Defendant.
Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No. BC615636
Rosenfeld Deposition 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No. BC646857
Rosenfeld Deposition 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
Case No. 1:16-cv-02531-RBJ
Rosenfeld Deposition 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants

Cause No. 1923
Rosenfeld Deposition 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintifs vs. Chevron Corporation, et al., Defendants
Cause No. C12-01481
Rosenfeld Deposition 11-20-2017

In The Circuit Court of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition 8-23-2017

In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case No. 1:19-cv-00315-RHW
Rosenfeld Deposition 4-22-2020

In The Superior Court of the State of California, For The County of Los Angeles
Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No. LC102019 (c/w BC582154)
Rosenfeld Deposition 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., Plaintifs, vs. Meritor Inc., et al., Defendants
Case No. 4:16-cv-52-DMB-JVM
Rosenfeld Deposition July 2017

In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No. RG14711115
Rosenfeld Deposition September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No. LALA002187
Rosenfeld Deposition August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. vs. Antero, et al.
Civil Action No. 14-C-30000
Rosenfeld Deposition June 2015

In The Iowa District Court for Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No. 4980
Rosenfeld Deposition May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.

Case No. CACE07030358 (26)
Rosenfeld Deposition December 2014

In the United States District Court Western District of Oklahoma
Tommy McCarty, et al., Plaintiffs, vs. Oklahoma City Landfill, LLC d/b/a Southeast Oklahoma City Landfill, et al. Defendants.
Case No. 5:12-cv-01152-C
Rosenfeld Deposition: July 2014

In the County Court of Dallas County Texas
Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant.*
Case Number cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial: April 2014

In the County of Kern, Unlimited Jurisdiction
Rose Propagation Services vs. Heppe Enterprises
Case No. S-1500-CV-278190, LHB
Rosenfeld Deposition: May 2014

In the Circuit Court of Baltimore County Maryland
Philip E. Cvach, II et al., *Plaintiffs* vs. Two Farms, Inc. d/b/a Royal Farms, Defendants
Case Number: 03-C-12-012487 OT
Rosenfeld Deposition: September 2013

In the Court of Galveston County, Texas 56th Judicial District
MDL Litigation Regarding Texas City Refinery Ultracracker Emission Event Litigation
Cause No. 10-UC-0001
Rosenfeld Deposition: March 2013
Rosenfeld Trial: September 2013

In the United States District Court of Southern District of Texas Galveston Division
Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs,* vs. BP Products North America, Inc., *Defendant.*
Case 3:10-cv-00622
Rosenfeld Deposition: February 2012
Rosenfeld Trial: April 2013

In the United States District court of Southern District of California
United States of America, Plaintiff vs. 2,560 Acres of Land, more or less, located in Imperial County, State of California; and Donald L. Crawford, et. al.
Civil No. 3:11-cv-02258-IEG-RBB
Rosenfeld Deposition: December 2012, January 2013

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition October 2012

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., *Plaintiffs,* vs. Republic Services, Inc., et al., *Defendants*
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition: October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.

From:	Bullock, John (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	BOS-Operations; Carroll, John (BOS); BOS Legislation, (BOS); Calvillo, Angela (BOS); De Asis, Edward (BOS); Entezari, Mehran (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS)
Subject:	6 Letters Regarding File Nos. 250700, 250701, 250966, and 251072
Date:	Monday, December 1, 2025 12:18:52 PM
Attachments:	6 Letters Regarding Family Zoning Plan.pdf

Hello,

Please see attached 6 letters regarding File Nos.:

250700: Zoning Map - Family Zoning Plan
250701: Planning, Business and Tax Regulations Codes - Family Zoning Plan
250966: General Plan Amendments - Family Zoning Plan
251072: Planning, Business and Tax Regulations Codes - Family Zoning Plan

Regards,

John Bullock
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
BOS@sfgov.org | www.sfbos.org

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From:	D M LaPointe
To:	Carroll, John (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS)
Cc:	Lurie, Daniel (MYR); Wtpcc Delegates; Wtpcc Officers; MelgarStaff (BOS); Board of Supervisors (BOS)
Subject:	Submission of WTPCC Letter to the Land Use & Transportation Committee
Date:	Monday, December 1, 2025 11:20:45 AM
Attachments:	WTPCC-LU-upzoning - 12-1-25.docx

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair and Clerk,

Please find attached the West of Twin Peaks Central Council's letter regarding the Family Zoning Plan for consideration by the Land Use & Transportation Committee. We respectfully request that this letter be entered into the official record for the upcoming hearing.

Thank you for your attention.

--
Denise M. LaPointe
President
WTPCC

West of Twin Peaks Central Council

A Resource for Neighborhood Organizations West of Twin Peaks in San Francisco since 1936

PO Box 27112
San Francisco, CA 94127

http://www.westoftwinpeaks.org/

December 1, 2025

Chair and Members of the Land Use & Transportation Committee:

On behalf of the West of Twin Peaks Central Council and the thousands of homeowners and families we represent, we register our firm and unequivocal opposition to the Family Zoning Plan unless it is substantially amended.

We believe in housing. We believe in growth. And we have proved it - approving and welcoming thousands of new homes at Stonestown, Parkmerced, Balboa Reservoir, and throughout our corridors. Our neighborhoods have done our part and remain ready to do more.

But this proposal is not real planning. It is paper compliance masquerading as progress, shifting the costs and destabilizing impacts onto the very neighborhoods that have kept San Francisco livable, stable, and resilient.

The City's own financial analysis makes one fact unavoidable: only mid-rise redevelopment pencils out. That means this plan incentivizes the demolition of existing homes - not on transit corridors already upzoned by SB 79, but deep inside long-standing, middle-class neighborhoods. SB 79 is already the law. Local zoning will be overridden in 2032. The City should be defending its residents - homeowners and long-term residents alike - not eliminating their remaining protections through density decontrol.

Density decontrol must be removed. Without that amendment, the plan reads as a teardown blueprint, not a family housing strategy.

A central flaw in the proposal is the assumption that so-called "well-resourced neighborhoods" should absorb the city's unmet housing goals, even though these areas do not have the infrastructure capacity to support significant added density. This approach contradicts the City's own service and transit data. Effective equity planning pairs new housing with targeted investment in under-served communities - expanding transit, upgrading utilities, and improving public services where it will meaningfully reduce disparities. Concentrating demolition incentives in stable neighborhoods while leaving actual inequities unaddressed is not sound planning and does not advance the City's stated equity goals.

WTPCC therefore urges the Committee to adopt these essential changes:

Eliminate density decontrol.
It is unnecessary, inequitable, and guaranteed to trigger speculative demolition pressure.

Protect small businesses and merchant corridors.
West Portal, Taraval, and Lakeside cannot absorb displacement without losing the local merchants who define them.

Restore design review, public notice, and protection of historic resources.
Residents - especially longtime homeowners - have the right to transparency. Eliminating due process is unjustifiable.

Guarantee strong protections for existing homeowners and long-term residents.
Middle-class families, whether they rent or own, are the backbone of San Francisco and deserve respect, stability, and a meaningful voice.

At the same time, WTPCC and its members are committed partners in real solutions -and we are sounding this alarm now because the unintended consequences of this plan will be profound and irreversible if the City does not course-correct. We stand ready to help the City unlock and incentivize the more than 70,000 approved units already in the pipeline - homes that can be delivered now, without destabilizing established neighborhoods or erasing neighborhood identity.

Our stable, historic, family-oriented neighborhoods are not obstacles - they are the civic bedrock and democratic center of gravity of this city, composed of taxpayers who keep San Francisco running. To ignore this constituency and insist that one community upend its way of life to cover for years of government failure is not equity - it is a fundamental injustice. No credible planning effort punishes families and homeowners for problems created by City Hall.

If the City is serious about housing, it will focus on the 70,000 units already approved - not dismantle the neighborhoods that sustain the city.

Amend this plan. Protect homeowners and tenants, small business and historic resources. And prove that San Francisco can grow without sacrificing the very neighborhoods that make it worth fighting for.

Sincerely,

Denise LaPointe
President | WTPCC

Cc: Mayor Daniel Lurie
Supervisor Rafael Mandelman, President, Board of Supervisors and Members
WTPCC Delegates

From:	James Lloyd
To:	Chen, Lisa (CPC); Board of Supervisors (BOS); Board of Supervisors (BOS); BOS-Supervisors; ChanStaff (BOS); ChenStaff; DorseyStaff (BOS); Fielder, Jackie (BOS); MahmoodStaff; MandelmanStaff (BOS); MelgarStaff (BOS); SauterStaff; SherrillStaff; Walton, Shamann (BOS)
Cc:	Carroll, John (BOS); Dennis Phillips, Sarah (CPC); Cityattorney
Subject:	public comment re Family Zoning plan for today"s Land Use Committee meeting
Date:	Monday, December 1, 2025 9:16:51 AM
Attachments:	CFH v BH - 2023-12-21 - Judgment.pdf San Francisco - Family Zoning Plan - BoS Land Use Committee 2025.12.01.pdf ucb-examining-local-law-policy-planning-practice-on-development-in-sf-using-cales.pdf

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Dear San Francisco Board of Supervisors,

The California Housing Defense Fund and Californians for Homeownership submit the attached public comment (and referenced attachments) for today's Land Use Committee meeting regarding the Family Zoning Plan, agendized as items 2 through 9.

Sincerely,

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org
CalHDF is grant & donation funded
Donate today - https://calhdf.org/donate/

Electronically Received 10/27/2023 11:58 PM

FILED
Superior Court of California
County of Los Angeles
12/21/2023
David W. Slayton, Executive Officer / Clerk of Court
By: M. Mort Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

CALIFORNIANS FOR HOMEOWNERSHIP, INC., a California nonprofit public benefit corporation,

Petitioner,

v.

CITY OF BEVERLY HILLS,

Respondent.

Case No. 23STCP00143

[~~PROPOSED~~] JUDGMENT

Assigned for all purposes to:
Hon. Curtis A. Kin (Dept. 82)

On September 12, 2023, the Court held a hearing on Petitioner's Verified First Amended Petition for Writ of Mandate. After considering the parties' papers and oral argument, the Court issued the decision attached hereto as Exhibit A.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Judgment is entered in favor of Petitioner on the Verified First Amended Petition for Writ of Mandate.

2. A writ of mandate shall issue pursuant to Code of Civil Procedure section 1085 and Government Code section 65754 (a) requiring Respondent to bring the housing element of its general plan into substantial compliance with state law within 120 days of the date of this judgment, (b) requiring Respondent to bring its zoning ordinance into consistency with the housing element of its general plan within 120 days of the amendment required by (a), and (c) requiring Respondent to

file a return to the writ within 250 days of the date of this judgment.

3. Pursuant to subdivision (a)(1) of Government Code section 65755, the Court hereby suspends the authority of Respondent to issue building permits pursuant to Division 13 (commencing with section 17910) of the Health and Safety Code, and all other related permits, except for permits that create new residential bedrooms or units, and except for permits subject to subdivision (b) of Government Code section 65755, until the City has substantially complied with the requirements of Article 5 of Chapter 3 of Division 1 of Title 7 of the Government Code (commencing with Government Code Section 65300).

4. The Court hereby declares that Respondent City of Beverly Hills has not adopted a substantially compliant general plan housing element

5. Petitioner is entitled to recover its reasonable and legally-authorized costs pursuant to a memorandum of costs to be subsequently filed with the Court.

Dated: 12/21/2023

Curtis A. Kin/Judge

Hon. Curtis A. Kin
Judge of the Superior Court

Respectfully submitted this 27th day of October, 2023
CALIFORNIANS FOR HOMEOWNERSHIP, INC.

Matthew P. Gelfand

Attorneys for Petitioner CALIFORNIANS FOR HOMEOWNERSHIP, INC.

EXHIBIT A

FILED
Superior Court of California
County of Los Angeles
SEP 12 2023
David W. Slayton, Executive Officer/Clerk of Court
By: M. Mort, Deputy

Superior Court of California
County of Los Angeles

CALIFORNIANS FOR HOMEOWNERSHIP, INC., Petitioner, vs. CITY OF BEVERLY HILLS, Respondent.	Case No. 23STCP00143 **RULING ON VERIFIED FIRST AMENDED PETITION FOR WRIT OF MANDATE** Dept. 82 (Hon. Curtis A. Kin)

Petitioner Californians for Homeownership, Inc. petitions for a writ of mandate directing respondent City of Beverly Hills to adopt a revised housing element pursuant to Government Code § 65754.

I. Factual Background

The State of California requires each city to have a "comprehensive, long-term general plan for the physical development" of the city. (Gov. Code § 65300.)[1] Each general plan must have a housing element. (§ 65302(c).) The housing element consists of 'standards and plans for housing sites in the municipality that 'shall endeavor to make adequate provision for the housing needs of all economic segments of the community.' [Citations.]" (*California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 444; *see also* § 65580 [legislative findings concerning housing element law].)

"A municipality must review its housing element for the appropriateness of its housing goals, objectives, and policies and must revise the housing element in accordance with a statutory schedule." (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193, 222, citing § 65588(a), (b).) "The interval between the due dates for

[1] All statutory references are to the Government Code, unless otherwise specified.

the revised housing element is referred to as a planning period or cycle, which usually is eight years." (*Martinez,* 90 Cal.App.5th at 222, citing § 65588(e)(3), (f)(1).)

"A revised housing element's assessment of needs must quantify the locality's existing and projected housing needs for all income levels, which includes the locality's proportionate share of regional housing needs for each income level." (*Martinez,* 90 Cal.App.5th at 223, citing § 65583(a)(1).) "The projected regional housing needs for a planning period are determined by the HCD [Department of Housing and Community Development] in consultation with regional 'councils of government.'" (*Martinez,* 90 Cal.App.5th at 223, citing §§ 65584(a) & (b), 65584.01, 65588(e)(3).) "Based on the HCD's regional housing needs determination, each regional council of governments adopts a 'final regional housing need plan that allocates a share of the regional housing need' among the cities and counties within its region." (*Martinez,* 90 Cal.App.5th at 223, citing § 65584(b).)

For the 2021-2029 planning period, the City Council of respondent City of Beverly Hills ("City") adopted a housing element on October 12, 2021 and submitted it for review to HCD. (JR 776.) On January 14, 2022, HCD determined that the housing element did not fully comply with the housing element law and provided necessary revisions. (JR 1309-16.)

On September 28, 2022, the City submitted a revised housing element to HCD. (JR 776.) On November 28, 2022, HCD determined that the revised housing element did not fully comply with the housing element law and provided necessary revisions. (JR 1318-24.)

On February 21, 2023, after having revised the September 2022 housing element, the City adopted the revision. (JR 5.) On February 21, 2023, petitioner Californians for Homeownership, Inc., who monitors local compliance with the housing element law, sent a letter to the City asserting that the revised housing element was inadequate for reasons identified by HCD and petitioner. (JR 1584-85.) On May 12, 2023, HCD determined that the housing element does not substantially comply with housing element law. (RJN Ex. B.)

II. Procedural History

On January 18, 2023, petitioner filed a verified petition for writ of mandate. On May 24, 2023, pursuant to stipulation, petitioner filed a verified first amended petitioner for writ of mandate.

On June 22, 2023, during the trial setting conference, the Court set the hearing on the instant petition for September 12, 2023.

On July 14, 2023, petitioner filed an opening brief. On August 15, 2023, respondent filed an opposition. On August 31, 2023, petitioner filed a reply.

III. Request for Judicial Notice

Petitioner's requests for judicial notice are ruled on as follows:

- Exhibit A (September 15, 2017 Assembly Floor Analysis of AB 1397 (2017-2018 Session)) – GRANTED (Evid. Code § 452(c); *Wood v. Kaiser Foundation Hospitals* (2023) 88 Cal.App.5th 742, 751, fn. 4)

- Exhibit B (May 12, 2023 Letter from HCD to City) – GRANTED (Evid. Code § 452(c))

- Exhibit C (Staff Report for June 22, 2023 Meeting of Beverly Hills Planning Commission) – DENIED

- Exhibit D (Minutes of June 22, 2023 Meeting of Beverly Hills Planning Commission) – DENIED

- Exhibit E (Resolution No. 1907 of Beverly Hills Planning Commission) – DENIED

- Exhibit F (2022 Form 10-K for Creative Media & Community Trust Corporation (Excerpts)) – DENIED

- Exhibit G (June 10, 2020 Memorandum of the California Department of Housing and Community Development, Entitled "Housing Element Site Inventory Guidebook") – GRANTED (Evid. Code § 452(c))

- Exhibit H (City of Gardena's 2021-2029 Housing Element, Table C-1) – GRANTED (Evid. Code § 452(c))

With respect to denying the request for judicial notice of Exhibits C, D, E, and F, the Court notes these exhibits are extra-record evidence petitioner presents to demonstrate that certain sites listed in the sites inventory of the housing element are improperly included. For the reason stated in section V.C below, this is improper. The exhibits are accordingly irrelevant. (*Mangini v. R.J. Reynolds Tobacco Co.* (1994) 7 Cal.4th 1057, 1063 ["Although a court may judicially notice a variety of matters (Evid. Code, § 450 *et seq.*), only relevant material may be noticed"].)

IV. Standard of Review

CCP § 1085(a) provides: "A writ of mandate may be issued by any court to any inferior tribunal, corporation, board, or person, to compel the performance of an act which the law specially enjoins, as a duty resulting from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to

which the party is entitled, and from which the party is unlawfully precluded by that inferior tribunal, corporation, board, or person."

"Any action brought by any interested party to review the conformity with the provisions of this article of any housing element or portion thereof or revision thereto shall be brought pursuant to Section 1085 of the Code of Civil Procedure; the court's review of compliance with the provisions of this article shall extend to whether the housing element or portion thereof or revision thereto substantially complies with the requirements of this article." (§ 65587(b); *see also* § 65751.) Substantial compliance means "actual compliance in respect to the substance essential to every reasonable objective of the statute, as distinguished from mere technical imperfections of form." (*Martinez,* 90 Cal.App.5th at 237, internal citations omitted.)

"[A] city's adoption of a housing element is a legislative enactment, something which is generally entitled to some deference." (*Fonseca v. City of Gilroy* (2007) 148 Cal.App.4th 1174, 1191.) "If the municipality has substantially complied with statutory requirements, we will not interfere with its legislative action, unless that action was arbitrary, capricious, or entirely lacking in evidentiary support." (*Ibid.*) The challenging party has the burden to demonstrate that the housing element is inadequate. (*Ibid.*)

V. Analysis

A. This Dispute is Not Moot

As a preliminary matter, respondent asserts that the City anticipates adopting a revised housing element in November of this year to address concerns about the current housing element. (Wiener Decl. ¶ 2.) However, there is no guarantee that a revision will be completed by November or that the City will adopt a revision at that time, or at any time thereafter. The Court can only rule based on the current housing element. The instant petition is entitled to preference. (§ 65752.) Further, if the Court were to enter judgment in favor of petitioner, the housing element law provides deadlines for the City to address the deficiencies in the housing element and to submit the revision to HCD. (§ 65754(a).) If respondent were to appeal, the appeal would be given preference also. (§ 65752.) Accordingly, there is no reason to delay ruling on the merits of the operative first amended petition.

B. Whether Sites Inventory Meets Statutory Requirements

1. Realistic Development Capacity

The inventory in a housing element must "specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing." (§ 65583.2(c).) For a city that does not require a

minimum residential density,[2] the city "shall demonstrate how the number of units determined for [each] site...will be accommodated." (§ 65583.2(c)(1).) As part of the calculation, " [t]he number of units calculated...shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583, the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities." (§ 65583.2(c)(2).)

An "assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs" shall include an "analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels...including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development." (§ 65583(a)(5).)

To demonstrate that its inventory is adequate, respondent relies on a Mixed Use Overlay Zone ("Overlay Zone") adopted by ordinance on November 17, 2020, where the maximum residential density within the zone was increased from 0 in commercial areas to 79.2 units/acre. (JR 200, 209.) The Overlay Zone spans the length of the City from east to west and partially north to south, along its largest commercial corridors, including Wilshire Boulevard, Robertson Boulevard, Olympic Boulevard, South Doheny Drive, and South Beverly Drive. (JR 125; *see also* JR 213 [map of Overlay Zone].) In the housing element, the City describes the purported benefits of the Overlay Zone: "This wide-scale rezoning allows for the creation or conversion of non-residential space into residential units, and therefore will create all net new housing, since it does not involve the displacement of any existing occupied housing/residents." (JR 125.)

Respondent argues that the maximum residential density exceeds the minimum 30 units per acre that is statutorily deemed appropriate to accommodate housing for lower income individuals. (§ 65583.2(c)(3)(B)(iv).) Respondent also argues that existing commercial buildings in the Overlay Zone may obtain a permit to convert to a mixed-use building and obtain relief from having to comply with standards concerning parking requirements, loading facilities, outdoor living space, commercial-residential transitional setbacks, or height limits if compliance is physically infeasible. (JR 1636; *see also* Chen Decl. Ex. G [Beverly Hills Municipal Code ("BMMC") § 10-3-1888].) The vacancy rates for commercial buildings also purportedly create an incentive for commercial building owners to convert their buildings to mixed-use projects. (JR 201.)

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[2] It is undisputed Beverly Hills does not mandate a minimum residential density.

For commercial properties listed in the sites inventory of the housing element that were designated for conversion or indicated as having conversion potential (JR 229-34), to calculate the total number of units on the site, the City multiplied the total parcel size by the maximum allowable residential density.[3] However, the total parcel size listed in the sites inventory refers to land area, not the square footage of the existing building that can accommodate residential units. Contrary to respondent's contention, the sites inventory does not account for floor area capacity; the sites inventory lists the height limit of the building, not the number of stories to be converted to residential use. (*See, e.g.*, JR 229 [column name is "Height Limit (stories)," 233 [8500 Wilshire Blvd. described as "8 story building – conversion," but height limit is 3 stories].) As a result, for buildings to be converted to mixed use, the housing element does not demonstrate how the number of units indicated in the sites inventory will be accommodated, as required by section 65583.2(c)(1).

Moreover, as petitioner points out in the reply, most of the sites in the City's sites inventory are not designated as conversions or potential conversions. (JR 229-34.) For sites not indicated as conversions, any construction of residential units is subject to land use and building controls. For example, multi-family developments are subject to height limits from three to five stories. (JR 153-54.) Any building in the Overlay Zone must include commercial uses on the ground floor, and residential uses on the first floor within the first 40 feet from the street are prohibited. (BMMC §§ 10-3-1877(C), 10-3-1879.) Moreover, each multi-family development must have at least 200 square feet for each dwelling unit, excluding front yards, balconies, and pedestrian accessways. (BHMC §§ 10-3-1886, 10-3-2803.)

The sites inventory contains no adjustment based on land use controls for new construction, as required by section 65583.2(c)(2). Rather, like the sites designated as conversions, the number of units for each site is calculated based on the land area multiplied by the maximum residential density. Moreover, the housing element contains no meaningful consideration and analysis of the governmental constraints on the development of housing, as required by § 65583(a)(5). Rather, the City relies on prior approved and proposed developments in arguing in conclusory fashion that "the current standards are not inhibiting development of housing." (JR 158-159, 203-04.) Accordingly, the housing element, including the sites inventory, fails to account for the realistic development capacity for the sites listed in the inventory.

With respect to respondent's contention that the maximum residential density exceeds the density set forth in section 65583.2(c)(3)(B)(iv), this only means that the

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[3] For example, for 8730 Wilshire Blvd., the parcel size is 11,863 square feet. (JR 233.) There are 1/43,560 acres in one square foot. (*See* https://www.britannica.com/science/acre-unit-of-measurement [43,560 square feet in 1 acre].) 11,863 square feet multiplied by 1/43,560 acre per square foot is 0.27 acres. 0.27 acres multiplied by 79.2 units per acre is approximately 21 units.

City does not have to provide an analysis demonstrating how its adopted density accommodates its share of the regional housing need for lower income households. (§ 65583.2(c)(3)(A-B).) However, the City still must adjust the number of units for each site based on the realistic development capacity of the site under section 65583.2(c)(1) and (c)(2) and provide an "analysis of potential and actual governmental constraints upon the...development of housing for all income levels" under section 65583(a)(5).

Petitioner also argues that the City designated the majority of the sites on the sites inventory as 100% low-income or 100% moderate-income housing without explaining the basis for such designation. (OB at 10:6-7.) Petitioner further argues that the City did not adjust the unit counts based on "typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction," as required by section 65583.2(c)(2). (OB 10:7-8.)

Petitioner, however, does not reference any statute that requires an explanation for the basis for the low-income or moderate-income housing designation. The housing element law only requires that the City specify "the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing" and demonstrate "how the number of units determined for that site...will be accommodated." (§ 65583.2(c), (c)(1).) The sites inventory indicates the total number of units for each site. (JR 229 ["Total Units" column].) By indicating the number of units that are designated as low-income or moderate-income housing, the City also indicates "whether the site is adequate to accommodate lower income housing [or] moderate-income housing." (JR 229 ["Lower" and "Mod" columns].) While the City did not explain how the total number of units will be accommodated for the reasons stated above, the designation of housing as low-income or moderate-income is not deficient.

Nevertheless, it is not apparent from the sites inventory whether the City adjusted the numbers for low-income and moderate-income housing based on "typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction." (§ 65583.2(c)(2).) By multiplying the land area by the maximum residential density of 79.2 units per acre and designating all housing as low- or moderate-income housing, the City assumes that all units built on the site will be low-income or moderate-income housing. The City does not account for the possibility that only a certain percentage of the housing on the site will be designated for residents with low- or moderate-income. A revised housing element would need to contain an adjustment based on typical densities at similar affordability levels.

In sum, with respect to realistic development capacity, the housing element is deficient for the following reasons: (1) for conversions, the sites inventory calculates the total number of units based on a product of land area and the maximum residential density without accounting for the floor area of the building; (2) the sites

inventory does not contain any adjustments based on land use controls for new construction; (3) the housing element contains no analysis of the governmental constraints on the development of housing; and (4) the sites inventory does not contain any adjustments based on typical densities of existing or approved residential developments at similar affordability levels in the City.

2. Nonvacant Sites

For nonvacant sites, the housing element law imposes the following additional requirement:

> [T]he city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, the city's or county's past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites.

(§ 65583.2(g)(1).)

Petitioner argues that the City does not explain how its methodology relates to the sites it has included or excluded in the sites inventory. For underutilized nonvacant sites, respondent explains that it selected sites that were more likely to be redeveloped or converted based on evidence of a lack of investment in the property, such as a lack of maintenance or lack of recent upgrades and improvements; parcels with underutilized improvements; and parcels with existing commercial buildings that are higher than 3 stories but whose floor plan is conducive to residential conversion. (JR 202-03, 210-11.) Respondent also explains that existing uses do not constitute an impediment to additional residential development because the creation of the Overlay Zone creates opportunities for residential development; conversion from non-residential to residential use costs less than new construction; and high residential property values in the City create financial incentives for residential development. (JR 209-10.) However, respondent discusses its methodology for determining development potential generally, without engaging in any site-specific analysis.

Respondent contends that it need not engage in an analysis of the methodology of the development potential for each site. The Court disagrees. Section

65583.2(g)(1) states that, for nonvacant sites, "the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential." Reading the subdivision as a whole, the City is required to provide an explanation of the methodology for each site in the sites inventory. Among the factors that the methodology must consider are "the current market demand for the existing use" and "an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development." (§ 65583.2(g)(1).) These factors necessarily relate to specific sites and cannot be discussed generally. Because the Legislature included these factors, the Legislature surely intended that the City provide "an explanation of the methodology used to determine the development potential" for each site.

Without a site-specific analysis, it is unclear how the methodology was applied. For example, as petitioner points out in the opening brief, the City purports to have excluded commercial buildings that contained medical uses and car dealerships from the sites inventory. (JR 210.) However, the sites inventory includes medical buildings and car dealerships. (*See, e.g.*, JR 229-30 [153 S. Doheny Dr., 239 S. La Cienega Blvd., 8833 W. Olympic Blvd., 8845 W. Olympic Blvd., 9134 W. Olympic Blvd.].) The City does not explain how the existing use does not serve as an impediment to residential development.

For the foregoing reasons, with respect to section 65583.2(g)(1), the housing element is deficient because the City did not provide an explanation of the methodology used to determine the development potential for each site, including a discussion of the factors probative of likelihood of redevelopment set forth in section 65583.2(g)(1).

Further, the sites inventory shows that the City is meeting all of its share of the need for lower-income housing through nonvacant sites. Accordingly, section 65583.2(g)(2), quoted below, is implicated:

> In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.

(§ 65583.2(g)(2).)

For nonvacant sites, the "Field Notes/Existing Conditions & Analysis for Keeping/Removing" column in the sites inventory only indicates the existing use of the site and whether the site is designated for conversion or has conversion potential. (JR 229-34.) The City does not engage in any discussion of occupancy rates, lease terms, viability of the business operating at the sites. Nor does the City present any other discussion demonstrating that the existing use for each site "does not constitute an impediment to additional residential development during the period covered by the housing element." (§ 65583.2(g)(2).) Without any evidence concerning the existing use of each site, the existing use is presumed to impede additional residential development. (*Ibid.*)

Respondent maintains that Culver City and Gardena obtained HCD approval based on a chart similar to its sites inventory. However, unlike Beverly Hills, Gardena's sites inventory sets forth the existing use of each site and why the existing use is likely to be discontinued during the planning period. (Reply RJN Ex. B; cf. Chen Decl. Ex. B at 71 [listing criteria used in selection of sites].) With respect to Culver City, the sites inventory does not set forth the reason why the existing use is likely to be discontinued. (Chen Decl. Ex. A at Appendix B.) However, elsewhere in the housing element, Culver City discusses sites that present opportunities for development based on positive responses from property owners and developers. (Chen Decl. Ex. A at B-9 to B-10.) Unlike Beverly Hills, Culver City discussed how the existing use at certain sites would not impede residential development. Beverly Hills did not engage in any site-specific analysis concerning how the existing use would not impede additional residential development.

Respondent contends that the Court of Appeal in *Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193 determined that no site-specific analysis concerning the methodology used to determine development potential and additional development factors is required. This is not quite accurate. In *Martinez*, the Court of Appeal found that section 65583.2(g)(1) "does not mandate the City 'specify the additional development potential for each [nonvacant] site within the planning period and ... provide an explanation of the methodology used to determine the development potential' *in the housing element itself.*" (*Martinez*, 90 Cal.App.5th at 248-49, emphasis added.) While specification of the additional development potential for each site does not have to be part of the housing element, the City still must demonstrate the additional development potential for each site. In *Martinez*, for example, the City of Clovis provided evidence outside of the housing element to demonstrate the development potential of a nonvacant site. (*Id.* at 249-51.)

Here, there is no analysis of the additional development potential for each site listed in the sites inventory in the housing element or elsewhere. Further, the housing element does not contain findings based on substantial evidence that the existing uses of nonvacant sites are likely to be discontinued, as required by section 65583.2(g)(2).

In sum, with respect to nonvacant sites, the housing element is deficient for the following reasons: (1) the City did not provide an explanation of the methodology used to determine the development potential for each site in the sites inventory, including a discussion of the factors probative of likelihood of redevelopment set forth in section 65583.2(g)(1); and (2) the City fails to demonstrate with substantial evidence that the existing use for each site in the sites inventory does not constitute an impediment to additional residential development during the period covered by the housing element.

C. Specific Sites

Petitioner also contends that certain sites were improperly included in the sites inventory. (OB at 15:6-17:1.) Petitioner maintains that the City did not make the findings based on substantial evidence that are required to rebut the presumption under section 65583.2(g)(2) that the existing use will impede additional residential development. (Reply at 4:13-14.)

However, in contending that additional residential development is not possible on certain sites, petitioner relies on extra-record evidence. For example, for 55 North La Cienega, the sites inventory indicates that the property will have 70 low-income units. (JR 229.) However, petitioner presents a Planning Commission Report and meeting minutes to assert that the City's Planning Commission approved development on the site with only 11 units of very low-income housing. (Gelfand Decl. Exs. C at 1, D at 3-4.)

"[W]here the scope of review of factual findings is substantial evidence, review limited to the administrative record is appropriate because extra-record evidence is irrelevant to whether the agency's decision is supported by substantial evidence." (*Cinema West, LLC v. Baker* (2017) 13 Cal.App.5th 194, 208.) Petitioner cannot challenge the inclusion of sites in the inventory based on extra-record evidence. Ironically, petitioner would have the Court consider the propriety of certain sites based on extra-record evidence, but then bar respondent from presenting extra-record evidence to rebut petitioner's argument. (Reply at 4:18-5:13.)

With respect to sites which petitioner contends are unlikely to disappear based on their existing use (OB at 16:21-17:2; JR 1557-58), the Court already finds that respondent did not make findings based on substantial evidence that the existing use for each nonvacant site in the sites inventory is likely to be discontinued. The City must make such findings in revising the housing element.

VI. Conclusion

The petition is GRANTED. Pursuant to Local Rule 3.231(n), petitioner shall prepare, serve, and ultimately file a proposed judgment and proposed writ of mandate.

Date: September 12, 2023

HON. CURTIS A. KIN

23CV-21063

CALIFORNIANS FOR HOMEOWNERSHIP

CAL HDF

Dec 1, 2025

San Francisco Board of Supervisors
49 South Van Ness Avenue
San Francisco, CA 94103

Re: Housing Element Implementation

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Cc: john.carroll@sfgov.org; sarah.dennis-phillips@sfgov.org; cityattorney@sfcityatty.org

Dear San Francisco Board of Supervisors,

The California Housing Defense Fund ("CalHDF") and Californians for Homeownership ("CFH") write in advance of the Land Use and Transportation Committee meeting scheduled for December 1, 2025 at 1:30pm. We write to warn the Committee, as well as the larger Board, that certain elements of the proposed Family Zoning Plan violate state law. Specifically:

1. The City's proposed rezonings will not produce sufficient new housing. This violates commitments the City made when it adopted its Sixth Cycle Housing Element.

2. The City's proposed rezonings add new constraints on housing production. This, again, violates commitments the City made in its Sixth Cycle Housing Element and independently violates the Housing Element Law.

3. The "Housing Choice - San Francisco" program seeks to exempt San Francisco from certain state housing laws. That is illegal.

If the City does not correct these problems, CalHDF and CFH will challenge the City in court. As a result of the lawsuit, the City would, potentially, fall out of compliance with the Housing Element Law and face exposure to the "builder's remedy." (See Gov. Code, § 65589.5,

subds. (d)(5), (d)(6).) CalHDF and CFH urge the City to avoid such needless litigation and instead comply with the law in the first instance.

The City's Proposed Rezonings Are Inadequate

The Housing Element Law (Gov. Code, §§ 65580 et seq.) establishes a clear process for the evaluation, planning, and enactment of the City's housing policy. That process has a two-part structure. In the first part, the City must adopt a housing element on a specified timeline and that meets certain requirements. In the second part, the City must implement the programs promised in its housing element. Crucially, the second step relies on the first step: what, precisely, the City must do in the second step has already been established by the housing element. (See Gov. Code, § 65583, subd. (c).) The second step is *not* a freestanding exercise in policymaking or policy analysis. (See *id.*) The policymaking and policy analysis are conducted in the first step, and the Housing Element Law leaves essentially no room to alter the results at the second step.[1]

San Francisco has completed the first step. It adopted a housing element on January 31, 2023, adhering to the substantive and procedural rules in the Housing Element Law. The California Department of Housing and Community Development ("HCD") also certified the City's adopted housing element as legally compliant, pursuant to its statutory authority. (See, e.g., Gov. Code, § 65585.) That housing element made numerous detailed commitments. These commitments include promises to rezone large areas of the City to accommodate housing growth necessary to meet demand and ease upward pressures on housing costs. (See Gov. Code, §§ 65583 [establishing standards for required rezonings]; 65583.1 [same]; 65583.2 [same].) The housing element, moreover, promised not only to rezone, but to engage in detailed analysis that would help shape the rezoning. (See Program 7.1.1 in San Francisco's Housing Element, available here.)

San Francisco is now at the second step of the process: implementing the commitments in its housing element. This includes the aforementioned rezoning and associated policy analyses. The City's proposed rezoning, however, fails to fulfill crucial aspects of housing element commitments – commitments that the City, as explained above, cannot renege on without going through a full amendment process for its housing element.

Program 7.1.1 of the City's housing element commits the City to implementing a rezoning program that "reasonably account[s] for sites' likelihood of development during the planning period using an analytical model." The housing element uses mandatory language, stating that the City "shall" build its rezoning program around such a

[1] If the City wishes to alter the policy analysis or programs promised by its housing element, it has an avenue to do that: it may amend its housing element according to the procedures set forth in Government Code section 65585. But the process remains a two-step process: the City must first amend its housing element, and only then can it proceed to the second step of implementing the promised housing element programs.

"probability-of-development" analysis. In sum: the City must rezone to an extent that the expected number of new units that will be built after the rezoning, calculated via a robust probability-of-development analysis, meets the City's projected housing need (i.e. the Regional Housing Needs Assessment, or "RHNA," allocation, plus a buffer specified in the housing element).

The current rezoning proposal does not do this. The proposal's failure is twofold. First, none of the methods the Planning Department has relied on to assess whether the proposal will satisfy San Francisco's rezoning obligation constitutes a probability-of-development analysis using an analytical model in line with Program 7.1.1 in the housing element. Second, when the City has conducted an analysis that meets the requirements of Program 7.1.1, the analysis shows the current rezoning proposal will not satisfy San Francisco's rezoning obligation.

With respect to the rezoning proposal's first failure: the City proposes three methods to project the number of new units the proposed rezoning can be expected to produce. None of the three methods measures up to the standards in Program 7.1.1.

1. The first method is the "soft sites" method, which is described in appendix B of the City's housing element. This method assumes that a site currently hosting a residential use has a two percent probability of being redeveloped with the rezoning's planned residential capacity and a site currently hosting a non-residential use has a seventy percent probability of redevelopment. Such rigid calculations based on uniform, citywide assumptions about the odds of development on thousands of very different sites are not an "analytical model" and do not "reasonably account for sites' likelihood of development" as required by Program 7.1.1. These assumptions, furthermore, are not reasonable and do not rest on any evidence. They are highly motivated guesswork, and highly motivated guesswork will not cut the mustard.

2. The second method rests on an economic model developed by a consultant. This model does not assess the likelihood of a given site's being developed under the rezoning proposal. Instead, it calculates how many units of housing are "financially feasible" on parcels throughout the City. This is not an "analytical model" that "reasonably account[s] for sites' likelihood of development" as required by Program 7.1.1. As the City well knows, property owners across the City submit permit applications for only a small portion of economically feasible new housing units, and not all of those permit applications ultimately produce actual housing units. The City attempts to address this problem by assuming – similar to the soft sites method – that two percent of sites with economically feasible new housing developments currently occupied by residential uses and thirty-five percent of other sites with economically feasible new housing developments will be developed. This is inadequate for the same reasons the soft sites method is inadequate. Moreover, this

method projects only 19,000 new units of housing over the planning period – far below the 36,282 units the City must accommodate.

3. The third method involves looking at "how much of the City's overall zoning capacity has gotten built out over the years." This – again – is not an "analytical model." Nor does it look at the sites slated for rezoning under the current rezoning proposal and assess the likelihood they will produce new housing. This method is further flawed because much of San Francisco's recent increase in zoned capacity, and much of the new housing that has been built, took place on vacant sites, whereas the proposed housing element rezoning covers a broad swath of the City and comprises mostly non-vacant sites. Other problems here include unrealistically low estimates of the City's residential zoning capacity in prior years (thus inflating the share of residential zoned capacity that has been built out) and the inclusion of residential projects built under development agreements, which do not correspond to rezonings, and which were separately counted towards the City's pre-existing residential zoned capacity in the housing element.

With respect to the rezoning proposal's second failure, analytical models that would satisfy Program 7.1.1 in the housing element demonstrate that the proposed rezoning will not produce anywhere close to the required number of new units. San Francisco's City Economist recently released an analysis of the City's proposed rezoning. This analysis relies on the exact approach that San Francisco's Housing Element pledged to use: an analytical model that assesses the probability of development. (Indeed, it is the exact approach HCD suggested the city use.) The results are damning. In the **best case scenario,** San Francisco's City Economist's analytical model found that the rezoning can only be reasonably expected to produce around **14,646 units by 2045**. Less optimistic assumptions produce a forecast of only 8,504 units by 2045. This indicates the rezoning plan falls far short of what is required: being shown by an analytical model to reasonably be expected to produce **36,282 units by 2031**.

Changes to the planned rezoning since the analysis was conducted have further reduced the amount of new housing that can be expected. The proposed rezoning – specifically, the "Housing Choice - San Francisco" program – has been modified to add new unit mix requirements (see pages 14-15 here) and historic preservation requirements (page 30). The Land Use Committee made these changes despite unambiguous evidence in the record that the changes would reduce new housing's feasibility and reduce the number of new units the rezoning can be expected to create. The problem, then, is *even greater* than what the City Economist's analysis shows.

These are not minor problems. Program 7.1.1 is central to San Francisco's compliance with the Housing Element Law. The City's housing element meets the requirements of the Housing Element Law *only because* it included Program 7.1.1's commitment to rezone based

on a realistic probability-of-development analysis. To be crystal clear: without Program 7.1.1, the housing element does not comply with Government Code section 65583.2, subdivision (g)(2). This is because the housing element relies on non-vacant sites to accommodate more than half of its RHNA allocation at the lower-income level, and thus the Housing Element Law requires its housing element to "demonstrate that the existing use [on each non-vacant site] does not constitute an impediment to additional residential development." (Gov. Code, § 65583.2, subd. (g)(2).) "An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued." (*Ibid.*) San Francisco's housing element does not demonstrate with substantial evidence that specific existing uses on specific sites intended to accommodate low-income housing will not impede additional residential development. Instead, the housing element commits the City, in Program 7.1.1, to rezoning in a manner that "shall reasonably account for sites' likelihood of development during the planning period using an analytical model." That commitment is the basis of the City's compliance with Government Code section 65583.2, subdivision (g)(2). Refusing to follow through on that commitment would leave the City without any basis for compliance with the Housing Element Law on this point.[2]

CalHDF and CFH urges the City to do as the law requires. The City must adopt a rezoning that an analytical model, such as the City Economist's, shows can reasonably be expected to produce 36,282 new units under current economic conditions, as required by Program 7.1.1. Alternatively, the City can increase the probability of sites' development (again, according to a realistic analytical model) by adjusting non-zoning policies that constrain housing production: the City could, for example, reduce transfer taxes for residential projects, impact fees for new residential construction, or inclusionary zoning requirements. The City should not – it cannot – rely on flawed and insufficient analyses to justify its planned rezonings. Doing so violates the law.

The City Must Reduce Constraints on Housing Production, Not Add New Ones

The City's planned rezoning, although on net it adds new capacity, includes constraints on housing development that do not exist under current zoning rules. Specifically, the proposal includes minimum office densities, caps on dwelling unit size, new limits on curb cuts, and lower parking maximums. Furthermore, the City's proposed local zoning bonus program, known as the "Housing Choice–San Francisco" ("HCSF") program, imposes new limitations on residential projects' eligibility for protections and benefits under state laws, including the Statewide Density Bonus Law.

[2] The City could address this issue by producing site-specific evidence that existing uses on non-vacant sites will not impede additional residential development, adding that evidence to a new draft of its housing element, and adopting the amended housing element. But – again – the City would have to do this before rezoning. The process of developing and adopting housing element commitments and then, separately, implementing those commitments remains a two-step process.

CalHDF and CFH also note that the HCSF program was amended in committee on November 17, 2025 to include additional constraints. The HCSF program now virtually excludes any site in a historic district (see page 30 here). The HCSF now also imposes additional unit mix requirements on new housing projects (see pages 14 and 15 here). With respect to the unit mix requirements, it is silly for San Francisco, a City defined by large, multi-bedroom homes, to require new housing to replicate the bulk of existing housing supply in its bedroom counts. If new housing proposals include fewer bedrooms per unit, on average, that is because San Francisco's existing housing stock is already dominated by multi-bedroom homes; it is natural that new housing will fill a niche that the current housing supply does not.

More importantly, the new unit mix requirements, as well as other new constraints on housing, pose a problem for two reasons.

First, the new constraints were not analyzed by the City's housing element. The Housing Element Law requires local governments to analyze governmental constraints on housing production. (Gov. Code, § 65583, subd. (a)(5).) The results of this analysis then inform the policies and programs in the housing element. (See *id.*; *id.* at subd. (c)(3); *Californians for Homeownership, Inc. v. City of Beverly Hills* (2023) Los Angeles County Superior Court, Case No. 23STCP00143, at p. 6, [finding planned rezonings for housing element site inventory must consider constraints identified by the housing element's constraints analysis] [opinion attached to this letter].) Because the new constraints attached to the City's rezoning proposal were not analyzed in the City's housing element, the City cannot rely on the rezoning proposal to produce as many units as it is required to unless the City analyzes the effects of the new constraints and offsets their impact on housing production.

Second, the City's housing element explicitly recognizes this and commits the City to refrain from adding new constraints. Program 7.1.1 states: "The rezoning program … shall not add government constraints that reduce project financial feasibility as determined by an analysis prior to the rezoning enactment." Program 8.1.6 states: "[A]ny City-adopted rezoning or development controls shall not impose any new governmental constraints to the development of housing unless those increased constraints are offset by the removal or reduction of other constraints." If San Francisco wishes to establish new governmental constraints to housing production (such as making new developments ineligible for the waivers and protections offered by State Density Bonus Law), it must concurrently reduce other constraints to a degree that maintains the overall viability of new residential construction, "as determined by an analysis prior to the rezoning enactment" that assess projects' "financial feasibility." Pursuing the new constraints without offsetting them by reducing existing constraints, however, would violate the commitments in housing element programs 7.1.1 and 8.1.6 and hence violate the Housing Element Law.

The Proposed Housing Choice–San Francisco Bonus Program Cannot Exempt San Francisco from State Law

The proposed HCSF bonus program provides additional residential zoning capacity for projects that meet certain criteria. Overall, this is good. However, one of the HCSF eligibility criteria poses a problem: the requirement, found in section 206.10(b)(5), that an HCSF project "not receive any density or development bonuses or relief from applicable Planning Code standards in any other State or local law or program." This requirement is unenforceable to the extent it pertains to state law, and, should it be enacted, developers will have the option to ignore it.

This is for four reasons. First, the City "cannot choose to forgo application of land use policies imposed by the Legislature." (*Ailanto Properties, Inc. v. City of Half Moon Bay* (2006) 142 Cal.App.4th 572, 595.) Second, just as the City cannot waive state law's application, project applicants cannot waive protections to which they are entitled under state law, since those protections are designed to serve the public interest. (See Civ. Code, § 3513 ["a law established for a public reason cannot be contravened by a private agreement"].) Third, the SDBL includes explicit rules for local density bonus programs: such programs must build on, rather than supplant, the SDBL. Finally, even if the first three points are ignored, the SDBL allows project applicants to waive the HCSF eligibility requirement forbidding the use of state bonuses. (Gov. Code, § 65915, subd. (e).) Legal interpretations from the California Department of Housing and Community Development ("HCD"), the state agency charged with interpreting and enforcing state housing law, support these conclusions.

Background

State law contains many provisions that grant rights and protections to proposed housing developments and applications for proposed housing developments. These include AB 2011, codified at Government Code section 65912.100 et seq., the SDBL, codified at Government Code section 65915 et seq., SB 35, codified at Government Code section 65913.4, and more besides. These laws accomplish a variety of pro-housing policies by, among other things, allowing proposed housing developments that meet certain criteria (such as the inclusion of affordable units) to reduce or avoid local zoning and other land use restrictions. In some cases, whether a project is eligible for state law protections and the extent to which it may reduce or avoid local rules depends on the generosity of the local zoning code. For example, the SDBL calculates density bonuses using a "base density," defined as "the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan." (Gov. Code, § 65915, subd. (o)(6).)

The proposed HCSF program expands the San Francisco zoning code's accommodation for denser housing in much of the City. The aforementioned state laws then further expand the allowed range of housing projects, providing for even greater density and even more

forgiving standards for projects. But there is a catch: the HCSF program attempts to forestall these state laws, in section 206.10(b)(5). If not for proposed section 206.10(b)(5), housing project applicants would be able to propose projects under the HCSF rules and avail themselves of the full range of state law protections. Thus, the critical question is: does proposed section 206.10(b)(5) have any legal effect? As explained below, the answer is no. Developers may use both the HCSF rules and any state law bonuses or protections that apply.

The City Cannot Forgo the Application of State Law

State law preempts local law. (Cal. Const., art. XI, § 7.) This is a foundational constitutional principle, and it is no less true in the land use context than anywhere else. As a corollary to this principle, local governments "cannot choose to forgo application of land use policies imposed by the Legislature." (*Ailanto Properties*, *supra*, 142 Cal.App.4th at 595.) Proposed section 206.10(b)(5), however, attempts to do exactly that: it states, in effect, that state land use laws do not apply to projects proceeding under the HCSF program. The City is careful to word the section to dance around the point, perhaps in recognition of the legal consequences, but the section's intended purpose is unmistakably to "forgo application of land use policies imposed by the Legislature," as caselaw and the California constitution forbid. (*Ibid.*)

As explained above, numerous state laws – particularly the SDBL – grant certain housing projects legal protections. None of these state laws allows local governments to circumvent or opt out of these rules. The attempt to do so, in section 206.10(b)(5) of the proposed HCSF program, does not pass legal muster, and project applicants will be entitled to ignore it.

Project Applicants Cannot Waive State Law Protections to Which They Are Entitled

Just as the City cannot waive the application state land use and housing laws, neither can developers. "[A] law established for a public reason cannot be contravened by a private agreement." (Civ. Code, § 3513.) In other words, if a law is designed to accomplish a public benefit (possibly in addition to private benefits), the law's provisions cannot be waived. (See, e.g., *County of Riverside v. Superior Court* (2000) 86 Cal.App.4th 211, 220 [holding employment protections for public safety officers, although they benefitted individual officers, also served a broader public purpose and could not be waived].) The legislature has made clear that pro-housing laws serve the broader public interest.[3] (See, e.g., Gov. Code, §§ 65915, subd. (u); 65913.4, subd. (u); 65582.1; Stats. 2024, ch. 294, § 1; Stats. 2023, ch. 783, § 1.) The legislative history for these laws, moreover, confirms they are intended to serve the public by

[3] On one occasion, California courts found that a law establishing time limits for housing permit application processing primarily benefitted project applicants and not the general public, and hence project applicants could waive them. (*Bickel v. City of Piedmont* (1997) 16 Cal.4th 1040, 1049-1052.) The legislature immediately rebuked the Courts and overturned the *Bickel* holding through legislation. (See *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1439.)

expanding the supply of housing and affordable housing. (See *Doskocz v. ALS Lien Services* (2024) 102 Cal.App.5th 107, 115-116 [legislative history is relevant in deciding whether law serves a public purpose and hence cannot be waived].) Hence, project applicants have no authority to disclaim the application of these laws, as the City's proposed HCSF program would have them do.

Two additional reasons prevent project applicants from waiving their right to pursue state law protections.

First, as with all legal waivers, such a waiver must be voluntary. (*Harvey v. County of Kern* (1930) 107 Cal.App. 590, 597.) As currently framed, the HCSF program does not ask project applicants to voluntarily waive their state law rights. It instead makes waiver *mandatory* for any project applicant. No waiver can occur through such an ultimatum; to the extent that the issue is unclear, moreover, the ambiguity resolves against the existence of a waiver. (See *Perini v. Perini* (1964), 225 Cal.App.2d 399.)

Second, waiver requires "an abandonment of a right that could be enforced or a privilege that could be exercised." (*Estate of Goyette* (1971) 14 Cal.App.3d 224, 232 [internal citations omitted].) Thus, for an applicant to be able to waive the application of state law to an HCSF project, it must be the case that the applicant could, absent the waiver, enforce the application of the relevant state law. And it must be the case, from there, that the applicant could choose *not* to waive their rights and instead apply state law protections and bonuses to their project. In this way, the City faces a catch-22, and however it resolves the dilemma, developers will be able to use both the HCSF program and state law.

The State Density Bonus Law Creates Narrow Guidelines for Local Bonus Programs, Which the HCSF Program Does Not Obey

The SDBL does allow local governments to implement local bonus programs. It includes strict rules for such programs, however, which the proposed HCSF program does not meet. Local bonus programs must add to, rather than supplant, the SDBL. Government Code section 65915, subdivision (n), states: "nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus *greater than* what is described in this section for a development that meets the requirements of this section" (emphasis added). By negative implication, local governments are forbidden from offering density bonuses that do not incorporate, at minimum, the bonuses allowed by the SDBL. Local bonus programs must add to the SDBL; they cannot displace it in favor of an entirely separate density bonus scheme. As described above, moreover, preemption principles prevent local governments from evading the SDBL, and this language in the SDBL confirms that outcome.

The SDBL includes stronger language too. Government Code section 65917 states:

> In enacting this chapter it is the intent of the Legislature that the density bonus or other incentives offered by the city, county, or city and county pursuant to this chapter shall contribute significantly to the economic feasibility of lower income housing in proposed housing developments. **In the absence of an agreement by a developer in accordance with Section 65915, a locality shall not offer a density bonus or any other incentive that would undermine the intent of this chapter.**

(Emphasis added.) In other words, if San Francisco wishes to offer a density bonus to developers, it must first allow them any protections they are entitled to under the SDBL. Only then can it offer a local bonus program. The law establishes a clear baseline: project applicants may avail themselves of any bonuses and benefits they are entitled to under the SDBL, and further local bonuses and benefits must come on top of the SDBL.

These rules are especially important in San Francisco. HCD has found that the SDBL is "critical" for developers navigating San Francisco's complex zoning rules and extensive procedural hurdles. (See "Examining Local Law, Policy, and Planning Practice on Development in San Francisco Using CALES," O'Neill et al., pp. 38-39 (available here and attached to this letter).) In some cases, HCD has issued Notices of Violation to San Francisco for impeding housing development by refusing to grant bonuses, incentives, and waivers allowed by the SDBL. (See, e.g., California Department of Housing and Community Development, Letter to Kate Conner, December 29, 2022 (available here).) These HCD findings and Notices of Violation confirm the SDBL's importance in producing housing in San Francisco.

The proposed HCSF program, by attempting to displace the SDBL entirely, violates the SDBL's explicit rules for a local bonus program. This violation carries particular significance for San Francisco, where project applicants often rely on the SDBL to navigate a complex zoning code and approval process. If San Francisco wishes to implement a local bonus program, it must stack that program on top of the SDBL. It cannot offer an "alternative" bonus program, such as the proposed HCSF program, that attempts to remove SDBL eligibility for projects that are eligible for SDBL protections.

In closing this section, CalHDF and CFH point out that HCD has weighed in on the question of whether local governments may enact zoning bonus programs that serve as alternatives to state law. In a letter to Menlo Park (available here), the Department wrote: "[T]he City's Affordable Housing Overlay states that the overlay will be an alternative to state density bonus law. **This is in conflict with state law and must be revised."** (Emphasis added.)[4] HCD's

[4] Separately, as explained later in this letter, HCD's Site Inventory Guidebook (available here) analyzes whether zoning overlays or other local zoning programs established by a city's housing element may supplant or displace the SDBL and firmly establishes that they cannot. (See pages 14-15 of the guidebook.) This analysis is more relevant to the question of how the HCSF program will affect the City's compliance with the Housing Element Law, but this analysis also underscores the specific point that the City may not wriggle out of state law.

view warrants substantial deference as the interpretation of a "technical, obscure, [or] complex" statutory scheme by the agency charged with enforcing it. (See *Boling v. Public Employment Relations Bd.* (2018) 5 Cal.5th 898, 911 [citing *Yamaha Corp. of America v. State Bd. of Equalization* (1998) 19 Cal.4th 1, 12]; *Hoffmaster v. City of San Diego* (1997) 55 Cal.App.4th 1098, 1113, fn. 13 ["We substantially rely on the Department of Housing and Community Development's interpretation [...] regarding compliance with the housing element law"].)

Even if the City Can Prohibit the Application of State Law, the Density Bonus Law Gives Project Applicants the Legal Right to Circumvent the City's Prohibition

Even if the above legal rules do not neutralize the City's attempt to avoid state law, any project eligible for the SDBL will be able to defeat the application of proposed section 206.10(b)(5). The SDBL states: "In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section." (Gov. Code, § 65915, subd. (e)(1).) If a proposed project complies with the HCSF except for section 206.10(b)(5) – because it seeks benefits under the SDBL or another state law – and the application of section 206.10(b)(5) would physically preclude the project by eliminating its eligibility for the HCSF, then the City cannot apply that section to the project. To the extent the City doubts or intends to contest this, CalHDF and CFH remind the City that the SDBL, by its terms, "shall be interpreted liberally in favor of producing the maximum number of total housing units." (*Id.* at subd. (r).) Flouting the law on this point also carries severe penalties, including mandatory payment of attorney's fees to a project applicant who challenges the City in court. (*Id.* at subd. (e)(1).)

The HCSF Program Violates the Housing Element Law

Furthermore, the HCSF violates the Housing Element Law (Gov. Code, § 65580 et seq.). Rezoning programs enacted pursuant to a housing element, such as the proposed Family Zoning Plan and its component HCSF program, may not exempt themselves from state law's application, as HCD has explained in its Site Inventory Guidebook (available here – see pages 14-15). Pursuing the HCSF program as it is currently designed would violate this rule and risk the City's housing element compliance. This would expose it to a range of penalties, including the "builder's remedy."

The City Should Take Care to Comply with New Caselaw Concerning Housing Element Rezonings

Lastly, CalHDF and CFH warn the City to take care to ensure that the rezoning complies with housing element law requiring minimum residential density on low-income sites. The newly published Court of Appeal decision *New Commune DTLA LLC v. City of Redondo Beach* (Oct. 10, 2025, No. B336042) 115 Cal.App.5th 111 makes clear that in order to comply with

minimum density requirements, local zoning must require that all new development include a minimum density of residential use. Zoning "overlays" that allow for 100% non-residential development on a site fail to comply with housing element law. The proposed zoning includes many low-income sites that are given additional residential density on top of base commercial zoning. In order to comply with housing element law, the City should make clear that all new development of these sites must include the minimum density of residential use, and that 100% commercial development is prohibited.

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New multifamily housing in San Francisco a public benefit: it will help satisfy demand for housing near jobs and transit, thereby reducing displacement pressure; and it will also cut down on transportation-related greenhouse gas emissions by providing housing in a major metro area, as opposed to farther-flung regions in the state (and out of state). CalHDF and CFH therefore urge the City to follow through on the commitments in its housing element, as the law requires, and obey state law in drafting and enforcing its land use regulations.

Sincerely,





Matthew Gelfand
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CalHDF

Examining Local Law, Policy, and Planning Practice on Development in San Francisco Using CALES

Report in Support of San Francisco Policy and Practice Review

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Disclaimer: The statements and conclusions in this Report are those of the contractor and not necessarily those of the California Department of Housing and Community Development.

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Executive Summary

Background: Why Study San Francisco?

San Francisco is the anchor city in the Association of Bay Area Governments (ABAG) region, with one of the highest Regional Housing Needs Allocations (RHNA) statewide. Complex processes that lead to delayed housing development approvals leave open questions about whether San Francisco's local legal regime will allow the city to meet this housing production target.

In 2016, authors O'Neill, Biber, and students launched the Comprehensive Assessment of Land Use Entitlements Study (CALES) at the University of California, Berkeley, to understand how cities, including San Francisco, design and apply local and state law to proposed developments of five or more units approved in 2014 - 2017. In an earlier report,[1] we found San Francisco's local regulatory regime comparatively prohibitive, risking exclusionary zoning despite explicit policies to promote inclusion and fair housing goals through inclusionary housing programs, rent stabilization, and tenant protections. Among the 28 jurisdictions we studied, San Francisco was among the cities with more land zoned for dense housing, although that zoning was not equitably distributed citywide. But most notable, among all our study cities, San Francisco was an *extreme* outlier in process requirements and timeframes to approval. The city had a median timeframe to entitlement of over two years for code compliant multi-family housing that benefited from streamlined environmental review.

San Francisco's median timeframe was not only longer than its neighbors, it was longer than timeframes in neighboring cities with purportedly more difficult local law. Berkeley, for example, has complex rules that require a use permit[2] for all new housing development, and yet the median timeframe to entitlement was four months shorter for comparable multi-family housing. Moreover, once we parsed out our data to explore how environmental review streamlining might impact timelines, we found that Berkeley's median timeframe dropped to less than 10 months for apartment buildings, whereas San Francisco's remained at 24 months for the *same type of housing*. San Francisco exemplified how cities can write and implement procedural rules in a manner that creates uncertainty of approval. Uncertainty creates risk, and risk influences what developers will propose and build, as well as which developers will consider developing within a city. During our research, affordable developers who worked in neighboring cities explained they could not work within San Francisco because entitlement was too uncertain and difficult.

California's legislature has passed nearly 100 laws relevant to housing policy since 2016.[3] These laws seek to spur housing production across all income levels and promote equitable housing outcomes—namely increased housing production in high opportunity locations. Many important changes to state housing law target subjectivity in discretionary processes, like

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[1] We refer here to our Report to the California Air Resources Board in fulfillment of Contract #3900-19STC005. MOIRA O'NEILL-HUTSON ET AL., EXAMINING ENTITLEMENT IN CALIFORNIA TO INFORM POLICY AND PROCESS: ADVANCING SOCIAL EQUITY IN HOUSING DEVELOPMENT PATTERNS (2022). We also cross reference prior publications.

[2] Project proponents apply for a use permit, often referred to as a conditional use permit, when local rules allow for certain uses subject to approval—but not as a matter of right under the local zoning.

[3] *See* Ben Metcalf, Managing Dir., UC Berkeley, Terner Ctr. for Hous. Innovation, Presentation at the California Joint Oversight Hearing with Assembly Housing and Community Development Committee: Housing Production: Recent Legislative Actions and Outcomes (Feb. 28, 2023), https://shou.senate.ca.gov/node/21.

planning review,[4] and work towards quickening approval processes, particularly for multi-family housing. New law and policy aim to accelerate housing production in high opportunity areas, inviting important questions about how well San Francisco has implemented these laws and whether they effectuate production, affordability, and equity. To answer these questions, we expanded and extended CALES to explore San Francisco's local land use regulation in more detail and identify specific roadblocks to dense multi-family housing. This report details our methods, presents findings, and discusses their implications for the California Department of Housing and Community Development's (HCD) Policy and Practice Review.

Research Questions and Approach

HCD asked (1) whether San Francisco is fully implementing key state housing laws, such as the Housing Accountability Act, the Housing Crisis Act, the Permit Streamlining Act, Senate Bill 35 (SB 35), and State Density Bonus Law; (2) whether local implementation is allowing these state laws to achieve their intended effect of promoting housing production and affordability; (3) what causes delay in the entitlement process and how the city's discretionary review process impacts overall project timelines and the housing approvals pipeline.

To answer these questions, we used a spiraling mixed methods research design that joins legal research and qualitative, quantitative, and spatial analyses to understand San Francisco's local regulatory environment. This design helped our study overcome some of the limitations of each method and allowed us to adapt our research approach to the specific needs of studying San Francisco.

HCD's questions one and two require us to interpret our data and provide findings based on our interpretation of what state law requires of localities.[5] For example, we interpret the Permit Streamlining Act, Housing Accountability Act, and Housing Crisis Act as applicable to all multi-family housing approvals in San Francisco that do not require a local legislative action. We define "full implementation" of these state laws to mean that San Francisco both complies with state law, but also that local rules or planning practices do not effectively circumvent the purpose of the limitations imposed on cities by state law.

We built a unique and highly detailed dataset of 140 planning entitlements[6] of five or more units issued in 2014 - 2017. We added 144 observations of entitlements and SB 35 approvals issued

[4] For a discussion of what characterizes a discretionary action, see Friends of Westwood, Inc. v. City of Los Angeles, 181 Cal. App. 3d 259, 269-74 (1987). When city employees can set standards and conditions for many aspects of a proposed building, the approval process is discretionary. For a definition of a ministerial process in California law, see Prentiss v. City of S. Pasadena, 15 Cal. App. 4th 85, 90, 18 Cal. Rptr. 2d 641 (1993) (citing CAL. CODE REGS., tit.14, § 15268(b)(1) (2023)("'Ministerial' describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out.")). Importantly, ministerial decisions are exempt from environmental review under the California Environmental Quality Act.

[5] We discuss this in the report; our analysis depends on some assumptions about what "full" implementation of state law would entail.

[6] We refer to "entitlement" as a process and "entitlement" as an observation of that process in the singular and plural throughout this report. Entitlement refers to the type of housing approval that a project proponent secures from the Planning Department, Planning Commission, or Board of Supervisors when

in 2018 - 2021 to this dataset.[7] Our approvals dataset captured detail on each application and approval step under local rules and state law (like the California Environmental Quality Act, or CEQA) and important project characteristics (like affordability, building size, and location). We gathered the detail for our dataset from source documents (application documents, planning staff reports, and motion and resolution documents) wherever possible. We analyzed our data using statistics and mapping.

We conducted in-depth interviews and used participant observation and primary document analysis to understand why San Francisco's approval process operates the way that it does. We analyzed more than 35 hours of confidential in-depth research interviews with 24 participants representing affordable and market-rate developers, former and current city personnel and staff that work on housing development, land use attorneys, and housing advocates.[8] We observed and analyzed notes and transcripts from another 33 meetings that HCD convened with approximately 146 stakeholders. Most were approximately one hour long. Twenty-five of the HCD-led meetings were very small, with one to three participants, in addition to O'Neill and one representative from HCD. The small meetings allowed participants to offer deep insights, much like research interviews. In all, we analyzed notes and transcripts from ~68 hours of research interviews and meetings with 14 individuals across the executive and legislative bodies within San Francisco, over 20 former and current planning staff, more than 60 development professionals (evenly split between affordable and market-rate developers), and 6 different housing advocacy groups. We analyzed materials to extract themes and looked for frequency of themes across stakeholder groups. We also cross-referenced written law, recordings from hearings, approval documents, and analyses from our entitlement data.

Limitations of Research Approach and Analysis

Each method and data point has some limitations. For example, each observation in our approval dataset represents a potential housing or mixed-use development that developers believed had a high enough probability of success that they were willing to pursue entitlement in the first place. There are no project denials in the database to allow for quantitative analysis, but we do have limited data on a few denials we examined during data collection. Gathering data on project denials in a systematic way (for quantitative analysis) would demand substantially expanding the scope of the research project, which was not feasible given the research timeframe. Further, defining a project denial for data collection and analysis is more complex than defining an entitlement. A denial includes what the city reports as a denial but should also include projects that the city effectively "denied" (where a political body denied a specific entitlement, for example) even though the project remains pending within the city's public portal

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the local law reviews a proposal to build housing through a discretionary process. Discretionary review is a legal concept that means the city can set standards and conditions for many aspects of a proposed building and the approval process is discretionary. An entitlement typically precedes the building permit process, and it is a process that involves planning department review of a proposal to build housing and potentially requires an approval from a local elected or appointed political body. A ministerial process involves a public official applying law to fact without discretion or subjective judgment. Often, building departments issue ministerial approvals. Uniquely, state law creates a ministerial process that also involves planning review—which we discuss at length in the full report.

[7] Corrected Annual Progress Reports helped us identify 11 observations late in our research process. We were able to code essential characteristics for these 11 observations to include them in our summary statistical analyses only.

[8] Eighteen participants sat for interviews in 2022 - 2023, and several participated in more than one interview. We also analyzed transcripts from six interviews across the same stakeholder groups in San Francisco (affordable developers, planners, market-rate developers, and community-based organization advocates) that O'Neill conducted in 2017, where comparisons with prior years was useful.

or in its annual reporting. For the purposes of research, a denial could also include a project from which a developer appears to voluntarily withdraw after the city determines that it will not approve the project or will impose conditions that render the project infeasible. There also may be no documentation to verify whether a project that appears to be pending has effectively been denied. In our work, however, where we come across developments that have advanced in the entitlement process but are ultimately denied, we do discuss those developments.

All interview participants volunteered, as did all participants in HCD-led meetings. Voluntary participation in interviews and research meetings increases selection bias and limits the generalizability of findings.[9] We increased the number of interviews in each stakeholder group and triangulated data and methods to augment the overall reliability of our findings from interviews where possible. Some topics do not allow for this, however. For example, developers may discuss why they are unwilling to apply for entitlement, but there is no other data to explore to understand what deters applications beyond what the interview participants shared.

Summary of Findings

HCD asked whether the data indicates San Francisco has fully implemented state housing law intended to promote housing production and affordability. **All data generally indicates that the answer is no.**

San Francisco's local rules embed subjectivity and uncertainty into review processes that state law says should be objective, time constrained, and, in some cases, certain. The city's authority to apply discretionary review to any permit, and the ease with which project opponents can appeal planning approvals and permits (including post-entitlement permits) to the Board of Supervisors or Board of Appeals fosters planning practices that limit full implementation of the Permit Streamlining Act, Housing Accountability Act, Housing Crisis Act, and in some instances, SB 35 and State Density Bonus Law. Planning staff are concerned about whether planning review will survive scrutiny from local political bodies, not the courts. Planning staff anticipate local political bodies will ignore planning recommendations and extend review processes if that is what neighborhood-level politics demand. Planning practices reflect this assumption, and local policy reinforces it. Developers interpret this planning practice as requiring more than what the law "on paper" demands through negotiation outside of public hearings to satisfy neighborhood interests. Developers perceive all planning approvals as uncertain and risky, even if the proposed development conforms to all zoning and planning standards. Eight years of approvals data confirms these perceptions. The risk and uncertainty embedded into local law has driven some developers to leave the San Francisco market and has deterred other developers from entering the market entirely.

Below, we elaborate on what the data tells us about the direct effects of specific state housing laws on San Francisco's housing approval process, what all data tells us about San Francisco's implementation of different state laws, and the relationship between local rules, planning practices, and lengthy entitlement outcomes. The report that follows details each finding.

[9] Selection bias refers to research participants not being fully representative of the group to which they belong. This limits our ability to interpret what we hear as the perspectives of a particular stakeholder group, generally.

SB 35 fixes planning review for eligible housing developments but is not a complete process fix.

Data shows San Francisco Planning diligently implemented SB 35. Approximately 36 professionals who work on affordable development unanimously reported that SB 35's ministerial process "fixed" planning review for affordable housing developments because the state law created certainty of planning approval where none existed previously. Stakeholder perceptions are borne out in the planning approval data. Table 1 shows that the median timeframe for planning approval for developments that applied only under SB 35 was ~3.4 months and could take up to eight months. In contrast, code compliant discretionary developments[10] requiring only a building permit had a median timeframe of two years and could take as many as four years.

Table 1: Timeframes to Planning Approvals Issued in 2018 - 2021 Selected Pathways

Process Category	Timeframe (Months)			
	Minimum	**Median**	**Mean**	Maximum
SB 35 only (N=9)[1]	0.89	3.42	4.24	7.62
Discretionary building permit only (N=13)	7.76	24.20	24.67	47.70

[1]This count does not include five applications that developers proposed as discretionary approvals, some before SB 35's enactment, that San Francisco later approved under SB 35.

Importantly, stakeholder interviews indicate SB 35 provided both affordable developers and planning staff relief from San Francisco's local rules. Data on how San Francisco Planning processed applications for development before SB 35 indicates Planning prioritized expediting 100% affordable developments.[11] Local law still limited how quickly planners could complete review for any development, including 100% affordable development that the city helped fund. In fact, the city entitled only five 100% affordable developments in 2014 – 2017, which would yield 567 units if built. The median timeframe to approval for these five 100% affordable developments was 15 months. In contrast, SB 35's ministerial process allowed San Francisco Planning to approve 14 100% affordable developments that would yield 1,663 affordable units if built. The median timeframe for the SB 35 100% affordable developments was less than 7.5 months, inclusive of developments that began as discretionary developments and later applied for SB 35 eligibility review. The median timeframe for 100% affordable housing developments that only applied for approval under SB 35 was less than three months. Most SB 35 developments also used State Density Bonus Law, so they were, on average, larger as compared with another three discretionary 100% affordable developments San Francisco approved in 2018 – 2021, or the five entitled in 2014 - 2017.

However, SB 35's effects are limited to planning review. All stakeholders still describe the post-entitlement approval process as subjective, lacking standardization and sufficient oversight.

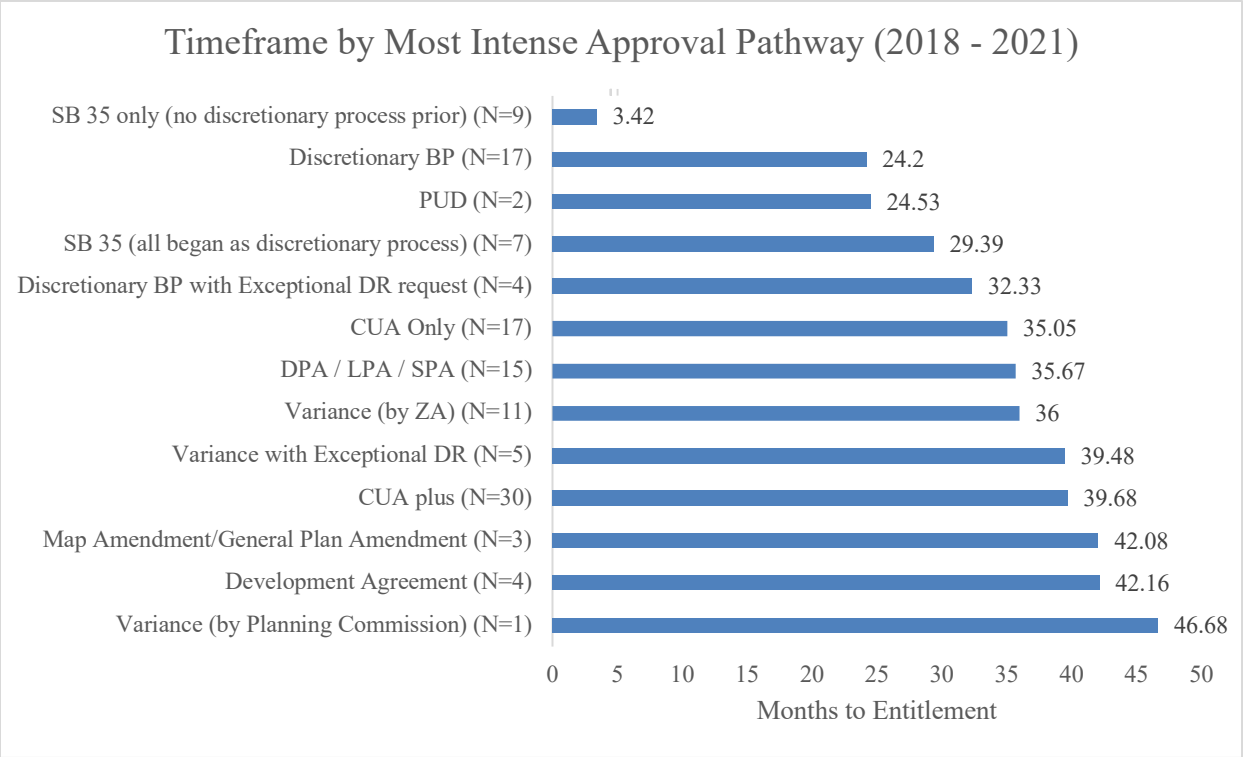
[10] Code compliant discretionary development means proposed housing development that conforms to all zoning and only requires a building permit. San Francisco law provides that this development is subject to discretionary review.

[11] Interviews at that time indicated internal work and analysis to expedite affordable development, but median timeframes for 100% affordable developments were still 15 months.

Stakeholders share that the post-entitlement permitting process depends entirely on the professional assigned to the project, not the project scope itself. Stakeholders report that subjectivity in the post-entitlement process can trigger additional planning review even after a project has moved to the Department of Building Inspection. Because SB 35 is limited to the planning review stage, the state law has no effect on these post-entitlement procedural issues. Developers share that because San Francisco's law offers opportunities for project opponents to challenge, or appeal, permits after entitlement, including demolition permits, SB 35 eligible projects are susceptible to process challenges after planning review as well.[12]

SB 35 also does not represent a complete fix for San Francisco's procedural challenges. SB 35 applies to qualifying projects so long as San Francisco keeps failing to meet its housing production targets. But missing housing production targets is not San Francisco's goal. **Still, San Francisco's implementation of SB 35 signals what is possible with a ministerial process while also spotlighting San Francisco's problematic existing discretionary review.**

Figure 1: Process Approval Pathway Timeframes



Graphic Developed by Dori Ganetsos using CALES data.

[12] The recent appeal of demolition permits for an SB 35 development located at 2550 Irving demonstrates this point.

Unpredictable discretionary review processes create uncertainty and risk—even for code compliant development of any size in any location citywide.

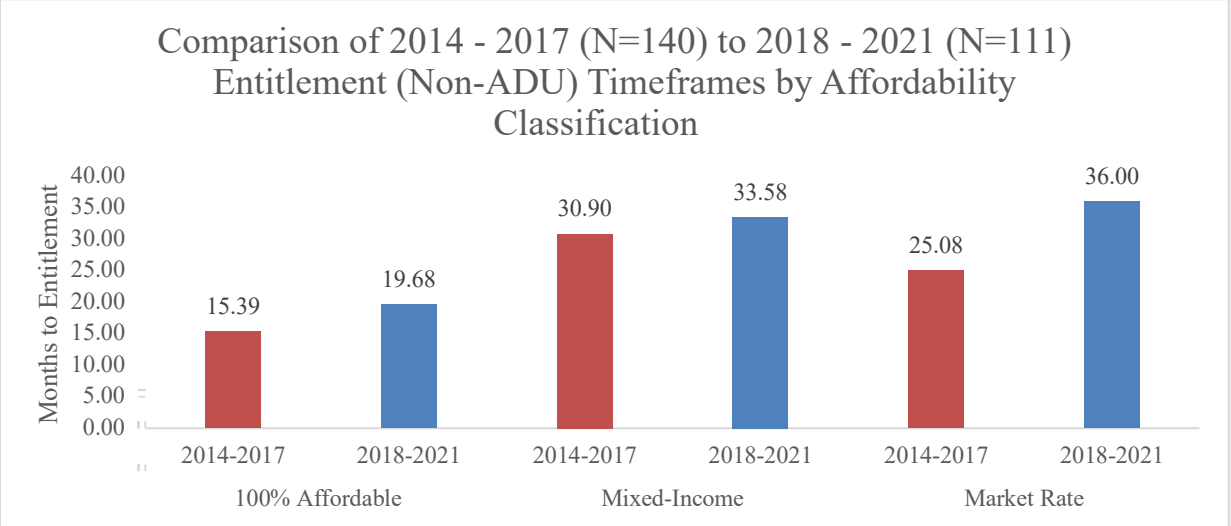
All permits in San Francisco are discretionary under local law unless preempted by state law[13] (like SB 35). Stakeholders describe the discretionary housing approval process in San Francisco as risky and unpredictable. Stakeholders report approval is uncertain even if the proposal conforms to all zoning and planning requirements. When we use different statistical methods to analyze the housing approval data, we also find that **no type of housing development is easy to entitle in San Francisco**. Even a smaller development that conforms to zoning and planning requirements faces unpredictable timeframes. When we analyze the approvals data to explore relationships between specific approval requirements and timeframes, we discover that there are factors—like affordability classification, project size, and location—outside of what zoning and planning standards require that influence timeframes. This suggests that these other factors might play a substantial role in whether and how a project gets entitled, even when a project conforms to all planning standards and zoning.

Timeframes for discretionary approvals increased.

Our 2018 - 2021 approvals data indicates that entitlement timeframes have increased as compared to the prior four years. The median timeframe for discretionary approvals of five or more units issued in 2014 - 2017 was 27 months. In 2018 - 2021, the median timeframe for the same climbed to 34 months—more than a 25% increase. Figure 2 shows that in both study periods, 100% affordable development moved comparatively faster: 100% affordable development requiring discretionary review had median approval timeframes of ~15 months in 2014 - 2017 and ~20 months in 2018 – 2021. Both periods show that the city can quicken the process, to some degree, for affordable development. Interview data from 2017 and 2022 - 2023 indicate that planning staff have been committed to expediting affordable development.

[13] The Municipal Business and Tax Regulations Code Section 26(a) provides that San Francisco's departments may "take into consideration the effects of the proposed business or calling upon surrounding property and upon its residents . . . [and to] exercise its [or their] sound discretion as to whether said permit should be granted, transferred, denied or revoked." SAN FRANCISCO, CAL., BUS. & TAX REGS. CODE § 26(a) (2019). San Francisco Planning's website states that the city interprets this part of the Municipal Code as granting the Planning Commission discretionary authority over all building permits, including permits not otherwise discretionary under zoning and planning requirements. *Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).

Figure 2: Comparison of Timeframes by Affordability Classification, All Years



Graphic Developed by Dori Ganetsos using CALES data.

Local policy and practices are inconsistent with the goals of the Permit Streamlining Act, Housing Accountability Act, and Housing Crisis Act.

Stakeholders report that San Francisco's local rules and politics create planning practices that are inconsistent with state housing laws which aim to quicken planning review and reduce subjectivity. Approvals data suggests these stakeholders are correct.

First, the data the city makes publicly available on project applications shows San Francisco systematically failed to meet PSA notification deadlines for discretionary approvals issued in 2018 - 2021. Planning recorded more information on application notices in its public portal for applications filed after January 1, 2018, as compared to prior years, indicating that San Francisco Planning is doing more to track and disclose project intake. Still, the city's data shows the city routinely did not meet PSA deadlines. Also, up until July 2023, local policy required the entitlement process for most dense development to begin with a mandatory Preliminary Project Assessment (PPA) process that added, on average, a year to the application process.

Second, local rules drive the city's implementation of the California Environmental Quality Act (CEQA), which extends timelines. Local rules that allow for easy administrative appeals and require appeal of CEQA determinations to follow entitlement[14] push environmental planners to make CEQA determinations at the close of the entitlement process. This practice limits the PSA's effect on overall approval timeframes.[15] Also, the state's CEQA guidelines do not require San Francisco Planning to incorporate wind and shadow studies into compliance pathways for exempt developments, but local law does. These supplemental studies add time

[14] The Board of Supervisors provides an advisory that explains that Section 31.16 of its Administrative Code requires that the Board will hear an appeal after the final approval action. *See* S.F. BD. OF SUPERVISORS, APPEAL FILING TO THE BOARD OF SUPERVISORS CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION DETERMINATIONS APPEAL (Aug. 28, 2023), https://sfbos.org/sites/default/files/CEQA_Exemption_Determinations_Appeal_Info_Sheet.pdf.

[15] We interpret California Government Code § 65690(a) as imposing limits on the time to approval under the PSA only after a city makes CEQA determinations. *See* CAL. GOV'T CODE § 65690(a) (West 2023).

and cost to environmental review, and sometimes provide a basis for local administrative appeals.[16]

Third, and relatedly, administrative appeals not only delay entitlement for specific projects that face appeal, administrative appeals also influence planning practices at a systems level. Most stakeholders (across groups) perceive that San Francisco's process risks inserting the Board of Supervisors into any approval pathway through an appeal. This process nurtures risk averse planning practices at all stages which derail other local and state policy that aims to quicken review. Data also shows that appeals increase the workload for planners already juggling immense workloads, which in turn impacts the pace of review for other development proposals. For example, **an administrative appeal of just one entitlement in our dataset required 374 additional staff hours and $52,204 to prepare the appeal—even though the appeal was withdrawn**. Notably, nearly all the planners we interviewed or met with are more apprehensive of the Board of Supervisors than potential litigants.

Fourth, stakeholders report frequent continuances and multiple hearings for non-CEQA approvals, which they say also allows for changes to proposed development outside of formal hearings. San Francisco's publicly accessible data on hearing dates is incomplete for about half of our 2018 – 2021 observations. Still, we found that at least 22% of all 2018 – 2021 quasi-adjudicative entitlements had multiple continuances or hearings for a single step.[17] Some observations have remarkably high rates of continuances and hearings. One project, for example, had nine continuances for a joined Large Project Authorization and Density Bonus approval step.

Fifth, several stakeholder groups report that local policy allows frivolous and meritless challenges with ease (evidenced by withdrawn or denied appeals or withdrawn or denied requests for exceptional discretionary review)[18] and with little to no cost to project opponents, yet significant costs to planning staff and developers. Project proponents see increased costs because of the delays and uncertainty that these processes create. The processes also impact the workflow of Planning Department staff, which slows down planning review. For example, data shows that when project opponents request exceptional discretionary review, planners can expect to work several days and sometimes weeks preparing for a hearing on a project with which they already completed review. This requires shuffling work priorities. Developers report that rules that make it easy to challenge imminent planning approvals foster an opaque practice of negotiation outside of formal hearings which risks imposition of subjective conditions of approval. The approvals data show at least 14% of entitlements (across both study periods—or eight years) faced administrative appeals that were usually withdrawn or denied.[19]

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[16] We note here that San Francisco's public portal only provides access to shadow studies, although many stakeholders including planners stated that wind studies are common.

[17] This includes entitlements that only required a planning department or zoning administrator review. If we take out those entitlements that did not require a hearing in front of the Planning Commission or Board of Supervisors under planning and zoning law, the rate is at least 30%.

[18] Exceptional discretionary review refers to a local rule that allows project opponents to request the Planning Commission exercise discretionary review for an approval that did not otherwise require the Planning Commission's involvement. This request necessitates a hearing, at which time the Planning Commission then determines if it will exercise discretionary review because of exceptional and extraordinary circumstances which could lead to modifying the conditions of approval. More detail on this local process is in the full report. We refer to this as "exceptional discretionary review" hereafter.

[19] Administrative appeal data for 2018 - 2021 depends on internal tracking and self-reported data and is not systematically available on the city's public portal. It is possible that the rate of administrative appeal could be higher.

Also, at least 20% of discretionary building permits in study years received a request for exceptional discretionary review.

Subjectivity and variability persist in the post-entitlement process.

All stakeholders experienced with development in San Francisco shared that the permitting process lacks standardization or uniformity in how the process unfolds. Outcomes, in terms of processing time, are contingent on who is assigned to the development rather than on the form of the development. This variability slows, and sometimes derails, production. Stakeholders describe building permit processes as inefficient and subjective, triggering planning review again even after entitlement. There is also notable difference in the way all stakeholders describe Planning Department and Department of Building Inspection (DBI) staff. Stakeholders blame local approval bodies for overly cautious planning practices. In contrast, stakeholders complain of too little oversight or management of DBI staff, and too few performance standards, as influencing permitting practices.

Stakeholders suggest local reforms must eliminate discretionary review on some housing or the city will not meet its RHNA or resolve long-standing inequities in land use.

Importantly, planners, developers, and many housing advocates welcomed the state's intervention into local discretion through SB 35. Though planners expressed a need for more technical support from the state when state law augments local planning review, planners agreed with developers that the state ministerial process fixed planning review for most 100% affordable development and offered that a ministerial process could do the same for other housing projects.

Stakeholder groups also shared that reforms to expedite and simplify planning review while retaining discretion will fail to fix process problems in San Francisco. Statistical analysis of approvals data suggests these stakeholders are correct. Planning review of code compliant development can take years. This is true, even though our timeline calculations do not capture the frequency of developments subject to discretionary review being punted back to Planning *after* entitlement for further additional review, because San Francisco's public data portal does not allow for systematic analysis of this problem. Regression analysis suggests that reducing process steps while maintaining discretionary review is unlikely to resolve San Francisco's production challenges.[20]

Stakeholders shared that rezoning must be coupled with procedural reform that provides a local ministerial process to address production challenges *and* equity. Planners, developers, and some housing advocates perceive current reform efforts as "tinkering" with the zoning and planning code, when what they believe is needed is procedural overhaul and equitable upzoning. Stakeholders characterize San Francisco's existing regulation as reflecting historical and current power imbalances across neighborhoods. Stakeholders caution that current density and use controls that limit housing development in more affluent neighborhoods reflect existing neighborhood power over planning and political bodies. Also, the dominance of project-level adversarial politics reflects that some communities can only access power over land use by blocking development at public hearings. When affluent neighborhoods are rezoned, stakeholders caution that neighborhood power and influence over planning and

[20] Figure 8 illustrates. For a full discussion of regression analysis using the 2014 - 2021 data, see Appendix A.

political bodies will not necessarily disappear. Without a ministerial process for at least some development, stakeholders caution that rezoning will simply catalyze more project-by-project adjudication and administrative appeals as affluent communities block more equitable distribution of dense housing development through existing process tools. If what stakeholders forecast is correct—and the data suggests that they are—then existing timelines to approval likely underestimate future approval timeframes in higher opportunity neighborhoods that the city is in the process of upzoning or proposing to upzone.

Planners, developers, and advocates share that these local rules requiring reform are values-driven. These rules reflect a widespread assumption that more process supports meaningful community engagement and sharing of power over land use which, together, help address structural inequities in the built environment. Several stakeholder groups caution that these assumptions are faulty. San Francisco's process fosters project-level political fights that result in high-risk entitlement processes without altering longstanding inequities in planning standards and zoning. Planners, in particular, share that what San Francisco needed, and still needs, is deep engagement at the policy, planning, and zoning stages to hash out what zoning and planning standards should be, as well as simplified and ministerial approval for development at the project level that serves the city's housing policy goals. Planners and developers caution that as process has gotten worse in recent years, fewer developers can navigate the risk of developing in San Francisco, and this poses major challenges to San Francisco's ability to meet its production targets. During meetings with HCD, some Commissioners and Supervisors called out this local history and the problems of process in San Francisco, seemingly aligned with the perspectives of planners, affordable developers, and housing advocates. At the same time, meetings with both Commissioners and Supervisors also revealed clear disagreement within political bodies on both the source of San Francisco's housing problems and the solution. At least some Supervisors are skeptical that increasing anything other than affordable housing production could tackle the city's housing challenges. Some Commissioners and Supervisors also expressed concern about how State Density Bonus Law and SB 35 alter the urban form, even as they want more affordability. And at least some Supervisors perceived affordability to be welcome citywide, whereas planners and affordable developers say that this is not true.

Conclusion

San Francisco's planning practice and process problems spring from local law that applies discretionary review to any permit and offers repeated opportunities to challenge project approvals after an already complex and lengthy planning review process. These rules incentivize risk averse planning practices to avoid disruptions to a busy workflow and public scrutiny from political bodies. Risk averse planning practices, in turn, limit full implementation of the Permit Streamlining Act, Housing Accountability Act, Housing Crisis Act, and in some instances, State Density Bonus Law. Local rules also limit the effects of SB 35, as affordable developers face post-entitlement appeals. Still, the direct effects of state ministerial review highlight what is possible in terms of resolving San Francisco's process issues. Planners, developers, and housing advocates suggest achievement of the city's equity goals requires a local ministerial process coupled with equitable upzoning. What is also apparent, however, is that reforming zoning and entitlement will be insufficient to attain production targets. The city has major challenges with post-entitlement processes—some of which are related, again, to local rules, and some of which are related to variability and subjectivity in permitting processes, staffing, and lack of inter-agency coordination.

Introduction

In 2016, we launched the Comprehensive Assessment of Land Use Entitlements Study (CALES) at UC Berkeley. CALES explores how communities design and apply land use law to proposals to build dense housing. We used a 2015 California Legislative Analyst's Office report that identified the metro areas with the highest housing costs in the state and where demand has outpaced supply[21] to select our first group of study cities and regions. San Francisco was at the top of the list, and we began our work by studying San Francisco and four neighboring cities.[22] We eventually grew the study to include 28 jurisdictions in seven metropolitan regions across the state.

What we found was that San Francisco zoned comparatively more land for dense housing than nearly every other city we studied across the state. Indeed, San Francisco was one of only *two* cities studied that zoned more than a third of its zoned land for all income levels.[23] Zoning land for dense multi-family housing is a necessary though insufficient condition to achieving affordability and inclusion. California's fair share housing law is premised on this concept.[24]

Despite San Francisco zoning more land for dense housing than most cities studied, we found that San Francisco's local regulatory regime was comparatively prohibitive and risked exclusion. Even though the city has explicit local policy to promote inclusion and fair housing goals through inclusionary housing programs, rent stabilization, and tenant protections, our comparative analysis categorized San Francisco as "prohibitive" due to its complex procedural maze and application of laws. Among the 28 jurisdictions studied, San Francisco was unique in that it made all development discretionary. No other city we studied made all building permits (typically issued post-entitlement) discretionary; most used aesthetic regulation or design or site plan review as the blanket discretionary hook during entitlement. A few of our study cities required use permits for all multi-family housing development. But all the other approaches we found existed in the planning code and zoning regulations. No other city studied made building permits discretionary through some other area of local law.

San Francisco was also an extreme outlier in terms of timeframes to entitlement—with median timeframes of over two years, even for housing developments that met all zoning requirements and planning standards. These lengthy timeframes eclipsed the other study cities' timeframes by many months. These timelines also exceeded planner perceptions of "average" entitlement timeframes in communities nationwide. We found that only 5% of the 140 project observations in our 2014 - 2017 dataset from San Francisco achieved entitlement in 12 months or less.

We wrote that San Francisco's land use regime exemplifies how cities can zone land for dense multi-family housing and write and implement procedural rules to create delay and uncertainty of approval. Delay creates cost. Uncertainty creates risk. Increased development costs and risk influences which developers will build within a place, and what those developers will build. In that prior research, interview data and 2014 - 2017 approvals data suggested San Francisco's local regulatory regime burdened affordable development—even if the city prioritized affordable

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[21] CHAS ALAMO ET AL., LEGIS. ANALYST'S OFF., CALIFORNIA'S HIGH HOUSING COSTS: CAUSES AND CONSEQUENCES (2015), https://lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.aspx.
[22] We refer here to our Report to the California Air Resources Board in fulfillment of Contract #3900-19STC005. MOIRA O'NEILL-HUTSON ET AL., EXAMINING ENTITLEMENT IN CALIFORNIA TO INFORM POLICY AND PROCESS: ADVANCING SOCIAL EQUITY IN HOUSING DEVELOPMENT PATTERNS (2022).
[23] *Id.*
[24] *See* CAL. GOV'T CODE § 65583.2 (West 2023).

development—and likely squeezed out possibilities for middle income housing development entirely. We found that San Francisco's local law facilitated most 2014 - 2017 entitlement being sited in formerly industrial locations or neighborhoods that had multi-family zoning in place for decades. What we concluded was that San Francisco was the most sophisticated of the cities we studied in how its local law effectively blocked dense housing development through complex procedural hurdles rather than traditional density and use constraints.

California's legislature has passed nearly 100 laws relevant to housing policy since 2016[25] to spur housing production across all income levels and promote equitable housing outcomes. Many important changes target subjectivity in planning review and aim to quicken planning review, particularly for multi-family housing. There is also new law and policy to accelerate equitable housing outcomes, in terms of increased production in high opportunity locations.

More recent legislative reforms invite important questions about how well San Francisco has implemented these state housing laws intended to promote housing production, affordability, and equity. To explore these questions, we expanded and extended our Comprehensive Assessment of Land Use Entitlements Study (CALES) to better understand San Francisco's local land use regulatory regime and identify roadblocks to all multi-family housing development approvals that would yield five or more units. This report details our methods, presents findings, and discusses their implications for the California Department of Housing and Community Developments' (HCD) Policy and Practice Review.

Methods, Data, and Limitations

HCD asked:

1) At the local level, are state housing laws (including the Housing Accountability Act, Housing Crisis Act, Permit Streamlining Act, State Density Bonus Law, SB 35, and Housing Element Law) intended to promote housing production and affordability being fully implemented, and are they achieving their intended effect?
2) What are the causes of delay in San Francisco's entitlement process?
3) To what extent do discretionary review processes impact overall project timelines and the housing approvals pipeline?

Overall Research Approach

We use a spiraling mixed methods research design that joins legal research and qualitative, quantitative, and spatial analyses to understand San Francisco's local regulatory environment and answer the research questions. A spiraling research design is iterative and allows us to reexamine theoretical assumptions and methodological choices throughout the research process. This iterative research approach is sensitive to local conditions and research needs that are sometimes difficult to discover at the beginning of a research process. This approach involves producing analysis at multiple points in the study to allow for a feedback loop with both HCD and San Francisco while also informing our own theoretical assumptions about which law, policy, or planning practice factors support or obstruct housing development. This approach also means we do not rely exclusively on qualitative, quantitative, or spatial analysis to answer any

[25] *See* Ben Metcalf, Managing Dir., UC Berkeley, Terner Ctr. for Hous. Innovation, Presentation at the California Joint Oversight Hearing with Assembly Housing and Community Development Committee: Housing Production: Recent Legislative Actions and Outcomes (Feb. 28, 2023), https://shou.senate.ca.gov/node/21.

research question. We use qualitative data (interviews) to understand our quantitative and spatial analysis (using our entitlement dataset) and vice versa.

Ongoing Legal Research

We completed initial legal research into San Francisco's planning and zoning through CALES in 2016. We updated that legal research in 2018 and 2019, and then again in 2021 to understand changes to local planning review processes (for example, the elimination of the pre-application Environmental Evaluation process in 2018) and the impact of state housing laws (including changes to Density Bonus Law, Accessory Dwelling Unit Law, Senate Bill 330, SB 35, and amendments to the Housing Accountability Act), wherever changes are codified or provided for in policy documents. The legal and planning code summary informs our interview questions and guides our current data collection process. In the scope of this work, we updated our review of local law with relevant trial court and appellate court opinions.

Our Interpretation of State Law and Definition of "Full Implementation" of State Law

Answering the first research question requires us to explore whether San Francisco's policy and practices comply with state law and whether San Francisco's local policy or practices prevent specific state laws from achieving their intended effect. This requires us, first, to interpret state law and define what it means for a locality to fully implement each law for the purposes of this research. How we define "full implementation" in the research questions also informs our methods of analysis. We list our understanding of the applicability of specific state laws, their aims, and our definition of "full implementation" here.

We interpret the PSA, Housing Accountability Act, and Housing Crisis Act as applicable to *all* discretionary approvals, or entitlements, in San Francisco that do not require local legislative action. We read provisions within San Francisco's Planning Code that allow for and anticipate that the Planning Commission will issue a waiver or exception from any planning standards or zoning *without* local legislative action as adjudicative and within the purview of these state laws.

We interpret the goal of the PSA as seeking to "expedite decisions" on qualifying development projects[26] by imposing time limits on application processing and approval decisions. We also interpret the Permit Streamlining Act as imposing limits on the time to approval under the Permit Streamlining Act only after a city makes CEQA determinations.[27] If our data shows that a local policy or practice prevents the Permit Streamlining from imposing those time limits, we conclude that the local policy or practice blocks the full implementation of the PSA, even if the data does not show San Francisco violated an express provision of the PSA.

We interpret that the goal of the Housing Accountability Act is to increase housing production by limiting the ability of cities to outright deny, reduce the density of, or render infeasible a development that complies with objective development standards. We interpret the Housing Accountability Act to prohibit these actions unless a locality provides written findings that the proposed development would have an unavoidable and impossible to mitigate adverse impact on public health or safety.[28] Relatedly, we interpret the 2017 amendments to the Housing Accountability Act, found in Assembly Bill 1515, as modifying the Housing Accountability Act's "reasonable person" standard for determining compliance with land use regulations[29] in favor of

[26] CAL. GOV'T CODE § 65921 (West 2023).
[27] CAL. GOV'T CODE § 65950 (West 2023).
[28] CAL. GOV'T CODE § 65589.5 (West 2023).
[29] CAL. GOV'T CODE § 65589.5(f)(4) (West 2023).

approving qualifying development. We read the law consistent with how the First District Court of Appeal read the law.[30] We also interpret the "deemed to comply" provision of the Housing Accountability Act consistent with this same appellate court opinion.[31] We interpret this state law as requiring a city to send a project applicant timely written notice and an explanation of non-compliance if a city determines a proposed housing development is inconsistent with applicable standards.

We use descriptive statistics and interviews to explore whether San Francisco may have imposed conditions that lead to a reduced density (between application and entitlement), or subjective standards (conditions that render the development infeasible), or otherwise effectively denied a proposal to develop housing that a reasonable person would conclude is compliant with land use regulations under the Housing Accountability Act. Where our data indicates that the city may have imposed subjective standards, conditions that reduce density, or conditions that may render developments infeasible, we describe this as a failure to fully implement the Housing Accountability Act. We do *not* conclude whether San Francisco violated an express provision the Housing Accountability Act because of the limitations of our data. We gather and analyze documents that are readily available through the city's parcel information map public portal—but we cannot confirm that the city did not issue a notice of non-compliance with applicable standards *or* did not prepare findings, because the documents are not readily available on the public portal. We cannot interpret the absence of those documents on the city's public portal as meaning that those documents do not exist, ergo, San Francisco did not comply with state law.[32]

We also interpret one goal of the Housing Crisis Act of 2019, enacted in October 2019,[33] to be to curb delays associated with hearings, continuances, and meetings.[34] Where we identify entitlements with multiple hearings and more than five hearings, we describe as inconsistent with this law or that the city is not fully implementing the law. We do not determine whether the city is systematically violating the express prohibition on number of hearings, largely because of the data challenges surrounding hearings as discussed in the body of this report.

Unique Entitlement Dataset

The Comprehensive Assessment of Land Use Entitlements Study (CALES) dataset is a uniquely detailed dataset on how entitlements issued in select years navigated their approval pathway. Table 2: Entitlement Data Counts by Project and Units Across Years details observations per study year.

[30] We refer here to the opinion in Cal. Renters Legal Advoc. & Educ. Fund v. City of San Mateo, 68 Cal. App. 5th 820, 845 (2021) ("Subdivision (f)(4) is intentionally deferential to housing development.").
[31] *Id.* at 831 (a "project is deemed to comply if 'substantial evidence . . . would allow a reasonable person to conclude' that it does").
[32] We do recommend, however, that San Francisco make those documents publicly available if they exist.
[33] We refer here to the passage of Senate Bill 330, approved by the Governor on October 9, 2019. S.B. 330, 2019-2020 Leg., Reg. Sess. (Cal. 2019).
[34] CAL. GOV'T CODE § 65905.5 (West 2023).

Table 2: Entitlement Data Counts by Project and Units Across Years

	2014	2015	2016	2017	2018	2019*	2020	2021
Projects	24	23	55	38	36	42	25	41
Units	2,470	2,069	6,371	3,359	2,824	2,807	2,839	2,869

*We included one SB 35 observation without an eligibility determination date in 2019 based on the date of the building permit.

2014 - 2017 Observations

The 2014 - 2017 dataset does not include Accessory Dwelling Unit (ADU) approvals but does include litigation-related data.[35] We do not rely on San Francisco's reporting on entitlement and permitting. Rather, we build our dataset from source documents including application documents, planning staff reports, motion and resolution documents, and legal pleadings where relevant, and construct our own code book. Importantly, in addition to our typical quality control measures, San Francisco uniquely provided us an opportunity to review our 2014 - 2017 dataset with the San Francisco Planning Department's Environmental Review team in 2018 following our first working paper.

Using San Francisco's online Property Information Map system (PIM), we augmented the 2014 - 2017 entitlement data in this study by:

1) Collecting additional hearing, correspondence, and approval data on the PPA and Environmental Evaluation Application processes, where available;
2) Collecting in-depth information on the nine observations where parties applied for exceptional Discretionary Review (DR) under San Francisco's Business and Tax Code, including all available data on the requests, hearings, and the Planning Commission's actions;
3) Confirming if and how market-rate developments satisfied San Francisco's inclusionary zoning (IZ) ordinance by reviewing our data and supporting documents (there are 10 market-rate developments in our dataset where we cannot confirm how the projects satisfied the IZ requirement);
4) Supplementing our search for "determined to be complete" dates issued by the Planning Department (there are none for all 140 observations) with a second search through San Francisco's Property Information Map (PIM)[36] for correspondence regarding incomplete applications; and
5) Augmenting existing CEQA-related coding with any available data on Wind, Shadow, and Transportation Demand Management studies for each observation in the 2014 - 2017 dataset.

[35] We detail how we collected and quality checked the 2014 - 2017 entitlement data we reference in the Report to the California Air Resources Board (CARB Report). MOIRA O'NEILL-HUTSON ET AL., EXAMINING ENTITLEMENT IN CALIFORNIA TO INFORM POLICY AND PROCESS: ADVANCING SOCIAL EQUITY IN HOUSING DEVELOPMENT PATTERNS 36-43 (2022).

[36] PIM refers to San Francisco's public portal that provides comprehensive access to numerous records associated with parcels. *San Francisco Property Information Map*, S.F. PLAN., https://sfplanninggis.org/pim/ (last visited Sept. 18, 2023).

The Permit Streamlining Act provides planning departments should determine whether an application to develop housing is complete within 30 days of receipt or the application will be deemed complete.[37] We found no publicly available data that documents that San Francisco's planners made completeness determinations within 30 days of application for any entitlement of five or more units issued in 2014 - 2017. [38]

We explored the data to see if we could determine "deemed complete" dates as well. For discretionary building permit applications, we could almost always locate the Preliminary Project Assessment (PPA) applications (where applicable) but could not always find Project Applications consistently logged. The Notice of Building Permit Application, however, references the application date (though we cannot confirm the date against a source document). For other approval applications that require only one local approval—like a Conditional Use Authorization (CUA)—we can locate the PPA documents, but we can only sometimes locate applications for those discrete approvals with date stamps of application receipt by the Planning Department.

We also cannot determine from the documents on PIM when planning review began for entitlements issued in 2014 - 2017. For projects that fall under the Permit Streamlining Act, this means that it is not possible to confirm compliance with the Permit Streamlining Act even if the Planning Department staff did not make completeness determinations. For example, we found a few instances of Planning Department correspondence that lists what an application for a discretionary approval (like a CUA) is missing, and states that review has begun and that time limits do not begin until after the project proponent submits the required materials—but the letter does not provide *when* planning review began. These letters are dated many months after the application date.[39] The date of the letter suggests non-compliance with the PSA, but the language is vague. Also, although PIM links users to a portal that provides some building permit data (permit number, description, and date), there is little to no supporting documentation available.

2018 - 2021 Observations

We first modified the data collection template to account for important changes in state law and to track source documents closely. We have variables to identify the source of data that we used to determine the timeframe, approval, and hearing values. Adding data source variables allows us to code for whether we were able to identify an approval detail or event based on the original document (primary source) or an entry in San Francisco's portal (secondary or self-reported source). We also constructed new variables to explore:

- How many public hearings (including continuances) to which a project was subjected.
- The approval body required of a developer or property owner before issuing an approval.
- Changes to project characteristics (in terms of the number of units proposed, or types of units proposed) throughout the entitlement process.
- How developments that qualified for state ministerial approvals (such as SB 35) navigated the approval process.

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[37] CAL. GOV'T CODE § 65920 (West 2023).

[38] During our prior research in San Francisco, we did not request this information through a Public Records Act request. We did confirm in meetings with San Francisco personnel that at that time, Planning did not track the relevant information.

[39] For example, using one of our CUA observations to illustrate, we can find the application (with the submission date) and the Planning Department's notice that details what is missing, and that review is underway. The time lag between the two is about 10 months and does provide when planning review began.

Consistent with prior coding, we also always code for "other approvals" we could not anticipate from legal research and review of San Francisco's local planning and zoning ordinances. In 2018 - 2021 data, examples include approvals like those requiring sidewalk legislation to allow a development to meet other code requirements. We also continuously add variables to augment the dataset to answer the research questions above.

We built our potential observation list to collect data from multiple sources. We referenced Annual Progress Report (APR) data to identify all reported entitlements or ADU or SB 35 approvals that would yield five or more new residential units if built. The APR listed duplicates. We cleaned for duplicates as we only wanted to examine unique projects in the APR. Once we had unique reported entitlements, we ran a match within our own 2014 - 2017 dataset. We ran a fuzzy-join text matching algorithm[40] between unique entitlements in the APR with our 2014 - 2017 dataset. We found six APR unique projects that overlapped with observations in our 2014 - 2017 data (which we had already cleaned and confirmed involved entitlements in those years). We do not include those in our 2018 - 2021 dataset.[41] We incorporated the remainder of APR entitlements into our data collection strategy. We then reviewed CEQA-related approvals in San Francisco's PIM portal and Planning Commission agendas using San Francisco's public database of environmental review notices of determinations and exemptions.[42] We identified another group of observations (developments that appeared potentially approved in 2018 - 2021) to incorporate into our data collection strategy. Our 2018 - 2021 data includes 16 SB 35 observations and 17 discretionary ADUs. We provide more detail on the accuracy of APR data in Appendix C.

In all, a team of trained students collected data on 196 potential observations of entitlement/approvals issued in 2018 - 2021 after constructing a project list from the APR, cross-referencing environmental review determinations, and any other materials that listed out SB 35 project approvals. After preliminary data collection we determined 144 observations belonged in our study for analysis of entitlements and SB 35 approvals issued in 2018 - 2021. We excluded pending entitlements, entitlements outside of our study years, and Development Agreements associated with a major phased development where no phase or building had yet secured its final entitlement. We completed a full quality check of 133 of our 2018 - 2021 observations. The quality check process involved checking each coded value we recorded in the database twice against the source document or the PIM entry if no source document was available. Where there was an ambiguity or confusion about what the coded value should be, O'Neill reviewed the value and the source material to make a final coding decision.

We completed a partial quality check for 11 observations we gathered late in our data collection process, after referencing amended Annual Progress Reports, to allow for reliable summary statistics, including regression analysis, and all spatial analysis. We exclude these 11 observations from our analysis of frequency of continuances, changes in proposed density from

[40] A fuzzy join is a joining method that is used for merging two datasets that are not perfectly matched. The reason we ran a fuzzy join is that there may be differences in how an address was written in the APR and our original dataset. A fuzzy join allows us to match projects that may have similar but not identical addresses in the APR and the CALES dataset.

[41] We would have to first confirm with San Francisco Planning whether these six potential observations were new entitlements and not modifications before including them in our dataset.

[42] *Environmental Review Documents*, S.F. PLAN., https://sfplanning.org/environmental-review-documents (last visited Sept. 18, 2023).

application to approval, project intake processes, inclusionary housing program compliance pathway, and frequency of additional studies during environmental review.

Primary Source Documents

Whenever possible, we relied on primary source documents; San Francisco does not make all primary source documents readily available. For example, calculating timeframes to entitlement for discretionary observations requires tracking the earliest required application date. Prior to discontinuing the PPA requirement in July 2023, San Francisco required project proponents submit a PPA for specific types of development before submitting a project application. We have 87 observations in our 2018 - 2021 dataset that would have required a PPA application. We were able to locate the signed and dated PPA application document to determine the first application date for 48 of those observations through PIM. We sourced PPA application dates for another six observations from PPA-related correspondence (including the PPA decision document). We had to rely on PIM entries for PPA dates for 22 observations because either the application itself was not dated, or there was no PPA application in the PIM portal. San Francisco's PPA process required project proponents to submit significant information about the proposed development.

Another example relates to San Francisco Planning's policy that mandates a pre-application neighborhood notification process, and a pre-application hearing called the "Pre-Application Community Outreach Process" or "Pre-Application Meeting."[43] This pre-application process requires project proponents to send notices and copies of plans to adjacent neighbors and neighborhood organizations *before* applying to develop land for any new construction or alteration that would change an existing structure by seven vertical feet or 10 horizontal feet. San Francisco Planning compiles the list of neighborhood organizations that project proponents must notify. Though PIM makes most PPAs available, PIM rarely provides source documents that furnish detail about pre-application hearings.

Also relevant, determining compliance with the Permit Streamlining Act requires tracking whether a project proponent applied for entitlement by submitting an application package to the Planning Department. While our dataset contains initial application dates for most of our 2018 - 2021 observations, we can source these dates from primary source documents—signed and dated applications—for only 58 observations. We rely on references to application dates in Plan Check Letters sent by the Planning Department and approval documents in another 29 observations. Where we do not have a primary source document, we rely on PIM entries for application dates, which is data that a San Francisco Planning Department planner entered into the PIM system directly.

In sum, more than half (56%) of the application dates in our dataset are essentially self-reported dates from Planning—and not readily verifiable with application documents. We also highlight here that in at least four instances, the PIM entry reports an application date *after* the approval event (which is available through a primary source document). In another five instances, the PIM system reports an application date that is prior to the PPA date. We assume these are errors (an application should neither follow an entitlement nor predate a preliminary application procedure) but we report out what the data shows, nonetheless. Although these potential errors do not impact descriptive findings on time frames to approval, they do limit analysis of consistency with the PSA.

[43] *Pre-Application Meeting*, S.F. PLAN., https://sfplanning.org/resource/pre-application-meeting (July 30, 2023).

Regression Analysis

We ran several regressions to analyze existing relationships within the CALES dataset. We include all regressions, supplementary analysis, and robustness checks in a separate methods Appendix A, though the main findings are in this report. We ran regression models on 2014 - 2017 data and 2018 - 2021 data separately, and then together. We used the statsmodel Python module[44] to run all regressions in this analysis. We calculated all regression coefficients with robust standard errors (Errors of Order 3 (HC3)) in order to account for the existence of outliers and other issues within the data such as heteroskedasticity (variation in regression errors across our observations) and provide a small sample correction.[45] Note that if we did not use robust standard errors, the standard errors of our estimates would be smaller, so the standard errors and subsequent hypothesis testing are conservative.

In-Depth Interviews and Meetings and Review of Public Hearings

We have interviews from our prior research across cities from 2017. We used transcripts from six interviews conducted in 2017 with stakeholders within San Francisco (an affordable developer, market-rate developer, city employee who managed affordable development, city planner, land use attorney, and community organization advocate) in this analysis. For this research, we also completed an additional 28 in-depth interviews with 18 additional participants that did not participate in interviews in prior years or in meetings led by HCD between late-fall 2022 and May 2023. We interviewed participants from the following groups: developers (market-rate and non-profit affordable developers); private sector professionals (architects, land use lawyers, planners); government personnel (including city planning staff); and representatives from community-based organizations (including affordable housing advocates). We identified some of these interview participants as experts within San Francisco and reached out to them to participate in an interview. Other participants reached out to us to participate in interviews as well. We advised all participants that the research would be reported to HCD, but we would protect the confidentiality of each participant consistent with our research protocols. For that reason, we do not quote any individual participant and only report on themes based on what multiple participants or entire stakeholder groups shared.

We observed another 33 meetings that HCD convened for their Policy and Practice Review with approximately 146 stakeholders, including city planning personnel, Commissioners, Supervisors, market-rate developers, affordable developers, and housing organizations. Twenty of those meetings invited one participant, and five meetings invited two to three participants. These 25 HCD-led meetings with one to three participants offered in-depth conversations, much like research interviews. Most were an hour, though a few were longer or shorter. Most meetings included participants, one member of the HCD team and O'Neill. A handful of much larger meetings (with more than three participants) included more than two HCD team members

[44] Documentation for this module can be found at STATSMODELS, statsmodels.org/stable/index.html (May 5, 2023).

[45] In regression analysis, the errors are defined by the difference between the observed values of the dependent variable (in this case, project timeframes) and values predicted by the regression specification. Accurate estimation of the uncertainty of OLS-predicted values generally depends on constant errors across observations. However, in this study, we do not assume that error is constant (homoscedasticity). For instance, model error might be larger for observations with substantially longer timeframes (i.e., where projects take two to three times longer than the median timeframe). When we use robust standard errors, we no longer assume that errors are constant across all observations, which can mitigate the impacts of this regression analysis being based on observational data. Further, we are using a small sample correction to mitigate the fact that our universe of observations is relatively small and to account for the natural clustering in timeframes that occurs at each local land use approval step.

and O'Neill, along with participants. In each of these meetings, HCD informed the participants that O'Neill would be observing and listening to the conversation for research purposes and that the research would support the state's Policy and Practice Review. About half of the meetings with Commissioners and Supervisors also included a deputy city attorney in the meeting with HCD. Stakeholders discussed planning review and post-entitlement processes in-depth.

In all, we analyzed notes from interviews and meetings with representatives from six different housing advocacy groups, over 20 planning staff and more than 60 development professionals (evenly split between affordable and market-rate development). We also heard from 14 individuals split across the executive and legislative bodies within San Francisco.

Two members of the research team performed a line-by-line reading of a subset (10%) of the interview transcripts and notes from interviews and meetings[46] to identify recurrent concepts to generate a codebook in MaxQDA. We developed codes through an inductive process—a process in which we analyzed the transcript to identify codes based on themes that the speaker emphasizes. We also generated some codes for analysis using a deductive process—a process in which we analyze the notes and transcripts for content which indicates the speaker perceives that San Francisco either violated a state law *or* believes a policy or practice blocks a state law from having its intended effect. Once we had a codebook, three members of the research team coded all transcripts using the same software. We used MaxQDA software to summarize the findings by code and used the summaries to identify cross-cutting themes. This report pulled out findings where the team reached greater than 90% agreement on coded segments. We also generated stakeholder abstracts that summarized dominant themes (including internal consensus and disagreement on key topics within stakeholder groups).

Where interview participants or meeting participants directed us to specific public hearings, we also reviewed those hearings to confirm what participants shared did occur. We only inserted quotes from public hearings or relevant media reporting into this report and did not include any direct quotes from conversations between stakeholders and either HCD or O'Neill.

Document Analysis

Both interview and meeting participants, along with data collection, identified more than 41 proposed developments for a more detailed review process by our research team. We also located and analyzed documents associated with those 41 potential developments to explore in-depth what occurred during planning review.

Study and Data Limitations

Regression analysis using CALES data does not establish causal relationships. We rely on qualitative data to establish causality. Interview data is limited by the fact that all study participants volunteered. Relatedly, data from individuals and groups that agreed to participate in meetings with HCD is also limited by the fact that these participants volunteered. Voluntary participation in interviews increases selection bias and limits the generalizability of findings from interviews. We increased the number of interviews to reduce bias, but that does not allow us to generalize about San Francisco's policies or practices. Interview findings, however, can help us craft questions for quantitative analysis. Interview findings can provide important insights when

[46] Some participants asked that the interview/meeting not be recorded for transcription purposes. In those instances, O'Neill took detailed notes during the conversation, and the team joined those notes with transcripts from other interviews or meetings for qualitative analysis.

combined with regression and spatial analysis that regression and spatial analysis alone cannot yield.

The advantage of our 2014 - 2017 entitlement dataset is that it is uniquely detailed. The limitation of that dataset, however, is that our original coding structure aimed for comparative analysis across cities. This means that when we coded our 2014 - 2017 observations, we collapsed some San Francisco processes into single variables to compare processes across jurisdictions. For example, Large Project Authorizations and Downtown Project Authorizations were coded together in our master dataset as "exceptions" because that was the most analogous to similar processes in other cities. That limits our ability to explore how those two distinct processes operate when we are studying San Francisco only. To address this in coding for the 2018 - 2021 data, we created two coded datasets. The 2014 - 2017 dataset has less detail than the 2018 - 2021 dataset.

Another important limitation of our entire entitlement and SB 35 approval dataset relates to what each observation represents. Each observation reflects successful entitlements or SB 35 approvals only. That means that this universe of projects that we use for quantitative and spatial analyses represents those developments that successfully navigated the entitlement process in San Francisco. This means that the observations also represent those developments that developers likely had a high enough probability of success that they were willing to pursue entitlement in the first place. We do not have data suitable for quantitative analysis on when and how the city may have denied applications for entitlement in our dataset. That was beyond the current research scope. There is also no reliable data suitable for quantitative or spatial analyses on parcels where a property owner is unwilling to apply for entitlement.

Also, we gathered insights from stakeholders through interviews regarding what occurs during entitlement and what influences whether some buildings get built. Specifically, stakeholders suggest that smaller buildings, which those stakeholders define as 20 units or less, may get entitled but become financially difficult to build post-entitlement. The stakeholders attributed this to an entitlement process that mediates conflicts with opponents in a way that may lead to a final entitlement of a project that is not financially possible to build.[47] If entitlement processes contribute to whether a proposed development is financially feasible—and in turn whether a developer will pull building permits to build—then theoretically we might see a difference in the rate of filing for building permits for buildings that are 20 units or less as compared to larger buildings (21 units or more).

We have two challenges concerning exploring this issue with quantitative methods. The first is that augmenting the entitlement data with post-entitlement permitting data is very difficult; San Francisco's building permit data is not as accessible online or as reliable as entitlement data. Also, San Francisco's local law makes it difficult to systematically identify what counts as the permit that represents the beginning of construction activity and/or intent to build the building because San Francisco has a discretionary building permit process.

[47] Relatedly, at the time of this writing, the San Francisco Chronicle reported on a study concluding that the City's Inclusionary Housing Program is rendering some development fiscally infeasible. *See* Noah Arroyo, *Affordable-Housing Quotas Imperil New S.F. Building Projects, Study Says*, S.F. CHRON. (Jan. 22, 2023), https://www.sfchronicle.com/bayarea/article/sf-affordable-housing-projects-17727101.php.

Findings

We report findings in response to each of the questions that HCD asked, drawing on all data and methods to answer each question. Our findings sometimes rely on data from both our 2014 - 2017 and 2018 - 2021 datasets, and sometimes draw exclusively on the 2018 - 2021 dataset. We also compare four years to four years where appropriate and construct year-to-year comparisons or group years by two-year comparisons (e.g., 2014 - 2015 compared with 2018 - 2019) where appropriate.

Table 3 summarizes the total number of observations in our dataset, and the units they would yield if built, both in terms of market-rate units and affordable units. We narrowly define affordable units to refer to deed-restricted below market-rate housing units. Group housing, student housing, and single room occupancy housing are not included in any affordable housing count. Table 4 elaborates on the type of observations within our 2018 - 2021 data only.

Table 3: Summary of Total Approvals and Unit Counts Across Study Period

Study Period	Total Approvals	Total Units	Affordable Units	% Affordable Units/ All Units
2014 - 2017 Units from Entitlement of Developments of Five or More Units	140	14,269	2,168	15%
2018 - 2021 Units Approved from Approval of Developments of Five or More Units	144	11,339	3,039	27%

Table 4: 2018-2021 Approval Observations and Units by Affordability and Process

Affordability Category	Project Count	Market-rate Units	Affordable Units
100% Market-Rate Discretionary Non-ADU[1]	55	4,264	–
100% Market-Rate Discretionary ADU[2]	16	110	–
Mixed-Income Discretionary Non-ADU	52	3,473	873
Mixed-Income Discretionary ADU	1	21	3
Mixed-Income SB 35	2	4	1,659
100% Affordable Discretionary Non-ADU	4	4	210
100% Affordable SB 35	14	426	294

[1]This includes 2 Group Housing Projects and 1 Student Housing Project.

Although we elaborate on the contours of specific rules and planning practices when we discuss each finding, there are the two aspects of San Francisco's local law that dominate nearly all interviews and provide critical framing for virtually all of our findings. The first local law is one that makes all housing approvals in San Francisco discretionary. The Municipal Business and Tax Regulations Code Section 26(a) provides that San Francisco's departments may "take into consideration the effects of the proposed business or calling upon surrounding property and upon its residents . . . [and to] exercise its [or their] sound discretion as to whether said permit should be granted, transferred, denied or revoked." The city interprets this law as granting the Planning Commission discretionary authority over all building permits, including permits not otherwise discretionary under zoning and planning requirements. The Planning Commission delegates this discretionary authority to the Planning Department to review applications that meet Planning Code standards and Design Guidelines. But when disputes arise over a building permit, "concerned parties may choose to file a [request for exceptional] DR."[48] A DR effectively stops the Planning Department's approval process, sets a public hearing in front of the Planning Commission, and triggers additional planning staff analysis to prepare for the hearing.

Once a party has requested DR, unless they withdraw their request, there is always a public hearing. At the public hearing, the Planning Commission reviews materials and hears testimony and then determines whether it will "approve, disapprove or require modifications to the project."[49] The city states that the Planning Commission exercises this form of discretionary review only in exceptional circumstances when disputes between neighbors cannot be resolved through mediation.[50] The procedure, based on how it is written, indicates that the process of requesting and holding a hearing can add months to the approval timeline, even if the Planning Commission leaves the Planning Department's approval intact.

Another topic that dominated interviews is the ease with which project opponents can challenge discretionary approvals and post-entitlement permits through an administrative appeal under City Charter Section 4.106(b). The city charter provides that the Board of Appeals (an appointed political body) will hear appeals of building permits and demolition permits, unless either permit is issued after the Planning Commission authorizes a Conditional Use.[51] The Board of Supervisors hears appeals of any post-entitlement permit associated with a Conditional Use Authorization and any appeal of a CEQA decision.[52]

San Francisco's local rules prevent full implementation of the goals and aims of state housing laws.

HCD asked whether the data shows that San Francisco is fully implementing state law, including the Housing Accountability Act, Housing Crisis Act, Permit Streamlining Act, SB 35, and State Density Bonus Law. The answer, as indicated by the data, is no. Developers, planning professionals, and most housing advocacy organizations perceive local rules as

[48] *Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).
[49] *Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).
[50] The city also elaborates on its interpretation of the power this provision affords the Planning Commission in the Application Packet for Discretionary Review. *See Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).
[51] The city details the limitations of the Board of Appeal's jurisdiction. *About Us, Board of Appeals*, SF.GOV, https://sf.gov/departments/board-appeals/about (last visited Sept 18, 2023).
[52] Appeal of Certain CEQA Decisions, SAN FRANCISCO, CAL., ADMIN. CODE § 31.16 (2013).

blocking the full implementation of the Housing Accountability Act, Housing Crisis Act (SB 330), Permit Streamlining Act, and State Density Bonus Law. Descriptive and inferential statistical analysis of housing approvals yields findings that are consistent with these stakeholder perceptions. Stakeholders also report that SB 35 effectively expedites planning review, but does not resolve post-entitlement problems within San Francisco.

We report findings related to SB 35 and State Density Bonus Law first, and then move through findings related to steps in the entitlement and post-entitlement process.

San Francisco Planning fully implemented SB 35, but SB 35 is not a complete process fix.

SB 35 provides a state ministerial process for qualifying urban multifamily code compliant housing developments in jurisdictions that fail to meet their RHNA production targets in prior RHNA cycles. In San Francisco, SB 35 applies to qualifying housing where 50% or more of the units are affordable. A ministerial process is significant for developers and planners in San Francisco because local law renders all approvals discretionary. The state ministerial process eliminates pre-application requirements and hearings (discussed in more detail below), the opportunity for project opponents to request DR, and CEQA review. Once San Francisco Planning determines a project is eligible for SB 35, the developer proceeds directly to the Department of Building Inspection (DBI) for permitting.

SB 35 processing timeframes are fast—whereas discretionary building permits typically take years.

SB 35 cabins the eligibility review period to 90 or 180 days depending on the project size (measured by units).[53] Like many other cities, San Francisco "restarts" the review clock if there are any changes to the application.[54] The data shows San Francisco Planning diligently applied this state law. We found that planning review for developments that began as SB 35 applications take about four months but no more than eight months. Table 7 shows that, in contrast, discretionary building permits take approximately two years to entitle or complete planning review before they begin to work with the DBI. Stakeholders explain that entitlement delays increase holding costs, but approval delays may also result in being subject to higher fees, particularly when delays span over years. Timeframes for all non-ADU developments along specific approval pathways spotlight the difficulty of entitlement and the need for a local ministerial process in addition to other zoning and procedural reforms.

[53] CAL. GOV'T CODE § 65913.15(c)(1)-(2) (West 2023).
[54] Moira O'Neill & Ivy Wang, *How Can Procedural Reform Support Fair Share Housing Production? Assessing the Effects of California's Senate Bill 35,* 25 CITYSCAPE 143, 143-70 (2023).

Table 5: Entitlement Timeframe by Approval Pathway 2018-2021

Process Categorization	Min. Timeframe	**Median Timeframe**	Max. Timeframe	**Mean Timeframe**	Standard Deviation
SB 35 Only (no discretionary process prior) (N=9)	0.89	**3.42**	7.63	**4.29**	2.63
SB 35 Conversion (all began as discretionary) (N=7)[2]	15.39	**29.39**	41.39	**29.18**	10.32
Discretionary BP (N=17)	7.76	**24.20**	47.70	**24.07**	8.58
Discretionary BP with Exceptional DR request (N=4)[3]	10.32	**32.33**	55.56	**32.64**	19.76
Variance (by ZA) (N=11)	19.73	**36.00**	69.27	**41.40**	19.96
Variance (by ZA) with Exceptional DR (N=5)	10.39	**39.48**	146.69	**59.28**	52.30
Variance (by Planning Commission) and Exceptional DR (N=1)	46.68	**46.68**	46.68	**46.68**	—
DPA / LPA / SPA (N=15)	23.31	**35.67**	67.03	**38.33**	13.59
CUA Only (N=17)	18.71	**35.05**	59.34	**35.90**	12.45
CUA[4] Pplus (N=30)	17.00	**39.68**	105.40	**46.01**	21.99
PUD[5] (N=2)	7.73	**24.53**	41.33	**24.53**	23.76
Development Agreement (N=4)	32.09	**42.16**	51.52	**41.98**	7.94
Map Amendment/General Plan Amendment (N=3)	34.49	**42.08**	64.90	**47.16**	15.83

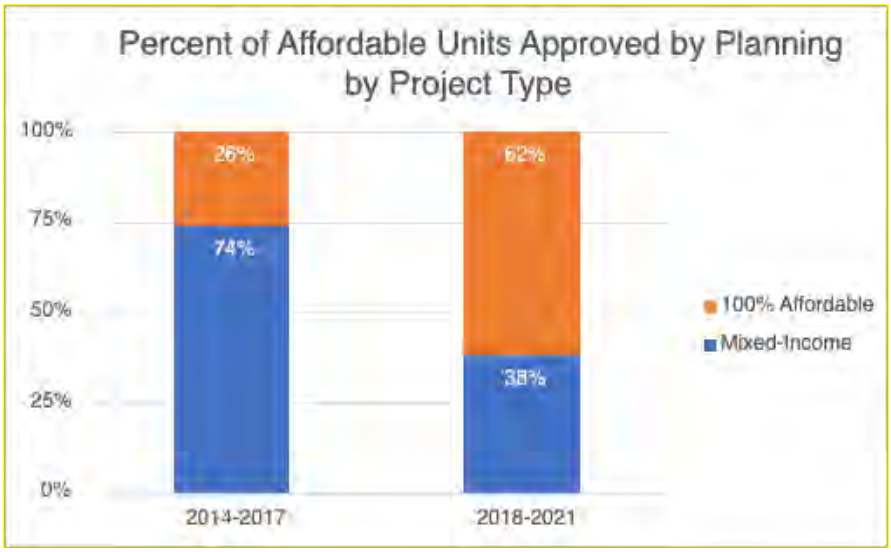
[1] We do not include two observations, discretionary building permit projects with additional administrative approvals, in this timeline calculation. One involved a discretionary building permit and an exception, and the other was a discretionary building permit with an ADU.
[2] We have one additional SB 35 project in this category that does not have an eligibility determination date. Though we know it received a building permit, we cannot include it for timeframe calculations. Each of the observations in this category proceeded through a discretionary approval process before initiating an SB 35 application. Some applications pre-date SB 35's enactment.
[3] This includes two discretionary building permits that received requests for exceptional DR and faced administrative appeals.
[4] Includes CUAs with other processes that typically go to the Zoning Administrator or Planning Commission but not the Board of Supervisors (such as CUA with a Variance, or CUA with a Certificate of Appropriateness).
[5] PUD refers to Planned Unit Development.

Developers report that SB 35 transformed planning approval pathways for affordable development.

Developers described SB 35 as eliminating risk because the law creates certainty in entitlement where none existed before. Some planners reported a steep learning curve at the outset; they shared that major changes like this to planning review are difficult to implement at first—and that early state guidance could help planning staff improve implementation. Developers, however, described San Francisco Planning's implementation of SB 35 as efficient and helpful. The data largely confirms that San Francisco Planning made most SB 35 eligibility determinations quickly and within required timeframes. The outliers represent proposals to develop affordable housing using local discretionary processes, sometimes because the project proponent filed the application before SB 35's passage and/or effective date.

Approval data also shows that state ministerial review allowed for faster processing which facilitated the approval of nearly three times the number of 100% affordable developments in 2018 - 2021 as compared to 2014 - 2017. There were only five 100% affordable developments entitled in 2014 - 2017. In 2018 - 2021 alone, San Francisco approved eighteen 100% affordable developments, and 14 of those developments used SB 35's ministerial process. Because of SB 35, most affordable units approved in 2018 - 2021 came through ministerially approved 100% affordable developments that used State Density Bonus Law. In 2014 - 2017, 74% of affordable units came from mixed income developments. In 2018 - 2021, 62% of all affordable units came from 100% affordable developments.

Figure 3: Distribution of Affordable Units by Development Type



Graphic Developed by Dori Ganetsos using CALES data.

SB 35 does not resolve post-entitlement opposition through appeals.

Affordable developers that have used SB 35 describe several post-entitlement difficulties that extend construction timelines. One difficulty affordable developers describe is that San Francisco's local rules allow project opponents to use the administrative appeals process to delay construction by challenging post-entitlement permits. (We discuss other post-entitlement difficulties below.) Construction activity impacts neighbors, who then may file complaints during the construction process.[55] But some neighborhood organizations escalate their opposition to construction by using administrative appeals to the Board of Appeals, which under local law suspends permit approvals until the appeal is resolved.[56]

2550 Irving Street exemplifies how post-entitlement challenges can delay construction of housing approved under SB 35. 2550 Irving, a 100% affordable development that would provide 90 units of supportive housing,[57] has faced at least two post-entitlement appeals of permits.[58] San Francisco Planning determined the development was SB 35 eligible on August 17, 2022. In November 2022, the Mid-Sunset Neighborhood Association appealed the demolition permit required to demolish a two-story office building because of concerns about toxins. The filing of the appeal suspended the building permit pending resolution. The Board of Appeals heard the

[55] One notable example relates to 78 Haight Street, which will house transitional-aged youth at risk of homelessness. We found three complaints from neighbors about construction logged in PIM so far. A neighborhood organization complains about inadequate notices about this development online, as well (though it characterizes the housing product incorrectly). *78 Haight*, HAYES VALLEY SAFE, https://www.hvsafe.com/78-haight/ (Mar. 17, 2022).

[56] Wherever PIM recorded an administrative appeal of a permit, we captured that in our database. San Francisco's public portal provides incomplete information about appeals and post-entitlement challenges, so we also asked interview participants to provide examples of projects that faced post-entitlement challenges. We then cross-referenced the DBI permitting system to see if we could find more information on the impact of appeals on permits.

[57] Application data indicates that at one point, this project was proposed to offer 98 units.

[58] San Francisco's public portal reports two appeals associated with the demolition permit for this development, both filed on December 5, 2022 (numbers 22-091 and 22-092). The neighborhood association also filed an appeal of the construction permit.

first appeal of the demolition permit on February 22, 2023, and denied the appeal (with a 3-2 split vote). Online records show that DBI reinstated the building permit, months after the initial approval date of October 28, 2022, on March 7, 2023. The same organization also appealed the construction site permit, originally approved on June 26, 2023. This permit was also suspended pending resolution, and on August 16, 2023, the Board of Appeals voted 2-2 on whether to grant the appeal and whether to continue the hearing. Both the appeal and the motion to continue failed as only four of five Commissioners were present. Ahead of both hearings, HCD sent Letters of Technical Assistance to the City and County of San Francisco's Board of Appeals regarding 2550 Irving, informing San Francisco that under state law, the city should not hear administrative appeals on SB 35 approvals.[59]

In related media, the neighborhood organization stated that they want more environmental remediation before construction.[60] The developer and the Mayor's Office of Housing and Community Development pointed to testing, review, and approval from public health and toxic substances agencies. The Chronicle reported that Supervisor Engardio publicly expressed support for 2550 Irving as "much needed [housing that] should not be delayed" though he also believed agencies could better communicate safety assurances to neighbors.[61] During confidential interviews, however, some stakeholders shared that they do not believe the neighborhood association is primarily concerned about environmental hazards; some stakeholders instead believe that the neighborhood opposes the development because of its size and the development's intended residents.

The agenda for the hearing on August 16, 2023, included a ~1,200-page record for this one appeal. During the hearing, Board of Appeals Commissioners disagreed about the effect of SB 35 on their power to review the permit and the appropriate scope of authority for Commissioners to exercise, generally, when deciding a matter that requires technical expertise. The Commissioner remarks during the hearing illustrate several of the ideological divides within local political bodies that stakeholders described during interviews. The public comments from Commissioners, some of which are quoted below, reveal conflicting perspectives on the normative value of state preemption of local power, the appropriate scope of administrative review of the work product from agency personnel with specific technical expertise, and the purpose and function of the Board of Appeals in general.

> Another point I wanted to make is in regard to SB 35 and SB 35 preemption. As one of the public commenters commented tonight . . . since SB 35 was passed several years ago, 2018-2019, **there has been a proliferation of new state level legislation also taking aim at local review processes**. And most have been drafted by San Francisco's own representatives in Sacramento, and those representatives in Sacramento need to know your opinions on these things **because they're doing their darndest to make sure there is no review process anymore, that the planning commission can't hear these items and they're trying to get it so that the Board of Appeals can't hear these items either, and if you believe in local review as I do as a member of this body, it's your duty and your responsibility to let your representatives**

[59] One of the letters is available online. *See* Letter from Shannan West, Hous. Accountability Unit Chief, Cal. Dep't Hous. & Cmty. Dev., to S.F. Bd. of Appeals, City & Cnty of S.F. (Feb. 22, 2022), https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/HAU/SanFrancisco-LOSTA-022223.pdf.
[60] The Chronicle reports on the challenges. *See, e.g.*, J.K. Dineen, *Judge Rules Contested Sunset District Affordable Housing Project Can Proceed*, S.F. CHRON. (Dec. 9, 2021), https://www.sfchronicle.com/sf/article/judge-rules-contested-sunset-district-affordable-16688685.php (unsuccessful attempt to secure an injunction).
[61] *Id*.

know what's at stake here and what this means to you [deep pause] I do think what's going on here goes far beyond the lot lines of 2550 Irving, and I don't necessarily think that even granting this appeal will fix the larger environmental hazards in the Sunset District . . . but I think there is a much bigger picture here in terms of the legal background and what is going on between several different agencies . . . .[62]

I see a distinct difference between that remediation and the permit here that we are here to pass judgment on. . . . We recognize that there is a problem . . . that problem is there is PEC contamination in the Central Sunset particularly around this site, and that needs to be remediated. . . . However, I see a distinct difference between that remediation and the permit we are here to pass judgment upon . . . . The appellant themselves admitted that the construction of this site has no bearing on the issues and levels that will be taking place in the neighborhood. So I see a very bright line between the contamination which needs to be remedied, and the permit that we are here to consider. . . . You know what, this is something that happens to us a lot in different circumstances, usually less dire, usually with a lot less scientific data that we have to parse our way through. When we end up with landlord-tenant issues, we find ourselves with a conflict . . . that needs to be worked out . . . . [I]t is probably best venued in the civil courts . . . but we look not to that issue, but we look to the permit and underlying issues within our jurisdiction . . . . **I see how SB 35 can be very confusing, it can be tedious, it can be difficult, but I have to ask myself do we have grounds under SB 35 to have grounds to appeal this, or overturn this permit, even if we identified it as being material to these issues that were here and I don't think this permit is material to the contamination thing, but even if we did, in this circumstance I don't see a way to get there because the objective standards under the Planning Code . . . are through the Maher ordinance**.[63] DPH has engaged the Maher procedures. They've gone one further for us as a neighborhood association has for them to do and brought in the DTSC because they have more expertise and more resources . . . and so that process that is supposed to take place is ongoing . . . . Let's be clear here, we get nervous sometimes as a board about playing amateur architect. **Right now we're playing scientists and we're playing amateur environmental scientists . . . . [L]et's realize it doesn't have anything to do with the permit in front of us today. I will not move to uphold the appeal**.

I so fundamentally disagree . . . . [P]eople on appeals boards make judgments on experts all the time . . . . And then we had people representing to us that there would be communication, same thing, they made it sound like there was going to be community participation, none occurred . . . . **I think there is an appropriate time to say that the experts got it wrong, or the process was wrong**. . . . I would ask that we continue this [to allow Board of Appeals President to join discussion].[64]

I am not comfortable telling the Sunset residents that they should feel safe, and that is what it really boils down to for me, it is a moral ethical issue for me, and I do and I can take that into account. . . . this body isn't the one that should be hearing this, unfortunately we don't have another body that is more appropriate to hear this . . . . [W]e're attorneys not environmental experts . . . . [T]his shouldn't be litigated in the context of permit appeals . . . . [B]ut we don't have an appropriate forum. . . . [**I]nstead what we have is the Board of Appeals, which for all intents and purposes has become a catch all in many ways and we have taken it upon ourselves in many instances to make consequential decisions and push for consequential**

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[62] *S.F. Bd. of Appeals: Hearing on Appeal No. 23-034* (Aug. 16, 2023) (statement of Alex Lamberg, Comm'r, Bd. of Appeals), emphasis added.

[63] Commissioner Eppler is referring here to San Francisco Health Code Article 22A that gives the San Francisco Department of Public Health oversight of characterization and mitigation of hazardous substances in soil, soil vapor, and groundwater in the Maher Area identified in the city's Building Code Article 106A.3.2.4.

[64] *S.F. Bd. of Appeals: Hearing on Appeal No. 23-034* (Aug. 16, 2023) (statement of John Trasviña, Comm'r, Bd. of Appeals), emphasis added.

> **change in city policy in city operations in city administration**. And to me this is the most consequential of any the issues we've dealt with since I've been on the board . . . this one takes the cake. There are people's lives at risk here. **And I don't think we should be the body who is imbued with this power, but ultimately our state legislators have ripped away the other layers of review so it can't go to the Planning Commission. It can't go to other commissions. It's here, and we ultimately have de novo review of this, potentially with SB 35 limitations, but you know . . . ultimately legal advice is just that – it's legal advice and we as Commissioners get to make the say.** I obviously don't think we have the votes to grant the appeal here tonight . . . but you know, if there was a time to make a leap of faith, this was the time.[65]

More developments relied on State Density Bonus Law as compared with prior years, but stakeholders disagree about how easy it is to use the state law.

State Density Bonus law allows for developers building residential or mixed-use projects with five or more units to build more housing units than zoning would otherwise allow in exchange for a prescribed number of below-market-rate units. The law provides bonuses in the form of additional density and waivers of some local standards. State Density Bonus Law is a state mandate and the state law may preempt local implementation programs with a bias towards "producing the maximum number of total housing units" under § 65915(r) of the Government Code. The law prohibits cities from applying development standards to a density bonus project that would make it impossible to build at the densities or with the concessions or incentives provided in State Density Bonus Law.[66] San Francisco's Planning Code Section 206 implements State Density Bonus Law and provides two local density bonus programs, the HOME-SF program[67] and the 100% Affordable Housing Bonus Program.[68]

We found that nearly all SB 35-approved developments also relied on State Density Bonus Law. State ministerial review through SB 35 and State Density Bonus Law allowed for ministerially approved 100% affordable developments that were, on average, larger (measured in units) than 100% affordable developments requiring discretionary review. The median project size (measured by units) of all SB 35 developments is 121 units. The mean is 119 units. The median project size (measured by units) of all 100% affordable non-ADU discretionary observations is 13 units. The mean is 53 units. For comparative purposes, the median project size (measured by units) of 100% affordable developments entitled in 2014 - 2017 was 134 units, and the mean was 113 units. The median project size (measured by units) of all non-ADU discretionary observations is 24 units and the mean is 799 units. The two largest developments that exceeded 800 units if built—among the outliers—required discretionary approval.

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[65] *S.F. Bd. of Appeals: Hearing on Appeal No. 23-034* (Aug. 16, 2023) (statement of Alex Lamberg, Comm'r, Bd. of Appeals), emphasis added.
[66] CAL. GOV'T CODE § 65915(e)(1) (West 2023).
[67] Housing Opportunities Mean Equity – San Francisco Program (HOME-SF), SAN FRANCISCO, CAL., PLAN. CODE § 206.3 (2019).
[68] The 100 Percent Affordable Housing Bonus Program, SAN FRANCISCO, CAL., PLAN. CODE § 206.4 (2018); *see also Affordable Housing Bonus Program (AHBP)*, S.F. PLAN., https://sfplanning.org/ahbp#:~:text=State%20Density%20Bonus%20Law,-In%201979%2C%20the&text=Ten%20percent%20of%20total%20housing,age%20requirements%20for%20older%20persons (last visited Sept. 18, 2023).

Table 6: Median Project Size by Product Type and Approval Pathway

Type	Median Project Size Units	Mean Project Size Units (rounded)	Standard Deviation Project Size Units (rounded)
100% Market-Rate, Discretionary Non-ADU[1] (N=55)	9	78	193
100% Market-Rate, Discretionary ADU (N=16)	6	7	3
Mixed-Income, Discretionary Non-ADU (N=52)	47	84	104
Mixed-Income, Discretionary ADU (N=1)	24	24	—
Mixed-Income, SB 35 (N=2)	**360**	**360**	**127**
100% Affordable, Discretionary Non-ADU (N=4)	13	53	83
100% Affordable, SB 35 (N=14)	**121**	**119**	**59**

[1] This grouping includes two Group Housing Projects and one Student Housing Project.

Thirty-one developments in our 2018 - 2021 dataset used State Density Bonus Law to increase the number of allowable units, and another six developments used the local HOME-SF program (all entitled in 2021). We see a notable increase in projects using density bonus programs in 2021, overall. In total, developments that secured approvals in 2018-2021 relied on density bonus programs more often than the developments entitled in 2014-2017 as well. Only four developments entitled in 2014 - 2017 used any density bonus program.

Also important is that developers used State Density Bonus Law more often than the HOME-SF program. Fifteen SB 35 ministerially approved developments in our 2018 - 2021 dataset all used State Density Bonus Law. The remaining developments that used State Density Bonus Law were discretionary mixed-income developments. At least 13 of the mixed-income developments used State Density Bonus to help meet requirements under the local Inclusionary Housing Program requirements. Five mixed income developments used Home-SF to meet requirements under the local Inclusionary Housing Program requirements as well.

There was no consensus among developers about how easily developers could use State Density Bonus Law in San Francisco.

Some developers expressed that the waivers both help create an appealing and efficient development and increase the likelihood of entitlement, overall. Some developers shared that the city's local rules and guidelines do not apply state law correctly[69] and/or that the city steered them away from using State Density Bonus Law. Developers also reported that the city applies the law so as to increase inclusionary program fee requirements once development size increases. Planners shared that design review can interfere with application of State Density Bonus Law, as political bodies may request reduced heights or removal of floors to projects that qualify for density bonuses. Affordable developers shared their frustrations concerning how planners have to do substantial work to apply different density bonus programs to help 100% affordable housing developments benefit from SB 35 while also securing required waivers. Planners also commented that State Density Bonus Law is complex, and that they (planners) would really benefit from more state guidance on its application. But planners and affordable developers emphasized that ministerial review and State Density Bonus Law were, together, critical to creating opportunities for more affordable housing within San Francisco.

Both developers and planners shared that State Density Bonus Law has been critical to helping developers manage requirements under local rules.

Developers shared that State Density Bonus Law was critical to make development financially feasible. Planners also shared that developers use State Density Bonus Law to facilitate large projects that the Planning Commission might otherwise deny. Planners explained that the city's Large Project Authorization (LPA)—theoretically meant to allow for larger projects and for modifications and waivers—does easily support larger development. Planners perceive that when developers use the modifications and waivers under the LPA, the Planning Commission interprets the project as no longer compliant and covered by the Housing Accountability Act, allowing political bodies to deny approval. Planners report that developers therefore use State Density Bonus Law to make large projects work while also staying covered by the Housing Accountability Act.

One development, outside of our study years, that stakeholders discussed during interviews as illustrative of this issue was **1010 Mission Street**. Planners reported that the developer first sought an LPA for a group housing development which the Planning Commission did not like and denied. The developer then used State Density Bonus Law to get an approval. Cross referencing documents, we found that the developer requested an LPA that was later withdrawn. The developer secured a final entitlement with an Individually Requested State Density Bonus approval and Downtown Project Authorization.

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[69] Section 206.6 of San Francisco's Planning Code may require revision after the passage of AB 1763, which provides an 80% density bonus, four incentives or concessions, and special parking ratios for 100% affordable housing projects, and AB 2345, which increased the maximum range of the density bonus to 50% for housing projects with 15% very low-income units, 24% lower income units, or 44% moderate income units. *See* CAL. GOV'T CODE §§ 65915(f)(1), (f)(2), (f)(4). AB 2345 also lowers the required percentage of lower income units required to obtain multiple incentives and concessions under § 65915(d)(2). Table 206.6B seems inconsistent with those provisions under state law. San Francisco Planning, however, also issues Bulletins explaining how it applies state law. *See, e.g.,* S.F. PLAN., BULL. NO. 6, IMPLEMENTING THE STATE DENSITY BONUS PROGRAM (Feb. 2023), https://sfplanning.org/sites/default/files/documents/publications/DB_06_Implementing_State_Density.pdf.

Planners also stated that State Density Bonus law is critical to promoting productive dialogue about how to make proposed developments better, because once it becomes clear that the city cannot deny the project (and only after it is clear the city cannot deny the project), the public discourse shifts towards how to improve the design to be sensitive to neighborhood needs. Participants offered **321 Florida Street**, a mixed-used mixed-income development entitled in 2021 that required an LPA but also used State Density Bonus Law, as an example of a how state law helped secure entitlement rather than a project denial. After it was clear the city could not deny the development, planners also reported that the conversation with the community focused on how to improve the design in a manner that did, in fact, improve the aesthetics of the proposed development. Another example participants provided was **1560 Folsom Street**, another large mixed-use mixed-income development entitled in 2021 that required an LPA but also used State Density Bonus Law. The outcome for 1560 Folsom allowed for special sidewalk placards to celebrate the area's local history.

Planners note, however, that State Density Bonus Law, while critical to increasing certainty of entitlement for larger developments, may not produce more efficient and speedy deliberative processes during entitlement. Consistent with this perception, our data shows that the only approvals under State Density Bonus Law that planning department staff issued were those approvals associated with SB 35 projects. All other requests for density bonuses for discretionary projects required approval from San Francisco's Planning Commission. Relatedly, we found some observations with multiple continuances for hearings for joint LPA and State Density Bonus Law approvals, as well.

Our data also shows that while an LPA coupled with a State Density Bonus Law approval may secure approval from the Planning Commission, the approval is still vulnerable to being overturned by the Board of Supervisors if the community perceives the final entitlement outcome to be contrary to neighborhood needs. **2300 Harrison Street** illustrates this issue. This proposed mixed-use building would have added three stories to an existing three-story commercial building and demolished an adjacent parking lot. The development would add ~27,000 square feet of office and retail space on a site occupied by Lyft, along with 24 units of housing, of which three would be deed-restricted affordable. After the Planning Commission approved the development, community organizations appealed the Community Plan Exception under CEQA to the Board of Supervisors. The Board of Supervisors unanimously upheld the appeal. A community group publicly stated that the entitled development represented an exploitation of State Density Bonus Law.[70]

[70] Media reported that the new development would result in ~95,000 square feet of retail/commercial space. We reviewed the project proposal documents, and those documents indicate the proposed development would *add* approximately ~27,000 square feet of commercial space, and 24 units of housing, *to an existing* building that had ~68,000 square feet of office space. *See* Laura Waxmann, *S.F. Supervisors Take United Stance Against Mission Development at Former Lyft Offices*, S.F. BUS. TIMES (Aug 19, 2020), https://www.bizjournals.com/sanfrancisco/news/2020/08/19/sf-supervisors-vote-down-mission-district-office.html.

Table 7: Frequency of Use of Density Bonus (All Programs)[1]

Year (N=Total Approvals/Per Year)	N Density Bonus Used		N State Density Bonus used
2014 (N=24)	0		-
2015 (N=23)	0		-
2016 (N=55)	1		Unknown
2017 (N=38)	3		Unknown
2018 (N=33)	SB 35: 3	Other: 3	5
2019 (N=34)	SB 35: 3	Other: 2	5
2020 (N=25)	SB 35: 5	Other: 2	7
2021 (N=41)	SB 35: 4	Other: 15	16

[1]We do not calculate which density bonus programs (state or local) 2014 - 2017 entitlements used.

Stakeholders also do not agree on whether State Density Bonus Law is good for San Francisco. Market-rate developers shared that State Density Bonus Law has been critical to increasing the feasibility of housing development while also satisfying the local inclusionary program as on-site requirements increased over time.[71] Affordable developers heavily relied on State Density Bonus Law to increase the size of 100% affordable development, which did increase the number of units approved. Some Commissioners and Supervisors also described density bonuses as critical to reaching affordable housing targets.

But some Commissioners and Supervisors expressed concern about how the city's application of State Density Bonus Law might derail community outreach or historic preservation. Some planners shared that implementing State Density Bonus Law was difficult at times and required educating political bodies on where San Francisco retained discretion and where it did not under the law (which was further complicated by San Francisco's context of all permitting being discretionary). Planners also perceived that local political bodies did not like the impact of State

[71] Section 415.3 details the thresholds. Qualifying applications initiated before January 12, 2016, had a 14.5% on-site inclusionary requirement; applications initiated after that date had variable thresholds depending on the project size and a complex scheme of alternatives. Under Section 415.6(a)(1), a development larger than 10 units but smaller than 25 that elected on-site units would have to meet a 12% threshold. Section 415.6 (a)(2) and (a)(3) provided that owner occupied developments of 25 units or more would have to meet a 20% threshold, and rentals developments larger than 25 units would have to meet a 18% threshold. Section Section 415.6(a)(5) also provided for incremental increases beginning in 2018, which would raise the thresholds even higher for developments of 10 – 24 units to 15% and larger developments would increase incrementally each year, but not to exceed 26% for owner occupied developments and 24% for rental developments. SAN FRANCISCO, CAL., PLAN. CODE §§ 415.3, 415.6 (2021).

Density Bonus Law on urban form because it limited subjectivity in design review, or its impact on inclusionary outcomes in terms of the overall yield of on-site affordable units.[72] Consistent with these planner perceptions, some Commissioners and Supervisors did express concern about state law that overrides design considerations.

Local rules complicate application of the Housing Accountability Act.

When discussing the importance of SB 35 and State Density Bonus Law, another important theme emerged. Several stakeholder groups reported that local political bodies do not consistently follow the Housing Accountability Act and deny proposed development covered under state law. Importantly, stakeholders did not describe the Planning Commission as blatantly violating state law but explained that instead, complex local rules make it difficult to determine which local approvals are within the purview of the Housing Accountability Act and which are not. If there is any ambiguity about whether the Housing Accountability Act applies, and a proposed development is at all controversial, that ambiguity leads to a project denial.

Planners emphasized here again the importance of state guidance on how the law changes local processes. When state law does not create a ministerial process (like SB 35) but limits local discretion, state guidance provides clear communication to political bodies and the public how the state law changes local processes. That is critical, planners say, in a local context like San Francisco where at least some within the political bodies and communities interpret local rules as allowing the city to retain the power to deny an approval. If state law significantly limits the right to deny an approval, planners recommend that the state guidance be clear so as to enable staff and Commissioners to say publicly that state law dictates a particular outcome.[73]

Local rules require entitlement processes begin before the application—and navigate multiple hurdles along the way to approval.

Prior to July 1, 2023, the process for entitlement for many multifamily non-ADU and non-SB 35 developments began with a required Preliminary Project Assessment (PPA).[74] The Mayor's Office recently eliminated this hurdle through an Executive Directive, but we explain how this impacted the observations within our dataset.

Under the PPA process, a project proponent was required to complete the PPA before they could submit their project application. San Francisco's PPA process required project proponents to submit significant information about the proposed development. We have 87 observations in our dataset that would have required a PPA application under that local policy. We can verify PPA application dates against source documents for more than half of those, but otherwise rely

[72] Commissioner Diamond on June 1, 2023, expressed concern about the impact of State Density Bonus Law on urban form when questioning whether Supervisor Melgar's proposed legislation to increase density in a west side neighborhood would, in conjunction with State Density Bonus Law, lead to nine-story buildings.

[73] It is important to note, however, that during this research, HCD sent two advisory letters to the city on the impact of SB 35 on post-entitlement administrative appeals, and the limitations that SB 35 placed on San Francisco's ability to hear post-entitlement appeals in the context of an SB 35 approval. San Francisco's Board of Appeals heard both post-entitlement administrative appeals, even though at least one of these letters explicitly stated that SB 35 did not allow for post-entitlement appeals.

[74] San Francisco Planning now provides that it no longer accepts PPAs consistent with the Mayor's Executive Directive issued on February 7, 2023, subsection II.9. OFF. OF THE MAYOR, CITY & CNTY. OF S.F., DIRECTIVE 23-01, HOUSING FOR ALL (Feb. 7, 2023), https://sf.gov/sites/default/files/2023-02/Executive%20Directive%2023-01_Housing%20for%20All.pdf.

on self-reported dates from San Francisco's system. The average time from PPA application to project application was about a year.

Table 8: PPA to Application Timeframes

(months)	Median	Mean	Standard Deviation
PPA to Earliest Application Date	4.96	11.71	21.00

San Francisco Planning, responding to direction from the Mayor's Office, eliminated the PPA process. Still, San Francisco Planning policy mandates a neighborhood notification process before a project proponent files an application, and a pre-application hearing called the "Pre-Application Community Outreach Process" or "Pre-Application Meeting."[75] This pre-application process requires project proponents to send notices and copies of plans to adjacent neighbors and neighborhood organizations *before* applying to develop land for any new construction or alteration that would change an existing structure by 7 vertical feet or 10 horizontal feet. San Francisco Planning compiles the list of neighborhood organizations that project proponents must notify. However, San Francisco Planning does not consistently track pre-application meetings in its public portal.

Stakeholders have differing perspectives on the value of this pre-application meeting process. Some Commissioners and Supervisors referred to the pre-application process as important community outreach. Other stakeholders perceive it as a requirement that assumes conflict exists before a developer has even proposed a development.

Application intake processes were inconsistent with the PSA but improved marginally over time.

The Permit Streamlining Act (PSA) requires cities to provide information to applicants about city requirements for applications to develop housing and sets limits on how long a city can take to determine an application is complete and begin planning review. This state law applies to all discretionary development projects that are quasi-adjudicatory actions (like a variance or conditional use requirement). The PSA also limits the amount of time a city can take to process an application, but the clock begins to run after Planning prepares environmental review documents.

We collected information on application dates, and any notices regarding the status of applications and the dates of those notices, when available on PIM, for 135 discretionary, non-ADU entitlements that we believe did not require a legislative act or development agreement for approval. This list includes more observations than we analyze—or it includes observations we collected some data on that we did not include in our timeline analysis because they were not yet entitled, or they were entitled in 2022 or 2023 .

Of these 135 observations, we found notifications sent to project proponents about their entitlement's application status (inclusive of notices about the incompleteness of their applications) for 75 observations(~56%). Of those 75 observations, we were able to determine

[75] *Pre-Application Meeting*, S.F. PLAN., https://sfplanning.org/resource/pre-application-meeting (July 30, 2023).

an application date and notice of status date for 72 observations. Of those 72 observations, 56 notifications (~78%) were outside of the required 30-day period. Of the 56 (out of 72 observations) that are in our dataset for analysis (observations entitled from 2018 - 2021), 41 notifications (~73%) were outside of the required 30-day period.

This does not mean that San Francisco Planning complied with the PSA in the other 60 instances, only that there is insufficient data to determine compliance or non-compliance with the PSA in half the observations.

We also looked at whether San Francisco Planning improved its project intake and notification processes over time. We have a confirmed application date for 130 out of 135 observations. In all five observations where we could not confirm an application date, we could also not confirm a notice of status date. Of these 130 observations, 65 observations have a confirmed application date after 1/1/2018, and 65 observations have a confirmed application date before 1/1/2018.

Of the 65 observations that have a confirmed application date after 1/1/2018, we found San Francisco Planning sent notifications to project proponents about their entitlement's application status (inclusive of notices about the incompleteness of their applications) for 53 observations (~82%). Of these 53 observations, 37 notifications are dated after the required 30-day period (70%). Of the 65 observations that have a confirmed application date before 1/1/2018, we found notifications sent to project proponents about their entitlement's application status (inclusive of notices about the incompleteness of their applications) for 19 observations (~29%). Of these 19 observations, 19 notifications are dated after the required 30-day period (100%). This suggests that San Francisco improved its application intake and notification process, but only marginally. What is also clear is San Francisco Planning is doing a better job to track the data, which can facilitate internal monitoring of this issue and continued improvement.

Table 9: Analysis of Application Status Notifications

	Application Date Before 1/1/2018 (N=65)	Application Date After 1/1/2018 (N= 65)
Percentage of observations where notice of application status is available	29% (N=19)	82% (N=53)
Percentage of observations where notice, if available, is outside of the required 30-day period	100% (N=19)	70% (N=37)

Planning policy relies on exemptions to comply with CEQA, but local rules require additional studies.

State law provides that if a development approval is discretionary, CEQA applies. With a few exceptions, local law determines whether CEQA applies to classes of housing development by making those housing approvals discretionary. State law, however, allows cities to quicken environmental review for some development. There are statutory exemptions in the California Public Resources Code, and the state's CEQA Guidelines provide for another thirty-three categorical exemptions. For example, a planning department can use the Class 32 infill exemption for an urban infill project to bypass CEQA review if the project satisfies certain conditions. The department must still prepare documentation. But the process is comparatively

faster than more intensive environmental review processes, like an Environmental Impact Report (EIR), within most jurisdictions in the state.

When a project is not categorically exempt, the planning agency conducts an initial study to assess whether there is substantial evidence that the project will have a significant effect on the environment. If it is not clear that the impacts can be mitigated below a significance threshold, a planning agency must prepare an EIR. If there is not substantial evidence of a potentially significant effect on the environment, the agency issues a Negative Declaration (ND). If there is substantial evidence that a project will significantly impact the environment, but the developer can properly mitigate the effects, then the agency issues a Mitigated Negative Declaration (MND).

California law also allows the planning agency to reuse existing EIRs to facilitate "streamlining" some classes of development through the environmental review process. This is called "tiering." Tiering allows the proposed development to satisfy CEQA's requirements by relying on existing EIRs, typically programmatic EIRs associated with a plan, and narrowing the environmental review documents to only those issues that have not been evaluated in a prior EIR that covers the proposed project. Tiering requires a prior environmental review document (generally an EIR) typically connected to a prior large-scale planning approval (usually a General Plan or Specific Plan); however, the source of the document varies. A Community Plan Exemption (CPE), for example, is a tiering-based exemption available to projects consistent with a community plan, General Plan, or zoning. When proposed development satisfies environmental review through tiering, it should theoretically reduce project-level costs for the developer because cities generally pay the costs of the relevant plan- or program-level EIR.[76]

EIRs are uncommon in San Francisco. Most developments benefit from streamlining. San Francisco is like its neighbors in this way, though San Francisco's timeframes are quite different from other neighboring jurisdictions we have studied. One notable change between 2014 - 2017 and 2018 - 2021 is that there are more categorical exemptions in the latter four years. That highlights that San Francisco Planning made a change in planning practice that simplifies and lightens the burden of environmental review for qualifying development—and yet overall, entitlements timelines increased in 2018 - 2021.

[76] Robert Olshansky, *The California Environmental Quality Act and Local Planning*, 62 J. AM. PLAN. ASS'N 313, 319–20 (1996).

Table 10: CEQA Compliance Pathways

Year Entitled and N	Categorical Exemption	Tiering (CPE)	Addendum	MND/ND	EIR	Multiple Pathway	CEQA Unknown*
2014 (N=24)	4%	79%	4%	0%	12%	0%	0%
2015 (N=23)	4%	56%	4%	15%	15%	7%	0%
2016 (N=55)	16%	67%	0%	11%	5%	0%	0%
2017 (N=38)	3%	82%	0%	3%	11%	0%	3%
2018 (N=31)	29%	45%	3%	13%	3%	3%	3%
2019 (N=29)	48%	38%	0%	10%	0%	0%	3%
2020 (N=18)	44%	17%	6%	17%	17%	0%	0%
2021 (N=33)	52%	33%	0%	9%	6%	0%	0%

Although San Francisco uses exemptions and tiering to comply with CEQA, local rules, not state CEQA guidelines, also require developers complete additional studies. Developers and planners in interviews and meetings indicated that local law demands that planning require wind and shadow studies. We collected information on whether San Francisco Planning required additional studies for 100 discretionary, non-ADU observations. We found no information about wind studies in San Francisco's public portal, which is noteworthy because wind studies came up frequently in interviews. Also, we note here that Class 32 infill exemptions require Transportation Demand Management studies.

Out of the 44 observations that satisfied CEQA through a Categorical Exemption, 22 (50%) required additional studies.

- ~18% (N=8) of all observations that benefited from a Categorical Exemption (N=44) also required a Shadow study.
- ~43% (N=19) of all observations that benefited from a Categorical Exemption (N=44) required a Transportation Demand Management study.
- ~11% (N=5) of all observations that used a Categorical Exemption (N=44) required both Shadow and Transportation Demand Management studies.

Out of the 33 observations that satisfy CEQA through a Community Plan Exemption, 24 (72%) required additional studies.

- ~32% (N=11) of all observations that used CPE (N=33) also required a Shadow study.
- ~70% (N=23) of observations that used a CPE (N=33) also required a Transportation Demand Management study.

- ~30% (N=10) of all observations that used a CPE (N=33) required both Shadow and Transportation Demand Management studies.

One observation (out of two) that complied with CEQA through a CEQA Addendum required a Transportation Demand Management study. Neither project required a Shadow Study.

Out of the 12 observations that required a Negative Declaration or Mitigated Negative Declaration, 10 (83%) required additional studies.

- ~33% (N=4) of all observations that required a ND or MND (N=12) required a Shadow Study.
- ~67% (N=8) of all observations that required a ND or MND (N=12) required a Transportation Demand Management study.
- ~17% (N=2) of all observations that used an ND/MND (N=12) to satisfy CEQA required both Shadow and Transportation Demand Management studies.

Out of the six observations that required an Environmental Impact Report, 3 (50%) also required a Shadow Study.

Risk of costly local appeals drives cautious environmental planning practices that limit the impact of the PSA.

In theory, using streamlined environmental review should quicken the planning review process. The PSA sets sixty-day time limits on approving development proposals that qualify for CEQA exemptions and streamlining, once the city makes a determination that the development is exempt from environmental review.[77] But in San Francisco, that is not necessarily true. One possible explanation might be that if environmental determinations always follow other entitlement approvals, using a streamlined environmental review process may have little impact on overall timelines if the other approval steps require more time (though a streamlined process should still reduce costs associated with more intensive environmental planning review).

After reviewing pre-application requirements and notification practices, we explored the data to understand when San Francisco Planning began environmental review and made CEQA determinations. We were able to isolate the environmental review determination or approval date in 95 of our discretionary non-ADU observations. Figures 4 and 5 illustrate what we found: that environmental review determinations almost always happen close to or at the same time as final entitlement decisions under local land use regulation. In 20 of those observations, the environmental determination and approval date is also the latest approval. For the remaining observations in this group, environmental determinations or approvals are often close to the final entitlement date. For 21 (out of 95) observations, the environmental approval date is at most seven days before the final approval date. For 36 (out of 95) observations, the environmental approval date is at most 30 days before the final approval date. For 48 (out of 95) observations, the environmental approval date is at most 60 days before the final approval date. This is important because of the limitations on entitlement review timeframes that the PSA imposes but, as noted, the clock begins to run after Planning prepares environmental review documents, not before. Because environmental determinations occur so close to the end of the entitlement period, the PSA seems to have little effect on overall entitlement timeframes.

[77] CAL. GOV'T CODE § 65950 (West 2023).

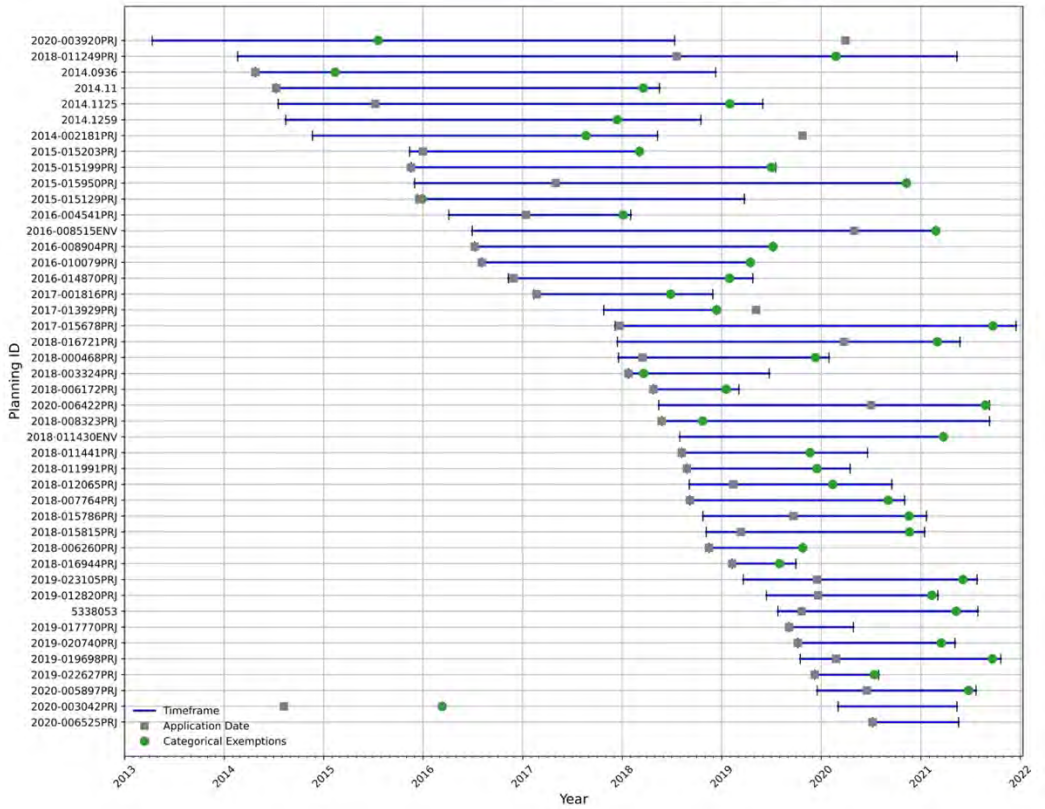


Figure 4: CEQA Milestone Timelines Categorical Exemptions Only (2018 - 2021)

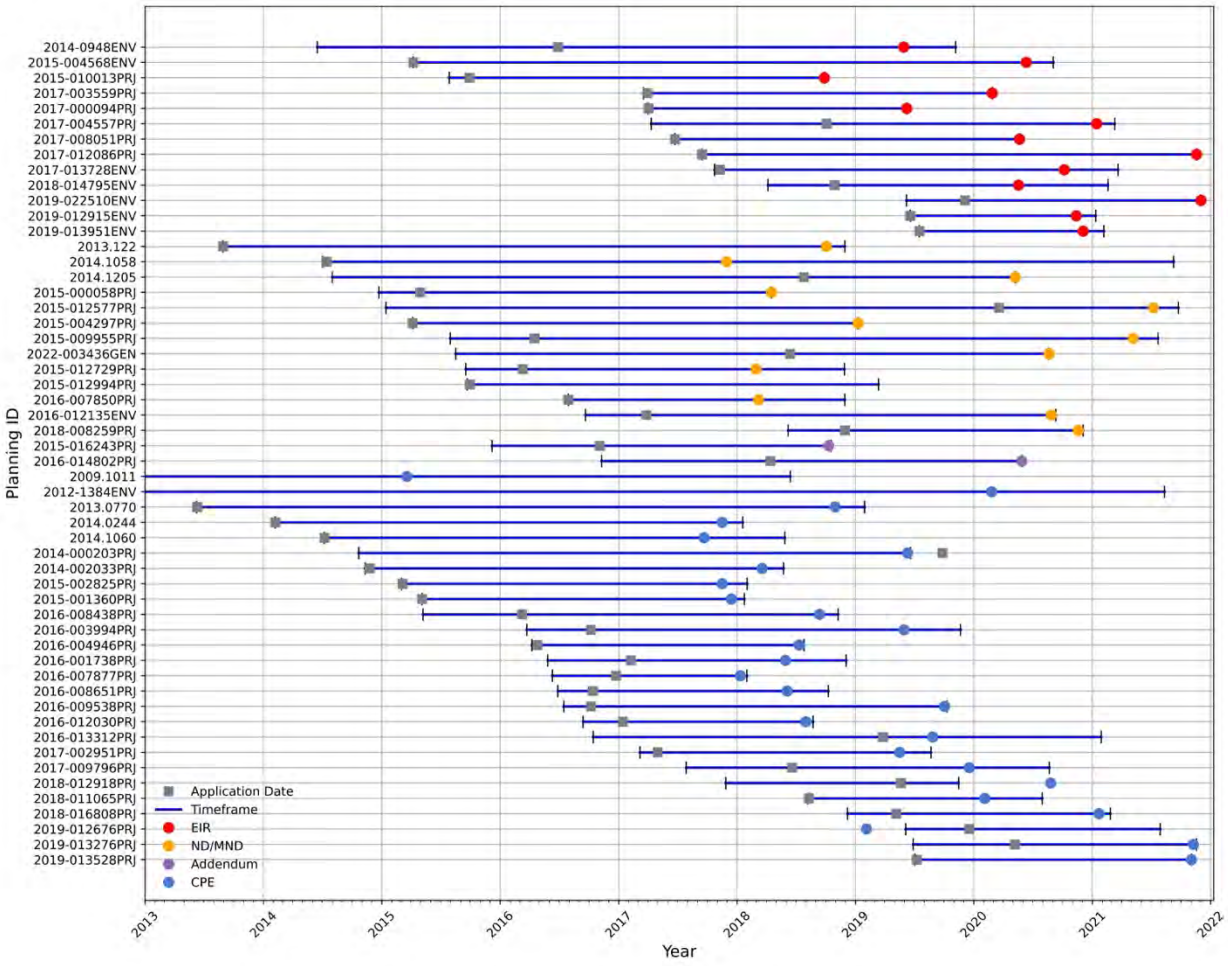


Figure 5: CEQA Milestone Timelines Multiple Pathways (2018 - 2021)

Commissioners, planners, and developers all agreed that CEQA slows approvals, and all—including planners and Commissioners—expressed concerns about CEQA abuse. During interviews and meetings with these stakeholders, we asked why environmental review takes as long as it does, as most development in San Francisco is categorically exempt from environmental review or benefits from a streamlined CEQA process. Developers believe San Francisco Planning is too slow to assign environmental planners to projects. Commissioners believe planners are overly cautious because they fear judicial scrutiny. In contrast, planners from multiple departments shared that there are two features of local rules that extend environmental review: (1) local rules requiring further studies add more work, and (2) administrative appeals, or the risk of administrative appeals, to the Board of Supervisors[78] steers planning practice and influences how long review takes overall.

On the second point, planners elaborated that because it is easy to appeal planning approvals, the risk of appeal influences planning practices. For environmental review, both Commissioners and planners perceive that there is a high risk that project opponents will challenge projects by

[78] State law governs much of the requirements for administrative appeals of CEQA determinations (*see* CAL. PUB. RES. CODE § 21151(c) (West 2023); CAL. CODE REGS. tit. 14, § 15025(b) (West 2023)) but local rules require that the filing deadline for an administrative appeal of a CEQA determination begins to run only after final entitlement decisions under local land use regulation.

challenging environmental determinations. What is most striking about the difference between Commissioner and planner perspectives is that Commissioners believe planners are worried about judges, but planners expressed confidence that their work would survive judicial scrutiny. Instead, planners expressed concerns regarding the Board of Supervisors.

Planners shared that even if most administrative appeals are withdrawn or denied, the beginning of an appeal creates more work for planning staff members managing environmental review. That additional work changes the pace of all environmental planning reviews for all projects because the projects that face an administrative appeal change review priorities. Also important, the experience of the administrative appeal for planners during the administrative appeal hearing influences their approach to work, overall. The risk of an appeal makes planners more conservative and risk-adverse in their work. One notable trend in interviews and meetings with planners was that planners appeared much more apprehensive of the Board of Supervisors than potential litigants. One planner also stated that, when elected, political bodies are highly critical of planning staff work within a public hearing. This can be demoralizing and impacts the department's working culture.

We reviewed our data across 2014 - 2021 to determine the rate of administrative appeal (inclusive of CEQA-related appeals and other appeals). At least 14% of the approvals in our data (2014 - 2021) faced administrative appeals. We say *at least* 14% because we are not certain that we have located all records on local administrative appeals, as the city does not make past records on administrative appeals readily available online. It is also true that most of the appeals we could locate are denied or withdrawn, and most administrative appeals involve challenges to CEQA determinations as well.

San Francisco Planning's environmental planning division also tracks administrative appeals worked on by their team. This log captures appeals of residential and non-residential entitlements. We reviewed their log of staff hours spent on administrative appeals involving CEQA. Twenty out of 48 administrative appeals filed in 2015 - 2021 that San Francisco Planning tracked overlap with our 2014 - 2021 dataset. Of these 20, the internal department data offers information on cost and time for 19 of our observations. Although the other appeals are not for multi-family housing development, planners shared that these appeals also influence how planners work on housing entitlements. Out of the 20 administrative appeals associated with entitlements in the CALES dataset, San Francisco Planning data indicates that 11 (55%) were denied, five (25%) were withdrawn, only one was upheld, and three were closed with no other details.[79]

San Francisco Planning reports that it logged a total of 5,680.75 hours because of all 48 administrative appeals related to CEQA that they tracked from 2015 - 2021. San Francisco Planning logged a total of 3,031.25 additional staff hours to prepare for CEQA-related administrative appeals associated with entitlements in the CALES database. Translating these hours into days, we find that on average, planners add about 20 days of work per year to their workload to deal with CEQA-related administrative appeals for housing entitlements.

[79] This is consistent with what San Francisco Planning reports for all of the administrative appeals.

Table 11: Total Time Spent on All CEQA Appeals 2015-2021 N=48

(days)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Time Related to Admin. Appealed	0.56	8.69	71.06	15.11	14.92

Table 12: Total Time Spent on CEQA Appeals 2015-2021 for CALES Observations

(days)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Time Related to Admin. Appealed	1.88	12.78	71.06	19.94	18.05

Administrative appeals add costs to the developer in lost time and higher holding costs, but there are also direct costs to the city associated with the work to prepare for an appeal, even if the appeal is withdrawn. San Francisco Planning reported that all administrative appeals related to CEQA cost the city a total of $793,993 in the years where San Francisco tracked the data (2015-2021). Administrative appeals related to CEQA and associated with entitlements in the CALES dataset (2015-2021) cost the city a total of $421,314. One entitlement in our dataset, 1500-1540 Market Street,[80] required 374 additional staff hours and $52,204 in costs to San Francisco Planning to prepare for the appeal—even though the appeal was withdrawn.

Table 13: Total Cost CEQA Appeals 2015-2021 (N=48)

(USD)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Cost Related to Admin. Appeals	$535	$10,245	$81,558	$16,893	$16,860

Table 14: Total Cost CEQA Appeals CALES Housing Only (N=19)

(USD)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Cost Related to Admin. Appeal	$2,167	$13,741	$81,558	$22,174	$20,501

[80] This is a 100% market-rate mixed-use development that satisfied the inclusionary program with an in-lieu fee.

During interviews and meetings, we also learned that San Francisco Planning has undertaken substantial internal work to address at least some part of this problem by consolidating what is presently six steps in the planning review and permitting into three steps. The aim is to bring the process from application through permitting into one department and facilitate one appeal period for project proponents. It is unclear, however, how these proposed operational changes would address post-entitlement appeals, if at all.

Continuances—possibly meant to avoid later challenges through administrative appeal—are frequent.

According to stakeholders, changes to the proposed development might appear voluntary but result from negotiations outside of hearings facilitated by Planning staff (who are mediating between project proponents and opponents) before a scheduled Planning Commission hearing. The negotiation is meant to facilitate Planning Commission approval, but developers report that what developers end up agreeing to can render a project infeasible. This is another perception that is difficult to verify through government documents, as there would be no written record of negotiations occurring informally before a scheduled hearing. Stakeholders suggested we look for continuances, or a frequency of continuances and multiple hearings, as evidence of this outcome.

We have 93 discretionary, non-ADU observations that required quasi-adjudicative hearings (but not legislative action). All 93 observations have *some* information about hearings, but only about half have complete information about hearings. Still, approximately 22% (N=20) of these observations, inclusive of observations that do not require public hearings under local zoning and planning law, have multiple hearings or continuances associated with a single approval step. One of the entitlements with multiple hearings had multiple hearings related to CEQA approvals. Another two observations were related to density bonus approvals only—one related to the local program and the other to State Density Bonus Law. Nine observations had more than three continuances or hearings for a single approval step. One of these observations (out of nine) is a discretionary building permit project (with no request for exceptional DR), which utilized San Francisco's local density bonus program, HOME-SF, for approval. The two continuances and one hearing for this observation were associated with the approval of the local density bonus program. This building permit project's application date was 3/3/2020, and San Francisco Planning approved it on 5/13/2021. Three observations required five or more hearings for approval. One of these projects had nine continuances for the same approval step. It is also possible that the rate of multiple hearings for a single approval step *might be higher* than what the data currently reveals—as interviews suggest. Our ability to verify these statements against hearing-related data is contingent on San Francisco Planning making the data publicly available.

When we analyze our data overall, we find that the density proposed is greater than density in final approval for 23 observations. Four (out of 23) observations are associated with a continuance. Another two (out of the 23) are associated with an administrative appeal.

Publicly Initiated Exceptional DR occurs frequently and may foster negotiations outside of public hearings.

San Francisco uniquely allows an interested party to request the Planning Commission exercise exceptional DR, which involves the Planning Commission "effectively taking a second look at the proposed project." This occurs even when the zoning and planning code do not require a

hearing in front of the Planning Commission, but where an interested member of the public states there are exceptional or extraordinary circumstances that warrant a public hearing.

There was not a consensus across stakeholder groups on the impact of this policy. Most of the city personnel and Planning Commissioners we spoke to through HCD-led meetings expressed perceptions that the ability to request exceptional DR is primarily, if not almost entirely, associated with disputes between neighbors relating to modifications or smaller developments (like single-family dwellings). These groups did not perceive exceptional DR as a dominant obstacle to multifamily development but as helpful to mediating smaller disputes between neighbors, even if it might take too much of the Planning Commission's time. San Francisco Planning shared their log of staff hours to support exceptional DR hearings between 2014 - 2021. Exceptional DR adds fees to all permits to support this process; the department collects between $750,000 - $1 million per year in permitting fees to support staff time for the exceptional DR process.

When we examine data on the staff hours logged to support exceptional DR, we find that between 2014 – 2021, San Francisco Planning had to allocate ~1,872 full days (8 hours per day) or ~7 business years (262 days at 8 hours per day) to additional work to respond to exceptional DR requests. But only about 4% of those hours were spent on exceptional DR requests associated with the multifamily housing entitlements in our dataset. From the perspective of staff who manage that work, the number of work hours dedicated to addressing exceptional DR hearings, generally, may make the same work for multi-family housing seem minimal compared with the work hours spent addressing all other exceptional DR requests. This may influence staff and Commissioner perceptions of whether DR burdens developers proposing multifamily housing.

But we also found that across almost all participants in confidential research interviews (where HCD was not present), regardless of the stakeholder group, exceptional DR was a dominant issue. The only interview participants that did not to bring up DR were those participants that self-described as only having worked with large-scale phased developments. Interview participants raised the topic of DR as a key obstacle to housing production and described the Planning Code Section 311 neighborhood notification process associated with a discretionary building permit, and potential for a request for DR and related hearing, as an opportunity to oppose entitlement on the eve of approval. Stakeholders described this provision as offering an early "appeal" of a planning approval for smaller or mid-size code compliant buildings. These participants also shared that even the request for DR could result in a change to the project that results in something that is no longer financially feasible to build.

Some stakeholders also shared that opposition comes from different types of neighbors; some are interested in the impacts on their own properties, but others use this process to address neighborhood-level concerns. In the latter context, stakeholders share that frequent project-level adjudications are the consequence of inequitable zoning and planning. The DR provision also came up in interviews when parties discussed the suggested reforms laid out in the recent housing element. Some city personnel that expressed support for proposed rezoning, specifically upzoning in more affluent areas, also predicted that upzoning without eliminating DR in certain neighborhoods would result in project opponents effectively using DR to delay housing development. In terms of its use, there are publicly initiated requests for DR for 19% of the discretionary building permits in our 2018 - 2021 data and 21% in the 2014 - 2017 data—for a combined rate of 20% across eight years for building permits only. We also know that the developments that require exceptional DR take comparatively longer to entitle, as well. The frequency with which exceptional DR comes up for code compliant multi-family housing (relative

to other code compliant multifamily housing) might explain why different stakeholder groups have such different perspectives on the same procedural rule, in terms of its influence on entitlement timelines generally.

In our 2018 - 2021 data, 35% of all variances also had hearings for exceptional DR. There were also another two requests for exceptional DR associated with discretionary ADU observations. One of the requests for exceptional DR was withdrawn. The Planning Commission heard the second request and granted DR. There are an additional two requests associated with approvals that already went before the Planning Commission—but the Planning Commission heard both requests for exceptional DR (and denied them).[81]

During interviews, stakeholders reported that once a party requests DR, Planning Staff (to mediate between the project proponent and the party requesting DR) might verbally ask the developer to change the proposed development to incentivize the party requesting DR to withdraw their request. We cannot verify this through the available entitlement data, however.

We explored the data to find instances of requests for DR being associated with developments that change in size (measured by units) over time. We did come across two proposals to develop five or more units through the local ADU ordinance that resulted in tenant requests for DR, though both would later be withdrawn. The first development that would lead to a tenant request for DR involved a request for five ADUs that required a variance. The Zoning Administrator approved a variance for three units, and a later revised approval document states the proposal changed from five to three units. The request for DR occurred after the variance approval, but before the later revision—though there is nothing that indicates there is a relationship between the request for DR and the later revision to the proposed number of units. In the request for DR, the tenants complain that the approved ADUs would interfere with parking both temporarily and permanently. The tenants also detail an ongoing dispute with the project proponent, their failed attempts to initiate mediation, and their failed efforts to delay final permitting.

Another DR request involved a proposal to build nine ADUs, but a building permit was ultimately issued for just six units. This project involved no special discretionary approval step, so it is even more difficult to determine why the proposal changed over time. The DR documents indicate that the organization that requested exceptional DR initiated the request because of concerns about the impact of the ADUs on parking, and the specific impact on a family with a child with a disability. The request for DR was ultimately withdrawn. Again, there is no data that directly links the reduction from nine to six units to the DR request; the DR request only indicates an ongoing dispute with tenants over parking impacts related to an accessibility and disability issue.

Developers report that design guidelines are vague and invite subjective conditions of approval.

Planners and developers describe design guidelines as highly subjective, allowing for random outcomes, problematic, and wielded as a “weapon.” Many stakeholders report that the design guidelines are not about design; they are about anticipating complaints from neighbors around light, air, “inches or feet” in setbacks, and related features within development that trigger complaints from neighbors, and satisfying neighbors.

[81] One of these observations required a CUA and the other required a zoning map amendment.

Planners shared that although the guidelines are not part of the Planning Code, they are codified in a roundabout way through a cross reference to the Planning Code. For example, Section 311(c)(1) of the Planning Code provides that Residential Design Guidelines shall be used to review plans for all new construction and alterations of existing residential buildings in R Districts. According to the Planning Department, "The Residential Design Guidelines (Guidelines) articulate expectations regarding the character of the built environment and are intended to promote design that will protect neighborhood character, enhancing the attractiveness and quality of life in the City."[82]

Importantly, developments that comply with the Planning Code but do not conform to the Guidelines end up back in deliberative processes, and sometimes back in front of planning staff, even when they have completed planning review and secured entitlement. Planners, developers, and architects note, however, that the subjectivity in the Guidelines makes this an inevitable outcome. Also, in the context of discretionary building permits, the design guidelines raise issues that often lead to requests for exceptional DR as well.

The Guidelines are filled with requirements that on their face allow for subjective interpretation through words like "compatible," "respect," and "character." Examples include, "In areas with a defined visual character, design buildings to be *compatible* with the patterns and architectural features of surrounding buildings." Explanatory text mandates that designers in areas of "mixed visual character" "draw on the *best* features of surrounding buildings" and "design buildings to help define, unify and contribute positively to the existing visual context." *Site Design* guidelines are also often subjective, requiring, for example, that designs "*[r]espect* the topography of the site." Guidelines addressing *Building Scale and Form* intend to ensure design is "*compatible* with that of surrounding buildings." Scale of buildings must be "*compatible*" in terms of height and depth of surrounding buildings, as well as with the "scale at the street" and mid-block open spaces. Building forms, facades, proportions, and rooflines must be "*compatible*" with those of existing buildings.

Cumulative and unique procedural hurdles create comparatively long entitlement timelines.

We explored our 2014 - 2017 data to run a comparative analysis with neighboring cities where we had similar data. Importantly, our 2014 - 2017 dataset indicates that entitlement timelines were generally *shorter* than in 2018 - 2021. Still, 2014 - 2017 timelines were longer than other jurisdictions. We searched our data to match observations from our 2014 - 2017 data with similar entitlements in Oakland, Berkeley, and Redwood City, looking for the best matches across the following characteristics:

- Same neighborhood characteristics (defined by 2019 Tax Credit Allocation Committee maps; we do not match high resource neighborhoods with low resource neighborhoods);
- Either for sale or for rent (in other words, we do not compare for sale developments to for rent developments);
- Around the same size (plus or minus five units). They need to have the same income characteristics (either all market-rate, all mixed-income, or all 100% affordable developments); and

[82] *Residential Design Guidelines*, S.F. PLAN., https://sfplanning.org/resource/residential-design-guidelines (Mar. 4, 2020).

- Similar local process characteristics (we do not compare a code compliant development that also benefited from a CPE with a non-code compliant development that required a conditional use permit or variance but also benefited from a CPE).

We use these criteria based on several assumptions about neighborhood-level politics across all cities. For example, we assume the political context varies across neighborhood types (in terms of income level). We also assume that neighborhood opposition might vary based on project type (for sale condos versus for rent apartments, and affordable versus market-rate). The last criterion (process steps) is the most difficult for us to match because no two study cities have identical regulatory environments. We therefore looked for equivalencies within local processes based on whether a development required special approvals or not.

We were unable to find matches in Berkeley and Redwood City. We found that the average difference between all San Francisco-Oakland pairs is 1,086 days (~3 years). The difference in timelines appeared related to San Francisco's pre-application requirements and exceptional DR process.

Table 15: Comparison of Entitlements Requiring CPEs Oakland-San Francisco 2014 - 2017 data

Address Jurisdiction	Project Size (units) and Type	2019 TCAC Classification	Neighborhood (Name)	Affordability	Compliance with IZ (SF)	Required Local Approvals	Timeframe to Entitlement (days)	Difference in Timeframes [83]
1924 Mission San Francisco	11 units for rent	Low Resource	Mission	Market-Rate (possibly 1 1-bedroom affordable unit)[84]	On-site	Discretionary Code Compliant (Building Permit only)	1,203 days	–
3253 Ettie St. Oakland[85]	9 units for rent	Low Resource	Clawson	Market-Rate	N/A	Discretionary Code Compliant (Design Review only)	348 days	855 days
7540 Macarthur Oakland	11 units for rent	Low Resource	Eastmont Hills	Market-Rate	N/A	Discretionary Code Compliant (Design Review only)	51 days	1,152 days
198 Valencia St. San Francisco	28 units for rent	Low Resource	SoMa	Market-Rate	Unknown	Variance, Public Initiated Discretionary Review	1,302 days	–
3129 Elmwood	30 units for rent	Low Resource	Jingletown	Market-Rate	N/A	Variance, Design Review	150 days	1,152 days

[83] Only populated for Oakland projects. This column shows the many more days it took for the Oakland project to entitle, relative to its matched San Francisco project.
[84] There is an August 2018 One Unit Compliance with Inclusionary Housing Program Affidavit that provides that one of the one-bedroom units would be affordable—but we could not locate a deed restriction in PIM.
[85] It looks like the developer successfully secured excavation, electrical, mechanical, and plumbing building permits post-entitlement in 2018, but those expired in 2019 and 2020.

Address Jurisdiction	Project Size (units) and Type	2019 TCAC Classification	Neighborhood (Name)	Affordability	Compliance with IZ (SF)	Required Local Approvals	Timeframe to Entitlement (days)	Difference in Timeframes [83]
Oakland								
956 63rd St. Oakland	28 units for rent	Low Resource	Paradise Park	Market-Rate	N/A	Variance, Design Review	105 days	1,197 days
645-647 Valencia St, San Francisco	7 units for rent	Moderate Resource	Mission	Market-Rate	N/A	Variance, Public Initiated Discretionary Review	1,435 days	–
4429 Piedmont, Oakland	9 units for rent	Moderate Resource	Piedmont Avenue	Market-Rate	N/A	Variance, Design Review	137 days	1,289 days
2201 Market San Francisco	17 units for rent	Low Resource	Mission	Market-Rate	Fee	Variance, Public Initiated Discretionary Review	1,160 days	–
5325 San Pablo Oakland	17 units for rent	Low Resource	Gaskill	Market-Rate	N/A	Variance, Design Review	287 days	873 days

Stakeholders report that San Francisco's policy emphasizes project-level adjudication to achieve equitable development outcomes, when what the city needs to achieve equitable development outcomes is zoning and planning reform.

The comparatively longer timeframes in San Francisco are associated with processes that illustrate a larger, complex, and recurring theme that dominated several interviews with developers, planners, and affordable housing advocates. From the table above, we pull out the entitlement at 1924 Mission to explain what stakeholders report—San Francisco's current policy attempts to resolve neighborhood-level concerns about inequitable land use development through project-level adjudication rather than more equitable planning and zoning.

1924 Mission Street involved a proposal to construct an 11-unit building with ground-floor retail on a site with an auto body shop. The project proponent submitted a required PPA in March 2014.[86] This pre-application process required submitting an application for assessment with the site plan, floor plan, building elevations, and photographs. This PPA process also required

[86] This is a required process applicable (at the time) to all proposed developments of seven or more units. San Francisco has since modified applicability; it is required for developments of 10 or more units, creation or expansion of group housing using 10,000 square feet or more, and unspecified "other complex projects." *Preliminary Project Assessment (PPA)*, S.F. PLAN., https://sfplanning.org/resource/ppa-application (July 11, 2023).

notice to the neighborhood[87] and a pre-application neighborhood meeting. The pre-application neighborhood meeting is supposed to identify neighborhood grievances and prevent requests for exceptional Discretionary Review.[88] Importantly, developers state that these pre-application processes do *not* achieve that end, and this example is consistent with those perceptions.

The Planning Department issued a Certificate of Determination on April 2, 2015, that the project qualified for a CPE (tiering). According to the Notice of Building Permit Application, the project proponent then applied for discretionary building permits on May 23, 2016.[89] The Planning Department issued the Notice of Building Permit Application on March 20, 2017.

A local neighborhood organization applied for the Planning Commission to take exceptional Discretionary Review on April 19, 2017. The application for exceptional Discretionary Review provided that the neighborhood organization requesting review believed the proposed development was inconsistent with the General Plan's policy priority that "[t]hat existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."[90] The application for Discretionary Review stated that proposed rents would be high, and expressed concern that "gentrification-inducing design, intended to target higher-end tenants, will create local upward price pressure on surrounding tenants."[91]

Importantly, the neighborhood organization expressed concerns that this proposed development was one of several that created harm in the neighborhood. The applicant noted that the harm was related to "the cumulative impact of this and the other seven projects proposed for the immediate vicinity of Mission St."[92] The request for Discretionary Review asked that the Planning Commission consider the cumulative impacts associated with the proposed development and other developments and "demand this project alter its appearance in order that it comes into line with neighboring buildings on the Mission corridor in a way that better helps 'preserve the cultural and economic diversity' of the corridor and the Mission District."[93]

The Planning Commission heard this request on July 6, 2017. The Planning Commission agreed that there were "extraordinary and exceptional circumstances" that warranted Discretionary Review and that "project refinements were necessary to address concerns over the project's compatibility with the surrounding neighborhood." The Planning Commission conditioned the building permit approval on the following grounds: the ground floor retail space needed to be designated for trade shop use, the project proponent needed to explore providing a mural on one wall, and the project proponent needed to "work with Planning Department staff on refin[ing] the exterior design to provide a stronger relationship to the surrounding context." The Building Department issued a demolition permit to demolish the auto body shop in August

[87] The notice requirements for the Pre-Application Meeting demanded notification to all property owners within a 300 feet radius, all relevant neighborhood organizations, and anyone who requested notice. Meetings may only be held during certain hours, and project proponents must keep a record of all attendees.
[88] The first page of the Pre-Application Meeting Packet logged in PIM provides: "The meeting's intention is to initiate neighbor communication and identify issues and concerns early on; provide the project sponsor the opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application; and, reduce the number of Discretionary Reviews (DRs) that are filed."
[89] There is no Project Application logged in PIM.
[90] This language comes from the Application for Discretionary Review, page 4, logged in PIM.
[91] Id.
[92] Id.
[93] Id.

2019 and a temporary shoring permit for an empty lot in 2021. DBI's Permit Tracking system seems to indicate review of plans through spring of 2021, but no activity is logged after that.[94] It is also unclear how the final project-specific conditions of approval resolve the larger, neighborhood level concerns about gentrification and displacement raised during this request for exceptional Discretionary Review—which are at least in part related to the city's zoning and planning that dictates where developers may build multi-family housing citywide.

Planners and developers believe San Francisco needs procedural reform that addresses discretionary review, but not all Commissioners and Supervisors agree.

Stakeholders explained that three features of San Francisco's local law invite project-by-project adversarial politics that will prevent San Francisco from meeting housing production targets and equitable housing outcomes: (1) density and use controls that limit development to specific neighborhoods, (2) procedural law and policy that renders all approvals discretionary, and (3) charter provisions that allow project opponents to appeal multiple post-entitlement construction permits.

When discussing SB 35, affordable developers and planners explained the state ministerial process resolved the second issue without touching the first or third. SB 35 may fix planning review for eligible projects, but it cannot fix San Francisco's housing production pipeline because two major impediments to production remain. (SB 35 also only applies because San Francisco has failed to meet its RHNA targets—which is not the city's aim.)

According to planners, developers, and many housing advocates, achieving production targets, affordability, and equity demand long-range planning, rezoning for density in higher opportunity areas in conjunction with a *local* ministerial approval process, and charter reform to limit post-entitlement appeals. Some planners shared that a local ministerial process would have more legitimacy with community members than a state ministerial process; legitimacy that planners perceive as important within San Francisco because of the city's poor track record in prior decades of engaging with certain neighborhoods and low-income communities. But many stakeholders, including planners, shared their belief that current and proposed local procedural reforms, including the Mayor's Housing for All Executive Directive, are insufficient to remove policy constraints on production. According to these stakeholders, current reforms merely "tinker" with the planning code while leaving blanket discretionary review and the administrative appeal process intact. Stakeholders who shared this perspective stated plainly that they think the Mayor's Office can only do so much to fix these issues—the real fix depends on the Board of Supervisors and possibly the electorate. There were a handful of stakeholders who emphasized that the Mayor's Office must lead in addressing problems with permitting and felt entitlement processes were not the problem.

Every stakeholder that shared that San Francisco needs a local ministerial process and charter reform also felt accomplishing either one is politically impossible. Several planners expressed a belief in the need for state intervention—but not necessarily a preference for state intervention. Interview participants across several stakeholder groups emphasized that local processes that require the most reform are intertwined with values and assumptions about what these

[94] It is difficult to ascertain much more than the status of a permit from building permit data.

procedural rules offer in terms of stakeholder engagement, historic and cultural preservation, and ultimately, spatial equity.

Several planners also explained that San Francisco has inadequately engaged community around planning and zoning for decades. There was a consensus among planners that recent efforts by Supervisors to connect with low-income communities around land use still lack sufficient and intentional community engagement. Planners also described a need for the city to mend relationships with community through acknowledgment of and documentation of past harms. Some affordable developers echoed these concepts when they described how some neighborhoods continue to have the city's legacy of racism codified in neighborhood association covenants, conditions, and restrictions (CC&R).

Planning staff and some housing advocates explained that it is not in the city's best interests to keep existing processes as they are if the city's goal is to redress these past harms and increase housing production in an equitable way. But because process requirements are framed as key to stakeholder engagement and participation, planners believe no local political body wants to dismantle them. Process in San Francisco is sacrosanct. Consistent with this perspective from planners, some Commissioners emphasized the importance of engagement, but Commissioners focused on engagement during the project entitlement phase. The difference in how stakeholder groups described the need for community engagement in relationship to planning, zoning, and project development is significant. Planners discussed a need for engagement at larger scales and at the legislative level, to facilitate equitable planning and zoning, not just at the project-level. Commissioners focused on engagement at the project-level.

Interview participants also elaborated and described existing density and use controls and project-level adjudication as reflecting how power over land use is inequitably distributed citywide. Certain neighborhoods wield enough power over political bodies to block changing density and use controls, so no multifamily housing is proposed in the first instance. These constituents who benefit most from the spatial distribution of density and use controls do not need to attend public hearings to block housing development. Developers propose dense multifamily housing (and affordable housing) where housing may be built under zoning and planning standards.[95] That leaves communities in the neighborhoods where zoning allows housing to be built with one primary pathway to access power over land use; they must go through project-level adjudication, or public hearings. Some neighborhoods have built up power over time and can now effectively block all development through project-level adjudication. Other neighborhoods have more recently begun advocating for community needs through project adjudication. Planners also described alliances between wealthy residents and community activists with less money and influence that are working to protect their communities from harm from what they perceive to be the "greedy developer."

Stakeholders explained that project-level adversarial politics may seem responsive to inequitable land use patterns because it allows communities to advocate for what they need, but

[95] These perspectives were consistent with what we discovered in earlier research on San Francisco's zoning, reviewing zoning neighborhood planning between 1921 (beginning with the 1921 San Francisco Building Zone Ordinance, and reviewing 1948, 1979 and 1990 zoning) through the Eastern Neighborhoods Plan adopted in 2009. We found that the entitlements for 5 or more units issued in 2014 - 2017 were concentrated almost entirely in neighborhoods that had zoning for multi-family housing in place since at least 1921 (the Mission) or in neighborhoods that may have been zoned industrial neighborhoods but later rezoned for mixed-use (such as SoMa and Potrero Hill).

this approach fails to change power imbalances or solve for structural inequities. Neighborhoods that have prevented density (through zoning and planning standards) remain unavailable for development. Other neighborhoods feel perpetually burdened. When project opponents from vulnerable neighborhoods cannot stop an approval, they also interpret the entitlement as signaling that political bodies do not care about their neighborhood's needs[96] even though planners state that the opposite is true. Planners believe that the Planning Commission cares very deeply about neighborhood needs. From the perspective of planners, it is because the Commissioners care deeply about neighborhood needs that they slow or block housing approvals.

Planners shared local rules do too little to facilitate meaningful public input into design because the local rules without state intervention lead to just one conversation about how the city may deny the proposed development. Planners perceive that soliciting meaningful community input into design does not happen until political bodies and neighbors accept a project approval is imminent. Only then, according to planners, does the entitlement process facilitate community input to make the design better and prevent unintended harm the neighborhood. But planners report that at present productive dialogue to allow for community input depends entirely on state law that intervenes in local discretion in some way, and that the current local regulatory framework provides an inefficient and slow means to achieve housing production sensitive to neighborhood needs.

Participants in confidential research interviews cautioned that proposals to rezone need to be coupled with local ministerial processes or the rezoning will leave the existing inequities in place. Planners predict that any rezoned neighborhoods that have not welcomed dense housing in the past will use San Francisco's procedural law to block development if rezoning is not coupled with a ministerial approval process. Affordable developers share this perspective. Also, planners believe a local ministerial process would require all parties to pay more attention to the requirements of the code, which would better achieve more predictable and desired housing outcomes. Many planners and housing advocates said that disrupting this structural imbalance of power requires the kind of procedural overhaul that challenges entrenched beliefs about what current discretionary processes offer, which these stakeholders believe makes local procedural reform politically impossible. Planners believe the ideological divide within political bodies limits legislative proposals; planners believe Supervisors are limited to developing legislation that Supervisors believe will get passed,[97] which may or may not result in effective reform. Nonetheless, there was an unequivocal consensus among planners and affordable developers that San Francisco needs major procedural reform because not all neighborhoods welcome affordable housing development.

Although within stakeholder groups there was agreement on these topics, there was no consensus across stakeholder groups on any of these points. Planners and developers (including affordable developers) agree that San Francisco needs substantial local process reform that removes some discretion, but not all Commissioners and Supervisors share this perspective. During meetings with HCD, some Commissioners and Supervisors' perceptions clearly aligned with planners and developers on the relationship between zoning, procedural rules, and substantive standards on development and inequities across neighborhoods. These

[96] During interviews, one development noted as illustrative was 792 Capp Street, which required a Conditional Use Authorization to demolish a single-family dwelling to build four units; the CUA hearing was continued seven times before entitlement.

[97] Supervisor Melgar's public statements during the hearing on June 1, 2023, where she states her recommendations are to help ensure that the Housing Element gets passed, reflect a similar perspective.

participants acknowledged the challenges with existing discretionary review and administrative appeals of post-entitlement permits, and articulated these rules as potential constraints on supply and affordability. These Commissioners and Supervisors explained the difficult tradeoffs political bodies grapple with when developing or amending procedural rules, but they did acknowledge a need for legal reform.

Other Commissioners and Supervisors, however, expressed entirely different perceptions. Some Commissioners and Supervisors emphasized the importance of maintaining discretionary review while proposing that reforms should promote faster, more predictable processes. Some Supervisors characterized San Francisco's political bodies as consistently inclined to approve most proposals for housing and stated that all neighborhoods welcome affordable housing (though they did not distinguish between neighborhood groups responding to proposals to build affordable housing and their own voting records on affordable housing). The perspectives of some Supervisors on the topic of affordable housing sharply contrasted with what both affordable developers and planners shared. Affordable developers stated that many San Francisco neighborhoods do not welcome affordable development and residents are concerned about more units or taller buildings, generally. Affordable developers also perceived the west side of the city as particularly unwelcoming of affordable development.

Some Supervisors also shared their skepticism about the need for market-rate housing supply to address the city's housing issues, and their belief that inadequate funding for subsidized housing was the primary obstacle to addressing the city's housing needs.[98] While affordable developers and planners agreed that more state funding is critical for San Francisco to develop needed affordable housing, affordable developers and planners also called out local policy obstacles to production (including post-entitlement problems). In sum, affordable developers see funding and regulatory reform as both essential to increasing affordable development, whereas some Supervisors critique the latter as an approach to solving the city's housing challenges.

Some Commissioners and Supervisors also expressed deep concerns about state law that they interpreted as punitive, or harmful to local implementation of important aesthetic controls and historic preservation. What also really stood out was the difference between affordable developer and planner perspectives and those of some members of political bodies on the role of state law in accelerating affordable development.

All stakeholder groups report persistent post-entitlement challenges.

During interviews and meetings, *all* stakeholders, ranging from developers, architects, lawyers, and planners, complained of persistent challenges post-entitlement. Some of the dominant concerns related to the lack of uniformity in post-entitlement permitting. These stakeholders perceive that permitting depends on who is assigned to the process rather than on the form or

[98] In the November 15, 2022 hearing on the draft Housing Element, Supervisor Preston, for example, repeatedly stated that the aim of state law is to avoid providing more funding and to instead deregulate market-rate housing as the pathway to increase affordable development. *See S.F. Bd. of Supervisors: Hearing on the Draft Housing Element 2022* (Nov. 15, 2022) (statement of Dean Preston, Supervisor). Supervisor Preston shared these same perspectives in an open letter online, as well. Letter from Dean Preston, Supervisor, S.F. Bd. of Supervisors, to Gustavo Velasquez, Director, Cal. Dep't Hous. & Cmty. Dev. (Aug. 11, 2022), https://56a418ca-94d2-476c-9a45-f491ca4a0387.usrfiles.com/ugd/56a418_6abc98cb39f3429b85a1e3f2fb69fa17.pdf.

requirements of the development. Developers also commented that the system of review, itself, incentivizes extending review timelines. There is also no mechanism to escalate projects to someone with a higher position or a deeper understanding of what the projects require. The fact that there is priority review for affordable development is also negated by the fact that other developers can pay for priority review, so there is no true prioritization in the review process. Developers also shared that the subjectivity in the post-entitlement process can trigger a second stage of planning review even after the development has proceeded to the Department of Building Inspections.

Affordable developers were emphatic that state law, like SB 35, does nothing for post-entitlement challenges. All developers grapple with inadequate interagency coordination during the post-entitlement phase of development that creates duplicative review processes, delays, and inefficiencies. Interviews and meetings also suggest that affordable development may be most impacted. Developers attribute these problems to city departments lacking a production focus, and that no single person or department is sufficiently empowered to monitor the process. One stakeholder described post-entitlement as a “kickball game” with developers going back and forth between departments and personnel. Planners also described problems with permitting processes as at least in part due to a poorly structured operation that lacks adequate policy and transparency, so staff are unaccountable in the way that planning staff are held accountable. Developers shared similar perceptions. Stakeholders describe the lack of an intermediate administrator between DBI and the Building Inspection Commission (an administrator within the city’s executive branch) as a deficiency that contributes to inadequate coordination within and between departments.

Affordable developers shared significant difficulties with utilities processes for affordable development that led to extended periods of no power during and after construction. One developer characterized the San Francisco Public Utilities Commission (SFPUC) power requirements as “crippling” for affordable housing development. All developers expressed frustration with Pacific Gas & Electric (PG&E), generally, with some developers describing PG&E as monopolistic and engaged in “political retribution” with SFPUC by imposing infrastructure improvements or deprioritizing projects that go through the SFPUC. Affordable developers also report challenges with poor inter-agency coordination around meeting accessibility requirements, trouble with satisfying public art requirements, and difficulty meeting local hiring requirements because of labor shortages.

Nearly all participants offered their concerns about current efforts to address challenges with DBI and permitting. One frequent comment was that any directive to improve permitting processes (for example, by shortening permitting timelines) depends on having a baseline to make improvements from, but there is no baseline because there is poor data on permitting and no one has managed to track that information.

Conclusion

We entered this research understanding that San Francisco’s entitlement timeframes were much longer than other jurisdictions. (The state’s Annual Progress Report Data Dashboard would later show that San Francisco self-reported the longest entitlement timeframes across the state.) What remained unclear was *why* retaining discretion over all development creates comparatively longer timeframes in San Francisco. Neighboring jurisdictions in the Bay Area also used discretionary review to approve all multifamily housing as well, but they did not take as long. Oakland, for example, retained discretion over all development of five or more units and

the median timeframe to approval was six months. Redwood City applied discretionary review to similar housing development and required *more* approval steps and the timelines were still shorter. Even entitlement in the City of Berkeley, which requires a use permit for any development, did not take as long as San Francisco. These are findings we could not explain because we did not dive into the details of how different discretionary pathways influenced approval outcomes or timeframes for specific types of multi-family housing.

Our earlier data also made it clear that San Francisco Planning prioritized 100% affordable developments—yet it was also true that affordable development did not move quickly, and the local regulatory environment was not hospitable to affordable housing despite staff efforts to quicken approvals for affordable development. In fact, our interviews from prior years signaled that even as San Francisco Planning prioritized 100% affordable development, local regulation, and local application of environmental review created risk that some affordable developers simply could not manage. Consistent with what interview and meeting participants shared, the 2014 - 2017 housing approvals data revealed there were only five 100% affordable developments entitled in those four years. Nearly three out of every four affordable housing units entitled in 2014 - 2017 depended on mixed-income development, or application of the city's inclusionary program to market-rate housing. It is important to note that before SB 35, increasing affordable housing production depended almost entirely on market-rate developers.

The data we have now, however, offers more insight into what parts of San Francisco's system generate comparatively longer timeframes and why. San Francisco, like so many other cities we have studied, continues to grapple with the consequences of inequitable land use policy from earlier decades. One of the primary tools San Francisco uses to redress past wrongs is process. Thus, like many other cities, San Francisco local law creates a procedural maze for housing entitlement through both zoning and aesthetic regulation. But what the data above tells us is that in San Francisco, the procedural maze is one with walls that move. Provisions within the Business and Tax Code and the city's Charter allow project opponents to repeatedly challenge approvals during and after planning review, and in some instances, impose new conditions of approval. No proposed housing development is immune under local law. This fosters a system of lengthy and repeated negotiations throughout and beyond entitlement.

The state asked whether San Francisco was fully implementing state housing law, and the data indicates that for the most part, the answer is no. This is true despite the diligent work of city personnel to facilitate housing approvals. What came through as a dominant theme in most interviews and meetings with developers was high regard for planning personnel combined with a heightened level of frustration with planning department processes. It was also clear that several Commissioners and Supervisors want to see more housing production, as well.

What exactly about local law blocks full implementation of state law that aims to simplify and quicken process? Stakeholders explained that the same rules which allow for repeated challenge to approvals, including post-entitlement approvals, are what invite subjective conditions of approval and constant negotiation outside of public hearings during the entitlement process. They also report that the risk of administrative appeal to local political bodies drives all planning practice, not just environmental planning practices—although environmental planning is particularly burdened. Though we found that most administrative appeals are withdrawn or denied, we heard that the beginning of an appeal creates more work for planning staff, which in turn changes the pace of all environmental planning review for all projects. All environmental determinations under CEQA occur near the end of the entitlement process (right before or at final entitlement). This practice seems to eviscerate the effects of PSA on timely approvals. If left as is, existing blanket discretionary review and planning practices will likely diminish the

effects of SB 330 as well, which targets excessive continuances and hearings, going forward. That suggests that addressing this problem requires scrutinizing both existing planning practice and the local administrative appeal process. According to most stakeholders we consulted, although many parts of San Francisco's local law need reform, the efficacy of any reform hinges on whether the city can revise its Business and Tax Code and Charter.

San Francisco's application of SB 35 yields the most insight into what legal reforms will likely expedite planning review. SB 35 changed San Francisco's application and intake process for qualifying development. Although the 2018 - 2021 data indicates that San Francisco's application intake process under local law was inconsistent with the PSA, the city regularly complied with SB 35's time constraints on planning review. When discussing what is needed to improve the housing approval pipeline in general, participants in confidential interviews shared that San Francisco needs a local ministerial process that parallels SB 35, to eliminate blanket discretionary review of all permits, thoughtful reform of local administrative appeal processes, and equitable rezoning in low density affluent areas. But no interview participant was optimistic that San Francisco could deliver on these reforms without state intervention in local power.

Also important—there was consensus among several stakeholder groups that communities within San Francisco have been harmed by the city's planning and zoning in the past, but no consensus on how the city should proceed going into the future. There was also no consensus between stakeholder groups, particularly between city staff and city officials, on what housing production would best serve the city's housing needs, on the role of local regulation in enabling or blocking housing production, the role of state law on facilitating housing production, and what the city should do to meet housing need *and* achieve spatial equity.

For example, planners and city personnel discussed the city's RHNA obligations when defining the city's housing problems. Planners described San Francisco land use policy with a wide lens, pulling in developer perspectives, neighborhood needs, and politics when discussing the effects of current policy and planning practice on production outcomes. Also notable, most city staff described how reforms could advance participation goals or spatial justice, but they also described individual policies and planning practices as pieces within a larger system that accounted for law, policy, and cyclical market conditions. Planners and city personnel offered detailed analysis of what is not working that was easy to verify using other data. City staff were clear that local legal reform would be the best solution, but also were not hostile to state laws that addressed some of San Francisco's procedural challenges.

Discussions with members of the political bodies responsible for developing and enacting the local legal reform were very different. All Commissioners and Supervisors agreed that the housing approval process was slow and needed improvement. One Supervisor even went so far as to describe San Francisco's entitlement process as difficult by design. Some Commissioners and Supervisors were also as pragmatic as staff offered robust explanations of how local regulation operates across the city, distinguishing between law and practice and explaining how politics influence planning practice and production outcomes. A few foregrounded specific and precise local legal reforms to support housing production citywide with sensitivity to equity and spatial justice within the city's existing policy framework and current market conditions. Some were deferential to planning staff as experts on what is needed in terms of procedural reform. Some were explicit in their support of program statements in the housing element that call for ministerial processes for at least some development.

But some political participants responded to questions about how policy and planning work within San Francisco with answers focused almost entirely on contributing factors to production

that were outside of the city's purview—like state funding for affordable housing. Some Commissioners focused most on how to improve implementation of the existing rules while retaining discretion in all planning review. There was also a split in how the Commissioners and Supervisors perceived state law, and the housing element process, as well. Some were explicit that they felt the state was penalizing San Francisco through the RHNA process, and that regulatory and practice reform would not resolve the challenges San Francisco is facing.

Thus, what the data also shows is that the primary gatekeepers to local policy reform do not agree with each other or city staff on the scope of San Francisco's housing need or on what the city must to do to meet that need. There is also no agreement on the relative importance of local regulation in creating, perpetuating, or ameliorating the city's housing problems.

Appendix A: Regression Supplement With Methods

In earlier writing, we found that longer timeframes within a city were not necessarily associated with more approval steps on average. But our analysis compared median timeframes and average local steps to entitlement in one city to another city. We did not explore the potential relationship between timeframes and local steps to entitlement in any single case study city. This analysis, within San Francisco only, is important because at least some procedural reform proposals assume that reducing steps to approval while maintaining discretionary review will shorten timeframes. At the same time, stakeholders describe San Francisco's regulations as creating variability and uncertainty in the approval process, even when a proposed development has few steps to approval.

Generally, within a single city, even if entitlement takes a long time overall, we expect that more approval steps extend timeframes. Theoretically, if a development conforms to existing planning and zoning and requires no local-level approvals, it should take less time than a development that requires one or more special approvals to secure entitlement. San Francisco's local law does provide for dense residential buildings in some neighborhoods, without any special approvals. San Francisco's law also allows dense residential housing in other neighborhoods but with required special approvals. For example, development over a specific height threshold in some areas requires a Conditional Use Authorization or Large Project Authorization. If the local law is operating as we think it should, planning review might take longer when a development requires a Conditional Use Authorization before a building permit than if the development requires only a building permit. Finally, when a property owner proposes development that requires a rezoning or General Plan Amendment, it might take even longer than a project requiring a Conditional Use Authorization because what the developer is proposing is not provided for in existing planning and zoning.

But what we have heard within interviews so far is that this is not how local planning and zoning operates in practice. Most stakeholders described a process where neighbors may oppose any proposed development in any context, and planners are placed in a position of mediating disputes. Because of this, the time to entitlement (and certainty of approval) is unpredictable for all development subject to discretionary review, whether a project conforms to the local planning and zoning or not.

Stakeholders describe informal and formal pre-application processes for initial outreach and meetings to help planners, and the property owners anticipate neighborhood reaction and adjust a proposed development before proceeding through the entitlement application process. They also described a process where planners worked to mediate and resolve potential conflicts before proposals went in front of approval bodies (like the Planning Commission).

But stakeholders also note that although a property owner may begin negotiations with neighbors before the application (and in cases where the Planning Department requires a Preliminary Project Assessment, sometimes before that process), and continue negotiations throughout planning review, project opposition may not manifest until late in the process. They emphasized that smaller buildings are most vulnerable. Therefore, no matter what work the planners and property owners put into anticipating and mediating disputes over proposed projects, the process allows the risk of opposition for new, sometimes unpredictable, reasons to remain. Because opposition can emerge at any time, stakeholders say this makes the timeframes and approval outcomes uncertain.

These statements suggest that we should explore the entitlement data to see if entitlement for code compliant development is associated with shorter timeframes as compared with entitlement that requires special approvals or deviates from planning and zoning. Theoretically, code-consistent development should always move faster. One way we do this is to explore relationships between local steps to entitlement and timeframe to entitlement. If longer timeframes are associated with more approval steps, then policy proposals that focus on eliminating or consolidating approval process steps to expedite housing approvals should help shorten timeframes. But if more approval steps are not associated with longer timeframes, this means that something else is occurring to lengthen timeframes. If that is true, reducing the number of discretionary approval steps, alone, may not resolve the uncertainty and unpredictability stakeholders describe. **Although analyzing our entitlement dataset using regression cannot "prove" or "disprove" what stakeholders have shared, this additional analysis allows us to use more than one method and multiple data points for insights, which is more reliable than relying on only one method or data point.**

We chose to run linear regression models, rather than probability models, because we are interested in understanding what drives project timeframes in San Francisco—not necessarily what drives extreme delays within the context of San Francisco's regulatory environment. If we used a probability model, we would need to generate a binary variable as the dependent variable in our analysis. This variable would distinguish observations that are delayed (in terms of the project timeframe). San Francisco's extraordinarily long entitlement timeframes make this very difficult. For example, generating a binary cutoff for delayed timeframes at the median would lead to a cutoff of 39 months. That means we would be defining observations with incredibly long timeframes as "not delayed" because they were below this median, and then using the probability model to see whether certain factors generate delays beyond 39 months. Since most discretionary projects in San Francisco are delayed, even if they are delayed for less than 39 months, a probability model with a binary dependent variable is not best suited for our analysis. Also, that model would ignore project factors that are associated with two- or three-year timeframes because it would classify these projects as "not delayed."

Regression Analysis Using 2018 – 2021 Data (OLS Models)

We first analyze the existing associations between local land use approvals[99] required for entitlement in 2018 - 2021 and project timeframes using a multivariable, Ordinary Least Squares Regression (OLS). First, we ran a simple, OLS regression using local land use approval steps as the single independent variable, and timeframes as the dependent variable.

We used the statsmodel Python module to run all regressions in this analysis. We calculated all regression coefficients with robust standard errors (Errors of Order 3 (HC3)) to account for the existence of outliers and other issues within the data such as heteroskedasticity (variation in regression errors across our observations) and provide a small sample correction. Note that if we did not use robust standard errors with a small sample and clustered observation correction, the standard errors of our estimates would be smaller, so the standard errors and subsequent hypothesis testing are conservative.[100]

We observe a positive association between approval steps and timeframes. Interpreting the results of this simple regression, an additional approval step is associated with approximately a four-month increase in timeframes. While this positive association exists, our data suggests that observations with little to no local land use steps can take a long time. From this simple regression, we expect a development requiring a discretionary building permit only to take 32 months. Further, out of the 64 observations with less than a single local land use approval step, 23 observations (~36%) are above the mean (~38.6 months) and 26 observations (~41%) are above the median (~34.9 months) timeframe in San Francisco. While this positive association exists, timeframes are variable, regardless of the number of approval steps.

Even if such a relationship between local land use approval steps and timeframes exists, the magnitude of the relationship is, arguably, small. Meaning, the impact of approval steps on timeframes is small. From this simple regression, an additional approval step is associated with an additional ~3.7 months for approval. Given that the mean timeframe for all 111 observations is ~38.56 months, the impact of an additional approval step on timeframes is minimal.

[99] We define local land use approval steps as any discrete approval step required for entitlement under local law, not including the California Environmental Quality Act (CEQA) compliance pathway step.
[100] In regression analysis, the errors are defined by the difference between the observed values of the dependent variable (in this case, project timeframes) and values predicted by the regression specification. Accurate estimation of the uncertainty of OLS-predicted values generally depends on constant errors across observations. However, in this study, we do not assume that error is constant (homoscedasticity). For instance, model error might be larger for observations with substantially longer timeframes (i.e., where projects take two to three times longer than the median timeframe). When we use robust standard errors, we no longer assume that errors are constant across all observations, which can mitigate the impacts of this regression analysis being based on observational data. Further, we are using a small sample correction to mitigate the fact that our universe of observations is relatively narrow and to account for the natural clustering in timeframes that occurs at each local land use approval step.

Figure 6: Regression 2018 - 2021 Observations (No Controls)

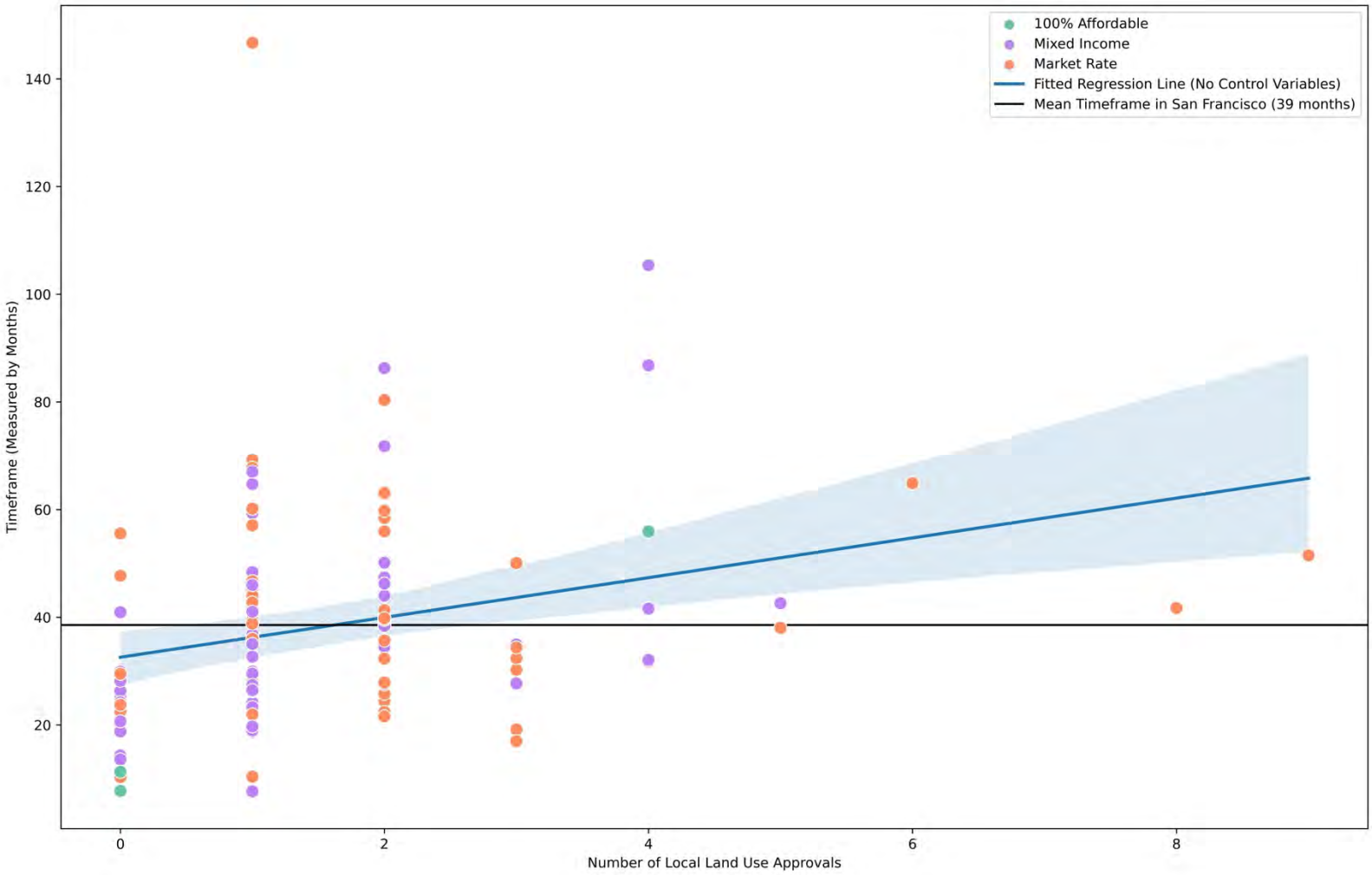


Figure 6 depicts the simple regression of time frames on local land use approval steps. In this graph, the translucent bounds represent the confidence interval for the regression line. Several observations, however, fall outside the bounds of the confidence interval for the regression line. The confidence interval indicates the uncertainty in our regression estimates. This uncertainty could suggest model misspecification.[101] More specifically, the number of approval steps does not adequately capture the variation in project timeframes. **This model misspecification could suggest that there are unaccounted variables that influence the existing relationship between the number of approval steps and timeframes.**

[101] A large confidence interval is also often a function of sample size. In other words, because of a limited amount of data, our regression estimates are uncertain. However, we capture a complete dataset of all discretionary, non-ADU entitlements greater than five or more units in 2018 - 2021. Because of this, we are not making statistical inferences based on a sample, but rather generating quantitative analysis on an entire population (and interpreting our results within the context of this population only). Therefore, theoretically, there is no statistical uncertainty through sampling uncertainty.

We controlled for project characteristics that based on interviews and meetings we assumed might influence the relationship between timeframes and the number of local land use approvals. One such example is affordability thresholds. We heard from planners, Commissioners, and Supervisors that the city wants to prioritize 100% affordable development. To control for affordability, we placed the 111 observations into three categories: market-rate, mixed-income, and 100% affordable. To avoid perfect multicollinearity, we did not include the indicator variable which controls for observations that are market-rate. However, due to the model specification, we are still controlling for all affordability classifications in our regression. Below is the distribution of all 111 discretionary observations, by affordability classification:

1) Market-Rate **(N=55)**
2) Mixed-Income **(N=52)**
3) 100% Affordable **(N=4)**

We also controlled for local process characteristics related to the intensity of the approval process—which is distinct from whether an approval process requires more steps. What we are referring to here is how a project proponent may seek only a Variance, or only a Conditional Use Authorization (CUA), or only a Large Project Authorization—and each may require one approval step, but these approval processes are quite different in terms of what we describe as process intensity. A Variance in San Francisco usually requires approval from the Zoning Administrator without a public hearing (though the public may request a public hearing in front of the Planning Commission through the exceptional Discretionary Review process). A Conditional Use Authorization and Large Project Authorization always requires a hearing in front of the Planning Commission. Interviews reveal, however, that the Planning Commissioners interpret the Housing Accountability Act as not applicable to Large Project Authorizations—and that they have the discretion to deny the Large Project Authorization.

Therefore, we wanted to explore whether the *type* of approval process—not necessarily the number of local land use approval steps—is what influences increases in timeframes. We identified five distinct process categories: Discretionary Building Permit, Variance, CUA & PUD, Large Project Authorizations and Downtown Project Authorizations, and Legislative Actions. We want to explore whether observations with a more intense process are associated with longer timeframes and, theoretically, more approval steps. Below is the distribution of all 111 discretionary observations, by process category:

1) Discretionary Building Permit (**N=23)**: The building permit category represents a group of observations that are only discretionary by virtue of the Business & Tax Code provision that renders all government approvals discretionary.

2) Variance Only (**N=17**): These are observations that required a variance for approval. The observations do not require any Conditional Use Authorizations, Large Project Exceptions, or Legislative Actions.

3) CUA & PUD (**N=49**): These are observations that required a Conditional Use Authorization or Planned Unit Development (PUD) Approval. The observations do not require any Large Project Exceptions or Legislative Actions.

4) Large Project Authorizations and Downtown Project Authorizations **(N=15)**: These are observations that required either a Downtown Project Authorization or Large Project Authorization. Interviews and meetings indicate that Large Projects face significant hurdles—because they are disfavored. The issue here though is that these large projects may only require one step, and they theoretically seem to be no different than a CUA if we only consider the process in terms of both the number of approval steps and the approval body. However, the procedural step allows for waivers or exceptions to allow for a large project under the planning code. Though these do not appear to require legislative action, interviews suggest that the Planning Commission eschews these approvals, believes that they are not covered by the Housing Accountability Act, and will deny these approvals. That the Planning Commission interprets the Housing Accountability Act as not applying to the LPAs is something planners dispute, as they think this is a faulty interpretation of state law.

5) Legislative Actions (**N=7**): These are observations that required a local legislative act (Planning Code Amendment, Zoning Map Amendment, General Plan Amendment, or Development Agreement) for approval.

To assess the impact of process intensity on approval steps, we translated process intensity and incremental numeric ranking in the following order: Discretionary Building Permit (least intense), Variance Only, CUA & PUD, Large Project Authorizations and Downtown Project Authorizations (referred to collectively as Exceptions), Legislative Actions (most intense). After running a simple regression of the number of approval steps on this numeric ranking, we find increasing process intensity is associated with an increase of one approval step (rounded).[102] A project that requires a local legislative act or a development agreement for approval is expected to have three to four more approval steps than a discretionary building permit project. This makes sense, as Development Agreements are often associated with proposals that require multiple approvals. This association is statistically significant at the 1% level. While process intensity and the number of local land use approval steps are related, they are not multicollinear. The correlation coefficient between the numeric translation between process intensity and local land use approval steps is 0.63. In an additional section of this report, we run a correlation heatmap between all independent variables to identify any possible sources of multicollinearity.

We also calculate the variation in the number of approval steps for all process categories. Below is a table that breaks out the quantile distribution of approval steps, by process intensity.

[102] The slope coefficient in the simple regression 0.856.

Table 16: Variation in Number of Approval Steps, by Process Categories, Non-ADU Discretionary Observations 2018 - 2021 (N=111)

Process Categorization	Min. Steps	25th Percentile Steps	**Median Steps**	75th Percentile Steps	Max. Steps	**Mean Steps**	Standard Steps
Discretionary Building Permit (N=23)[103]	0	0	**0**	0	2	0.13	0.46
Variance (N=17)[104]	1	1	**1**	1	3	1.29	0.59
CUA & PUD (N=49)[105]	1	1	**2**	2	4	1.96	0.96
Exceptions (N=15)[106]	1	1	**1**	2	5	1.60	1.12
Legislative Acts (N=7)[107]	1	3	**5**	7	9	5	2.94

We highlight this variation to show that process categorizations are not just a categorical grouping of the number of local land use approval steps. For instance, all process categorizations have observations that require a single approval step. However, an observation that requires only a variance is significantly different from an observation that requires only a Large Project Exception. It is because these single approval step processes are so different that we control for process in our analysis.

Finally, we also control for project size and whether the observation was in a vulnerable area. Interviews suggest that larger projects are disfavored. We control for project size (instead of just an LPA or DPA) because some proposed developments benefit from State Density Bonus Law, increasing their size, but they do not necessarily require an LPA or DPA (which is determined in part by location as well). Lastly, we control for location within a priority equity geography because interviews suggest political bodies are sensitive to proposals to build in these areas. These project and neighborhood characteristics can also impact the relationship between local land use approval steps and timeframes.

We completed several regression models to explore whether there is a relationship between number of approval steps and timeframes. Or in other words, does increasing the number of required approval steps create longer entitlement timeframes? **The regression models show that when we control for affordability characteristics, project size, location within a vulnerable geographic area, and intensity of the approval process, there is no**

[103] Out of the 23 discretionary building permit observations, one observation had an additional administrative approval. Another observation required an additional administrative approval and a Certificate of Appropriateness for approval.
[104] There are 13 observations that require only one step or only a variance for approval.
[105] There are 18 observations that require only one step, or only a CUA or PUD for approval.
[106] There are 10 observations that require only one step, or an exception (Downtown Project Authorization or Large Project Authorization) for approval.
[107] There is one observation that required only a legislative act for approval.

statistically significant association between the number of approval steps and timeframes.

This outcome supports what stakeholders say to be true in San Francisco—factors outside of law influence timeframes, and there is a lot of uncertainty of how entitlement will unfold in San Francisco no matter what a developer proposes to build. This outcome does not prove that there is no causal relationship between timeframes and approval steps; we cannot account for all confounding variables that influence this relationship. OLS identifies associations within our data only. And we are using observational data, as well. Thus, the data and methods do not allow us to prove or disprove that there is no relationship between number of approval steps and timeframes. **But importantly, the regression findings are consistent with what descriptive statistics and interviews both show—there is no easy entitlement pathway in San Francisco, and factors outside of law appear to influence entitlement outcomes. This tells us that reforms that focus on simplifying discretionary review by reducing the number of steps to approval may be insufficient to address uncertainty and lengthy timeframes to approval.**

Discretionary Non-ADU Observations 2018 - 2021 with Controls

Table 17 below shows the association between local land use approval steps and timeframes was numerically smaller and no longer statistically significant after we controlled for affordability, process intensity, and project size. These results indicate that there are factors outside of what the planning and zoning law requires of developers that strongly affect the relationship between approval steps and timeframes.

What Table 17 illustrates is that project size may impact the relationship between approval steps and timeframes in our dataset. When controlling for number of approval steps to understand the relationship between project size and timeframes, an additional unit increase in project size is associated with a 0.021 month increase in timeframes. This relationship is statistically significant at the 5% level.

Another factor that may impact the relationship between approval steps and timeframes is the intensity of the process. An observation requiring a variance or CUA/PUD is associated with an increase in timeframes, relative to a discretionary building permit observation. This relationship is diminished (in terms of significance) but is still present when we add controls. Further, an approval requiring a Large Project Authorization is associated with an increase in timeframes, relative to a discretionary building permit observation—but this association is no longer statistically significant when we add all controls (including project size).

Table 17: All Discretionary Non-ADU Observations 2018 - 2021

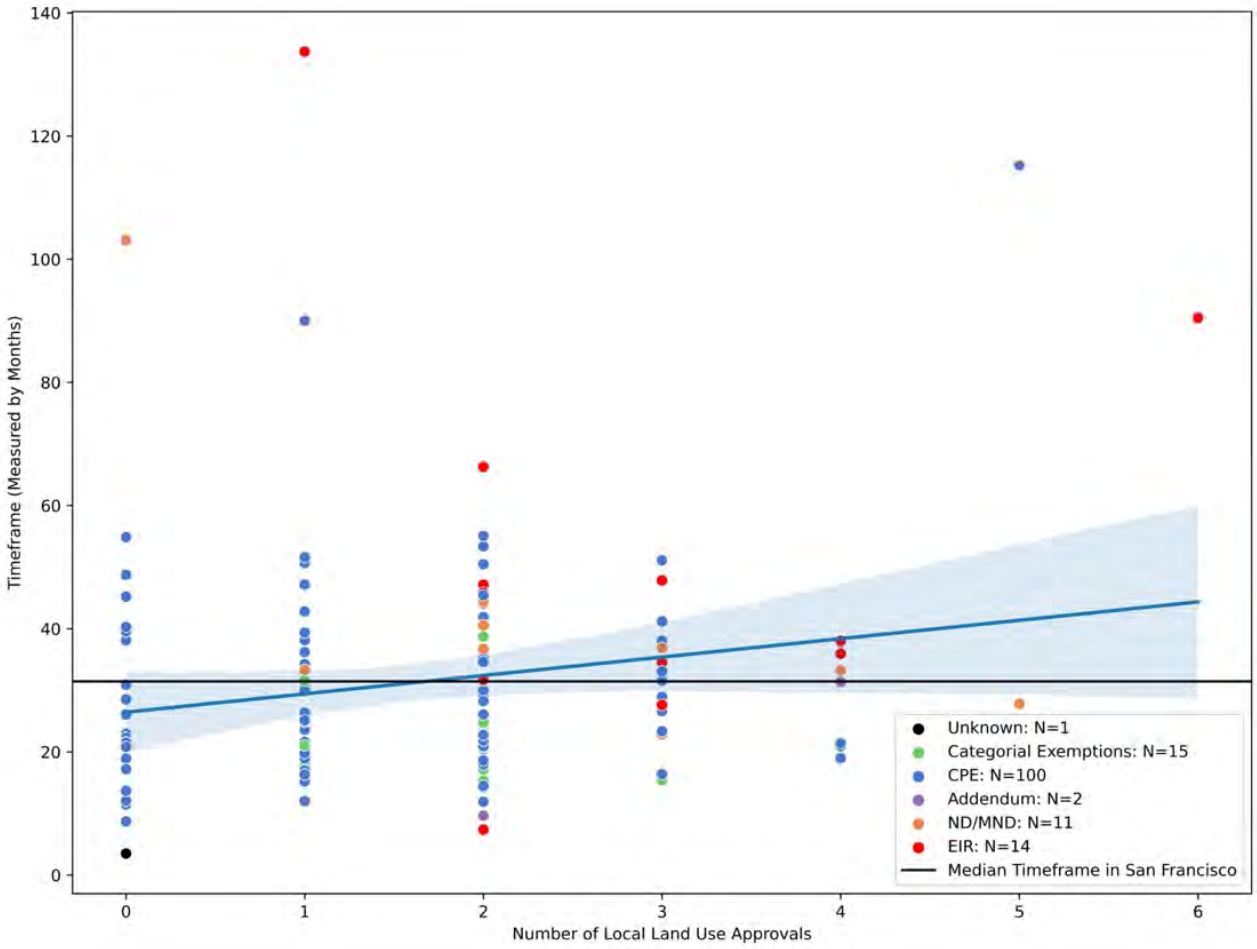
Variables	No Controls	Affordability Controls	Neighborhood Controls	Size Controls	Process Controls	All Controls
Dependent Variable: Timeframe (denoted in months)						
Num. Approvals	3.693***	3.681***	3.743***	2.794**	2.761*	2.360
	(1.244)	(1.353)	(1.260)	(1.117)	(1.637)	(1.755)
Market-rate		12.706				4.160
		(9.493)				(8.372)
Mixed Income		12.934				6.833
		(9.242)				(8.970)
Vulnerable Area			1.584			1.307
			(3.860)			(4.331)
Project Size				0.021**		0.028**
				(0.011)		(0.013)
Variance					19.468**	20.488**
					(8.799)	(9.149)
CUA & PUD					12.286***	11.115**
					(4.092)	(4.547)
Exceptions					9.987*	6.653
					(5.317)	(6.152)
Legis. Acts					6.467	0.558
					(9.207)	(11.431)
Constant	32.580***	20.246**	31.714***	32.369***	23.930***	17.656**
	(2.653)	(8.889)	(2.854)	(2.587)	(2.567)	(7.260)
Observations	111	111	111	111	111	111
R-squared	0.075	0.088	0.076	0.094	0.157	0.197
Adj. R-Squared	0.066	0.063	0.059	0.077	0.117	0.126

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses.

Regression Analysis Using 2014 - 2017 Data

After running a simple regression on approval steps and timeframes using the 2014 - 2017 dataset, we find a positive association between approval steps and timeframes. This association is not statistically significant. In terms of magnitude, the association between local land use approval steps within the 2014 - 2017 dataset is weaker than in the 2018 - 2021 dataset.

Figure 7: Ordinary Least Squares Regression 2014 - 2017 Observations (N=140)



We also run our regressions on observations that received a Community Plan Exemption (N=100).
We did this to further explore whether local approval steps impact timeframes for projects that satisfy CEQA in the same way.

Table 18: Regression Using 100 CPE Observations 2014 - 2017

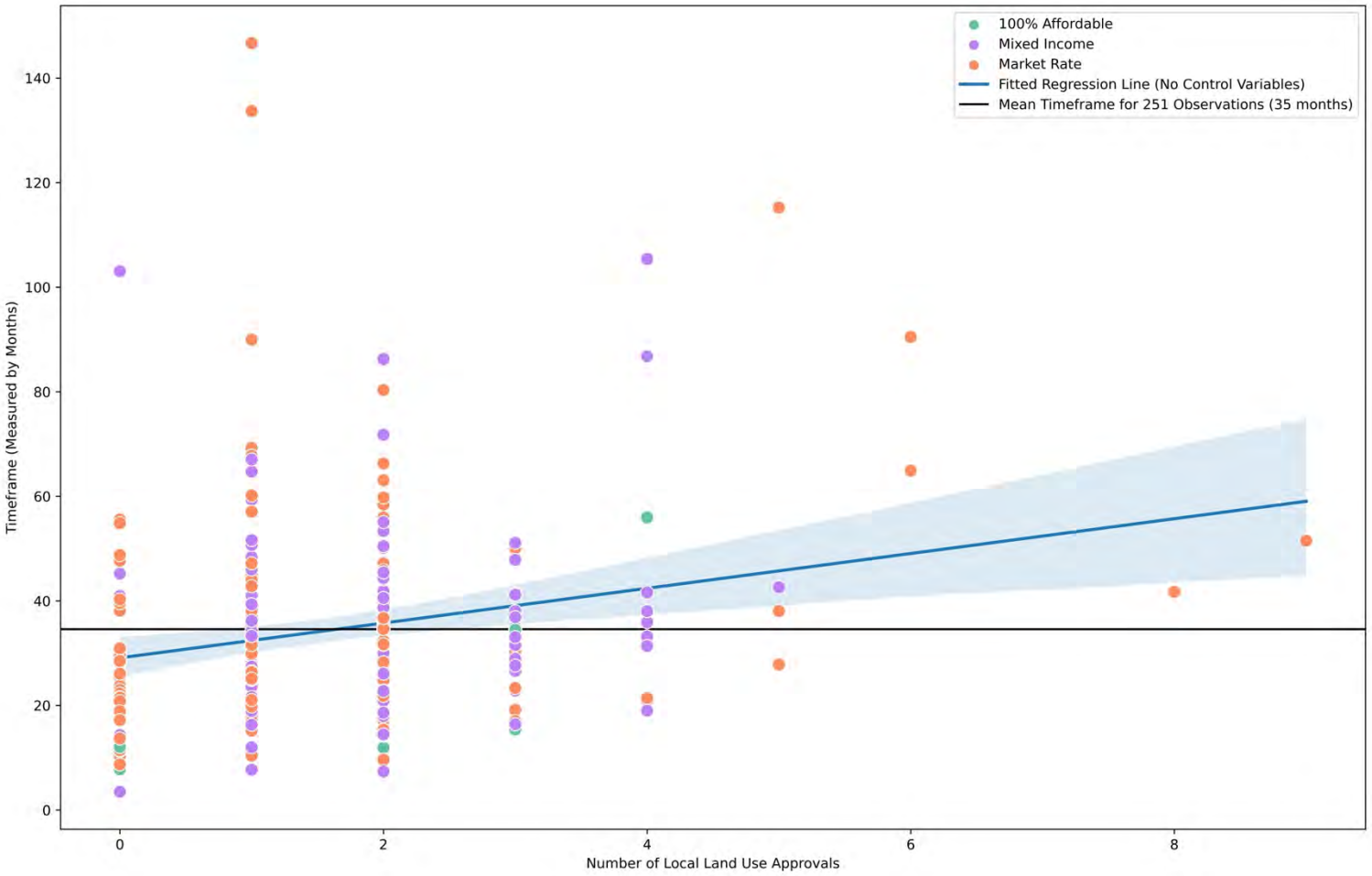
Variables	No Controls	Affordability Controls	Neighborhood Controls	Size Controls	Process Controls	All Controls
Dependent Variable: Timeframe (denoted in months)						
Num. Approvals	3.295	3.521	3.009	4.097	4.062	2.515
	(2.740)	(3.802)	(2.731)	(2.615)	(7.615)	(6.105)
Market-rate		15.159***				22.226
		(5.177)				(19.833)
Mixed Income		12.443*				23.791
		(6.614)				(19.983)
Vulnerable Area			-2.478			-1.423
			(3.184)			(3.265)
Project Size				-0.019		0.002
				(0.022)		(0.028)
Variance					4.305	3.071
					(9.589)	(9.902)
CUA & PUD					-5.188	-6.306
					(10.667)	(10.416)
Exceptions					-4.053	-3.885
					(19.060)	(17.804)
Legis. Acts					10.918	20.784
					(34.670)	(35.476)
Constant	24.966***	11.406**	26.813***	25.232***	25.700***	6.351
	(3.513)	(5.124)	(4.363)	(3.667)	(2.779)	(19.031)
Observations	100	100	100	100	100	100
R-squared	0.055	0.086	0.061	0.061	0.119	0.196
Adj. R-Squared	0.046	0.057	0.042	0.042	0.072	0.092

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses.

Regressions Using 2014 - 2021 Data

We ran our regression models on the entire 2014 - 2021 dataset. We find no differences in our main findings above. Figure 3 depicts the simple regression of time frames on local land use approval steps. We found a positive association between number of approval steps and timeframes that is statistically significant. In this graph, the translucent bounds represent the confidence interval for the regression line. As was true in the regression of 2018 - 2021 data only, several observations fall outside the bounds of the confidence interval for the regression line. The confidence interval indicates the uncertainty in our regression estimates. This uncertainty suggests that there are other unaccounted variables that influence the existing relationship between the number of approval steps and timeframes.

Figure 8: Regression All Non-ADU Discretionary Observations 2014 - 2021 (No Controls)



Our results using the 2014 - 2021 dataset also show that when we control for affordability characteristics, project size, location within a vulnerable geographic area, and intensity of the approval process, there is no statistically significant association between the number of approval steps and timeframes.

We also add an additional model where we only exclude process controls. We find that there exists a positive, statistically significant association between approval steps and timeframes when we only control for affordability, project size, and area characteristics, but this relationship is numerically smaller and decreases in statistical significance when we add these controls.

Table 19: Regression All Discretionary Non-ADU Observations 2014 - 2021 With Controls

Variables	No Controls	Affordability Controls	Neighborhood Controls	Size Controls	Process Controls	All Controls Except Process Controls	All Controls
	Dependent Variable: Timeframe (denoted in months)						
Num. Approvals	3.328***	3.363***	3.149***	2.882***	2.998**	2.643**	2.263
	(1.019)	(1.034)	(0.990)	(1.043)	(1.470)	(1.046)	(1.453)
Market-rate		14.441***				13.854***	11.718**
		(4.756)				(5.168)	(5.446)
Mixed Income		12.003***				11.610**	10.510*
		(4.539)				(4.933)	(5.497)
Vulnerable Area			-3.878			-3.577	-3.798
			(2.494)			(2.574)	(2.588)
Project Size				0.009		0.012	0.016
				(0.010)		(0.010)	(0.011)
Variance					10.836*		10.407*
					(5.620)		(5.763)
CUA & PUD					4.266		3.413
					(3.793)		(4.122)
Exceptions					0.859		-0.183
					(4.628)		(5.428)
Legis. Acts					5.815		4.783
					(8.056)		(9.030)
Constant	29.094***	16.346***	31.460***	28.968***	26.008***	18.847***	17.794***
	(2.013)	(4.357)	(2.548)	(2.026)	(2.466)	(4.943)	(5.063)
Observations	251	251	251	251	251	251	251
R-squared	0.052	0.070	0.061	0.055	0.080	0.082	0.109
Adj. R-Squared	0.048	0.059	0.053	0.047	0.062	0.063	0.076

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses.

It is not typical for a development to have eight to nine steps to entitlement in San Francisco. Because it is possible that the relationship between approval steps and timeframes is driven by atypical projects in San Francisco (or observations that require eight or nine steps for approval), we also analyze the impact of outliers (in terms of the number of approval steps) on the relationship between approval steps and timeframes. Any observation in our discretionary, non-ADU dataset from 2018 - 2021 with more than four approval steps is considered an outlier.[108] We dropped these from our dataset and reran our regression models in the table below.

Table 20: Regression Results, Dropping Approval Step Outliers (2014 - 2021 Data)

Variables	No Controls	Some Controls	All Controls
Dependent Variable: Timeframe (denoted by months)			
Num. Approvals	1.987*	1.685	-0.756
	(1.133)	(1.309)	(1.928)
Market-rate		17.294***	14.218***
		(3.723)	(3.982)
Mixed Income		15.522***	12.450***
		(3.397)	(4.428)
Vulnerable Area		-1.829	-2.090
		(2.666)	(2.683)
Project Size		0.006	0.010
		(0.012)	(0.013)
Variance			13.440**
			(6.072)
CUA & PUD			6.949
			(4.802)
Exceptions			7.935
			(5.780)
Legs. Acts			9.840
			(7.396)
Constant	30.585***	15.720***	15.110***
	(2.205)	(3.880)	(4.142)
Observations	229	229	229
R-squared	0.010	0.041	0.075
Adj. R-Squared	0.005	0.020	0.037

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses

[108] We calculated the bounds for large outliers (based on the number of approval steps) with the following formula: 1.5 * [75% Percentile – 25% Percentile] + 75% Percentile. For all 251 observations, the 25% percentile is one approval step and the 75th percentile is two approval steps. Using this formula, 1.5 * (2 – 1) + 2 = 3.5. Meaning, any observations with more than four approval steps are outliers.

We observe a positive association between approval steps and timeframes when we discard outlier observations, although this association is numerically smaller and decreases in statistical significance. When we exclude process controls in our regression—and only control for affordability, project size, and neighborhood characteristics—we find no statistically significant association between approval steps and timeframes. This suggests that the observations which required significantly more steps for approval play a role in the association between approval steps and timeframes. In other words, when we discard these observations to generate a dataset of more typical developments in San Francisco, we find no statistically significant association between approval steps and timeframe, controlling for factors outside of planning and zoning law. This also suggests that a more typical observation (an observation with two or three steps) would likely see no substantial difference in timeframe if it have been approved with fewer steps.

Robustness Checks for Analysis

We generated correlation heat maps to understand existing associations between the independent variables in our models. If high correlations exist between our independent variables, it could lead to imperfect multicollinearity.

In the following correlation heat maps, the only variables that are highly associated with each other are indicator variables that are mutually exclusive and exhaustive. As a result of these heatmaps, we feel comfortable using these variables as independent variables in our regression.

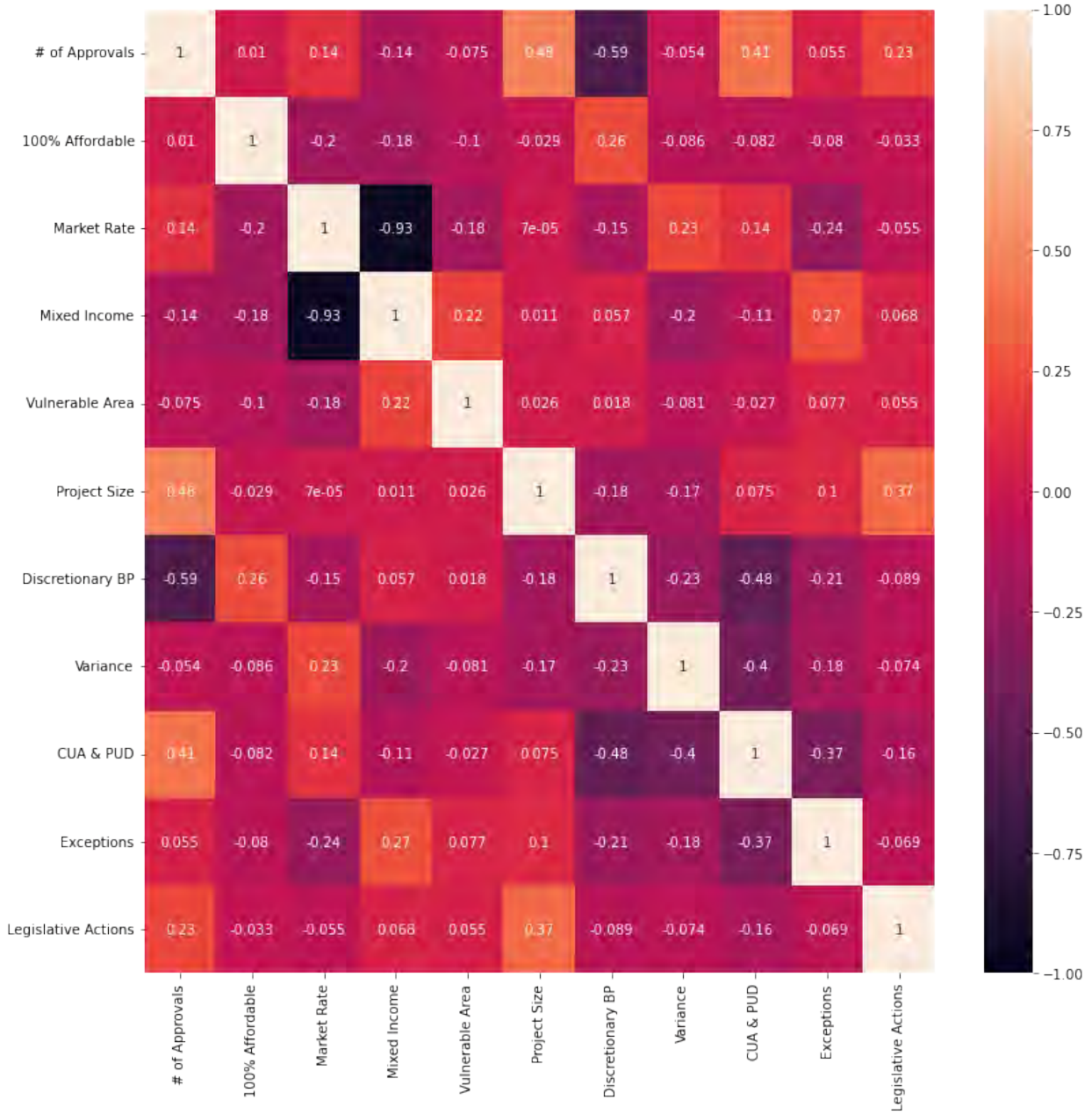


Figure 9: Correlation Heat Map for 2018 - 2021 Regression Data (N=111) with Affordability, Neighborhood, and Process Characteristics

Residual Plots for Regressions

We also run residual plots for some of our models for assessment. First, we use the residual plots to assess our model's functional form (e.g., is the association between the number of approval steps and timeframes linear?). We also use residual plots to assess the effectiveness of our control variables. We are interested in understanding if the introduction of these control variables help capture the underlying associations within our data.

Figure 10: Residual Plot and LOESS Line for Simple Regression ("No Controls" in Table 1) Using All 111 Non-Discretionary Non-ADU Observations 2018 - 2021

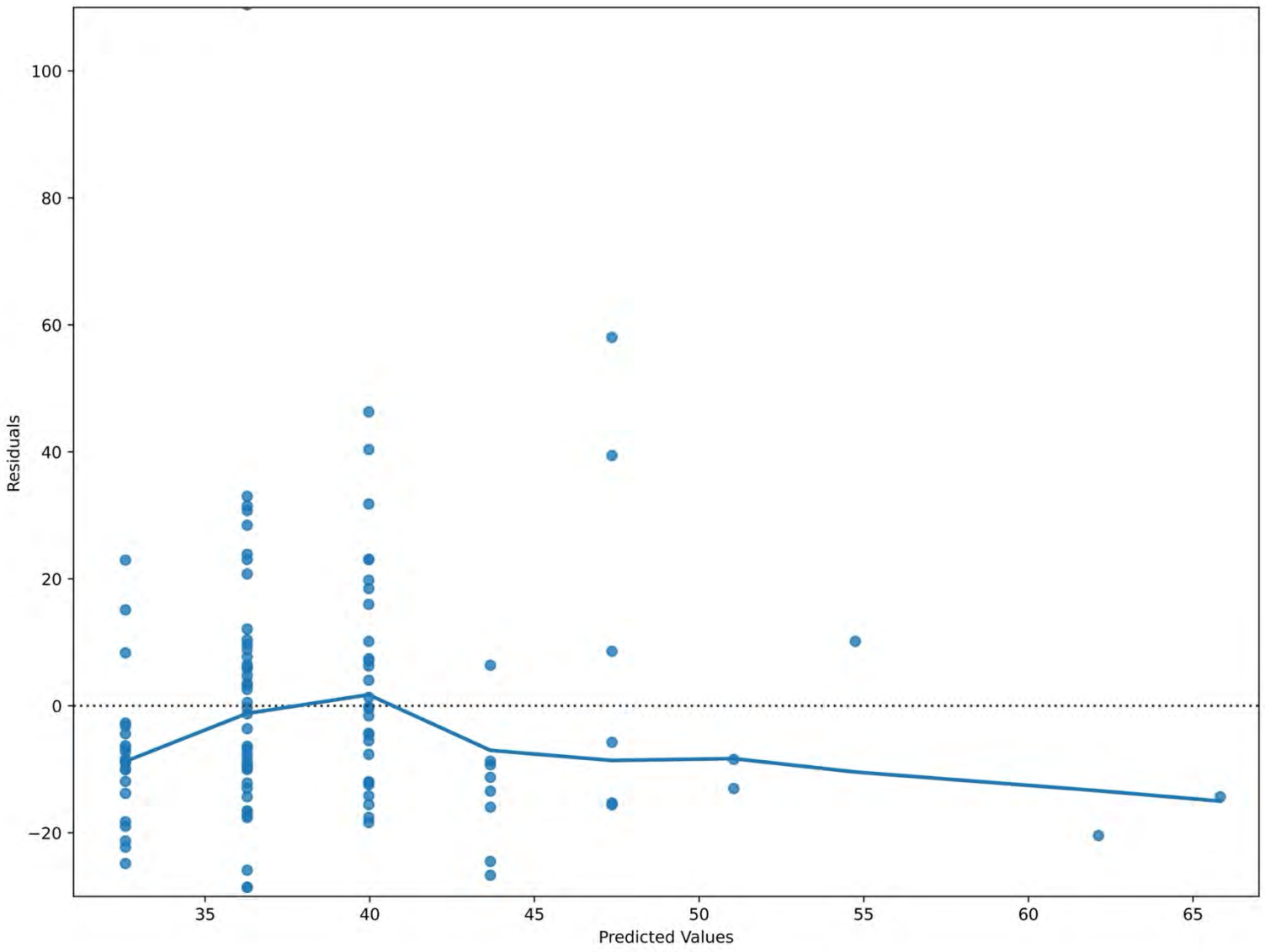
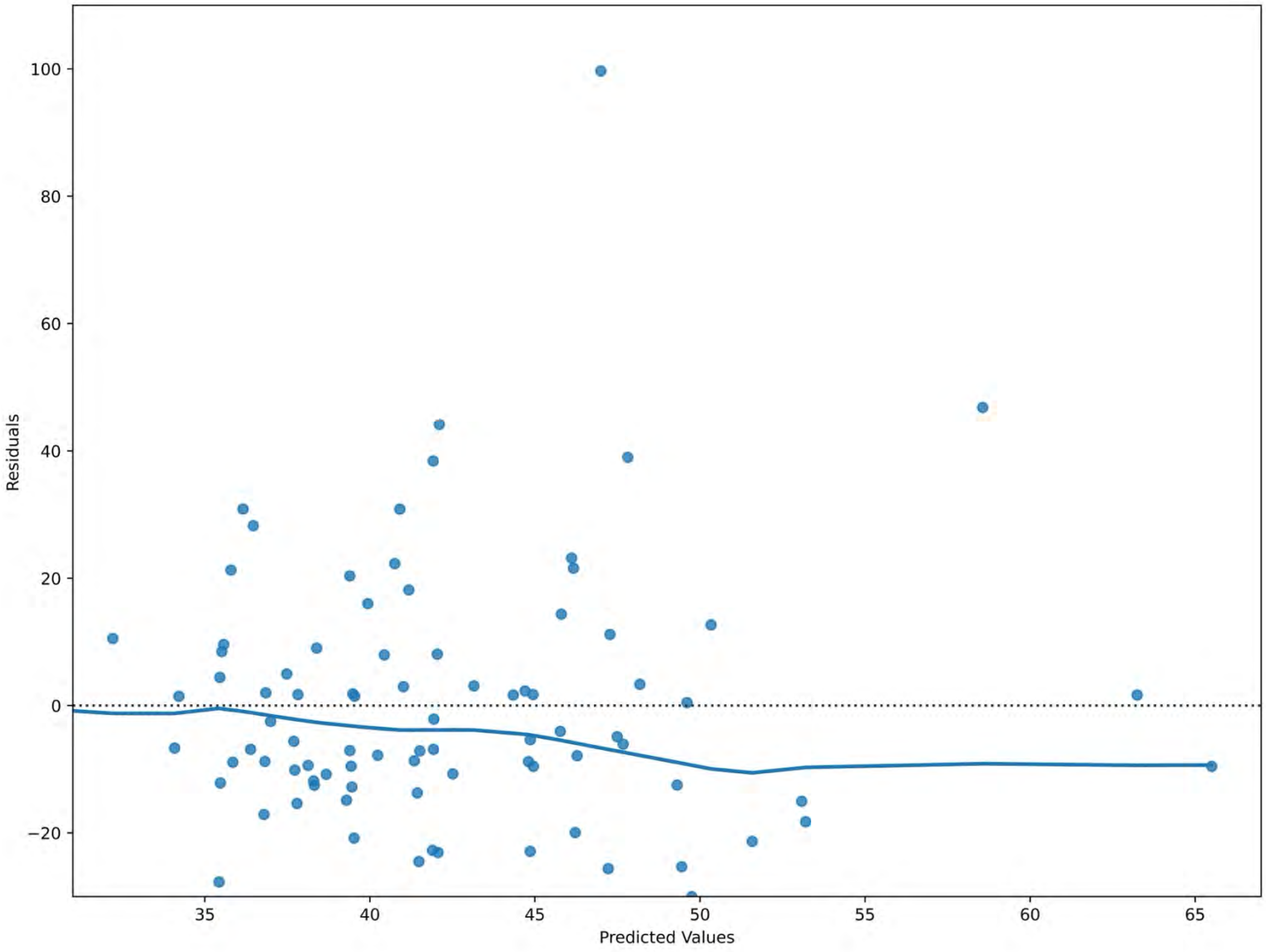


Figure 11: Residual Plot and LOESS Line for Simple Regression ("All Controls" in Table 1) Using All 111 Discretionary Non-ADU Observations 2018 - 2021



In Figure 10: Residual Plot and LOESS Line for Simple Regression ("No Controls" in Table 1) Using All 111 Non-Discretionary Non-ADU Observations 2018 - 2021, there is clustering in this plot. This indicates that the simple regression model is missing information to properly explain the relationship between the number of approval steps and timeframes. It strongly indicates that there are factors outside the number of approval steps that impacts the linear relationship between timeframes.

Figure 11: Residual Plot and LOESS Line for Simple Regression ("All Controls" in Table 1) Using All 111 Discretionary Non-ADU Observations 2018 - 2021 shows the residual plot of the regression specification when we control for process intensity, project size, neighborhood vulnerability, whether the project received an administrative appeal, and affordability. The clustering in this residual plot is less pronounced, which indicates that the controls are effective

in capturing sources of variation that influence the relationship between the number of approval steps and timeframes. Also, observe that there is no clear, consistent pattern in the residual plot. This indicates that a linear regression is most likely the best functional form for our model.

However, observe that the LOESS line is not a linear line at zero, but is rather slightly sloping downward. This indicates that there may be other omitted variables that impact the relationship between timeframes and approval steps, which may bias the magnitude of our regression estimates. Future regression work can test the use of interactive effects between independent variables or assess the impact of new control variables.

Appendix B: Spatial Distribution of Developments

Affordability and TCAC Category Cross Sectional Table (N=144), 2018 - 2021[1]

Highest Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	10	352	-	29.38	30.91
Market-rate(ADU)	1	5	-	6.41	6.41
Mixed Inc.(Discretionary)	3	150	38	28.21	31.34
100% Aff.(Discretionary)	0	-	-	-	-
100% Aff.(SB 35–Began as Disc.)	1[2]	135	135	15.39	15.39
High Resource	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	9	328	-	39.81	38.15
Market-rate(ADU)	6	47	-	9.63	17.20
Mixed Inc.(Discretionary)	6	242	43	53.51	53.48
100% Aff.(Discretionary)	2	19	19	9.53	9.53
100% Aff.(Always SB 35)	2	228	228	4.47	4.47
Moderate Resource (Rapidly Changing to higher resources)	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	4	47	-	32.74	37.44
Market-rate(ADU)	1	7	-	21.99	21.99
Mixed Inc.(Discretionary)	3	237	81	32.08	28.48
Mixed Inc.(ADU)	1	24	3	41.19	41.19
100% Aff.(Discretionary)	0	-	-	-	-
100% Aff.(SB 35–Began as Disc.)	2[3]	268	267	26.20	26.20
Moderate Resource	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	18	1,555	-	40.41	40.30
Market-rate(ADU)	6	38	-	26.50	24.38
Mixed Inc.(Discretionary)	21	2,564	520	41.03	40.67
100% Aff.(Discretionary)	1	178	176	28.04	28.04
100% Aff.(Always SB 35)	2	175	173	4.65	4.65
100% Aff.(SB 35–Began as Disc.)	1[4]	63	63	41.39	41.39
Low Resource	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	14	1,982	-	38.45	47.15

Mixed Inc.(Discretionary)	19	1,153	191	27.58	33.47
Mixed Inc.(Always SB 35)	2	720	294	6.84	6.84
100% Aff.(Discretionary)	1	15	15	55.96	55.96
100% Aff.(Always SB 35)	3	400	400	2.40	2.40
100% Aff.(SB 35–Began as Disc.)	3[5]	394	393	32.58	30.70

High Segregation & Poverty	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	0	-	-	-	-
Market-rate(ADU)	2	13	-	19.04	19.04
Mixed Inc.(Discretionary)	0	-	-	-	-
100% Aff.(Discretionary)	0	-	-	-	-

[1] Observations that are student or group housing developments have been categorized as market-rate. We confirmed that group housing beds are not deed-restricted affordable.
[2] This is 1360 43rd Ave, originally proposed under 1351 42nd Ave. This project began as a discretionary entitlement. We use the earliest file date to calculate timeframes.
[3] The two SB 35 projects in this category of Moderate Resource (Rapidly Changing) began before SB 35 was signed into law, which influences timeframe calculations in this neighborhood classification. We logged one project, 2340 San Jose Ave, as having an earliest file date of 9/21/2017. We logged a second project, 4840 Mission St, as having an earliest file date of 9/21/2016. Further, 2340 San Jose Ave does not have an eligibility determination date, though we know it received a building permit. But we excluded it from timeframe analysis.
[4] This is 2205 Mission St, which began as a discretionary project.
[5] Three SB 35 projects in this category (Low Resource) began before SB 35 was signed into law.

Affordability and 2021 TCAC Category Cross Sectional Table, 2014 - 2017

Highest Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	3	69	-	89.98	79.68
Mixed Income	1	41	6	38.70	38.70
100% Affordable	0	0	0	0.00	0.00

High Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	6	120	-	23.79	24.77
Mixed Income	5	287	27	18.94	20.92

100% Affordable	0	0	0	-	-
Moderate Resource (Rapidly Changing)	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	4	100	-	19.50	21.48
Mixed Income	3	527	171	34.26	32.10
100% Affordable	0	0	0	-	-
Moderate Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	29	2415	-	26.37	34.31
Mixed Income	25	3071	415	31.59	35.11
100% Affordable	0	0	0	-	-
Low Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	20	1600	-	23.98	27.17
Mixed Income	39	5472	982	31.23	30.30
100% Affordable	4	400	400	13.73	14.16
High Segregation & Poverty	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	0	0	-	-	-
Mixed Income	0	0	0	-	-
100% Affordable	1	167	167	34.49	34.49

Affordability and Priority Equity Geographies (PEG) Sectional Table, 2018 - 2021 (N=144)

Vulnerable Area, Denoted by PEG	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate(Discretionary)	26	2,377	-	36.85	43.54
Market-rate(ADU)	6	37	-	21.70	22.56
Mixed Inc.(Discretionary)	35	2,424	468	32.09	34.97
Mixed Inc.(Always SB 35)	1	270	109	6.05	6.05
Market-rate(ADU)	1	24	3	41.19	41.19
100% Aff.(Discretionary)	1	15	15	55.96	55.96
100% Aff.(Always SB 35)	4[2]	512	510	2.91	3.31
100% Aff.(SB 35–Began As Disc.)	6	725	723	32.58	31.94
Not In a Vulnerable Area, Denoted by PEG	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	29	1,88773	-	36.00	36.40
Market-rate(ADU)	10		-	9.71	18.07
Mixed Inc.(Discretionary)	17	1,922	405	42.44	45.09
100% Aff.(Always SB 35)	1	450	185	7.63	7.63
100% Aff.(Discretionary)	3	197	195	11.31	15.70
100% Aff.(Always SB 35)	3	291	291	2.76	3.90
100% Aff.(SB 35–Began As Disc.)	1	135	135	15.39	15.30

Distribution of Affordable Units (Inclusive of 11 Observations From Updated APR)

2014 - 2015 Affordable Units, by 2021 TCAC Distribution (N=351 new affordable units)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	0	0.00%
High Resource	3	3.70%
Moderate Resource (Rapidly Changing)	0	0.00%
Moderate Resource	194	55 .27%

Low Resource	144	41.03%
High Segregation and Poverty	0	0.00%

2016 - 2017 Affordable Units Distribution, by 2021 TCAC (N=1,817 new affordable units)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	6	0.33%
High Resource	14	0.77%
Moderate Resource (Rapidly Changing)	171	9.41%
Moderate Resource	221	12.16%
Low Resource	1,238	68.13%
High Segregation and Poverty	167	9.19%

2018 - 2019 Affordable Units Distribution by 2021 TCAC, Expanded by SB 35 Affordable Units (N=1,390 new affordable units, SB 35 affordable units=896)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	Total: 22 • SB 35: 0 • Non SB 35: 22	Total: 1.58%

High Resource	Total: 17 • SB 35: 0 • Non SB 35: 17	Total: 1.22%
Moderate Resource (Rapidly Changing)	Total: 336 • SB 35: 267 • Non SB 35: 69	Total: 24.17%
Moderate Resource	Total: 321 • SB 35: 0 • Non SB 35: 321	Total: 23.09%
Low Resource	Total: 694 • SB 35: 629 • Non SB 35: 65	Total: 49.93%
High Segregation and Poverty	Total: 0 • SB 35: 0 • Non SB 35: 0	Total: 0.00%

2020 - 2021 Affordable Units Distribution by 2021 TCAC, Expanded by SB 35 Affordable Units (N=1,649 new affordable units, SB 35 affordable units=1,057)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	Total: 151 • SB 35: 135 • Non SB 35: 16	Total: 9.16%
High Resource	Total: 273 • SB 35: 228 • Non SB 35: 45	Total: 16.56%
Moderate Resource (Rapidly Changing)	Total: 15 • SB 35: 0 • Non SB 35: 15	Total: 0.91%
Moderate Resource	Total: 611 • SB 35: 236 • Non SB 35: 375	Total: 37.05%
Low Resource	Total: 599 • SB 35: 458 • Non SB 35: 141	Total: 36.33%

High Segregation and Poverty	Total: 0 • SB 35: 0 • Non SB 35: 0	Total: 0.00%

Distribution of Affordable Units, by Priority Equity Geographies

2014 - 2015 Affordable Units by Priority Equity Geographies (N=351 new affordable units)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	154	43.87%
NOT in a vulnerable Area, Denoted by Priority Equity Geographies	197	56.13%

2016 - 2017 Affordable Units by Priority Equity Geographies (N=1,817 new affordable units)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	282	15.52%
NOT in a vulnerable Area, Denoted by Priority Equity Geographies	1,535	84.48%

2018 - 2019 Affordable Units by Priority Equity Geographies (N=1,390 new affordable units, SB 35 affordable units=896)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	Total: 294 • SB 35: 0 • Non-SB 35: 294	Total: 21.15%

NOT in a vulnerable Area, Denoted by Priority Equity Geographies	Total: 1,096 • SB 35: 896 • Non-SB 35: 200	Total: 78.85%

2020 - 2021 Affordable Units by Priority Equity Geographies (N=1,649 new affordable units, SB 35 affordable units=1,057)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	Total: 732 • SB 35: 446 • Non-SB 35: 286	Total: 44.39%
NOT in a vulnerable Area, Denoted by Priority Equity Geographies	Total: 917 • SB 35: 611 • Non-SB 35: 306	Total: 55.61%

Number and Percentage of 100% Affordable Developments in Areas with a Higher Density of Vulnerable Populations, by Year.

Year	Number of 100% Affordable Entitlements	Percentage of 100% Affordable Entitlements in Sensitive Geographies
2014 – 2017 (N=5)	Total: 5	Total: 100%
2018 – 2019 (N=8)	Total: 6 • SB 35: 6 • Discretionary Non-ADU: 0	Total: 75%
2020 – 2021 (N=10)	Total: 5 • SB 35: 4 • Discretionary Non-ADU: 1	Total: 50%

Appendix C: Analysis of Accuracy of Annual Progress Report Data on Entitlements and SB 35 Approvals

We relied on Annual Progress Report data that we pulled over three periods. For the 2018 - 2019 analysis, we first built a list of observations from 2018 - 2019 APR data that we gained access to on May 18, 2020. We began collecting data on these observations for related research during the 2021 - 2022 academic year, prior to working with HCD on this study. We did not collect as much information as we did for this research during that period, however. We then downloaded San Francisco's Original 2020 - 2021 APR data on or around October 2, 2022, to construct our original observation list for data collection. We then downloaded 2021 APR data on February 18, 2023. Then we downloaded all four years—2018 - 2021—APR data on July 14, 2023, from the state data dashboard to do a final check to confirm if we had any additional observations that may have come in through corrected reporting for any one of these four years. We also separately reviewed environmental review determinations to identify any possible observations not included in any APR data.

San Francisco reported 72 entitlements or SB 35 approvals in 2018 and 2019 on the report we accessed dated May 18, 2020.

- Of the 72 entitlements or SB 35 approvals from 2018 - 2019, we determined that 45 of these observations (~63%) were entitled in 2018 - 2019 and reported in the correct year.
- Therefore, 27 entitlements or SB 35 approvals (~38%) in the 2018 - 2019 APR (N=72) were incorrect reports.
- We found an additional seven entitlements or SB 35 approvals issued in 2018 - 2019 that San Francisco reported in another year (or the wrong year).
- The 2018 - 2019 APR Report also missed 33 entitlements issued in those years, which we found from reviewing San Francisco's Environmental Review Documents and Planning Commission Agendas.

San Francisco reported 82 observations entitled in 2020. San Francisco reported 30 entitlements or SB 35 approvals in 2021. Combined, San Francisco reported 112 entitlements or SB 35 approvals across 2020 - 2021.

- Of the 112 observations from 2020 - 2021, we determined that 45 of these observations (~40%) were entitled in 2020 - 2021 and San Francisco reported the correct year.
- We found an additional 18 entitlements or SB 35 approvals issued in 2020 - 2021 that San Francisco reported, but reported as entitled in the wrong year.
- 67 observations (~60%) in the 2020 - 2021 APR (N=112) are incorrect reports.
- Most, or 62 (out of 67), incorrect reports in the 2020 - 2021 APR are from Reporting Year 2020.
- The 2020 - 2021 APR data also missed an additional 21 entitlements, which we found through reviewing environmental review determinations.

In the inaccurate reporting across 2018 - 2021, we determined six entitlements that San Francisco incorrectly reported in 2018 - 2021 were entitled sometime in 2014 - 2017.

We also used the July 14, 2023, download of San Francisco's Annual Progress Reports to HCD a final time to run a second audit of the 2018 - 2021 APR before completing all analysis. In total, San Francisco underreported on 69 entitlements or SB 35 approvals across those four years.

From:	Howard
To:	Board of Supervisors (BOS); Calvillo, Angela (BOS); Carroll, John (BOS)
Cc:	Lurie, Daniel (MYR); Sauter, Danny (BOS); dennis-phillips@sfgov.org; rachel.tanner@sfgov.org; Chen, Lisa (CPC); So, Lydia (CPC); Moore, Kathrin (CPC); Imperial, Theresa (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC); CPC-Commissions Secretary
Subject:	UPZONING: ANALYSIS: PERFECT PLANNING = ICONIC BEAUTY + HOUSING
Date:	Monday, December 1, 2025 6:02:46 AM
Attachments:	~~~~PERFECT PLANNING = ICONIC BEAUTY + HOUSING 12-25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FOR HEARINGS ON UPZONING PLAN
TO: Board of Supervisors
CC: Mayor Lurie/ Office, Planning Commission/ Staff
ATTACHED: PERFECT PLANNING = ICONIC BEAUTY + HOUSING

An entertaining and informative analysis of the history of Waterfront Land-Use Battles, development fights, upzoning, housing options, affordable housing around the world and photos.
Best Regards, Howard Wong, AIA
P.S.: Please include in Board Package---online and printed (if possible) for public education.

PERFECT PLANNING = ICONIC BEAUTY + HOUSING



OPPOSE WATERFRONT UPZONING *Please share this!*

SEE BELOW: HISTORY OF SF WATERFRONT LAND-USE BATTLES:

PROTECT WATERFRONT BEAUTY AND HISTORIC NEIGHBORHOODS AS ECONOMIC ASSETS
San Francisco's waterfront/ hilltop beauty is priceless. Environmental capital, like physical/ visual links to the Bay, has quantifiable value. The City's Mediterranean beauty differentiates it from most cities. Tourism attracts 23 million visitors and $9 billion/ year. Public vistas fuel a real estate industry of up to $10 billion/ year. Conservatively, waterfront beauty has a $2 billion valuation/ year---for perpetuity.

History makes the case for Voter Approval of waterfront development/ height increases
Generations of San Franciscans have fought to protect the beauty and scale of the northern waterfront. Upzoning at the northern waterfront would override General Plans, urban design/ environmental elements, planning priorities, design guidelines, settled law, ballot measures, legislation, codes, and voter advocacy for a Mediterranean scale---with building heights tapering gently upward to hilltops.

Planning codes have reinforced the waterfront's 40-foot height limit as a benchmark for tapering heights---protecting visual corridors to the bay. Public and legal directives have elevated environmental beauty as a priority, aspiring to the beauty of Venice, Florence, Santorini, Paris and great places that have protected their timeless treasures and World Heritage Sites---actual and potential.

HOUSING: SUPERLATIVE OPTIONS *Please share this!*

INSTEAD OF PLANNERS, HIRE MATHEMATICIANS AND FINANCIERS TO CREATE NEW HOUSING.
San Francisco's Chief Economist deems the SF Upzoning Plan as unrealistic. ***Why approve a deleterious upzoning plan, harming neighborhoods and waterfronts, when better options exist?*** Throughout the world, cities/ countries/ people have built vast amounts of affordable housing for their growing populations. Besides, San Francisco has already built, entitled more projects, and forecasts more development than almost any city in the region and state.

Mathematicians can finetune hypotheses and calculate housing construction accurately.
Depending on the timeline, completed projects, in-progress projects, entitled projects, proposed projects (more every day), untapped zoning capacity, infill development, availability of public land, new financing plans, new area/ neighborhood plans, and revised incentives/ housing types/ unit sizes/ densification, San Francisco can likely meet its RHNA (Regional Housing Needs Allocation)---without flailing citywide upzoning. Rather than number of housing units, the focus should be on the number of people housed.

Financiers can coalesce all funding to effectively build housing: $20 billion MTC Regional Affordable Housing Bond (2028 as a revolving fund), local/ state housing bonds, grants, trust funds, tax credits, tax increment financing, low-interest loans, public banks, nonprofits, philanthropy, partnerships, rent subsidies, and more. Many countries have affordable housing strategies and programs---worth emulating. ***Affordable housing is not for lack of zoning, but lack of comprehensive planning.***





DO THE MATH: HOUSING TAKES MANY FORMS: After the 1906 Earthquake, 250,000 San Franciscans were homeless (60% of the population)---quickly housed in tens/t camps and tiny redwood cottages. Today, the homeless instinctively gather in encampments, RV/ car clusters, for community and self-support. As seen throughout the world, affordable housing can take the form of cooperative housing, micro-housing, shared housing, land trusts, accessory units, modular dwellings, single-room occupancies, boarding houses, public housing, dual-use spaces, and informal communities (at least for the near/ short term). Rio de Janeiro's favelas are naturally-occurring low-income squatter housing---a normal human response to homelessness. 35% of Lima's population live in squatter settlements and 50% are employed in informal jobs. Around the world, 1 billion people live in slums or other informal settlements.

AFFORDABLE HOUSING IS A PUBLIC POLICY CHOICE. Government has economic tools to invest in land, utilize public property, zone for public benefits, provide public services, incentivize smaller/ plentiful dwellings, provide flexibility in housing, give tax incentives, prioritize approvals and permitting. Not inconceivable, like China and forty other countries, government can build new cities and towns---on public land. China has built hundreds of new cities, including many with one million residents. ***The region and the state can carry its housing fair share, not just the 49 square miles of San Francisco.***

RENTCHAMBER: The Top 10 Countries with Exceptional Housing Policies
https://rentchamber.com/the-top-10-countries-with-exceptional-housing-policies/
WIKIPEDIA: Affordable Housing by Country:
https://en.wikipedia.org/wiki/Affordable_housing_by_country






GUARDIAN: The social housing secret: how Vienna became the world's most livable city
https://www.theguardian.com/lifeandstyle/2024/jan/10/the-social-housing-secret-how-vienna-became-the-worlds-most-livable-city
NPR: Could this city be the model for how to tackle the housing crisis and climate change?
https://www.npr.org/2025/06/15/nx-s1-5400642/affordable-housing-environment-vienna-climate-change
HOUSING PERSPECTIVES: What Can We Learn from the Dutch Social Housing System?
https://www.jchs.harvard.edu/blog/what-can-we-learn-dutch-social-housing-system
ASSEMBLE PAPERS: A primer on social housing in Amsterdam
https://assemblepapers.com.au/2018/12/13/amsterdam-social-housing-a-primer/
ROUTE FIFTY: Hungry for affordable housing, communities turn to land trusts **https://www.route-fifty.com/management/2024/09/hungry-affordable-housing-communities-turn-land-trusts/399784/?oref=rf-today-nl&utm_source=Sailthru&utm_medium=email&utm_campaign=Route%20Fifty%20Today:%20September%2025%2C%202024&utm_term=newsletter_rf_today**
BLOOMBERG: Why Singapore Has One of the Highest Home Ownership Rates
https://www.bloomberg.com/news/articles/2020-07-08/behind-the-design-of-singapore-s-low-cost-housing?cmpid=BBD102120_CITYLAB&utm_medium=email&utm_source=newsletter&utm_term=201021&utm_campaign=citylabdaily

WATERFRONT BEAUTY = BEST ECONOMICS ***Please share this!***

HISTORY: SF WATERFRONT LAND-USE BATTLES

Over time, by tapering heights downward towards the waterfront, public vistas and San Francisco's hills/ beauty will be preserved for all---an economic asset that attracts 23 million visitors and $9 billion per year.

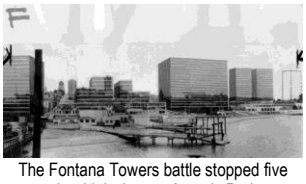


SAN FRANCISCO HAS THWARTED DARWINIAN MARKET FORCES, which threaten prime waterfront sites for obstructive development. Big money is spent to push projects by the few who benefit financially---developers, contractors, consultants, public relations firms, city staff, politicians, and groups that reap donations, fees, payments, and wages. Instead, citizens/ height limits/ codes have protected our Mediterranean village-like character for all.

SAN FRANCISCO'S WATERFRONT BATTLES led to protective tapering height limits, which preserve public vistas and a Mediterranean village-like beauty for everyone. Powerful special interests attempt to override codes---to gain extraordinary favors. Each code exemption is used to justify subsequent height increases----a never-ending ratcheting upward. Learning from history, we can better appreciate the waterfront's esthetic and economic value.



The Fontana Towers led to the 40-foot height limit on the waterfront.



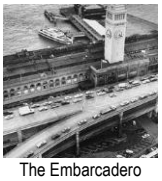
The Fontana Towers battle stopped five other high-rises at Aquatic Park.



San Francisco's Freeway Revolt started a national movement.



The Embarcadero Freeway was stopped at Broadway---in mid-construction.



The Embarcadero Freeways demolition opened the waterfront.



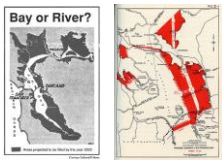
Freeway plans wrapped around the entire waterfront and throughout the city.



WPA Freeway Plan, around northern waterfront---and over Columbus Ave.



The freeway wall along the waterfront was a near reality.



"Save The Bay" map and Reber Plan for bay infill.



Citizen activists and founders of "Save The Bay": Esther Gulick, Sylvia McLaughlin, Catherine Kerr.

HISTORY TEACHES US that many design options exist for any site---like fully code-compliant alternatives or open space. After contentious debates, better designs often result.
FOUNDSF: The Fontana Towers and Waterfront Battle.
http://foundsf.org/index.php?title=Height_Limit_Revolt_Saves_Waterfront_Vistas
Residents of Russian Hill and Attorney Casper Weinberger (a Republican conservationist) stopped towers along the waterfront. A coalition fought for the waterfront 40-foot height limits. Later, height limits on Russian Hill were passed.



Bridge and large development proposed adjacent to Telegraph Hill---through North Beach.



Bridge and freeways proposed atop Telegraph Hill.



The Rush Bridge from Telegraph Hill had three stories of traffic lanes.



Proposed bridge from Telegraph Hill to Angel Island & Tiburon---stopped by Washington officials.



Russian Hill: Ten years after 40-foot height limit.



Ferry Building Project (1968) with helipad atop roof.



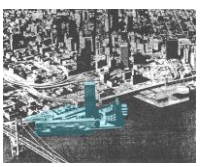
World Trade Center (1950) demolishes Ferry Building.



World Trade Center's terraced high-rises at waterfront.



Proposed 30-story skyscraper at waterfront.



U.S. Steel Building Complex---South of Ferry Building.



Embarcadero Crescent (1961): Ferry Building to Aquatic Park.



Embarcadero Crescent (1961): Bay development east of Telegraph Hill.



The 1963 Downtown Plan had two high-rises flanking the saved Ferry Building's tower.



Old Produce Market's tenants fought and were displaced by the Golden Gateway towers.



Instead of more Golden Gateway towers, activists fought for the low-rise Golden Gateway Commons.

ENVIRONMENTAL CAPITAL: A long-term economic measure includes incorporating "natural capital"---the value of such things as esthetics, nature, and generic diversity---into economic decision-making. From a long-range perspective, waterfront beauty has incalculable economic value---for regional drawing power and people's happiness quotient.



Russian Hill Towers (1958): Mies van der Rohe proposal with block-long parking garage.



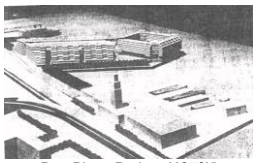
Port Authority Plan (1959: Office buildings, hotel, commercial, terminal….



International Market Place (1968): Multiblock complex at foot of Telegraph Hill.



Ferry Building Plans (1968): Northern Waterfront Plan.



Port Plaza Project (1970)" Ferry Building and Pier 1.



Villamarina Project (1974): The piers and area around Aquatic Park developed.



Pei-Cobb-Fried Proposal (1980)" Office and commercial at Ferry Building and Pier 1.



Koll's Sailing Center (1980)" Piers at Bay Bridge---Hotel, restaurant, retail, marina….



SWL 330 Condo Tower (2006) built though Pier 30-32 cruise terminal cancelled.



Arena/ Condo Project (2014): Entertainment venue and condo towers around Pier 30-32---moved.

THE DEVELOPER-POLITICAL COMPLEX of financial interests works to heighten development, to escalate land values and to transfer public assets to private interests. Freeways and subways are regional escalators of real estate values by promoting well-heeled commuters. The Developer-Political Complex is a network of financial self-interests --- developers, realtors, contractors, consultants, public relations firms, politicians, city staff, nonprofits, and groups who receive donations, fees, payments, and wages. Citizens have rightfully fought for their assets.

FOUNDSF: "The Freeway Revolt" **http://foundsf.org/index.php?title=The_Freeway_Revolt**

On November 2, 1956 the *San Francisco Chronicle* graciously published a map of the proposed and actual freeway routes through San Francisco even though its accompanying editorial was already chastising protestors: "The remarkable aspect of these protests and claims of injury is their tardiness. They concern projects that have for years been set forth in master plans, surveys, and expensive traffic studies. They have been ignored or overlooked by citizens and public official alike—until the time was at hand for concrete pouring and when revision had become either impossible or extremely costly. The evidence indicates that the citizenry never did know or had forgotten what freeways the planners had in mind for them."

WE ARE ON LIFE'S STAGE EVER SO BRIEFLY relative to the timeless beauty of the waterfront environment. It is the responsibility of each generation to protect natural assets for all.

Howard Wong, AIA









From:	patricia_inez@everyactioncustom.com on behalf of Patrice Thompson
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Tuesday, November 25, 2025 9:13:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

The Land Use Committee, on a vote of 2-1, has blocked Supervisor Chan's amendments and its Chair declined to invite HCD, the state oversight agency, to answer questions publicly.

The Committee must advance these compliant amendments for the protection of sound housing, historic resources, and our coastline to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparent and accountable planning.

Additional comments:

Sincerely,
Patrice Thompson
San Francisco, CA 94121

From:	mark@everyactioncustom.com on behalf of Mark Hanlon
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Wednesday, November 26, 2025 9:45:25 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a long-time San Franciscan whose family has lived her for generations, both as renters and home-owners, I care deeply about the character and livability of our neighborhoods. I write to express my strong opposition to Mayor Lurie's current upzoning proposal. As written, the plan incentivizes the demolition of existing homes, displaces renters and small businesses, and risks turning diverse residential areas into corridors of luxury high-rises that most San Franciscans cannot afford.

I'm asking you to:

Substantially scale back the Mayor's proposed upzoning maps

Request a postponement of the arbitrary January 2026 upzoning deadline

These maps would create permanent and irreversible land-use changes across the city, far beyond what state or regional requirements demand — and with no meaningful affordability commitments. In practice, they clear a path for widespread demolition and large luxury developments that largely serve investors rather than the communities they reshape.

San Francisco deserves thoughtful, community-driven planning that protects existing residents, supports small businesses, and ensures genuine affordability — not displacement packaged as progress.

Thank you for your attention to this critical issue.

Sincerely,
Mark Hanlon
San Francisco, CA 94118

From: Justin Truong
To: Board of Supervisors (BOS)
Subject: San Francisco Needs More Housing Options: Support Family Zoning Plan
Date: Thursday, November 27, 2025 11:23:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Clerk of the Board Angela Calvillo,

Dear San Francisco Supervisors,

I'm writing to express my strong support for the Family Zoning Plan.

San Francisco urgently needs more homes — and this plan moves us in the right direction. It will expand housing choices across the city, especially in high-opportunity areas near transit, jobs, and schools. It gives families the flexibility to build backyard units, in-law apartments, and small buildings that allow them to stay close to the people they love.

This is a thoughtful, community-informed proposal that aligns with our Housing Element goals while addressing the real, everyday needs of San Franciscans. I urge you to support the Family Zoning Plan and to continue working toward a housing system that is fair, inclusive, and responsive to the city's future.

Let's build a San Francisco where everyone can belong. Thank you for your partnership and collaboration.

Justin Truong
justintruong56@gmail.com
33 Junior Terrace
San Francisco, California 94112

From:	Jen Reck
To:	Carroll, John (BOS); MelgarStaff (BOS); ChenStaff; MahmoodStaff
Subject:	Public Comment: Land Use and Transportation meeting December 1st
Date:	Monday, December 1, 2025 11:52:15 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee Members:

I am writing regarding an agenda item on your meeting today regarding the Mayor's upzoning plan. I am an Executive Co-Chair of the Castro LGBTQ Cultural District Advisory Board and an associate professor of Sociology at San Francisco State University with an expertise in queer urban development, homelessness, and the built environment.

I strongly support amendments to the plan that will protect rent controlled units from being destroyed as part of the development allowed by the upzoning plan. While streamlining development and the building permit processes will help San Francisco comply with the requirements of the state housing element, it is vital that we pursue these actions with equity in mind and ensure that existing residents can stay in place even as we seek to build more units of housing.

Protecting rent controlled units is a vital part of San Francisco's culture and commitment to access and equity. Please vote to strengthen rent control protections and disallow demolition of any rent control buildings., as well as removing all rent control units from the local bonus.

Rent control units are a housing protection in San Francisco that have probably done the most to counter gentrification and prevent displacement of San Francisco renters. I respectfully request that you help preserve the cultural heritage of San Francisco by protecting those who live here, particularly because many of them are only able to remain living here due to their access to rent controlled housing.

Thank you,

Jen Reck

--
Jen Reck, PhD
Executive Co-Chair
Castro LGBTQ Cultural District
San Francisco, California

pronouns: she / they

From:	D M LaPointe
To:	Carroll, John (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS)
Cc:	Lurie, Daniel (MYR); Wtpcc Delegates; Wtpcc Officers; MelgarStaff (BOS); Board of Supervisors (BOS)
Subject:	Submission of WTPCC Letter to the Land Use & Transportation Committee
Date:	Monday, December 1, 2025 11:20:45 AM
Attachments:	WTPCC-LU-upzoning - 12-1-25.docx

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chair and Clerk,

Please find attached the West of Twin Peaks Central Council's letter regarding the Family Zoning Plan for consideration by the Land Use & Transportation Committee. We respectfully request that this letter be entered into the official record for the upcoming hearing.

Thank you for your attention.

--
Denise M. LaPointe
President
WTPCC

West of Twin Peaks Central Council

A Resource for Neighborhood Organizations West of Twin Peaks in San Francisco since 1936

PO Box 27112
San Francisco, CA 94127

http://www.westoftwinpeaks.org/

December 1, 2025

Chair and Members of the Land Use & Transportation Committee:

On behalf of the West of Twin Peaks Central Council and the thousands of homeowners and families we represent, we register our firm and unequivocal opposition to the Family Zoning Plan unless it is substantially amended.

We believe in housing. We believe in growth. And we have proved it - approving and welcoming thousands of new homes at Stonestown, Parkmerced, Balboa Reservoir, and throughout our corridors. Our neighborhoods have done our part and remain ready to do more.

But this proposal is not real planning. It is paper compliance masquerading as progress, shifting the costs and destabilizing impacts onto the very neighborhoods that have kept San Francisco livable, stable, and resilient.

The City's own financial analysis makes one fact unavoidable: only mid-rise redevelopment pencils out. That means this plan incentivizes the demolition of existing homes - not on transit corridors already upzoned by SB 79, but deep inside long-standing, middle-class neighborhoods. SB 79 is already the law. Local zoning will be overridden in 2032. The City should be defending its residents - homeowners and long-term residents alike - not eliminating their remaining protections through density decontrol.

Density decontrol must be removed. Without that amendment, the plan reads as a teardown blueprint, not a family housing strategy.

A central flaw in the proposal is the assumption that so-called "well-resourced neighborhoods" should absorb the city's unmet housing goals, even though these areas do not have the infrastructure capacity to support significant added density. This approach contradicts the City's own service and transit data. Effective equity planning pairs new housing with targeted investment in under-served communities - expanding transit, upgrading utilities, and improving public services where it will meaningfully reduce disparities. Concentrating demolition incentives in stable neighborhoods while leaving actual inequities unaddressed is not sound planning and does not advance the City's stated equity goals.

WTPCC therefore urges the Committee to adopt these essential changes:

Eliminate density decontrol.
It is unnecessary, inequitable, and guaranteed to trigger speculative demolition pressure.

Protect small businesses and merchant corridors.
West Portal, Taraval, and Lakeside cannot absorb displacement without losing the local merchants who define them.

Restore design review, public notice, and protection of historic resources.
Residents - especially longtime homeowners - have the right to transparency. Eliminating due process is unjustifiable.

Guarantee strong protections for existing homeowners and long-term residents.
Middle-class families, whether they rent or own, are the backbone of San Francisco and deserve respect, stability, and a meaningful voice.

At the same time, WTPCC and its members are committed partners in real solutions -and we are sounding this alarm now because the unintended consequences of this plan will be profound and irreversible if the City does not course-correct. We stand ready to help the City unlock and incentivize the more than 70,000 approved units already in the pipeline - homes that can be delivered now, without destabilizing established neighborhoods or erasing neighborhood identity.

Our stable, historic, family-oriented neighborhoods are not obstacles - they are the civic bedrock and democratic center of gravity of this city, composed of taxpayers who keep San Francisco running. To ignore this constituency and insist that one community upend its way of life to cover for years of government failure is not equity - it is a fundamental injustice. No credible planning effort punishes families and homeowners for problems created by City Hall.

If the City is serious about housing, it will focus on the 70,000 units already approved - not dismantle the neighborhoods that sustain the city.

Amend this plan. Protect homeowners and tenants, small business and historic resources. And prove that San Francisco can grow without sacrificing the very neighborhoods that make it worth fighting for.

Sincerely,

Denise LaPointe
President | WTPCC

Cc: Mayor Daniel Lurie
Supervisor Rafael Mandelman, President, Board of Supervisors and Members
WTPCC Delegates

From:	Tina Aguirre
To:	Carroll, John (BOS); MelgarStaff (BOS); ChenStaff; MahmoodStaff
Cc:	Sucre, Richard (CPC); Jen Reck; Wyatt Robertson; Joshua Ochoa; Michael Karavolias; Shayne Watson; M Rocket; Alexandre Fellous; Andrew Gutierrez III
Subject:	Protect rent control units from getting demolished by developers
Date:	Monday, December 1, 2025 10:39:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee Members:

As the Castro LGBTQ Cultural District Director, I respectfully ask that you help protect rent control units in San Francisco. The Castro LGBTQ Cultural District supports amendments to the Mayor's Upzoning Plan to protect rent control units from getting demolished by developers. Protections should be strengthened to disallow demolition of any rent control buildings. We also support removing all rent control units from the local bonus.

Rent control units have helped counter gentrification and displacement of LGBTQ+ community members since its inception in 1979. Please help preserve the cultural heritage of San Francisco by protecting its most important element: the people who live and thrive here.

Thank you,

Tina Aguirre

copy: Rich Sucre, Planning
Castro LGBTQ Cultural District Advisory Board Members

Mx. Tina V. Aguirre
Cultural District Director
Castro LGBTQ Cultural District
pronouns: they/them/theirs

From: Eileen Hirst
To: Carroll, John (BOS)
Subject: Family Zoning Plan
Date: Monday, December 1, 2025 10:07:21 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As the Land Use and Transportation Committee again considers Mayor Lurie's upzoning plan, I urge you to listen to the Planning staff, the City Economist and the hundreds of San Franciscans who are telling you that this plan will not result in the workforce housing needed to encourage families to stay in San Francisco, nor will it meet the state's artificial housing requirement.

I urge you to reject this plan and direct the Planning Department to identify parcels ripe for affordable, family-appropriate housing now, and I urge you to direct the appropriate city agencies to work with housing developers to finance that housing and streamline the permitting process to make it happen now, because now is when we need it.

If you insist on passing this misbegotten scheme, I urge you to adopt the common sense amendments offered by Supervisors Connie Chan and Chyanne Chen.

I urge you to retain the 40-foot height limit on more than 30 alleys, some as narrow as 11 feet wide, on Russian Hill.

I urge you to retain the 40-foot height limit on the blocks bounded by Hyde, Vallejo, Filbert and Larkin Streets.

You cannot have the Family Zoning Plan both ways. If, in fact, Planning staff and the City Economist are correct that this plan will not produce the required housing, there is no reason to pass it to the full Board. If, as some maintain, the plan will result in tens of thousands of housing units, passing it without provisions for necessary accompanying infrastructure and requirements for affordable, family-appropriate housing is reckless and irresponsible.

You have one chance to get this right. Have the courage to send it back to the drawing board and not allow San Francisco to be bullied by the state. Have the courage to stand up for San Francisco and demand a plan that will really work.

Thank you,

Eileen Hirst
Resident of Russian Hill

From:	James Lloyd
To:	Chen, Lisa (CPC); Board of Supervisors (BOS); Board of Supervisors (BOS); BOS-Supervisors; ChanStaff (BOS); ChenStaff; DorseyStaff (BOS); Fielder, Jackie (BOS); MahmoodStaff; MandelmanStaff (BOS); MelgarStaff (BOS); SauterStaff; SherrillStaff; Walton, Shamann (BOS)
Cc:	Carroll, John (BOS); Dennis Phillips, Sarah (CPC); Cityattorney
Subject:	public comment re Family Zoning plan for today"s Land Use Committee meeting
Date:	Monday, December 1, 2025 9:16:53 AM
Attachments:	CFH v BH - 2023-12-21 - Judgment.pdf San Francisco - Family Zoning Plan - BoS Land Use Committee 2025.12.01.pdf ucb-examining-local-law-policy-planning-practice-on-development-in-sf-using-cales.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

The California Housing Defense Fund and Californians for Homeownership submit the attached public comment (and referenced attachments) for today's Land Use Committee meeting regarding the Family Zoning Plan, agendized as items 2 through 9.

Sincerely,

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org
CalHDF is grant & donation funded
Donate today - https://calhdf.org/donate/

Electronically Received 10/27/2023 11:58 PM

FILED
Superior Court of California
County of Los Angeles
12/21/2023
David W. Slayton, Executive Officer / Clerk of Court
By: M. Mort Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

CALIFORNIANS FOR HOMEOWNERSHIP, INC., a California nonprofit public benefit corporation,

Petitioner,

v.

CITY OF BEVERLY HILLS,

Respondent.

Case No. 23STCP00143

[~~PROPOSED~~] JUDGMENT

Assigned for all purposes to:
Hon. Curtis A. Kin (Dept. 82)

On September 12, 2023, the Court held a hearing on Petitioner's Verified First Amended Petition for Writ of Mandate. After considering the parties' papers and oral argument, the Court issued the decision attached hereto as Exhibit A.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Judgment is entered in favor of Petitioner on the Verified First Amended Petition for Writ of Mandate.

2. A writ of mandate shall issue pursuant to Code of Civil Procedure section 1085 and Government Code section 65754 (a) requiring Respondent to bring the housing element of its general plan into substantial compliance with state law within 120 days of the date of this judgment, (b) requiring Respondent to bring its zoning ordinance into consistency with the housing element of its general plan within 120 days of the amendment required by (a), and (c) requiring Respondent to

file a return to the writ within 250 days of the date of this judgment.

3. Pursuant to subdivision (a)(1) of Government Code section 65755, the Court hereby suspends the authority of Respondent to issue building permits pursuant to Division 13 (commencing with section 17910) of the Health and Safety Code, and all other related permits, except for permits that create new residential bedrooms or units, and except for permits subject to subdivision (b) of Government Code section 65755, until the City has substantially complied with the requirements of Article 5 of Chapter 3 of Division 1 of Title 7 of the Government Code (commencing with Government Code Section 65300).

4. The Court hereby declares that Respondent City of Beverly Hills has not adopted a substantially compliant general plan housing element

5. Petitioner is entitled to recover its reasonable and legally-authorized costs pursuant to a memorandum of costs to be subsequently filed with the Court.

Dated: 12/21/2023

Curtis A. Kin/Judge

Hon. Curtis A. Kin
Judge of the Superior Court

Respectfully submitted this 27th day of October, 2023
CALIFORNIANS FOR HOMEOWNERSHIP, INC.

Matthew P. Gelfand

Attorneys for Petitioner CALIFORNIANS FOR HOMEOWNERSHIP, INC.

EXHIBIT A

FILED
Superior Court of California
County of Los Angeles
SEP 12 2023
David W. Slayton, Executive Officer/Clerk of Court
By: M. Mort, Deputy

Superior Court of California
County of Los Angeles

CALIFORNIANS FOR HOMEOWNERSHIP, INC., Petitioner, vs. CITY OF BEVERLY HILLS, Respondent.	Case No. 23STCP00143 **RULING ON VERIFIED FIRST AMENDED PETITION FOR WRIT OF MANDATE** Dept. 82 (Hon. Curtis A. Kin)

Petitioner Californians for Homeownership, Inc. petitions for a writ of mandate directing respondent City of Beverly Hills to adopt a revised housing element pursuant to Government Code § 65754.

I. Factual Background

The State of California requires each city to have a "comprehensive, long-term general plan for the physical development" of the city. (Gov. Code § 65300.)[1] Each general plan must have a housing element. (§ 65302(c).) The housing element consists of 'standards and plans for housing sites in the municipality that 'shall endeavor to make adequate provision for the housing needs of all economic segments of the community.' [Citations.]" (*California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 444; *see also* § 65580 [legislative findings concerning housing element law].)

"A municipality must review its housing element for the appropriateness of its housing goals, objectives, and policies and must revise the housing element in accordance with a statutory schedule." (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193, 222, citing § 65588(a), (b).) "The interval between the due dates for

[1] All statutory references are to the Government Code, unless otherwise specified.

the revised housing element is referred to as a planning period or cycle, which usually is eight years." (*Martinez,* 90 Cal.App.5th at 222, citing § 65588(e)(3), (f)(1).)

"A revised housing element's assessment of needs must quantify the locality's existing and projected housing needs for all income levels, which includes the locality's proportionate share of regional housing needs for each income level." (*Martinez,* 90 Cal.App.5th at 223, citing § 65583(a)(1).) "The projected regional housing needs for a planning period are determined by the HCD [Department of Housing and Community Development] in consultation with regional 'councils of government.'" (*Martinez,* 90 Cal.App.5th at 223, citing §§ 65584(a) & (b), 65584.01, 65588(e)(3).) "Based on the HCD's regional housing needs determination, each regional council of governments adopts a 'final regional housing need plan that allocates a share of the regional housing need' among the cities and counties within its region." (*Martinez,* 90 Cal.App.5th at 223, citing § 65584(b).)

For the 2021-2029 planning period, the City Council of respondent City of Beverly Hills ("City") adopted a housing element on October 12, 2021 and submitted it for review to HCD. (JR 776.) On January 14, 2022, HCD determined that the housing element did not fully comply with the housing element law and provided necessary revisions. (JR 1309-16.)

On September 28, 2022, the City submitted a revised housing element to HCD. (JR 776.) On November 28, 2022, HCD determined that the revised housing element did not fully comply with the housing element law and provided necessary revisions. (JR 1318-24.)

On February 21, 2023, after having revised the September 2022 housing element, the City adopted the revision. (JR 5.) On February 21, 2023, petitioner Californians for Homeownership, Inc., who monitors local compliance with the housing element law, sent a letter to the City asserting that the revised housing element was inadequate for reasons identified by HCD and petitioner. (JR 1584-85.) On May 12, 2023, HCD determined that the housing element does not substantially comply with housing element law. (RJN Ex. B.)

II. Procedural History

On January 18, 2023, petitioner filed a verified petition for writ of mandate. On May 24, 2023, pursuant to stipulation, petitioner filed a verified first amended petitioner for writ of mandate.

On June 22, 2023, during the trial setting conference, the Court set the hearing on the instant petition for September 12, 2023.

On July 14, 2023, petitioner filed an opening brief. On August 15, 2023, respondent filed an opposition. On August 31, 2023, petitioner filed a reply.

III. Request for Judicial Notice

Petitioner's requests for judicial notice are ruled on as follows:

- Exhibit A (September 15, 2017 Assembly Floor Analysis of AB 1397 (2017-2018 Session)) – GRANTED (Evid. Code § 452(c); *Wood v. Kaiser Foundation Hospitals* (2023) 88 Cal.App.5th 742, 751, fn. 4)

- Exhibit B (May 12, 2023 Letter from HCD to City) – GRANTED (Evid. Code § 452(c))

- Exhibit C (Staff Report for June 22, 2023 Meeting of Beverly Hills Planning Commission) – DENIED

- Exhibit D (Minutes of June 22, 2023 Meeting of Beverly Hills Planning Commission) – DENIED

- Exhibit E (Resolution No. 1907 of Beverly Hills Planning Commission) – DENIED

- Exhibit F (2022 Form 10-K for Creative Media & Community Trust Corporation (Excerpts)) – DENIED

- Exhibit G (June 10, 2020 Memorandum of the California Department of Housing and Community Development, Entitled "Housing Element Site Inventory Guidebook") – GRANTED (Evid. Code § 452(c))

- Exhibit H (City of Gardena's 2021-2029 Housing Element, Table C-1) – GRANTED (Evid. Code § 452(c))

With respect to denying the request for judicial notice of Exhibits C, D, E, and F, the Court notes these exhibits are extra-record evidence petitioner presents to demonstrate that certain sites listed in the sites inventory of the housing element are improperly included. For the reason stated in section V.C below, this is improper. The exhibits are accordingly irrelevant. (*Mangini v. R.J. Reynolds Tobacco Co.* (1994) 7 Cal.4th 1057, 1063 ["Although a court may judicially notice a variety of matters (Evid. Code, § 450 *et seq.*), only relevant material may be noticed"].)

IV. Standard of Review

CCP § 1085(a) provides: "A writ of mandate may be issued by any court to any inferior tribunal, corporation, board, or person, to compel the performance of an act which the law specially enjoins, as a duty resulting from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to

which the party is entitled, and from which the party is unlawfully precluded by that inferior tribunal, corporation, board, or person."

"Any action brought by any interested party to review the conformity with the provisions of this article of any housing element or portion thereof or revision thereto shall be brought pursuant to Section 1085 of the Code of Civil Procedure; the court's review of compliance with the provisions of this article shall extend to whether the housing element or portion thereof or revision thereto substantially complies with the requirements of this article." (§ 65587(b); *see also* § 65751.) Substantial compliance means "actual compliance in respect to the substance essential to every reasonable objective of the statute, as distinguished from mere technical imperfections of form." (*Martinez,* 90 Cal.App.5th at 237, internal citations omitted.)

"[A] city's adoption of a housing element is a legislative enactment, something which is generally entitled to some deference." (*Fonseca v. City of Gilroy* (2007) 148 Cal.App.4th 1174, 1191.) "If the municipality has substantially complied with statutory requirements, we will not interfere with its legislative action, unless that action was arbitrary, capricious, or entirely lacking in evidentiary support." (*Ibid.*) The challenging party has the burden to demonstrate that the housing element is inadequate. (*Ibid.*)

V. Analysis

A. This Dispute is Not Moot

As a preliminary matter, respondent asserts that the City anticipates adopting a revised housing element in November of this year to address concerns about the current housing element. (Wiener Decl. ¶ 2.) However, there is no guarantee that a revision will be completed by November or that the City will adopt a revision at that time, or at any time thereafter. The Court can only rule based on the current housing element. The instant petition is entitled to preference. (§ 65752.) Further, if the Court were to enter judgment in favor of petitioner, the housing element law provides deadlines for the City to address the deficiencies in the housing element and to submit the revision to HCD. (§ 65754(a).) If respondent were to appeal, the appeal would be given preference also. (§ 65752.) Accordingly, there is no reason to delay ruling on the merits of the operative first amended petition.

B. Whether Sites Inventory Meets Statutory Requirements

1. Realistic Development Capacity

The inventory in a housing element must "specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing." (§ 65583.2(c).) For a city that does not require a

minimum residential density,[2] the city "shall demonstrate how the number of units determined for [each] site...will be accommodated." (§ 65583.2(c)(1).) As part of the calculation, " [t]he number of units calculated...shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583, the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities." (§ 65583.2(c)(2).)

An "assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs" shall include an "analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels...including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development." (§ 65583(a)(5).)

To demonstrate that its inventory is adequate, respondent relies on a Mixed Use Overlay Zone ("Overlay Zone") adopted by ordinance on November 17, 2020, where the maximum residential density within the zone was increased from 0 in commercial areas to 79.2 units/acre. (JR 200, 209.) The Overlay Zone spans the length of the City from east to west and partially north to south, along its largest commercial corridors, including Wilshire Boulevard, Robertson Boulevard, Olympic Boulevard, South Doheny Drive, and South Beverly Drive. (JR 125; *see also* JR 213 [map of Overlay Zone].) In the housing element, the City describes the purported benefits of the Overlay Zone: "This wide-scale rezoning allows for the creation or conversion of non-residential space into residential units, and therefore will create all net new housing, since it does not involve the displacement of any existing occupied housing/residents." (JR 125.)

Respondent argues that the maximum residential density exceeds the minimum 30 units per acre that is statutorily deemed appropriate to accommodate housing for lower income individuals. (§ 65583.2(c)(3)(B)(iv).) Respondent also argues that existing commercial buildings in the Overlay Zone may obtain a permit to convert to a mixed-use building and obtain relief from having to comply with standards concerning parking requirements, loading facilities, outdoor living space, commercial-residential transitional setbacks, or height limits if compliance is physically infeasible. (JR 1636; *see also* Chen Decl. Ex. G [Beverly Hills Municipal Code ("BMMC") § 10-3-1888].) The vacancy rates for commercial buildings also purportedly create an incentive for commercial building owners to convert their buildings to mixed-use projects. (JR 201.)

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[2] It is undisputed Beverly Hills does not mandate a minimum residential density.

For commercial properties listed in the sites inventory of the housing element that were designated for conversion or indicated as having conversion potential (JR 229-34), to calculate the total number of units on the site, the City multiplied the total parcel size by the maximum allowable residential density.[3] However, the total parcel size listed in the sites inventory refers to land area, not the square footage of the existing building that can accommodate residential units. Contrary to respondent's contention, the sites inventory does not account for floor area capacity; the sites inventory lists the height limit of the building, not the number of stories to be converted to residential use. (*See, e.g.*, JR 229 [column name is "Height Limit (stories)," 233 [8500 Wilshire Blvd. described as "8 story building – conversion," but height limit is 3 stories].) As a result, for buildings to be converted to mixed use, the housing element does not demonstrate how the number of units indicated in the sites inventory will be accommodated, as required by section 65583.2(c)(1).

Moreover, as petitioner points out in the reply, most of the sites in the City's sites inventory are not designated as conversions or potential conversions. (JR 229-34.) For sites not indicated as conversions, any construction of residential units is subject to land use and building controls. For example, multi-family developments are subject to height limits from three to five stories. (JR 153-54.) Any building in the Overlay Zone must include commercial uses on the ground floor, and residential uses on the first floor within the first 40 feet from the street are prohibited. (BMMC §§ 10-3-1877(C), 10-3-1879.) Moreover, each multi-family development must have at least 200 square feet for each dwelling unit, excluding front yards, balconies, and pedestrian accessways. (BHMC §§ 10-3-1886, 10-3-2803.)

The sites inventory contains no adjustment based on land use controls for new construction, as required by section 65583.2(c)(2). Rather, like the sites designated as conversions, the number of units for each site is calculated based on the land area multiplied by the maximum residential density. Moreover, the housing element contains no meaningful consideration and analysis of the governmental constraints on the development of housing, as required by § 65583(a)(5). Rather, the City relies on prior approved and proposed developments in arguing in conclusory fashion that "the current standards are not inhibiting development of housing." (JR 158-159, 203-04.) Accordingly, the housing element, including the sites inventory, fails to account for the realistic development capacity for the sites listed in the inventory.

With respect to respondent's contention that the maximum residential density exceeds the density set forth in section 65583.2(c)(3)(B)(iv), this only means that the

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[3] For example, for 8730 Wilshire Blvd., the parcel size is 11,863 square feet. (JR 233.) There are 1/43,560 acres in one square foot. (*See* https://www.britannica.com/science/acre-unit-of-measurement [43,560 square feet in 1 acre].) 11,863 square feet multiplied by 1/43,560 acre per square foot is 0.27 acres. 0.27 acres multiplied by 79.2 units per acre is approximately 21 units.

City does not have to provide an analysis demonstrating how its adopted density accommodates its share of the regional housing need for lower income households. (§ 65583.2(c)(3)(A-B).) However, the City still must adjust the number of units for each site based on the realistic development capacity of the site under section 65583.2(c)(1) and (c)(2) and provide an "analysis of potential and actual governmental constraints upon the...development of housing for all income levels" under section 65583(a)(5).

Petitioner also argues that the City designated the majority of the sites on the sites inventory as 100% low-income or 100% moderate-income housing without explaining the basis for such designation. (OB at 10:6-7.) Petitioner further argues that the City did not adjust the unit counts based on "typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction," as required by section 65583.2(c)(2). (OB 10:7-8.)

Petitioner, however, does not reference any statute that requires an explanation for the basis for the low-income or moderate-income housing designation. The housing element law only requires that the City specify "the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing" and demonstrate "how the number of units determined for that site...will be accommodated." (§ 65583.2(c), (c)(1).) The sites inventory indicates the total number of units for each site. (JR 229 ["Total Units" column].) By indicating the number of units that are designated as low-income or moderate-income housing, the City also indicates "whether the site is adequate to accommodate lower income housing [or] moderate-income housing." (JR 229 ["Lower" and "Mod" columns].) While the City did not explain how the total number of units will be accommodated for the reasons stated above, the designation of housing as low-income or moderate-income is not deficient.

Nevertheless, it is not apparent from the sites inventory whether the City adjusted the numbers for low-income and moderate-income housing based on "typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction." (§ 65583.2(c)(2).) By multiplying the land area by the maximum residential density of 79.2 units per acre and designating all housing as low- or moderate-income housing, the City assumes that all units built on the site will be low-income or moderate-income housing. The City does not account for the possibility that only a certain percentage of the housing on the site will be designated for residents with low- or moderate-income. A revised housing element would need to contain an adjustment based on typical densities at similar affordability levels.

In sum, with respect to realistic development capacity, the housing element is deficient for the following reasons: (1) for conversions, the sites inventory calculates the total number of units based on a product of land area and the maximum residential density without accounting for the floor area of the building; (2) the sites

inventory does not contain any adjustments based on land use controls for new construction; (3) the housing element contains no analysis of the governmental constraints on the development of housing; and (4) the sites inventory does not contain any adjustments based on typical densities of existing or approved residential developments at similar affordability levels in the City.

2. Nonvacant Sites

For nonvacant sites, the housing element law imposes the following additional requirement:

> [T]he city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, the city's or county's past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites.

(§ 65583.2(g)(1).)

Petitioner argues that the City does not explain how its methodology relates to the sites it has included or excluded in the sites inventory. For underutilized nonvacant sites, respondent explains that it selected sites that were more likely to be redeveloped or converted based on evidence of a lack of investment in the property, such as a lack of maintenance or lack of recent upgrades and improvements; parcels with underutilized improvements; and parcels with existing commercial buildings that are higher than 3 stories but whose floor plan is conducive to residential conversion. (JR 202-03, 210-11.) Respondent also explains that existing uses do not constitute an impediment to additional residential development because the creation of the Overlay Zone creates opportunities for residential development; conversion from non-residential to residential use costs less than new construction; and high residential property values in the City create financial incentives for residential development. (JR 209-10.) However, respondent discusses its methodology for determining development potential generally, without engaging in any site-specific analysis.

Respondent contends that it need not engage in an analysis of the methodology of the development potential for each site. The Court disagrees. Section

65583.2(g)(1) states that, for nonvacant sites, "the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential." Reading the subdivision as a whole, the City is required to provide an explanation of the methodology for each site in the sites inventory. Among the factors that the methodology must consider are "the current market demand for the existing use" and "an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development." (§ 65583.2(g)(1).) These factors necessarily relate to specific sites and cannot be discussed generally. Because the Legislature included these factors, the Legislature surely intended that the City provide "an explanation of the methodology used to determine the development potential" for each site.

Without a site-specific analysis, it is unclear how the methodology was applied. For example, as petitioner points out in the opening brief, the City purports to have excluded commercial buildings that contained medical uses and car dealerships from the sites inventory. (JR 210.) However, the sites inventory includes medical buildings and car dealerships. (*See, e.g.*, JR 229-30 [153 S. Doheny Dr., 239 S. La Cienega Blvd., 8833 W. Olympic Blvd., 8845 W. Olympic Blvd., 9134 W. Olympic Blvd.].) The City does not explain how the existing use does not serve as an impediment to residential development.

For the foregoing reasons, with respect to section 65583.2(g)(1), the housing element is deficient because the City did not provide an explanation of the methodology used to determine the development potential for each site, including a discussion of the factors probative of likelihood of redevelopment set forth in section 65583.2(g)(1).

Further, the sites inventory shows that the City is meeting all of its share of the need for lower-income housing through nonvacant sites. Accordingly, section 65583.2(g)(2), quoted below, is implicated:

> In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.

(§ 65583.2(g)(2).)

For nonvacant sites, the "Field Notes/Existing Conditions & Analysis for Keeping/Removing" column in the sites inventory only indicates the existing use of the site and whether the site is designated for conversion or has conversion potential. (JR 229-34.) The City does not engage in any discussion of occupancy rates, lease terms, viability of the business operating at the sites. Nor does the City present any other discussion demonstrating that the existing use for each site "does not constitute an impediment to additional residential development during the period covered by the housing element." (§ 65583.2(g)(2).) Without any evidence concerning the existing use of each site, the existing use is presumed to impede additional residential development. (*Ibid.*)

Respondent maintains that Culver City and Gardena obtained HCD approval based on a chart similar to its sites inventory. However, unlike Beverly Hills, Gardena's sites inventory sets forth the existing use of each site and why the existing use is likely to be discontinued during the planning period. (Reply RJN Ex. B; cf. Chen Decl. Ex. B at 71 [listing criteria used in selection of sites].) With respect to Culver City, the sites inventory does not set forth the reason why the existing use is likely to be discontinued. (Chen Decl. Ex. A at Appendix B.) However, elsewhere in the housing element, Culver City discusses sites that present opportunities for development based on positive responses from property owners and developers. (Chen Decl. Ex. A at B-9 to B-10.) Unlike Beverly Hills, Culver City discussed how the existing use at certain sites would not impede residential development. Beverly Hills did not engage in any site-specific analysis concerning how the existing use would not impede additional residential development.

Respondent contends that the Court of Appeal in *Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193 determined that no site-specific analysis concerning the methodology used to determine development potential and additional development factors is required. This is not quite accurate. In *Martinez*, the Court of Appeal found that section 65583.2(g)(1) "does not mandate the City 'specify the additional development potential for each [nonvacant] site within the planning period and ... provide an explanation of the methodology used to determine the development potential' *in the housing element itself.*" (*Martinez*, 90 Cal.App.5th at 248-49, emphasis added.) While specification of the additional development potential for each site does not have to be part of the housing element, the City still must demonstrate the additional development potential for each site. In *Martinez*, for example, the City of Clovis provided evidence outside of the housing element to demonstrate the development potential of a nonvacant site. (*Id.* at 249-51.)

Here, there is no analysis of the additional development potential for each site listed in the sites inventory in the housing element or elsewhere. Further, the housing element does not contain findings based on substantial evidence that the existing uses of nonvacant sites are likely to be discontinued, as required by section 65583.2(g)(2).

In sum, with respect to nonvacant sites, the housing element is deficient for the following reasons: (1) the City did not provide an explanation of the methodology used to determine the development potential for each site in the sites inventory, including a discussion of the factors probative of likelihood of redevelopment set forth in section 65583.2(g)(1); and (2) the City fails to demonstrate with substantial evidence that the existing use for each site in the sites inventory does not constitute an impediment to additional residential development during the period covered by the housing element.

C. Specific Sites

Petitioner also contends that certain sites were improperly included in the sites inventory. (OB at 15:6-17:1.) Petitioner maintains that the City did not make the findings based on substantial evidence that are required to rebut the presumption under section 65583.2(g)(2) that the existing use will impede additional residential development. (Reply at 4:13-14.)

However, in contending that additional residential development is not possible on certain sites, petitioner relies on extra-record evidence. For example, for 55 North La Cienega, the sites inventory indicates that the property will have 70 low-income units. (JR 229.) However, petitioner presents a Planning Commission Report and meeting minutes to assert that the City's Planning Commission approved development on the site with only 11 units of very low-income housing. (Gelfand Decl. Exs. C at 1, D at 3-4.)

"[W]here the scope of review of factual findings is substantial evidence, review limited to the administrative record is appropriate because extra-record evidence is irrelevant to whether the agency's decision is supported by substantial evidence." (*Cinema West, LLC v. Baker* (2017) 13 Cal.App.5th 194, 208.) Petitioner cannot challenge the inclusion of sites in the inventory based on extra-record evidence. Ironically, petitioner would have the Court consider the propriety of certain sites based on extra-record evidence, but then bar respondent from presenting extra-record evidence to rebut petitioner's argument. (Reply at 4:18-5:13.)

With respect to sites which petitioner contends are unlikely to disappear based on their existing use (OB at 16:21-17:2; JR 1557-58), the Court already finds that respondent did not make findings based on substantial evidence that the existing use for each nonvacant site in the sites inventory is likely to be discontinued. The City must make such findings in revising the housing element.

VI. Conclusion

The petition is GRANTED. Pursuant to Local Rule 3.231(n), petitioner shall prepare, serve, and ultimately file a proposed judgment and proposed writ of mandate.

Date: September 12, 2023

HON. CURTIS A. KIN

23CV-21063

CALIFORNIANS FOR HOMEOWNERSHIP

CAL HDF

Dec 1, 2025

San Francisco Board of Supervisors
49 South Van Ness Avenue
San Francisco, CA 94103

Re: Housing Element Implementation

By email: Lisa.chen@sfgov.org, Board.of.Supervisors@sfgov.org, bos@sfgov.org, bos-supervisors@sfgov.org, ChanStaff@sfgov.org, ChenStaff@sfgov.org, DorseyStaff@sfgov.org, Jackie.Fielder@sfgov.org, MahmoodStaff@sfgov.org, MandelmanStaff@sfgov.org, MelgarStaff@sfgov.org, SauterStaff@sfgov.org, SherrillStaff@sfgov.org, Shamann.Walton@sfgov.org

Cc: john.carroll@sfgov.org; sarah.dennis-phillips@sfgov.org; cityattorney@sfcityatty.org

Dear San Francisco Board of Supervisors,

The California Housing Defense Fund ("CalHDF") and Californians for Homeownership ("CFH") write in advance of the Land Use and Transportation Committee meeting scheduled for December 1, 2025 at 1:30pm. We write to warn the Committee, as well as the larger Board, that certain elements of the proposed Family Zoning Plan violate state law. Specifically:

1. The City's proposed rezonings will not produce sufficient new housing. This violates commitments the City made when it adopted its Sixth Cycle Housing Element.

2. The City's proposed rezonings add new constraints on housing production. This, again, violates commitments the City made in its Sixth Cycle Housing Element and independently violates the Housing Element Law.

3. The "Housing Choice - San Francisco" program seeks to exempt San Francisco from certain state housing laws. That is illegal.

If the City does not correct these problems, CalHDF and CFH will challenge the City in court. As a result of the lawsuit, the City would, potentially, fall out of compliance with the Housing Element Law and face exposure to the "builder's remedy." (See Gov. Code, § 65589.5,

subds. (d)(5), (d)(6).) CalHDF and CFH urge the City to avoid such needless litigation and instead comply with the law in the first instance.

The City's Proposed Rezonings Are Inadequate

The Housing Element Law (Gov. Code, §§ 65580 et seq.) establishes a clear process for the evaluation, planning, and enactment of the City's housing policy. That process has a two-part structure. In the first part, the City must adopt a housing element on a specified timeline and that meets certain requirements. In the second part, the City must implement the programs promised in its housing element. Crucially, the second step relies on the first step: what, precisely, the City must do in the second step has already been established by the housing element. (See Gov. Code, § 65583, subd. (c).) The second step is *not* a freestanding exercise in policymaking or policy analysis. (See *id.*) The policymaking and policy analysis are conducted in the first step, and the Housing Element Law leaves essentially no room to alter the results at the second step.[1]

San Francisco has completed the first step. It adopted a housing element on January 31, 2023, adhering to the substantive and procedural rules in the Housing Element Law. The California Department of Housing and Community Development ("HCD") also certified the City's adopted housing element as legally compliant, pursuant to its statutory authority. (See, e.g., Gov. Code, § 65585.) That housing element made numerous detailed commitments. These commitments include promises to rezone large areas of the City to accommodate housing growth necessary to meet demand and ease upward pressures on housing costs. (See Gov. Code, §§ 65583 [establishing standards for required rezonings]; 65583.1 [same]; 65583.2 [same].) The housing element, moreover, promised not only to rezone, but to engage in detailed analysis that would help shape the rezoning. (See Program 7.1.1 in San Francisco's Housing Element, available here.)

San Francisco is now at the second step of the process: implementing the commitments in its housing element. This includes the aforementioned rezoning and associated policy analyses. The City's proposed rezoning, however, fails to fulfill crucial aspects of housing element commitments – commitments that the City, as explained above, cannot renege on without going through a full amendment process for its housing element.

Program 7.1.1 of the City's housing element commits the City to implementing a rezoning program that "reasonably account[s] for sites' likelihood of development during the planning period using an analytical model." The housing element uses mandatory language, stating that the City "shall" build its rezoning program around such a

[1] If the City wishes to alter the policy analysis or programs promised by its housing element, it has an avenue to do that: it may amend its housing element according to the procedures set forth in Government Code section 65585. But the process remains a two-step process: the City must first amend its housing element, and only then can it proceed to the second step of implementing the promised housing element programs.

"probability-of-development" analysis. In sum: the City must rezone to an extent that the expected number of new units that will be built after the rezoning, calculated via a robust probability-of-development analysis, meets the City's projected housing need (i.e. the Regional Housing Needs Assessment, or "RHNA," allocation, plus a buffer specified in the housing element).

The current rezoning proposal does not do this. The proposal's failure is twofold. First, none of the methods the Planning Department has relied on to assess whether the proposal will satisfy San Francisco's rezoning obligation constitutes a probability-of-development analysis using an analytical model in line with Program 7.1.1 in the housing element. Second, when the City has conducted an analysis that meets the requirements of Program 7.1.1, the analysis shows the current rezoning proposal will not satisfy San Francisco's rezoning obligation.

With respect to the rezoning proposal's first failure: the City proposes three methods to project the number of new units the proposed rezoning can be expected to produce. None of the three methods measures up to the standards in Program 7.1.1.

1. The first method is the "soft sites" method, which is described in appendix B of the City's housing element. This method assumes that a site currently hosting a residential use has a two percent probability of being redeveloped with the rezoning's planned residential capacity and a site currently hosting a non-residential use has a seventy percent probability of redevelopment. Such rigid calculations based on uniform, citywide assumptions about the odds of development on thousands of very different sites are not an "analytical model" and do not "reasonably account for sites' likelihood of development" as required by Program 7.1.1. These assumptions, furthermore, are not reasonable and do not rest on any evidence. They are highly motivated guesswork, and highly motivated guesswork will not cut the mustard.

2. The second method rests on an economic model developed by a consultant. This model does not assess the likelihood of a given site's being developed under the rezoning proposal. Instead, it calculates how many units of housing are "financially feasible" on parcels throughout the City. This is not an "analytical model" that "reasonably account[s] for sites' likelihood of development" as required by Program 7.1.1. As the City well knows, property owners across the City submit permit applications for only a small portion of economically feasible new housing units, and not all of those permit applications ultimately produce actual housing units. The City attempts to address this problem by assuming – similar to the soft sites method – that two percent of sites with economically feasible new housing developments currently occupied by residential uses and thirty-five percent of other sites with economically feasible new housing developments will be developed. This is inadequate for the same reasons the soft sites method is inadequate. Moreover, this

method projects only 19,000 new units of housing over the planning period – far below the 36,282 units the City must accommodate.

3. The third method involves looking at "how much of the City's overall zoning capacity has gotten built out over the years." This – again – is not an "analytical model." Nor does it look at the sites slated for rezoning under the current rezoning proposal and assess the likelihood they will produce new housing. This method is further flawed because much of San Francisco's recent increase in zoned capacity, and much of the new housing that has been built, took place on vacant sites, whereas the proposed housing element rezoning covers a broad swath of the City and comprises mostly non-vacant sites. Other problems here include unrealistically low estimates of the City's residential zoning capacity in prior years (thus inflating the share of residential zoned capacity that has been built out) and the inclusion of residential projects built under development agreements, which do not correspond to rezonings, and which were separately counted towards the City's pre-existing residential zoned capacity in the housing element.

With respect to the rezoning proposal's second failure, analytical models that would satisfy Program 7.1.1 in the housing element demonstrate that the proposed rezoning will not produce anywhere close to the required number of new units. San Francisco's City Economist recently released an analysis of the City's proposed rezoning. This analysis relies on the exact approach that San Francisco's Housing Element pledged to use: an analytical model that assesses the probability of development. (Indeed, it is the exact approach HCD suggested the city use.) The results are damning. In the **best case scenario,** San Francisco's City Economist's analytical model found that the rezoning can only be reasonably expected to produce around **14,646 units by 2045**. Less optimistic assumptions produce a forecast of only 8,504 units by 2045. This indicates the rezoning plan falls far short of what is required: being shown by an analytical model to reasonably be expected to produce **36,282 units by 2031**.

Changes to the planned rezoning since the analysis was conducted have further reduced the amount of new housing that can be expected. The proposed rezoning – specifically, the "Housing Choice - San Francisco" program – has been modified to add new unit mix requirements (see pages 14-15 here) and historic preservation requirements (page 30). The Land Use Committee made these changes despite unambiguous evidence in the record that the changes would reduce new housing's feasibility and reduce the number of new units the rezoning can be expected to create. The problem, then, is *even greater* than what the City Economist's analysis shows.

These are not minor problems. Program 7.1.1 is central to San Francisco's compliance with the Housing Element Law. The City's housing element meets the requirements of the Housing Element Law *only because* it included Program 7.1.1's commitment to rezone based

on a realistic probability-of-development analysis. To be crystal clear: without Program 7.1.1, the housing element does not comply with Government Code section 65583.2, subdivision (g)(2). This is because the housing element relies on non-vacant sites to accommodate more than half of its RHNA allocation at the lower-income level, and thus the Housing Element Law requires its housing element to "demonstrate that the existing use [on each non-vacant site] does not constitute an impediment to additional residential development." (Gov. Code, § 65583.2, subd. (g)(2).) "An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued." (*Ibid.*) San Francisco's housing element does not demonstrate with substantial evidence that specific existing uses on specific sites intended to accommodate low-income housing will not impede additional residential development. Instead, the housing element commits the City, in Program 7.1.1, to rezoning in a manner that "shall reasonably account for sites' likelihood of development during the planning period using an analytical model." That commitment is the basis of the City's compliance with Government Code section 65583.2, subdivision (g)(2). Refusing to follow through on that commitment would leave the City without any basis for compliance with the Housing Element Law on this point.[2]

CalHDF and CFH urges the City to do as the law requires. The City must adopt a rezoning that an analytical model, such as the City Economist's, shows can reasonably be expected to produce 36,282 new units under current economic conditions, as required by Program 7.1.1. Alternatively, the City can increase the probability of sites' development (again, according to a realistic analytical model) by adjusting non-zoning policies that constrain housing production: the City could, for example, reduce transfer taxes for residential projects, impact fees for new residential construction, or inclusionary zoning requirements. The City should not – it cannot – rely on flawed and insufficient analyses to justify its planned rezonings. Doing so violates the law.

The City Must Reduce Constraints on Housing Production, Not Add New Ones

The City's planned rezoning, although on net it adds new capacity, includes constraints on housing development that do not exist under current zoning rules. Specifically, the proposal includes minimum office densities, caps on dwelling unit size, new limits on curb cuts, and lower parking maximums. Furthermore, the City's proposed local zoning bonus program, known as the "Housing Choice–San Francisco" ("HCSF") program, imposes new limitations on residential projects' eligibility for protections and benefits under state laws, including the Statewide Density Bonus Law.

[2] The City could address this issue by producing site-specific evidence that existing uses on non-vacant sites will not impede additional residential development, adding that evidence to a new draft of its housing element, and adopting the amended housing element. But – again – the City would have to do this before rezoning. The process of developing and adopting housing element commitments and then, separately, implementing those commitments remains a two-step process.

CalHDF and CFH also note that the HCSF program was amended in committee on November 17, 2025 to include additional constraints. The HCSF program now virtually excludes any site in a historic district (see page 30 here). The HCSF now also imposes additional unit mix requirements on new housing projects (see pages 14 and 15 here). With respect to the unit mix requirements, it is silly for San Francisco, a City defined by large, multi-bedroom homes, to require new housing to replicate the bulk of existing housing supply in its bedroom counts. If new housing proposals include fewer bedrooms per unit, on average, that is because San Francisco's existing housing stock is already dominated by multi-bedroom homes; it is natural that new housing will fill a niche that the current housing supply does not.

More importantly, the new unit mix requirements, as well as other new constraints on housing, pose a problem for two reasons.

First, the new constraints were not analyzed by the City's housing element. The Housing Element Law requires local governments to analyze governmental constraints on housing production. (Gov. Code, § 65583, subd. (a)(5).) The results of this analysis then inform the policies and programs in the housing element. (See *id.*; *id.* at subd. (c)(3); *Californians for Homeownership, Inc. v. City of Beverly Hills* (2023) Los Angeles County Superior Court, Case No. 23STCP00143, at p. 6, [finding planned rezonings for housing element site inventory must consider constraints identified by the housing element's constraints analysis] [opinion attached to this letter].) Because the new constraints attached to the City's rezoning proposal were not analyzed in the City's housing element, the City cannot rely on the rezoning proposal to produce as many units as it is required to unless the City analyzes the effects of the new constraints and offsets their impact on housing production.

Second, the City's housing element explicitly recognizes this and commits the City to refrain from adding new constraints. Program 7.1.1 states: "The rezoning program … shall not add government constraints that reduce project financial feasibility as determined by an analysis prior to the rezoning enactment." Program 8.1.6 states: "[A]ny City-adopted rezoning or development controls shall not impose any new governmental constraints to the development of housing unless those increased constraints are offset by the removal or reduction of other constraints." If San Francisco wishes to establish new governmental constraints to housing production (such as making new developments ineligible for the waivers and protections offered by State Density Bonus Law), it must concurrently reduce other constraints to a degree that maintains the overall viability of new residential construction, "as determined by an analysis prior to the rezoning enactment" that assess projects' "financial feasibility." Pursuing the new constraints without offsetting them by reducing existing constraints, however, would violate the commitments in housing element programs 7.1.1 and 8.1.6 and hence violate the Housing Element Law.

The Proposed Housing Choice–San Francisco Bonus Program Cannot Exempt San Francisco from State Law

The proposed HCSF bonus program provides additional residential zoning capacity for projects that meet certain criteria. Overall, this is good. However, one of the HCSF eligibility criteria poses a problem: the requirement, found in section 206.10(b)(5), that an HCSF project "not receive any density or development bonuses or relief from applicable Planning Code standards in any other State or local law or program." This requirement is unenforceable to the extent it pertains to state law, and, should it be enacted, developers will have the option to ignore it.

This is for four reasons. First, the City "cannot choose to forgo application of land use policies imposed by the Legislature." (*Ailanto Properties, Inc. v. City of Half Moon Bay* (2006) 142 Cal.App.4th 572, 595.) Second, just as the City cannot waive state law's application, project applicants cannot waive protections to which they are entitled under state law, since those protections are designed to serve the public interest. (See Civ. Code, § 3513 ["a law established for a public reason cannot be contravened by a private agreement"].) Third, the SDBL includes explicit rules for local density bonus programs: such programs must build on, rather than supplant, the SDBL. Finally, even if the first three points are ignored, the SDBL allows project applicants to waive the HCSF eligibility requirement forbidding the use of state bonuses. (Gov. Code, § 65915, subd. (e).) Legal interpretations from the California Department of Housing and Community Development ("HCD"), the state agency charged with interpreting and enforcing state housing law, support these conclusions.

Background

State law contains many provisions that grant rights and protections to proposed housing developments and applications for proposed housing developments. These include AB 2011, codified at Government Code section 65912.100 et seq., the SDBL, codified at Government Code section 65915 et seq., SB 35, codified at Government Code section 65913.4, and more besides. These laws accomplish a variety of pro-housing policies by, among other things, allowing proposed housing developments that meet certain criteria (such as the inclusion of affordable units) to reduce or avoid local zoning and other land use restrictions. In some cases, whether a project is eligible for state law protections and the extent to which it may reduce or avoid local rules depends on the generosity of the local zoning code. For example, the SDBL calculates density bonuses using a "base density," defined as "the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan." (Gov. Code, § 65915, subd. (o)(6).)

The proposed HCSF program expands the San Francisco zoning code's accommodation for denser housing in much of the City. The aforementioned state laws then further expand the allowed range of housing projects, providing for even greater density and even more

forgiving standards for projects. But there is a catch: the HCSF program attempts to forestall these state laws, in section 206.10(b)(5). If not for proposed section 206.10(b)(5), housing project applicants would be able to propose projects under the HCSF rules and avail themselves of the full range of state law protections. Thus, the critical question is: does proposed section 206.10(b)(5) have any legal effect? As explained below, the answer is no. Developers may use both the HCSF rules and any state law bonuses or protections that apply.

The City Cannot Forgo the Application of State Law

State law preempts local law. (Cal. Const., art. XI, § 7.) This is a foundational constitutional principle, and it is no less true in the land use context than anywhere else. As a corollary to this principle, local governments "cannot choose to forgo application of land use policies imposed by the Legislature." (*Ailanto Properties*, *supra*, 142 Cal.App.4th at 595.) Proposed section 206.10(b)(5), however, attempts to do exactly that: it states, in effect, that state land use laws do not apply to projects proceeding under the HCSF program. The City is careful to word the section to dance around the point, perhaps in recognition of the legal consequences, but the section's intended purpose is unmistakably to "forgo application of land use policies imposed by the Legislature," as caselaw and the California constitution forbid. (*Ibid.*)

As explained above, numerous state laws – particularly the SDBL – grant certain housing projects legal protections. None of these state laws allows local governments to circumvent or opt out of these rules. The attempt to do so, in section 206.10(b)(5) of the proposed HCSF program, does not pass legal muster, and project applicants will be entitled to ignore it.

Project Applicants Cannot Waive State Law Protections to Which They Are Entitled

Just as the City cannot waive the application state land use and housing laws, neither can developers. "[A] law established for a public reason cannot be contravened by a private agreement." (Civ. Code, § 3513.) In other words, if a law is designed to accomplish a public benefit (possibly in addition to private benefits), the law's provisions cannot be waived. (See, e.g., *County of Riverside v. Superior Court* (2000) 86 Cal.App.4th 211, 220 [holding employment protections for public safety officers, although they benefitted individual officers, also served a broader public purpose and could not be waived].) The legislature has made clear that pro-housing laws serve the broader public interest.[3] (See, e.g., Gov. Code, §§ 65915, subd. (u); 65913.4, subd. (u); 65582.1; Stats. 2024, ch. 294, § 1; Stats. 2023, ch. 783, § 1.) The legislative history for these laws, moreover, confirms they are intended to serve the public by

[3] On one occasion, California courts found that a law establishing time limits for housing permit application processing primarily benefitted project applicants and not the general public, and hence project applicants could waive them. (*Bickel v. City of Piedmont* (1997) 16 Cal.4th 1040, 1049-1052.) The legislature immediately rebuked the Courts and overturned the *Bickel* holding through legislation. (See *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1439.)

expanding the supply of housing and affordable housing. (See *Doskocz v. ALS Lien Services* (2024) 102 Cal.App.5th 107, 115-116 [legislative history is relevant in deciding whether law serves a public purpose and hence cannot be waived].) Hence, project applicants have no authority to disclaim the application of these laws, as the City's proposed HCSF program would have them do.

Two additional reasons prevent project applicants from waiving their right to pursue state law protections.

First, as with all legal waivers, such a waiver must be voluntary. (*Harvey v. County of Kern* (1930) 107 Cal.App. 590, 597.) As currently framed, the HCSF program does not ask project applicants to voluntarily waive their state law rights. It instead makes waiver *mandatory* for any project applicant. No waiver can occur through such an ultimatum; to the extent that the issue is unclear, moreover, the ambiguity resolves against the existence of a waiver. (See *Perini v. Perini* (1964), 225 Cal.App.2d 399.)

Second, waiver requires "an abandonment of a right that could be enforced or a privilege that could be exercised." (*Estate of Goyette* (1971) 14 Cal.App.3d 224, 232 [internal citations omitted].) Thus, for an applicant to be able to waive the application of state law to an HCSF project, it must be the case that the applicant could, absent the waiver, enforce the application of the relevant state law. And it must be the case, from there, that the applicant could choose *not* to waive their rights and instead apply state law protections and bonuses to their project. In this way, the City faces a catch-22, and however it resolves the dilemma, developers will be able to use both the HCSF program and state law.

The State Density Bonus Law Creates Narrow Guidelines for Local Bonus Programs, Which the HCSF Program Does Not Obey

The SDBL does allow local governments to implement local bonus programs. It includes strict rules for such programs, however, which the proposed HCSF program does not meet. Local bonus programs must add to, rather than supplant, the SDBL. Government Code section 65915, subdivision (n), states: "nothing in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus *greater than* what is described in this section for a development that meets the requirements of this section" (emphasis added). By negative implication, local governments are forbidden from offering density bonuses that do not incorporate, at minimum, the bonuses allowed by the SDBL. Local bonus programs must add to the SDBL; they cannot displace it in favor of an entirely separate density bonus scheme. As described above, moreover, preemption principles prevent local governments from evading the SDBL, and this language in the SDBL confirms that outcome.

The SDBL includes stronger language too. Government Code section 65917 states:

> In enacting this chapter it is the intent of the Legislature that the density bonus or other incentives offered by the city, county, or city and county pursuant to this chapter shall contribute significantly to the economic feasibility of lower income housing in proposed housing developments. **In the absence of an agreement by a developer in accordance with Section 65915, a locality shall not offer a density bonus or any other incentive that would undermine the intent of this chapter.**

(Emphasis added.) In other words, if San Francisco wishes to offer a density bonus to developers, it must first allow them any protections they are entitled to under the SDBL. Only then can it offer a local bonus program. The law establishes a clear baseline: project applicants may avail themselves of any bonuses and benefits they are entitled to under the SDBL, and further local bonuses and benefits must come on top of the SDBL.

These rules are especially important in San Francisco. HCD has found that the SDBL is "critical" for developers navigating San Francisco's complex zoning rules and extensive procedural hurdles. (See "Examining Local Law, Policy, and Planning Practice on Development in San Francisco Using CALES," O'Neill et al., pp. 38-39 (available here and attached to this letter).) In some cases, HCD has issued Notices of Violation to San Francisco for impeding housing development by refusing to grant bonuses, incentives, and waivers allowed by the SDBL. (See, e.g., California Department of Housing and Community Development, Letter to Kate Conner, December 29, 2022 (available here).) These HCD findings and Notices of Violation confirm the SDBL's importance in producing housing in San Francisco.

The proposed HCSF program, by attempting to displace the SDBL entirely, violates the SDBL's explicit rules for a local bonus program. This violation carries particular significance for San Francisco, where project applicants often rely on the SDBL to navigate a complex zoning code and approval process. If San Francisco wishes to implement a local bonus program, it must stack that program on top of the SDBL. It cannot offer an "alternative" bonus program, such as the proposed HCSF program, that attempts to remove SDBL eligibility for projects that are eligible for SDBL protections.

In closing this section, CalHDF and CFH point out that HCD has weighed in on the question of whether local governments may enact zoning bonus programs that serve as alternatives to state law. In a letter to Menlo Park (available here), the Department wrote: "[T]he City's Affordable Housing Overlay states that the overlay will be an alternative to state density bonus law. **This is in conflict with state law and must be revised."** (Emphasis added.)[4] HCD's

[4] Separately, as explained later in this letter, HCD's Site Inventory Guidebook (available here) analyzes whether zoning overlays or other local zoning programs established by a city's housing element may supplant or displace the SDBL and firmly establishes that they cannot. (See pages 14-15 of the guidebook.) This analysis is more relevant to the question of how the HCSF program will affect the City's compliance with the Housing Element Law, but this analysis also underscores the specific point that the City may not wriggle out of state law.

view warrants substantial deference as the interpretation of a "technical, obscure, [or] complex" statutory scheme by the agency charged with enforcing it. (See *Boling v. Public Employment Relations Bd.* (2018) 5 Cal.5th 898, 911 [citing *Yamaha Corp. of America v. State Bd. of Equalization* (1998) 19 Cal.4th 1, 12]; *Hoffmaster v. City of San Diego* (1997) 55 Cal.App.4th 1098, 1113, fn. 13 ["We substantially rely on the Department of Housing and Community Development's interpretation [...] regarding compliance with the housing element law"].)

Even if the City Can Prohibit the Application of State Law, the Density Bonus Law Gives Project Applicants the Legal Right to Circumvent the City's Prohibition

Even if the above legal rules do not neutralize the City's attempt to avoid state law, any project eligible for the SDBL will be able to defeat the application of proposed section 206.10(b)(5). The SDBL states: "In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section." (Gov. Code, § 65915, subd. (e)(1).) If a proposed project complies with the HCSF except for section 206.10(b)(5) – because it seeks benefits under the SDBL or another state law – and the application of section 206.10(b)(5) would physically preclude the project by eliminating its eligibility for the HCSF, then the City cannot apply that section to the project. To the extent the City doubts or intends to contest this, CalHDF and CFH remind the City that the SDBL, by its terms, "shall be interpreted liberally in favor of producing the maximum number of total housing units." (*Id.* at subd. (r).) Flouting the law on this point also carries severe penalties, including mandatory payment of attorney's fees to a project applicant who challenges the City in court. (*Id.* at subd. (e)(1).)

The HCSF Program Violates the Housing Element Law

Furthermore, the HCSF violates the Housing Element Law (Gov. Code, § 65580 et seq.). Rezoning programs enacted pursuant to a housing element, such as the proposed Family Zoning Plan and its component HCSF program, may not exempt themselves from state law's application, as HCD has explained in its Site Inventory Guidebook (available here – see pages 14-15). Pursuing the HCSF program as it is currently designed would violate this rule and risk the City's housing element compliance. This would expose it to a range of penalties, including the "builder's remedy."

The City Should Take Care to Comply with New Caselaw Concerning Housing Element Rezonings

Lastly, CalHDF and CFH warn the City to take care to ensure that the rezoning complies with housing element law requiring minimum residential density on low-income sites. The newly published Court of Appeal decision *New Commune DTLA LLC v. City of Redondo Beach* (Oct. 10, 2025, No. B336042) 115 Cal.App.5th 111 makes clear that in order to comply with

minimum density requirements, local zoning must require that all new development include a minimum density of residential use. Zoning "overlays" that allow for 100% non-residential development on a site fail to comply with housing element law. The proposed zoning includes many low-income sites that are given additional residential density on top of base commercial zoning. In order to comply with housing element law, the City should make clear that all new development of these sites must include the minimum density of residential use, and that 100% commercial development is prohibited.

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New multifamily housing in San Francisco a public benefit: it will help satisfy demand for housing near jobs and transit, thereby reducing displacement pressure; and it will also cut down on transportation-related greenhouse gas emissions by providing housing in a major metro area, as opposed to farther-flung regions in the state (and out of state). CalHDF and CFH therefore urge the City to follow through on the commitments in its housing element, as the law requires, and obey state law in drafting and enforcing its land use regulations.

Sincerely,





Matthew Gelfand
Californians for Homeownership

Dylan Casey
CalHDF

Examining Local Law, Policy, and Planning Practice on Development in San Francisco Using CALES

Report in Support of San Francisco Policy and Practice Review

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Disclaimer: The statements and conclusions in this Report are those of the contractor and not necessarily those of the California Department of Housing and Community Development.

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Executive Summary

Background: Why Study San Francisco?

San Francisco is the anchor city in the Association of Bay Area Governments (ABAG) region, with one of the highest Regional Housing Needs Allocations (RHNA) statewide. Complex processes that lead to delayed housing development approvals leave open questions about whether San Francisco's local legal regime will allow the city to meet this housing production target.

In 2016, authors O'Neill, Biber, and students launched the Comprehensive Assessment of Land Use Entitlements Study (CALES) at the University of California, Berkeley, to understand how cities, including San Francisco, design and apply local and state law to proposed developments of five or more units approved in 2014 - 2017. In an earlier report,[1] we found San Francisco's local regulatory regime comparatively prohibitive, risking exclusionary zoning despite explicit policies to promote inclusion and fair housing goals through inclusionary housing programs, rent stabilization, and tenant protections. Among the 28 jurisdictions we studied, San Francisco was among the cities with more land zoned for dense housing, although that zoning was not equitably distributed citywide. But most notable, among all our study cities, San Francisco was an *extreme* outlier in process requirements and timeframes to approval. The city had a median timeframe to entitlement of over two years for code compliant multi-family housing that benefited from streamlined environmental review.

San Francisco's median timeframe was not only longer than its neighbors, it was longer than timeframes in neighboring cities with purportedly more difficult local law. Berkeley, for example, has complex rules that require a use permit[2] for all new housing development, and yet the median timeframe to entitlement was four months shorter for comparable multi-family housing. Moreover, once we parsed out our data to explore how environmental review streamlining might impact timelines, we found that Berkeley's median timeframe dropped to less than 10 months for apartment buildings, whereas San Francisco's remained at 24 months for the *same type of housing*. San Francisco exemplified how cities can write and implement procedural rules in a manner that creates uncertainty of approval. Uncertainty creates risk, and risk influences what developers will propose and build, as well as which developers will consider developing within a city. During our research, affordable developers who worked in neighboring cities explained they could not work within San Francisco because entitlement was too uncertain and difficult.

California's legislature has passed nearly 100 laws relevant to housing policy since 2016.[3] These laws seek to spur housing production across all income levels and promote equitable housing outcomes—namely increased housing production in high opportunity locations. Many important changes to state housing law target subjectivity in discretionary processes, like

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[1] We refer here to our Report to the California Air Resources Board in fulfillment of Contract #3900-19STC005. MOIRA O'NEILL-HUTSON ET AL., EXAMINING ENTITLEMENT IN CALIFORNIA TO INFORM POLICY AND PROCESS: ADVANCING SOCIAL EQUITY IN HOUSING DEVELOPMENT PATTERNS (2022). We also cross reference prior publications.

[2] Project proponents apply for a use permit, often referred to as a conditional use permit, when local rules allow for certain uses subject to approval—but not as a matter of right under the local zoning.

[3] *See* Ben Metcalf, Managing Dir., UC Berkeley, Terner Ctr. for Hous. Innovation, Presentation at the California Joint Oversight Hearing with Assembly Housing and Community Development Committee: Housing Production: Recent Legislative Actions and Outcomes (Feb. 28, 2023), https://shou.senate.ca.gov/node/21.

planning review,[4] and work towards quickening approval processes, particularly for multi-family housing. New law and policy aim to accelerate housing production in high opportunity areas, inviting important questions about how well San Francisco has implemented these laws and whether they effectuate production, affordability, and equity. To answer these questions, we expanded and extended CALES to explore San Francisco's local land use regulation in more detail and identify specific roadblocks to dense multi-family housing. This report details our methods, presents findings, and discusses their implications for the California Department of Housing and Community Development's (HCD) Policy and Practice Review.

Research Questions and Approach

HCD asked (1) whether San Francisco is fully implementing key state housing laws, such as the Housing Accountability Act, the Housing Crisis Act, the Permit Streamlining Act, Senate Bill 35 (SB 35), and State Density Bonus Law; (2) whether local implementation is allowing these state laws to achieve their intended effect of promoting housing production and affordability; (3) what causes delay in the entitlement process and how the city's discretionary review process impacts overall project timelines and the housing approvals pipeline.

To answer these questions, we used a spiraling mixed methods research design that joins legal research and qualitative, quantitative, and spatial analyses to understand San Francisco's local regulatory environment. This design helped our study overcome some of the limitations of each method and allowed us to adapt our research approach to the specific needs of studying San Francisco.

HCD's questions one and two require us to interpret our data and provide findings based on our interpretation of what state law requires of localities.[5] For example, we interpret the Permit Streamlining Act, Housing Accountability Act, and Housing Crisis Act as applicable to all multi-family housing approvals in San Francisco that do not require a local legislative action. We define "full implementation" of these state laws to mean that San Francisco both complies with state law, but also that local rules or planning practices do not effectively circumvent the purpose of the limitations imposed on cities by state law.

We built a unique and highly detailed dataset of 140 planning entitlements[6] of five or more units issued in 2014 - 2017. We added 144 observations of entitlements and SB 35 approvals issued

[4] For a discussion of what characterizes a discretionary action, see Friends of Westwood, Inc. v. City of Los Angeles, 181 Cal. App. 3d 259, 269-74 (1987). When city employees can set standards and conditions for many aspects of a proposed building, the approval process is discretionary. For a definition of a ministerial process in California law, see Prentiss v. City of S. Pasadena, 15 Cal. App. 4th 85, 90, 18 Cal. Rptr. 2d 641 (1993) (citing CAL. CODE REGS., tit.14, § 15268(b)(1) (2023)("'Ministerial' describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out.")). Importantly, ministerial decisions are exempt from environmental review under the California Environmental Quality Act.

[5] We discuss this in the report; our analysis depends on some assumptions about what "full" implementation of state law would entail.

[6] We refer to "entitlement" as a process and "entitlement" as an observation of that process in the singular and plural throughout this report. Entitlement refers to the type of housing approval that a project proponent secures from the Planning Department, Planning Commission, or Board of Supervisors when

in 2018 - 2021 to this dataset.[7] Our approvals dataset captured detail on each application and approval step under local rules and state law (like the California Environmental Quality Act, or CEQA) and important project characteristics (like affordability, building size, and location). We gathered the detail for our dataset from source documents (application documents, planning staff reports, and motion and resolution documents) wherever possible. We analyzed our data using statistics and mapping.

We conducted in-depth interviews and used participant observation and primary document analysis to understand why San Francisco's approval process operates the way that it does. We analyzed more than 35 hours of confidential in-depth research interviews with 24 participants representing affordable and market-rate developers, former and current city personnel and staff that work on housing development, land use attorneys, and housing advocates.[8] We observed and analyzed notes and transcripts from another 33 meetings that HCD convened with approximately 146 stakeholders. Most were approximately one hour long. Twenty-five of the HCD-led meetings were very small, with one to three participants, in addition to O'Neill and one representative from HCD. The small meetings allowed participants to offer deep insights, much like research interviews. In all, we analyzed notes and transcripts from ~68 hours of research interviews and meetings with 14 individuals across the executive and legislative bodies within San Francisco, over 20 former and current planning staff, more than 60 development professionals (evenly split between affordable and market-rate developers), and 6 different housing advocacy groups. We analyzed materials to extract themes and looked for frequency of themes across stakeholder groups. We also cross-referenced written law, recordings from hearings, approval documents, and analyses from our entitlement data.

Limitations of Research Approach and Analysis

Each method and data point has some limitations. For example, each observation in our approval dataset represents a potential housing or mixed-use development that developers believed had a high enough probability of success that they were willing to pursue entitlement in the first place. There are no project denials in the database to allow for quantitative analysis, but we do have limited data on a few denials we examined during data collection. Gathering data on project denials in a systematic way (for quantitative analysis) would demand substantially expanding the scope of the research project, which was not feasible given the research timeframe. Further, defining a project denial for data collection and analysis is more complex than defining an entitlement. A denial includes what the city reports as a denial but should also include projects that the city effectively "denied" (where a political body denied a specific entitlement, for example) even though the project remains pending within the city's public portal

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the local law reviews a proposal to build housing through a discretionary process. Discretionary review is a legal concept that means the city can set standards and conditions for many aspects of a proposed building and the approval process is discretionary. An entitlement typically precedes the building permit process, and it is a process that involves planning department review of a proposal to build housing and potentially requires an approval from a local elected or appointed political body. A ministerial process involves a public official applying law to fact without discretion or subjective judgment. Often, building departments issue ministerial approvals. Uniquely, state law creates a ministerial process that also involves planning review—which we discuss at length in the full report.

[7] Corrected Annual Progress Reports helped us identify 11 observations late in our research process. We were able to code essential characteristics for these 11 observations to include them in our summary statistical analyses only.

[8] Eighteen participants sat for interviews in 2022 - 2023, and several participated in more than one interview. We also analyzed transcripts from six interviews across the same stakeholder groups in San Francisco (affordable developers, planners, market-rate developers, and community-based organization advocates) that O'Neill conducted in 2017, where comparisons with prior years was useful.

or in its annual reporting. For the purposes of research, a denial could also include a project from which a developer appears to voluntarily withdraw after the city determines that it will not approve the project or will impose conditions that render the project infeasible. There also may be no documentation to verify whether a project that appears to be pending has effectively been denied. In our work, however, where we come across developments that have advanced in the entitlement process but are ultimately denied, we do discuss those developments.

All interview participants volunteered, as did all participants in HCD-led meetings. Voluntary participation in interviews and research meetings increases selection bias and limits the generalizability of findings.[9] We increased the number of interviews in each stakeholder group and triangulated data and methods to augment the overall reliability of our findings from interviews where possible. Some topics do not allow for this, however. For example, developers may discuss why they are unwilling to apply for entitlement, but there is no other data to explore to understand what deters applications beyond what the interview participants shared.

Summary of Findings

HCD asked whether the data indicates San Francisco has fully implemented state housing law intended to promote housing production and affordability. **All data generally indicates that the answer is no.**

San Francisco's local rules embed subjectivity and uncertainty into review processes that state law says should be objective, time constrained, and, in some cases, certain. The city's authority to apply discretionary review to any permit, and the ease with which project opponents can appeal planning approvals and permits (including post-entitlement permits) to the Board of Supervisors or Board of Appeals fosters planning practices that limit full implementation of the Permit Streamlining Act, Housing Accountability Act, Housing Crisis Act, and in some instances, SB 35 and State Density Bonus Law. Planning staff are concerned about whether planning review will survive scrutiny from local political bodies, not the courts. Planning staff anticipate local political bodies will ignore planning recommendations and extend review processes if that is what neighborhood-level politics demand. Planning practices reflect this assumption, and local policy reinforces it. Developers interpret this planning practice as requiring more than what the law "on paper" demands through negotiation outside of public hearings to satisfy neighborhood interests. Developers perceive all planning approvals as uncertain and risky, even if the proposed development conforms to all zoning and planning standards. Eight years of approvals data confirms these perceptions. The risk and uncertainty embedded into local law has driven some developers to leave the San Francisco market and has deterred other developers from entering the market entirely.

Below, we elaborate on what the data tells us about the direct effects of specific state housing laws on San Francisco's housing approval process, what all data tells us about San Francisco's implementation of different state laws, and the relationship between local rules, planning practices, and lengthy entitlement outcomes. The report that follows details each finding.

[9] Selection bias refers to research participants not being fully representative of the group to which they belong. This limits our ability to interpret what we hear as the perspectives of a particular stakeholder group, generally.

SB 35 fixes planning review for eligible housing developments but is not a complete process fix.

Data shows San Francisco Planning diligently implemented SB 35. Approximately 36 professionals who work on affordable development unanimously reported that SB 35's ministerial process "fixed" planning review for affordable housing developments because the state law created certainty of planning approval where none existed previously. Stakeholder perceptions are borne out in the planning approval data. Table 1 shows that the median timeframe for planning approval for developments that applied only under SB 35 was ~3.4 months and could take up to eight months. In contrast, code compliant discretionary developments[10] requiring only a building permit had a median timeframe of two years and could take as many as four years.

Table 1: Timeframes to Planning Approvals Issued in 2018 - 2021 Selected Pathways

Process Category	Timeframe (Months)			
	Minimum	**Median**	**Mean**	Maximum
SB 35 only (N=9)[1]	0.89	3.42	4.24	7.62
Discretionary building permit only (N=13)	7.76	24.20	24.67	47.70

[1]This count does not include five applications that developers proposed as discretionary approvals, some before SB 35's enactment, that San Francisco later approved under SB 35.

Importantly, stakeholder interviews indicate SB 35 provided both affordable developers and planning staff relief from San Francisco's local rules. Data on how San Francisco Planning processed applications for development before SB 35 indicates Planning prioritized expediting 100% affordable developments.[11] Local law still limited how quickly planners could complete review for any development, including 100% affordable development that the city helped fund. In fact, the city entitled only five 100% affordable developments in 2014 – 2017, which would yield 567 units if built. The median timeframe to approval for these five 100% affordable developments was 15 months. In contrast, SB 35's ministerial process allowed San Francisco Planning to approve 14 100% affordable developments that would yield 1,663 affordable units if built. The median timeframe for the SB 35 100% affordable developments was less than 7.5 months, inclusive of developments that began as discretionary developments and later applied for SB 35 eligibility review. The median timeframe for 100% affordable housing developments that only applied for approval under SB 35 was less than three months. Most SB 35 developments also used State Density Bonus Law, so they were, on average, larger as compared with another three discretionary 100% affordable developments San Francisco approved in 2018 – 2021, or the five entitled in 2014 - 2017.

However, SB 35's effects are limited to planning review. All stakeholders still describe the post-entitlement approval process as subjective, lacking standardization and sufficient oversight.

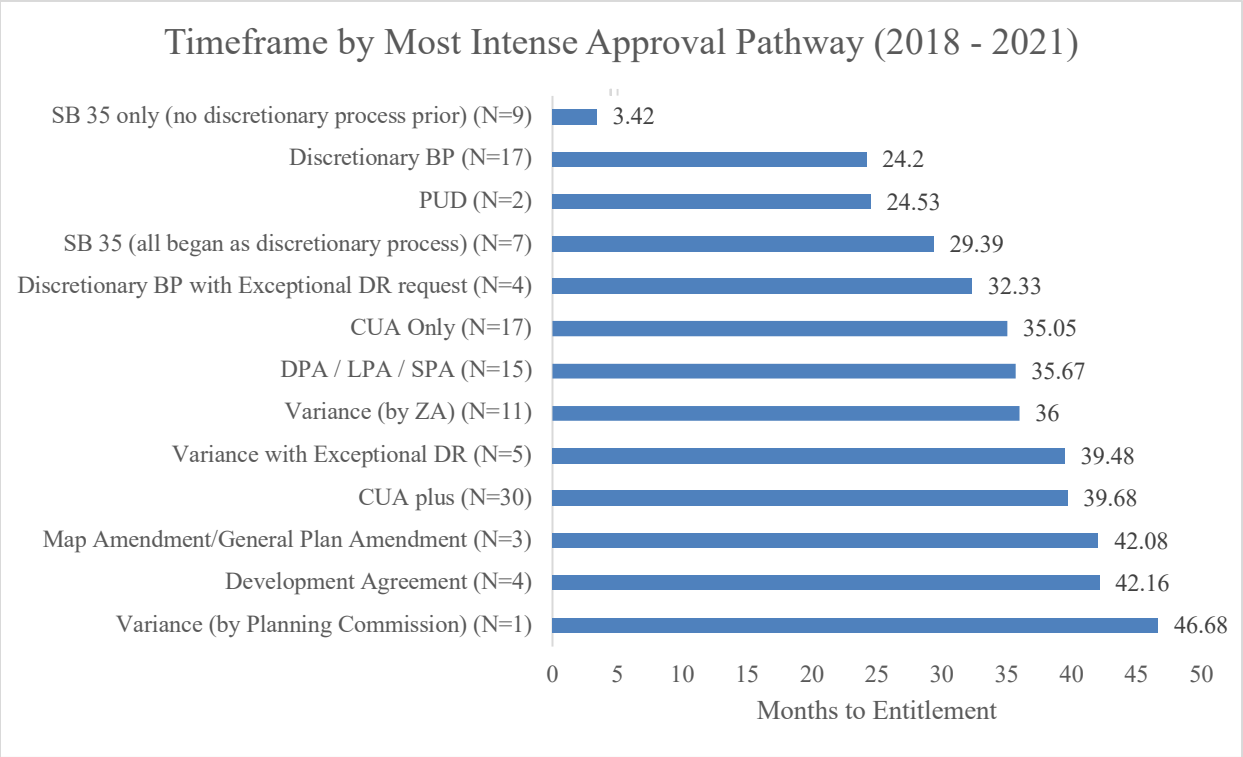
[10] Code compliant discretionary development means proposed housing development that conforms to all zoning and only requires a building permit. San Francisco law provides that this development is subject to discretionary review.

[11] Interviews at that time indicated internal work and analysis to expedite affordable development, but median timeframes for 100% affordable developments were still 15 months.

Stakeholders share that the post-entitlement permitting process depends entirely on the professional assigned to the project, not the project scope itself. Stakeholders report that subjectivity in the post-entitlement process can trigger additional planning review even after a project has moved to the Department of Building Inspection. Because SB 35 is limited to the planning review stage, the state law has no effect on these post-entitlement procedural issues. Developers share that because San Francisco's law offers opportunities for project opponents to challenge, or appeal, permits after entitlement, including demolition permits, SB 35 eligible projects are susceptible to process challenges after planning review as well.[12]

SB 35 also does not represent a complete fix for San Francisco's procedural challenges. SB 35 applies to qualifying projects so long as San Francisco keeps failing to meet its housing production targets. But missing housing production targets is not San Francisco's goal. **Still, San Francisco's implementation of SB 35 signals what is possible with a ministerial process while also spotlighting San Francisco's problematic existing discretionary review.**

Figure 1: Process Approval Pathway Timeframes



Graphic Developed by Dori Ganetsos using CALES data.

[12] The recent appeal of demolition permits for an SB 35 development located at 2550 Irving demonstrates this point.

Unpredictable discretionary review processes create uncertainty and risk—even for code compliant development of any size in any location citywide.

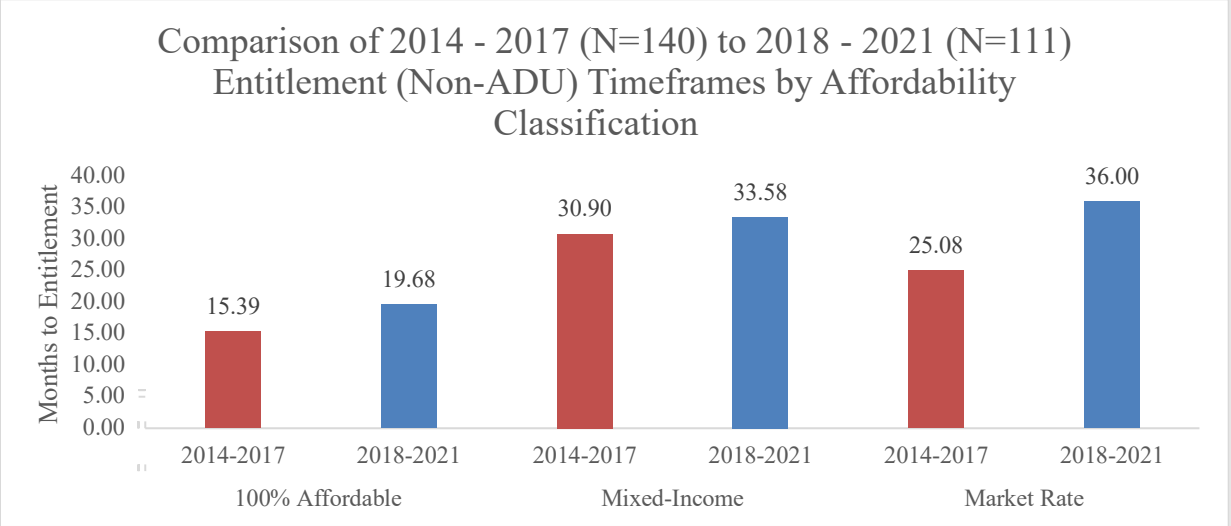
All permits in San Francisco are discretionary under local law unless preempted by state law[13] (like SB 35). Stakeholders describe the discretionary housing approval process in San Francisco as risky and unpredictable. Stakeholders report approval is uncertain even if the proposal conforms to all zoning and planning requirements. When we use different statistical methods to analyze the housing approval data, we also find that **no type of housing development is easy to entitle in San Francisco**. Even a smaller development that conforms to zoning and planning requirements faces unpredictable timeframes. When we analyze the approvals data to explore relationships between specific approval requirements and timeframes, we discover that there are factors—like affordability classification, project size, and location—outside of what zoning and planning standards require that influence timeframes. This suggests that these other factors might play a substantial role in whether and how a project gets entitled, even when a project conforms to all planning standards and zoning.

Timeframes for discretionary approvals increased.

Our 2018 - 2021 approvals data indicates that entitlement timeframes have increased as compared to the prior four years. The median timeframe for discretionary approvals of five or more units issued in 2014 - 2017 was 27 months. In 2018 - 2021, the median timeframe for the same climbed to 34 months—more than a 25% increase. Figure 2 shows that in both study periods, 100% affordable development moved comparatively faster: 100% affordable development requiring discretionary review had median approval timeframes of ~15 months in 2014 - 2017 and ~20 months in 2018 – 2021. Both periods show that the city can quicken the process, to some degree, for affordable development. Interview data from 2017 and 2022 - 2023 indicate that planning staff have been committed to expediting affordable development.

[13] The Municipal Business and Tax Regulations Code Section 26(a) provides that San Francisco's departments may "take into consideration the effects of the proposed business or calling upon surrounding property and upon its residents . . . [and to] exercise its [or their] sound discretion as to whether said permit should be granted, transferred, denied or revoked." SAN FRANCISCO, CAL., BUS. & TAX REGS. CODE § 26(a) (2019). San Francisco Planning's website states that the city interprets this part of the Municipal Code as granting the Planning Commission discretionary authority over all building permits, including permits not otherwise discretionary under zoning and planning requirements. *Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).

Figure 2: Comparison of Timeframes by Affordability Classification, All Years



Graphic Developed by Dori Ganetsos using CALES data.

Local policy and practices are inconsistent with the goals of the Permit Streamlining Act, Housing Accountability Act, and Housing Crisis Act.

Stakeholders report that San Francisco's local rules and politics create planning practices that are inconsistent with state housing laws which aim to quicken planning review and reduce subjectivity. Approvals data suggests these stakeholders are correct.

First, the data the city makes publicly available on project applications shows San Francisco systematically failed to meet PSA notification deadlines for discretionary approvals issued in 2018 - 2021. Planning recorded more information on application notices in its public portal for applications filed after January 1, 2018, as compared to prior years, indicating that San Francisco Planning is doing more to track and disclose project intake. Still, the city's data shows the city routinely did not meet PSA deadlines. Also, up until July 2023, local policy required the entitlement process for most dense development to begin with a mandatory Preliminary Project Assessment (PPA) process that added, on average, a year to the application process.

Second, local rules drive the city's implementation of the California Environmental Quality Act (CEQA), which extends timelines. Local rules that allow for easy administrative appeals and require appeal of CEQA determinations to follow entitlement[14] push environmental planners to make CEQA determinations at the close of the entitlement process. This practice limits the PSA's effect on overall approval timeframes.[15] Also, the state's CEQA guidelines do not require San Francisco Planning to incorporate wind and shadow studies into compliance pathways for exempt developments, but local law does. These supplemental studies add time

[14] The Board of Supervisors provides an advisory that explains that Section 31.16 of its Administrative Code requires that the Board will hear an appeal after the final approval action. *See* S.F. BD. OF SUPERVISORS, APPEAL FILING TO THE BOARD OF SUPERVISORS CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION DETERMINATIONS APPEAL (Aug. 28, 2023), https://sfbos.org/sites/default/files/CEQA_Exemption_Determinations_Appeal_Info_Sheet.pdf.

[15] We interpret California Government Code § 65690(a) as imposing limits on the time to approval under the PSA only after a city makes CEQA determinations. *See* CAL. GOV'T CODE § 65690(a) (West 2023).

and cost to environmental review, and sometimes provide a basis for local administrative appeals.[16]

Third, and relatedly, administrative appeals not only delay entitlement for specific projects that face appeal, administrative appeals also influence planning practices at a systems level. Most stakeholders (across groups) perceive that San Francisco's process risks inserting the Board of Supervisors into any approval pathway through an appeal. This process nurtures risk averse planning practices at all stages which derail other local and state policy that aims to quicken review. Data also shows that appeals increase the workload for planners already juggling immense workloads, which in turn impacts the pace of review for other development proposals. For example, **an administrative appeal of just one entitlement in our dataset required 374 additional staff hours and $52,204 to prepare the appeal—even though the appeal was withdrawn**. Notably, nearly all the planners we interviewed or met with are more apprehensive of the Board of Supervisors than potential litigants.

Fourth, stakeholders report frequent continuances and multiple hearings for non-CEQA approvals, which they say also allows for changes to proposed development outside of formal hearings. San Francisco's publicly accessible data on hearing dates is incomplete for about half of our 2018 – 2021 observations. Still, we found that at least 22% of all 2018 – 2021 quasi-adjudicative entitlements had multiple continuances or hearings for a single step.[17] Some observations have remarkably high rates of continuances and hearings. One project, for example, had nine continuances for a joined Large Project Authorization and Density Bonus approval step.

Fifth, several stakeholder groups report that local policy allows frivolous and meritless challenges with ease (evidenced by withdrawn or denied appeals or withdrawn or denied requests for exceptional discretionary review)[18] and with little to no cost to project opponents, yet significant costs to planning staff and developers. Project proponents see increased costs because of the delays and uncertainty that these processes create. The processes also impact the workflow of Planning Department staff, which slows down planning review. For example, data shows that when project opponents request exceptional discretionary review, planners can expect to work several days and sometimes weeks preparing for a hearing on a project with which they already completed review. This requires shuffling work priorities. Developers report that rules that make it easy to challenge imminent planning approvals foster an opaque practice of negotiation outside of formal hearings which risks imposition of subjective conditions of approval. The approvals data show at least 14% of entitlements (across both study periods—or eight years) faced administrative appeals that were usually withdrawn or denied.[19]

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[16] We note here that San Francisco's public portal only provides access to shadow studies, although many stakeholders including planners stated that wind studies are common.

[17] This includes entitlements that only required a planning department or zoning administrator review. If we take out those entitlements that did not require a hearing in front of the Planning Commission or Board of Supervisors under planning and zoning law, the rate is at least 30%.

[18] Exceptional discretionary review refers to a local rule that allows project opponents to request the Planning Commission exercise discretionary review for an approval that did not otherwise require the Planning Commission's involvement. This request necessitates a hearing, at which time the Planning Commission then determines if it will exercise discretionary review because of exceptional and extraordinary circumstances which could lead to modifying the conditions of approval. More detail on this local process is in the full report. We refer to this as "exceptional discretionary review" hereafter.

[19] Administrative appeal data for 2018 - 2021 depends on internal tracking and self-reported data and is not systematically available on the city's public portal. It is possible that the rate of administrative appeal could be higher.

Also, at least 20% of discretionary building permits in study years received a request for exceptional discretionary review.

Subjectivity and variability persist in the post-entitlement process.

All stakeholders experienced with development in San Francisco shared that the permitting process lacks standardization or uniformity in how the process unfolds. Outcomes, in terms of processing time, are contingent on who is assigned to the development rather than on the form of the development. This variability slows, and sometimes derails, production. Stakeholders describe building permit processes as inefficient and subjective, triggering planning review again even after entitlement. There is also notable difference in the way all stakeholders describe Planning Department and Department of Building Inspection (DBI) staff. Stakeholders blame local approval bodies for overly cautious planning practices. In contrast, stakeholders complain of too little oversight or management of DBI staff, and too few performance standards, as influencing permitting practices.

Stakeholders suggest local reforms must eliminate discretionary review on some housing or the city will not meet its RHNA or resolve long-standing inequities in land use.

Importantly, planners, developers, and many housing advocates welcomed the state's intervention into local discretion through SB 35. Though planners expressed a need for more technical support from the state when state law augments local planning review, planners agreed with developers that the state ministerial process fixed planning review for most 100% affordable development and offered that a ministerial process could do the same for other housing projects.

Stakeholder groups also shared that reforms to expedite and simplify planning review while retaining discretion will fail to fix process problems in San Francisco. Statistical analysis of approvals data suggests these stakeholders are correct. Planning review of code compliant development can take years. This is true, even though our timeline calculations do not capture the frequency of developments subject to discretionary review being punted back to Planning *after* entitlement for further additional review, because San Francisco's public data portal does not allow for systematic analysis of this problem. Regression analysis suggests that reducing process steps while maintaining discretionary review is unlikely to resolve San Francisco's production challenges.[20]

Stakeholders shared that rezoning must be coupled with procedural reform that provides a local ministerial process to address production challenges *and* equity. Planners, developers, and some housing advocates perceive current reform efforts as "tinkering" with the zoning and planning code, when what they believe is needed is procedural overhaul and equitable upzoning. Stakeholders characterize San Francisco's existing regulation as reflecting historical and current power imbalances across neighborhoods. Stakeholders caution that current density and use controls that limit housing development in more affluent neighborhoods reflect existing neighborhood power over planning and political bodies. Also, the dominance of project-level adversarial politics reflects that some communities can only access power over land use by blocking development at public hearings. When affluent neighborhoods are rezoned, stakeholders caution that neighborhood power and influence over planning and

[20] Figure 8 illustrates. For a full discussion of regression analysis using the 2014 - 2021 data, see Appendix A.

political bodies will not necessarily disappear. Without a ministerial process for at least some development, stakeholders caution that rezoning will simply catalyze more project-by-project adjudication and administrative appeals as affluent communities block more equitable distribution of dense housing development through existing process tools. If what stakeholders forecast is correct—and the data suggests that they are—then existing timelines to approval likely underestimate future approval timeframes in higher opportunity neighborhoods that the city is in the process of upzoning or proposing to upzone.

Planners, developers, and advocates share that these local rules requiring reform are values-driven. These rules reflect a widespread assumption that more process supports meaningful community engagement and sharing of power over land use which, together, help address structural inequities in the built environment. Several stakeholder groups caution that these assumptions are faulty. San Francisco's process fosters project-level political fights that result in high-risk entitlement processes without altering longstanding inequities in planning standards and zoning. Planners, in particular, share that what San Francisco needed, and still needs, is deep engagement at the policy, planning, and zoning stages to hash out what zoning and planning standards should be, as well as simplified and ministerial approval for development at the project level that serves the city's housing policy goals. Planners and developers caution that as process has gotten worse in recent years, fewer developers can navigate the risk of developing in San Francisco, and this poses major challenges to San Francisco's ability to meet its production targets. During meetings with HCD, some Commissioners and Supervisors called out this local history and the problems of process in San Francisco, seemingly aligned with the perspectives of planners, affordable developers, and housing advocates. At the same time, meetings with both Commissioners and Supervisors also revealed clear disagreement within political bodies on both the source of San Francisco's housing problems and the solution. At least some Supervisors are skeptical that increasing anything other than affordable housing production could tackle the city's housing challenges. Some Commissioners and Supervisors also expressed concern about how State Density Bonus Law and SB 35 alter the urban form, even as they want more affordability. And at least some Supervisors perceived affordability to be welcome citywide, whereas planners and affordable developers say that this is not true.

Conclusion

San Francisco's planning practice and process problems spring from local law that applies discretionary review to any permit and offers repeated opportunities to challenge project approvals after an already complex and lengthy planning review process. These rules incentivize risk averse planning practices to avoid disruptions to a busy workflow and public scrutiny from political bodies. Risk averse planning practices, in turn, limit full implementation of the Permit Streamlining Act, Housing Accountability Act, Housing Crisis Act, and in some instances, State Density Bonus Law. Local rules also limit the effects of SB 35, as affordable developers face post-entitlement appeals. Still, the direct effects of state ministerial review highlight what is possible in terms of resolving San Francisco's process issues. Planners, developers, and housing advocates suggest achievement of the city's equity goals requires a local ministerial process coupled with equitable upzoning. What is also apparent, however, is that reforming zoning and entitlement will be insufficient to attain production targets. The city has major challenges with post-entitlement processes—some of which are related, again, to local rules, and some of which are related to variability and subjectivity in permitting processes, staffing, and lack of inter-agency coordination.

Introduction

In 2016, we launched the Comprehensive Assessment of Land Use Entitlements Study (CALES) at UC Berkeley. CALES explores how communities design and apply land use law to proposals to build dense housing. We used a 2015 California Legislative Analyst's Office report that identified the metro areas with the highest housing costs in the state and where demand has outpaced supply[21] to select our first group of study cities and regions. San Francisco was at the top of the list, and we began our work by studying San Francisco and four neighboring cities.[22] We eventually grew the study to include 28 jurisdictions in seven metropolitan regions across the state.

What we found was that San Francisco zoned comparatively more land for dense housing than nearly every other city we studied across the state. Indeed, San Francisco was one of only *two* cities studied that zoned more than a third of its zoned land for all income levels.[23] Zoning land for dense multi-family housing is a necessary though insufficient condition to achieving affordability and inclusion. California's fair share housing law is premised on this concept.[24]

Despite San Francisco zoning more land for dense housing than most cities studied, we found that San Francisco's local regulatory regime was comparatively prohibitive and risked exclusion. Even though the city has explicit local policy to promote inclusion and fair housing goals through inclusionary housing programs, rent stabilization, and tenant protections, our comparative analysis categorized San Francisco as "prohibitive" due to its complex procedural maze and application of laws. Among the 28 jurisdictions studied, San Francisco was unique in that it made all development discretionary. No other city we studied made all building permits (typically issued post-entitlement) discretionary; most used aesthetic regulation or design or site plan review as the blanket discretionary hook during entitlement. A few of our study cities required use permits for all multi-family housing development. But all the other approaches we found existed in the planning code and zoning regulations. No other city studied made building permits discretionary through some other area of local law.

San Francisco was also an extreme outlier in terms of timeframes to entitlement—with median timeframes of over two years, even for housing developments that met all zoning requirements and planning standards. These lengthy timeframes eclipsed the other study cities' timeframes by many months. These timelines also exceeded planner perceptions of "average" entitlement timeframes in communities nationwide. We found that only 5% of the 140 project observations in our 2014 - 2017 dataset from San Francisco achieved entitlement in 12 months or less.

We wrote that San Francisco's land use regime exemplifies how cities can zone land for dense multi-family housing and write and implement procedural rules to create delay and uncertainty of approval. Delay creates cost. Uncertainty creates risk. Increased development costs and risk influences which developers will build within a place, and what those developers will build. In that prior research, interview data and 2014 - 2017 approvals data suggested San Francisco's local regulatory regime burdened affordable development—even if the city prioritized affordable

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[21] CHAS ALAMO ET AL., LEGIS. ANALYST'S OFF., CALIFORNIA'S HIGH HOUSING COSTS: CAUSES AND CONSEQUENCES (2015), https://lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.aspx.
[22] We refer here to our Report to the California Air Resources Board in fulfillment of Contract #3900-19STC005. MOIRA O'NEILL-HUTSON ET AL., EXAMINING ENTITLEMENT IN CALIFORNIA TO INFORM POLICY AND PROCESS: ADVANCING SOCIAL EQUITY IN HOUSING DEVELOPMENT PATTERNS (2022).
[23] *Id.*
[24] *See* CAL. GOV'T CODE § 65583.2 (West 2023).

development—and likely squeezed out possibilities for middle income housing development entirely. We found that San Francisco's local law facilitated most 2014 - 2017 entitlement being sited in formerly industrial locations or neighborhoods that had multi-family zoning in place for decades. What we concluded was that San Francisco was the most sophisticated of the cities we studied in how its local law effectively blocked dense housing development through complex procedural hurdles rather than traditional density and use constraints.

California's legislature has passed nearly 100 laws relevant to housing policy since 2016[25] to spur housing production across all income levels and promote equitable housing outcomes. Many important changes target subjectivity in planning review and aim to quicken planning review, particularly for multi-family housing. There is also new law and policy to accelerate equitable housing outcomes, in terms of increased production in high opportunity locations.

More recent legislative reforms invite important questions about how well San Francisco has implemented these state housing laws intended to promote housing production, affordability, and equity. To explore these questions, we expanded and extended our Comprehensive Assessment of Land Use Entitlements Study (CALES) to better understand San Francisco's local land use regulatory regime and identify roadblocks to all multi-family housing development approvals that would yield five or more units. This report details our methods, presents findings, and discusses their implications for the California Department of Housing and Community Developments' (HCD) Policy and Practice Review.

Methods, Data, and Limitations

HCD asked:

1) At the local level, are state housing laws (including the Housing Accountability Act, Housing Crisis Act, Permit Streamlining Act, State Density Bonus Law, SB 35, and Housing Element Law) intended to promote housing production and affordability being fully implemented, and are they achieving their intended effect?
2) What are the causes of delay in San Francisco's entitlement process?
3) To what extent do discretionary review processes impact overall project timelines and the housing approvals pipeline?

Overall Research Approach

We use a spiraling mixed methods research design that joins legal research and qualitative, quantitative, and spatial analyses to understand San Francisco's local regulatory environment and answer the research questions. A spiraling research design is iterative and allows us to reexamine theoretical assumptions and methodological choices throughout the research process. This iterative research approach is sensitive to local conditions and research needs that are sometimes difficult to discover at the beginning of a research process. This approach involves producing analysis at multiple points in the study to allow for a feedback loop with both HCD and San Francisco while also informing our own theoretical assumptions about which law, policy, or planning practice factors support or obstruct housing development. This approach also means we do not rely exclusively on qualitative, quantitative, or spatial analysis to answer any

[25] *See* Ben Metcalf, Managing Dir., UC Berkeley, Terner Ctr. for Hous. Innovation, Presentation at the California Joint Oversight Hearing with Assembly Housing and Community Development Committee: Housing Production: Recent Legislative Actions and Outcomes (Feb. 28, 2023), https://shou.senate.ca.gov/node/21.

research question. We use qualitative data (interviews) to understand our quantitative and spatial analysis (using our entitlement dataset) and vice versa.

Ongoing Legal Research

We completed initial legal research into San Francisco's planning and zoning through CALES in 2016. We updated that legal research in 2018 and 2019, and then again in 2021 to understand changes to local planning review processes (for example, the elimination of the pre-application Environmental Evaluation process in 2018) and the impact of state housing laws (including changes to Density Bonus Law, Accessory Dwelling Unit Law, Senate Bill 330, SB 35, and amendments to the Housing Accountability Act), wherever changes are codified or provided for in policy documents. The legal and planning code summary informs our interview questions and guides our current data collection process. In the scope of this work, we updated our review of local law with relevant trial court and appellate court opinions.

Our Interpretation of State Law and Definition of "Full Implementation" of State Law

Answering the first research question requires us to explore whether San Francisco's policy and practices comply with state law and whether San Francisco's local policy or practices prevent specific state laws from achieving their intended effect. This requires us, first, to interpret state law and define what it means for a locality to fully implement each law for the purposes of this research. How we define "full implementation" in the research questions also informs our methods of analysis. We list our understanding of the applicability of specific state laws, their aims, and our definition of "full implementation" here.

We interpret the PSA, Housing Accountability Act, and Housing Crisis Act as applicable to *all* discretionary approvals, or entitlements, in San Francisco that do not require local legislative action. We read provisions within San Francisco's Planning Code that allow for and anticipate that the Planning Commission will issue a waiver or exception from any planning standards or zoning *without* local legislative action as adjudicative and within the purview of these state laws.

We interpret the goal of the PSA as seeking to "expedite decisions" on qualifying development projects[26] by imposing time limits on application processing and approval decisions. We also interpret the Permit Streamlining Act as imposing limits on the time to approval under the Permit Streamlining Act only after a city makes CEQA determinations.[27] If our data shows that a local policy or practice prevents the Permit Streamlining from imposing those time limits, we conclude that the local policy or practice blocks the full implementation of the PSA, even if the data does not show San Francisco violated an express provision of the PSA.

We interpret that the goal of the Housing Accountability Act is to increase housing production by limiting the ability of cities to outright deny, reduce the density of, or render infeasible a development that complies with objective development standards. We interpret the Housing Accountability Act to prohibit these actions unless a locality provides written findings that the proposed development would have an unavoidable and impossible to mitigate adverse impact on public health or safety.[28] Relatedly, we interpret the 2017 amendments to the Housing Accountability Act, found in Assembly Bill 1515, as modifying the Housing Accountability Act's "reasonable person" standard for determining compliance with land use regulations[29] in favor of

[26] CAL. GOV'T CODE § 65921 (West 2023).
[27] CAL. GOV'T CODE § 65950 (West 2023).
[28] CAL. GOV'T CODE § 65589.5 (West 2023).
[29] CAL. GOV'T CODE § 65589.5(f)(4) (West 2023).

approving qualifying development. We read the law consistent with how the First District Court of Appeal read the law.[30] We also interpret the "deemed to comply" provision of the Housing Accountability Act consistent with this same appellate court opinion.[31] We interpret this state law as requiring a city to send a project applicant timely written notice and an explanation of non-compliance if a city determines a proposed housing development is inconsistent with applicable standards.

We use descriptive statistics and interviews to explore whether San Francisco may have imposed conditions that lead to a reduced density (between application and entitlement), or subjective standards (conditions that render the development infeasible), or otherwise effectively denied a proposal to develop housing that a reasonable person would conclude is compliant with land use regulations under the Housing Accountability Act. Where our data indicates that the city may have imposed subjective standards, conditions that reduce density, or conditions that may render developments infeasible, we describe this as a failure to fully implement the Housing Accountability Act. We do *not* conclude whether San Francisco violated an express provision the Housing Accountability Act because of the limitations of our data. We gather and analyze documents that are readily available through the city's parcel information map public portal—but we cannot confirm that the city did not issue a notice of non-compliance with applicable standards *or* did not prepare findings, because the documents are not readily available on the public portal. We cannot interpret the absence of those documents on the city's public portal as meaning that those documents do not exist, ergo, San Francisco did not comply with state law.[32]

We also interpret one goal of the Housing Crisis Act of 2019, enacted in October 2019,[33] to be to curb delays associated with hearings, continuances, and meetings.[34] Where we identify entitlements with multiple hearings and more than five hearings, we describe as inconsistent with this law or that the city is not fully implementing the law. We do not determine whether the city is systematically violating the express prohibition on number of hearings, largely because of the data challenges surrounding hearings as discussed in the body of this report.

Unique Entitlement Dataset

The Comprehensive Assessment of Land Use Entitlements Study (CALES) dataset is a uniquely detailed dataset on how entitlements issued in select years navigated their approval pathway. Table 2: Entitlement Data Counts by Project and Units Across Years details observations per study year.

[30] We refer here to the opinion in Cal. Renters Legal Advoc. & Educ. Fund v. City of San Mateo, 68 Cal. App. 5th 820, 845 (2021) ("Subdivision (f)(4) is intentionally deferential to housing development.").
[31] *Id.* at 831 (a "project is deemed to comply if 'substantial evidence . . . would allow a reasonable person to conclude' that it does").
[32] We do recommend, however, that San Francisco make those documents publicly available if they exist.
[33] We refer here to the passage of Senate Bill 330, approved by the Governor on October 9, 2019. S.B. 330, 2019-2020 Leg., Reg. Sess. (Cal. 2019).
[34] CAL. GOV'T CODE § 65905.5 (West 2023).

Table 2: Entitlement Data Counts by Project and Units Across Years

	2014	2015	2016	2017	2018	2019*	2020	2021
Projects	24	23	55	38	36	42	25	41
Units	2,470	2,069	6,371	3,359	2,824	2,807	2,839	2,869

*We included one SB 35 observation without an eligibility determination date in 2019 based on the date of the building permit.

2014 - 2017 Observations

The 2014 - 2017 dataset does not include Accessory Dwelling Unit (ADU) approvals but does include litigation-related data.[35] We do not rely on San Francisco's reporting on entitlement and permitting. Rather, we build our dataset from source documents including application documents, planning staff reports, motion and resolution documents, and legal pleadings where relevant, and construct our own code book. Importantly, in addition to our typical quality control measures, San Francisco uniquely provided us an opportunity to review our 2014 - 2017 dataset with the San Francisco Planning Department's Environmental Review team in 2018 following our first working paper.

Using San Francisco's online Property Information Map system (PIM), we augmented the 2014 - 2017 entitlement data in this study by:

1) Collecting additional hearing, correspondence, and approval data on the PPA and Environmental Evaluation Application processes, where available;
2) Collecting in-depth information on the nine observations where parties applied for exceptional Discretionary Review (DR) under San Francisco's Business and Tax Code, including all available data on the requests, hearings, and the Planning Commission's actions;
3) Confirming if and how market-rate developments satisfied San Francisco's inclusionary zoning (IZ) ordinance by reviewing our data and supporting documents (there are 10 market-rate developments in our dataset where we cannot confirm how the projects satisfied the IZ requirement);
4) Supplementing our search for "determined to be complete" dates issued by the Planning Department (there are none for all 140 observations) with a second search through San Francisco's Property Information Map (PIM)[36] for correspondence regarding incomplete applications; and
5) Augmenting existing CEQA-related coding with any available data on Wind, Shadow, and Transportation Demand Management studies for each observation in the 2014 - 2017 dataset.

[35] We detail how we collected and quality checked the 2014 - 2017 entitlement data we reference in the Report to the California Air Resources Board (CARB Report). MOIRA O'NEILL-HUTSON ET AL., EXAMINING ENTITLEMENT IN CALIFORNIA TO INFORM POLICY AND PROCESS: ADVANCING SOCIAL EQUITY IN HOUSING DEVELOPMENT PATTERNS 36-43 (2022).

[36] PIM refers to San Francisco's public portal that provides comprehensive access to numerous records associated with parcels. *San Francisco Property Information Map*, S.F. PLAN., https://sfplanninggis.org/pim/ (last visited Sept. 18, 2023).

The Permit Streamlining Act provides planning departments should determine whether an application to develop housing is complete within 30 days of receipt or the application will be deemed complete.[37] We found no publicly available data that documents that San Francisco's planners made completeness determinations within 30 days of application for any entitlement of five or more units issued in 2014 - 2017. [38]

We explored the data to see if we could determine "deemed complete" dates as well. For discretionary building permit applications, we could almost always locate the Preliminary Project Assessment (PPA) applications (where applicable) but could not always find Project Applications consistently logged. The Notice of Building Permit Application, however, references the application date (though we cannot confirm the date against a source document). For other approval applications that require only one local approval—like a Conditional Use Authorization (CUA)—we can locate the PPA documents, but we can only sometimes locate applications for those discrete approvals with date stamps of application receipt by the Planning Department.

We also cannot determine from the documents on PIM when planning review began for entitlements issued in 2014 - 2017. For projects that fall under the Permit Streamlining Act, this means that it is not possible to confirm compliance with the Permit Streamlining Act even if the Planning Department staff did not make completeness determinations. For example, we found a few instances of Planning Department correspondence that lists what an application for a discretionary approval (like a CUA) is missing, and states that review has begun and that time limits do not begin until after the project proponent submits the required materials—but the letter does not provide *when* planning review began. These letters are dated many months after the application date.[39] The date of the letter suggests non-compliance with the PSA, but the language is vague. Also, although PIM links users to a portal that provides some building permit data (permit number, description, and date), there is little to no supporting documentation available.

2018 - 2021 Observations

We first modified the data collection template to account for important changes in state law and to track source documents closely. We have variables to identify the source of data that we used to determine the timeframe, approval, and hearing values. Adding data source variables allows us to code for whether we were able to identify an approval detail or event based on the original document (primary source) or an entry in San Francisco's portal (secondary or self-reported source). We also constructed new variables to explore:

- How many public hearings (including continuances) to which a project was subjected.
- The approval body required of a developer or property owner before issuing an approval.
- Changes to project characteristics (in terms of the number of units proposed, or types of units proposed) throughout the entitlement process.
- How developments that qualified for state ministerial approvals (such as SB 35) navigated the approval process.

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[37] CAL. GOV'T CODE § 65920 (West 2023).

[38] During our prior research in San Francisco, we did not request this information through a Public Records Act request. We did confirm in meetings with San Francisco personnel that at that time, Planning did not track the relevant information.

[39] For example, using one of our CUA observations to illustrate, we can find the application (with the submission date) and the Planning Department's notice that details what is missing, and that review is underway. The time lag between the two is about 10 months and does provide when planning review began.

Consistent with prior coding, we also always code for "other approvals" we could not anticipate from legal research and review of San Francisco's local planning and zoning ordinances. In 2018 - 2021 data, examples include approvals like those requiring sidewalk legislation to allow a development to meet other code requirements. We also continuously add variables to augment the dataset to answer the research questions above.

We built our potential observation list to collect data from multiple sources. We referenced Annual Progress Report (APR) data to identify all reported entitlements or ADU or SB 35 approvals that would yield five or more new residential units if built. The APR listed duplicates. We cleaned for duplicates as we only wanted to examine unique projects in the APR. Once we had unique reported entitlements, we ran a match within our own 2014 - 2017 dataset. We ran a fuzzy-join text matching algorithm[40] between unique entitlements in the APR with our 2014 - 2017 dataset. We found six APR unique projects that overlapped with observations in our 2014 - 2017 data (which we had already cleaned and confirmed involved entitlements in those years). We do not include those in our 2018 - 2021 dataset.[41] We incorporated the remainder of APR entitlements into our data collection strategy. We then reviewed CEQA-related approvals in San Francisco's PIM portal and Planning Commission agendas using San Francisco's public database of environmental review notices of determinations and exemptions.[42] We identified another group of observations (developments that appeared potentially approved in 2018 - 2021) to incorporate into our data collection strategy. Our 2018 - 2021 data includes 16 SB 35 observations and 17 discretionary ADUs. We provide more detail on the accuracy of APR data in Appendix C.

In all, a team of trained students collected data on 196 potential observations of entitlement/approvals issued in 2018 - 2021 after constructing a project list from the APR, cross-referencing environmental review determinations, and any other materials that listed out SB 35 project approvals. After preliminary data collection we determined 144 observations belonged in our study for analysis of entitlements and SB 35 approvals issued in 2018 - 2021. We excluded pending entitlements, entitlements outside of our study years, and Development Agreements associated with a major phased development where no phase or building had yet secured its final entitlement. We completed a full quality check of 133 of our 2018 - 2021 observations. The quality check process involved checking each coded value we recorded in the database twice against the source document or the PIM entry if no source document was available. Where there was an ambiguity or confusion about what the coded value should be, O'Neill reviewed the value and the source material to make a final coding decision.

We completed a partial quality check for 11 observations we gathered late in our data collection process, after referencing amended Annual Progress Reports, to allow for reliable summary statistics, including regression analysis, and all spatial analysis. We exclude these 11 observations from our analysis of frequency of continuances, changes in proposed density from

[40] A fuzzy join is a joining method that is used for merging two datasets that are not perfectly matched. The reason we ran a fuzzy join is that there may be differences in how an address was written in the APR and our original dataset. A fuzzy join allows us to match projects that may have similar but not identical addresses in the APR and the CALES dataset.

[41] We would have to first confirm with San Francisco Planning whether these six potential observations were new entitlements and not modifications before including them in our dataset.

[42] *Environmental Review Documents*, S.F. PLAN., https://sfplanning.org/environmental-review-documents (last visited Sept. 18, 2023).

application to approval, project intake processes, inclusionary housing program compliance pathway, and frequency of additional studies during environmental review.

Primary Source Documents

Whenever possible, we relied on primary source documents; San Francisco does not make all primary source documents readily available. For example, calculating timeframes to entitlement for discretionary observations requires tracking the earliest required application date. Prior to discontinuing the PPA requirement in July 2023, San Francisco required project proponents submit a PPA for specific types of development before submitting a project application. We have 87 observations in our 2018 - 2021 dataset that would have required a PPA application. We were able to locate the signed and dated PPA application document to determine the first application date for 48 of those observations through PIM. We sourced PPA application dates for another six observations from PPA-related correspondence (including the PPA decision document). We had to rely on PIM entries for PPA dates for 22 observations because either the application itself was not dated, or there was no PPA application in the PIM portal. San Francisco's PPA process required project proponents to submit significant information about the proposed development.

Another example relates to San Francisco Planning's policy that mandates a pre-application neighborhood notification process, and a pre-application hearing called the "Pre-Application Community Outreach Process" or "Pre-Application Meeting."[43] This pre-application process requires project proponents to send notices and copies of plans to adjacent neighbors and neighborhood organizations *before* applying to develop land for any new construction or alteration that would change an existing structure by seven vertical feet or 10 horizontal feet. San Francisco Planning compiles the list of neighborhood organizations that project proponents must notify. Though PIM makes most PPAs available, PIM rarely provides source documents that furnish detail about pre-application hearings.

Also relevant, determining compliance with the Permit Streamlining Act requires tracking whether a project proponent applied for entitlement by submitting an application package to the Planning Department. While our dataset contains initial application dates for most of our 2018 - 2021 observations, we can source these dates from primary source documents—signed and dated applications—for only 58 observations. We rely on references to application dates in Plan Check Letters sent by the Planning Department and approval documents in another 29 observations. Where we do not have a primary source document, we rely on PIM entries for application dates, which is data that a San Francisco Planning Department planner entered into the PIM system directly.

In sum, more than half (56%) of the application dates in our dataset are essentially self-reported dates from Planning—and not readily verifiable with application documents. We also highlight here that in at least four instances, the PIM entry reports an application date *after* the approval event (which is available through a primary source document). In another five instances, the PIM system reports an application date that is prior to the PPA date. We assume these are errors (an application should neither follow an entitlement nor predate a preliminary application procedure) but we report out what the data shows, nonetheless. Although these potential errors do not impact descriptive findings on time frames to approval, they do limit analysis of consistency with the PSA.

[43] *Pre-Application Meeting*, S.F. PLAN., https://sfplanning.org/resource/pre-application-meeting (July 30, 2023).

Regression Analysis

We ran several regressions to analyze existing relationships within the CALES dataset. We include all regressions, supplementary analysis, and robustness checks in a separate methods Appendix A, though the main findings are in this report. We ran regression models on 2014 - 2017 data and 2018 - 2021 data separately, and then together. We used the statsmodel Python module[44] to run all regressions in this analysis. We calculated all regression coefficients with robust standard errors (Errors of Order 3 (HC3)) in order to account for the existence of outliers and other issues within the data such as heteroskedasticity (variation in regression errors across our observations) and provide a small sample correction.[45] Note that if we did not use robust standard errors, the standard errors of our estimates would be smaller, so the standard errors and subsequent hypothesis testing are conservative.

In-Depth Interviews and Meetings and Review of Public Hearings

We have interviews from our prior research across cities from 2017. We used transcripts from six interviews conducted in 2017 with stakeholders within San Francisco (an affordable developer, market-rate developer, city employee who managed affordable development, city planner, land use attorney, and community organization advocate) in this analysis. For this research, we also completed an additional 28 in-depth interviews with 18 additional participants that did not participate in interviews in prior years or in meetings led by HCD between late-fall 2022 and May 2023. We interviewed participants from the following groups: developers (market-rate and non-profit affordable developers); private sector professionals (architects, land use lawyers, planners); government personnel (including city planning staff); and representatives from community-based organizations (including affordable housing advocates). We identified some of these interview participants as experts within San Francisco and reached out to them to participate in an interview. Other participants reached out to us to participate in interviews as well. We advised all participants that the research would be reported to HCD, but we would protect the confidentiality of each participant consistent with our research protocols. For that reason, we do not quote any individual participant and only report on themes based on what multiple participants or entire stakeholder groups shared.

We observed another 33 meetings that HCD convened for their Policy and Practice Review with approximately 146 stakeholders, including city planning personnel, Commissioners, Supervisors, market-rate developers, affordable developers, and housing organizations. Twenty of those meetings invited one participant, and five meetings invited two to three participants. These 25 HCD-led meetings with one to three participants offered in-depth conversations, much like research interviews. Most were an hour, though a few were longer or shorter. Most meetings included participants, one member of the HCD team and O'Neill. A handful of much larger meetings (with more than three participants) included more than two HCD team members

[44] Documentation for this module can be found at STATSMODELS, statsmodels.org/stable/index.html (May 5, 2023).

[45] In regression analysis, the errors are defined by the difference between the observed values of the dependent variable (in this case, project timeframes) and values predicted by the regression specification. Accurate estimation of the uncertainty of OLS-predicted values generally depends on constant errors across observations. However, in this study, we do not assume that error is constant (homoscedasticity). For instance, model error might be larger for observations with substantially longer timeframes (i.e., where projects take two to three times longer than the median timeframe). When we use robust standard errors, we no longer assume that errors are constant across all observations, which can mitigate the impacts of this regression analysis being based on observational data. Further, we are using a small sample correction to mitigate the fact that our universe of observations is relatively small and to account for the natural clustering in timeframes that occurs at each local land use approval step.

and O'Neill, along with participants. In each of these meetings, HCD informed the participants that O'Neill would be observing and listening to the conversation for research purposes and that the research would support the state's Policy and Practice Review. About half of the meetings with Commissioners and Supervisors also included a deputy city attorney in the meeting with HCD. Stakeholders discussed planning review and post-entitlement processes in-depth.

In all, we analyzed notes from interviews and meetings with representatives from six different housing advocacy groups, over 20 planning staff and more than 60 development professionals (evenly split between affordable and market-rate development). We also heard from 14 individuals split across the executive and legislative bodies within San Francisco.

Two members of the research team performed a line-by-line reading of a subset (10%) of the interview transcripts and notes from interviews and meetings[46] to identify recurrent concepts to generate a codebook in MaxQDA. We developed codes through an inductive process—a process in which we analyzed the transcript to identify codes based on themes that the speaker emphasizes. We also generated some codes for analysis using a deductive process—a process in which we analyze the notes and transcripts for content which indicates the speaker perceives that San Francisco either violated a state law *or* believes a policy or practice blocks a state law from having its intended effect. Once we had a codebook, three members of the research team coded all transcripts using the same software. We used MaxQDA software to summarize the findings by code and used the summaries to identify cross-cutting themes. This report pulled out findings where the team reached greater than 90% agreement on coded segments. We also generated stakeholder abstracts that summarized dominant themes (including internal consensus and disagreement on key topics within stakeholder groups).

Where interview participants or meeting participants directed us to specific public hearings, we also reviewed those hearings to confirm what participants shared did occur. We only inserted quotes from public hearings or relevant media reporting into this report and did not include any direct quotes from conversations between stakeholders and either HCD or O'Neill.

Document Analysis

Both interview and meeting participants, along with data collection, identified more than 41 proposed developments for a more detailed review process by our research team. We also located and analyzed documents associated with those 41 potential developments to explore in-depth what occurred during planning review.

Study and Data Limitations

Regression analysis using CALES data does not establish causal relationships. We rely on qualitative data to establish causality. Interview data is limited by the fact that all study participants volunteered. Relatedly, data from individuals and groups that agreed to participate in meetings with HCD is also limited by the fact that these participants volunteered. Voluntary participation in interviews increases selection bias and limits the generalizability of findings from interviews. We increased the number of interviews to reduce bias, but that does not allow us to generalize about San Francisco's policies or practices. Interview findings, however, can help us craft questions for quantitative analysis. Interview findings can provide important insights when

[46] Some participants asked that the interview/meeting not be recorded for transcription purposes. In those instances, O'Neill took detailed notes during the conversation, and the team joined those notes with transcripts from other interviews or meetings for qualitative analysis.

combined with regression and spatial analysis that regression and spatial analysis alone cannot yield.

The advantage of our 2014 - 2017 entitlement dataset is that it is uniquely detailed. The limitation of that dataset, however, is that our original coding structure aimed for comparative analysis across cities. This means that when we coded our 2014 - 2017 observations, we collapsed some San Francisco processes into single variables to compare processes across jurisdictions. For example, Large Project Authorizations and Downtown Project Authorizations were coded together in our master dataset as "exceptions" because that was the most analogous to similar processes in other cities. That limits our ability to explore how those two distinct processes operate when we are studying San Francisco only. To address this in coding for the 2018 - 2021 data, we created two coded datasets. The 2014 - 2017 dataset has less detail than the 2018 - 2021 dataset.

Another important limitation of our entire entitlement and SB 35 approval dataset relates to what each observation represents. Each observation reflects successful entitlements or SB 35 approvals only. That means that this universe of projects that we use for quantitative and spatial analyses represents those developments that successfully navigated the entitlement process in San Francisco. This means that the observations also represent those developments that developers likely had a high enough probability of success that they were willing to pursue entitlement in the first place. We do not have data suitable for quantitative analysis on when and how the city may have denied applications for entitlement in our dataset. That was beyond the current research scope. There is also no reliable data suitable for quantitative or spatial analyses on parcels where a property owner is unwilling to apply for entitlement.

Also, we gathered insights from stakeholders through interviews regarding what occurs during entitlement and what influences whether some buildings get built. Specifically, stakeholders suggest that smaller buildings, which those stakeholders define as 20 units or less, may get entitled but become financially difficult to build post-entitlement. The stakeholders attributed this to an entitlement process that mediates conflicts with opponents in a way that may lead to a final entitlement of a project that is not financially possible to build.[47] If entitlement processes contribute to whether a proposed development is financially feasible—and in turn whether a developer will pull building permits to build—then theoretically we might see a difference in the rate of filing for building permits for buildings that are 20 units or less as compared to larger buildings (21 units or more).

We have two challenges concerning exploring this issue with quantitative methods. The first is that augmenting the entitlement data with post-entitlement permitting data is very difficult; San Francisco's building permit data is not as accessible online or as reliable as entitlement data. Also, San Francisco's local law makes it difficult to systematically identify what counts as the permit that represents the beginning of construction activity and/or intent to build the building because San Francisco has a discretionary building permit process.

[47] Relatedly, at the time of this writing, the San Francisco Chronicle reported on a study concluding that the City's Inclusionary Housing Program is rendering some development fiscally infeasible. *See* Noah Arroyo, *Affordable-Housing Quotas Imperil New S.F. Building Projects, Study Says*, S.F. CHRON. (Jan. 22, 2023), https://www.sfchronicle.com/bayarea/article/sf-affordable-housing-projects-17727101.php.

Findings

We report findings in response to each of the questions that HCD asked, drawing on all data and methods to answer each question. Our findings sometimes rely on data from both our 2014 - 2017 and 2018 - 2021 datasets, and sometimes draw exclusively on the 2018 - 2021 dataset. We also compare four years to four years where appropriate and construct year-to-year comparisons or group years by two-year comparisons (e.g., 2014 - 2015 compared with 2018 - 2019) where appropriate.

Table 3 summarizes the total number of observations in our dataset, and the units they would yield if built, both in terms of market-rate units and affordable units. We narrowly define affordable units to refer to deed-restricted below market-rate housing units. Group housing, student housing, and single room occupancy housing are not included in any affordable housing count. Table 4 elaborates on the type of observations within our 2018 - 2021 data only.

Table 3: Summary of Total Approvals and Unit Counts Across Study Period

Study Period	Total Approvals	Total Units	Affordable Units	% Affordable Units/ All Units
2014 - 2017 Units from Entitlement of Developments of Five or More Units	140	14,269	2,168	15%
2018 - 2021 Units Approved from Approval of Developments of Five or More Units	144	11,339	3,039	27%

Table 4: 2018-2021 Approval Observations and Units by Affordability and Process

Affordability Category	Project Count	Market-rate Units	Affordable Units
100% Market-Rate Discretionary Non-ADU[1]	55	4,264	–
100% Market-Rate Discretionary ADU[2]	16	110	–
Mixed-Income Discretionary Non-ADU	52	3,473	873
Mixed-Income Discretionary ADU	1	21	3
Mixed-Income SB 35	2	4	1,659
100% Affordable Discretionary Non-ADU	4	4	210
100% Affordable SB 35	14	426	294

[1]This includes 2 Group Housing Projects and 1 Student Housing Project.

Although we elaborate on the contours of specific rules and planning practices when we discuss each finding, there are the two aspects of San Francisco's local law that dominate nearly all interviews and provide critical framing for virtually all of our findings. The first local law is one that makes all housing approvals in San Francisco discretionary. The Municipal Business and Tax Regulations Code Section 26(a) provides that San Francisco's departments may "take into consideration the effects of the proposed business or calling upon surrounding property and upon its residents . . . [and to] exercise its [or their] sound discretion as to whether said permit should be granted, transferred, denied or revoked." The city interprets this law as granting the Planning Commission discretionary authority over all building permits, including permits not otherwise discretionary under zoning and planning requirements. The Planning Commission delegates this discretionary authority to the Planning Department to review applications that meet Planning Code standards and Design Guidelines. But when disputes arise over a building permit, "concerned parties may choose to file a [request for exceptional] DR."[48] A DR effectively stops the Planning Department's approval process, sets a public hearing in front of the Planning Commission, and triggers additional planning staff analysis to prepare for the hearing.

Once a party has requested DR, unless they withdraw their request, there is always a public hearing. At the public hearing, the Planning Commission reviews materials and hears testimony and then determines whether it will "approve, disapprove or require modifications to the project."[49] The city states that the Planning Commission exercises this form of discretionary review only in exceptional circumstances when disputes between neighbors cannot be resolved through mediation.[50] The procedure, based on how it is written, indicates that the process of requesting and holding a hearing can add months to the approval timeline, even if the Planning Commission leaves the Planning Department's approval intact.

Another topic that dominated interviews is the ease with which project opponents can challenge discretionary approvals and post-entitlement permits through an administrative appeal under City Charter Section 4.106(b). The city charter provides that the Board of Appeals (an appointed political body) will hear appeals of building permits and demolition permits, unless either permit is issued after the Planning Commission authorizes a Conditional Use.[51] The Board of Supervisors hears appeals of any post-entitlement permit associated with a Conditional Use Authorization and any appeal of a CEQA decision.[52]

San Francisco's local rules prevent full implementation of the goals and aims of state housing laws.

HCD asked whether the data shows that San Francisco is fully implementing state law, including the Housing Accountability Act, Housing Crisis Act, Permit Streamlining Act, SB 35, and State Density Bonus Law. The answer, as indicated by the data, is no. Developers, planning professionals, and most housing advocacy organizations perceive local rules as

[48] *Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).
[49] *Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).
[50] The city also elaborates on its interpretation of the power this provision affords the Planning Commission in the Application Packet for Discretionary Review. *See Discretionary Review*, S.F. PLAN., https://sfplanning.org/resource/discretionary-review (Jan. 25, 2023).
[51] The city details the limitations of the Board of Appeal's jurisdiction. *About Us, Board of Appeals*, SF.GOV, https://sf.gov/departments/board-appeals/about (last visited Sept 18, 2023).
[52] Appeal of Certain CEQA Decisions, SAN FRANCISCO, CAL., ADMIN. CODE § 31.16 (2013).

blocking the full implementation of the Housing Accountability Act, Housing Crisis Act (SB 330), Permit Streamlining Act, and State Density Bonus Law. Descriptive and inferential statistical analysis of housing approvals yields findings that are consistent with these stakeholder perceptions. Stakeholders also report that SB 35 effectively expedites planning review, but does not resolve post-entitlement problems within San Francisco.

We report findings related to SB 35 and State Density Bonus Law first, and then move through findings related to steps in the entitlement and post-entitlement process.

San Francisco Planning fully implemented SB 35, but SB 35 is not a complete process fix.

SB 35 provides a state ministerial process for qualifying urban multifamily code compliant housing developments in jurisdictions that fail to meet their RHNA production targets in prior RHNA cycles. In San Francisco, SB 35 applies to qualifying housing where 50% or more of the units are affordable. A ministerial process is significant for developers and planners in San Francisco because local law renders all approvals discretionary. The state ministerial process eliminates pre-application requirements and hearings (discussed in more detail below), the opportunity for project opponents to request DR, and CEQA review. Once San Francisco Planning determines a project is eligible for SB 35, the developer proceeds directly to the Department of Building Inspection (DBI) for permitting.

SB 35 processing timeframes are fast—whereas discretionary building permits typically take years.

SB 35 cabins the eligibility review period to 90 or 180 days depending on the project size (measured by units).[53] Like many other cities, San Francisco "restarts" the review clock if there are any changes to the application.[54] The data shows San Francisco Planning diligently applied this state law. We found that planning review for developments that began as SB 35 applications take about four months but no more than eight months. Table 7 shows that, in contrast, discretionary building permits take approximately two years to entitle or complete planning review before they begin to work with the DBI. Stakeholders explain that entitlement delays increase holding costs, but approval delays may also result in being subject to higher fees, particularly when delays span over years. Timeframes for all non-ADU developments along specific approval pathways spotlight the difficulty of entitlement and the need for a local ministerial process in addition to other zoning and procedural reforms.

[53] CAL. GOV'T CODE § 65913.15(c)(1)-(2) (West 2023).
[54] Moira O'Neill & Ivy Wang, *How Can Procedural Reform Support Fair Share Housing Production? Assessing the Effects of California's Senate Bill 35,* 25 CITYSCAPE 143, 143-70 (2023).

Table 5: Entitlement Timeframe by Approval Pathway 2018-2021

Process Categorization	Min. Timeframe	**Median Timeframe**	Max. Timeframe	**Mean Timeframe**	Standard Deviation
SB 35 Only (no discretionary process prior) (N=9)	0.89	**3.42**	7.63	**4.29**	2.63
SB 35 Conversion (all began as discretionary) (N=7)[2]	15.39	**29.39**	41.39	**29.18**	10.32
Discretionary BP (N=17)	7.76	**24.20**	47.70	**24.07**	8.58
Discretionary BP with Exceptional DR request (N=4)[3]	10.32	**32.33**	55.56	**32.64**	19.76
Variance (by ZA) (N=11)	19.73	**36.00**	69.27	**41.40**	19.96
Variance (by ZA) with Exceptional DR (N=5)	10.39	**39.48**	146.69	**59.28**	52.30
Variance (by Planning Commission) and Exceptional DR (N=1)	46.68	**46.68**	46.68	**46.68**	—
DPA / LPA / SPA (N=15)	23.31	**35.67**	67.03	**38.33**	13.59
CUA Only (N=17)	18.71	**35.05**	59.34	**35.90**	12.45
CUA[4] Pplus (N=30)	17.00	**39.68**	105.40	**46.01**	21.99
PUD[5] (N=2)	7.73	**24.53**	41.33	**24.53**	23.76
Development Agreement (N=4)	32.09	**42.16**	51.52	**41.98**	7.94
Map Amendment/General Plan Amendment (N=3)	34.49	**42.08**	64.90	**47.16**	15.83

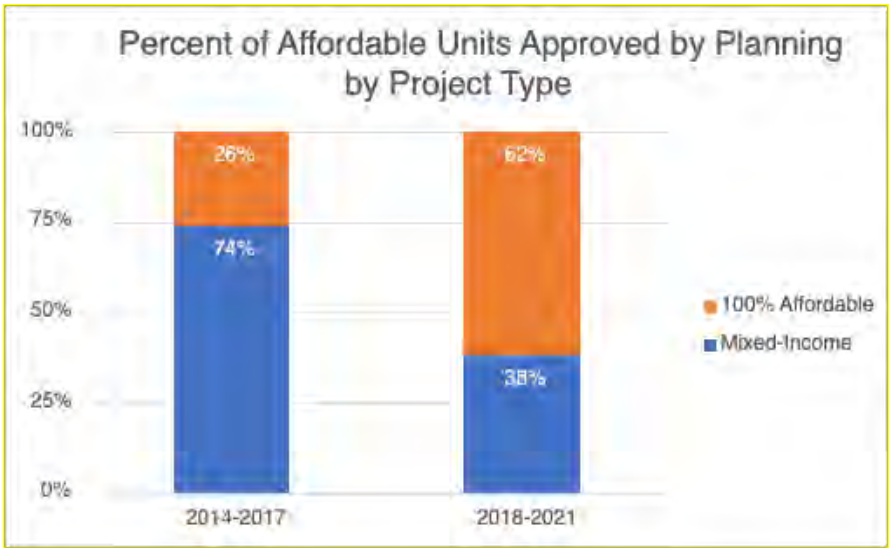
[1] We do not include two observations, discretionary building permit projects with additional administrative approvals, in this timeline calculation. One involved a discretionary building permit and an exception, and the other was a discretionary building permit with an ADU.
[2] We have one additional SB 35 project in this category that does not have an eligibility determination date. Though we know it received a building permit, we cannot include it for timeframe calculations. Each of the observations in this category proceeded through a discretionary approval process before initiating an SB 35 application. Some applications pre-date SB 35's enactment.
[3] This includes two discretionary building permits that received requests for exceptional DR and faced administrative appeals.
[4] Includes CUAs with other processes that typically go to the Zoning Administrator or Planning Commission but not the Board of Supervisors (such as CUA with a Variance, or CUA with a Certificate of Appropriateness).
[5] PUD refers to Planned Unit Development.

Developers report that SB 35 transformed planning approval pathways for affordable development.

Developers described SB 35 as eliminating risk because the law creates certainty in entitlement where none existed before. Some planners reported a steep learning curve at the outset; they shared that major changes like this to planning review are difficult to implement at first—and that early state guidance could help planning staff improve implementation. Developers, however, described San Francisco Planning's implementation of SB 35 as efficient and helpful. The data largely confirms that San Francisco Planning made most SB 35 eligibility determinations quickly and within required timeframes. The outliers represent proposals to develop affordable housing using local discretionary processes, sometimes because the project proponent filed the application before SB 35's passage and/or effective date.

Approval data also shows that state ministerial review allowed for faster processing which facilitated the approval of nearly three times the number of 100% affordable developments in 2018 - 2021 as compared to 2014 - 2017. There were only five 100% affordable developments entitled in 2014 - 2017. In 2018 - 2021 alone, San Francisco approved eighteen 100% affordable developments, and 14 of those developments used SB 35's ministerial process. Because of SB 35, most affordable units approved in 2018 - 2021 came through ministerially approved 100% affordable developments that used State Density Bonus Law. In 2014 - 2017, 74% of affordable units came from mixed income developments. In 2018 - 2021, 62% of all affordable units came from 100% affordable developments.

Figure 3: Distribution of Affordable Units by Development Type



Graphic Developed by Dori Ganetsos using CALES data.

SB 35 does not resolve post-entitlement opposition through appeals.

Affordable developers that have used SB 35 describe several post-entitlement difficulties that extend construction timelines. One difficulty affordable developers describe is that San Francisco's local rules allow project opponents to use the administrative appeals process to delay construction by challenging post-entitlement permits. (We discuss other post-entitlement difficulties below.) Construction activity impacts neighbors, who then may file complaints during the construction process.[55] But some neighborhood organizations escalate their opposition to construction by using administrative appeals to the Board of Appeals, which under local law suspends permit approvals until the appeal is resolved.[56]

2550 Irving Street exemplifies how post-entitlement challenges can delay construction of housing approved under SB 35. 2550 Irving, a 100% affordable development that would provide 90 units of supportive housing,[57] has faced at least two post-entitlement appeals of permits.[58] San Francisco Planning determined the development was SB 35 eligible on August 17, 2022. In November 2022, the Mid-Sunset Neighborhood Association appealed the demolition permit required to demolish a two-story office building because of concerns about toxins. The filing of the appeal suspended the building permit pending resolution. The Board of Appeals heard the

[55] One notable example relates to 78 Haight Street, which will house transitional-aged youth at risk of homelessness. We found three complaints from neighbors about construction logged in PIM so far. A neighborhood organization complains about inadequate notices about this development online, as well (though it characterizes the housing product incorrectly). *78 Haight*, HAYES VALLEY SAFE, https://www.hvsafe.com/78-haight/ (Mar. 17, 2022).

[56] Wherever PIM recorded an administrative appeal of a permit, we captured that in our database. San Francisco's public portal provides incomplete information about appeals and post-entitlement challenges, so we also asked interview participants to provide examples of projects that faced post-entitlement challenges. We then cross-referenced the DBI permitting system to see if we could find more information on the impact of appeals on permits.

[57] Application data indicates that at one point, this project was proposed to offer 98 units.

[58] San Francisco's public portal reports two appeals associated with the demolition permit for this development, both filed on December 5, 2022 (numbers 22-091 and 22-092). The neighborhood association also filed an appeal of the construction permit.

first appeal of the demolition permit on February 22, 2023, and denied the appeal (with a 3-2 split vote). Online records show that DBI reinstated the building permit, months after the initial approval date of October 28, 2022, on March 7, 2023. The same organization also appealed the construction site permit, originally approved on June 26, 2023. This permit was also suspended pending resolution, and on August 16, 2023, the Board of Appeals voted 2-2 on whether to grant the appeal and whether to continue the hearing. Both the appeal and the motion to continue failed as only four of five Commissioners were present. Ahead of both hearings, HCD sent Letters of Technical Assistance to the City and County of San Francisco's Board of Appeals regarding 2550 Irving, informing San Francisco that under state law, the city should not hear administrative appeals on SB 35 approvals.[59]

In related media, the neighborhood organization stated that they want more environmental remediation before construction.[60] The developer and the Mayor's Office of Housing and Community Development pointed to testing, review, and approval from public health and toxic substances agencies. The Chronicle reported that Supervisor Engardio publicly expressed support for 2550 Irving as "much needed [housing that] should not be delayed" though he also believed agencies could better communicate safety assurances to neighbors.[61] During confidential interviews, however, some stakeholders shared that they do not believe the neighborhood association is primarily concerned about environmental hazards; some stakeholders instead believe that the neighborhood opposes the development because of its size and the development's intended residents.

The agenda for the hearing on August 16, 2023, included a ~1,200-page record for this one appeal. During the hearing, Board of Appeals Commissioners disagreed about the effect of SB 35 on their power to review the permit and the appropriate scope of authority for Commissioners to exercise, generally, when deciding a matter that requires technical expertise. The Commissioner remarks during the hearing illustrate several of the ideological divides within local political bodies that stakeholders described during interviews. The public comments from Commissioners, some of which are quoted below, reveal conflicting perspectives on the normative value of state preemption of local power, the appropriate scope of administrative review of the work product from agency personnel with specific technical expertise, and the purpose and function of the Board of Appeals in general.

> Another point I wanted to make is in regard to SB 35 and SB 35 preemption. As one of the public commenters commented tonight . . . since SB 35 was passed several years ago, 2018-2019, **there has been a proliferation of new state level legislation also taking aim at local review processes**. And most have been drafted by San Francisco's own representatives in Sacramento, and those representatives in Sacramento need to know your opinions on these things **because they're doing their darndest to make sure there is no review process anymore, that the planning commission can't hear these items and they're trying to get it so that the Board of Appeals can't hear these items either, and if you believe in local review as I do as a member of this body, it's your duty and your responsibility to let your representatives**

[59] One of the letters is available online. *See* Letter from Shannan West, Hous. Accountability Unit Chief, Cal. Dep't Hous. & Cmty. Dev., to S.F. Bd. of Appeals, City & Cnty of S.F. (Feb. 22, 2022), https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/HAU/SanFrancisco-LOSTA-022223.pdf.
[60] The Chronicle reports on the challenges. *See, e.g.*, J.K. Dineen, *Judge Rules Contested Sunset District Affordable Housing Project Can Proceed*, S.F. CHRON. (Dec. 9, 2021), https://www.sfchronicle.com/sf/article/judge-rules-contested-sunset-district-affordable-16688685.php (unsuccessful attempt to secure an injunction).
[61] *Id*.

know what's at stake here and what this means to you [deep pause] I do think what's going on here goes far beyond the lot lines of 2550 Irving, and I don't necessarily think that even granting this appeal will fix the larger environmental hazards in the Sunset District . . . but I think there is a much bigger picture here in terms of the legal background and what is going on between several different agencies . . . .[62]

I see a distinct difference between that remediation and the permit here that we are here to pass judgment on. . . . We recognize that there is a problem . . . that problem is there is PEC contamination in the Central Sunset particularly around this site, and that needs to be remediated. . . . However, I see a distinct difference between that remediation and the permit we are here to pass judgment upon . . . . The appellant themselves admitted that the construction of this site has no bearing on the issues and levels that will be taking place in the neighborhood. So I see a very bright line between the contamination which needs to be remedied, and the permit that we are here to consider. . . . You know what, this is something that happens to us a lot in different circumstances, usually less dire, usually with a lot less scientific data that we have to parse our way through. When we end up with landlord-tenant issues, we find ourselves with a conflict . . . that needs to be worked out . . . . [I]t is probably best venued in the civil courts . . . but we look not to that issue, but we look to the permit and underlying issues within our jurisdiction . . . . **I see how SB 35 can be very confusing, it can be tedious, it can be difficult, but I have to ask myself do we have grounds under SB 35 to have grounds to appeal this, or overturn this permit, even if we identified it as being material to these issues that were here and I don't think this permit is material to the contamination thing, but even if we did, in this circumstance I don't see a way to get there because the objective standards under the Planning Code . . . are through the Maher ordinance**.[63] DPH has engaged the Maher procedures. They've gone one further for us as a neighborhood association has for them to do and brought in the DTSC because they have more expertise and more resources . . . and so that process that is supposed to take place is ongoing . . . . Let's be clear here, we get nervous sometimes as a board about playing amateur architect. **Right now we're playing scientists and we're playing amateur environmental scientists . . . . [L]et's realize it doesn't have anything to do with the permit in front of us today. I will not move to uphold the appeal**.

I so fundamentally disagree . . . . [P]eople on appeals boards make judgments on experts all the time . . . . And then we had people representing to us that there would be communication, same thing, they made it sound like there was going to be community participation, none occurred . . . . **I think there is an appropriate time to say that the experts got it wrong, or the process was wrong**. . . . I would ask that we continue this [to allow Board of Appeals President to join discussion].[64]

I am not comfortable telling the Sunset residents that they should feel safe, and that is what it really boils down to for me, it is a moral ethical issue for me, and I do and I can take that into account. . . . this body isn't the one that should be hearing this, unfortunately we don't have another body that is more appropriate to hear this . . . . [W]e're attorneys not environmental experts . . . . [T]his shouldn't be litigated in the context of permit appeals . . . . [B]ut we don't have an appropriate forum. . . . [**I]nstead what we have is the Board of Appeals, which for all intents and purposes has become a catch all in many ways and we have taken it upon ourselves in many instances to make consequential decisions and push for consequential**

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[62] *S.F. Bd. of Appeals: Hearing on Appeal No. 23-034* (Aug. 16, 2023) (statement of Alex Lamberg, Comm'r, Bd. of Appeals), emphasis added.

[63] Commissioner Eppler is referring here to San Francisco Health Code Article 22A that gives the San Francisco Department of Public Health oversight of characterization and mitigation of hazardous substances in soil, soil vapor, and groundwater in the Maher Area identified in the city's Building Code Article 106A.3.2.4.

[64] *S.F. Bd. of Appeals: Hearing on Appeal No. 23-034* (Aug. 16, 2023) (statement of John Trasviña, Comm'r, Bd. of Appeals), emphasis added.

> **change in city policy in city operations in city administration**. And to me this is the most consequential of any the issues we've dealt with since I've been on the board . . . this one takes the cake. There are people's lives at risk here. **And I don't think we should be the body who is imbued with this power, but ultimately our state legislators have ripped away the other layers of review so it can't go to the Planning Commission. It can't go to other commissions. It's here, and we ultimately have de novo review of this, potentially with SB 35 limitations, but you know . . . ultimately legal advice is just that – it's legal advice and we as Commissioners get to make the say.** I obviously don't think we have the votes to grant the appeal here tonight . . . but you know, if there was a time to make a leap of faith, this was the time.[65]

More developments relied on State Density Bonus Law as compared with prior years, but stakeholders disagree about how easy it is to use the state law.

State Density Bonus law allows for developers building residential or mixed-use projects with five or more units to build more housing units than zoning would otherwise allow in exchange for a prescribed number of below-market-rate units. The law provides bonuses in the form of additional density and waivers of some local standards. State Density Bonus Law is a state mandate and the state law may preempt local implementation programs with a bias towards "producing the maximum number of total housing units" under § 65915(r) of the Government Code. The law prohibits cities from applying development standards to a density bonus project that would make it impossible to build at the densities or with the concessions or incentives provided in State Density Bonus Law.[66] San Francisco's Planning Code Section 206 implements State Density Bonus Law and provides two local density bonus programs, the HOME-SF program[67] and the 100% Affordable Housing Bonus Program.[68]

We found that nearly all SB 35-approved developments also relied on State Density Bonus Law. State ministerial review through SB 35 and State Density Bonus Law allowed for ministerially approved 100% affordable developments that were, on average, larger (measured in units) than 100% affordable developments requiring discretionary review. The median project size (measured by units) of all SB 35 developments is 121 units. The mean is 119 units. The median project size (measured by units) of all 100% affordable non-ADU discretionary observations is 13 units. The mean is 53 units. For comparative purposes, the median project size (measured by units) of 100% affordable developments entitled in 2014 - 2017 was 134 units, and the mean was 113 units. The median project size (measured by units) of all non-ADU discretionary observations is 24 units and the mean is 799 units. The two largest developments that exceeded 800 units if built—among the outliers—required discretionary approval.

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[65] *S.F. Bd. of Appeals: Hearing on Appeal No. 23-034* (Aug. 16, 2023) (statement of Alex Lamberg, Comm'r, Bd. of Appeals), emphasis added.
[66] CAL. GOV'T CODE § 65915(e)(1) (West 2023).
[67] Housing Opportunities Mean Equity – San Francisco Program (HOME-SF), SAN FRANCISCO, CAL., PLAN. CODE § 206.3 (2019).
[68] The 100 Percent Affordable Housing Bonus Program, SAN FRANCISCO, CAL., PLAN. CODE § 206.4 (2018); *see also Affordable Housing Bonus Program (AHBP)*, S.F. PLAN., https://sfplanning.org/ahbp#:~:text=State%20Density%20Bonus%20Law,-In%201979%2C%20the&text=Ten%20percent%20of%20total%20housing,age%20requirements%20for%20older%20persons (last visited Sept. 18, 2023).

Table 6: Median Project Size by Product Type and Approval Pathway

Type	Median Project Size Units	Mean Project Size Units (rounded)	Standard Deviation Project Size Units (rounded)
100% Market-Rate, Discretionary Non-ADU[1] (N=55)	9	78	193
100% Market-Rate, Discretionary ADU (N=16)	6	7	3
Mixed-Income, Discretionary Non-ADU (N=52)	47	84	104
Mixed-Income, Discretionary ADU (N=1)	24	24	—
Mixed-Income, SB 35 (N=2)	**360**	**360**	**127**
100% Affordable, Discretionary Non-ADU (N=4)	13	53	83
100% Affordable, SB 35 (N=14)	**121**	**119**	**59**

[1] This grouping includes two Group Housing Projects and one Student Housing Project.

Thirty-one developments in our 2018 - 2021 dataset used State Density Bonus Law to increase the number of allowable units, and another six developments used the local HOME-SF program (all entitled in 2021). We see a notable increase in projects using density bonus programs in 2021, overall. In total, developments that secured approvals in 2018-2021 relied on density bonus programs more often than the developments entitled in 2014-2017 as well. Only four developments entitled in 2014 - 2017 used any density bonus program.

Also important is that developers used State Density Bonus Law more often than the HOME-SF program. Fifteen SB 35 ministerially approved developments in our 2018 - 2021 dataset all used State Density Bonus Law. The remaining developments that used State Density Bonus Law were discretionary mixed-income developments. At least 13 of the mixed-income developments used State Density Bonus to help meet requirements under the local Inclusionary Housing Program requirements. Five mixed income developments used Home-SF to meet requirements under the local Inclusionary Housing Program requirements as well.

There was no consensus among developers about how easily developers could use State Density Bonus Law in San Francisco.

Some developers expressed that the waivers both help create an appealing and efficient development and increase the likelihood of entitlement, overall. Some developers shared that the city's local rules and guidelines do not apply state law correctly[69] and/or that the city steered them away from using State Density Bonus Law. Developers also reported that the city applies the law so as to increase inclusionary program fee requirements once development size increases. Planners shared that design review can interfere with application of State Density Bonus Law, as political bodies may request reduced heights or removal of floors to projects that qualify for density bonuses. Affordable developers shared their frustrations concerning how planners have to do substantial work to apply different density bonus programs to help 100% affordable housing developments benefit from SB 35 while also securing required waivers. Planners also commented that State Density Bonus Law is complex, and that they (planners) would really benefit from more state guidance on its application. But planners and affordable developers emphasized that ministerial review and State Density Bonus Law were, together, critical to creating opportunities for more affordable housing within San Francisco.

Both developers and planners shared that State Density Bonus Law has been critical to helping developers manage requirements under local rules.

Developers shared that State Density Bonus Law was critical to make development financially feasible. Planners also shared that developers use State Density Bonus Law to facilitate large projects that the Planning Commission might otherwise deny. Planners explained that the city's Large Project Authorization (LPA)—theoretically meant to allow for larger projects and for modifications and waivers—does easily support larger development. Planners perceive that when developers use the modifications and waivers under the LPA, the Planning Commission interprets the project as no longer compliant and covered by the Housing Accountability Act, allowing political bodies to deny approval. Planners report that developers therefore use State Density Bonus Law to make large projects work while also staying covered by the Housing Accountability Act.

One development, outside of our study years, that stakeholders discussed during interviews as illustrative of this issue was **1010 Mission Street**. Planners reported that the developer first sought an LPA for a group housing development which the Planning Commission did not like and denied. The developer then used State Density Bonus Law to get an approval. Cross referencing documents, we found that the developer requested an LPA that was later withdrawn. The developer secured a final entitlement with an Individually Requested State Density Bonus approval and Downtown Project Authorization.

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[69] Section 206.6 of San Francisco's Planning Code may require revision after the passage of AB 1763, which provides an 80% density bonus, four incentives or concessions, and special parking ratios for 100% affordable housing projects, and AB 2345, which increased the maximum range of the density bonus to 50% for housing projects with 15% very low-income units, 24% lower income units, or 44% moderate income units. *See* CAL. GOV'T CODE §§ 65915(f)(1), (f)(2), (f)(4). AB 2345 also lowers the required percentage of lower income units required to obtain multiple incentives and concessions under § 65915(d)(2). Table 206.6B seems inconsistent with those provisions under state law. San Francisco Planning, however, also issues Bulletins explaining how it applies state law. *See, e.g.,* S.F. PLAN., BULL. NO. 6, IMPLEMENTING THE STATE DENSITY BONUS PROGRAM (Feb. 2023), https://sfplanning.org/sites/default/files/documents/publications/DB_06_Implementing_State_Density.pdf.

Planners also stated that State Density Bonus law is critical to promoting productive dialogue about how to make proposed developments better, because once it becomes clear that the city cannot deny the project (and only after it is clear the city cannot deny the project), the public discourse shifts towards how to improve the design to be sensitive to neighborhood needs. Participants offered **321 Florida Street**, a mixed-used mixed-income development entitled in 2021 that required an LPA but also used State Density Bonus Law, as an example of a how state law helped secure entitlement rather than a project denial. After it was clear the city could not deny the development, planners also reported that the conversation with the community focused on how to improve the design in a manner that did, in fact, improve the aesthetics of the proposed development. Another example participants provided was **1560 Folsom Street**, another large mixed-use mixed-income development entitled in 2021 that required an LPA but also used State Density Bonus Law. The outcome for 1560 Folsom allowed for special sidewalk placards to celebrate the area's local history.

Planners note, however, that State Density Bonus Law, while critical to increasing certainty of entitlement for larger developments, may not produce more efficient and speedy deliberative processes during entitlement. Consistent with this perception, our data shows that the only approvals under State Density Bonus Law that planning department staff issued were those approvals associated with SB 35 projects. All other requests for density bonuses for discretionary projects required approval from San Francisco's Planning Commission. Relatedly, we found some observations with multiple continuances for hearings for joint LPA and State Density Bonus Law approvals, as well.

Our data also shows that while an LPA coupled with a State Density Bonus Law approval may secure approval from the Planning Commission, the approval is still vulnerable to being overturned by the Board of Supervisors if the community perceives the final entitlement outcome to be contrary to neighborhood needs. **2300 Harrison Street** illustrates this issue. This proposed mixed-use building would have added three stories to an existing three-story commercial building and demolished an adjacent parking lot. The development would add ~27,000 square feet of office and retail space on a site occupied by Lyft, along with 24 units of housing, of which three would be deed-restricted affordable. After the Planning Commission approved the development, community organizations appealed the Community Plan Exception under CEQA to the Board of Supervisors. The Board of Supervisors unanimously upheld the appeal. A community group publicly stated that the entitled development represented an exploitation of State Density Bonus Law.[70]

[70] Media reported that the new development would result in ~95,000 square feet of retail/commercial space. We reviewed the project proposal documents, and those documents indicate the proposed development would *add* approximately ~27,000 square feet of commercial space, and 24 units of housing, *to an existing* building that had ~68,000 square feet of office space. *See* Laura Waxmann, *S.F. Supervisors Take United Stance Against Mission Development at Former Lyft Offices*, S.F. BUS. TIMES (Aug 19, 2020), https://www.bizjournals.com/sanfrancisco/news/2020/08/19/sf-supervisors-vote-down-mission-district-office.html.

Table 7: Frequency of Use of Density Bonus (All Programs)[1]

Year (N=Total Approvals/Per Year)	N Density Bonus Used		N State Density Bonus used
2014 (N=24)	0		-
2015 (N=23)	0		-
2016 (N=55)	1		Unknown
2017 (N=38)	3		Unknown
2018 (N=33)	SB 35: 3	Other: 3	5
2019 (N=34)	SB 35: 3	Other: 2	5
2020 (N=25)	SB 35: 5	Other: 2	7
2021 (N=41)	SB 35: 4	Other: 15	16

[1]We do not calculate which density bonus programs (state or local) 2014 - 2017 entitlements used.

Stakeholders also do not agree on whether State Density Bonus Law is good for San Francisco. Market-rate developers shared that State Density Bonus Law has been critical to increasing the feasibility of housing development while also satisfying the local inclusionary program as on-site requirements increased over time.[71] Affordable developers heavily relied on State Density Bonus Law to increase the size of 100% affordable development, which did increase the number of units approved. Some Commissioners and Supervisors also described density bonuses as critical to reaching affordable housing targets.

But some Commissioners and Supervisors expressed concern about how the city's application of State Density Bonus Law might derail community outreach or historic preservation. Some planners shared that implementing State Density Bonus Law was difficult at times and required educating political bodies on where San Francisco retained discretion and where it did not under the law (which was further complicated by San Francisco's context of all permitting being discretionary). Planners also perceived that local political bodies did not like the impact of State

[71] Section 415.3 details the thresholds. Qualifying applications initiated before January 12, 2016, had a 14.5% on-site inclusionary requirement; applications initiated after that date had variable thresholds depending on the project size and a complex scheme of alternatives. Under Section 415.6(a)(1), a development larger than 10 units but smaller than 25 that elected on-site units would have to meet a 12% threshold. Section 415.6 (a)(2) and (a)(3) provided that owner occupied developments of 25 units or more would have to meet a 20% threshold, and rentals developments larger than 25 units would have to meet a 18% threshold. Section Section 415.6(a)(5) also provided for incremental increases beginning in 2018, which would raise the thresholds even higher for developments of 10 – 24 units to 15% and larger developments would increase incrementally each year, but not to exceed 26% for owner occupied developments and 24% for rental developments. SAN FRANCISCO, CAL., PLAN. CODE §§ 415.3, 415.6 (2021).

Density Bonus Law on urban form because it limited subjectivity in design review, or its impact on inclusionary outcomes in terms of the overall yield of on-site affordable units.[72] Consistent with these planner perceptions, some Commissioners and Supervisors did express concern about state law that overrides design considerations.

Local rules complicate application of the Housing Accountability Act.

When discussing the importance of SB 35 and State Density Bonus Law, another important theme emerged. Several stakeholder groups reported that local political bodies do not consistently follow the Housing Accountability Act and deny proposed development covered under state law. Importantly, stakeholders did not describe the Planning Commission as blatantly violating state law but explained that instead, complex local rules make it difficult to determine which local approvals are within the purview of the Housing Accountability Act and which are not. If there is any ambiguity about whether the Housing Accountability Act applies, and a proposed development is at all controversial, that ambiguity leads to a project denial.

Planners emphasized here again the importance of state guidance on how the law changes local processes. When state law does not create a ministerial process (like SB 35) but limits local discretion, state guidance provides clear communication to political bodies and the public how the state law changes local processes. That is critical, planners say, in a local context like San Francisco where at least some within the political bodies and communities interpret local rules as allowing the city to retain the power to deny an approval. If state law significantly limits the right to deny an approval, planners recommend that the state guidance be clear so as to enable staff and Commissioners to say publicly that state law dictates a particular outcome.[73]

Local rules require entitlement processes begin before the application—and navigate multiple hurdles along the way to approval.

Prior to July 1, 2023, the process for entitlement for many multifamily non-ADU and non-SB 35 developments began with a required Preliminary Project Assessment (PPA).[74] The Mayor's Office recently eliminated this hurdle through an Executive Directive, but we explain how this impacted the observations within our dataset.

Under the PPA process, a project proponent was required to complete the PPA before they could submit their project application. San Francisco's PPA process required project proponents to submit significant information about the proposed development. We have 87 observations in our dataset that would have required a PPA application under that local policy. We can verify PPA application dates against source documents for more than half of those, but otherwise rely

[72] Commissioner Diamond on June 1, 2023, expressed concern about the impact of State Density Bonus Law on urban form when questioning whether Supervisor Melgar's proposed legislation to increase density in a west side neighborhood would, in conjunction with State Density Bonus Law, lead to nine-story buildings.

[73] It is important to note, however, that during this research, HCD sent two advisory letters to the city on the impact of SB 35 on post-entitlement administrative appeals, and the limitations that SB 35 placed on San Francisco's ability to hear post-entitlement appeals in the context of an SB 35 approval. San Francisco's Board of Appeals heard both post-entitlement administrative appeals, even though at least one of these letters explicitly stated that SB 35 did not allow for post-entitlement appeals.

[74] San Francisco Planning now provides that it no longer accepts PPAs consistent with the Mayor's Executive Directive issued on February 7, 2023, subsection II.9. OFF. OF THE MAYOR, CITY & CNTY. OF S.F., DIRECTIVE 23-01, HOUSING FOR ALL (Feb. 7, 2023), https://sf.gov/sites/default/files/2023-02/Executive%20Directive%2023-01_Housing%20for%20All.pdf.

on self-reported dates from San Francisco's system. The average time from PPA application to project application was about a year.

Table 8: PPA to Application Timeframes

(months)	Median	Mean	Standard Deviation
PPA to Earliest Application Date	4.96	11.71	21.00

San Francisco Planning, responding to direction from the Mayor's Office, eliminated the PPA process. Still, San Francisco Planning policy mandates a neighborhood notification process before a project proponent files an application, and a pre-application hearing called the "Pre-Application Community Outreach Process" or "Pre-Application Meeting."[75] This pre-application process requires project proponents to send notices and copies of plans to adjacent neighbors and neighborhood organizations *before* applying to develop land for any new construction or alteration that would change an existing structure by 7 vertical feet or 10 horizontal feet. San Francisco Planning compiles the list of neighborhood organizations that project proponents must notify. However, San Francisco Planning does not consistently track pre-application meetings in its public portal.

Stakeholders have differing perspectives on the value of this pre-application meeting process. Some Commissioners and Supervisors referred to the pre-application process as important community outreach. Other stakeholders perceive it as a requirement that assumes conflict exists before a developer has even proposed a development.

Application intake processes were inconsistent with the PSA but improved marginally over time.

The Permit Streamlining Act (PSA) requires cities to provide information to applicants about city requirements for applications to develop housing and sets limits on how long a city can take to determine an application is complete and begin planning review. This state law applies to all discretionary development projects that are quasi-adjudicatory actions (like a variance or conditional use requirement). The PSA also limits the amount of time a city can take to process an application, but the clock begins to run after Planning prepares environmental review documents.

We collected information on application dates, and any notices regarding the status of applications and the dates of those notices, when available on PIM, for 135 discretionary, non-ADU entitlements that we believe did not require a legislative act or development agreement for approval. This list includes more observations than we analyze—or it includes observations we collected some data on that we did not include in our timeline analysis because they were not yet entitled, or they were entitled in 2022 or 2023 .

Of these 135 observations, we found notifications sent to project proponents about their entitlement's application status (inclusive of notices about the incompleteness of their applications) for 75 observations(~56%). Of those 75 observations, we were able to determine

[75] *Pre-Application Meeting*, S.F. PLAN., https://sfplanning.org/resource/pre-application-meeting (July 30, 2023).

an application date and notice of status date for 72 observations. Of those 72 observations, 56 notifications (~78%) were outside of the required 30-day period. Of the 56 (out of 72 observations) that are in our dataset for analysis (observations entitled from 2018 - 2021), 41 notifications (~73%) were outside of the required 30-day period.

This does not mean that San Francisco Planning complied with the PSA in the other 60 instances, only that there is insufficient data to determine compliance or non-compliance with the PSA in half the observations.

We also looked at whether San Francisco Planning improved its project intake and notification processes over time. We have a confirmed application date for 130 out of 135 observations. In all five observations where we could not confirm an application date, we could also not confirm a notice of status date. Of these 130 observations, 65 observations have a confirmed application date after 1/1/2018, and 65 observations have a confirmed application date before 1/1/2018.

Of the 65 observations that have a confirmed application date after 1/1/2018, we found San Francisco Planning sent notifications to project proponents about their entitlement's application status (inclusive of notices about the incompleteness of their applications) for 53 observations (~82%). Of these 53 observations, 37 notifications are dated after the required 30-day period (70%). Of the 65 observations that have a confirmed application date before 1/1/2018, we found notifications sent to project proponents about their entitlement's application status (inclusive of notices about the incompleteness of their applications) for 19 observations (~29%). Of these 19 observations, 19 notifications are dated after the required 30-day period (100%). This suggests that San Francisco improved its application intake and notification process, but only marginally. What is also clear is San Francisco Planning is doing a better job to track the data, which can facilitate internal monitoring of this issue and continued improvement.

Table 9: Analysis of Application Status Notifications

	Application Date Before 1/1/2018 (N=65)	Application Date After 1/1/2018 (N= 65)
Percentage of observations where notice of application status is available	29% (N=19)	82% (N=53)
Percentage of observations where notice, if available, is outside of the required 30-day period	100% (N=19)	70% (N=37)

Planning policy relies on exemptions to comply with CEQA, but local rules require additional studies.

State law provides that if a development approval is discretionary, CEQA applies. With a few exceptions, local law determines whether CEQA applies to classes of housing development by making those housing approvals discretionary. State law, however, allows cities to quicken environmental review for some development. There are statutory exemptions in the California Public Resources Code, and the state's CEQA Guidelines provide for another thirty-three categorical exemptions. For example, a planning department can use the Class 32 infill exemption for an urban infill project to bypass CEQA review if the project satisfies certain conditions. The department must still prepare documentation. But the process is comparatively

faster than more intensive environmental review processes, like an Environmental Impact Report (EIR), within most jurisdictions in the state.

When a project is not categorically exempt, the planning agency conducts an initial study to assess whether there is substantial evidence that the project will have a significant effect on the environment. If it is not clear that the impacts can be mitigated below a significance threshold, a planning agency must prepare an EIR. If there is not substantial evidence of a potentially significant effect on the environment, the agency issues a Negative Declaration (ND). If there is substantial evidence that a project will significantly impact the environment, but the developer can properly mitigate the effects, then the agency issues a Mitigated Negative Declaration (MND).

California law also allows the planning agency to reuse existing EIRs to facilitate "streamlining" some classes of development through the environmental review process. This is called "tiering." Tiering allows the proposed development to satisfy CEQA's requirements by relying on existing EIRs, typically programmatic EIRs associated with a plan, and narrowing the environmental review documents to only those issues that have not been evaluated in a prior EIR that covers the proposed project. Tiering requires a prior environmental review document (generally an EIR) typically connected to a prior large-scale planning approval (usually a General Plan or Specific Plan); however, the source of the document varies. A Community Plan Exemption (CPE), for example, is a tiering-based exemption available to projects consistent with a community plan, General Plan, or zoning. When proposed development satisfies environmental review through tiering, it should theoretically reduce project-level costs for the developer because cities generally pay the costs of the relevant plan- or program-level EIR.[76]

EIRs are uncommon in San Francisco. Most developments benefit from streamlining. San Francisco is like its neighbors in this way, though San Francisco's timeframes are quite different from other neighboring jurisdictions we have studied. One notable change between 2014 - 2017 and 2018 - 2021 is that there are more categorical exemptions in the latter four years. That highlights that San Francisco Planning made a change in planning practice that simplifies and lightens the burden of environmental review for qualifying development—and yet overall, entitlements timelines increased in 2018 - 2021.

[76] Robert Olshansky, *The California Environmental Quality Act and Local Planning*, 62 J. AM. PLAN. ASS'N 313, 319–20 (1996).

Table 10: CEQA Compliance Pathways

Year Entitled and N	Categorical Exemption	Tiering (CPE)	Addendum	MND/ND	EIR	Multiple Pathway	CEQA Unknown*
2014 (N=24)	4%	79%	4%	0%	12%	0%	0%
2015 (N=23)	4%	56%	4%	15%	15%	7%	0%
2016 (N=55)	16%	67%	0%	11%	5%	0%	0%
2017 (N=38)	3%	82%	0%	3%	11%	0%	3%
2018 (N=31)	29%	45%	3%	13%	3%	3%	3%
2019 (N=29)	48%	38%	0%	10%	0%	0%	3%
2020 (N=18)	44%	17%	6%	17%	17%	0%	0%
2021 (N=33)	52%	33%	0%	9%	6%	0%	0%

Although San Francisco uses exemptions and tiering to comply with CEQA, local rules, not state CEQA guidelines, also require developers complete additional studies. Developers and planners in interviews and meetings indicated that local law demands that planning require wind and shadow studies. We collected information on whether San Francisco Planning required additional studies for 100 discretionary, non-ADU observations. We found no information about wind studies in San Francisco's public portal, which is noteworthy because wind studies came up frequently in interviews. Also, we note here that Class 32 infill exemptions require Transportation Demand Management studies.

Out of the 44 observations that satisfied CEQA through a Categorical Exemption, 22 (50%) required additional studies.

- ~18% (N=8) of all observations that benefited from a Categorical Exemption (N=44) also required a Shadow study.
- ~43% (N=19) of all observations that benefited from a Categorical Exemption (N=44) required a Transportation Demand Management study.
- ~11% (N=5) of all observations that used a Categorical Exemption (N=44) required both Shadow and Transportation Demand Management studies.

Out of the 33 observations that satisfy CEQA through a Community Plan Exemption, 24 (72%) required additional studies.

- ~32% (N=11) of all observations that used CPE (N=33) also required a Shadow study.
- ~70% (N=23) of observations that used a CPE (N=33) also required a Transportation Demand Management study.

- ~30% (N=10) of all observations that used a CPE (N=33) required both Shadow and Transportation Demand Management studies.

One observation (out of two) that complied with CEQA through a CEQA Addendum required a Transportation Demand Management study. Neither project required a Shadow Study.

Out of the 12 observations that required a Negative Declaration or Mitigated Negative Declaration, 10 (83%) required additional studies.

- ~33% (N=4) of all observations that required a ND or MND (N=12) required a Shadow Study.
- ~67% (N=8) of all observations that required a ND or MND (N=12) required a Transportation Demand Management study.
- ~17% (N=2) of all observations that used an ND/MND (N=12) to satisfy CEQA required both Shadow and Transportation Demand Management studies.

Out of the six observations that required an Environmental Impact Report, 3 (50%) also required a Shadow Study.

Risk of costly local appeals drives cautious environmental planning practices that limit the impact of the PSA.

In theory, using streamlined environmental review should quicken the planning review process. The PSA sets sixty-day time limits on approving development proposals that qualify for CEQA exemptions and streamlining, once the city makes a determination that the development is exempt from environmental review.[77] But in San Francisco, that is not necessarily true. One possible explanation might be that if environmental determinations always follow other entitlement approvals, using a streamlined environmental review process may have little impact on overall timelines if the other approval steps require more time (though a streamlined process should still reduce costs associated with more intensive environmental planning review).

After reviewing pre-application requirements and notification practices, we explored the data to understand when San Francisco Planning began environmental review and made CEQA determinations. We were able to isolate the environmental review determination or approval date in 95 of our discretionary non-ADU observations. Figures 4 and 5 illustrate what we found: that environmental review determinations almost always happen close to or at the same time as final entitlement decisions under local land use regulation. In 20 of those observations, the environmental determination and approval date is also the latest approval. For the remaining observations in this group, environmental determinations or approvals are often close to the final entitlement date. For 21 (out of 95) observations, the environmental approval date is at most seven days before the final approval date. For 36 (out of 95) observations, the environmental approval date is at most 30 days before the final approval date. For 48 (out of 95) observations, the environmental approval date is at most 60 days before the final approval date. This is important because of the limitations on entitlement review timeframes that the PSA imposes but, as noted, the clock begins to run after Planning prepares environmental review documents, not before. Because environmental determinations occur so close to the end of the entitlement period, the PSA seems to have little effect on overall entitlement timeframes.

[77] CAL. GOV'T CODE § 65950 (West 2023).

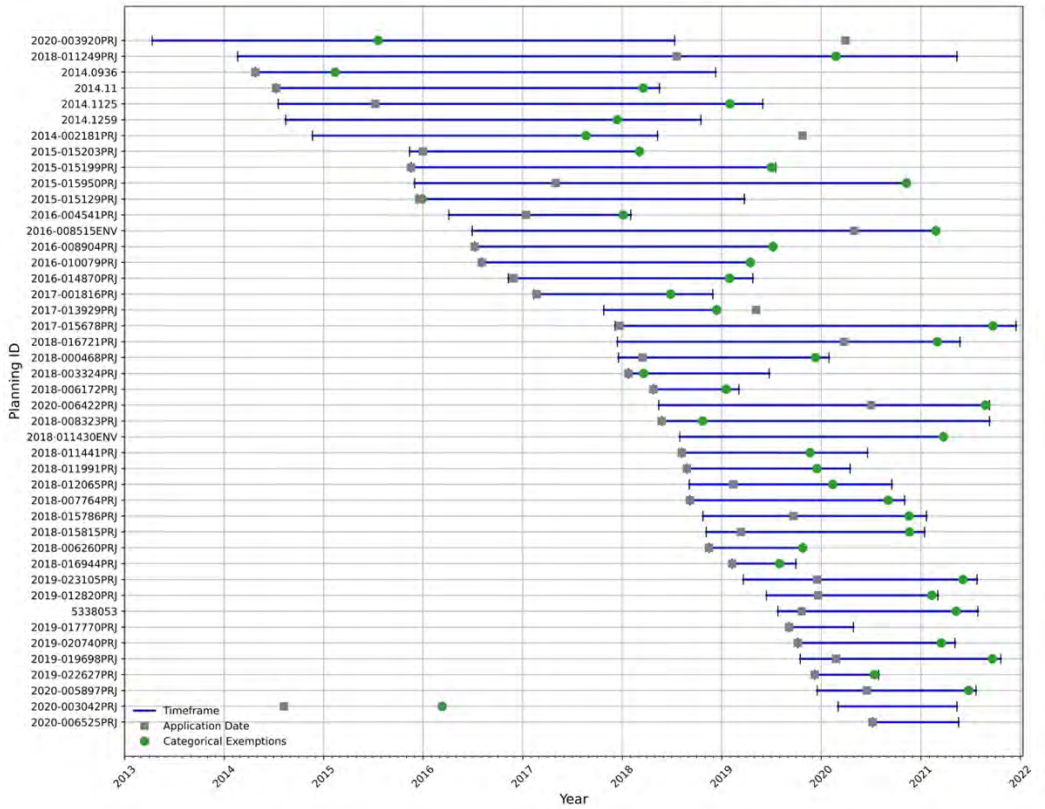


Figure 4: CEQA Milestone Timelines Categorical Exemptions Only (2018 - 2021)

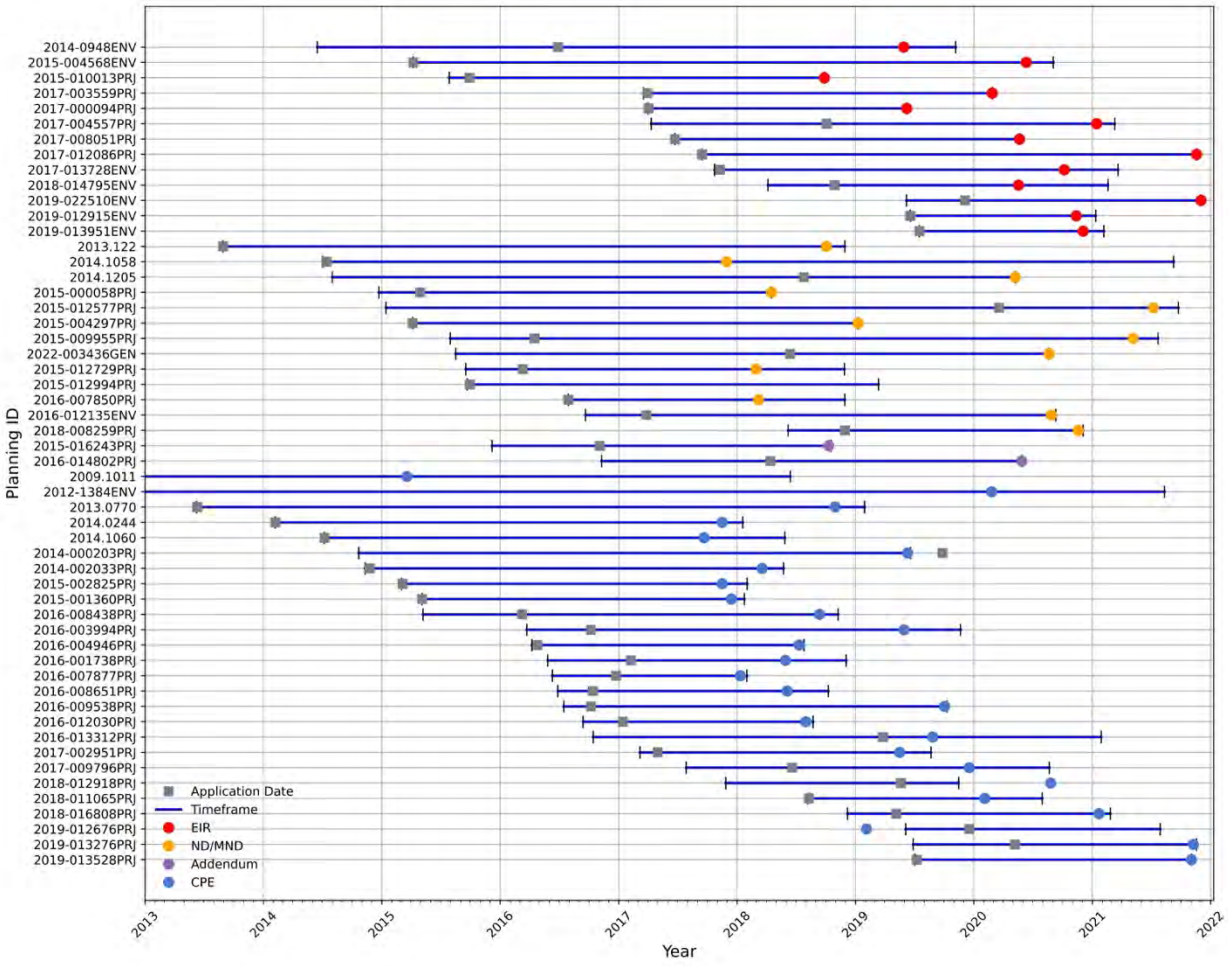


Figure 5: CEQA Milestone Timelines Multiple Pathways (2018 - 2021)

Commissioners, planners, and developers all agreed that CEQA slows approvals, and all—including planners and Commissioners—expressed concerns about CEQA abuse. During interviews and meetings with these stakeholders, we asked why environmental review takes as long as it does, as most development in San Francisco is categorically exempt from environmental review or benefits from a streamlined CEQA process. Developers believe San Francisco Planning is too slow to assign environmental planners to projects. Commissioners believe planners are overly cautious because they fear judicial scrutiny. In contrast, planners from multiple departments shared that there are two features of local rules that extend environmental review: (1) local rules requiring further studies add more work, and (2) administrative appeals, or the risk of administrative appeals, to the Board of Supervisors[78] steers planning practice and influences how long review takes overall.

On the second point, planners elaborated that because it is easy to appeal planning approvals, the risk of appeal influences planning practices. For environmental review, both Commissioners and planners perceive that there is a high risk that project opponents will challenge projects by

[78] State law governs much of the requirements for administrative appeals of CEQA determinations (*see* CAL. PUB. RES. CODE § 21151(c) (West 2023); CAL. CODE REGS. tit. 14, § 15025(b) (West 2023)) but local rules require that the filing deadline for an administrative appeal of a CEQA determination begins to run only after final entitlement decisions under local land use regulation.

challenging environmental determinations. What is most striking about the difference between Commissioner and planner perspectives is that Commissioners believe planners are worried about judges, but planners expressed confidence that their work would survive judicial scrutiny. Instead, planners expressed concerns regarding the Board of Supervisors.

Planners shared that even if most administrative appeals are withdrawn or denied, the beginning of an appeal creates more work for planning staff members managing environmental review. That additional work changes the pace of all environmental planning reviews for all projects because the projects that face an administrative appeal change review priorities. Also important, the experience of the administrative appeal for planners during the administrative appeal hearing influences their approach to work, overall. The risk of an appeal makes planners more conservative and risk-adverse in their work. One notable trend in interviews and meetings with planners was that planners appeared much more apprehensive of the Board of Supervisors than potential litigants. One planner also stated that, when elected, political bodies are highly critical of planning staff work within a public hearing. This can be demoralizing and impacts the department's working culture.

We reviewed our data across 2014 - 2021 to determine the rate of administrative appeal (inclusive of CEQA-related appeals and other appeals). At least 14% of the approvals in our data (2014 - 2021) faced administrative appeals. We say *at least* 14% because we are not certain that we have located all records on local administrative appeals, as the city does not make past records on administrative appeals readily available online. It is also true that most of the appeals we could locate are denied or withdrawn, and most administrative appeals involve challenges to CEQA determinations as well.

San Francisco Planning's environmental planning division also tracks administrative appeals worked on by their team. This log captures appeals of residential and non-residential entitlements. We reviewed their log of staff hours spent on administrative appeals involving CEQA. Twenty out of 48 administrative appeals filed in 2015 - 2021 that San Francisco Planning tracked overlap with our 2014 - 2021 dataset. Of these 20, the internal department data offers information on cost and time for 19 of our observations. Although the other appeals are not for multi-family housing development, planners shared that these appeals also influence how planners work on housing entitlements. Out of the 20 administrative appeals associated with entitlements in the CALES dataset, San Francisco Planning data indicates that 11 (55%) were denied, five (25%) were withdrawn, only one was upheld, and three were closed with no other details.[79]

San Francisco Planning reports that it logged a total of 5,680.75 hours because of all 48 administrative appeals related to CEQA that they tracked from 2015 - 2021. San Francisco Planning logged a total of 3,031.25 additional staff hours to prepare for CEQA-related administrative appeals associated with entitlements in the CALES database. Translating these hours into days, we find that on average, planners add about 20 days of work per year to their workload to deal with CEQA-related administrative appeals for housing entitlements.

[79] This is consistent with what San Francisco Planning reports for all of the administrative appeals.

Table 11: Total Time Spent on All CEQA Appeals 2015-2021 N=48

(days)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Time Related to Admin. Appealed	0.56	8.69	71.06	15.11	14.92

Table 12: Total Time Spent on CEQA Appeals 2015-2021 for CALES Observations

(days)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Time Related to Admin. Appealed	1.88	12.78	71.06	19.94	18.05

Administrative appeals add costs to the developer in lost time and higher holding costs, but there are also direct costs to the city associated with the work to prepare for an appeal, even if the appeal is withdrawn. San Francisco Planning reported that all administrative appeals related to CEQA cost the city a total of $793,993 in the years where San Francisco tracked the data (2015-2021). Administrative appeals related to CEQA and associated with entitlements in the CALES dataset (2015-2021) cost the city a total of $421,314. One entitlement in our dataset, 1500-1540 Market Street,[80] required 374 additional staff hours and $52,204 in costs to San Francisco Planning to prepare for the appeal—even though the appeal was withdrawn.

Table 13: Total Cost CEQA Appeals 2015-2021 (N=48)

(USD)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Cost Related to Admin. Appeals	$535	$10,245	$81,558	$16,893	$16,860

Table 14: Total Cost CEQA Appeals CALES Housing Only (N=19)

(USD)	Minimum	**Median**	Max.	**Mean**	**Standard Deviation**
Total Cost Related to Admin. Appeal	$2,167	$13,741	$81,558	$22,174	$20,501

[80] This is a 100% market-rate mixed-use development that satisfied the inclusionary program with an in-lieu fee.

During interviews and meetings, we also learned that San Francisco Planning has undertaken substantial internal work to address at least some part of this problem by consolidating what is presently six steps in the planning review and permitting into three steps. The aim is to bring the process from application through permitting into one department and facilitate one appeal period for project proponents. It is unclear, however, how these proposed operational changes would address post-entitlement appeals, if at all.

Continuances—possibly meant to avoid later challenges through administrative appeal—are frequent.

According to stakeholders, changes to the proposed development might appear voluntary but result from negotiations outside of hearings facilitated by Planning staff (who are mediating between project proponents and opponents) before a scheduled Planning Commission hearing. The negotiation is meant to facilitate Planning Commission approval, but developers report that what developers end up agreeing to can render a project infeasible. This is another perception that is difficult to verify through government documents, as there would be no written record of negotiations occurring informally before a scheduled hearing. Stakeholders suggested we look for continuances, or a frequency of continuances and multiple hearings, as evidence of this outcome.

We have 93 discretionary, non-ADU observations that required quasi-adjudicative hearings (but not legislative action). All 93 observations have *some* information about hearings, but only about half have complete information about hearings. Still, approximately 22% (N=20) of these observations, inclusive of observations that do not require public hearings under local zoning and planning law, have multiple hearings or continuances associated with a single approval step. One of the entitlements with multiple hearings had multiple hearings related to CEQA approvals. Another two observations were related to density bonus approvals only—one related to the local program and the other to State Density Bonus Law. Nine observations had more than three continuances or hearings for a single approval step. One of these observations (out of nine) is a discretionary building permit project (with no request for exceptional DR), which utilized San Francisco's local density bonus program, HOME-SF, for approval. The two continuances and one hearing for this observation were associated with the approval of the local density bonus program. This building permit project's application date was 3/3/2020, and San Francisco Planning approved it on 5/13/2021. Three observations required five or more hearings for approval. One of these projects had nine continuances for the same approval step. It is also possible that the rate of multiple hearings for a single approval step *might be higher* than what the data currently reveals—as interviews suggest. Our ability to verify these statements against hearing-related data is contingent on San Francisco Planning making the data publicly available.

When we analyze our data overall, we find that the density proposed is greater than density in final approval for 23 observations. Four (out of 23) observations are associated with a continuance. Another two (out of the 23) are associated with an administrative appeal.

Publicly Initiated Exceptional DR occurs frequently and may foster negotiations outside of public hearings.

San Francisco uniquely allows an interested party to request the Planning Commission exercise exceptional DR, which involves the Planning Commission "effectively taking a second look at the proposed project." This occurs even when the zoning and planning code do not require a

hearing in front of the Planning Commission, but where an interested member of the public states there are exceptional or extraordinary circumstances that warrant a public hearing.

There was not a consensus across stakeholder groups on the impact of this policy. Most of the city personnel and Planning Commissioners we spoke to through HCD-led meetings expressed perceptions that the ability to request exceptional DR is primarily, if not almost entirely, associated with disputes between neighbors relating to modifications or smaller developments (like single-family dwellings). These groups did not perceive exceptional DR as a dominant obstacle to multifamily development but as helpful to mediating smaller disputes between neighbors, even if it might take too much of the Planning Commission's time. San Francisco Planning shared their log of staff hours to support exceptional DR hearings between 2014 - 2021. Exceptional DR adds fees to all permits to support this process; the department collects between $750,000 - $1 million per year in permitting fees to support staff time for the exceptional DR process.

When we examine data on the staff hours logged to support exceptional DR, we find that between 2014 – 2021, San Francisco Planning had to allocate ~1,872 full days (8 hours per day) or ~7 business years (262 days at 8 hours per day) to additional work to respond to exceptional DR requests. But only about 4% of those hours were spent on exceptional DR requests associated with the multifamily housing entitlements in our dataset. From the perspective of staff who manage that work, the number of work hours dedicated to addressing exceptional DR hearings, generally, may make the same work for multi-family housing seem minimal compared with the work hours spent addressing all other exceptional DR requests. This may influence staff and Commissioner perceptions of whether DR burdens developers proposing multifamily housing.

But we also found that across almost all participants in confidential research interviews (where HCD was not present), regardless of the stakeholder group, exceptional DR was a dominant issue. The only interview participants that did not to bring up DR were those participants that self-described as only having worked with large-scale phased developments. Interview participants raised the topic of DR as a key obstacle to housing production and described the Planning Code Section 311 neighborhood notification process associated with a discretionary building permit, and potential for a request for DR and related hearing, as an opportunity to oppose entitlement on the eve of approval. Stakeholders described this provision as offering an early "appeal" of a planning approval for smaller or mid-size code compliant buildings. These participants also shared that even the request for DR could result in a change to the project that results in something that is no longer financially feasible to build.

Some stakeholders also shared that opposition comes from different types of neighbors; some are interested in the impacts on their own properties, but others use this process to address neighborhood-level concerns. In the latter context, stakeholders share that frequent project-level adjudications are the consequence of inequitable zoning and planning. The DR provision also came up in interviews when parties discussed the suggested reforms laid out in the recent housing element. Some city personnel that expressed support for proposed rezoning, specifically upzoning in more affluent areas, also predicted that upzoning without eliminating DR in certain neighborhoods would result in project opponents effectively using DR to delay housing development. In terms of its use, there are publicly initiated requests for DR for 19% of the discretionary building permits in our 2018 - 2021 data and 21% in the 2014 - 2017 data—for a combined rate of 20% across eight years for building permits only. We also know that the developments that require exceptional DR take comparatively longer to entitle, as well. The frequency with which exceptional DR comes up for code compliant multi-family housing (relative

to other code compliant multifamily housing) might explain why different stakeholder groups have such different perspectives on the same procedural rule, in terms of its influence on entitlement timelines generally.

In our 2018 - 2021 data, 35% of all variances also had hearings for exceptional DR. There were also another two requests for exceptional DR associated with discretionary ADU observations. One of the requests for exceptional DR was withdrawn. The Planning Commission heard the second request and granted DR. There are an additional two requests associated with approvals that already went before the Planning Commission—but the Planning Commission heard both requests for exceptional DR (and denied them).[81]

During interviews, stakeholders reported that once a party requests DR, Planning Staff (to mediate between the project proponent and the party requesting DR) might verbally ask the developer to change the proposed development to incentivize the party requesting DR to withdraw their request. We cannot verify this through the available entitlement data, however.

We explored the data to find instances of requests for DR being associated with developments that change in size (measured by units) over time. We did come across two proposals to develop five or more units through the local ADU ordinance that resulted in tenant requests for DR, though both would later be withdrawn. The first development that would lead to a tenant request for DR involved a request for five ADUs that required a variance. The Zoning Administrator approved a variance for three units, and a later revised approval document states the proposal changed from five to three units. The request for DR occurred after the variance approval, but before the later revision—though there is nothing that indicates there is a relationship between the request for DR and the later revision to the proposed number of units. In the request for DR, the tenants complain that the approved ADUs would interfere with parking both temporarily and permanently. The tenants also detail an ongoing dispute with the project proponent, their failed attempts to initiate mediation, and their failed efforts to delay final permitting.

Another DR request involved a proposal to build nine ADUs, but a building permit was ultimately issued for just six units. This project involved no special discretionary approval step, so it is even more difficult to determine why the proposal changed over time. The DR documents indicate that the organization that requested exceptional DR initiated the request because of concerns about the impact of the ADUs on parking, and the specific impact on a family with a child with a disability. The request for DR was ultimately withdrawn. Again, there is no data that directly links the reduction from nine to six units to the DR request; the DR request only indicates an ongoing dispute with tenants over parking impacts related to an accessibility and disability issue.

Developers report that design guidelines are vague and invite subjective conditions of approval.

Planners and developers describe design guidelines as highly subjective, allowing for random outcomes, problematic, and wielded as a “weapon.” Many stakeholders report that the design guidelines are not about design; they are about anticipating complaints from neighbors around light, air, “inches or feet” in setbacks, and related features within development that trigger complaints from neighbors, and satisfying neighbors.

[81] One of these observations required a CUA and the other required a zoning map amendment.

Planners shared that although the guidelines are not part of the Planning Code, they are codified in a roundabout way through a cross reference to the Planning Code. For example, Section 311(c)(1) of the Planning Code provides that Residential Design Guidelines shall be used to review plans for all new construction and alterations of existing residential buildings in R Districts. According to the Planning Department, "The Residential Design Guidelines (Guidelines) articulate expectations regarding the character of the built environment and are intended to promote design that will protect neighborhood character, enhancing the attractiveness and quality of life in the City."[82]

Importantly, developments that comply with the Planning Code but do not conform to the Guidelines end up back in deliberative processes, and sometimes back in front of planning staff, even when they have completed planning review and secured entitlement. Planners, developers, and architects note, however, that the subjectivity in the Guidelines makes this an inevitable outcome. Also, in the context of discretionary building permits, the design guidelines raise issues that often lead to requests for exceptional DR as well.

The Guidelines are filled with requirements that on their face allow for subjective interpretation through words like "compatible," "respect," and "character." Examples include, "In areas with a defined visual character, design buildings to be *compatible* with the patterns and architectural features of surrounding buildings." Explanatory text mandates that designers in areas of "mixed visual character" "draw on the *best* features of surrounding buildings" and "design buildings to help define, unify and contribute positively to the existing visual context." *Site Design* guidelines are also often subjective, requiring, for example, that designs "*[r]espect* the topography of the site." Guidelines addressing *Building Scale and Form* intend to ensure design is "*compatible* with that of surrounding buildings." Scale of buildings must be "*compatible*" in terms of height and depth of surrounding buildings, as well as with the "scale at the street" and mid-block open spaces. Building forms, facades, proportions, and rooflines must be "*compatible*" with those of existing buildings.

Cumulative and unique procedural hurdles create comparatively long entitlement timelines.

We explored our 2014 - 2017 data to run a comparative analysis with neighboring cities where we had similar data. Importantly, our 2014 - 2017 dataset indicates that entitlement timelines were generally *shorter* than in 2018 - 2021. Still, 2014 - 2017 timelines were longer than other jurisdictions. We searched our data to match observations from our 2014 - 2017 data with similar entitlements in Oakland, Berkeley, and Redwood City, looking for the best matches across the following characteristics:

- Same neighborhood characteristics (defined by 2019 Tax Credit Allocation Committee maps; we do not match high resource neighborhoods with low resource neighborhoods);
- Either for sale or for rent (in other words, we do not compare for sale developments to for rent developments);
- Around the same size (plus or minus five units). They need to have the same income characteristics (either all market-rate, all mixed-income, or all 100% affordable developments); and

[82] *Residential Design Guidelines*, S.F. PLAN., https://sfplanning.org/resource/residential-design-guidelines (Mar. 4, 2020).

- Similar local process characteristics (we do not compare a code compliant development that also benefited from a CPE with a non-code compliant development that required a conditional use permit or variance but also benefited from a CPE).

We use these criteria based on several assumptions about neighborhood-level politics across all cities. For example, we assume the political context varies across neighborhood types (in terms of income level). We also assume that neighborhood opposition might vary based on project type (for sale condos versus for rent apartments, and affordable versus market-rate). The last criterion (process steps) is the most difficult for us to match because no two study cities have identical regulatory environments. We therefore looked for equivalencies within local processes based on whether a development required special approvals or not.

We were unable to find matches in Berkeley and Redwood City. We found that the average difference between all San Francisco-Oakland pairs is 1,086 days (~3 years). The difference in timelines appeared related to San Francisco's pre-application requirements and exceptional DR process.

Table 15: Comparison of Entitlements Requiring CPEs Oakland-San Francisco 2014 - 2017 data

Address Jurisdiction	Project Size (units) and Type	2019 TCAC Classification	Neighborhood (Name)	Affordability	Compliance with IZ (SF)	Required Local Approvals	Timeframe to Entitlement (days)	Difference in Timeframes [83]
1924 Mission San Francisco	11 units for rent	Low Resource	Mission	Market-Rate (possibly 1 1-bedroom affordable unit)[84]	On-site	Discretionary Code Compliant (Building Permit only)	1,203 days	–
3253 Ettie St. Oakland[85]	9 units for rent	Low Resource	Clawson	Market-Rate	N/A	Discretionary Code Compliant (Design Review only)	348 days	855 days
7540 Macarthur Oakland	11 units for rent	Low Resource	Eastmont Hills	Market-Rate	N/A	Discretionary Code Compliant (Design Review only)	51 days	1,152 days
198 Valencia St. San Francisco	28 units for rent	Low Resource	SoMa	Market-Rate	Unknown	Variance, Public Initiated Discretionary Review	1,302 days	–
3129 Elmwood	30 units for rent	Low Resource	Jingletown	Market-Rate	N/A	Variance, Design Review	150 days	1,152 days

[83] Only populated for Oakland projects. This column shows the many more days it took for the Oakland project to entitle, relative to its matched San Francisco project.
[84] There is an August 2018 One Unit Compliance with Inclusionary Housing Program Affidavit that provides that one of the one-bedroom units would be affordable—but we could not locate a deed restriction in PIM.
[85] It looks like the developer successfully secured excavation, electrical, mechanical, and plumbing building permits post-entitlement in 2018, but those expired in 2019 and 2020.

Address Jurisdiction	Project Size (units) and Type	2019 TCAC Classification	Neighborhood (Name)	Affordability	Compliance with IZ (SF)	Required Local Approvals	Timeframe to Entitlement (days)	Difference in Timeframes [83]
Oakland								
956 63rd St. Oakland	28 units for rent	Low Resource	Paradise Park	Market-Rate	N/A	Variance, Design Review	105 days	1,197 days
645-647 Valencia St, San Francisco	7 units for rent	Moderate Resource	Mission	Market-Rate	N/A	Variance, Public Initiated Discretionary Review	1,435 days	–
4429 Piedmont, Oakland	9 units for rent	Moderate Resource	Piedmont Avenue	Market-Rate	N/A	Variance, Design Review	137 days	1,289 days
2201 Market San Francisco	17 units for rent	Low Resource	Mission	Market-Rate	Fee	Variance, Public Initiated Discretionary Review	1,160 days	–
5325 San Pablo Oakland	17 units for rent	Low Resource	Gaskill	Market-Rate	N/A	Variance, Design Review	287 days	873 days

Stakeholders report that San Francisco's policy emphasizes project-level adjudication to achieve equitable development outcomes, when what the city needs to achieve equitable development outcomes is zoning and planning reform.

The comparatively longer timeframes in San Francisco are associated with processes that illustrate a larger, complex, and recurring theme that dominated several interviews with developers, planners, and affordable housing advocates. From the table above, we pull out the entitlement at 1924 Mission to explain what stakeholders report—San Francisco's current policy attempts to resolve neighborhood-level concerns about inequitable land use development through project-level adjudication rather than more equitable planning and zoning.

1924 Mission Street involved a proposal to construct an 11-unit building with ground-floor retail on a site with an auto body shop. The project proponent submitted a required PPA in March 2014.[86] This pre-application process required submitting an application for assessment with the site plan, floor plan, building elevations, and photographs. This PPA process also required

[86] This is a required process applicable (at the time) to all proposed developments of seven or more units. San Francisco has since modified applicability; it is required for developments of 10 or more units, creation or expansion of group housing using 10,000 square feet or more, and unspecified "other complex projects." *Preliminary Project Assessment (PPA)*, S.F. PLAN., https://sfplanning.org/resource/ppa-application (July 11, 2023).

notice to the neighborhood[87] and a pre-application neighborhood meeting. The pre-application neighborhood meeting is supposed to identify neighborhood grievances and prevent requests for exceptional Discretionary Review.[88] Importantly, developers state that these pre-application processes do *not* achieve that end, and this example is consistent with those perceptions.

The Planning Department issued a Certificate of Determination on April 2, 2015, that the project qualified for a CPE (tiering). According to the Notice of Building Permit Application, the project proponent then applied for discretionary building permits on May 23, 2016.[89] The Planning Department issued the Notice of Building Permit Application on March 20, 2017.

A local neighborhood organization applied for the Planning Commission to take exceptional Discretionary Review on April 19, 2017. The application for exceptional Discretionary Review provided that the neighborhood organization requesting review believed the proposed development was inconsistent with the General Plan's policy priority that "[t]hat existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."[90] The application for Discretionary Review stated that proposed rents would be high, and expressed concern that "gentrification-inducing design, intended to target higher-end tenants, will create local upward price pressure on surrounding tenants."[91]

Importantly, the neighborhood organization expressed concerns that this proposed development was one of several that created harm in the neighborhood. The applicant noted that the harm was related to "the cumulative impact of this and the other seven projects proposed for the immediate vicinity of Mission St."[92] The request for Discretionary Review asked that the Planning Commission consider the cumulative impacts associated with the proposed development and other developments and "demand this project alter its appearance in order that it comes into line with neighboring buildings on the Mission corridor in a way that better helps 'preserve the cultural and economic diversity' of the corridor and the Mission District."[93]

The Planning Commission heard this request on July 6, 2017. The Planning Commission agreed that there were "extraordinary and exceptional circumstances" that warranted Discretionary Review and that "project refinements were necessary to address concerns over the project's compatibility with the surrounding neighborhood." The Planning Commission conditioned the building permit approval on the following grounds: the ground floor retail space needed to be designated for trade shop use, the project proponent needed to explore providing a mural on one wall, and the project proponent needed to "work with Planning Department staff on refin[ing] the exterior design to provide a stronger relationship to the surrounding context." The Building Department issued a demolition permit to demolish the auto body shop in August

[87] The notice requirements for the Pre-Application Meeting demanded notification to all property owners within a 300 feet radius, all relevant neighborhood organizations, and anyone who requested notice. Meetings may only be held during certain hours, and project proponents must keep a record of all attendees.
[88] The first page of the Pre-Application Meeting Packet logged in PIM provides: "The meeting's intention is to initiate neighbor communication and identify issues and concerns early on; provide the project sponsor the opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application; and, reduce the number of Discretionary Reviews (DRs) that are filed."
[89] There is no Project Application logged in PIM.
[90] This language comes from the Application for Discretionary Review, page 4, logged in PIM.
[91] Id.
[92] Id.
[93] Id.

2019 and a temporary shoring permit for an empty lot in 2021. DBI's Permit Tracking system seems to indicate review of plans through spring of 2021, but no activity is logged after that.[94] It is also unclear how the final project-specific conditions of approval resolve the larger, neighborhood level concerns about gentrification and displacement raised during this request for exceptional Discretionary Review—which are at least in part related to the city's zoning and planning that dictates where developers may build multi-family housing citywide.

Planners and developers believe San Francisco needs procedural reform that addresses discretionary review, but not all Commissioners and Supervisors agree.

Stakeholders explained that three features of San Francisco's local law invite project-by-project adversarial politics that will prevent San Francisco from meeting housing production targets and equitable housing outcomes: (1) density and use controls that limit development to specific neighborhoods, (2) procedural law and policy that renders all approvals discretionary, and (3) charter provisions that allow project opponents to appeal multiple post-entitlement construction permits.

When discussing SB 35, affordable developers and planners explained the state ministerial process resolved the second issue without touching the first or third. SB 35 may fix planning review for eligible projects, but it cannot fix San Francisco's housing production pipeline because two major impediments to production remain. (SB 35 also only applies because San Francisco has failed to meet its RHNA targets—which is not the city's aim.)

According to planners, developers, and many housing advocates, achieving production targets, affordability, and equity demand long-range planning, rezoning for density in higher opportunity areas in conjunction with a *local* ministerial approval process, and charter reform to limit post-entitlement appeals. Some planners shared that a local ministerial process would have more legitimacy with community members than a state ministerial process; legitimacy that planners perceive as important within San Francisco because of the city's poor track record in prior decades of engaging with certain neighborhoods and low-income communities. But many stakeholders, including planners, shared their belief that current and proposed local procedural reforms, including the Mayor's Housing for All Executive Directive, are insufficient to remove policy constraints on production. According to these stakeholders, current reforms merely "tinker" with the planning code while leaving blanket discretionary review and the administrative appeal process intact. Stakeholders who shared this perspective stated plainly that they think the Mayor's Office can only do so much to fix these issues—the real fix depends on the Board of Supervisors and possibly the electorate. There were a handful of stakeholders who emphasized that the Mayor's Office must lead in addressing problems with permitting and felt entitlement processes were not the problem.

Every stakeholder that shared that San Francisco needs a local ministerial process and charter reform also felt accomplishing either one is politically impossible. Several planners expressed a belief in the need for state intervention—but not necessarily a preference for state intervention. Interview participants across several stakeholder groups emphasized that local processes that require the most reform are intertwined with values and assumptions about what these

[94] It is difficult to ascertain much more than the status of a permit from building permit data.

procedural rules offer in terms of stakeholder engagement, historic and cultural preservation, and ultimately, spatial equity.

Several planners also explained that San Francisco has inadequately engaged community around planning and zoning for decades. There was a consensus among planners that recent efforts by Supervisors to connect with low-income communities around land use still lack sufficient and intentional community engagement. Planners also described a need for the city to mend relationships with community through acknowledgment of and documentation of past harms. Some affordable developers echoed these concepts when they described how some neighborhoods continue to have the city's legacy of racism codified in neighborhood association covenants, conditions, and restrictions (CC&R).

Planning staff and some housing advocates explained that it is not in the city's best interests to keep existing processes as they are if the city's goal is to redress these past harms and increase housing production in an equitable way. But because process requirements are framed as key to stakeholder engagement and participation, planners believe no local political body wants to dismantle them. Process in San Francisco is sacrosanct. Consistent with this perspective from planners, some Commissioners emphasized the importance of engagement, but Commissioners focused on engagement during the project entitlement phase. The difference in how stakeholder groups described the need for community engagement in relationship to planning, zoning, and project development is significant. Planners discussed a need for engagement at larger scales and at the legislative level, to facilitate equitable planning and zoning, not just at the project-level. Commissioners focused on engagement at the project-level.

Interview participants also elaborated and described existing density and use controls and project-level adjudication as reflecting how power over land use is inequitably distributed citywide. Certain neighborhoods wield enough power over political bodies to block changing density and use controls, so no multifamily housing is proposed in the first instance. These constituents who benefit most from the spatial distribution of density and use controls do not need to attend public hearings to block housing development. Developers propose dense multifamily housing (and affordable housing) where housing may be built under zoning and planning standards.[95] That leaves communities in the neighborhoods where zoning allows housing to be built with one primary pathway to access power over land use; they must go through project-level adjudication, or public hearings. Some neighborhoods have built up power over time and can now effectively block all development through project-level adjudication. Other neighborhoods have more recently begun advocating for community needs through project adjudication. Planners also described alliances between wealthy residents and community activists with less money and influence that are working to protect their communities from harm from what they perceive to be the "greedy developer."

Stakeholders explained that project-level adversarial politics may seem responsive to inequitable land use patterns because it allows communities to advocate for what they need, but

[95] These perspectives were consistent with what we discovered in earlier research on San Francisco's zoning, reviewing zoning neighborhood planning between 1921 (beginning with the 1921 San Francisco Building Zone Ordinance, and reviewing 1948, 1979 and 1990 zoning) through the Eastern Neighborhoods Plan adopted in 2009. We found that the entitlements for 5 or more units issued in 2014 - 2017 were concentrated almost entirely in neighborhoods that had zoning for multi-family housing in place since at least 1921 (the Mission) or in neighborhoods that may have been zoned industrial neighborhoods but later rezoned for mixed-use (such as SoMa and Potrero Hill).

this approach fails to change power imbalances or solve for structural inequities. Neighborhoods that have prevented density (through zoning and planning standards) remain unavailable for development. Other neighborhoods feel perpetually burdened. When project opponents from vulnerable neighborhoods cannot stop an approval, they also interpret the entitlement as signaling that political bodies do not care about their neighborhood's needs[96] even though planners state that the opposite is true. Planners believe that the Planning Commission cares very deeply about neighborhood needs. From the perspective of planners, it is because the Commissioners care deeply about neighborhood needs that they slow or block housing approvals.

Planners shared local rules do too little to facilitate meaningful public input into design because the local rules without state intervention lead to just one conversation about how the city may deny the proposed development. Planners perceive that soliciting meaningful community input into design does not happen until political bodies and neighbors accept a project approval is imminent. Only then, according to planners, does the entitlement process facilitate community input to make the design better and prevent unintended harm the neighborhood. But planners report that at present productive dialogue to allow for community input depends entirely on state law that intervenes in local discretion in some way, and that the current local regulatory framework provides an inefficient and slow means to achieve housing production sensitive to neighborhood needs.

Participants in confidential research interviews cautioned that proposals to rezone need to be coupled with local ministerial processes or the rezoning will leave the existing inequities in place. Planners predict that any rezoned neighborhoods that have not welcomed dense housing in the past will use San Francisco's procedural law to block development if rezoning is not coupled with a ministerial approval process. Affordable developers share this perspective. Also, planners believe a local ministerial process would require all parties to pay more attention to the requirements of the code, which would better achieve more predictable and desired housing outcomes. Many planners and housing advocates said that disrupting this structural imbalance of power requires the kind of procedural overhaul that challenges entrenched beliefs about what current discretionary processes offer, which these stakeholders believe makes local procedural reform politically impossible. Planners believe the ideological divide within political bodies limits legislative proposals; planners believe Supervisors are limited to developing legislation that Supervisors believe will get passed,[97] which may or may not result in effective reform. Nonetheless, there was an unequivocal consensus among planners and affordable developers that San Francisco needs major procedural reform because not all neighborhoods welcome affordable housing development.

Although within stakeholder groups there was agreement on these topics, there was no consensus across stakeholder groups on any of these points. Planners and developers (including affordable developers) agree that San Francisco needs substantial local process reform that removes some discretion, but not all Commissioners and Supervisors share this perspective. During meetings with HCD, some Commissioners and Supervisors' perceptions clearly aligned with planners and developers on the relationship between zoning, procedural rules, and substantive standards on development and inequities across neighborhoods. These

[96] During interviews, one development noted as illustrative was 792 Capp Street, which required a Conditional Use Authorization to demolish a single-family dwelling to build four units; the CUA hearing was continued seven times before entitlement.

[97] Supervisor Melgar's public statements during the hearing on June 1, 2023, where she states her recommendations are to help ensure that the Housing Element gets passed, reflect a similar perspective.

participants acknowledged the challenges with existing discretionary review and administrative appeals of post-entitlement permits, and articulated these rules as potential constraints on supply and affordability. These Commissioners and Supervisors explained the difficult tradeoffs political bodies grapple with when developing or amending procedural rules, but they did acknowledge a need for legal reform.

Other Commissioners and Supervisors, however, expressed entirely different perceptions. Some Commissioners and Supervisors emphasized the importance of maintaining discretionary review while proposing that reforms should promote faster, more predictable processes. Some Supervisors characterized San Francisco's political bodies as consistently inclined to approve most proposals for housing and stated that all neighborhoods welcome affordable housing (though they did not distinguish between neighborhood groups responding to proposals to build affordable housing and their own voting records on affordable housing). The perspectives of some Supervisors on the topic of affordable housing sharply contrasted with what both affordable developers and planners shared. Affordable developers stated that many San Francisco neighborhoods do not welcome affordable development and residents are concerned about more units or taller buildings, generally. Affordable developers also perceived the west side of the city as particularly unwelcoming of affordable development.

Some Supervisors also shared their skepticism about the need for market-rate housing supply to address the city's housing issues, and their belief that inadequate funding for subsidized housing was the primary obstacle to addressing the city's housing needs.[98] While affordable developers and planners agreed that more state funding is critical for San Francisco to develop needed affordable housing, affordable developers and planners also called out local policy obstacles to production (including post-entitlement problems). In sum, affordable developers see funding and regulatory reform as both essential to increasing affordable development, whereas some Supervisors critique the latter as an approach to solving the city's housing challenges.

Some Commissioners and Supervisors also expressed deep concerns about state law that they interpreted as punitive, or harmful to local implementation of important aesthetic controls and historic preservation. What also really stood out was the difference between affordable developer and planner perspectives and those of some members of political bodies on the role of state law in accelerating affordable development.

All stakeholder groups report persistent post-entitlement challenges.

During interviews and meetings, *all* stakeholders, ranging from developers, architects, lawyers, and planners, complained of persistent challenges post-entitlement. Some of the dominant concerns related to the lack of uniformity in post-entitlement permitting. These stakeholders perceive that permitting depends on who is assigned to the process rather than on the form or

[98] In the November 15, 2022 hearing on the draft Housing Element, Supervisor Preston, for example, repeatedly stated that the aim of state law is to avoid providing more funding and to instead deregulate market-rate housing as the pathway to increase affordable development. *See S.F. Bd. of Supervisors: Hearing on the Draft Housing Element 2022* (Nov. 15, 2022) (statement of Dean Preston, Supervisor). Supervisor Preston shared these same perspectives in an open letter online, as well. Letter from Dean Preston, Supervisor, S.F. Bd. of Supervisors, to Gustavo Velasquez, Director, Cal. Dep't Hous. & Cmty. Dev. (Aug. 11, 2022), https://56a418ca-94d2-476c-9a45-f491ca4a0387.usrfiles.com/ugd/56a418_6abc98cb39f3429b85a1e3f2fb69fa17.pdf.

requirements of the development. Developers also commented that the system of review, itself, incentivizes extending review timelines. There is also no mechanism to escalate projects to someone with a higher position or a deeper understanding of what the projects require. The fact that there is priority review for affordable development is also negated by the fact that other developers can pay for priority review, so there is no true prioritization in the review process. Developers also shared that the subjectivity in the post-entitlement process can trigger a second stage of planning review even after the development has proceeded to the Department of Building Inspections.

Affordable developers were emphatic that state law, like SB 35, does nothing for post-entitlement challenges. All developers grapple with inadequate interagency coordination during the post-entitlement phase of development that creates duplicative review processes, delays, and inefficiencies. Interviews and meetings also suggest that affordable development may be most impacted. Developers attribute these problems to city departments lacking a production focus, and that no single person or department is sufficiently empowered to monitor the process. One stakeholder described post-entitlement as a “kickball game” with developers going back and forth between departments and personnel. Planners also described problems with permitting processes as at least in part due to a poorly structured operation that lacks adequate policy and transparency, so staff are unaccountable in the way that planning staff are held accountable. Developers shared similar perceptions. Stakeholders describe the lack of an intermediate administrator between DBI and the Building Inspection Commission (an administrator within the city’s executive branch) as a deficiency that contributes to inadequate coordination within and between departments.

Affordable developers shared significant difficulties with utilities processes for affordable development that led to extended periods of no power during and after construction. One developer characterized the San Francisco Public Utilities Commission (SFPUC) power requirements as “crippling” for affordable housing development. All developers expressed frustration with Pacific Gas & Electric (PG&E), generally, with some developers describing PG&E as monopolistic and engaged in “political retribution” with SFPUC by imposing infrastructure improvements or deprioritizing projects that go through the SFPUC. Affordable developers also report challenges with poor inter-agency coordination around meeting accessibility requirements, trouble with satisfying public art requirements, and difficulty meeting local hiring requirements because of labor shortages.

Nearly all participants offered their concerns about current efforts to address challenges with DBI and permitting. One frequent comment was that any directive to improve permitting processes (for example, by shortening permitting timelines) depends on having a baseline to make improvements from, but there is no baseline because there is poor data on permitting and no one has managed to track that information.

Conclusion

We entered this research understanding that San Francisco’s entitlement timeframes were much longer than other jurisdictions. (The state’s Annual Progress Report Data Dashboard would later show that San Francisco self-reported the longest entitlement timeframes across the state.) What remained unclear was *why* retaining discretion over all development creates comparatively longer timeframes in San Francisco. Neighboring jurisdictions in the Bay Area also used discretionary review to approve all multifamily housing as well, but they did not take as long. Oakland, for example, retained discretion over all development of five or more units and

the median timeframe to approval was six months. Redwood City applied discretionary review to similar housing development and required *more* approval steps and the timelines were still shorter. Even entitlement in the City of Berkeley, which requires a use permit for any development, did not take as long as San Francisco. These are findings we could not explain because we did not dive into the details of how different discretionary pathways influenced approval outcomes or timeframes for specific types of multi-family housing.

Our earlier data also made it clear that San Francisco Planning prioritized 100% affordable developments—yet it was also true that affordable development did not move quickly, and the local regulatory environment was not hospitable to affordable housing despite staff efforts to quicken approvals for affordable development. In fact, our interviews from prior years signaled that even as San Francisco Planning prioritized 100% affordable development, local regulation, and local application of environmental review created risk that some affordable developers simply could not manage. Consistent with what interview and meeting participants shared, the 2014 - 2017 housing approvals data revealed there were only five 100% affordable developments entitled in those four years. Nearly three out of every four affordable housing units entitled in 2014 - 2017 depended on mixed-income development, or application of the city's inclusionary program to market-rate housing. It is important to note that before SB 35, increasing affordable housing production depended almost entirely on market-rate developers.

The data we have now, however, offers more insight into what parts of San Francisco's system generate comparatively longer timeframes and why. San Francisco, like so many other cities we have studied, continues to grapple with the consequences of inequitable land use policy from earlier decades. One of the primary tools San Francisco uses to redress past wrongs is process. Thus, like many other cities, San Francisco local law creates a procedural maze for housing entitlement through both zoning and aesthetic regulation. But what the data above tells us is that in San Francisco, the procedural maze is one with walls that move. Provisions within the Business and Tax Code and the city's Charter allow project opponents to repeatedly challenge approvals during and after planning review, and in some instances, impose new conditions of approval. No proposed housing development is immune under local law. This fosters a system of lengthy and repeated negotiations throughout and beyond entitlement.

The state asked whether San Francisco was fully implementing state housing law, and the data indicates that for the most part, the answer is no. This is true despite the diligent work of city personnel to facilitate housing approvals. What came through as a dominant theme in most interviews and meetings with developers was high regard for planning personnel combined with a heightened level of frustration with planning department processes. It was also clear that several Commissioners and Supervisors want to see more housing production, as well.

What exactly about local law blocks full implementation of state law that aims to simplify and quicken process? Stakeholders explained that the same rules which allow for repeated challenge to approvals, including post-entitlement approvals, are what invite subjective conditions of approval and constant negotiation outside of public hearings during the entitlement process. They also report that the risk of administrative appeal to local political bodies drives all planning practice, not just environmental planning practices—although environmental planning is particularly burdened. Though we found that most administrative appeals are withdrawn or denied, we heard that the beginning of an appeal creates more work for planning staff, which in turn changes the pace of all environmental planning review for all projects. All environmental determinations under CEQA occur near the end of the entitlement process (right before or at final entitlement). This practice seems to eviscerate the effects of PSA on timely approvals. If left as is, existing blanket discretionary review and planning practices will likely diminish the

effects of SB 330 as well, which targets excessive continuances and hearings, going forward. That suggests that addressing this problem requires scrutinizing both existing planning practice and the local administrative appeal process. According to most stakeholders we consulted, although many parts of San Francisco's local law need reform, the efficacy of any reform hinges on whether the city can revise its Business and Tax Code and Charter.

San Francisco's application of SB 35 yields the most insight into what legal reforms will likely expedite planning review. SB 35 changed San Francisco's application and intake process for qualifying development. Although the 2018 - 2021 data indicates that San Francisco's application intake process under local law was inconsistent with the PSA, the city regularly complied with SB 35's time constraints on planning review. When discussing what is needed to improve the housing approval pipeline in general, participants in confidential interviews shared that San Francisco needs a local ministerial process that parallels SB 35, to eliminate blanket discretionary review of all permits, thoughtful reform of local administrative appeal processes, and equitable rezoning in low density affluent areas. But no interview participant was optimistic that San Francisco could deliver on these reforms without state intervention in local power.

Also important—there was consensus among several stakeholder groups that communities within San Francisco have been harmed by the city's planning and zoning in the past, but no consensus on how the city should proceed going into the future. There was also no consensus between stakeholder groups, particularly between city staff and city officials, on what housing production would best serve the city's housing needs, on the role of local regulation in enabling or blocking housing production, the role of state law on facilitating housing production, and what the city should do to meet housing need *and* achieve spatial equity.

For example, planners and city personnel discussed the city's RHNA obligations when defining the city's housing problems. Planners described San Francisco land use policy with a wide lens, pulling in developer perspectives, neighborhood needs, and politics when discussing the effects of current policy and planning practice on production outcomes. Also notable, most city staff described how reforms could advance participation goals or spatial justice, but they also described individual policies and planning practices as pieces within a larger system that accounted for law, policy, and cyclical market conditions. Planners and city personnel offered detailed analysis of what is not working that was easy to verify using other data. City staff were clear that local legal reform would be the best solution, but also were not hostile to state laws that addressed some of San Francisco's procedural challenges.

Discussions with members of the political bodies responsible for developing and enacting the local legal reform were very different. All Commissioners and Supervisors agreed that the housing approval process was slow and needed improvement. One Supervisor even went so far as to describe San Francisco's entitlement process as difficult by design. Some Commissioners and Supervisors were also as pragmatic as staff offered robust explanations of how local regulation operates across the city, distinguishing between law and practice and explaining how politics influence planning practice and production outcomes. A few foregrounded specific and precise local legal reforms to support housing production citywide with sensitivity to equity and spatial justice within the city's existing policy framework and current market conditions. Some were deferential to planning staff as experts on what is needed in terms of procedural reform. Some were explicit in their support of program statements in the housing element that call for ministerial processes for at least some development.

But some political participants responded to questions about how policy and planning work within San Francisco with answers focused almost entirely on contributing factors to production

that were outside of the city's purview—like state funding for affordable housing. Some Commissioners focused most on how to improve implementation of the existing rules while retaining discretion in all planning review. There was also a split in how the Commissioners and Supervisors perceived state law, and the housing element process, as well. Some were explicit that they felt the state was penalizing San Francisco through the RHNA process, and that regulatory and practice reform would not resolve the challenges San Francisco is facing.

Thus, what the data also shows is that the primary gatekeepers to local policy reform do not agree with each other or city staff on the scope of San Francisco's housing need or on what the city must to do to meet that need. There is also no agreement on the relative importance of local regulation in creating, perpetuating, or ameliorating the city's housing problems.

Appendix A: Regression Supplement With Methods

In earlier writing, we found that longer timeframes within a city were not necessarily associated with more approval steps on average. But our analysis compared median timeframes and average local steps to entitlement in one city to another city. We did not explore the potential relationship between timeframes and local steps to entitlement in any single case study city. This analysis, within San Francisco only, is important because at least some procedural reform proposals assume that reducing steps to approval while maintaining discretionary review will shorten timeframes. At the same time, stakeholders describe San Francisco's regulations as creating variability and uncertainty in the approval process, even when a proposed development has few steps to approval.

Generally, within a single city, even if entitlement takes a long time overall, we expect that more approval steps extend timeframes. Theoretically, if a development conforms to existing planning and zoning and requires no local-level approvals, it should take less time than a development that requires one or more special approvals to secure entitlement. San Francisco's local law does provide for dense residential buildings in some neighborhoods, without any special approvals. San Francisco's law also allows dense residential housing in other neighborhoods but with required special approvals. For example, development over a specific height threshold in some areas requires a Conditional Use Authorization or Large Project Authorization. If the local law is operating as we think it should, planning review might take longer when a development requires a Conditional Use Authorization before a building permit than if the development requires only a building permit. Finally, when a property owner proposes development that requires a rezoning or General Plan Amendment, it might take even longer than a project requiring a Conditional Use Authorization because what the developer is proposing is not provided for in existing planning and zoning.

But what we have heard within interviews so far is that this is not how local planning and zoning operates in practice. Most stakeholders described a process where neighbors may oppose any proposed development in any context, and planners are placed in a position of mediating disputes. Because of this, the time to entitlement (and certainty of approval) is unpredictable for all development subject to discretionary review, whether a project conforms to the local planning and zoning or not.

Stakeholders describe informal and formal pre-application processes for initial outreach and meetings to help planners, and the property owners anticipate neighborhood reaction and adjust a proposed development before proceeding through the entitlement application process. They also described a process where planners worked to mediate and resolve potential conflicts before proposals went in front of approval bodies (like the Planning Commission).

But stakeholders also note that although a property owner may begin negotiations with neighbors before the application (and in cases where the Planning Department requires a Preliminary Project Assessment, sometimes before that process), and continue negotiations throughout planning review, project opposition may not manifest until late in the process. They emphasized that smaller buildings are most vulnerable. Therefore, no matter what work the planners and property owners put into anticipating and mediating disputes over proposed projects, the process allows the risk of opposition for new, sometimes unpredictable, reasons to remain. Because opposition can emerge at any time, stakeholders say this makes the timeframes and approval outcomes uncertain.

These statements suggest that we should explore the entitlement data to see if entitlement for code compliant development is associated with shorter timeframes as compared with entitlement that requires special approvals or deviates from planning and zoning. Theoretically, code-consistent development should always move faster. One way we do this is to explore relationships between local steps to entitlement and timeframe to entitlement. If longer timeframes are associated with more approval steps, then policy proposals that focus on eliminating or consolidating approval process steps to expedite housing approvals should help shorten timeframes. But if more approval steps are not associated with longer timeframes, this means that something else is occurring to lengthen timeframes. If that is true, reducing the number of discretionary approval steps, alone, may not resolve the uncertainty and unpredictability stakeholders describe. **Although analyzing our entitlement dataset using regression cannot "prove" or "disprove" what stakeholders have shared, this additional analysis allows us to use more than one method and multiple data points for insights, which is more reliable than relying on only one method or data point.**

We chose to run linear regression models, rather than probability models, because we are interested in understanding what drives project timeframes in San Francisco—not necessarily what drives extreme delays within the context of San Francisco's regulatory environment. If we used a probability model, we would need to generate a binary variable as the dependent variable in our analysis. This variable would distinguish observations that are delayed (in terms of the project timeframe). San Francisco's extraordinarily long entitlement timeframes make this very difficult. For example, generating a binary cutoff for delayed timeframes at the median would lead to a cutoff of 39 months. That means we would be defining observations with incredibly long timeframes as "not delayed" because they were below this median, and then using the probability model to see whether certain factors generate delays beyond 39 months. Since most discretionary projects in San Francisco are delayed, even if they are delayed for less than 39 months, a probability model with a binary dependent variable is not best suited for our analysis. Also, that model would ignore project factors that are associated with two- or three-year timeframes because it would classify these projects as "not delayed."

Regression Analysis Using 2018 – 2021 Data (OLS Models)

We first analyze the existing associations between local land use approvals[99] required for entitlement in 2018 - 2021 and project timeframes using a multivariable, Ordinary Least Squares Regression (OLS). First, we ran a simple, OLS regression using local land use approval steps as the single independent variable, and timeframes as the dependent variable.

We used the statsmodel Python module to run all regressions in this analysis. We calculated all regression coefficients with robust standard errors (Errors of Order 3 (HC3)) to account for the existence of outliers and other issues within the data such as heteroskedasticity (variation in regression errors across our observations) and provide a small sample correction. Note that if we did not use robust standard errors with a small sample and clustered observation correction, the standard errors of our estimates would be smaller, so the standard errors and subsequent hypothesis testing are conservative.[100]

We observe a positive association between approval steps and timeframes. Interpreting the results of this simple regression, an additional approval step is associated with approximately a four-month increase in timeframes. While this positive association exists, our data suggests that observations with little to no local land use steps can take a long time. From this simple regression, we expect a development requiring a discretionary building permit only to take 32 months. Further, out of the 64 observations with less than a single local land use approval step, 23 observations (~36%) are above the mean (~38.6 months) and 26 observations (~41%) are above the median (~34.9 months) timeframe in San Francisco. While this positive association exists, timeframes are variable, regardless of the number of approval steps.

Even if such a relationship between local land use approval steps and timeframes exists, the magnitude of the relationship is, arguably, small. Meaning, the impact of approval steps on timeframes is small. From this simple regression, an additional approval step is associated with an additional ~3.7 months for approval. Given that the mean timeframe for all 111 observations is ~38.56 months, the impact of an additional approval step on timeframes is minimal.

[99] We define local land use approval steps as any discrete approval step required for entitlement under local law, not including the California Environmental Quality Act (CEQA) compliance pathway step.
[100] In regression analysis, the errors are defined by the difference between the observed values of the dependent variable (in this case, project timeframes) and values predicted by the regression specification. Accurate estimation of the uncertainty of OLS-predicted values generally depends on constant errors across observations. However, in this study, we do not assume that error is constant (homoscedasticity). For instance, model error might be larger for observations with substantially longer timeframes (i.e., where projects take two to three times longer than the median timeframe). When we use robust standard errors, we no longer assume that errors are constant across all observations, which can mitigate the impacts of this regression analysis being based on observational data. Further, we are using a small sample correction to mitigate the fact that our universe of observations is relatively narrow and to account for the natural clustering in timeframes that occurs at each local land use approval step.

Figure 6: Regression 2018 - 2021 Observations (No Controls)

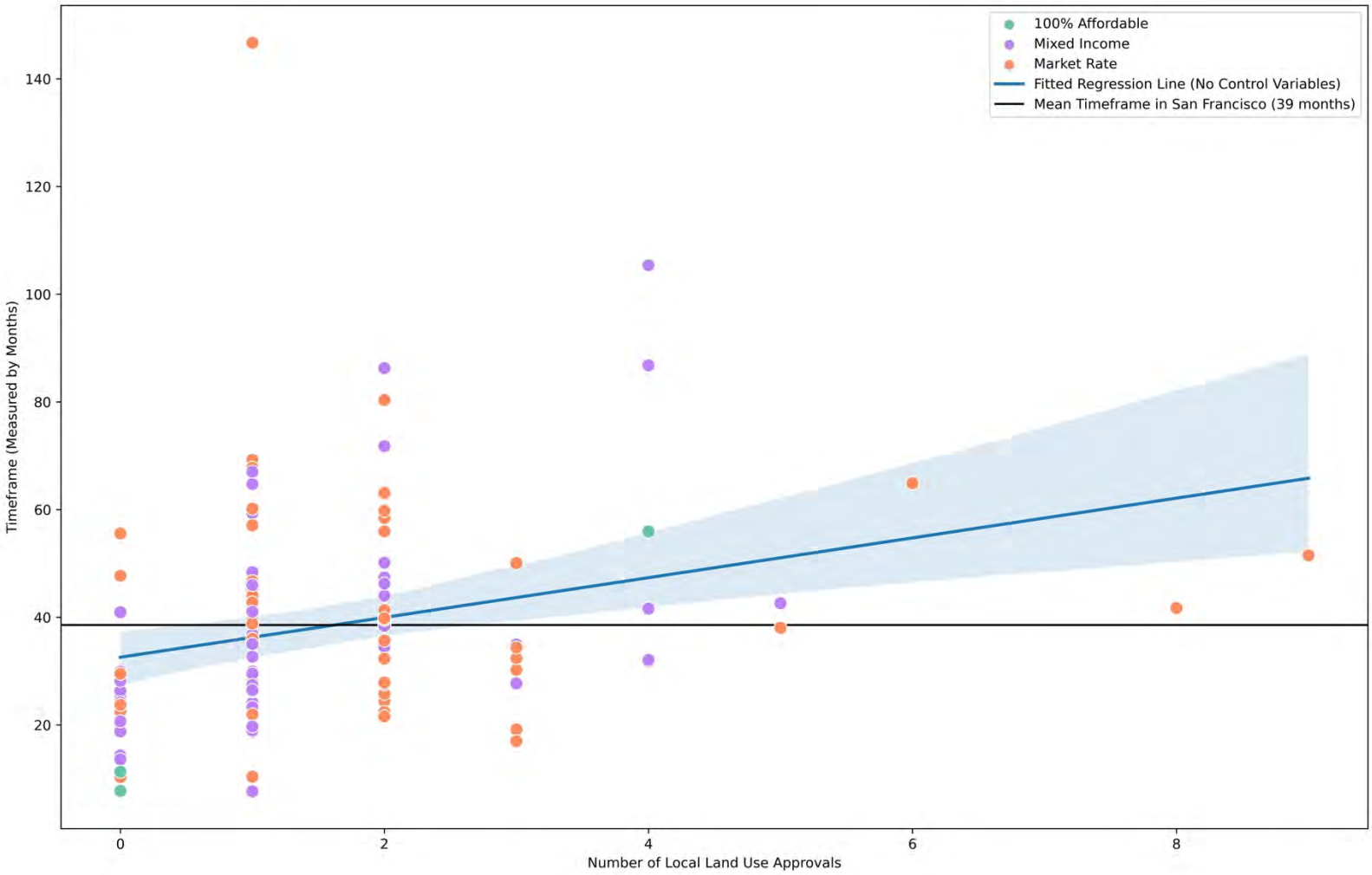


Figure 6 depicts the simple regression of time frames on local land use approval steps. In this graph, the translucent bounds represent the confidence interval for the regression line. Several observations, however, fall outside the bounds of the confidence interval for the regression line. The confidence interval indicates the uncertainty in our regression estimates. This uncertainty could suggest model misspecification.[101] More specifically, the number of approval steps does not adequately capture the variation in project timeframes. **This model misspecification could suggest that there are unaccounted variables that influence the existing relationship between the number of approval steps and timeframes.**

[101] A large confidence interval is also often a function of sample size. In other words, because of a limited amount of data, our regression estimates are uncertain. However, we capture a complete dataset of all discretionary, non-ADU entitlements greater than five or more units in 2018 - 2021. Because of this, we are not making statistical inferences based on a sample, but rather generating quantitative analysis on an entire population (and interpreting our results within the context of this population only). Therefore, theoretically, there is no statistical uncertainty through sampling uncertainty.

We controlled for project characteristics that based on interviews and meetings we assumed might influence the relationship between timeframes and the number of local land use approvals. One such example is affordability thresholds. We heard from planners, Commissioners, and Supervisors that the city wants to prioritize 100% affordable development. To control for affordability, we placed the 111 observations into three categories: market-rate, mixed-income, and 100% affordable. To avoid perfect multicollinearity, we did not include the indicator variable which controls for observations that are market-rate. However, due to the model specification, we are still controlling for all affordability classifications in our regression. Below is the distribution of all 111 discretionary observations, by affordability classification:

1) Market-Rate **(N=55)**
2) Mixed-Income **(N=52)**
3) 100% Affordable **(N=4)**

We also controlled for local process characteristics related to the intensity of the approval process—which is distinct from whether an approval process requires more steps. What we are referring to here is how a project proponent may seek only a Variance, or only a Conditional Use Authorization (CUA), or only a Large Project Authorization—and each may require one approval step, but these approval processes are quite different in terms of what we describe as process intensity. A Variance in San Francisco usually requires approval from the Zoning Administrator without a public hearing (though the public may request a public hearing in front of the Planning Commission through the exceptional Discretionary Review process). A Conditional Use Authorization and Large Project Authorization always requires a hearing in front of the Planning Commission. Interviews reveal, however, that the Planning Commissioners interpret the Housing Accountability Act as not applicable to Large Project Authorizations—and that they have the discretion to deny the Large Project Authorization.

Therefore, we wanted to explore whether the *type* of approval process—not necessarily the number of local land use approval steps—is what influences increases in timeframes. We identified five distinct process categories: Discretionary Building Permit, Variance, CUA & PUD, Large Project Authorizations and Downtown Project Authorizations, and Legislative Actions. We want to explore whether observations with a more intense process are associated with longer timeframes and, theoretically, more approval steps. Below is the distribution of all 111 discretionary observations, by process category:

1) Discretionary Building Permit (**N=23)**: The building permit category represents a group of observations that are only discretionary by virtue of the Business & Tax Code provision that renders all government approvals discretionary.

2) Variance Only (**N=17**): These are observations that required a variance for approval. The observations do not require any Conditional Use Authorizations, Large Project Exceptions, or Legislative Actions.

3) CUA & PUD (**N=49**): These are observations that required a Conditional Use Authorization or Planned Unit Development (PUD) Approval. The observations do not require any Large Project Exceptions or Legislative Actions.

4) Large Project Authorizations and Downtown Project Authorizations **(N=15)**: These are observations that required either a Downtown Project Authorization or Large Project Authorization. Interviews and meetings indicate that Large Projects face significant hurdles—because they are disfavored. The issue here though is that these large projects may only require one step, and they theoretically seem to be no different than a CUA if we only consider the process in terms of both the number of approval steps and the approval body. However, the procedural step allows for waivers or exceptions to allow for a large project under the planning code. Though these do not appear to require legislative action, interviews suggest that the Planning Commission eschews these approvals, believes that they are not covered by the Housing Accountability Act, and will deny these approvals. That the Planning Commission interprets the Housing Accountability Act as not applying to the LPAs is something planners dispute, as they think this is a faulty interpretation of state law.

5) Legislative Actions (**N=7**): These are observations that required a local legislative act (Planning Code Amendment, Zoning Map Amendment, General Plan Amendment, or Development Agreement) for approval.

To assess the impact of process intensity on approval steps, we translated process intensity and incremental numeric ranking in the following order: Discretionary Building Permit (least intense), Variance Only, CUA & PUD, Large Project Authorizations and Downtown Project Authorizations (referred to collectively as Exceptions), Legislative Actions (most intense). After running a simple regression of the number of approval steps on this numeric ranking, we find increasing process intensity is associated with an increase of one approval step (rounded).[102] A project that requires a local legislative act or a development agreement for approval is expected to have three to four more approval steps than a discretionary building permit project. This makes sense, as Development Agreements are often associated with proposals that require multiple approvals. This association is statistically significant at the 1% level. While process intensity and the number of local land use approval steps are related, they are not multicollinear. The correlation coefficient between the numeric translation between process intensity and local land use approval steps is 0.63. In an additional section of this report, we run a correlation heatmap between all independent variables to identify any possible sources of multicollinearity.

We also calculate the variation in the number of approval steps for all process categories. Below is a table that breaks out the quantile distribution of approval steps, by process intensity.

[102] The slope coefficient in the simple regression 0.856.

Table 16: Variation in Number of Approval Steps, by Process Categories, Non-ADU Discretionary Observations 2018 - 2021 (N=111)

Process Categorization	Min. Steps	25th Percentile Steps	**Median Steps**	75th Percentile Steps	Max. Steps	**Mean Steps**	Standard Steps
Discretionary Building Permit (N=23)[103]	0	0	**0**	0	2	0.13	0.46
Variance (N=17)[104]	1	1	**1**	1	3	1.29	0.59
CUA & PUD (N=49)[105]	1	1	**2**	2	4	1.96	0.96
Exceptions (N=15)[106]	1	1	**1**	2	5	1.60	1.12
Legislative Acts (N=7)[107]	1	3	**5**	7	9	5	2.94

We highlight this variation to show that process categorizations are not just a categorical grouping of the number of local land use approval steps. For instance, all process categorizations have observations that require a single approval step. However, an observation that requires only a variance is significantly different from an observation that requires only a Large Project Exception. It is because these single approval step processes are so different that we control for process in our analysis.

Finally, we also control for project size and whether the observation was in a vulnerable area. Interviews suggest that larger projects are disfavored. We control for project size (instead of just an LPA or DPA) because some proposed developments benefit from State Density Bonus Law, increasing their size, but they do not necessarily require an LPA or DPA (which is determined in part by location as well). Lastly, we control for location within a priority equity geography because interviews suggest political bodies are sensitive to proposals to build in these areas. These project and neighborhood characteristics can also impact the relationship between local land use approval steps and timeframes.

We completed several regression models to explore whether there is a relationship between number of approval steps and timeframes. Or in other words, does increasing the number of required approval steps create longer entitlement timeframes? **The regression models show that when we control for affordability characteristics, project size, location within a vulnerable geographic area, and intensity of the approval process, there is no**

[103] Out of the 23 discretionary building permit observations, one observation had an additional administrative approval. Another observation required an additional administrative approval and a Certificate of Appropriateness for approval.
[104] There are 13 observations that require only one step or only a variance for approval.
[105] There are 18 observations that require only one step, or only a CUA or PUD for approval.
[106] There are 10 observations that require only one step, or an exception (Downtown Project Authorization or Large Project Authorization) for approval.
[107] There is one observation that required only a legislative act for approval.

statistically significant association between the number of approval steps and timeframes.

This outcome supports what stakeholders say to be true in San Francisco—factors outside of law influence timeframes, and there is a lot of uncertainty of how entitlement will unfold in San Francisco no matter what a developer proposes to build. This outcome does not prove that there is no causal relationship between timeframes and approval steps; we cannot account for all confounding variables that influence this relationship. OLS identifies associations within our data only. And we are using observational data, as well. Thus, the data and methods do not allow us to prove or disprove that there is no relationship between number of approval steps and timeframes. **But importantly, the regression findings are consistent with what descriptive statistics and interviews both show—there is no easy entitlement pathway in San Francisco, and factors outside of law appear to influence entitlement outcomes. This tells us that reforms that focus on simplifying discretionary review by reducing the number of steps to approval may be insufficient to address uncertainty and lengthy timeframes to approval.**

Discretionary Non-ADU Observations 2018 - 2021 with Controls

Table 17 below shows the association between local land use approval steps and timeframes was numerically smaller and no longer statistically significant after we controlled for affordability, process intensity, and project size. These results indicate that there are factors outside of what the planning and zoning law requires of developers that strongly affect the relationship between approval steps and timeframes.

What Table 17 illustrates is that project size may impact the relationship between approval steps and timeframes in our dataset. When controlling for number of approval steps to understand the relationship between project size and timeframes, an additional unit increase in project size is associated with a 0.021 month increase in timeframes. This relationship is statistically significant at the 5% level.

Another factor that may impact the relationship between approval steps and timeframes is the intensity of the process. An observation requiring a variance or CUA/PUD is associated with an increase in timeframes, relative to a discretionary building permit observation. This relationship is diminished (in terms of significance) but is still present when we add controls. Further, an approval requiring a Large Project Authorization is associated with an increase in timeframes, relative to a discretionary building permit observation—but this association is no longer statistically significant when we add all controls (including project size).

Table 17: All Discretionary Non-ADU Observations 2018 - 2021

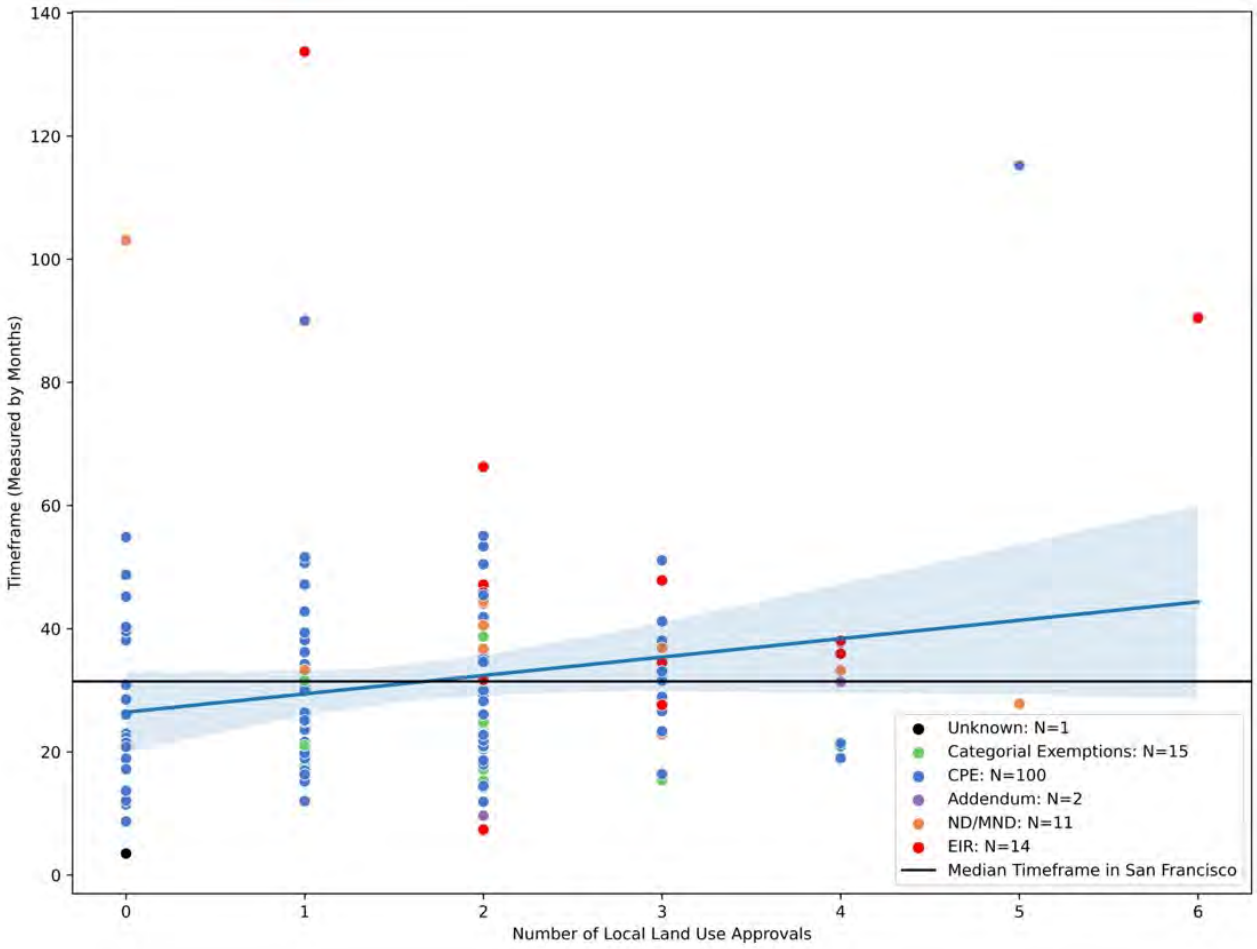
Variables	No Controls	Affordability Controls	Neighborhood Controls	Size Controls	Process Controls	All Controls
Dependent Variable: Timeframe (denoted in months)						
Num. Approvals	3.693***	3.681***	3.743***	2.794**	2.761*	2.360
	(1.244)	(1.353)	(1.260)	(1.117)	(1.637)	(1.755)
Market-rate		12.706				4.160
		(9.493)				(8.372)
Mixed Income		12.934				6.833
		(9.242)				(8.970)
Vulnerable Area			1.584			1.307
			(3.860)			(4.331)
Project Size				0.021**		0.028**
				(0.011)		(0.013)
Variance					19.468**	20.488**
					(8.799)	(9.149)
CUA & PUD					12.286***	11.115**
					(4.092)	(4.547)
Exceptions					9.987*	6.653
					(5.317)	(6.152)
Legis. Acts					6.467	0.558
					(9.207)	(11.431)
Constant	32.580***	20.246**	31.714***	32.369***	23.930***	17.656**
	(2.653)	(8.889)	(2.854)	(2.587)	(2.567)	(7.260)
Observations	111	111	111	111	111	111
R-squared	0.075	0.088	0.076	0.094	0.157	0.197
Adj. R-Squared	0.066	0.063	0.059	0.077	0.117	0.126

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses.

Regression Analysis Using 2014 - 2017 Data

After running a simple regression on approval steps and timeframes using the 2014 - 2017 dataset, we find a positive association between approval steps and timeframes. This association is not statistically significant. In terms of magnitude, the association between local land use approval steps within the 2014 - 2017 dataset is weaker than in the 2018 - 2021 dataset.

Figure 7: Ordinary Least Squares Regression 2014 - 2017 Observations (N=140)



We also run our regressions on observations that received a Community Plan Exemption (N=100).
We did this to further explore whether local approval steps impact timeframes for projects that satisfy CEQA in the same way.

Table 18: Regression Using 100 CPE Observations 2014 - 2017

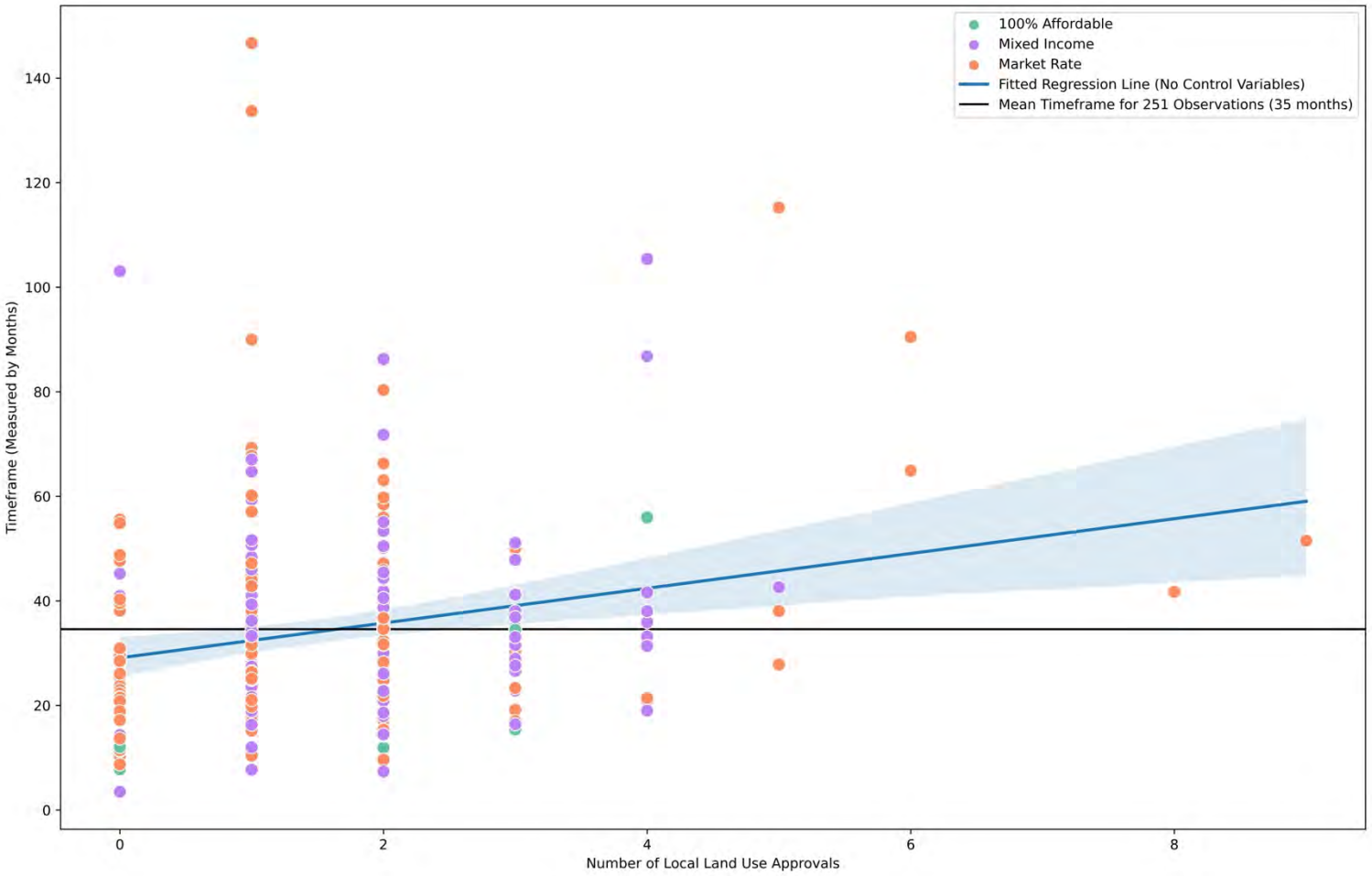
Variables	No Controls	Affordability Controls	Neighborhood Controls	Size Controls	Process Controls	All Controls
Dependent Variable: Timeframe (denoted in months)						
Num. Approvals	3.295	3.521	3.009	4.097	4.062	2.515
	(2.740)	(3.802)	(2.731)	(2.615)	(7.615)	(6.105)
Market-rate		15.159***				22.226
		(5.177)				(19.833)
Mixed Income		12.443*				23.791
		(6.614)				(19.983)
Vulnerable Area			-2.478			-1.423
			(3.184)			(3.265)
Project Size				-0.019		0.002
				(0.022)		(0.028)
Variance					4.305	3.071
					(9.589)	(9.902)
CUA & PUD					-5.188	-6.306
					(10.667)	(10.416)
Exceptions					-4.053	-3.885
					(19.060)	(17.804)
Legis. Acts					10.918	20.784
					(34.670)	(35.476)
Constant	24.966***	11.406**	26.813***	25.232***	25.700***	6.351
	(3.513)	(5.124)	(4.363)	(3.667)	(2.779)	(19.031)
Observations	100	100	100	100	100	100
R-squared	0.055	0.086	0.061	0.061	0.119	0.196
Adj. R-Squared	0.046	0.057	0.042	0.042	0.072	0.092

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses.

Regressions Using 2014 - 2021 Data

We ran our regression models on the entire 2014 - 2021 dataset. We find no differences in our main findings above. Figure 3 depicts the simple regression of time frames on local land use approval steps. We found a positive association between number of approval steps and timeframes that is statistically significant. In this graph, the translucent bounds represent the confidence interval for the regression line. As was true in the regression of 2018 - 2021 data only, several observations fall outside the bounds of the confidence interval for the regression line. The confidence interval indicates the uncertainty in our regression estimates. This uncertainty suggests that there are other unaccounted variables that influence the existing relationship between the number of approval steps and timeframes.

Figure 8: Regression All Non-ADU Discretionary Observations 2014 - 2021 (No Controls)



Our results using the 2014 - 2021 dataset also show that when we control for affordability characteristics, project size, location within a vulnerable geographic area, and intensity of the approval process, there is no statistically significant association between the number of approval steps and timeframes.

We also add an additional model where we only exclude process controls. We find that there exists a positive, statistically significant association between approval steps and timeframes when we only control for affordability, project size, and area characteristics, but this relationship is numerically smaller and decreases in statistical significance when we add these controls.

Table 19: Regression All Discretionary Non-ADU Observations 2014 - 2021 With Controls

Variables	No Controls	Affordability Controls	Neighborhood Controls	Size Controls	Process Controls	All Controls Except Process Controls	All Controls
	Dependent Variable: Timeframe (denoted in months)						
Num. Approvals	3.328***	3.363***	3.149***	2.882***	2.998**	2.643**	2.263
	(1.019)	(1.034)	(0.990)	(1.043)	(1.470)	(1.046)	(1.453)
Market-rate		14.441***				13.854***	11.718**
		(4.756)				(5.168)	(5.446)
Mixed Income		12.003***				11.610**	10.510*
		(4.539)				(4.933)	(5.497)
Vulnerable Area			-3.878			-3.577	-3.798
			(2.494)			(2.574)	(2.588)
Project Size				0.009		0.012	0.016
				(0.010)		(0.010)	(0.011)
Variance					10.836*		10.407*
					(5.620)		(5.763)
CUA & PUD					4.266		3.413
					(3.793)		(4.122)
Exceptions					0.859		-0.183
					(4.628)		(5.428)
Legis. Acts					5.815		4.783
					(8.056)		(9.030)
Constant	29.094***	16.346***	31.460***	28.968***	26.008***	18.847***	17.794***
	(2.013)	(4.357)	(2.548)	(2.026)	(2.466)	(4.943)	(5.063)
Observations	251	251	251	251	251	251	251
R-squared	0.052	0.070	0.061	0.055	0.080	0.082	0.109
Adj. R-Squared	0.048	0.059	0.053	0.047	0.062	0.063	0.076

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses.

It is not typical for a development to have eight to nine steps to entitlement in San Francisco. Because it is possible that the relationship between approval steps and timeframes is driven by atypical projects in San Francisco (or observations that require eight or nine steps for approval), we also analyze the impact of outliers (in terms of the number of approval steps) on the relationship between approval steps and timeframes. Any observation in our discretionary, non-ADU dataset from 2018 - 2021 with more than four approval steps is considered an outlier.[108] We dropped these from our dataset and reran our regression models in the table below.

Table 20: Regression Results, Dropping Approval Step Outliers (2014 - 2021 Data)

Variables	No Controls	Some Controls	All Controls
Dependent Variable: Timeframe (denoted by months)			
Num. Approvals	1.987*	1.685	-0.756
	(1.133)	(1.309)	(1.928)
Market-rate		17.294***	14.218***
		(3.723)	(3.982)
Mixed Income		15.522***	12.450***
		(3.397)	(4.428)
Vulnerable Area		-1.829	-2.090
		(2.666)	(2.683)
Project Size		0.006	0.010
		(0.012)	(0.013)
Variance			13.440**
			(6.072)
CUA & PUD			6.949
			(4.802)
Exceptions			7.935
			(5.780)
Legs. Acts			9.840
			(7.396)
Constant	30.585***	15.720***	15.110***
	(2.205)	(3.880)	(4.142)
Observations	229	229	229
R-squared	0.010	0.041	0.075
Adj. R-Squared	0.005	0.020	0.037

Notes: *** indicates coefficient is significant at the 1% level. ** indicates coefficient is significant at the 5% level. * indicates coefficient is significant at the 10% percent level. Table presents robust standard errors in parentheses

[108] We calculated the bounds for large outliers (based on the number of approval steps) with the following formula: 1.5 * [75% Percentile – 25% Percentile] + 75% Percentile. For all 251 observations, the 25% percentile is one approval step and the 75th percentile is two approval steps. Using this formula, 1.5 * (2 – 1) + 2 = 3.5. Meaning, any observations with more than four approval steps are outliers.

We observe a positive association between approval steps and timeframes when we discard outlier observations, although this association is numerically smaller and decreases in statistical significance. When we exclude process controls in our regression—and only control for affordability, project size, and neighborhood characteristics—we find no statistically significant association between approval steps and timeframes. This suggests that the observations which required significantly more steps for approval play a role in the association between approval steps and timeframes. In other words, when we discard these observations to generate a dataset of more typical developments in San Francisco, we find no statistically significant association between approval steps and timeframe, controlling for factors outside of planning and zoning law. This also suggests that a more typical observation (an observation with two or three steps) would likely see no substantial difference in timeframe if it have been approved with fewer steps.

Robustness Checks for Analysis

We generated correlation heat maps to understand existing associations between the independent variables in our models. If high correlations exist between our independent variables, it could lead to imperfect multicollinearity.

In the following correlation heat maps, the only variables that are highly associated with each other are indicator variables that are mutually exclusive and exhaustive. As a result of these heatmaps, we feel comfortable using these variables as independent variables in our regression.

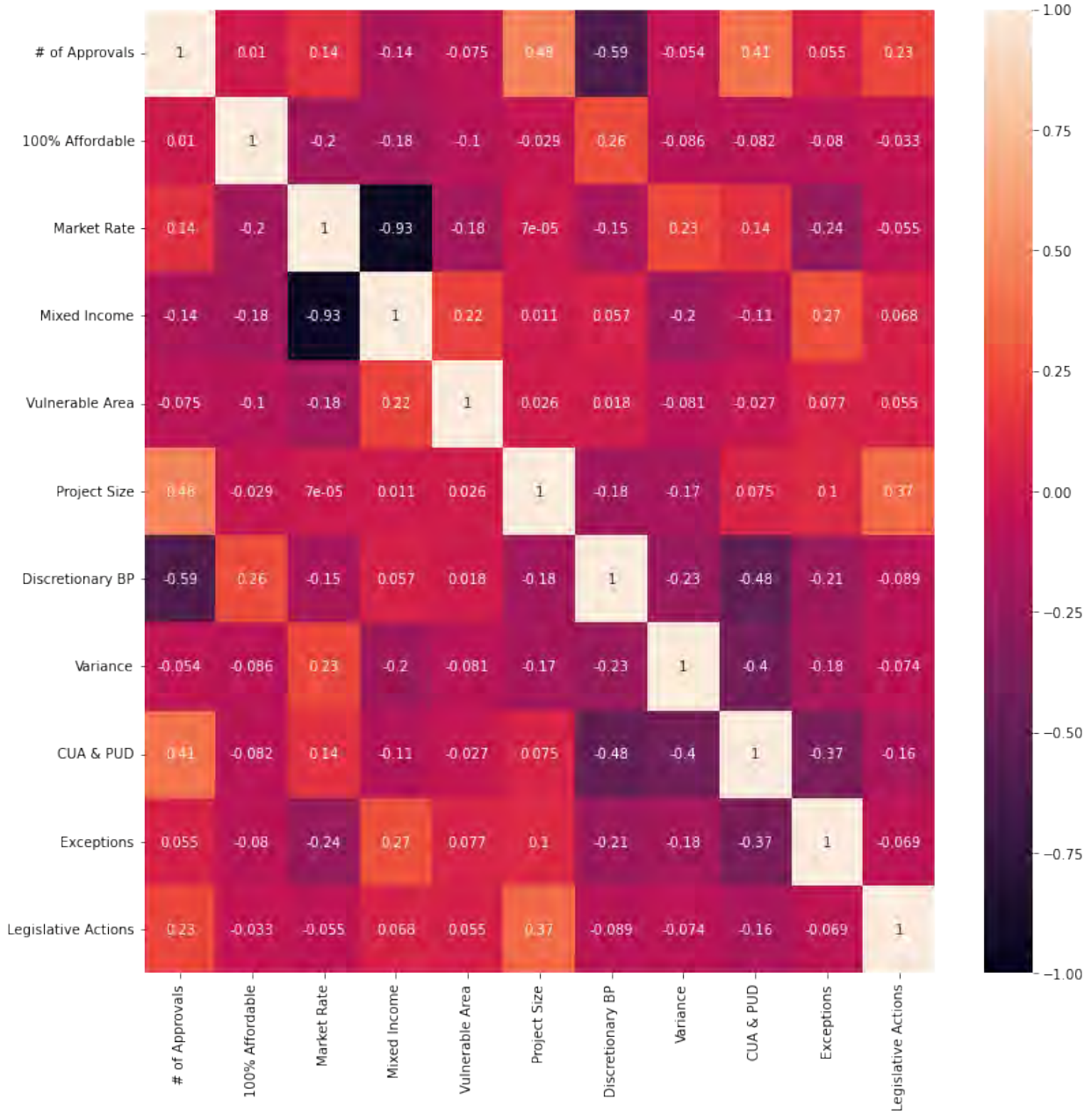


Figure 9: Correlation Heat Map for 2018 - 2021 Regression Data (N=111) with Affordability, Neighborhood, and Process Characteristics

Residual Plots for Regressions

We also run residual plots for some of our models for assessment. First, we use the residual plots to assess our model's functional form (e.g., is the association between the number of approval steps and timeframes linear?). We also use residual plots to assess the effectiveness of our control variables. We are interested in understanding if the introduction of these control variables help capture the underlying associations within our data.

Figure 10: Residual Plot and LOESS Line for Simple Regression ("No Controls" in Table 1) Using All 111 Non-Discretionary Non-ADU Observations 2018 - 2021

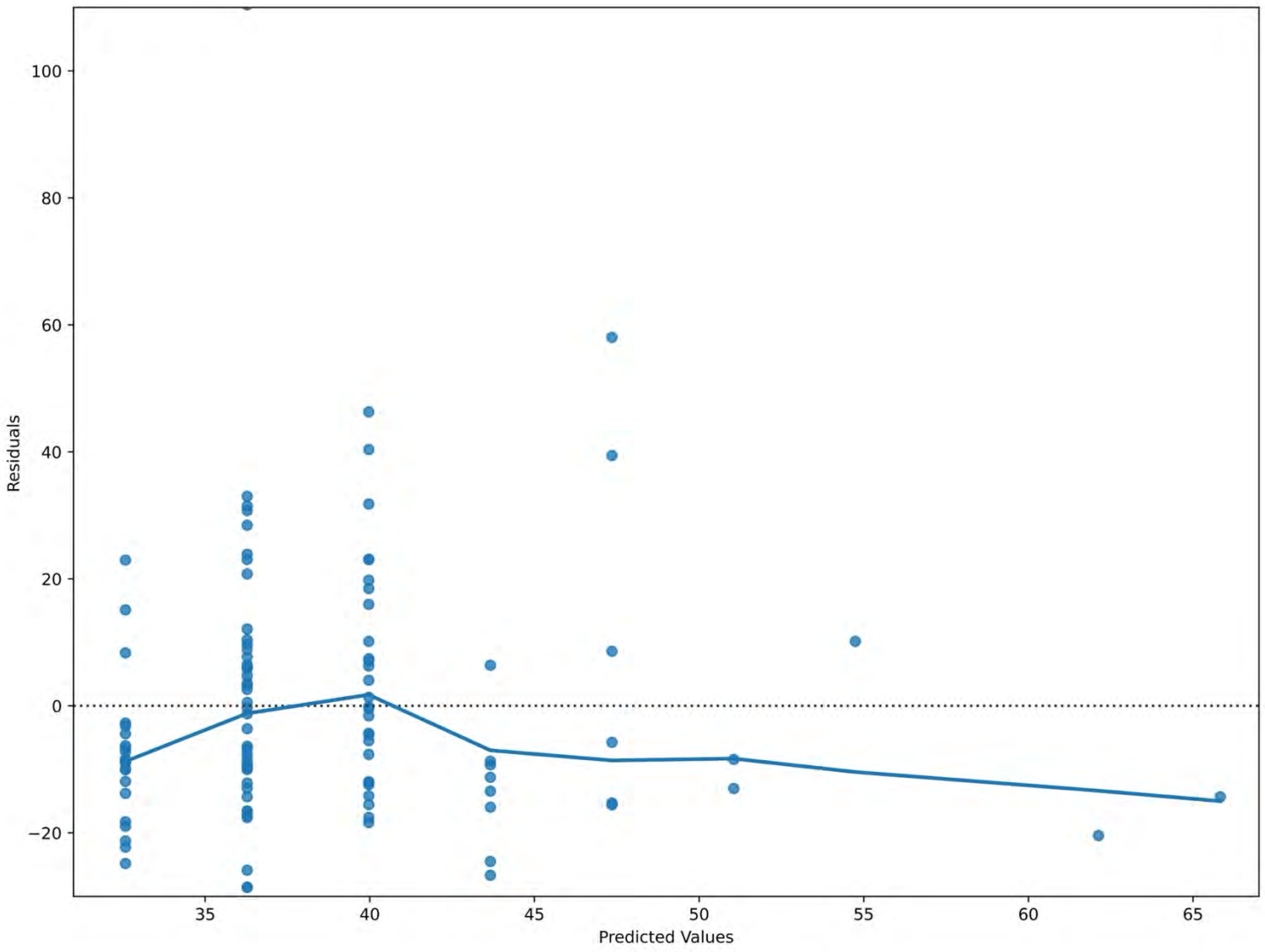
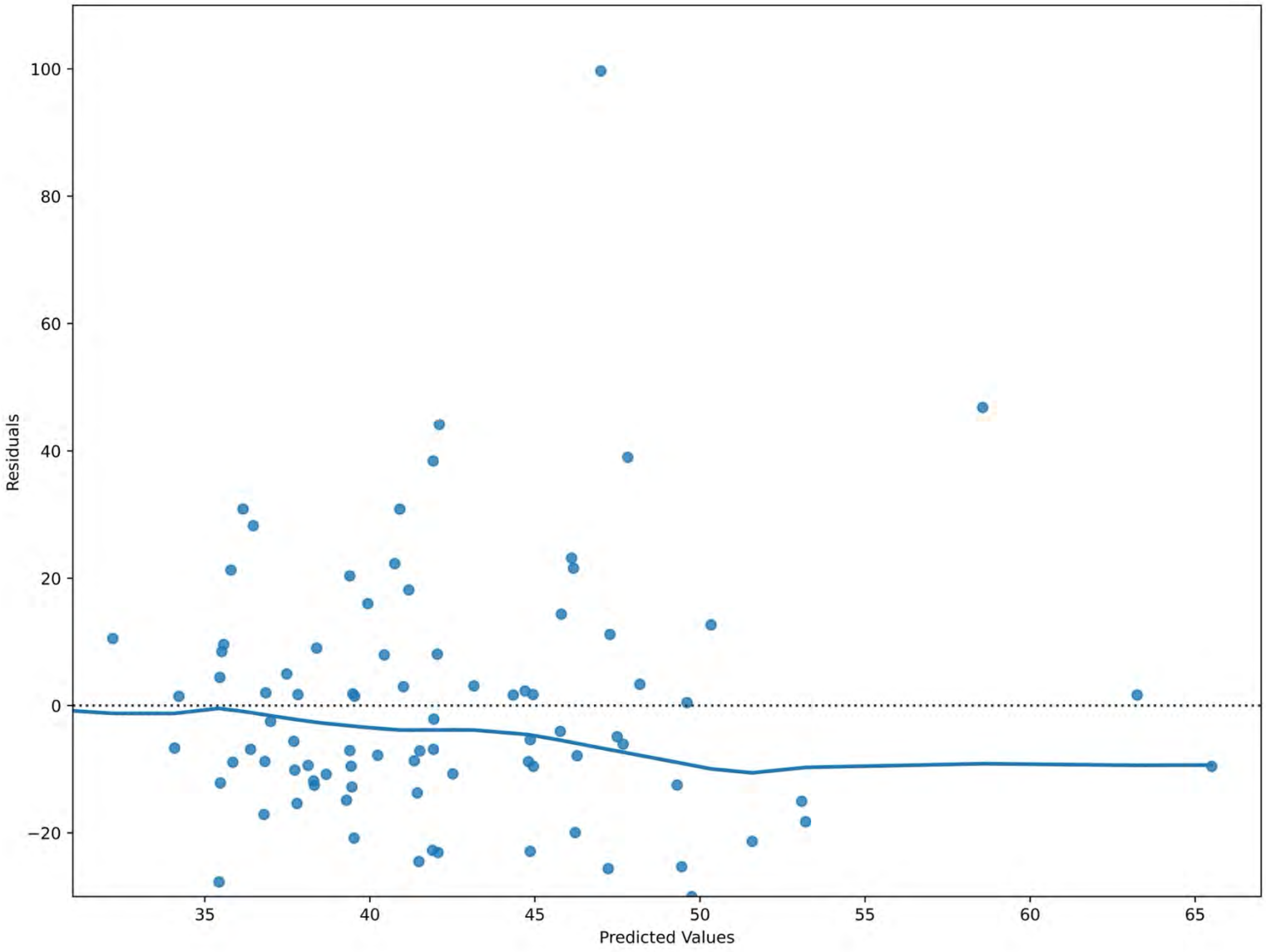


Figure 11: Residual Plot and LOESS Line for Simple Regression ("All Controls" in Table 1) Using All 111 Discretionary Non-ADU Observations 2018 - 2021



In Figure 10: Residual Plot and LOESS Line for Simple Regression ("No Controls" in Table 1) Using All 111 Non-Discretionary Non-ADU Observations 2018 - 2021, there is clustering in this plot. This indicates that the simple regression model is missing information to properly explain the relationship between the number of approval steps and timeframes. It strongly indicates that there are factors outside the number of approval steps that impacts the linear relationship between timeframes.

Figure 11: Residual Plot and LOESS Line for Simple Regression ("All Controls" in Table 1) Using All 111 Discretionary Non-ADU Observations 2018 - 2021 shows the residual plot of the regression specification when we control for process intensity, project size, neighborhood vulnerability, whether the project received an administrative appeal, and affordability. The clustering in this residual plot is less pronounced, which indicates that the controls are effective

in capturing sources of variation that influence the relationship between the number of approval steps and timeframes. Also, observe that there is no clear, consistent pattern in the residual plot. This indicates that a linear regression is most likely the best functional form for our model.

However, observe that the LOESS line is not a linear line at zero, but is rather slightly sloping downward. This indicates that there may be other omitted variables that impact the relationship between timeframes and approval steps, which may bias the magnitude of our regression estimates. Future regression work can test the use of interactive effects between independent variables or assess the impact of new control variables.

Appendix B: Spatial Distribution of Developments

Affordability and TCAC Category Cross Sectional Table (N=144), 2018 - 2021[1]

Highest Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	10	352	-	29.38	30.91
Market-rate(ADU)	1	5	-	6.41	6.41
Mixed Inc.(Discretionary)	3	150	38	28.21	31.34
100% Aff.(Discretionary)	0	-	-	-	-
100% Aff.(SB 35–Began as Disc.)	1[2]	135	135	15.39	15.39
High Resource	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	9	328	-	39.81	38.15
Market-rate(ADU)	6	47	-	9.63	17.20
Mixed Inc.(Discretionary)	6	242	43	53.51	53.48
100% Aff.(Discretionary)	2	19	19	9.53	9.53
100% Aff.(Always SB 35)	2	228	228	4.47	4.47
Moderate Resource (Rapidly Changing to higher resources)	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	4	47	-	32.74	37.44
Market-rate(ADU)	1	7	-	21.99	21.99
Mixed Inc.(Discretionary)	3	237	81	32.08	28.48
Mixed Inc.(ADU)	1	24	3	41.19	41.19
100% Aff.(Discretionary)	0	-	-	-	-
100% Aff.(SB 35–Began as Disc.)	2[3]	268	267	26.20	26.20
Moderate Resource	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	18	1,555	-	40.41	40.30
Market-rate(ADU)	6	38	-	26.50	24.38
Mixed Inc.(Discretionary)	21	2,564	520	41.03	40.67
100% Aff.(Discretionary)	1	178	176	28.04	28.04
100% Aff.(Always SB 35)	2	175	173	4.65	4.65
100% Aff.(SB 35–Began as Disc.)	1[4]	63	63	41.39	41.39
Low Resource	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	14	1,982	-	38.45	47.15

Mixed Inc.(Discretionary)	19	1,153	191	27.58	33.47
Mixed Inc.(Always SB 35)	2	720	294	6.84	6.84
100% Aff.(Discretionary)	1	15	15	55.96	55.96
100% Aff.(Always SB 35)	3	400	400	2.40	2.40
100% Aff.(SB 35–Began as Disc.)	3[5]	394	393	32.58	30.70

High Segregation & Poverty	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	0	-	-	-	-
Market-rate(ADU)	2	13	-	19.04	19.04
Mixed Inc.(Discretionary)	0	-	-	-	-
100% Aff.(Discretionary)	0	-	-	-	-

[1] Observations that are student or group housing developments have been categorized as market-rate. We confirmed that group housing beds are not deed-restricted affordable.
[2] This is 1360 43rd Ave, originally proposed under 1351 42nd Ave. This project began as a discretionary entitlement. We use the earliest file date to calculate timeframes.
[3] The two SB 35 projects in this category of Moderate Resource (Rapidly Changing) began before SB 35 was signed into law, which influences timeframe calculations in this neighborhood classification. We logged one project, 2340 San Jose Ave, as having an earliest file date of 9/21/2017. We logged a second project, 4840 Mission St, as having an earliest file date of 9/21/2016. Further, 2340 San Jose Ave does not have an eligibility determination date, though we know it received a building permit. But we excluded it from timeframe analysis.
[4] This is 2205 Mission St, which began as a discretionary project.
[5] Three SB 35 projects in this category (Low Resource) began before SB 35 was signed into law.

Affordability and 2021 TCAC Category Cross Sectional Table, 2014 - 2017

Highest Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	3	69	-	89.98	79.68
Mixed Income	1	41	6	38.70	38.70
100% Affordable	0	0	0	0.00	0.00

High Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	6	120	-	23.79	24.77
Mixed Income	5	287	27	18.94	20.92

100% Affordable	0	0	0	-	-
Moderate Resource (Rapidly Changing)	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	4	100	-	19.50	21.48
Mixed Income	3	527	171	34.26	32.10
100% Affordable	0	0	0	-	-
Moderate Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	29	2415	-	26.37	34.31
Mixed Income	25	3071	415	31.59	35.11
100% Affordable	0	0	0	-	-
Low Resource	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	20	1600	-	23.98	27.17
Mixed Income	39	5472	982	31.23	30.30
100% Affordable	4	400	400	13.73	14.16
High Segregation & Poverty	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate	0	0	-	-	-
Mixed Income	0	0	0	-	-
100% Affordable	1	167	167	34.49	34.49

Affordability and Priority Equity Geographies (PEG) Sectional Table, 2018 - 2021 (N=144)

Vulnerable Area, Denoted by PEG	Projects	Units	Affordable Units	Median Time	Mean Time
Market-rate(Discretionary)	26	2,377	-	36.85	43.54
Market-rate(ADU)	6	37	-	21.70	22.56
Mixed Inc.(Discretionary)	35	2,424	468	32.09	34.97
Mixed Inc.(Always SB 35)	1	270	109	6.05	6.05
Market-rate(ADU)	1	24	3	41.19	41.19
100% Aff.(Discretionary)	1	15	15	55.96	55.96
100% Aff.(Always SB 35)	4[2]	512	510	2.91	3.31
100% Aff.(SB 35–Began As Disc.)	6	725	723	32.58	31.94
Not In a Vulnerable Area, Denoted by PEG	**Projects**	**Units**	**Affordable Units**	**Median Time**	**Mean Time**
Market-rate	29	1,88773	-	36.00	36.40
Market-rate(ADU)	10		-	9.71	18.07
Mixed Inc.(Discretionary)	17	1,922	405	42.44	45.09
100% Aff.(Always SB 35)	1	450	185	7.63	7.63
100% Aff.(Discretionary)	3	197	195	11.31	15.70
100% Aff.(Always SB 35)	3	291	291	2.76	3.90
100% Aff.(SB 35–Began As Disc.)	1	135	135	15.39	15.30

Distribution of Affordable Units (Inclusive of 11 Observations From Updated APR)

2014 - 2015 Affordable Units, by 2021 TCAC Distribution (N=351 new affordable units)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	0	0.00%
High Resource	3	3.70%
Moderate Resource (Rapidly Changing)	0	0.00%
Moderate Resource	194	55 .27%

Low Resource	144	41.03%
High Segregation and Poverty	0	0.00%

2016 - 2017 Affordable Units Distribution, by 2021 TCAC (N=1,817 new affordable units)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	6	0.33%
High Resource	14	0.77%
Moderate Resource (Rapidly Changing)	171	9.41%
Moderate Resource	221	12.16%
Low Resource	1,238	68.13%
High Segregation and Poverty	167	9.19%

2018 - 2019 Affordable Units Distribution by 2021 TCAC, Expanded by SB 35 Affordable Units (N=1,390 new affordable units, SB 35 affordable units=896)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	Total: 22 • SB 35: 0 • Non SB 35: 22	Total: 1.58%

High Resource	Total: 17 • SB 35: 0 • Non SB 35: 17	Total: 1.22%
Moderate Resource (Rapidly Changing)	Total: 336 • SB 35: 267 • Non SB 35: 69	Total: 24.17%
Moderate Resource	Total: 321 • SB 35: 0 • Non SB 35: 321	Total: 23.09%
Low Resource	Total: 694 • SB 35: 629 • Non SB 35: 65	Total: 49.93%
High Segregation and Poverty	Total: 0 • SB 35: 0 • Non SB 35: 0	Total: 0.00%

2020 - 2021 Affordable Units Distribution by 2021 TCAC, Expanded by SB 35 Affordable Units (N=1,649 new affordable units, SB 35 affordable units=1,057)

Neighborhood TCAC Category	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Highest Resource	Total: 151 • SB 35: 135 • Non SB 35: 16	Total: 9.16%
High Resource	Total: 273 • SB 35: 228 • Non SB 35: 45	Total: 16.56%
Moderate Resource (Rapidly Changing)	Total: 15 • SB 35: 0 • Non SB 35: 15	Total: 0.91%
Moderate Resource	Total: 611 • SB 35: 236 • Non SB 35: 375	Total: 37.05%
Low Resource	Total: 599 • SB 35: 458 • Non SB 35: 141	Total: 36.33%

High Segregation and Poverty	Total: 0 • SB 35: 0 • Non SB 35: 0	Total: 0.00%

Distribution of Affordable Units, by Priority Equity Geographies

2014 - 2015 Affordable Units by Priority Equity Geographies (N=351 new affordable units)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	154	43.87%
NOT in a vulnerable Area, Denoted by Priority Equity Geographies	197	56.13%

2016 - 2017 Affordable Units by Priority Equity Geographies (N=1,817 new affordable units)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	282	15.52%
NOT in a vulnerable Area, Denoted by Priority Equity Geographies	1,535	84.48%

2018 - 2019 Affordable Units by Priority Equity Geographies (N=1,390 new affordable units, SB 35 affordable units=896)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	Total: 294 • SB 35: 0 • Non-SB 35: 294	Total: 21.15%

NOT in a vulnerable Area, Denoted by Priority Equity Geographies	Total: 1,096 • SB 35: 896 • Non-SB 35: 200	Total: 78.85%

2020 - 2021 Affordable Units by Priority Equity Geographies (N=1,649 new affordable units, SB 35 affordable units=1,057)

	Total Affordable Units in Category	Percentage (of Total Affordable Units)
Vulnerable Area, Denoted by Priority Equity Geographies	Total: 732 • SB 35: 446 • Non-SB 35: 286	Total: 44.39%
NOT in a vulnerable Area, Denoted by Priority Equity Geographies	Total: 917 • SB 35: 611 • Non-SB 35: 306	Total: 55.61%

Number and Percentage of 100% Affordable Developments in Areas with a Higher Density of Vulnerable Populations, by Year.

Year	Number of 100% Affordable Entitlements	Percentage of 100% Affordable Entitlements in Sensitive Geographies
2014 – 2017 (N=5)	Total: 5	Total: 100%
2018 – 2019 (N=8)	Total: 6 • SB 35: 6 • Discretionary Non-ADU: 0	Total: 75%
2020 – 2021 (N=10)	Total: 5 • SB 35: 4 • Discretionary Non-ADU: 1	Total: 50%

Appendix C: Analysis of Accuracy of Annual Progress Report Data on Entitlements and SB 35 Approvals

We relied on Annual Progress Report data that we pulled over three periods. For the 2018 - 2019 analysis, we first built a list of observations from 2018 - 2019 APR data that we gained access to on May 18, 2020. We began collecting data on these observations for related research during the 2021 - 2022 academic year, prior to working with HCD on this study. We did not collect as much information as we did for this research during that period, however. We then downloaded San Francisco's Original 2020 - 2021 APR data on or around October 2, 2022, to construct our original observation list for data collection. We then downloaded 2021 APR data on February 18, 2023. Then we downloaded all four years—2018 - 2021—APR data on July 14, 2023, from the state data dashboard to do a final check to confirm if we had any additional observations that may have come in through corrected reporting for any one of these four years. We also separately reviewed environmental review determinations to identify any possible observations not included in any APR data.

San Francisco reported 72 entitlements or SB 35 approvals in 2018 and 2019 on the report we accessed dated May 18, 2020.

- Of the 72 entitlements or SB 35 approvals from 2018 - 2019, we determined that 45 of these observations (~63%) were entitled in 2018 - 2019 and reported in the correct year.
- Therefore, 27 entitlements or SB 35 approvals (~38%) in the 2018 - 2019 APR (N=72) were incorrect reports.
- We found an additional seven entitlements or SB 35 approvals issued in 2018 - 2019 that San Francisco reported in another year (or the wrong year).
- The 2018 - 2019 APR Report also missed 33 entitlements issued in those years, which we found from reviewing San Francisco's Environmental Review Documents and Planning Commission Agendas.

San Francisco reported 82 observations entitled in 2020. San Francisco reported 30 entitlements or SB 35 approvals in 2021. Combined, San Francisco reported 112 entitlements or SB 35 approvals across 2020 - 2021.

- Of the 112 observations from 2020 - 2021, we determined that 45 of these observations (~40%) were entitled in 2020 - 2021 and San Francisco reported the correct year.
- We found an additional 18 entitlements or SB 35 approvals issued in 2020 - 2021 that San Francisco reported, but reported as entitled in the wrong year.
- 67 observations (~60%) in the 2020 - 2021 APR (N=112) are incorrect reports.
- Most, or 62 (out of 67), incorrect reports in the 2020 - 2021 APR are from Reporting Year 2020.
- The 2020 - 2021 APR data also missed an additional 21 entitlements, which we found through reviewing environmental review determinations.

In the inaccurate reporting across 2018 - 2021, we determined six entitlements that San Francisco incorrectly reported in 2018 - 2021 were entitled sometime in 2014 - 2017.

We also used the July 14, 2023, download of San Francisco's Annual Progress Reports to HCD a final time to run a second audit of the 2018 - 2021 APR before completing all analysis. In total, San Francisco underreported on 69 entitlements or SB 35 approvals across those four years.

December 1, 2025

Re: Board File No. 250701
Family Rezoning.

Supervisor Myrna Melgar
Supervisor Chyanne Chen
Supervisor Bilal Mahmood
Land Use and Transportation Committee

Dear Supervisors:

Attached are comments submitted to the Planning Commission for the June 26, 2025 hearing regarding the Financial Feasibility Study for the Rezoning. This Financial Feasibility Study from Century Urban is dated June 17, 2025.

The point of the comments attached was to highlight the issue of speculative development under the Rezoning and the fact that per the Study the smaller residential lots throughout the City were the most prime for redevelopment.

***These lots of 25' x 100' are the most widespread**, the most typical lot in San Francisco and they are the lots that contain most of the City's existing housing*.

This coupled with the October 2021 analysis of SB 9 that is also discussed in the attached comments should make everyone nervous.

Not nervous about the Builder's Remedy because that threat has been neutralized by the Family Rezoning once passed by this Board which is a foregone conclusion, but nervous for the impacts from a new round of speculative fever that will hurt a lot of people.

The Board should seek to **mitigate** this speculative fever. Here are a few suggestions:

Strongest possible tenant protections enshrined in the TPO.

Protect housing in the Priority Equity Geographies.

Lobby Sacramento to remove the Priority Equity Geographies from SB 423 and the State Density Bonus.

Require updates from the Planning Department and DBI on the loss of existing housing and the type and tenure of the replacement housing under the Family Rezoning.

Sincerely,

Georgia Schuttish

cc: Board of Supervisors, John Carroll, Family Rezoning Planning Staff

CLERK OF LUT

June 26, 2025
To: Planning Commission
From: Georgia Schuttish
Re: **Family Zoning (No. 2021-005878CWP) Financial Feasibility Studies**

Previous Century Urban studies released in December 2021 for SB 9 projects and January/May 2022 for small multi-unit project prototypes were analyzed to be "financially challenging".

"Challenging" is also a buzzword for the prototypes under the currently proposed Rezoning in the new C/U studies. See page 8 of the C/U Conceptual Analysis for this hearing. **It reads**:

"Across the prototypes, feasibility is generally ***challenged*** *under the analyzed market conditions, even with analyzed adaptations to zoning and planning rules and with the use of density bonus programs. This result reflects the general development environment but does not necessarily mean that all projects are infeasible, as certain projects may have different circumstances from the prototypes....fundamental macro-economic conditions changed materially from 2021 to 2023 and increased the feasibility threshold for new development."*

However see the Executive Summary from Staff for this hearing on pages 24 - 25. There are two paragraphs that caught my attention as to what development becomes more financially feasible, or less "challenging" under the "improved case" assumptions. **They read**:

"In particular, some of the development types that will be enabled by the rezoning, including low- and mid-rise multifamily buildings, show positive RLVs under these improved economic assumptions, particularly under the "high" submarket assumptions. These are the most common development sites in the rezoned areas, including the mid-rise commercial corridors zoned for 65', ***and the residential areas off the corridors.***

Overall, 12 of 98 prototypes resulted in an RLV greater than $75k/unit under improved conditions in the high submarket. Of those, there are a few anomalies with substantially high RLV that were established for illustrative purposes only and do not reflect realistic development prototypes that would be constructed. ***The smallest site prototype measuring 2,500 square feet was the only prototype with every single iteration across both residential tenures that demonstrated a positive RLV under the improved market conditions."***

This ***2,500 square feet*** lot is the predominant lot size in the residential neighborhoods. This includes the lots on blocks ***"off the corridors"***. And these lots usually have existing housing. (Most lots are 25' x 114" which is 2,850 sq. feet or 350 sq. feet more than the prototype.)

If these San Francisco lots with existing, sound housing are the least challenging, due to a ***"positive RLV under the improved market conditions"***, that sounds like the opportunity for **speculation**. *And as many fear, it also sounds like* ***"Redevelopment 2.0"*** *will happen in the residential blocks due to this Rezoning plan. Previously, I thought this was a little bit hyperbolic to compare the Rezoning to the devastation wrought by Redevelopment in the last century.*

Now based on these Financial Feasibility studies, I think it is perfectly and completely accurate.

Along this line, please look again at another document from Planning Staff. In the October 21, 2021 Executive Summary for SB 9, Case No. 2018-016522CWP, page 14, there are several points that connect back to the feasibility issues of the 2,500 square foot lots. **It reads:**

*" Many areas of the city with lower land values, high percentages of households of color, and/or with lower outcomes in health, wealth, and life expectancy also have high rates of owner-occupied single family housing, for example, **the Bayview** (73%), **Visitation Valley** (70%), and **Outer Mission** (75%). SB 9 may offer these homeowners the opportunity to add units for extended families or to generate rental income, or gain wealth through lot splits. However, there are significant hurdles to realize these gains. Acquiring financing for project development, navigating a complex permitting process, and having the resiliency to manage the significant disruption and take financial risks of construction are major barriers facing existing homeowners in communities of color and low-income communities. **Without City investment in programs that support owner-occupied development, such as construction loans or funding prioritized for owners of color or low-income owners, the more straightforward option would be for existing owners to sell their property, or "cash out," and leave San Francisco for areas with lower home costs**. While the bill includes a provision that the applicant of an SB 9 lot split is required to occupy one of the housing units as their principal residence for a minimum of three years from the date of the lot split approval, it does not apply to SB 9 project without the lot split. And while selling may financially benefit an individual household, this practice has been incrementally devastating to communities of color, Cultural Districts, and areas of the city where residents have a common sense of cultural identity, and a historic and major loss to San Francisco as a whole."*

This issue of a *"cash out"* is extremely concerning for all the **Priority Equity Geography SUD** neighborhoods cited above, plus the Excelsior, Crocker-Amazon, the Portola, the Mission, etc.

The Policy and the Findings in **Ordinance 248-23** are written to protect existing, sound housing in these neighborhoods for the residents. The **PEG SUD** neighborhoods are also subject to **SB 423,** which is contrary to the intent of the Ordinance.

And the *"cash out"* issue could be problematic throughout the City. Not every homeowner on the Westside is rich, even if they have owned and lived in their house for years.

Again, the most common residential lot size is 25' x 114' or slightly more than 2,500 sq. ft.

Mayor Lurie and the Board of Supervisors,

In 2020, San Francisco voters passed Prop I which levied a transfer tax on properties worth over $10 million dollars. The Board of Supervisors unanimously passed a resolution assuring voters it was their intention to spend the revenue from the new tax on a Social Housing Program. Social Housing is housing that is municipally-owned (or non-profit owned), permanently affordable, and available to a wider mix income than traditional public housing.

Mayor Breed overruled the Board of Supervisors and instead put the funds raised from the transfer tax into the city's general fund, and not in the Social Housing Program. The public then had to fight to claw that money back to build affordable housing projects like 730 Stanyan, which is a new 100% affordable housing development at the end of Haight St.

We're asking Mayor Lurie to fund the Social Housing Program via the Housing Stability Fund. **We're also asking the Board of Supervisors to pass another resolution reassuring voters that this Board supports expending Prop I property transfer tax revenue on the Social Housing Program.** We're asking the Mayor and the Board to also oppose any attempt to remove or reduce the property transfer tax unless substitute funding for the Social Housing Program is secured.

Sincerely,
San Franciscans for Social Housing

San Franciscans for Social Housing

#	Name	Zip Code
1	Honest B.	94117
2	Andrew S.	94122
3	Cary S.	94122
4	Anonymous	94122
5	Shelley P.	94109
6	Julian N.	94117
7	Hannah S.	94117
8	Luke O.	94109
9	Nicholas N.	94102
10	Molly B.	94103
11	Samy B.	94102
12	Melissa H.	94112
13	Leon A.	94102
14	Ossie F.	94109
15	Mikel-Anne G.	94109
16	Daniel C.	94103
17	Benjamin B.	94115
18	Ian D.	94122
19	emmanuel S.	94104
20	andrea G.	94117
21	Ellisa F.	94117
22	Steven B.	94109
23	Ualtar O.	94115
24	James L.	94122
25	Amy M.	94117
26	Daniel G.	94121
27	Gay C.	94117
28	Maximillian H.	94118
29	Laeli G.	94117
30	Norman D.	94117
31	Patrick C.	94117
32	Lea Y.	94103

33	Justin F.	94117
34	Francisco H.	94117
35	Domingo D.	94112
36	Dylan H.	94122
37	Shoshannah F.	94115
38	John M.	94117
39	Adrianna B.	94105
40	Yael C.	94117
41	Dylan H.	94103
42	Journey R.	94102
43	James L.	94114
44	Robin L.	94114
45	Nancy N.	94115
46	Anonymous	94117
47	Heike H.	94115
48	Mahal M.	94133
49	Georgia S.	94115
50	Carmen K.	94114
51	Ryan R.	94115
52	Ashley C.	94110
53	Julia B.	94110
54	Simon P.	9411p
55	W H H.	94117
56	Tom R.	94110
57	J P.	94117
58	Zachary W.	94115
59	Sean K.	94112
60	Robert A.	94110
61	Martha A.	94122
62	Lucy M.	94117
63	Carolyn C.	94110
64	Deirdre K.	94122
65	Anonymous	94706
66	Zoë M.	94118
67	crystal A.	94118

68	Maddie F.	60126
69	Tommy Y.	94118
70	Ethan Z.	94117
71	STEVEN M.	94122
72	Shara T.	94118
73	Wingtung H.	94134
74	collin S.	94116"
75	Caden T.	94124
76	Kayla S.	92147
77	Andrew Z.	97103
78	Steve S.	94110
79	Ciela O.	94131
80	Terren K.	94131
81	Kayce H.	94117
82	Ying L.	94110
83	Aila B.	94112
84	Cam Y.	94109
85	Anonymous	94122
86	Vivienne H.	94115
87	Marissa O.	94102
88	Casey H.	94122
89	Orianna O.	94114
90	Shayna K.	94102
91	Tracey Q.	94118
92	Robin P.	94131
93	Rowan A.	94110
94	Samuel W.	94117
95	Peter G.	94103
96	Bruce H.	94110
97	Michael M.	94087
98	Miles G.	94118
99	Clayton H.	94110
100	Katie B.	94122
101	Milo G.	94117
102	James G.	94110

103	Anita K.	94110
104	Maryann H.	94117
105	Savannah W.	94123
106	Jacob L.	94116
107	Sophia C.	94116
108	Michael N.	94102
109	Azucena M.	94132
110	Julia C.	94118
111	Susannah M.	94103
112	JONATHAN A.	94112
113	Vlada L.	94114
114	Francesca T.	94122
115	Terlron N.	94124
116	Justin M.	94116
117	John N.	94117
118	Yasmin H.	94110
119	Samuel A.	94122
120	Scott F.	94110
121	Paul W.	94115
122	Lara K.	94131
123	Franklin J.	94122
124	James A.	94110
125	Judith E.	94118
126	Nadine M.	94118
127	Carol B.	94115
128	Frederic B.	94103
129	Rishav R.	94110
130	Andy M.	94115
131	Selah M.	94124
132	Julia G.	94118
133	Andrew B.	94122
134	Matisse E.	94110
135	Allyson O.	94122
136	Natalie N.	94117
137	Ian A.	94110

138	Markus D.	94114
139	Graham C.	94117
140	Maanas N.	94109
141	Annette M.	94110
142	Nastasia M.	94108
143	Alex S.	94132
144	Savana B.	94103
145	Andrew S.	94122
146	Jake M.	02906
147	Holly H.	94117
148	Giulio S.	94110
149	Johnathon J.	94112
150	Cedric H.	94117
151	Johnathan W.	94122
152	Haley M.	94117
153	Margot C.	49740
154	Raphael L.	94110
155	Karl T.	94112
156	Bianca M.	94110
157	Sarah D.	94606
158	leah M.	94114
159	Nicolette A.	94114
160	Sophia C.	94110
161	Nicolette A.	94114
162	Langford P.	94114
163	Erin T.	94116
164	Graham S.	94110
165	David W.	94110
166	Langford P.	94114
167	Terese T.	94114
168	Julia T.	94121
169	Joscelyn M.	94114
170	Kaitlyn Y.	94109
171	Hosam K.	94107
172	Arturo G.	94114

173	Mary W.	94116
174	David S.	94122
175	Jenna M.	94101
176	Anonymous	94114
177	Paul H.	94122
178	Brandy S.	94109
179	Elizabeth Q.	94110
180	Carl S.	94103
181	Richard G.	94110
182	Cornelius M.	94110
183	Lanaii C.	94111
184	Justin P.	94117
185	Truce H.	94117
186	Tony C.	94122
187	denise C.	94122
188	Stan P.	94110
189	Jan M.	94114
190	Carlos D.	94102
191	Marc S.	94131
192	Navi H.	94601
193	Anonymous	94114
194	Nicole S.	94118
195	Serge B.	94112
196	Graham I.	94121
197	Alejandro P.	94124
198	Cat S.	94122
199	Stephanie B.	94118
200	Caroline A.	94103
201	Devin G.	13901
202	Joseph B.	94131
203	Amaya S.	94122
204	Catherine P.	94114
205	Joshua S.	94133
206	Arthur A.	94114
207	Elizabeth Anne M.	94122

208	Claire K.	94114
209	Caroline R.	94118
210	Sabina J.	94117
211	Francesca P.	94117
212	Jesss B.	94114
213	Renee A.	94112
214	Nathanael Y.	94118
215	Katy R.	94121
216	Kaitlin F.	94118
217	Leland G.	94111
218	Sabrina H.	94117
219	Monique K.	94122
220	William J.	94158
221	Alijah L.	94110
222	Nathalie C.	94115
223	Vicente V.	94115
224	Maggie G.	94110
225	Isabella M.	94116
226	Alan W.	94103
227	Alessandra B.	94122
228	Brady J.	94103
229	Chase R.	94117
230	Allen D.	94133
231	Marie C.	94117
232	Samantha B.	94131
233	Arrigo B.	94117
234	Camila D.	94117
235	Lea W.	94117
236	Nicola S.	94114
237	Anonymous	94133
238	Catherine T.	94102
239	Michele F.	94122
240	Zak S.	94102
241	Emily S.	94103

From:	Lagunte, Richard (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); Carroll, John (BOS)
Subject:	5 letters regarding zoning
Date:	Tuesday, November 25, 2025 10:00:11 AM
Attachments:	File Nos 250700, 250701, 250966.pdf

Dear Supervisors,

Please see attached for 5 letters regarding Zoning.

File No. 250966: General Plan Amendments - Family Zoning Plan

File No. 250700: Zoning Map - Family Zoning Plan (Mayor, Sauter, Mahmood, Dorsey)

File No. 250701: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

File No. 251072: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

Regards,

Richard Lagunte
Office of the Clerk of the Board – Operations Division
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-7709 | Fax (415) 554-5163
richard.lagunte@sfgov.org | www.sfbos.org

Pronouns: he, him, his

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

From:	agandi@everyactioncustom.com on behalf of ader gandi
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Friday, November 21, 2025 11:40:05 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I live on a narrow russian hill alley called lynch. This unchecked building boom is crazy. completely ruins the flavor os sf and legacy neighborhood. dont let this irreversible decision happen.

The Land Use Committee, on a vote of 2-1, has blocked Supervisor Chan's amendments and its Chair declined to invite HCD, the state oversight agency, to answer questions publicly.

The Committee must advance these compliant amendments for the protection of sound housing, historic resources, and our coastline to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparent and accountable planning.

Additional comments:

Sincerely,
ader gandi
San Francisco, CA 94109

From: rbinsf@everyactioncustom.com on behalf of Rita Pisciotta
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Sunday, November 23, 2025 9:52:15 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan,born and raised here in North Beach, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

My Italian Grandparents immigrated here to North Beach in 1898

Sincerely,
Rita Pisciotta
San Francisco, CA 94133

From:	justintruong56@everyactioncustom.com on behalf of Justin Truong
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 24, 2025 12:00:45 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Justin Truong

From: selizabethvaughan@everyactioncustom.com on behalf of Susan Vaughan
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 24, 2025 7:40:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Dear Supervisor Chan,

San Francisco is already build out. Increasing density will be hard to to without evicting and displacing current tenants and small businesses and demolishing the buildings they already occupy -- including the one that I occupy. Therefore, I strongly oppose Mayor Lurie's plan, which incentivizes this demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

I am also an environmentalist, and I do not agree that evictions, displacement, and demolition are effective ways to protect the environment.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

Sincerely,
Susan Vaughan
San Francisco, CA 94121

From: lrb louisbiro.com
To: Board of Supervisors (BOS)
Subject: Support for Tenant Protection Amendments in North Beach Family Zoning Plan
Date: Monday, November 24, 2025 8:34:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I hope this message finds you well. I am writing to express our strong support for all amendments aimed at protecting tenants within the proposed family zoning plan.

As you consider the upzoning changes, it is crucial to prioritize the needs and rights of the current tenants in our community. North Beach is not just a neighborhood; it is a vibrant community rich in history and diversity. We believe that the amendments designed to safeguard tenant rights will enhance our neighborhood's resilience, ensuring that long-standing residents can continue to call North Beach home.

The proposed family zoning plan offers a promising opportunity for growth and development in our area, but this growth should not come at the expense of our community's residents. It is vital that we create an inclusive environment that respects the contributions of all who live here, particularly those who have built their lives in North Beach over the years.

We appreciate your attention to this matter and urge you to consider our support for these important amendments. Protecting tenants is essential for maintaining the character and culture of our beloved North Beach community.

Thank you for your time and consideration.

Sincerely,

Louis Biro & Adrienne Biro Petrikovics

546 Filbert Street

San Francisco, CA 94133

From: D M LaPointe
Subject: Re: Family Zoning - continue item
Date: Monday, November 24, 2025 12:00:01 PM
Attachments: Melgar - 11-24-25 response.docx

Dear Supervisor Melgar,

Thank you for responding. Please find attached a response outlining legitimate concerns from your constituents in your reply and requesting additional clarification and information.

Denise

On 2025-11-21 20:24, Melgar, Myrna (BOS) wrote:

> Dear Denise and Members of the West of Twin Peaks Central Council,
>
> Thank you for your letter. Please find my response attached.
>
> The next Committee hearing on the rezoning items will be on Monday, December 1, 2025 at 1:30pm.
>
> Sincerely,
>
> Myrna
>
> ---
>
> **From:** D M LaPointe <president@westoftwinpeaks.org>
> **Sent:** Monday, November 17, 2025 8:32 AM
> **To:** Carroll, John (BOS) <john.carroll@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>
> **Cc:** Wtpcc Delegates <wtpcc-delegates@googlegroups.com>; Wtpcc Officers <wtpcc-officers@googlegroups.com>; Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>; Segal, Ned (MYR) <ned.segal@sfgov.org>; Dennis Phillips, Sarah (CPC) <sarah.dennis-phillips@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>; Farrah, Michael (BOS) <michael.farrah@sfgov.org>
> **Subject:** Family Zoning - continue item
>
> This message is from outside the City email system. Do not open links or attachments from untrusted sources.
>
> Please find attached a letter of concern from WTPCC on the Family Zoning Plan.
>
> --
> Denise M. LaPointe
> President
> WTPCC

Office of Supervisor Myrna Melgar, District 7
1 Dr. Carlton B. Goodlett Place, Room 260
San Francisco, CA 94102
www.sfbos.org/melgar
Sign up to receive Supervisor Melgar's Newsletter

--
Denise M. LaPointe
President
WTPCC

West of Twin Peaks Central Council

A Resource for Neighborhood Organizations West of Twin Peaks in San Francisco since 1936

PO Box 27112
San Francisco, CA 94127

http://www.westoftwinpeaks.org/

November 24, 2025

Supervisor Myrna Melgar
Chair, Land Use and Transportation Committee

Supervisor Melgar,

Thank you for your response and for outlining your perspective as Chair of Land Use and Transportation on the Family Zoning Plan which was received after the close of business on November 21,2025. I appreciate the time you took to address several of the issues we raised. That said, there remain important points that deserve clarification if we are to maintain a constructive and transparent dialogue on a matter of such significant consequence to District 7 residents.

I do, however, want to better understand one particular line in your letter:

"These goals are not mutually exclusive, but neither should be held hostage by the other."

To be candid, this characterization is troubling. West of Twin Peaks Central Council (WTPCC) has raised substantive, good-faith concerns about the Family Zoning Plan's timing, implications, and state-law compliance to you, the Planning Department and the Mayor's office. Engaged neighborhood advocacy is not "hostage-taking," nor is it an attempt to obstruct the City's legal obligations. It is the core of civic participation - something I know you value. I would appreciate your clarification on why that framing was used and what, specifically, you believe our membership is "holding hostage."

Beyond that, several areas require further explanation if our member organizations are to fully understand the implications of the proposal:

First**,** while we understand the Charter deadlines that govern the General Plan Amendment, the community is seeking assurance that the accelerated timeline does not come at the expense of meaningful public review. The 90-day clock may be fixed, but thoughtful policymaking still requires engagement beyond procedural minimums - particularly on a zoning overhaul that will reshape long-established neighborhoods and our quality of life.

Second**,** you note that the City has been informed that density decontrol cannot be removed under current state compliance expectations. For many residents, this remains the most consequential component of the proposal. If this position is indeed immovable, we ask that your office clearly articulate what alternative adjustments are available to ensure predictability, impact mitigation, and neighborhood-appropriate outcomes across District 7.

Third, your letter references improvements the Board has made to the mayor's original legislation - including tenant protections, small business incentives, and safeguards for landmarks and historic buildings. We ask for a full summary of these amendments prior to December 1, 2025, so our member organizations can accurately understand their scope and effect.

While we recognize the legal framework imposed by state law, constituents expect their supervisor – our representative - to advocate for solutions that both comply with state requirements and reflect local conditions and impacts. West of Twin Peaks homeowners and residents want a zoning plan that achieves housing goals responsibly, without unforeseen consequences for infrastructure, public safety, schools, and neighborhood character. We believe these objectives are not only compatible but essential and achievable.

Our role is to represent the residents who will live with the consequences of these decisions. Your role is to ensure those concerns are fully considered, heard without dismissive language, and integrated into the City's policymaking rather than caricatured.

We remain willing partners in improving San Francisco's housing future. What we ask, respectfully, is that our concerns be met with the same seriousness and responsibility with which we bring them forward. We look forward to your clarification and to a continued dialogue rooted in mutual respect and accountability to the people of District 7.

Sincerely,
Denise LaPointe
President, West of Twin Peaks Central Council

Cc: Mayor Daniel Lurie
Board President, Supervisor Rafael Mandelman
WTPCC Delegates and interested neighbors

From:	Melgar, Myrna (BOS)
To:	D M LaPointe; Carroll, John (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS)
Cc:	Wtpcc Delegates; Wtpcc Officers; Lurie, Daniel (MYR); Segal, Ned (MYR); Dennis Phillips, Sarah (CPC); Tanner, Rachael (CPC); Farrah, Michael (BOS)
Subject:	Re: Family Zoning - continue item
Date:	Friday, November 21, 2025 5:24:44 PM
Attachments:	Melgar Response to WTPCC - 11.20.2025.pdf

Dear Denise and Members of the West of Twin Peaks Central Council,

Thank you for your letter. Please find my response attached.

The next Committee hearing on the rezoning items will be on Monday, December 1, 2025 at 1:30pm.

Sincerely,

Myrna

From: D M LaPointe <president@westoftwinpeaks.org>
Sent: Monday, November 17, 2025 8:32 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>
Cc: Wtpcc Delegates <wtpcc-delegates@googlegroups.com>; Wtpcc Officers <wtpcc-officers@googlegroups.com>; Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>; Segal, Ned (MYR) <ned.segal@sfgov.org>; Dennis Phillips, Sarah (CPC) <sarah.dennis-phillips@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>; Farrah, Michael (BOS) <michael.farrah@sfgov.org>
Subject: Family Zoning - continue item

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please find attached a letter of concern from WTPCC on the Family Zoning Plan.

--
Denise M. LaPointe
President
WTPCC

Office of Supervisor Myrna Melgar, District 7
1 Dr. Carlton B. Goodlett Place, Room 260
San Francisco, CA 94102
www.sfbos.org/melgar
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Member, Board of Supervisors
District 7

City and County of San Francisco

MYRNA MELGAR

November 20, 2025

Ms. Denise LaPointe
President
West of Twin Peaks Central Council

RE: Letter Responding to Family Zoning Plan Deadline and State Law

Dear Ms. LaPointe,

I appreciate the time and effort you invested in outlining the concerns of the West of Twin Peaks Central Council. Your commitment to your neighborhoods is evident, and your voice is an important part of this conversation. That said, I need to be equally clear in my response.

The passage of the Family Zoning Plan cannot be delayed. The deadline is dictated by our own City and County Charter. If the Board of Supervisors fails to act within 90 days of receipt of the General Plan Amendment, which is part of the Zoning package, the General Plan Amendment will be deemed approved. It would be irresponsible for the Board to lapse on this timeframe. The vacancy of a member of the Board of Supervisors for District 4 created by the recall of the former District 4 representative can only be addressed by the Mayor, not the Board, but it cannot delay or stop the Board's work. We have a quorum, and the authority and responsibility to carry on our work. Additionally, I can assure you that former Supervisor Engardio did work on this plan extensively until he was recalled.

In addition, as you note in reference to recent communications from the California Department of Housing and Community Development (HCD), extensions are not being considered at this time. The City has been informed that removal of density decontrol is likewise not on the table under current state compliance expectations. We cannot operate under the assumption that delay or rollback is a viable strategy when the state has been explicit about its requirements.

I also recognize and share concerns about SB 79, which is why my office advocated for amendments to ensure that it did not impede our ability to pass a local plan. This exemption is critical and sets the framework moving forward. The Family Zoning Plan, inclusive of density decontrol, would provide the City the ability to submit a compliant alternative plan that exempts the City now and into the future. SB 79 requires that the alternative plan be resubmitted for approval by 2032.

San Francisco must move forward within the legal and regulatory framework we are given. The Board of Supervisors has greatly improved on the Mayor's original legislation: we have added protections for tenants, incorporated incentives for small businesses, larger family-sized units, transparency in the process, protection for landmarks and historic buildings, and made the plan more workable for each district.

I respect the long history and civic stewardship of the West of Twin Peaks neighborhoods. I also believe that San Francisco must grapple honestly with its housing and land use responsibilities. These goals are not mutually exclusive, but neither should be held hostage by the other.

Thank you again for your letter and for your continued engagement.

Sincerely,

Myrna Melgar
Supervisor, District 7
San Francisco Board of Supervisors

City Hall • 1 Dr. Carlton B. Goodlett Place • Room 244 • San Francisco, California 94102-4689 • (415) 554-6516 Fax
(415) 554-6546 • TDD/TTY (415) 554-5227 • E-mail: Myrna.Melgar@sfgov.org

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Mchugh, Eileen (BOS); BOS-Operations; BOS Legislation, (BOS); Carroll, John (BOS)
Subject:	4 Letters regarding Zoning
Date:	Friday, November 21, 2025 11:39:18 AM
Attachments:	4 Letters regarding Zoning.pdf

Hello,

Please see attached for 4 letters regarding Zoning.

File No. 250966: General Plan Amendments - Family Zoning Plan

File No. 250700: Zoning Map - Family Zoning Plan (Mayor, Sauter, Mahmood, Dorsey)

File No. 250701: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

File No. 251072: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From:	Deanb182@everyactioncustom.com on behalf of Dean Badessa
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Thursday, November 20, 2025 3:55:56 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Dean Badessa
San Francisco, CA 94109

From:	carobikam@everyactioncustom.com on behalf of Robert Heisler
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Wednesday, November 19, 2025 8:24:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

The Land Use Committee, on a vote of 2-1, has blocked Supervisor Chan's amendments and its Chair declined to invite HCD, the state oversight agency, to answer questions publicly.

The Committee must advance these compliant amendments for the protection of sound housing, historic resources, and our coastline to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparent and accountable planning, not obvious trained obedience to the developer syndicate.

Additional comments:

Sincerely,
Robert Heisler

From:	debhowj@everyactioncustom.com on behalf of Debra Leifer
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Wednesday, November 19, 2025 2:06:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I voted for Mayor Lurie and I am in favor of housing development. However, as both a long time resident of San Francisco, and someone who had a career of over 40 years in the architecture and design industry, I strongly oppose Mayor Lurie's current upzoning plan. To begin with - the proposed 8 story, 526 unit development over Safeway in my Outer Richmond neighborhood is totally out of scale with the neighborhood where the adjacent condo complexes are all just 3 stories high. Why not start building this 8 story, 526 unit at the abandoned Car wash site on Divisadero Street, which was slated for housing? Or, how about building these units at the Coronet Theatre and / or the Alexandria Theatre on Geary Blvd, both closed over 20 years ago and awaiting redevelopment? How about Park Merced where 4 towers were supposed to be built for additional housing?

It appears that Mayor Lurie's current upzoning plan incentivizes the demolition of existing homes, displaces renters and small businesses, and transforms our neighborhoods into unaffordable luxury high-rise corridors. Therefore, we call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

Sincerely,
Debra Leifer
San Francisco, CA 94121

From: Bob Fitch
To: Board of Supervisors (BOS)
Subject: demolition of rent controlled housing
Date: Wednesday, November 19, 2025 9:27:24 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Any Supervisor who votes for an "up zoning plan" that includes demolition of existing housing will face a recall. period.

Bob Fitch
North Beach

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Mchugh, Eileen (BOS); BOS-Operations; BOS Legislation, (BOS); Carroll, John (BOS)
Subject:	43 Letters regarding Zoning
Date:	Wednesday, November 19, 2025 12:10:50 PM
Attachments:	43 Letters regarding Zoning.pdf

Hello,

Please see attached for 43 letters regarding Zoning.

File No. 250966: General Plan Amendments - Family Zoning Plan

File No. 250700: Zoning Map - Family Zoning Plan (Mayor, Sauter, Mahmood, Dorsey)

File No. 251071: Zoning Map - Family Zoning Plan (Mayor, Sauter, Mahmood, Dorsey)

File No. 250701: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

File No. 251073: Planning, Business and Tax Regulations, Administrative Codes - Family Zoning Plan (Mayor)

File No. 251072: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From:	mel.e.simp@everyactioncustom.com on behalf of Melinda Simpson
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 1:31:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Melinda Simpson
San Francisco, CA 94127

From:	mary.lipian@everyactioncustom.com on behalf of Mary Lipian
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 1:30:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a long time resident in District 3 having lived there since 1997. This is the most highly concentrated area in the entire city and I'm concerned that the best interests of the residents are not being taken into account? How can that be?

North Beach and Telegraph Hill are magical and full of character. This is the Barbary Coast. Why would we want to change what is working so well? The 40 foot height limit needs to be protected to ensure this character.

I heard that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

I feel strongly that the Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Mary Lipian
San Francisco, CA 94133

From:	mpegdietz@everyactioncustom.com on behalf of Margaret Dietz
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 17, 2025 1:25:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan and renter in District 3, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing AFFORDABLE rent-controlled buildings, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable (and therefore vacant) luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps - JUST DO THE MINIMUM TO MEET STATE MANDATES FOR NOW!
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

Limit new construction to 6 stories.
Save the Coastal Zone from this.
City land must be used only if the housing is 100% AFFORDABLE.
Do not densify so-called "transit corridors" until Muni can handle it. The 38 GEARY is already too crowded and unpleasant to ride, forcing people back into their cars.
The Mayor's Plan is TOO EXTREME and not focused on Affordability.

Sincerely,
Margaret Dietz
San Francisco, CA 94109

From:	shopdicke@everyactioncustom.com on behalf of Leslie Dicke
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 1:05:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

I'm a fourth generation San Franciscan who cares deeply about our city growing in a thoughtful and intelligent way that preserves character, enhances affordability and supports small business.

Sincerely,
Leslie Dicke
San Francisco, CA 94123

From: cutelynx@everyactioncustom.com on behalf of Qi Wolf
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 1:01:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Qi Wolf
San Francisco, CA 94123

From:	cutelynx@everyactioncustom.com on behalf of Qi Wolf
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 1:01:18 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Qi Wolf
San Francisco, CA 94123

From:	paulagiants@everyactioncustom.com on behalf of Paula Katz
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:36:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

My name is Paula Katz and I am a decades-long District 4 homeowner and resident without a supervisor to represent me and the rest of District 4. We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

It's critical that the Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands. These amendments are important, and SF residents should know how each of their representatives stand on these critical amendments. Hopefully by that time we'll have a new D4 supervisor, and we'll want to know how she/he stands on both of these amendments, which I and many other D4 residents support.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance. This is useful information for all supervisors, as they will not have studied the Mayor's proposals as closely as the Land Use Committee has. And the HD's information will be critical for helping to educate our new supervisor and bringing them up to speed on this issue.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Paula Katz
San Francisco, CA 94116

From: ms.pedroni@everyactioncustom.com on behalf of Lilianna Pedroni
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 12:28:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

Sincerely,
Lilianna Pedroni
San Francisco, CA 94133

From:	ms.pedroni@everyactioncustom.com on behalf of Lilianna Pedroni
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:27:56 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Lilianna Pedroni
San Francisco, CA 94133

From:	sf.lorna@everyactioncustom.com on behalf of Lorna Walker
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:22:33 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Lorna Walker
San Francisco, CA 94115

From:	joanneshanahan135@everyactioncustom.com on behalf of joanne shanahan
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:17:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

I am a 4th generation San Franciscan and was appalled when I heard that! You need to hear from all of us especially those that live in the affected areas. I realize the need for housing but what works for one neighborhood does not work for another. Please listen to us!

Sincerely,
joanne shanahan
San Francisco, CA 94116

From: rkinsf@everyactioncustom.com on behalf of Richard Kay
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 12:16:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

I honestly don't think that there's enough information available to the average San Franciscan. I can't tell by looking at maps, what my neighborhood will become. Please do more outreach! I haven't heard anything from my supervisor. thank you.

Sincerely,
Richard Kay
San Francisco, CA 94117

From:	awawd@everyactioncustom.com on behalf of Ansel Wettersten
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:15:48 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Ansel Wettersten
San Francisco, CA 94109

From:	naplisa123@everyactioncustom.com on behalf of Ann Napoli
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:12:37 PM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Ann Napoli
San Francisco, CA 94127

From:	johngarrity@everyactioncustom.com on behalf of John Garrity
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:12:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
John Garrity
San Francisco, CA 94127

From:	familyadler@everyactioncustom.com on behalf of B Adler
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:10:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

My neighbors in the Sunset District are shocked to hear this lack of response and transparency!

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

We expect much better from our government.

Sincerely,
B Adler

From: shop@everyactioncustom.com on behalf of beth weissman
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 12:05:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
beth weissman
San Francisco, CA 94115

From: ademas1@everyactioncustom.com on behalf of Anita Demas
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 12:05:44 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

This upzoning is causing clear and deserved outrage. The fact that there are attempts to circumvent and silence the voices of constituents is unacceptable. This is clearly an ill-thought out and devastatingly impactful plan. As a 35+ year resident, I am disgusted and disappointed that the beauty of SF is at stake and that lawmakers are pandering to developers and others. I vote and your choices will be noted.

Dr. Anita Demas

Sincerely,
Anita Demas
San Francisco, CA 94118

From:	jamiespiral55@everyactioncustom.com on behalf of J Sheldon
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 12:01:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Dear Supervisor Connie Chan,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments: I was born in San Francisco over 70 years ago, and have lived in District 1 for nearly 27 years. I urge you to not let Supervisor Melgar to block your and Chen's amendments ASAP.

Sincerely,
J Sheldon

From:	marycmcf@everyactioncustom.com on behalf of Mary McFadden
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:43:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Prohibiting public opinion is the opposite of representing one's constituents. To forbid oversight & prevent citizens from determining the shape of the city we built, we live in, & we maintain is anti-democratic and the opposite of what supervisors are elected to do. Melgar needs to be reminded that her job is to represent constituents, not special interests, developers, or her own ambitions.

Sincerely,
Mary McFadden
San Francisco, CA 94115

From:	amy7w2m@everyactioncustom.com on behalf of Amy Meyer
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:33:46 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I live in Lincoln Manor on Clement Street.

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

I am very concerned that full information come before the public at this meeting, in order to understand the full effects of the legislation.

Sincerely,
Amy Meyer
San Francisco, CA 94121

From:	wrthoma@everyactioncustom.com on behalf of Walter Thoma
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:33:37 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

I have noticed an large increase in new multi-story housing complexes in my Excelsior neighborhood yet the infrastructure remains unchanged resulting in further congestion, poor law enforcement (we don't even have a police station) and lack of parking for residents and businesses. It's also unclear how many units are for lower income, elderly and working class San Franciscans. I personally believe that without analyzing the impact of increased housing on traffic, safety, public transit and quality of life issues, San Francisco will become an unlivable city for most outside of the wealthy class.

Sincerely,
Walter Thoma
San Francisco, CA 94112

From:	Paul Conroy
To:	Melgar, Myrna (BOS)
Cc:	Board of Supervisors (BOS); Lurie, Daniel (MYR)
Subject:	"Family Zoning Plan"
Date:	Monday, November 17, 2025 1:37:18 PM
Attachments:	To Supervisor Melgar re Family Zoning Plan.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Melgar,
Ingleside Terraces Homes Association, representing your constituents and neighbors in Ingleside Terraces, again asks that you take steps to protect our neighborhood from the damage that will be inflicted by adoption of the "Family Zoning Plan" in its present form. This appeal follows on our August 29, 2025 letter to the mayor which we copied to you, setting forth a multitude of reasons why this unnecessary and destructive plan should be rejected. Our members have also provided public comment before your committee, expressing our strong concerns about this plan.

We reiterate those reasons, and further request that, if this plan is to be adopted, at a minimum: the amendments proposed to prevent demolition of sound housing and historic resources be adopted; density decontrol be removed; setbacks, height transitions and massing rules be preserved; forty-foot height limits be preserved for commercial corridors adjoining low scale residences; and historic resources, including category "A" structures, be preserved.

We also request that your committee postpone final consideration of this plan until our neighbors, the residents of District 4, have a new supervisor in place to represent their interests. We believe that every district should be represented by its own supervisor to advance the interests of that district's constituency. Certainly, the purpose of district elections is for communities within each district to be truly represented by a supervisor who has the best interests of their constituents at heart.

Very truly yours,
Paul Conroy, President
Ingleside Terraces Homes Association

Cc: Members of the San Francisco Board of Supervisors
Mayor Lurie
Ingleside Terraces Homes Association (ITHA) Board of Directors
All Ingleside Terraces residents via Email and ITHA Website
West of Twin Peaks Central Council

Neighborhoods United SF

Paul Conroy, President
Ingleside Terraces Homes Association
www.ithasf.org

Ingleside Terraces Homes Association

P.O. Box 27304 ● San Francisco, California 94127

November 17, 2025

The Honorable Myrna Melgar, Chair
Land Use and Transportation Committee
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Via email

Re: "Family Zoning Plan"

Dear Supervisor Melgar,

Ingleside Terraces Homes Association, representing your constituents and neighbors in Ingleside Terraces, again asks that you take steps to protect our neighborhood from the damage that will be inflicted by adoption of the "Family Zoning Plan" in its present form. This appeal follows on our August 29, 2025 letter to the mayor which we copied to you, setting forth a multitude of reasons why this unnecessary and destructive plan should be rejected. Our members have also provided public comment before your committee, expressing our strong concerns about this plan.

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We also request that your committee postpone final consideration of this plan until our neighbors, the residents of District 4, have a new supervisor in place to represent their interests. We believe that every district should be represented by its own supervisor to advance the interests of that district's constituency. Certainly, the purpose of district elections is for communities within each district to be truly represented by a supervisor who has the best interests of their constituents at heart.

Very truly yours,

Paul Conroy, President
Ingleside Terraces Homes Association

Cc: Members of the San Francisco Board of Supervisors
Ingleside Terraces Homes Association (ITHA) Board of Directors
All Ingleside Terraces residents via Email and ITHA Website
West of Twin Peaks Central Council
Neighborhoods United SF

From:	robert.stern47@everyactioncustom.com on behalf of Robert Stern
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 2:45:13 PM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
I also wanted to note that I'm a Sunset District resident, and these issues directly affect my neighborhood and my ability to remain in my home.

Sincerely,
Robert Stern
San Francisco, CA 94122

From:	ajsmith@everyactioncustom.com on behalf of Artemis Smith
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 2:44:53 PM

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Dear Board of Supervisors,

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The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
I also wanted to note that I'm a Sunset District resident, and these issues directly affect my neighborhood and my ability to remain in my home.

Sincerely,
Artemis Smith
San Francisco, CA 94122

From:	soaring_leap@everyactioncustom.com on behalf of Lauren Meredith
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 2:38:30 PM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments: Upzoning should be about affordable housing and little else. And squeezing out public input on such a massively important issue is wildly unfair. Let Chan and Chen's amendments advance!

Sincerely,
Lauren Meredith
San Francisco, CA 94121

From:	antispila@everyactioncustom.com on behalf of Candace Low
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 2:35:53 PM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Candace Low
San Francisco, CA 94122

From:	sf_district6@everyactioncustom.com on behalf of Michael Nulty
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 17, 2025 2:24:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees. Zoning can be done in phases and not all at once, for some reason the politicians are giving away the keys to the city!

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Michael Nulty
San Francisco, CA 94109

From: carolkellyclark@everyactioncustom.com on behalf of Carol Clark
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 2:23:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a resident in the West Portal area.
I reject any idea of buildings more 4 stories.
It is unnecessary to have huge high rise buildings in residential areas.
High rises belong downtown.

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's up zoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required.
This is not planning.

Sincerely,
Carol Clark
San Francisco, CA 94127

From:	kielygomes@everyactioncustom.com on behalf of Karen Schwartz
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 2:19:32 PM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Karen Schwartz
San Francisco, CA 94114

From: clarable@everyactioncustom.com on behalf of Claire Mills
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 1:43:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Our city is our city and we all should be a part of this public process!

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountability.

Sincerely,
Claire Mills
San Francisco, CA 94123

From:	Devon Bolla
To:	Carroll, John (BOS); Board of Supervisors (BOS)
Cc:	Ryan Patterson; Ephraim Margolin; Sonja Trauss
Subject:	Proposed Family Zoning Plan and Housing Element Implementation: File Nos. 250700, 250701, 251071, 251073, 250985, and 250966
Date:	Monday, November 17, 2025 2:44:12 PM
Attachments:	2025.11.17 Ltr re SF Family Zoning Plan - RJP.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon,

Attached for your review is a memo regarding a proposed family zoning plan and housing element implementation.

Thank you,

Devon J. Bolla
(she/her)
Paralegal
Patterson & O'Neill, PC
Office: (415) 907-9110
Direct: (415) 907-7703
Fax: (415) 907-7704
235 Montgomery Street, Suite 950
San Francisco, CA 94104
devon@pattersononeill.com
www.pattersononeill.com

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From:	Ryan Patterson
To:	Carroll, John (BOS); Board of Supervisors (BOS)
Cc:	Ephraim Margolin; Sonja Trauss; Devon Bolla
Subject:	RE: Proposed Family Zoning Plan and Housing Element Implementation: File Nos. 250700, 250701, 251071, 251073, 250985, and 250966
Date:	Monday, November 17, 2025 2:58:40 PM
Attachments:	2025.11.17 Ltr re SF Family Zoning Plan - RJP.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Further to the below email, can you please kindly add the attachment to the above-captioned files?

Thank you very much,

Ryan J. Patterson
Patterson & O'Neill, PC
Main: (415) 907-9110
Direct: (415) 907-7701
Mobile: (530) 913-7609
Fax: (415) 907-7704
235 Montgomery Street, Suite 950
San Francisco, CA 94104
ryan@pattersononeill.com
www.pattersononeill.com

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From: Devon Bolla <devon@pattersononeill.com>
Sent: Monday, November 17, 2025 2:43 PM
To: john.carroll@sfgov.org; Board.of.Supervisors@sfgov.org
Cc: Ryan Patterson <ryan@pattersononeill.com>; Ephraim Margolin <emargolin@pattersononeill.com>; Sonja Trauss <sonja@yimbylaw.org>
Subject: Proposed Family Zoning Plan and Housing Element Implementation: File Nos. 250700, 250701, 251071, 251073, 250985, and 250966

Good afternoon,

Attached for your review is a memo regarding a proposed family zoning plan and housing

element implementation.

Thank you,

Devon J. Bolla
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November 17, 2025

VIA EMAIL

Chair Myrna Melgar
Land Use and Transportation Committee
San Francisco Board of Supervisors
49 South Van Ness Avenue
San Francisco, CA 94103
john.carroll@sfgov.org
Board.of.Supervisors@sfgov.org

Re: Proposed Family Zoning Plan and Housing Element Implementation
File Nos. 250700, 250701, 251071, 251073, 250985, and 250966

Dear Chair Melgar and Honorable Supervisors:

Our office represents Yes In My Back Yard ("YIMBY Law"), a 501(c)(3) non-profit organization whose mission is to enforce state housing laws. We write to share our concerns regarding San Francisco's proposed Family Zoning Plan ("FZP"). Our comments incorporate the comments of YIMBY Action and its members, including the attached letters dated September 11, 2025 and October 29, 2025.

I. The City Will Violate the Housing Element Law if it Adopts the FZP Knowing that it Will Not Produce the Required Housing Units

The City's 6th cycle housing element noted that the City was unable to identify enough sites to accommodate the number of units for lower- and moderate-income households, including a 15% buffer, that it was assigned to plan for during its 6th cycle ("RHNA Shortfall"). The Department of Housing and Community Development, therefore, directed the City to include a program in its housing element identifying sites for rezoning to accommodate these units as mandated by the Housing Element Law. (Gov. Code § 65584.09(a)-(b); Gov. Code § 65583(c)(1); *Martinez v. City of Clovis* (2023) 90 Cal. App. 5th 193, 225.) However, the City's proposed rezoning program—Program 7.1.1— and the FZP, which implements Program 7.1.1, are inadequate because (1) the City's own analysis found that the FZP will not create enough units for the City to meet its RHNA Shortfall; (2) the FZP will not create sufficient capacity because it relies on density decontrol in residential neighborhoods without corresponding changes in development standards; and (3) the FZP's local alternative to the state Density Bonus Law will not increase

density because it is duplicative of existing capacity under the state Density Bonus Law.

A. The Chief Economist's Report Confirms that the FZP Will Not Create Enough Units for the City to Meet its RHNA Shortfall

On October 29, 2025, the City's Chief Economist published a report, which found that the FZP will produce **less than half** the number of housing units that the City is required to plan for to meet its RHNA Shortfall – in more than double the time allowed. The report concluded that in a best-case scenario, the FZP would only produce around 14,600 additional units over the next 20 years, representing just 40% of the 36,282 units the City is required to plan for over the next eight years. Under a low-growth scenario, the FZP would only produce 8,504 units over 20 years. Either scenario is inadequate and would be a spectacular failure of the City to comply with the Housing Element Law, which requires local governments to plan to meet their RHNA shortfall through rezoning programs. (Gov. Code § 65583(c)(1) and Gov. Code § 65583.2(h).)

B. The FZP Will Not Create Sufficient Capacity Because it Relies on Density Decontrol in Single-Family Neighborhoods But Does Not Create Room for Additional Density

The FZP uses form-based zoning without corresponding changes in development standards in single-family neighborhoods, which means developers cannot build in these areas. Therefore, the FZP does not actually increase capacity in these neighborhoods.

The FZP uses form-based zoning (also called density decontrol), which regulates the allowed density on a site by setting limits on height, bulk, setbacks, and other features (rather than setting numerical density limits). And while the City claims that the change from the existing numerical density limits to form-based zoning will produce additional units, its refusal to ease the existing limitations on height, bulk, and other standards that limit the buildable envelope for construction in these neighborhoods means there is no actual capacity to build additional units. For example, a lot with an existing single-family home that occupies most or all of the buildable area is unlikely to be redeveloped into multifamily housing because without easing height limits, setbacks, parking minimums, and the like, there will be no place to build the additional units.

The FZP promises to increase density, but its use of form-based density without easing height limits, setbacks, parking minimums, and other development standards will prevent building in the City's highest-resourced neighborhoods.

C. The FZP's Alternative to the State Density Bonus Law Does Not Add Sufficient Density

The City contends that its local alternative to the state Density Bonus Law will create additional capacity for housing production, and it relies on that claim to meet its RHNA shortfall. However, almost all of the capacity that the City is relying on is already available for housing production through the state Density Bonus Law, so the City's local alternative is duplicative of existing capacity under the state Density Bonus Law.

The state Density Bonus Law requires local agencies to grant density bonuses under the state law to qualifying projects. (Gov. Code § 65915(a)(1)-(b).)

The FZP would give applicants a local alternative to the state Density Bonus Law called Housing Choice-San Francisco ("HCSF"). Crucially, HCSF does not offer any increase in density beyond what is offered by the state Density Bonus Law in most locations. Moreover, when both the state Density Bonus Law and HCSF are available, applicants can only avail themselves of one.

The state Density Bonus Law is intended as a bonus on *top* of local rules. (Gov. Code § 65915(u)(1).) But the HCSF offers no increase in density beyond what developers are already entitled to under the state Density Bonus Law when a project is eligible for both. Therefore, the HCSF does not create the additional capacity required by the Housing Element Law.

II. The City Fails to Use the Required "Analytical Model" to Determine the Likelihood of Site Development

The FZP fails to use the "analytical model" required by the City's housing element. When a city includes a program in its housing element, the Housing Element Law makes it mandatory to implement the features of those programs. (Gov. Code § 65581(b); Gov. Code § 65583(c)(1); *Hoffmaster v. City of San Diego* (1997) 55 Cal.App.4th 1098.)

Program 7.1.1 of the City's housing element commits the City to implementing a rezoning program that "reasonably account[s] for sites' likelihood of development during the planning period using an analytical model." In addition to the Housing Element Law, which makes it mandatory for the City to use an "analytical model," the City's housing element uses mandatory language, stating that the City "shall" build its rezoning program around such a "probability-of-development" analysis. The FZP, however, fails to use an "analytical model," in violation of the housing element. Instead, the FZP uses three alternative methods to estimate how many housing units the FZP will produce, none of which meets the requirements of Program 7.1.1.

First, the City proposes using a "soft sites" method, which assumes that a site that is already developed with a residential use has a two percent probability of being redeveloped with the FZP's planned residential capacity, and a site that is already developed with a non-residential use has a seventy percent probability of redevelopment with a residential use. This assumption is just that, and not an analytical model. Such rigid calculations based on uniform, citywide assumptions about the odds of development on thousands of very different sites are not an "analytical model" and do not "reasonably account for sites' likelihood of development" as required by Program 7.1.1.

Second, the City assesses the likelihood of a given site being developed under the rezoning proposal using a model that evaluates whether new housing is financially feasible at a given site. The model assumes that two percent of sites currently occupied by residential uses and thirty-five percent of other sites will be redeveloped with economically feasible new housing developments. Again, this is not an "analytical model" that "reasonably account[s] for sites' likelihood of development" as required by Program 7.1.1 because its assumptions are not grounded in historical development standards in San Francisco, and its focus on financial feasibility is a distinct concept from focusing on "the probability of development." It may be financially feasible for a property to be redeveloped, but that same property can have a low likelihood of being redeveloped for a variety of reasons, especially for single-family homes that play a big role in the FZP, and which already contain high-value structures or the property owner faces financial constraints, lack of development experience, or the need to use the property for their own housing. Moreover, even if this method were accurate, it projects only 19,000 new units of housing over the planning period – far below the requirement of 36,282 new units.

The third model that the City relies on involves examining the rate at which units across the City were approved using historical data from 2005-2023 and multiplying that by the theoretical capacity of the sites. This model does not qualify as an "analytical model" because it ignores the fact that much of the development in the City in recent years has taken place on vacant sites or extremely underutilized land. In fact, around 25% of sites that were redeveloped from 2005-2023 had residential uses before redevelopment, while around 84% of sites under the FZP have residential uses. Non-vacant sites already containing residential uses are 70% less likely to be redeveloped according to the City's own analysis, and the FZP errs in assuming that non-vacant and vacant sites will be redeveloped at the same rate. (*See* Housing Element, Appendix B.2, Figure 2.) Since the FZP mostly contains parcels with residential uses, unlike past development, this approach of extrapolating from past development does not correspond to future development predictions.

The areas where housing would be built under the FZP already contain high-value structures, such as single-family homes, where the owners are unlikely or unable to redevelop the site as multi-family housing due to financial constraints, lack of development experience, and the need to use their properties for their own housing.

These areas will have much lower rates of redevelopment, which this model does not take into account. Moreover, this model has unrealistically low estimates of the City's residential zoning capacity in prior years (thus inflating the share of residential zoned capacity that has been built out) and the inclusion of residential projects built under development agreements, which do not correspond to rezonings, and which were separately counted towards the City's pre-existing residential zoned capacity in the housing element. These two reasons disqualify this model from being an "analytical model."

Additionally, the FZP does not create sufficient capacity because it assumes certain large pipeline projects will actually be constructed within the planning period, when in reality such development is exceedingly unlikely – if not impossible. For the Hunters Point/Candlestick project, approximately 3,500 units are located on Navy-owned parcels. The City will not even obtain control of these parcels until the Navy finishes remediation, which is estimated to take at least 11 more years. ("The Navy has recently informed OCII that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, to Developer will occur between 2036-2038 . . . ." (Resolution No. 26-2024, available at https://sfocii.org/sites/default/files/2024-08/5.%20RESO%2026-2024_HPS%20Approval%20of%20Amendments%20to%20Redevelopment%20Plan.pdf; *see also* https://www.sfchronicle.com/sf/article/hunters-point-shipyard-radioactive-materials-21129542.php.) Similarly, Treasure Island's phasing includes a maximum of 4,600 units completed before 2031, but the City is counting all 8,000 units toward the pipeline. (*See* https://media.api.sf.gov/documents/Ex._JJ_-_SOP.pdf; Treasure Island Sub-Phase Application 3, Schedule of Performance, Exh. JJ, Appendix B, https://media.api.sf.gov/documents/TI_Sub-Phase_Application_3_Book-Revision_1_-_reduced.pdf.)

Since none of the three models that the City considers qualifies as a reasonable "analytical model," the City is violating its legally binding commitment under Program 7.1.1.

III. The FZP Adds New Constraints On Housing Production and Fails to Analyze the Impact of These Constraints

The FZP adds new constraints on housing development, which were not analyzed in its housing element, in violation of the Housing Element Law and Senate Bill ("SB") 330.

A. The FZP's New Constraints Violate the Housing Element Law

The FZP adds new constraints on housing production, which it fails to analyze as required by the Housing Element Law. When considering rezoning plans, the Housing Element Law requires local governments to analyze new governmental constraints on housing production. (Gov. Code § 65583(a)(5); *see also Californians*

for Homeownership, Inc. v. City of Beverly Hills (2023) Los Angeles County Superior Court, Case No. 23STCP00143, at p. 6, [finding planned rezonings for housing element site inventory must analyze new constraints].)

The FZP adds new constraints on development that were not analyzed by the City's housing element, including caps on dwelling unit size, limits on curb cuts, lower parking maximums, and limits imposed by the City's local alternative to the state Density Bonus Law. As explained above, the FZP imposes new constraints because it deprives applicants of the ability to use the state Density Bonus Law in conjunction with the City's local alternative to the state Density Bonus Law, which reduces the number of units the FZP will produce. Other constraints reduce physical development capacity, e.g., caps on dwelling unit size that cannot accommodate larger families, and reduce the economic feasibility of developing housing. The FZP does *not* analyze the impact of these policies on housing production. The FZP, therefore, violates the Housing Element Law's requirement that local governments analyze new governmental constraints on housing production if they were not analyzed in a housing element. (Gov. Code § 65583(a)(5).)

B. The FZP's New Constraints Violate SB 330's Prohibition Against Rezonings Which Decrease Housing Intensity

The FZP's new constraints on housing violate SB 330's prohibition against rezonings which "lessen the intensity of housing." (Gov. Code § 66300(b)(1)(A).)

SB 330—also known as the Housing Crisis Act—prohibits local governments from enacting a development policy, standard, or condition that would "Chang[e] the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reduc[e] the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018[.]" (*Id.*) SB 330 defines "less intensive use" as including situations where a local government imposes reductions to the height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, maximum lot coverage limitations, or "*any other action that would individually or cumulatively reduce [a] site's residential development capacity*." (*Id.*; emph. added.)

As mentioned above, the FZP contains new constraints on housing, including caps on dwelling unit size, limits on curb cuts, and lower parking maximums, reduces the number of units the FZP will produce. These new constraints run afoul of SB 330 because they reduce the size of units that applicants are able to construct, which physically reduces the intensity of residential use and reduces the financial viability of residential construction. The City has also conducted no analysis to show

that there will be a concurrent increase in intensity of land use to offset the decrease in intensity of land use caused by the FZP. (Gov. Code § 66300(h).)

IV. The FZP Violates the Housing Element Law By Relying on an Overlay for Nonvacant Sites Where Development of Nonresidential Uses Is Permitted

The FZP violates the recent decision in *New Commune v. City of Redondo Beach et al.* (2025) 337 Cal.Rptr.3d 782 that overlays cannot be used to meet minimum density requirements required by rezoning programs if they permit developers to redevelop sites for non-residential uses.

As explained above, when a local government cannot accommodate its RHNA Shortfall for lower-income households with a site inventory, it has to include a rezoning program in its housing element. The Housing Element Law also requires jurisdictions that must develop rezoning programs to ensure that at least 50% of the lower income housing the agency must plan for is "accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted." (Gov. Code § 65583.2(h)(2).) As the City acknowledges in Program 7.1.1, it is subject to this statutory minimum density requirement.

In *New Commune*, the court ruled that residential "overlays are unlawful when they allow development below the statutory minimum density [required by Gov. Cod § 65583.2(h)(2)]." (*Id*. at 797.) The court in *New Commune* also noted that residential overlays are unlawful whether they are overlaid over a base zoning that permits residential or industrial and commercial uses. (*Id*.)

The FZP runs afoul of the *New Commune* decision and the Housing Element Law's minimum density requirement because it still permits nonresidential redevelopment of sites. The FZP is an overlay because it does not change the base zoning of properties, but is instead overlaid over existing zones, including non-residential zones. For instance, for properties subject to the FZP developers can still use the underlying C-2 and C-3 zoning to construct commercial structures, which would be below the statutory minimum density because no residential units would be constructed. By permitting developers to build nonresidential projects within the overlay, the FZP violates the Housing Element Law as explained by the court in *New Commune*.

V. The FZP Violates the Prohibition against Jurisdictions Forcing Applicants to Waive Their Right to Use the State Density Bonus Law

The FZP primarily relies on a local alternative to the state Density Bonus Law, which developers can only use if they waive their right to use the state Density Bonus Law. This is a violation of the state Density Bonus Law.

Local agencies are prohibited from adopting ordinances that conflict with the state Density Bonus Law or using their local alternative to impose development requirements that are more restrictive than the state Density Bonus Law. (*Schreiber v. City of Los Angeles* (2021) 69 Cal.App.5th 549.) The court in *Schreiber* made it clear that applicants have the right to use the state Density Bonus Law regardless of any local provisions, and that cities cannot deny, limit, or condition the use of the state Density Bonus Law by requiring an applicant to instead use a local alternative.

The FZP creates a local alternative to the state Density Bonus law called Housing Choice-San Francisco ("HCSF"). HCSF—proposed Planning Code Section 206.10(b)(5)—has only one criterion: that applicants agree to "not receive any density or development bonuses or relief from applicable Planning Code standards in any other State or local law or program[.]" HCSF violates the state Density Bonus Law's prohibition that local agencies cannot bar an applicant from using the state Density Bonus Law, regardless of any local provisions. The FZP illegally forces applicants to choose between the state Density Bonus Law and HCSF, which violates the rule that "an otherwise valid local ordinance that conflicts with the state Density Bonus Law is preempted." (*Latinos Unidos Del Valle De Napa Y Solano v. County of Napa* (2013) 217 Cal.App.4th 1160, 1169.) The City must amend the FZP so that the state Density Bonus Law can be used on *top* of the HCSF, which has the potential to create meaningful housing production.

VI. Conclusion

We urge the City to comply with the law and remedy the deficiencies in its rezoning plan. If the City fails to significantly increase its proposed residential capacity, there will be no realistic chance of meeting its RHNA obligations. YIMBY Law is prepared to take legal action to hold the City accountable for these clear violations of state housing law.

PATTERSON & O'NEILL, PC



Ryan J. Patterson
General Counsel for Yes In My Back Yard

CC CA Department of Housing and Community Development
Mayor Daniel Lurie

Encl. September 11, 2025 Letter from Yes In My Back Yard
October 29, 2025 Letter from Yes In My Back Yard
October 29, 2025 Report from the Chief Economist of San Francisco

EXHIBIT A

YIMBY Law

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YIMBY LAW

9/11/2025

San Francisco Planning Commission
400, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

(via email) commissions.secretary@sfgov.org

Re: San Francisco's Draft Housing Rezoning Program and Compliance with State Law

Dear Commissioners,

YIMBY Law is a 501(c)(3) non-profit organization dedicated to ensuring compliance with California's housing laws. We write today to express significant concerns regarding the City's proposed Housing Element Rezoning Program and the accompanying "Housing Choice–San Francisco" local bonus ordinance.

Summary

While the rezoning plan, including the local program, is a good step forward for housing in San Francisco, we are concerned that the plan does not actually fulfill what it promises to do. The city has produced no publicly available reports that show how the plan will be more capable of delivering the housing San Franciscans desperately need than what state laws already allow. While we support density decontrol, we do not believe the city has shown that the handful of incentives that are coupled with it will be enough to produce any more housing than state laws such as the Density Bonus Law already do.

Capacity Projections

San Francisco's Housing Element made a binding commitment to meet its Regional Housing Needs Allocation (RHNA) through a rezoning program rooted in a probabilistic analytical model Program 7.1.1. San Francisco did not base its rezoning on a site's inventory, but on the projected housing based on that model. The targets and assumptions it sets are enforced by Program 8.1.5. If San Francisco does not produce sufficient units, Program 8.1.5. applies additional upzoning requirements.

Despite the City's commitments to specific unit production, applying the city's own model used to determine the shortfall on the rezone sites, we can determine that the map would produce around 17k homes by 2031, or 47% of the 36k units promised by Program 7.1.1. That regression analysis was built on different logic than the Housing Element's existing capacity analysis. While the proposal does not clearly make up for the RHNA shortfall, its usefulness is difficult to gauge when it functions by different logic than the original rezoning analysis. In order to be comprehensible, realistic, and enforceable, San Francisco must produce a "realistic capacity" table for the rezoned sites that incorporates the Housing Element' regression analysis.

We understand that the City has conducted its own analysis that disputes these figures, but the methodology and details of this analysis have not been made publicly available; therefore we remain concerned and skeptical about the efficacy of the rezoning program in meeting the city's needed housing requirements under housing element law.

Compliance with State Law

San Francisco's rezoning program would institute a local density bonus program that, theoretically, according to the city's assertions (which are not supported by any publicly available information), would accommodate the City's RHNA shortfall. The practical and legal realities according to our analysis suggest that it would fail to produce housing at the suggested rates, and fail to meet statutory requirements.

The latest staff report associated with the September 11 Planning Commission hearing notes that 77% of parcels in the rezoning plan fall into the form based zoning code and will not have their heights increased, while for "the vast majority of residential sites, these changes are only available for projects opting into the local program."

Some proposed areas not eligible for the state bonus would benefit from San Francisco's local program. However, this local program would be exclusive to California's state density bonus law in all areas where both options are available. Whether or not the local program is superior to state incentives, the one cannot replace the other. State density bonus law is intended as a bonus on top of local rules, and should not be supplanted when it generally offers superior development potential.

San Francisco's density decontrol is generally less feasible than the state program. While we applaud the city for applying a local density bonus program to projects between 2-4 units, which are not otherwise eligible for the state density bonus, as well as allowing alternatives to providing on-site affordable units, such as off-site developments, for the vast majority of the city's proposed "rezoning" program, state density bonus law offers a superior alternative: unlimited waivers from local zoning and development standards,

providing limited discretion for local review. Comparatively, the local program is far more stringent. It contains strict rules about building size, setbacks, open space, dwelling unit exposure, and parking allowances. It contains only a 15% reduction of other development standards. The proposal would allow for greater than 15% reductions if approved by a discretionary process. Even if that expensive, time consuming process doesn't result in universal denials, it renders the project not code compliant, forcing the developer to lose protections under the Housing Accountability Act.

While we support the majority of the proposed staff changes made to the local program, we believe that they do not go far enough to ensure that the local program is a superior alternative to state density bonus law. For example, the proposal to require projects with 5+ units to reserve a minimum of 25% of the units for 2+BR units is a constraint that is not required under state density bonus law that will negatively impact density potential for the local program. Additionally, the proposed local program not only requires applicants to choose to give up their option to pursue waivers and incentives under state density bonus law, but *any other* state program that provides its own bonuses or waivers from local zoning, such as AB 2011, which offers waivers of local side and rear setback requirements when those requirements limit feasibility, limits front setback requirements, and allows 55 foot heights, which are greater than the 40 foot height limits proposed for the majority of the local program's rezoned sites.

This proposal not only replaces state density bonus allowances with a worse option, it places new constraints on any such developments via inclusionary requirements and requiring new wind studies on construction. These constraints were not reviewed in the Housing Element, meaning that they may not be imposed or that San Francisco must amend its Element to account for those constraints. New constraints must be accounted for in the Element, to demonstrate how San Francisco can realistically meet its RHNA requirements.

San Francisco must also analyze how this program would interact with existing land use regulations. Transfer taxes, inclusionary requirements, and impact fees are key drivers of unit loss, but have not been incorporated into any City analyses yet. We encourage the City Economist to incorporate them into any future analysis of this program.

Even if all of these deficiencies are corrected, they cannot make up for the requirement to change the base zoning of parcels, as required by Housing Element law and HCD interpretation. Under the new scheme, San Francisco would not change its zoned capacity, and therefore would not comply with state law. Density bonuses must add capacity on top of that allowed for in the zoning code.

Conclusion

Given the substantial deficiencies in San Francisco's rezoning program and the speculative nature of its local density bonus ordinance, the City's Housing Element certification is at risk. The burden is on San Francisco to demonstrate compliance. The use of analytical models that inflate development probability, the reliance on unproven local bonus mechanisms, and the introduction of new constraints all undermine that burden. In short, the program is not legally defensible as currently drafted, with the limited information supporting the city's conclusions that it exceeds the city's RHNA obligation

YIMBY Law has taken legal action against the City of Los Angeles for a similar failure to deliver a legally compliant rezoning program. We sincerely hope litigation will not be necessary in San Francisco. However, San Francisco will be vulnerable to lawsuits from parties working to ensure that the City complies with state law and delivers a realistic path toward housing affordability and accessibility.

We urge the Board to direct Planning to:

- Re-run the BlueSky regression analysis used for the Housing Element's "existing capacity" estimate on the rezoning proposal to produce a transparent, realistic capacity table that is made publicly available.

- Incorporate the waiver and incentive framework of SDBL into the local bonus program, or ensure that projects can access SDBL concurrently.

- Remove new constraints on development introduced by the ordinance.

- Ensure that the rezoning program meets or exceeds the 36,282-unit requirement via base zoning and that its methodology aligns with Program 7.1.1.

The stakes for San Francisco are high. We urge the City to correct course by allowing the use of density bonus and other state programs in combination with the local program.

Sincerely,

Jack Farrell, Esq.
Research Attorney
YIMBY Law

EXHIBIT B

From:	Jane Natoli
To:	paul.mcdougall@hcd.ca.gov
Cc:	gustavo.velasquez@hcd.ca.gov; melinda.coy@hcd.ca.gov; Zisser, David@HCD; megan.kirkeby@hcd.ca.gov; shannan.west@hcd.ca.gov; Frank, Lisa@HCD; Herrera, Fidel@HCD; matthew.struhar@doj.ca.gov; david.pai@doj.ca.gov; alex.fisch@doj.ca.gov; Annie Fryman; Tanner, Rachael (CPC); Chen, Lisa (CPC); Sonja Trauss; matt@caforhomes.org; senator.wiener@senate.ca.gov; Severiano.Christian@sen.ca.gov; Mohtashemi, Raayan; David Broockman; Board of Supervisors (BOS); BOS-Supervisors; Board of Supervisors (BOS); Bonde, Aly (MYR); Dennis Phillips, Sarah (CPC)
Subject:	SF YIMBY"s letter on the City Economist"s report
Date:	Wednesday, October 29, 2025 4:13:34 PM
Attachments:	SF YIMBY FZP Letter October 29 2025.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

We are writing to urgently draw your attention to the just released report from the City Economist that shows San Francisco's rezoning will not meet our state housing requirements. Please see our attached letter, and let me know if you have any questions.

Thank you,

--
Jane Natoli (she/her)
San Francisco Organizing Director
415-335-9950



Check out everything we achieved in 2024!

Paul McDougall, California Department of Housing and Community Development
Mayor Daniel Lurie
San Francisco Board of Supervisors (re: file #250700)
October 29, 2025

We write to urgently draw your attention to **an analysis the City of San Francisco ("SF") released that finds that its own rezoning plan would violate state law.** The Family Zoning Plan ("FZP") is a significant step forward, but the city's analysis found that it will not meet the city's Housing Element's 36,282-unit requirement. **According to the city's own numbers, state law requires the city to conduct additional rezoning beyond the FZP.**

As a reminder, in 2022, the California Department of Housing and Community Development ("HCD") suggested that, instead of a traditional sites inventory, SF instead pledge to assess the capacity of its rezoning using the method from its underutilized sites analysis (a model called BlueSky, which estimates the likelihood of development). Housing Element Program 7.1.1 thus committed that SF's rezoning "shall reasonably account for sites' likelihood of development during the planning period using an analytical model."

SF's August submission to HCD revealed that SF still had not done so (see Appendix). HCD thus instructed SF that "As part of Program 7.1.1 and using analytical models to account for a site's likelihood of development in the planning period, the city should continue to explore additional and multiple methods and make adjustments as appropriate."

Today, SF did so: its City Economist reported that he used an updated version of the BlueSky analytical model—the same method HCD originally suggested SF use—to estimate the number of units the FZP will likely develop. **He reported that, in the best case scenario, the City's analytical model finds that the FZP is only likely to develop 14,646 units by 2045, far less than the 36,282 required by 2031** under 7.1.1. In other words, **using the exact method HCD suggested SF use, the City itself has found that its rezoning plan does not meet Program 7.1.1's requirements, and is around 10 times too small.**

Gov. Code § 65588(e)(4)(C)(iii) states, "If a jurisdiction…fails to complete the required rezoning within the time period required, the jurisdiction's adopted housing element shall be subject to" the housing element decertification process. Thus, **if SF fails to expand its plan, HCD will be legally obliged to begin the decertification process**.

We encourage HCD to offer SF guidance about how to bring its proposed rezoning into compliance, building on HCD's recent guidance to the city to "make adjustments as appropriate" when more analysis was made available. For example, using recent changes in state law (e.g., SB 131, SB 79), additional rezoning or policy changes that supplement the FZP (e.g., reduced fees and exactions) could be passed within months. Given the timeline required for decertification, HCD could reasonably offer SF up to six months before the builders' remedy would apply to fully complete its "required rezoning" through such a supplement.

Confirming that SF must rely on the City Economist's updated BlueSky analytical model to assess the rezoning's capacity, as well as the actions taken to satisfy Program 8.1.5 (the "circuit breaker"), would also be consistent with HCD's recent direction to the city to "us[e] conservative assumptions…that facilitate the highest housing outcomes."

SF's actions risk paving a path for other cities to evade state law. In particular, rather than "demonstrat[ing] that the existing use [on each non-vacant site] does not constitute an impediment to additional residential development" (Gov. Code, § 65583.2(g)), cities will be tempted to follow SF: promise in a Housing Element to provide this evidence later in the form of statistical analysis—but then ignore what this evidence shows when rezoning.

Best regards,

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Appendix: Why the Planning Department's methods do not satisfy the Housing Element's requirement to "reasonably account for sites' likelihood of development during the planning period using an analytical model"

The San Francisco Planning Department's August 1 submission to HCD contained three analyses of the capacity provided by its rezoning. None of these analyses satisfy Program 7.1.1's commitment to "reasonably account for sites' likelihood of development during the planning period using an analytical model." The below details why each of the Planning Department's methods do not satisfy this requirement. Indeed, a closer look at the Planning Department's analyses suggests conclusions that are in line with the City Economist's finding that the rezoning is insufficient.

"Soft Sites Method"

Under this method, the vast majority of the rezoning's capacity is from sites without existing residential uses (but that largely have other uses). The Planning Department assumes that 70% of these sites will be developed to their maximum capacity during the planning period. This 70% assumption is not "reasonabl[e]" (and certainly not "conservative" like the city claims):

1. In San Francisco, fewer than 70% of entitled projects are ultimately developed — making it implausible that 70% of all sites without residential use will be developed, even those where no interest has been expressed in development or discontinuing existing uses. As another comparison, the Terner Center found that only 8.6% of LA's very best sites are developed over 5 years (versus SF's 70% assumption across a huge number of sites).
2. These sites largely do have other non-residential uses which make their development especially improbable. For example, the first page of SF's parcel list includes 1201-05 Columbus Avenue, a 3-story Travelodge in Fisherman's Wharf. The city assumes there is a 70% chance that properties like this will be redeveloped during the planning period.
3. The city's related assertion that 2% of sites with existing residential uses will be redeveloped during the planning period is similarly made without evidence.

This approach also allows the city to evade complying with GC 65583.2(g)'s requirement that the city provide substantial evidence that existing uses on "lower income" sites are likely to be discontinued during the planning period. The city has not provided site-specific evidence supporting their assertion that most sites with existing non-residential uses will be developed during the planning period. The lack of site-specific evidence would not be a problem if the city had provided statistical evidence (i.e., had statistically estimated what percent of these sites will have their existing use discontinued during the planning period based on historical data, as action 7.1.1 promises). But the Planning Department simply provides no evidence whatsoever that 70% of sites with existing non-residential uses will be developed, either site-specific or

statistical. This 70% figure is simply fabricated — not from "an analytical model," and it is not at all "reasonable."

"Citywide Capacity Method"

This method calculates what share of the city's remaining zoned capacity was developed annually over the last 18 years (2005-2023). It then assumes the new capacity created by the rezoning will be developed at a similar annual rate.

While reasonable in theory, there are several errors and problems with how the Planning Department is implementing this approach that make it not "reasonabl[e]" in practice:

1. The city has two versions of this approach, each with errors:
    a. The primary version (with "exclusions") divides citywide development by the amount of capacity on only a subset of parcels. This overstates the rate at which capacity historically translates into development because less capacity is considered despite all development being considered. This is like computing the average grades of all students in a class by adding up all students' grades but then dividing this total by half the number of students there are in the class.
    b. The city describes another version of the method that measures capacity on all parcels but uses Planning entitlements to measure development; during this period there were 90K entitlements but only 53K building permits. Using entitlements to measure development overstates the historical development rate, as in San Francisco many entitlements are never developed (in part due to constraints the city places on development).
2. The city's statistic that 53K units were constructed citywide 2005-2023 includes development from development agreements (DAs). By counting historical DA development when computing the rate at which historical zoned capacity is developed, the city therefore assumes that the rezoning will produce new DA development during this planning period. This is unreasonable, as DAs do not result from (re)zoning. Furthermore, the city's housing element already counted expected development from DAs during the planning period in its claims of existing capacity.
3. Parcels where projects have been proposed but have not received permits are excluded from the city's calculation of its historical capacity; this leads the city to underestimate how much historical capacity it had, and therefore overstate the development rate of its capacity.
4. The new rezoned capacity is also less developable than the existing remaining capacity. Specifically, according to the city's Bluesky model (the model it used for its underutilized sites analysis), the new capacity is about 20% less likely to be developed. This is because, for example, rezoned capacity is 3x more likely to be on sites with an existing residential use than existing capacity. It's therefore not entirely reasonable to assume that the city's historical rate of development will manifest for the new capacity.

5. The Planning Department is relying on its UrbanSim tool to measure its remaining zoned capacity (313K). But the city's housing element (Sites Inventory Appendix B2 p. 4) gives a much larger number for this (572K), as do our own calculations. Insofar as the city is now understating how much capacity it has, it is therefore overstating the rate at which that capacity has been developed. We have asked for data that would help us understand this discrepancy, but the city has indicated that its UrbanSim tool is unable to provide the underlying data that supports this 313K calculation.

When addressing the first four errors and issues above, and when using the city's housing element's estimate that the city has 572K units of capacity remaining (see point 5), the historical development rate is 0.4% and the adjusted capacity of the rezoning is therefore 10K units.

"Financial Feasibility Method"

The Planning Department has contracted with UrbanSim to estimate whether development will be economically feasible on rezoned parcels. While this analysis is welcome, there are several problems with this approach:

1. Totaling the amount of economically feasible development does not "account for sites' likelihood of development." Historically, only a fraction of economically feasible units are actually developed, and some research practitioners have advised us that there is nearly an order of magnitude difference between the two.
2. The Planning Department's economic assumptions are not "reasonabl[e]": the Department assumes that construction costs, interest rates, and developer return expectations will drop without providing evidence. It also assumes rents will jump. The Department justifies these optimistic assumptions by asserting that it is only responsible for making housing feasible to develop under better economic conditions than are likely during this planning period — but action 7.1.1 commits to providing enough capacity to make 36K units likely developed during this planning period. Furthermore, the city's poor economic environment for development reflects the city's constraints on development that Housing Element Law is supposed to remediate. I.e., the fact that the city so heavily constrains development makes more rezoning (and changes to its other policies) necessary, and cannot be ignored when considering the appropriate scope of actions to accommodate development.
3. The Department's submission describes a flawed approach for using UrbanSim's output to account for the likelihood of development: asserting that 2% of economically feasible projects will occur on sites with existing residential uses and 35% of economically feasible projects will occur on sites with other non-residential uses. These assumptions are not based on any evidence and, for the same reasons we described in the context of the "soft sites" method, are not reasonable.
4. After applying this flawed approach for accounting for the likelihood of development, the Planning Department nevertheless finds that only 19K units will be developed during the planning period. This is short of the 36K required by action 7.1.1. The Planning

Department argues that this is acceptable because the method must only demonstrate sufficient capacity for meeting the city's 16K RHNA shortfall in the Moderate and Above-Moderate income categories. But action 7.1.1 makes no reference to separate by-category targets, it simply states that the rezoning must "accommodate… approximately 36,282 new units." Furthermore, the Department's argument is also belied by the Housing Element Law and the No Net Loss Law, both of which contemplate development of market-rate and mixed-income projects on "lower income" sites (GC 65583.2(c) & (h); GC 65863(c)(2)).

EXHIBIT C

Family Zoning Plan: Economic Impact Report

Office of the Controller
Office of Economic Analysis

Items 250700 & 250701
October 29, 2025

Introduction

- Two proposed ordinances would change zoning controls to permit more housing on a large segment of San Francisco, particularly on the western half of the city. They implement changes to the Housing Element of the City's General Plan, a planning document whose revisions were adopted in 2023.
- The Ordinance in file #250700, the Zoning Map Amendment, would generally raise allowable building heights along commercial corridors and transit lines, to permit mid-rise and some high-rise development.
- The Ordinance in file #250701 implements the Housing Choice-San Francisco program, which offers an alternative to the State Density Bonus program.
- The Office of Economic Analysis (OEA) has prepared this report because the proposed legislation may have a material impact on the city's economy. This report uses a model that estimates potential new development, in order to assess economic impact. That model is not a replacement for the City's estimates of realistic capacity under Government Code § 65583.2.

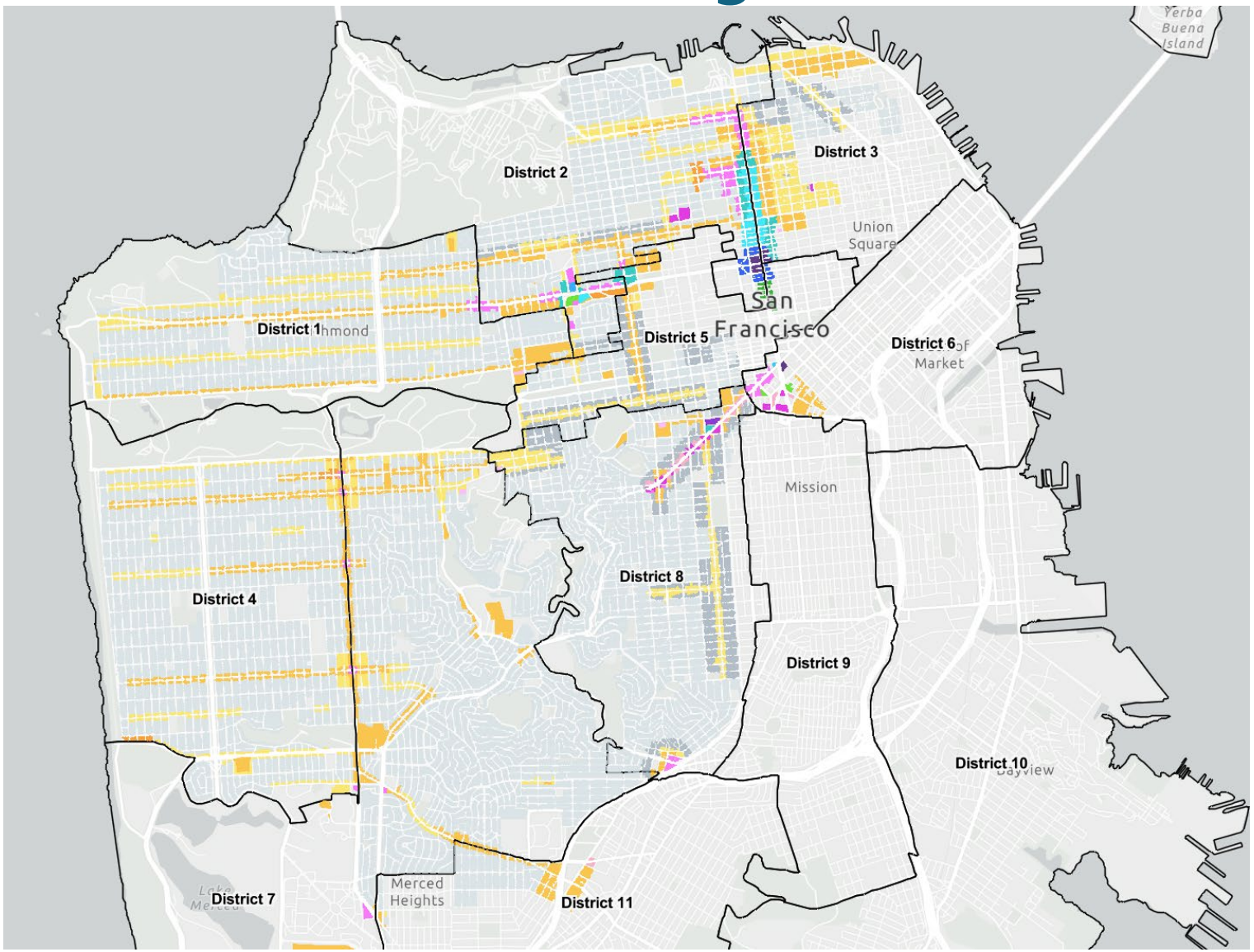
Zoning Map Amendment: Key Provisions

- The Zoning Map Amendment would make changes to allowable building heights and bulk, and/or zoning districts, in over 92,000 parcels in the city.
- The vast majority are residential parcels, whose allowable heights would either remain at 40 feet, or rise to 50 or 65 feet.
- On these and many other rezoned parcels, the Housing Choice San Francisco program (described on the next page) relaxes existing controls on the number of housing units allowed on a parcel.
- Allowable heights are generally increased to 65 to 85 feet along many commercial corridors, with development along wider streets near transit stations or major lines increased to 85 feet.
- Heights above 140 feet are allowed on certain streets that currently allow high-rise development or have larger parcels, at key intersections, and near certain major transit routes and stations. The map on page 5 provides additional details.

Housing Choice San Francisco – Key Provisions

- The Housing Choice San Francisco program, or "Local Program", gives developers an alternative to the State Density Bonus.
- Many of the rezoned residential parcels are too small to be eligible for the State Density Bonus, but may achieve greater density through the use of the Local Program.
- Local Program users also gain benefits associated with housing unit mix, methods of complying with inclusionary housing requirements, rear-yard and setback requirements, broad code flexibility, and certain process changes.
- The ordinance has several other provisions, including limiting the maximum size of new residential units, reducing allowable parking, and restricting new curb cuts. These policy changes are not considered in this report.
- Additionally, the proposed ordinance gives displaced businesses the right to relocate anywhere in the city where their activity is permitted by zoning, without a conditional use permit, and waives development impact fees associated with the relocation.

Details of the Rezoning



The map to the left, from the City Planning department, indicates which parcels in the city will be rezoned, and to which heights. It reflects the plan as of July.

Gray parcels will be zoned for low-rise, 40-50 feet housing developments. This includes single-family residential zones, within which greater density will be permitted via the Local Program.

Yellow and orange parcels will be upzoned to mid-rise development of 65-105 feet.

Pink and purple parcels will have height limits ranging from 120-180 feet, and the blue and green parcels will be upzoned for high-rise development, of 240 feet or greater.

The Rezoning and the Regional Housing Needs Assessment

- Each jurisdiction in California is required to have its Housing Element be certified by the State's Housing and Community Development Department.
- Certification involves, among other things, ensuring that the City has the zoning capacity to meet the city's obligations under the State's Regional Housing Needs Assessment (RHNA).
- RHNA is a Statewide planning process, in which future needs are forecasted for metropolitan areas, and then allocated to the individual cities and counties that administer land use planning.
- In San Francisco's case, the RHNA obligation requires the City to have realistic capacity for approximately 82,000 new housing units, at different economic levels, within an 8-year planning period ending in 2031.
- Of this 82,000 unit requirement, the City must create capacity for approximately 36,000 units.

Substitutions and Proposed Amendments

- On September 30, a new version of #250700 was substituted by Mayor Lurie, which made relatively minor zoning changes on a number of parcels. This analysis reflects those changes.
- On October 21, Supervisor Melgar proposed an amendment that would prohibit the use of the Local Program on any parcel containing more then two existing housing units, which would involve the demolition of a unit subject to rent control.
- Also on October 21, Supervisor Sauter introduced an amendment that creates incentives for developers to replace lost commercial space.
- As the language of these two amendments was made public less than one week ago, this report does not attempt to model their economic impact.

Economic Impact Factors

- When the City relaxes zoning controls, by reducing density restrictions or increasing allowable heights, more development projects will become financially feasible, and the supply of housing in the city will rise.
- This increased supply will put downward pressure on housing prices in the city. Cheaper housing benefits city residents who move within the city, and also makes San Francisco more affordable for new arrivals.
- The development of new housing also stimulates investment and employment in construction and related industries.
- The population growth associated with new housing also stimulates the local economy, by expanding the numbers of workers and consumers.
- On the other hand, the limited amount of vacant lots in the city means that new housing generally involves the loss of existing buildings, including both residential and commercial properties. This can impose relocation and other costs on residential and commercial tenants.

Estimating the Likelihood of New Housing Development

- The amount of new housing that the rezoning will produce is an important contributor to its economic impact. To estimate this, OEA refined a statistical model that it has used since 2016 to estimate the impact of policy changes on housing production in the city[1].
- The model was the result of statistical analysis of housing production in San Francisco over the 2004-2024 period. Technical details on the model are provided in the Appendix.
- The first part of the model estimates the likelihood that multifamily housing will be developed on a given parcel, in a given year. The statistical analysis found that a parcel is more likely to develop when:
  - it has smaller existing buildings (or is vacant), and is located closer to downtown.
  - its zoning allows for a greater height, makes it eligible for the State Density Bonus, and does not restrict the number of units that may be constructed.
  - housing prices are relatively high, and construction costs are relatively low, compared to other years.

Estimating the Number of Units Produced

- The second part of the model estimates the number of units that will be produced when a parcel does develop housing. Based on past experience, the statistical analysis found that a parcel developing housing will produce more units when:
  - its land area and allowable maximum height are greater;
  - it is eligible for the State Density Bonus;
  - its zoning does not restrict the number of units that may be built.
- The OEA used the first part of the model to estimate the probability that housing will be built on a parcel over the next twenty years[2]. That probability was multiplied by the estimate of housing units from the second part, to create an expected number of housing units generated for each parcel over twenty years. When this is summed across all parcels, a citywide housing total is generated.
- This method was used to create estimates of housing production under the existing zoning, and the proposed rezoning. The difference is the estimate of housing that could be produced as a result of the proposed zoning changes.

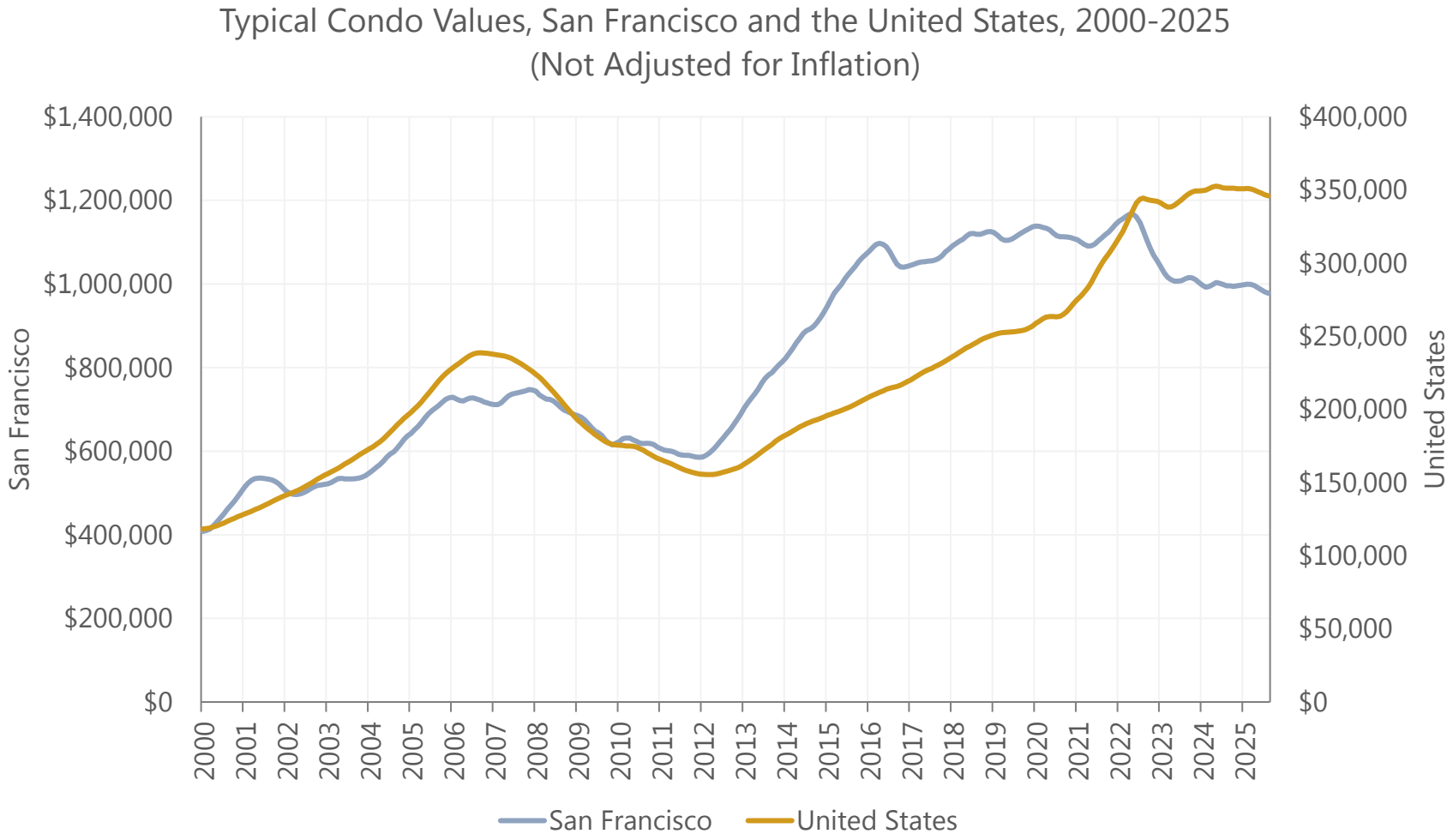
Limitations of the Housing Development Model

- The housing development model can forecast future housing development based on the city's past experience, but important caveats must be made.
- Because of data availability, not every factor that affects housing production could be included. Missing data may include features of the parcel itself, or policies that may have changed over the 2004-24 period, or vary within the aggregated zoning designations used by the model.
- Limited data also prevents the analysis of fine-grained policy changes in the proposed rezoning, such as restrictions on unit size and mix.
- Several new City and State policies that were intended to encourage housing production have been enacted in recent years, such as, for example, the City's 2023 Housing Production Ordinance (0248-23). The model may be unable to properly assess the impact of these policies in the future.
- Despite these limitations, the OEA believes this approach is well-suited to estimating housing production, for the purposes of economic impact reporting.

Future Housing Market Scenarios

- As noted earlier, the amount of housing that will be produced as a result of the rezoning, and its economic impact, will depend on future housing market conditions. This creates an additional level of uncertainty in the forecasts.
- Gauging future market conditions is further complicated by changes in the city's housing market since the COVID-19 pandemic, as described on the next page.
- To understand the scope of what could potentially happen, the OEA created two future scenarios for housing prices and costs in San Francisco.
- In a high-growth scenario, San Francisco's housing prices, relative to the U.S., return to pre-COVID levels by 2030, and grow at the city's pre-COVID rate after that. Construction costs are assumed to grow at the same rate as inflation.
- In a low-growth scenario, San Francisco's post-COVID relative housing prices are assumed to represent a "new normal," and housing prices are assumed to grow only at a national average level over the next twenty years. Construction costs are also assumed to grow at the same rate as inflation.

San Francisco and U.S. Housing Price Trends Since 2000



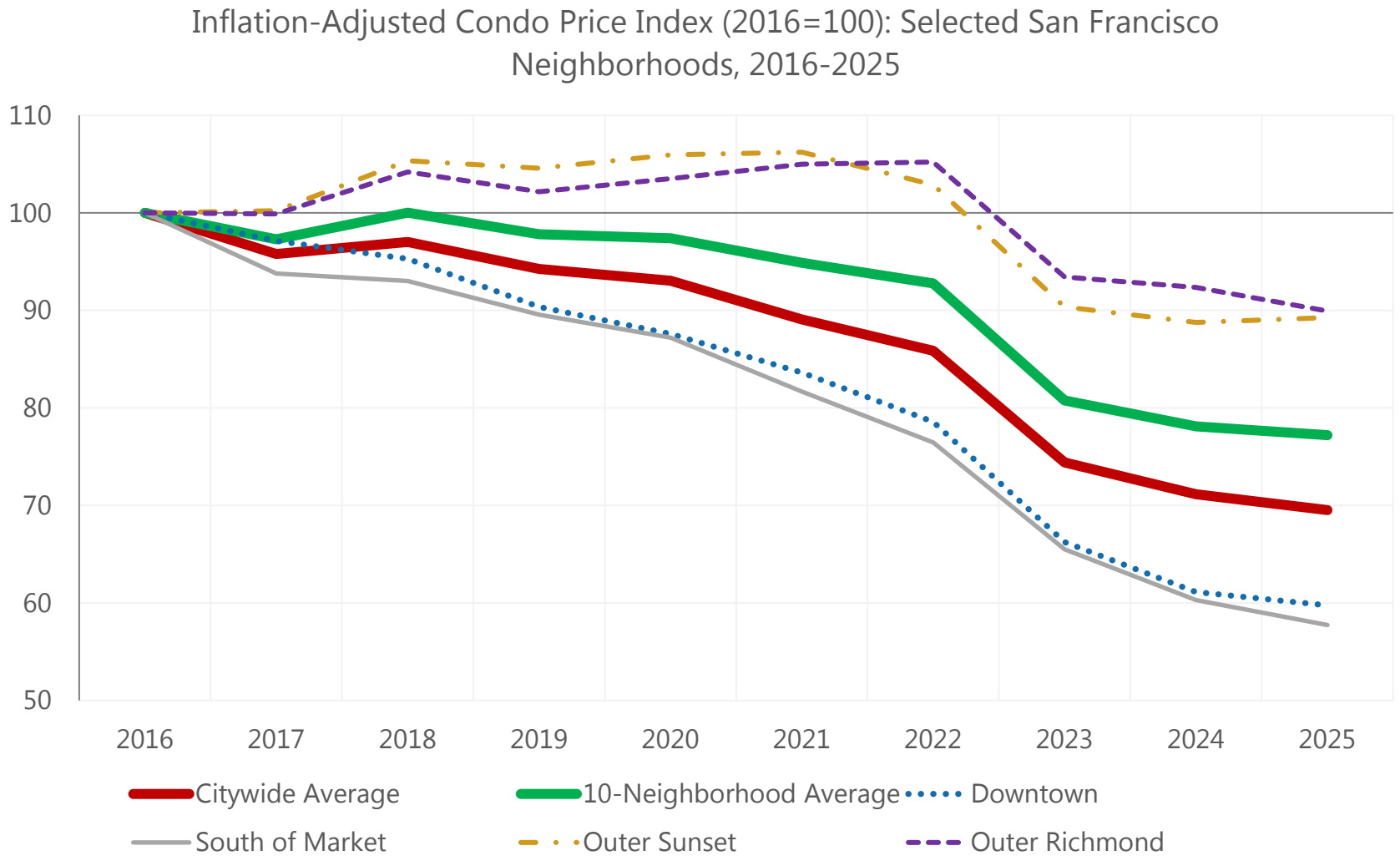
While San Francisco's housing has always been expensive, during the 2010s, average San Francisco condo prices rose much faster than the rest of the U.S., to as much as 5 times the typical U.S. price.

Since 2020, however, San Francisco condo prices have declined, despite rising inflation and rising U.S. condo prices. Adjusted for inflation, typical San Francisco condo prices in 2025 are 25% lower than they were in 2019.

Among other factors, the increase in remote office work during COVID has reduced the value of a residence near large office employment centers like downtown San Francisco.

Source: Zillow. Data retrieved October 1, 2025.

Housing Price Trends Within the City



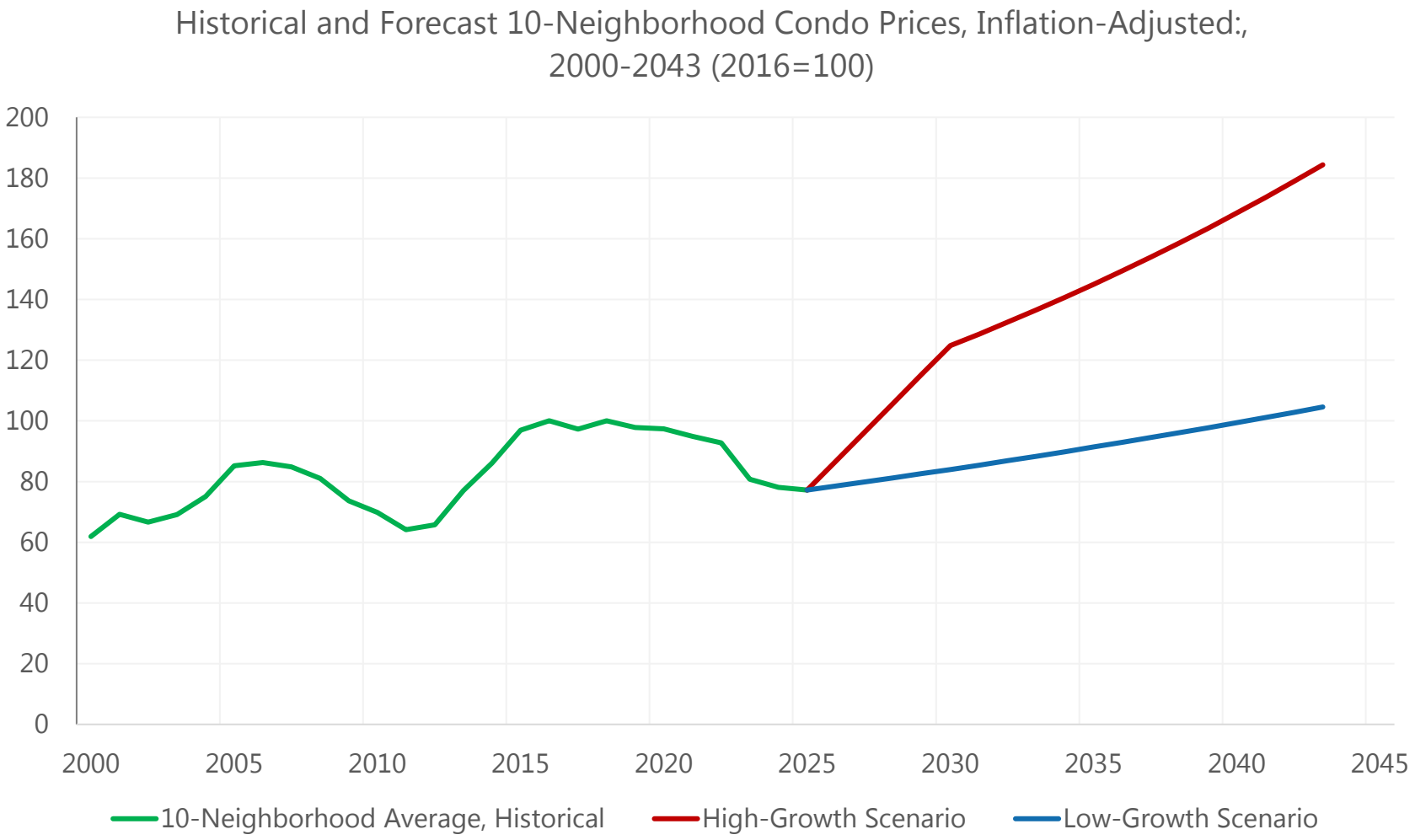
Source: Zillow. Data retrieved October 1, 2025.

The reduced value of a downtown location has also shifted multifamily price patterns within the city.

Condos in neighborhoods like Downtown and South of Market have experienced inflation-adjusted price drops of more than 40% since 2016, while the Richmond and Sunset have fallen by far less.

Because most multifamily housing in the city is near downtown, but most of the proposed rezoning is not, the use of a citywide average condo price index is inappropriate. This analysis uses an average price across the 10 Zillow neighborhoods most affected by the zoning, which is somewhat higher than the citywide average.

High and Low Growth Scenario Price Forecasts

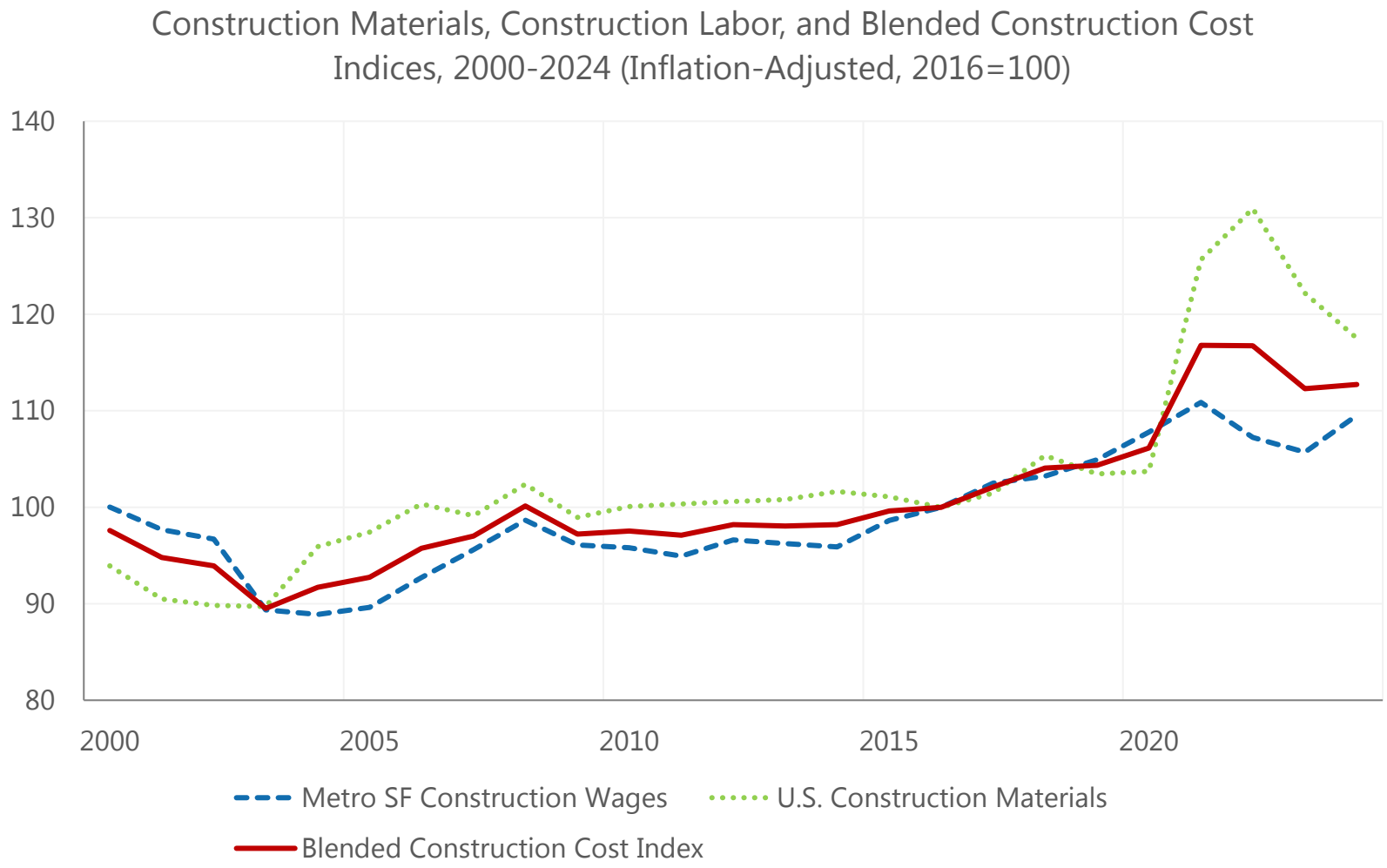


Our high-growth scenario assumes that San Francisco's housing prices, relative to the U.S., return to pre-pandemic levels by 2030, and then grow at the city's long-term average rate until 2045. This implies a rapid growth in housing prices over the next five years, of over 10% per year.

In the low-growth scenario, the post-COVID housing market represents a new normal, and San Francisco housing prices are assumed to grow only at the U.S. long-term rate at 1.8% per year, in inflation-adjusted dollars. Under this assumption, San Franciso housing prices would not recover to their pre-COVID peak, in inflation-adjusted dollars, until 2041.

Source: Zillow. 10 Neighborhoods are Buena Vista, Polk Gulch, Inner Sunset, Marina, Mission, North Waterfront, Outer Sunset, Outer Richmond, Inner Richmond, and Western Addition.

Construction Cost Trends and Scenarios



Source: Bureau of Economic Analysis; U.S. Census Bureau, "Quarterly Workforce Indicators

The housing development model uses two measures of construction costs: materials cost and local construction industry wages. They are blended into a single index for modeling purposes. Details are in the Appendix.

The cost of construction materials and local wages have grown faster than overall inflation, particularly in the last few years. In 2024, real construction materials costs were 18% higher, and real local wages were 10% higher, than they were in 2016.

In both the high-growth and low-growth scenarios, the blended index is assumed to grow at 0% (after inflation) over the 2026-2045 period. This reflects an assumption that both labor and material costs inflation will revert to the broader rate of inflation in the long term.

Housing Production Forecasts Under Current Zoning

Planning District	Historic, 2000-24	Low-Growth Scenario Forecast, 2026-45	High-Growth Scenario Forecast, 2026-45
Buena Vista	975	43	90
Central	72	192	390
Downtown	289	112	230
Ingleside	0	58	120
Inner Sunset	123	28	59
Marina	131	126	263
Mission	187	197	406
Northeast	449	136	283
Outer Sunset	15	16	33
Richmond	0	23	47
South Central	0	6	11
Western Addition	997	658	1,265
Total	3,238	1,594	3,199

Source: For historic housing production, San Francisco Planning Department

Generally, the housing development model forecasts that the current zoning will produce fewer units in the next 20 years than the numbers of units that were produced in the last 20 years.

The table to the left only covers the portion of each planning district that is in the proposed rezoning area. In total, under the current zoning, the model forecasts 1,594 or 3,199 units under the low- and high-growth forecasts, respectively, while 3,238 units were built in the same areas over the 2000-2024 period.

On the next two pages, the model's forecasts of the additional housing created by the proposed zoning is discussed.

Forecast Net Effect of the Zoning

- As shown in the table below, under the low-growth and high-growth scenarios described earlier, the rezoning would lead to 8,504 and 14,646 additional housing units, beyond what would be produced under current zoning, over the next 20 years.

Low Growth Scenario	**Units**
20-Year Housing Production, Existing Zoning	1,594
20-Year Housing Production, Proposed Rezoning	10,098
Effect of Proposed Rezoning	8,504

High Growth Scenario	**Units**
20-Year Housing Production, Existing Zoning	3,199
20-Year Housing Production, Proposed Rezoning	17,845
Effect of Proposed Rezoning	14,646

Summary by Current Zoning District

		Low-Growth			High-Growth		
Current Zoning[3]	Number of Parcels	Average Housing Likelihood, Current	Average Housing Likelihood, Proposed	Change in Housing Units	Average Housing Likelihood, Current	Average Housing Likelihood, Proposed	Change in Housing Units
RH1	43,009	0.001%	0.205%	798	0.003%	0.446%	1,731
RH2	26,486	0.002%	0.259%	576	0.005%	0.565%	1,250
RH3_RM1	13,741	0.009%	0.347%	547	0.018%	0.756%	1,186
Office/Commercial	114	0.570%	0.780%	48	1.185%	1.639%	104
Public	239	0.060%	1.450%	3,483	0.122%	2.560%	4,814
Density-Restricted Multifamily	7,079	0.336%	0.490%	3,007	0.674%	1.026%	5,467
Form-Based Multifamily	2,053	0.725%	0.725%	46	1.502%	1.502%	94
Total	92,721			8,504			14,646

The table to the left breaks out the results by current zoning. It illustrates how many rezoned parcels are in the RH-1, RH-2, and RH-3 or RM-1 residential zones, primarily in the western side of the city. These areas will see a substantial increase in the likelihood of developing housing over the next 20 years, but the chances are still small, so those 83,000+ parcels are only forecast to produce about additional 4,200 housing units by 2045, in the high growth scenario.

Fewer Public parcels (generally owned by the City or SFUSD) are larger, and more likely to develop housing through the rezoning, though this depends on the owner's decisions.

Estimating the Loss of Existing Residential Units

- To evaluate the economic impact, OEA calculated the net increase in housing units.
- In the low-growth scenario, 463 more units would be lost under the proposed zoning than under current zoning, over the 20-year forecast period. In the high-growth scenario, 1,031 more housing units would be lost. These losses represent a 6-8% of the housing units gained as a result of the rezoning. Amendments proposed on October 20th may reduce these losses, along with overall housing production.
- The loss of existing housing slightly dampens the housing price reductions associated with the rezoning, and may impose financial harms on existing tenants. City and State law heavily restricts, but does not prohibit, the eviction of tenants for the purpose of demolition, or the demolition of rent-controlled housing. These events have been quite rare in recent decades. If this occurs, tenants are entitled to relocation payments.
- Without any way to meaningfully estimate the number of evictions or demolitions of rent-controlled units, or the financial impact on tenants, this report does not attempt to quantify these potential costs.

Impacts on Housing Prices

- The responsiveness of housing prices to increases in housing supply is a function of price elasticities of supply and demand, which the OEA has estimated in past research[4].
- The elasticities imply that the proposed rezoning would lead to a -2.5% to -4.2% change in housing prices in the city, depending on the scenario. For context, those percentages are also expressed in terms of current housing prices and apartment rents.

	Low Growth Scenario	**High Growth Scenario**
Net Change in Housing Supply (units produced less demolitions)	8,041	13,615
Percentage Change in Housing Supply[5]	2.0%	3.4%
Price Elasticity of Demand	-0.7	-0.7
Price Elasticity of Supply	0.1	0.1
Percent change in housing prices	-2.5%	-4.2%
Corresponding change in condo prices[6]	-$24,500	-$41,600
Corresponding change in annual apartment market rents[7]	-$903	-$1,529

Estimating Relocation and Disruption Costs

- To account for the impact on commercial businesses, OEA estimated potential displacement costs. Details are provided in the Appendix.
- Displaced businesses are estimated to occupy commercial space ranging from approximately 1.5 to 2.6 million square feet, depending on the scenario. This displacement would occur over twenty years, and it is highly likely that the rezoning would lead to an increase in the amount of commercial space in the city.
- Annual business disruption and relocation costs range from $16 to $28 million, in today's dollars.

	Low Growth	High Growth
Loss of occupied commercial space (million sf)	1.5	2.6
Disruption-relocation cost/sf	$190	$190
Annual disruption/relocation cost (2025 $ million)	$16	$28

REMI Economic Impact Simulation

- Based on the economic impact factors described earlier, the OEA used the REMI model to measure the net economic impact of the changes associated with the high and low growth scenarios to the city's economy over the 2026-2045 period:
  - An increase in the city's residential capital stock of $8.0 billion (low growth) to $13.5 billion (high growth) in today's dollars, representing the investment associated with the new units forecast under the two scenarios. These figures are calculated by multiplying the net increase in units by average prices.
  - A reduction in citywide housing prices, reaching 2.5% (low growth) and 4.2% (high growth) by 2045.
  - Annual business disruption and relocation costs for retail businesses of $16 million (low growth) and $28 million (high growth) in today's dollars, until 2045.

Economic Impact Assessment

- In the low-growth scenario, the city's GDP would be $560 million larger, in today's dollars, on average over the 2026-45 period. Total employment in the city would be approximately 3,000 more than under the current zoning, on average over the period.
- In the high-growth scenario, the city's GDP growth would be $940 million larger than under current zoning, in 2025 dollars. Employment would be about 5,000 higher.
- Employment gains are expected in every sector, but would be most heavily concentrated in the construction, health care, real estate, and accommodations and food services sectors.
- Despite the displacement of businesses, retail trade is forecast to grow as a result of the population and economic growth created by the proposed rezoning, adding about 210 jobs in the low-growth scenario and about 350 jobs in the high-growth scenario.
- Like most major policies, the proposed rezoning involves benefits and costs. Our analysis suggests the proposed rezoning's positive impact on the city's economy, from lower housing prices and construction, outweighs the negative impact from displaced businesses, by a factor of approximately 22:1.

Conclusions

- The context for housing development in San Francisco has changed profoundly in the past several years. Since 2019, after adjusting for inflation, condo prices in San Francisco have dropped by 25%, while our blended construction cost index has risen by 8%.
- Given this starting point, an expansive rezoning effort, like the proposed Family Zoning plan, will be challenged to match the 2010s levels of new housing development in the city, even under an optimistic high-growth scenario.
- Nevertheless, under both scenarios considered in this report, the proposed rezoning would lead to a significant increase in the city's housing supply, and have broadly positive effects on housing prices and the city's broader economy. The benefits of new residential investments and lower housing prices are projected to outweigh the costs of business interruption and displacement by a factor of roughly 22:1.
- If market conditions were such that the 36,000 unit target was achieved, as a result of the rezoning, the economic impact on the city would likely be significantly more positive than the estimates in this report.

Footnotes

1. See, for example, Inclusionary Housing Working Group: Preliminary Report September 2016.
2. Three large parcels were excluded from the analysis: Laguna Honda Hospital, and the USF Main and Lone Mountain campuses. While all three parcels receive height increases in the proposed rezoning, their size and unique uses makes them unsuitable for the model. If the model could accurately estimate the amount of housing likely to occur on those parcels, the total housing estimate reported in this report would be larger.
3. These are the aggregate zoning classifications used by the model. See the Appendix for details.
4. See Potential Effects of Limiting Market-Rate Housing in the Mission.
5. Assuming 406,000 housing units in the city.
6. Based on Zillow's 2025 average condo prices for San Francisco.
7. Based on 2025 average apartment asking rents, from ApartmentList.

Appendix

- Housing Development Model
  - Methodology
  - Data sources
  - Model coefficients and performance
  - Scenario Inputs
  - Zoning District Classification
  - Logic of Applying the Model to the Proposed Rezoning
- Estimates of Business Interruption and Relocation Costs

Appendix: Housing Development Model: Methodology

- The housing development model is a two-stage step model. The first stage is a logistic regression, covering every parcel in the city, except those subject to a development agreement, over the 2004-2024 period.
- The dependent variable of the logistic regression is 1 if the parcel produced housing in a given year, and 0 otherwise. Parcels that produce housing in a given year were removed from the dataset for subsequent years. Independent variables, reflecting existing land use, market conditions, and zoning, are listed on the next page.
- The second stage is a regression model including all parcels that produced multifamily housing with more than 10 units, over the 2004-24 period. The dependent variable is the number of units produced on the parcel, and the independent variables are the parcel's "building envelope" (its area multiplied by its allowable height), and two interaction variables: the building envelope times a dummy indicating if the parcel was eligible for the State Density Bonus in that year, and the building envelope times a dummy indicating if the parcel was subject to density-restricted zoning in that year. The intercept of the model was fixed at zero.

Appendix: Housing Development Model: Methodology

- The models' coefficients were used in a forecast that calculated the log-likelihood of development for each rezoned parcel, in each of the forecast years 2026-2045, using the site and zoning information, and the price and cost assumptions for each year (shown on the next page). The log-likelihoods were converted into annual probabilities, from which a 20-year probability of development was calculated.
- The model coefficients were also used to calculate a units estimate; the 20-year probability times the units estimate is the expected number of units produced on that parcel in the 20-year forecast period.
- The forecast model was run for both the current and the proposed zoning. See the section "Logic of Applying the Model to the Proposed Rezoning" for more details.
- Three parcels were excluded from the forecast: Laguna Honda Hospital, the University of San Francisco Main Campus, and the University of San Francisco Lone Mountain Campus. While some housing may be built on those parcels in the forecast period, the model is not well-suited for large parcels with unique uses like these.

Appendix: Housing Development Model: Data Sources

Variable Description	Variable	Data Source
Height limit for site in ft	Height_Ft	Planning Department, Zoning Districts
Area for lot in 1000 sq ft	Area_1000	Planning Department, Land Use Database 4/16/25
Extisting building square footage in 1000 sq ft	Bldg_SqFt_1000	Planning Department, Land Use Database 4/16/25
Residential Existing Use using ResUnits (Dummy)	Res_Dummy	Planning Department, Land Use Database 4/16/25
Historic Status for Parcel (Dummy)	Historic	Planning Department, Land Use Database 4/16/25
Real Construction Cost Variable, 2 years prior	Construc_Cost_Real	a 60/40 average of Real Construction Materials PPI and Real San Francisco MSA Construction Wages, 2016=100
10-Neighborhood Housing Price Index (Zillow), Real, 2 years prior	Zillow_Price_Real	SF real condo prices per Zillow, 2016=100
Dummy indicating eligibility for State Density Bonus, 2016 forward	SDB_2016_5Plus	Calculated from Zoning Districts
Zoning dummy: Office/Commercial	zp_OfficeComm	Planning Department, Zoning Districts
Zoning dummy: Density Restricted Multifamily, RTO = Form Based	zp_DRMulti_RTO	Planning Department, Zoning Districts
Zoning dummy: Form Based Multifamily, RTO = form based	zp_FBDMulti_RTO	Planning Department, Zoning Districts
Zoning dummy: Industrial / Production, Distribution & Repair	zp_PDRInd	Planning Department, Zoning Districts
Zoning dummy: Public/Open Space	zp_Public	Planning Department, Zoning Districts
Zoning dummy: Redevelopment Area	zp_Redev	Planning Department, Zoning Districts
Zoning dummy: Residential 2-Family (2 Units per Lot)	zp_RH2	Planning Department, Zoning Districts
Zoning = Residential 3-Family or Res Mixed (1/800 sqft)	zp_RH3_RM1	Planning Department, Zoning Districts
Planning District dummy variables	DIST_<District Name>	Planning District from Assessor's Secured Roll DB

Appendix: Logistic Regression Coefficients

Variable Description	Variable	Coeff	StdErr	WaldChiSq	Prob>Chi Sq
Intercept	Intercept	(1.6226)	1.2829	1.5998	0.2059
Height limit for site in ft	Height_Ft	0.0017	0.0007	4.9693	0.0258
Area for lot in 1000 sq ft	Area_1000	0.0049	0.0009	30.6563	0.0000
Envelope Area in 1000 sq ft (area/1000*ht/10)	Env_1000_Area_Height	0.0002	0.0001	5.0369	0.0248
Extisting building square footage in 1000 sq ft	Bldg_SqFt_1000	(0.0023)	0.0007	10.7241	0.0011
Residential Existing Use using ResUnits (Dummy)	Res_Dummy	(0.8231)	0.1222	45.3669	0.0000
Historic Status for Parcel (Dummy)	Historic	(1.0378)	0.1271	66.6847	0.0000
Real Construction Cost Variable	Construc_Cost_Real	(0.0992)	0.0129	58.8929	0.0000
SF Housing Price Index (Zillow), Real	Zillow_Price_Real	0.0143	0.0053	7.1326	0.0076
Dummy for State Density Bonus, 5+ Unit Sites, 2016 forward	SDB_2016_5Plus	0.6303	0.1608	15.3724	0.0000
Zoning = Office/Commercial	zp_OfficeComm	4.2634	0.4873	76.5337	0.0000
Zoning = Density Restricted Multifamily, RTO = Form Based	zp_DRMulti_RTO	4.2450	0.4523	88.0989	0.0000
Zoning = Form Based Multifamily, RTO = form based	zp_FBDMulti_RTO	5.0508	0.4640	118.4768	0.0000
Zoning = Industrial / Production, Distribution & Repair	zp_PDRInd	3.4115	0.4790	50.7257	0.0000
Zoning = Public/Open Space	zp_Public	1.2491	0.8385	2.2190	0.1363
Zoning = Redevelopment Area	zp_Redev	4.5361	0.4999	82.3213	0.0000
Zoning = Residential 2-Family (2 Units per Lot)	zp_RH2	0.2674	0.6672	0.1607	0.6885
Zoning = Residential 3-Family or Res Mixed (1/800 sqft)	zp_RH3_RM1	1.3187	0.6064	4.7289	0.0297

Appendix: Logistic Regression Coefficients (Continued)

Variable Description	Variable	Coeff	StdErr	WaldChiSq	Prob>Chi Sq
District = South Bayshore	DIST_SBayshore	(1.4824)	0.3179	21.7380	0.0000
District = Bernal Heights	DIST_BernalHts	(1.7011)	0.6087	7.8100	0.0052
District = South Central	DIST_Scentral	(1.7307)	0.3867	20.0267	0.0000
District = Central	DIST_Central	(1.1523)	0.3353	11.8102	0.0006
District = Buena Vista	DIST_BuenaVista	(2.5369)	1.0188	6.2010	0.0128
District = Northeast	DIST_Northeast	(1.4171)	0.2539	31.1439	0.0000
District = Western Addition	DIST_WestAddition	(0.6831)	0.2362	8.3630	0.0038
District = South of Market	DIST_SOMA	(0.0756)	0.1903	0.1579	0.6911
District = Inner Sunset	DIST_InnerSunset	(1.6187)	0.4882	10.9939	0.0009
District = Richmond	DIST_Richmond	(2.8019)	0.5355	27.3716	0.0000
District = Ingleside	DIST_Ingleside	(1.8670)	0.4925	14.3711	0.0002
District = Outer Sunset	DIST_OuterSunset	(2.6147)	0.6098	18.3867	0.0000
District = Marina	DIST_Marina	(1.2492)	0.3253	14.7457	0.0001
District = Mission	DIST_Mission	(1.0938)	0.2380	21.1176	0.0000

Omitted Variables for Groups of Dummy Variables:

Omitted zoning = RH1

Omitted district = Downtown

Appendix: Units Regression Coefficients

Variable Description	Variable	Coeff	St Error	T-Stat
Simple building envelope (area/1000 * ht/10)	Env_1000_Area_Height	0.4252	0.0159	26.72
State Density Bonus * Simple Bldg Envelope (5+ Unit Sites, 2016 forward)	SDB_2016_5Plus_EnvFull	0.4385	0.0389	11.28
Simple Bldg Envelope only if density-restricted	Zoning_DR_EnvFull	(0.1601)	0.0174	(9.22)

Note: Model removes largest 5% (Positive and Negative) residual outliers

Appendix: Model Performance

Logistic Regression	
Number of Observations	3,369,573
Number with Dependent Variable = 1	422
Pseudo R-Square	0.000611
Max Rescaled R-Square	0.244596

Units Regression	
Number of Observations	383
R-Sq	0.867779
Adj R-Sq	0.866735
Dependent Mean Value	81.87206
Standard Error of Regression	48.40184

Appendix: Zoning Classifications

- The table below shows the correspondence between the City's zoning districts, and the aggregate zoning variables in the model.

Zoning Variable	Zoning Districts
zp_RH1	C-2/RH-1(D); RH-1(D)/C-2; C-M/RH-1; M-1/RH-1; NC-1/RH-1; NC-1/RH-1/RH-2; NC-2/RH-1; NC-2/RH-1(D); NC-3/RH-1; NCD/RH-1; NCD/RH-1(D); NC-S/RH-1; NCT-OCEAN/RH-1(D); NCT/RH-1(D); P/P-W/RH-1; P/RH-1; P/RH-1(D); P/RH-1/RH-1(D); P/RH-1/RH-2; RH-1; RH-1(D); RH-1(D)/NC-2; RH-1(D)/RH-1; RH-2/RH-1; RH-2/RH-1(D); RH-1(D)/RH-2; RH-1(D)/RM-1; RH-1(S); RH-1/C-M; RH-1/M-1; RH-1/NC-1; RH-1/NC-2; RH-1/NC-3; RH-1/NC-S; RH-1/RH-1(D); RH-1/RH-2; RH-1/RH-2/RM-1; RH-1/RM-1; RM-1/RH-1; RH-3/RH-1
zp_RH2	NC-1/RH-1/RH-2; P/RH-1/RH-2; RH-2/RH-1; RH-2/RH-1(D); RH-1(D)/RH-2; RH-1/RH-2; RH-1/RH-2/RM-1; M-1/RH-2/RM-1; MUR/RH-2; NC-1/RH-2; NC-2/RH-2; NC-3/RH-2; NCD/RH-2; NC-S/RH-2; NCT-GLEN PARK/RH-2; NCT-OCEAN/RH-2; NCT/RH-2; P/RH-2; P/RM-1/RH-2; RH-2; RH-2/NC-1; RH-2/NC-2; RH-2/NC-3; RH-2/RH-3; RH-2/RM-1; RM-1/RH-2; RH-2/RM-2; RM-2/RH-2; RH-2/RM-3; RM-3/RH-2; RH-3/RH-2
zp_RH3_RM1	RH-1/RH-2/RM-1; M-1/RH-2/RM-1; P/RM-1/RH-2; RH-2/RH-3; RH-2/RM-1; RM-1/RH-2; RH-3/RH-2; RH-1(D)/RM-1; RH-1/RM-1; RM-1/RH-1; RH-3/RH-1; C-2/RH-3; C-2/RM-1; C-2/RM-1/RM-4; C-M/RM-1; HP-RA/RM-1; M-1/RM-1; M-2/RH-3; NC-1/RM-1; RM-1/NC-1; NC-2/RH-3; NC-2/RM-1; NC-3/RH-3; NC-3/RM-1; NCD/RH-3; NCD/RH-3/UPR MARKET; NCD/RH-3/UPR MARK; NCD/RH-3/VALENCIA; NCD/RM-1; NCD/RM-1/SACRAMENTO; NCD/SACRAMENTO ST; NCD/SACRAMENTO/RM-1; NCD/RM-1/SACRAMEN; NCT-DIVISADERO/RH-3; NCT-DIVISADERO/RM-1; NCT/RH-3; NCT/RM-1; P/PM-R/RM-1; P/RH-3; P/RM-1; PM-MU2/PM-OS/PM-R/RM-1; PM-R/RM-1; RH-3; RH-3/C-2; RH-3/HAYES; RH-3/M-2; RH-3/NC-2; RH-3/RM-1; RM-1/RH-3; RH-3/RM-2; RM-2/RH-3; RH-3/RM-3; RM-3/RH-3; RH-3/RSD; RH-3/VALENCIA; RM-1; RM-1/C-M; RM-1/C-M/M-1; RM-1/NC-3; RM-1/RM-2; RM-1/RM-3; RM-1/RM-4; RM-1/SACRAMENTO
zp_OfficeComm	C-2/RH-3; C-2/RM-1; C-2/RM-1/RM-4; C-M/RM-1; RH-3/C-2; RM-1/C-M; RM-1/C-M/M-1; C-2/RH-1(D); RH-1(D)/C-2; C-M/RH-1; RH-1/C-M; C-2; C-2/M-1; C-2/M-1/P; C-2/P; C-3-G; C-3-G/C-3-R; C-3-G/C-M; C-3-G/RC-4; C-3-O; C-3-O(SD); C-3-O(SD)/P; C-3-O(SD)/TB DTR; C-3-O/C-3-O(SD); C-3-O/C-3-R; C-3-O/C-3-S; C-3-O/C-3-S/P; C-3-O/TB DTR; C-3-R; C-3-S; C-3-S/P; C-M; C-M/M-1; CMUO; CMUO/MUR; CMUO/P; MUO; NCD/C-2; P/C-3-R; RM-3/C-2; RM-4/C-2; WMUO

Appendix: Zoning Classifications (Continued)

Zoning Variable	Zoning Districts
zp_DRMulti_RTO	NC-2/P; NC-3/P/RM-3; NCD/P; NC-S/P; P/NC-S; P/NC-2; P/RC-4; P/RM-2; P/RM-3; C-2/RM-1/RM-4; C-3-G/RC-4; NCD/C-2; RM-3/C-2; RM-4/C-2; NC-1/RM-1; RM-1/NC-1; NC-2/RH-3; NC-2/RM-1; NC-3/RH-3; NC-3/RM-1; NCD/RH-3; NCD/RH-3/UPR MARKET; NCD/RH-3/UPR MARK; NCD/RH-3/VALENCIA; NCD/RM-1; NCD/RM-1/SACRAMENTO; NCD/SACRAMENTO ST; NCD/SACRAMENTO/RM-1; NCD/RM-1/SACRAMEN; RH-3/HAYES; RH-3/NC-2; RH-3/RM-2; RM-2/RH-3; RH-3/RM-3; RM-3/RH-3; RH-3/RSD; RH-3/VALENCIA; RM-1/NC-3; RM-1/RM-2; RM-1/RM-3; RM-1/RM-4; RM-1/SACRAMENTO; NC-1/RH-1/RH-2; NC-1/RH-2; NC-2/RH-2; NC-3/RH-2; NCD/RH-2; NC-S/RH-2; RH-2/NC-1; RH-2/NC-2; RH-2/NC-3; RH-2/RM-2; RM-2/RH-2; RH-2/RM-3; RM-3/RH-2; NC-1/RH-1; NC-2/RH-1; NC-2/RH-1(D); NC-3/RH-1; NCD/RH-1; NCD/RH-1(D); NC-S/RH-1; RH-1(D)/NC-2; RH-1/NC-1; RH-1/NC-2; RH-1/NC-3; RH-1/NC-S; 24TH-MISSION; 24TH STREET- NOE VALL; 24TH-NOE; BROADWAY; BROADWAY NEIGHBORHOOD; C-2/RM-4; CASTRO STREET NEIGHBO; CASTRO; CCB; CRNC; CR-NC; CRNC/CVR; CR-NC/CVR; CRNC/RM-4; CVR; DTR/RC-4; FILLMORE; HAIGHT; HAIGHT STREET NEIGHBO; HAYES; HAIGHT STREET NEIGHBO; INNER CLEMENT; INNER CLEMENT STREET; INNER SUNSET; INNER SUNSET NEIGHBOR; M-1/NC-2; M-1/RM-2; M-1/RSD; NC-1; NC-1/RM-2; NC-1/RM-3; NC-2; NC-2/M-1; NC-2/NC-3; NC-3/NC-2; NC-2/RM-3; NC-2/RM-4; NC-3; NC-3/RC-4; NC-3/RM-3; NC-3/RM-4; NCD; NCD/; NCD/24TH STREET- NOE VALL; NCD/24TH STREET-; NCD/24TH-MISSION; NCD/24TH-NOE; NCD/24TH-NOE-VALLE; NCD/24TH-NOE-VALLEY; NCD/BROADWAY; NCD/BROADWAY NEIG; NCD/BROADWAY NEIGHBORHOOD; NCD/CASTRO; NCD/CASTRO STREET; NCD/CASTRO STREET NEIGHBO; NCD/EXCELSIOR OUTER MISSI; NCD/EXCELSIOR OUT; EXCELSIOR OUTER MISSI; NCD/FILLMORE; NCD/HAIGHT; NCD/HAIGHT STREET; NCD/HAIGHT STREET NEIGHBO; NCD/HAYES; NCD/HAYES NCT; NCD/HAYES NCT/RTO; NCD/INNER CLEMENT; NCD/INNER CLEMENT STREET; NCD/INNER SUNSET; NCD/INNER SUNSET NEIGHBOR; NCD/IRVING STREET NEIGHBO; NCD/IRVING STREET; NCD/IRVING; IRVING STREET NEIGHBO; NCD/JAPANTOWN NEIGHBORHOO; NCD/JAPANTOWN NEI; JAPANTOWN NEIGHBORHOO; NCD/JUDAH STREET NEIGHBOR; NCD/JUDAH; NCD/JUDAH STREET; JUDAH STREET NEIGHBOR; NCD/NC-1; NCD/NC-2; NCD/NC-3; NCD/NCT; NCD/NO BEACH; NCD/NORIEGA STREET NEIGHB; NCD/NORIEGA STREE; NCD/NORIEGA; NCD/NORTH BEACH NEIGHBORH; NCD/NORTH BEACH N; NCD/NORTH BEACH; NCD/NORTHBEACH; NCD/NORTH BEACH/RM-1; NCD/NORTHBEACH/RM-1; NCD/OUTER CLEMENT; NCD/OUTER CLEMENT STREET; NCD/OUTER CLEMENT STREET; NCD/PACIFIC; NCD/PACIFIC AVENU; NCD/PACIFIC/RM-3; NCD/PACIFIC;RM-3; NCD/PACIFIC AVENUE NEIGHB; NCD/POLK; NCD/POLK STREET N; NCD/POLK STREET NEIGHBORH; NCD/POLK/RC-3; NCD/POLK/RC-4; NCD/RC-3; NCD/RESIDENTIAL- HOUSE, O; NCD/RESIDENTIAL-; NCD/RM-2; NCD/RM-3; NCD/RM-3/PACIFIC; NCD/RTO; NCD/SACRAMENTO; NCD/SACRAMENTO STREET NEI; NCD/TARAVAL STREET NEIGHB; NCD/TARAVAL STREE; NCD/TARAVAL; NCD/UNION; NCD/UNION STREET; NCD/UNION STREET NEIGHBOR; NCD/UPPER FILLMORE NEIGHB; NCD/UPPER FILLMOR; NCD/UPPER FILLMORE; NCD/UPPERFILLMORE; NCD/UPPER MARKET STREET N; NCD/UPPER MARKET; NCD/UPR MARKET NC; NCD/UPR MARKET; NCD/UPR MARKET NCT; NCD/UPR MARKET NCT/; NCD/VALENCIA; NCD/WEST PORTAL; NCD/WEST PORTAL A; NCD/WEST PORTAL AVENUE NE; NCD/BAYVIEW; NCD/COLE VALLEY; NCD/CORTLAND AVENUE; NCD/GEARY BOULEVARD; NCD/GEARY BOULEVA; NCD/GEARY BOULEVARD/RH-2; NCD/GEARY BOULEVARD/RM-1; NCD/INNER BALBOA STREET; NCD/INNER BALBOA S; NCD/OUTER BALBOA STREET; NCD/ OUTER BALBOA STREET; NCD/OUTER BALBOA S; NCD/LOWER HAIGHT STREET; NCD/LOWER HAIGHT S; NCD/LOWER HAIGHT STREET/RH-3; NCD/LOWER POLK STREET; NCD/MISSION BERNAL; NCD/INNER TARAVAL STREET; NCD/INNER TARAVAL; NCD/SAN BRUNO AVENUE; NCD/LAKESIDE VILLAGE; NCD/LAKESIDE VILLAG; NC-S; NC-S/PM-R; NC-S/RM-3; NCT-DIVISADERO/RM-3; NCT/RM-3; NCT/RM-4; NO BEACH; OUTER CLEMENT; POLK; RC-3; RC-3/POLK; RC-3/RM-3; RC-4; RC-4/NC-3; RC-4/RH DTR; RC-4/RM-4; RED/SLR; RM-2; RM-2/M-1; RM-2/NC-1; RM-2/NC-2; RM-2/NO BEACH; RM-2/RM-3; RM-2/RM-4; RM-3; RM-3/NC-1; RM-3/NC-2; RM-3/NC-3; RM-3/NC-S; RM-3/RC-3; RM-3/RM-4; RM-4; RM-4/CR-NC; RM-4/NC-2; RM-4/NC-3; RM-4/RC-4; RSD; RSD/SLR; SACRAMENTO; SLR; SSO; UNION; UPR MARKET; VALENCIA; WEST PORTAL

Appendix: Zoning Classifications (Continued)

Zoning Variable	Zoning Districts
zp_Public	C-2/M-1/P; C-2/P; C-3-O(SD)/P; C-3-O/C-3-S/P; C-3-S/P; CMUO/P; P/C-3-R; P/RM-1/RH-2; P/PM-R/RM-1; P/RH-3; P/RM-1; PM-MU2/PM-OS/PM-R/RM-1; P/RH-1/RH-2; P/RH-2; P/P-W/RH-1; P/RH-1; P/RH-1(D); P/RH-1/RH-1(D); Remove; HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-1/M-2/P; M-1/P; M-2/MB-OS; M-2/MB-RA/P; M-2/P; MB-O; MB-O/MB-RA; MB-OS; MB-RA/P; MUG/P; NC-2/P; NC-3/P/RM-3; NCD/P; NC-S/P; NCT/P; NCT-3/P; NCT-3/RTO; P; P/C-3-O(SD); P/M-1; P/M-2; P/MISS BAY S PL; P/MISS BAY S PLN; P/MUR; P/NC-S; P/NC-2; P/PDR-2; P/PM-OS; P/PM-OS/PM-R; P/P-W; P/RC-4; P/RM-2; P/RM-3; P/TB DTR; P/RTO-C; P, RTO-C; PM-CF; PM-CF/PM-OS; PM-CF/PM-OS/PM-R; PM-MU1/PM-OS; PM-MU2/PM-OS/PM-R; PM-OS; PM-OS/PM-R; PM-OS/PM-R/PM-S; PM-OS/PM-S; Public
zp_FBDMulti_RTO	DTR/RC-4; NCD/HAYES NCT; NCD/HAYES NCT/RTO; NCD/NCT; NCD/RTO; NCD/UPR MARKET NCT; NCD/UPR MARKET NCT/; NC-S/PM-R; NCT-DIVISADERO/RM-3; NCT/RM-3; NCT/RM-4; RC-4/RH DTR; RED/SLR; P/PM-R/RM-1; PM-MU2/PM-OS/PM-R/RM-1; MUG/P; NCT/P; NCT-3/P; NCT-3/RTO; P/MUR; P/PM-OS/PM-R; P/TB DTR; P/RTO-C; P, RTO-C; PM-CF/PM-OS/PM-R; PM-MU1/PM-OS; PM-MU2/PM-OS/PM-R; PM-OS/PM-R; PM-OS/PM-R/PM-S; C-3-O(SD)/TB DTR; C-3-O/TB DTR; CMUO/MUR; NCT-DIVISADERO/RH-3; NCT-DIVISADERO/RM-1; NCT/RH-3; NCT/RM-1; PM-R/RM-1; MUR/RH-2; NCT-GLEN PARK/RH-2; NCT-OCEAN/RH-2; NCT/RH-2; NCT-OCEAN/RH-1(D); NCT/RH-1(D); DTR; DTR/M-1; M-1/RH DTR; M-2/MR-MU; M-2/P70-MU; MB-RA/MR-MU; MR-MU; MUG; MUG/RED; MUR; NCT; NCT-DIVISADERO; NCT-FOLSOM; NCT-GLEN PARK; NCT-HAYES; NCT-HAYES/RTO; NCT-HAYES/RTO-1; NCT-MISSION; NCT-UPPER MARKET; NCT-UPPER MARKET;; NCT-UPPER MARKET/RH-2; NCT-UPPER MARKET/RH-3; NCT-OCEAN; NCT-SOMA; NCT/NCT-3; NCT/RCD; NCT/RED-MX; NCT/RTO; NCT/RTO-M; NCT/UMU; NCT-1; NCT-2; NCT-3; NCT-3/NCT-HAYES; RTO-1/NCT-3; RTO/NCT-3; P70-MU; PDR-1-D/UMU; PDR-1-G/UMU; PM-MU1; PM-MU1/PM-R; PM-MU2/PM-R; PM-MU2; PM-R; RCD; RED; RED-MX; RED-MX/WMUG; RH DTR; RH DTR/SB-DTR; RH DTR/TB DTR; RTO; RTO-1; RTO/NCT; RTO-1/RTO-C; RTO-C; RTO-M; SB-DTR; SPD; TB DTR; UMU; WMUG
zp_PDRInd	DTR/M-1; M-1/RH DTR; M-2/MR-MU; M-2/P70-MU; PDR-1-D/UMU; PDR-1-G/UMU; M-1/NC-2; M-1/RM-2; M-1/RSD; NC-2/M-1; RM-2/M-1; C-2/M-1/P; HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-1/M-2/P; M-1/P; M-2/MB-OS; M-2/MB-RA/P; M-2/P; P/M-1; P/M-2; P/PDR-2; C-2/M-1; C-M/M-1; RH-1/RH-2/RM-1; M-1/RH-2/RM-1; M-1/RM-1; M-2/RH-3; RH-3/M-2; M-1/RH-1; RH-1/M-1; HP-RA/M-1; HP-RA/M-2; M-1; M-1/M-1; M-1/M-2; M-1/PDR-1-B; M-1/PDR-2; M-2; M-2 (MB); M-2/MB-RA; M-2/PDR-2; M-2/SLI; MISS BAY S PLN/M-2; MISS BAY S PL; MISS BAY S PLN; MISS BAY S PLN/M-; PDR-1; PDR-1/PDR-2; PDR-1-B; PDR-1-B/PDR-2; PDR-1-D; PDR-1-G; PDR-2; SALI; SLI; SLI/M-2
zp_Redev	HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-2/MB-RA/P; HP-RA/M-1; HP-RA/M-2; M-2/MB-RA; MISS BAY S PLN/M-2; MISS BAY S PL; MISS BAY S PLN; MISS BAY S PLN/M-; MB-RA/MR-MU; MB-O/MB-RA; MB-RA/P; P/MISS BAY S PL; P/MISS BAY S PLN; HP-RA/RM-1; HP-RA; MB-RA; MISS BAY N RED; MISS BAY N RED PLN; MISS BAY N RED PL; MISS BAY S RED; MISS BAY S RED PLN; MISS BAY S RED PL

Appendix: Logic of Applying the Model

- This section of the appendix describes in more detail how the model was used to produce estimates of future housing production.
- For the existing zoning (“baseline”), the application of the model is straightforward. Current zoning was encoded using the zoning classification on the previous page, and current allowable height was used as the height variable in the logistic regression, and to calculate building envelope in the units regression.
- For the proposed rezoning (“policy”), the logic used was as follows: based on the units regression, each 1000 square feet of building envelope results in 0.42 units. The State Density Bonus adds an additional 0.44 units. Parcels that elect to use the Local Program therefore need to accommodate at least 0.44 additional units per 1000 square feet of envelope if developers are to choose this option. For parcels where the Local Program was more desirable, and on parcels that are ineligible for the SDB, because their zoning and size prevents them from building more than 5 units, the Local Program was applied. For all other parcels the SDB was used.

Appendix: Logic of Applying the Model (Continued)

- Probabilities and units for any parcel using the State Density Bonus were calculated by:
  - In the logistic regression, using the first new height in the rezoning table for Height_Ft and in the Env_1000_Area_Height calculation.
  - In the units regression, using the first new height in the rezoning table to calculate Env_1000_Area_Height;
  - Incorporating the SDB_2016_5Plus_EnvFull effect;
  - Incorporating the Zoning_DR_EnvFull if applicable (i.e. the parcel is density-restricted.

Appendix: Logic of Applying the Model (Continued)

- Probabilities and units for any parcel using the Local Program were calculated by:
  - In the logistic regression, setting zp_FBDMulti_RTO = 1, to account for the relaxation of density controls in the Local Program;
  - In the logistic regression, using the second new height in the rezoning table for Height_Ft and in the Env_1000_Area_Height calculation.
  - In the units regression, using the second new height in the rezoning table to calculate Env_1000_Area_Height;
  - In the units regression, removing the SDB_2016_5Plus_EnvFull effect;
  - In the units regression, removing the Zoning_DR_EnvFull effect.

Appendix: Business Disruption / Relocation Costs

- The analysis makes the following assumptions about business disruption and relocation costs:
  - Lost space will be 10% vacant, so 90% of the loss represents the loss of occupied space.
  - Lost business net income (for 6 months of disruption): $5/occupied square foot.
  - Fixed labor costs (for 6 months): $10/occupied square foot.
  - Moving costs and build-out of space at new premises: $175/occupied square foot

Staff Contact

Ted Egan, Ph.D., Chief Economist ted.egan@sfgov.org

From:	Bobak Esfandiari
Cc:	Mike Chen
Subject:	SF Democratic Party"s Resolution in support of the Family Zoning Plan
Date:	Monday, November 17, 2025 3:00:25 PM
Attachments:	Resolution In Support of the Family Zoning Plan to Make Housing More Affordable And Preserve Local Control Combined.pdf

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To all interested parties,

On October 22, 2025 the San Francisco Democratic Party passed a resolution supporting the Family Zoning Plan to Make Housing More Affordable And Preserve Local Control.

The resolution was passed with a vote of 21 AYEs, by the members present and was introduced by Michael Chen and Nancy Tung.

A certificate detailing the vote count is included on the attached PDF which includes the resolution.

If you have further questions or concerns, please do not hesitate to reach out to myself or the author, who is copied on this email.

Best,
Bobak Esfandiari

--
Bobak Esfandiari
Executive Director, San Francisco Democratic Party
bobak@sfdems.org | +1.925.899.2409 he/him



SF DEMS
SAN FRANCISCO DEMOCRATIC PARTY

Date Passed: October 22, 2025

Resolution Number: 2025-10-Family Zoning

SAN FRANCISCO DEMOCRATIC COUNTY CENTRAL COMMITTEE

OFFICERS
Nancy Tung, Chair
Dan Calamuci, First Vice Chair
Marjan Philhour, Second Vice Chair
Cedric Akbar, Third Vice Chair
Emma Hare, Fourth Vice Chair
Michael Lai, Finance Director
Mike Chen, Internal Operations Director
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Bilal Mahmood
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State Controller Malia Cohen
State Senator Scott Wiener
State Assemblymember Matt Haney
State Assemblymember Catherine Stefani

EXECUTIVE DIRECTOR
Bobak Esfandiari

San Francisco Democratic Party
1390 Market Street, Suite 200
San Francisco, CA 94102

(415) 226-9771
info@sfdems.org
www.sfdems.org

Aye: 21 – Akbar, Arce, Calamuci, Chandler, Chen, Coles, Dorsey, Gupta, Hare, Ho, Kingsbury, Lai, Mahmood, Philhour, Sangirardi, Tung, Ma, Cohen, Wiener, Haney, Stefani

Nay: 5 – Avalos, Chan, Gallotta, Mar, Mullin

Abstain: 3 – Tu, Pelosi, Kounalakis

Absent: 3 – Alioto-Pier, Kim, Nguyen

I hereby certify that the foregoing Resolution was ADOPTED on October 22, 2025 by the San Francisco Democratic Party.

Bobak Esfandiari

Bobak Esfandiari
Executive Director

RESOLUTION IN SUPPORT OF THE FAMILY ZONING PLAN TO MAKE HOUSING MORE AFFORDABLE AND PRESERVE LOCAL CONTROL

Principal Authors: Mike Chen, Nancy Tung
Co-Sponsors: Cedric Akbar, Joshua Arce, Dan Calamuci, Trevor Chandler, Lanier Coles, Matt Dorsey, Parag Gupta, Eric Kingsbury, Michael Lai, Bilal Mahmood, Marjan Philhour, Joe Sangirardi

WHEREAS, San Francisco's decades-long housing shortage has caused housing prices to explode; high housing costs are a burden on San Franciscans and contribute to the homelessness, displacement, and cost of living crises; and San Francisco must proactively address rising housing costs in order to retain and attract workers, artists, innovators, and young people to live here; and

WHEREAS, California law requires cities and counties to plan for more housing to meet population growth; to comply with state law, in 2023, after outreach and neighborhood input, the San Francisco Board of Supervisors adopted a plan to allow 82,069 new homes at varying income affordability levels by 2031;[1] the plan commits San Francisco to a rezoning program to allow more homes to be created; and

WHEREAS, If the city fails to follow through on the plan and rezone, the city will go back on its commitments to the state, leading to court penalties, the loss of over $100 million every year in state funds for transportation and low-income housing, and loss of local land use authority through a state takeover that nullifies all local planning standards around height, setbacks, design, density, parking, and shadows through the Builder's Remedy; without a rezoning plan, San Francisco will continue to become more expensive, less racially diverse, and less welcoming to working families, young people, seniors, and immigrants, while losing the ability to plan responsibly; and

[1] Board File #230001, Housing Element https://sfgov.legistar.com/LegislationDetail.aspx?ID=5982213&GUID=A8FDFF26-50BF-4031-9A36-D58ECD208048

PROPOUNDED BY: Chen, Tung
ADOPTED: 10-22-2025
RESOLUTION NO. 2025-10-Family Zoning

WHEREAS, the proposed Family Zoning Plan for San Francisco (a) focuses more housing capacity along transit and commercial corridors where more housing makes the most sense; (b) would facilitate low-income housing in priority equity neighborhoods such as the Mission, Chinatown or South of Market; (c) would generate funding and expand opportunities for low- and middle-income housing built by community-based non-profit organizations, including (but not limited to) drug-free housing for people recovering from substance use disorder; (d) incentivizes construction of family-sized homes with at least two bedrooms; (e) includes strategies to prevent small business displacement; (f) complements state housing laws and labor standards that promote union construction jobs and lift up working conditions and standards for all residential construction workers; (g) ensures that low-income affordable housing is preserved or replaced, and that tenants can return there after construction; (h) allows the creation of new rent-controlled housing; and

WHEREAS, the Family Zoning Plan will also build on existing and developing policies to stabilize families and communities, including the inclusionary housing program for generating affordable housing for low-income workers and immigrant families, the neighborhood preference program to keep vulnerable low-income families in their own neighborhoods and the city, demolition controls to preserve tenant-occupied and guard against the destruction and loss of rent-controlled housing, rent control, tenant eviction protections, and fully-funded small business assistance and relocation programs; and therefore

RESOLVED, that the San Francisco Democratic Party supports the Family Zoning Plan with the aforementioned goals and principles, which preserves local control, complies with the state-mandated Housing Element, makes housing more affordable, supports union construction jobs with high labor standards, advances recovery from addiction, and protects tenants and small businesses from displacement; and be it

FURTHER RESOLVED, that copies of this Resolution be sent to Mayor Daniel Lurie and the San Francisco Board of Supervisors; and that the San Francisco Democratic Party directs the Executive Director to support the Family Zoning Plan.

PROPOUNDED BY: Chen, Tung
ADOPTED: 10-22-2025
RESOLUTION NO. 2025-10-Family Zoning

From:	Lee Heidhues
To:	Lurie, Daniel (MYR)
Cc:	Luke Bornheimer; Lucas Lux; DPH-jodie; Robin at KidSafe SF; Andy Thornley; Chan, Connie (BOS); Board of Supervisors (BOS); Joe Eskenazi; Joe Fitzgerald; rswan@sfchronicle.com; Garcia-Ruiz, Emilio; Ms. Lizzie Ann Heidhues
Subject:	Fwd: Upzoning plan amendments: What got stalled?
Date:	Tuesday, November 18, 2025 5:50:25 PM

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Mayor Lurie

https://newspack-missionlocal.s3.amazonaws.com/mission/wp-content/uploads/2025/11/D4-Questionnaire-Final.pdf

The questionnaire has an implicit bias in that it asks how the respondent voted on Proposition Kpp and refers to "Great Highway" even though the proper name is Sunset Dunes Park
Given that you, Mayor Lurie, are opposed to the Park the phrasing of the question lays bare your bias.
A proponent of Proposition K will never be appointed

In Solidarity,
Lee Heidhues

---------- Forwarded message ---------
From: **Lee Heidhues** <leerossh@gmail.com>
Date: Tue, Nov 18, 2025, 5:33 PM
Subject: Fwd: Upzoning plan amendments: What got stalled?
To: Barish Jean <jeanbbarish@hotmail.com>

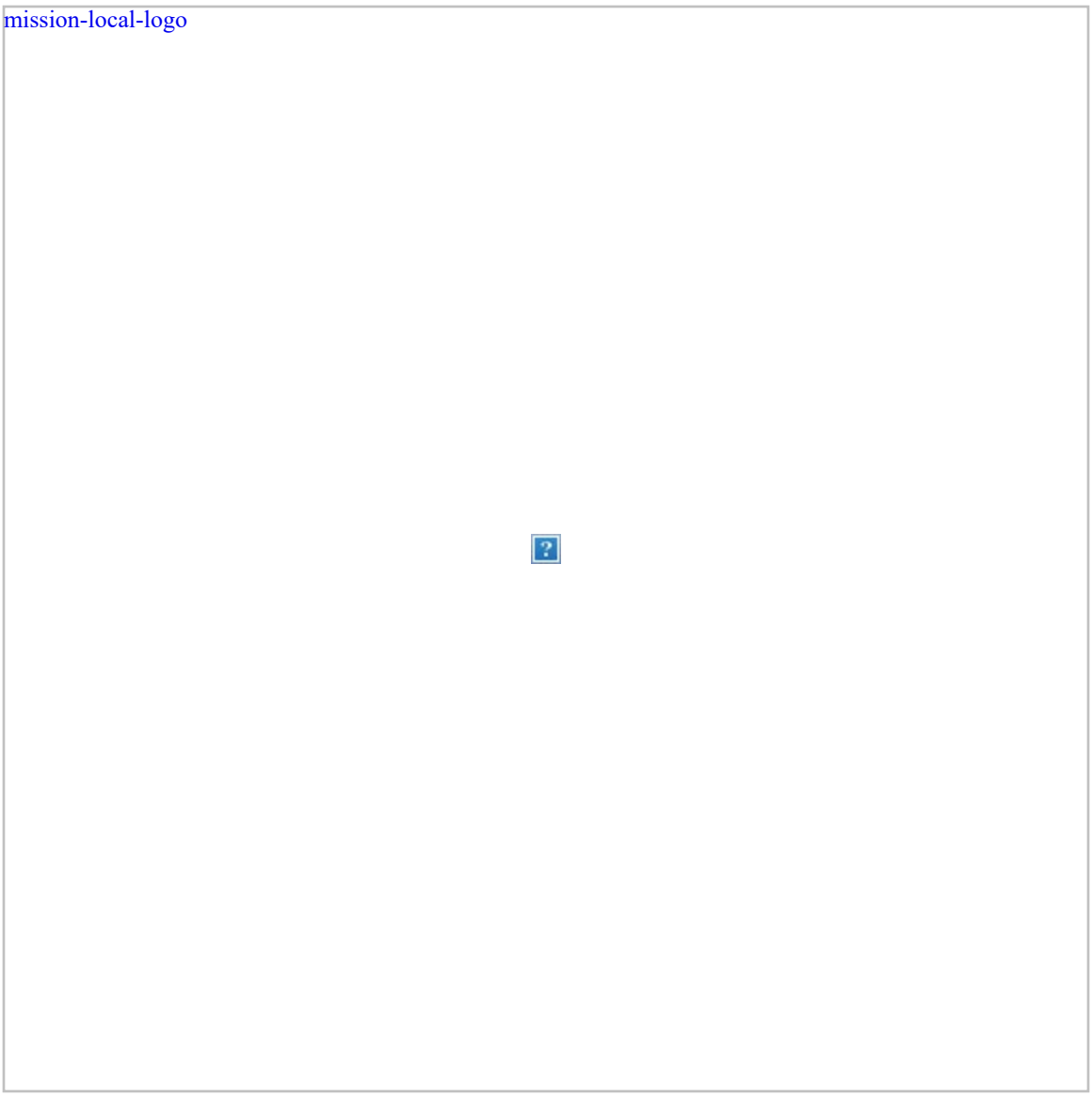
Jean

Thought you might like to see this

In Solidarity,
Lee

---------- Forwarded message ---------
From: **Mission Local** <info@missionlocal.com>
Date: Tue, Nov 18, 2025, 5:31 PM
Subject: Upzoning plan amendments: What got stalled?
To: <leerossh@gmail.com>

mission-local-logo



Good afternoon!

Want to be D4 supervisor? Mission Local obtained the 5-page questionnaire the **Mayor's office** is sending out to applicants. In an only-in-San Francisco touch, applicants were asked whether they'd ever hired a **permit expediter** on their properties.

The Land Use committee of the S.F. Board of Supervisors approved a few state-supported **amendments to the city's controversial upzoning plan**, and tabled more sweeping attempts to **exempt** certain areas from development. **Io Yeh Gilman** explains what's happening—and what's next.

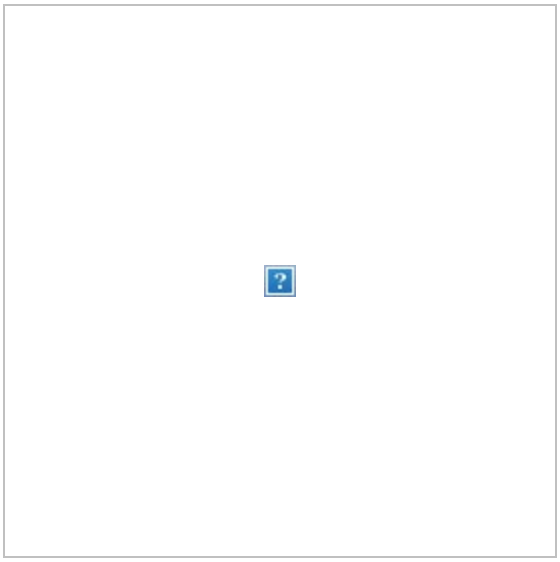
The legacy business **Bissap Baobab** is closing its Mission Street venue after **28 years.** The owner, **Marco Senghor**, is actively looking for a new location, and promises a **farewell party** for the neighborhood December 20.

For the **back story**, read about Senghor's previous move from '**Little Baobab**' to 'Big Baobab.'

More soon,

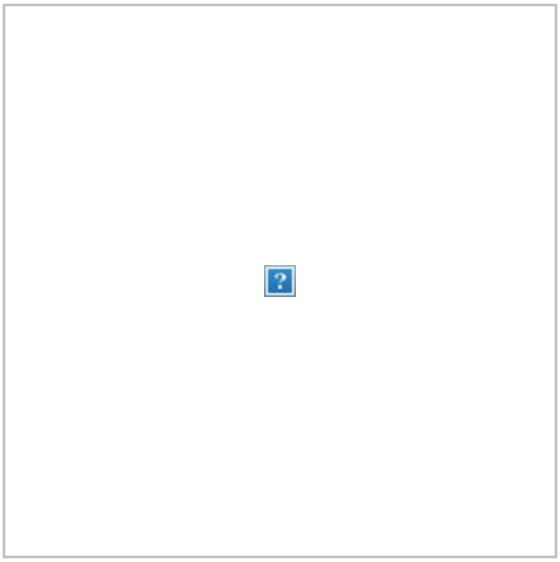
Sara

Latest News



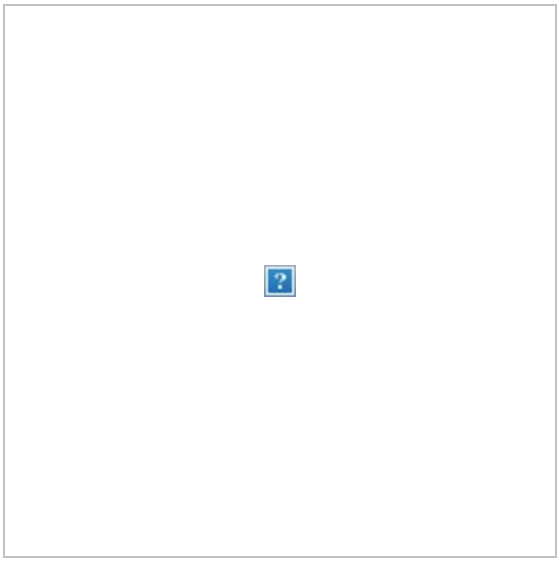
Sweeping amendments to S.F. upzoning plan tabled

"We cannot simply agree to demolish San Francisco for the sake of meeting a state mandate."



Want to be D4 supervisor? Here's the mayor’s questionnaire.

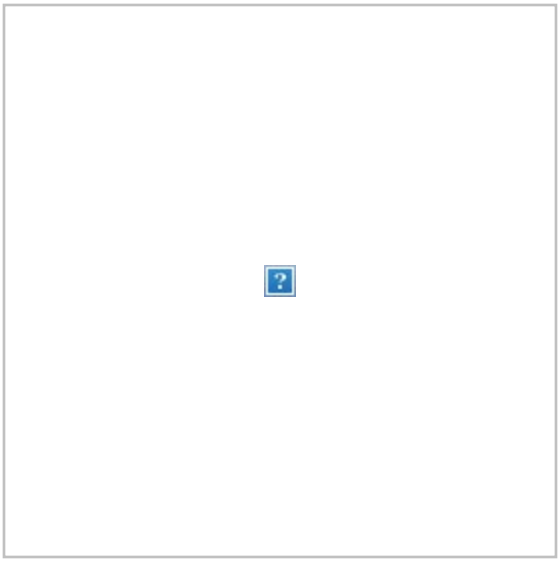
"Have you ever said anything that could be perceived as offensive on social media platforms such as X?"



Bissap Baobab to close Mission St. location

"Let us be clear: Baobab is NOT done. The Baobab bends, but it never breaks."

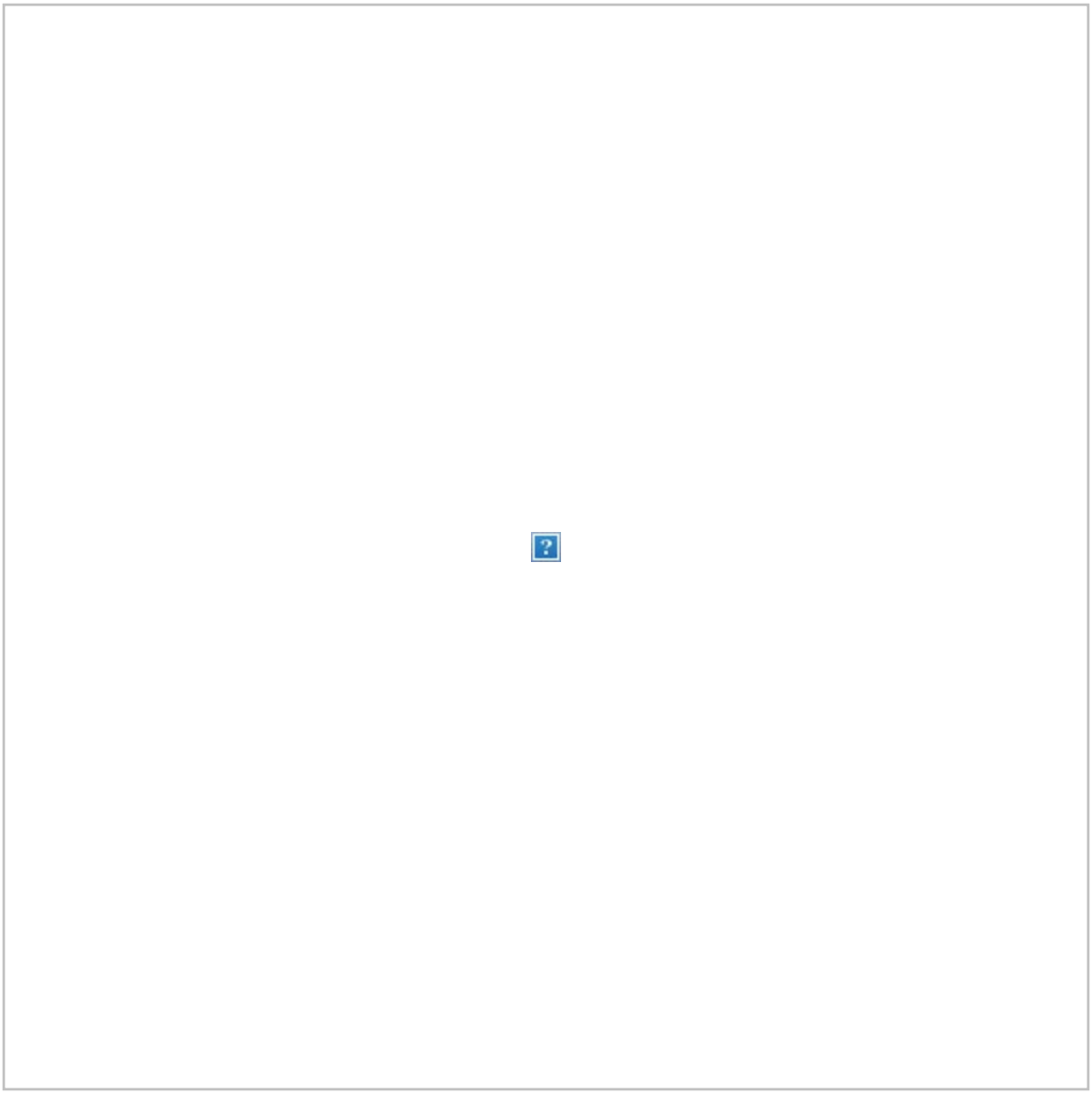
Back Story



‘Big Baobab’ to plant fresh roots on Mission Street

"I feel like Baobab is not mine anymore; it belongs to the community."

SNAP



Viva KitKat

By Elina Davenport

Events

All Events

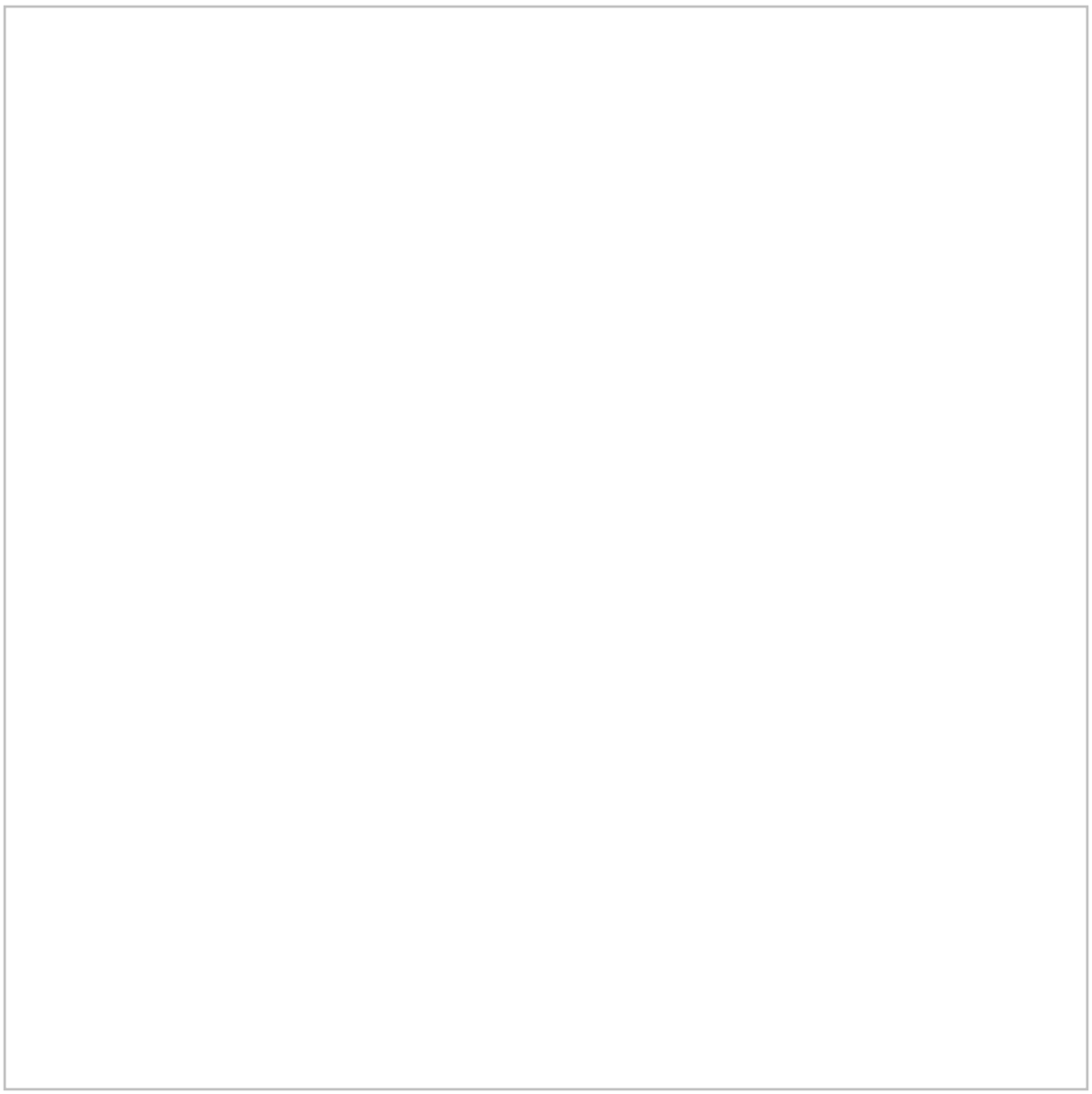
Today: Wendy DeWitt, Queen of Boogie Woogie at the Woodchopper's Ball, Verdi Club, November 18, 9-11:30PM

Tomorrow: Public Board Meeting at the Mission Cultural Center for Latino Arts, November 19, 6-8PM

We have $76,500 in matching funds!

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I'm in! Match my gift.





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From: hobb2@everyactioncustom.com on behalf of Sherri Samu
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Tuesday, November 18, 2025 1:44:18 PM

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Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Sherri Samu
San Francisco, CA 94122

From: young.erika@everyactioncustom.com on behalf of Erika Young
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 10:47:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

What on earth is happening to City Hall? Do Scott Wiener and his YIMBY overlords decide everything now? The Land Use Committee just voted to kill Supervisor Chan and Chen's amendments to Mayor Lurie's “Rich Family Housing Plan”. This means that Daniel Lurie deliberately created a housing plan that would drive his own residents and small businesses out of the city.

I can only assume that greed and money are driving Senator Wiener and Supervisor Melgar, because I can't find a way to explain their actions with logic. I also find it shameful that Wiener would come to the city of San Francisco and make it his home -- a city that ensures his personal freedom as a gay man -- and then turn around and do everything he can to destroy it.

Regarding Supervisor Melgar, I've seen news coverage that the residents of D7 are starting to consider a recall. I've also seen quotes from constituents who really used to like her, and now can't understand why she literally ignores them.

A lot of city residents have been asking how something like Redevelopment could have happened. Now we know.

Sincerely,
Erika Young
San Francisco, CA 94122

From: jennifer_mahoney@everyactioncustom.com on behalf of jennifer mahoney
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 4:55:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):Lincoln Manor neighborhoods parking is a big problem because there are not any parking permits here-all the apartment residents on Geary and Clement use our street (shore view) as a parking lot!! Because there isn't any enforcement, it's a real nuisance for ppl who live here It cannot get any worse.

Sincerely,
jennifer mahoney
San Francisco, CA 94121

From:	dadaray2002@everyactioncustom.com on behalf of Linda Ray
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 4:32:28 PM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning. The proposed zoning changes are the most far reaching in decades and should not be rushed through behind closed doors.

Additional comments:

Sincerely,
Linda Ray
San Francisco, CA 94133

From:	kielykids@everyactioncustom.com on behalf of LaVive Kiely
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 4:05:40 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

What are you tying to hide from us?

Sincerely,
LaVive Kiely
San Francisco, CA 94127

From: betho9@everyactioncustom.com on behalf of Beth O Kellenberger
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 3:21:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

THIS PLAN jumps the gun. Poorly considered. We don't even really know how much vacant housing there is because that's "hard to determine" in S.F. Meanwhile, owners don't want to rent because they can't get bad tenants out. LET'S FIX THAT FIRST. Also , we don't have public transit built for NORTH/SoUTH travel by car OR by public transit…. Especially now that great highway is closed….. SO LET'S FIX THAT first.

Sincerely,
Beth O Kellenberger
San Francisco, CA 94121

From:	timepuzzle@everyactioncustom.com on behalf of John Robert Smith
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 3:07:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
John Robert Smith
San Francisco, CA 94127

From:	noguera@everyactioncustom.com on behalf of Hatun Noguera
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 3:06:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments: Do what the people who elected you want, not what you want.

Sincerely,
Hatun Noguera
San Francisco, CA 94127

SF DEMS
SAN FRANCISCO DEMOCRATIC PARTY

Date Passed: October 22, 2025

Resolution Number: 2025-10-Family Zoning

Aye: 21 – Akbar, Arce, Calamuci, Chandler, Chen, Coles, Dorsey, Gupta, Hare, Ho, Kingsbury, Lai, Mahmood, Philhour, Sangirardi, Tung, Ma, Cohen, Wiener, Haney, Stefani

Nay: 5 – Avalos, Chan, Gallotta, Mar, Mullin

Abstain: 3 – Tu, Pelosi, Kounalakis

Absent: 3 – Alioto-Pier, Kim, Nguyen

I hereby certify that the foregoing Resolution was ADOPTED on October 22, 2025 by the San Francisco Democratic Party.

Bobak Esfandiari

Bobak Esfandiari
Executive Director

SAN FRANCISCO DEMOCRATIC COUNTY CENTRAL COMMITTEE

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Dan Calamuci, First Vice Chair
Marjan Philhour, Second Vice Chair
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Emma Hare, Fourth Vice Chair
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EXECUTIVE DIRECTOR
Bobak Esfandiari

San Francisco Democratic Party
1390 Market Street, Suite 200
San Francisco, CA 94102

(415) 226-9771
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www.sfdems.org

RESOLUTION IN SUPPORT OF THE FAMILY ZONING PLAN TO MAKE HOUSING MORE AFFORDABLE AND PRESERVE LOCAL CONTROL

Principal Authors: Mike Chen, Nancy Tung
Co-Sponsors: Cedric Akbar, Joshua Arce, Dan Calamuci, Trevor Chandler, Lanier Coles, Matt Dorsey, Parag Gupta, Eric Kingsbury, Michael Lai, Bilal Mahmood, Marjan Philhour, Joe Sangirardi

WHEREAS, San Francisco's decades-long housing shortage has caused housing prices to explode; high housing costs are a burden on San Franciscans and contribute to the homelessness, displacement, and cost of living crises; and San Francisco must proactively address rising housing costs in order to retain and attract workers, artists, innovators, and young people to live here; and

WHEREAS, California law requires cities and counties to plan for more housing to meet population growth; to comply with state law, in 2023, after outreach and neighborhood input, the San Francisco Board of Supervisors adopted a plan to allow 82,069 new homes at varying income affordability levels by 2031;[1] the plan commits San Francisco to a rezoning program to allow more homes to be created; and

WHEREAS, If the city fails to follow through on the plan and rezone, the city will go back on its commitments to the state, leading to court penalties, the loss of over $100 million every year in state funds for transportation and low-income housing, and loss of local land use authority through a state takeover that nullifies all local planning standards around height, setbacks, design, density, parking, and shadows through the Builder's Remedy; without a rezoning plan, San Francisco will continue to become more expensive, less racially diverse, and less welcoming to working families, young people, seniors, and immigrants, while losing the ability to plan responsibly; and

---

[1] Board File #230001, Housing Element
https://sfgov.legistar.com/LegislationDetail.aspx?ID=5982213&GUID=A8FDFF26-50BF-4031-9A36-D58ECD208048

PROPOUNDED BY: Chen, Tung
ADOPTED: 10-22-2025
RESOLUTION NO. 2025-10-Family Zoning

WHEREAS, the proposed Family Zoning Plan for San Francisco (a) focuses more housing capacity along transit and commercial corridors where more housing makes the most sense; (b) would facilitate low-income housing in priority equity neighborhoods such as the Mission, Chinatown or South of Market; (c) would generate funding and expand opportunities for low- and middle-income housing built by community-based non-profit organizations, including (but not limited to) drug-free housing for people recovering from substance use disorder; (d) incentivizes construction of family-sized homes with at least two bedrooms; (e) includes strategies to prevent small business displacement; (f) complements state housing laws and labor standards that promote union construction jobs and lift up working conditions and standards for all residential construction workers; (g) ensures that low-income affordable housing is preserved or replaced, and that tenants can return there after construction; (h) allows the creation of new rent-controlled housing; and

WHEREAS, the Family Zoning Plan will also build on existing and developing policies to stabilize families and communities, including the inclusionary housing program for generating affordable housing for low-income workers and immigrant families, the neighborhood preference program to keep vulnerable low-income families in their own neighborhoods and the city, demolition controls to preserve tenant-occupied and guard against the destruction and loss of rent-controlled housing, rent control, tenant eviction protections, and fully-funded small business assistance and relocation programs; and therefore

RESOLVED, that the San Francisco Democratic Party supports the Family Zoning Plan with the aforementioned goals and principles, which preserves local control, complies with the state-mandated Housing Element, makes housing more affordable, supports union construction jobs with high labor standards, advances recovery from addiction, and protects tenants and small businesses from displacement; and be it

FURTHER RESOLVED, that copies of this Resolution be sent to Mayor Daniel Lurie and the San Francisco Board of Supervisors; and that the San Francisco Democratic Party directs the Executive Director to support the Family Zoning Plan.

PROPOUNDED BY: Chen, Tung
ADOPTED: 10-22-2025
RESOLUTION NO. 2025-10-Family Zoning

Public Comment to the Land Use Committee 11/17/2025
Jessica Vistnes

My name is Jessica Vistnes and I am a resident of District 2. I've given public comment several times before and was thinking about not coming again today but I feel so strongly about this issue that here I am. I have a lot of concerns about the upzoning in District 2, but in my 2 minutes I want to concentrate on the upzoning to 14 stories on Lombard Street from Laguna going east to Van Ness.

My understanding of how this came about was that it was in response to a proposal from the Cow Hollow Association. I am attaching a copy of that proposal with my comments today and I am hoping you will read it. The proposal had asked to taper the increase of heights on Lombard so that there would be no increase from four stories around the Palace of Fine Arts up through Webster Street so people could see the Palace of Fine Arts. Then the proposal called for increasing heights to five stories from Webster to Gough and then six stories between Gough and Van Ness. This proposal seemed very reasonable to me and fits with the scale of the neighborhood.

My understanding was that in response to this proposal heights WERE lowered close to the Palace of Fine Arts – in line with neighborhood concerns. But heights were not lowered to five stories on the next part of Lombard and instead of heights of six stories closer to Van Ness they were increased from what had been in the plan before to now be 14 stories. And my further understanding is this was done to maintain the count along Lombard Street – which is, in my opinion, not a thoughtful way to do planning.

This part of San Francisco has many of the views of the Bay that are iconic. These blocks on Lombard would affect views of Fort Mason and Alcatraz from many viewpoints. So, I am here again to ask you to put in an amendment to lower the heights from 14 stories on the blocks from Laguna to Van Ness. If the heights were so easily increased from maps that had been in the works for years, they should be able to be decreased although time is getting very short.

COW HOLLOW ASSOCIATION
P.O. BOX 471136 SAN FRANCISCO, CA 94147



April 30, 2025

Supervisor Stephen Sherrill
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Proposed Revisions to the Upzoning Map to Reflect District 2's Community Planning, Safety, and Growth Objectives

Dear Supervisor Sherrill,

Thank you for your engagement with our neighborhood as we collectively work toward a vision of housing growth that respects San Francisco's history, diverse communities, scale, and distinctive public spaces.

As SF Planning continues to revise the proposed Upzoning Map, we request a series of specific, actionable changes critical to maintaining the identity, livability, and uniqueness of this part of San Francisco. We look forward to working with you to:

- Maintain Lombard Street as a Scenic Gateway to San Francisco
- Protect Existing Housing and Prioritize Safety
- Safeguard Neighborhood-Serving Retail Corridors
- Remove Density Decontrol Provisions

This part of District 2 features some of San Francisco's most iconic landmarks—from the Bay and the Palace of Fine Arts to the Golden Gate Bridge. As drivers enter the city via the Presidio Parkway, they experience a rare blend of hillside housing and urban density, evoking the charm of Europe's great coastal cities. The combination of natural setting, architectural rhythm, and cultural legacy makes this area both a world-class tourist destination and a cherished residential neighborhood.

For over a century, development west of Van Ness has followed the city's natural topography, integrating the urban grid with the land's slope, sunlight, and airflow. This is no accident—it is the result of organic, community-guided planning. Taller buildings crown the hilltops, gradually stepping down to 40 feet as the land slopes toward the Bay. Where this balance has been ignored, the consequences have been damaging.

COW HOLLOW ASSOCIATION
P.O. BOX 471136 SAN FRANCISCO, CA 94147



As the city updates its zoning map to meet housing goals, it has both the opportunity and the obligation to respect this historic, context-sensitive development pattern. A one-size-fits-all approach invites speculative land grabs, drives up land costs, and risks replacing community-serving homes and businesses with unaffordable, investor-driven development.

Requested Map Changes & Policy Adjustments

1. Maintain Lombard Street as a Scenic Gateway to San Francisco

Lombard Street forms a gateway into San Francisco from the Golden Gate Bridge, framing iconic landmarks like the Palace of Fine Arts. Longstanding planning principles recognize that such landmarks must retain their visual prominence within the surrounding cityscape.

The proposed Upzoning Map undermines those principles by allowing buildings 6 to 8 stories tall—or more—immediately adjacent to or within the vicinity of lower-scale blocks and historic landmarks. These oversized structures, up to 100% larger than their surroundings, would crowd and compete with iconic features like the Palace of Fine Arts—a City Landmark that has long defined San Francisco's northern waterfront. Its visual stature depends on a built environment that respects both scale and setting. A blunt, uniform upzoning to 85 feet disregards topography and erodes the historic character that makes this area both livable and globally recognized.

We recommend a tapered height approach: 40 feet near the Palace, rising gradually to 50 and then 65 feet approaching Van Ness. This reflects the area's historical development pattern and ensures a balanced transition from the waterfront to the city's interior.

Recommended Height Limits:

- Limit building height to 40' on Richardson Avenue and on Lombard Street (starting at the Lombard Gate) to Webster Street
- Allow gradual increases beyond Webster to Van Ness:
    - 50' between Webster and Gough
    - 65' between Gough and Van Ness

This part of San Francisco — including Cow Hollow, the Marina, and Pacific Heights — has been assigned thousands of new units of housing capacity through broad density decontrol and increased height allowances, all contributing to the state's RHNA targets. It is more than our fair share in one of the city's most densely populated neighborhoods. These policies, when done properly, could enable new growth by allowing duplexes, triplexes, and small multi-unit buildings across the neighborhood.



In addition, Lombard is home to many small, independent motels dating back to the era of the Golden Gate Bridge — a rare remnant of San Francisco's history of welcoming visitors within neighborhood settings. Lombard is one of the last Motorways in the country that captures that hope-filled era of travel in mid-century America, rebuilding after World War II. These motels provide reasonably priced rooms and proximity to a major tourist destination, and support for our local businesses. Several of these motels have already been converted to student housing for the Academy of Art University. Losing others will result in losing tourism to our community and neighborhoods.

These recommendations align with the Planning Department's stated goals under the General Plan to preserve neighborhood character, maintain economic diversity, and enhance citywide view corridors.

2. Protect Existing Housing and Prioritize Safety

Lombard Street already has many residents living in rent-controlled apartments. These homes are essential to neighborhood stability and affordability, and support a vibrant mix of retail, services, and housing. Let's ensure long-time tenants in older rent-controlled buildings will not be quietly displaced through buyouts and demolitions.

As the upzoning plans allowed for more residents, we need to ensure the safety of those residents. The Planning Department must consider the serious risk of liquefaction in these areas. Much of the low-lying Marina and Cow Hollow was built on infill and remains vulnerable to seismic activity.

Aside from Lombard being a liquefaction zone, fire response time is a consideration. Cow Hollow boasts a newly rebuilt fire station on Greenwich Street. However, the fire truck ladders at this station can only service buildings as tall as 6-7 stories. If the building heights nearby are raised to 85' or taller, trucks must come from other neighborhoods, increasing the response time and endangering residents and visitors. This public safety issue has not been addressed anywhere in the city where buildings are proposed for drastic height increases.

These issues point to the need for thoughtful major corridor plans along not only Lombard, but Geary, 19th, and Taraval, among others, to ensure that urban planning practices can be implemented with the public input and care that went into the Market-Octavia or Central SOMA Plans of recent years.

3. Safeguard Neighborhood-Serving Retail Corridors

Chestnut, Union, and Fillmore streets are economic and cultural anchors. Their small-scale, sunlit retail corridors support thousands of jobs and contribute significantly to neighborhood livability and a large contingent of the city's 20+ million visitors that further contribute to supporting local employment and small businesses.



Upzoning these corridors would trigger redevelopment that almost always begins with demolition—many of these buildings are historic one-story Art Deco structures that currently house thriving small businesses. These businesses will not survive the transition, and adjacent shops are often dragged down by years of construction-related disruption. Noise, fencing, blocked sidewalks, lost parking, and reduced foot traffic can destabilize entire commercial blocks. The result is not affordable housing—it is the slow erosion of the vitality and street life that make these neighborhoods work.

The Marina Safeway site is another concern. While redevelopment may be considered, its location and current use are vital for residents—especially seniors and families without access to private transportation. A high-rise would be inappropriate and disruptive in this context.

Recommended Height Limits:

- Limit height to 40 feet on:
    - Union Street
    - Chestnut Street
    - Lower Fillmore Street (within the Marina and Cow Hollow)
    - Upper Fillmore Street (from Jackson to Bush)
    - Safeway site (corner of Laguna and Marina Blvd)

4. Remove Density Decontrol Provisions

To promote transparency and encourage meaningful neighborhood engagement, urge SF Planning to update the current interactive Upzoning Map to clearly reflect the two key provisions. Most San Franciscans are unfamiliar with these kinds of online tools and may not realize they need to click the "Info" button in the left-hand legend to uncover the proposed changes.

Currently, if someone clicks on a corner lot within the density decontrol area, the map still shows a proposed height of 40 feet—rather than the actual 65 feet being contemplated. This creates confusion and obscures the true scope of the changes. Failure to make these provisions plainly visible may not meet the standards of procedural transparency or informed public review expected under CEQA and other land use statutes. Complete clarity is essential.

But clarity alone is not enough. These provisions are deeply flawed and should be removed:

Recommended Changes:



- **Remove the provision that allows 65' heights on corners lots.** This will result in taller, randomly-placed towers among otherwise consistent 1-4 story residential blocks — with no relationship to neighborhood form or any broader planning vision.

- **Remove the provision that allows lots 8,000 sq. ft. or greater to automatically rise to 65'.** This provision encourages lot mergers that will invade the unique and vital greenbelts, backyards, and trees that provide vital open space in dense urban living.

Conclusion

We support new housing through thoughtful, context-sensitive growth. Like the city, we believe in expanding housing opportunities through planning that respects topography, preserves neighborhood identity, and safeguards essential services.

This area has already added housing capacity through the 4- and 6-plex legislation led by Supervisor Mandelman and adopted in 2023. We welcome further improvements that recognize Lombard Street's role as a scenic gateway.

But the current map goes too far. It invites speculation, drives up land costs, and encourages the demolition of sound housing—quietly displacing tenants and small businesses in favor of unaffordable luxury towers. These are the very people and places that give our neighborhoods their life and character.

Incorporating the revisions we've outlined will build public trust, reflect sound planning, and reduce the risk of unnecessary conflict or delay.

We urge you to support a smarter, long-term strategy—one that protects what makes San Francisco unique: its layered history, diverse communities, small businesses, and walkable, human-scale neighborhoods that reflect generations of thoughtful planning—while ensuring that truly affordable housing is the outcome, not just the promise, of these efforts.

Sincerely,

Lori Brooke
President, Cow Hollow Association

cc:
CHA Association Board and Membership
Mayor Daniel Lurie
Ned Segal, Chief of Housing and Economic Development
Rich Hillis, Director, Planning Department
Rachael Tanner, Director of Citywide Planning, Planning Department
Joshua Switzky, Deputy Director of Citywide Policy, Planning Department
Lisa Chen, Principal Planner, Planning Department

SUBMITTED FOR FAMILY ZONING CUT 11/17/2023

SB 9 does not produce below-market-rate (BMR) units, without a substantial increase in supply, it will not realistically assist moderate, low, or extremely low income households (below 120% AMI) obtain housing.

Many areas of the city with lower land values, high percentages of households of color, and/or with lower outcomes in health, wealth, and life expectancy also have high rates of owner-occupied single family housing, for example, the Bayview (73%), Visitation Valley (70%), and Outer Mission (75%). SB 9 may offer these homeowners the opportunity to add units for extended families or to generate rental income, or gain wealth through lot splits. However, there are significant hurdles to realize these gains. Acquiring financing for project development, navigating a complex permitting process, and having the resiliency to manage the significant disruption and take financial risks of construction are major barriers facing existing homeowners in communities of color and low-income communities. Without City investment in programs that support owner-occupied development, such as construction loans or funding prioritized for owners of color or low-income owners, the more straightforward option would be for existing owners to sell their property, or "cash out," and leave San Francisco for areas with lower home costs. While the bill includes a provision that the applicant of an SB 9 lot split is required to occupy one of the housing units as their principal residence for a minimum of three years from the date of the lot split approval, it does not apply to SB 9 project without the lot split. And while selling may financially benefit an individual household, this practice has been incrementally devastating to communities of color, Cultural Districts, and areas of the city where residents have a common sense of cultural identity, and a historic and major loss to San Francisco as a whole.

Agenda Item 4 Attachment

Additional Considerations THIS IS A PRELUDE TO THE REZONING BEING APPROVED

Beyond the issues addressed above, there are unintended consequences for any legislation and these conditions can be difficult to study and anticipate. Some property owners or developers may use SB 9 to streamline the redevelopment of smaller, existing homes into larger, more expensive single family homes with a small additional unit that may never be rented, undermining the intent of creating more housing stock. Renters are protected by SB 9, but may be vulnerable to unscrupulous landlords due to a variety of circumstances, like being undocumented, in a dire financial state, or otherwise exploited. While the city must implement projects that meet the requirements of SB 9, and other state requirements such as SB 330, the Housing Accountability Act, and others, it may also consider allowable measures to tailor SB 9 through local implementation such as creating owner-occupied development programs that prioritize households of color and low income households, unit parity requirements that balance housing unit size, or others new programs. NEED MITIGATION. FOR EXAMPLE: WHAT HAPPENED TO SMALL SITES PROGRAM?

SB 10 Summary

Senate Bill 10 (Wiener)[7] authorizes a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance if the parcel is located in a transit-rich area or an urban infill site. Specifically, this bill:

TO: LUT FROM: Jerry Schubert

[7] The legislative history and full text of the bill is available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB10

From:	Ryan Patterson
To:	Carroll, John (BOS); Board of Supervisors (BOS)
Cc:	Ephraim Margolin; Sonja Trauss; Devon Bolla
Subject:	RE: Proposed Family Zoning Plan and Housing Element Implementation: File Nos. 250700, 250701, 251071, 251073, 250985, and 250966
Date:	Monday, November 17, 2025 2:58:40 PM
Attachments:	2025.11.17 Ltr re SF Family Zoning Plan - RJP.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Further to the below email, can you please kindly add the attachment to the above-captioned files?

Thank you very much,

Ryan J. Patterson
Patterson & O'Neill, PC
Main: (415) 907-9110
Direct: (415) 907-7701
Mobile: (530) 913-7609
Fax: (415) 907-7704
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From: Devon Bolla <devon@pattersononeill.com>
Sent: Monday, November 17, 2025 2:43 PM
To: john.carroll@sfgov.org; Board.of.Supervisors@sfgov.org
Cc: Ryan Patterson <ryan@pattersononeill.com>; Ephraim Margolin <emargolin@pattersononeill.com>; Sonja Trauss <sonja@yimbylaw.org>
Subject: Proposed Family Zoning Plan and Housing Element Implementation: File Nos. 250700, 250701, 251071, 251073, 250985, and 250966

Good afternoon,

Attached for your review is a memo regarding a proposed family zoning plan and housing element implementation.

Thank you,

Devon J. Bolla
(she/her)
Paralegal
Patterson & O'Neill, PC
Office: (415) 907-9110
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PATTERSON & O'NEILL, PC

235 Montgomery Street, Suite 950
San Francisco, CA 94104
Telephone: (415) 907-9110
Facsimile: (415) 907-7704

November 17, 2025

VIA EMAIL

Chair Myrna Melgar
Land Use and Transportation Committee
San Francisco Board of Supervisors
49 South Van Ness Avenue
San Francisco, CA 94103
john.carroll@sfgov.org
Board.of.Supervisors@sfgov.org

Re: Proposed Family Zoning Plan and Housing Element Implementation
File Nos. 250700, 250701, 251071, 251073, 250985, and 250966

Dear Chair Melgar and Honorable Supervisors:

Our office represents Yes In My Back Yard ("YIMBY Law"), a 501(c)(3) non-profit organization whose mission is to enforce state housing laws. We write to share our concerns regarding San Francisco's proposed Family Zoning Plan ("FZP"). Our comments incorporate the comments of YIMBY Action and its members, including the attached letters dated September 11, 2025 and October 29, 2025.

I. The City Will Violate the Housing Element Law if it Adopts the FZP Knowing that it Will Not Produce the Required Housing Units

The City's 6th cycle housing element noted that the City was unable to identify enough sites to accommodate the number of units for lower- and moderate-income households, including a 15% buffer, that it was assigned to plan for during its 6th cycle ("RHNA Shortfall"). The Department of Housing and Community Development, therefore, directed the City to include a program in its housing element identifying sites for rezoning to accommodate these units as mandated by the Housing Element Law. (Gov. Code § 65584.09(a)-(b); Gov. Code § 65583(c)(1); *Martinez v. City of Clovis* (2023) 90 Cal. App. 5th 193, 225.) However, the City's proposed rezoning program—Program 7.1.1— and the FZP, which implements Program 7.1.1, are inadequate because (1) the City's own analysis found that the FZP will not create enough units for the City to meet its RHNA Shortfall; (2) the FZP will not create sufficient capacity because it relies on density decontrol in residential neighborhoods without corresponding changes in development standards; and (3) the FZP's local alternative to the state Density Bonus Law will not increase

density because it is duplicative of existing capacity under the state Density Bonus Law.

A. The Chief Economist's Report Confirms that the FZP Will Not Create Enough Units for the City to Meet its RHNA Shortfall

On October 29, 2025, the City's Chief Economist published a report, which found that the FZP will produce **less than half** the number of housing units that the City is required to plan for to meet its RHNA Shortfall – in more than double the time allowed. The report concluded that in a best-case scenario, the FZP would only produce around 14,600 additional units over the next 20 years, representing just 40% of the 36,282 units the City is required to plan for over the next eight years. Under a low-growth scenario, the FZP would only produce 8,504 units over 20 years. Either scenario is inadequate and would be a spectacular failure of the City to comply with the Housing Element Law, which requires local governments to plan to meet their RHNA shortfall through rezoning programs. (Gov. Code § 65583(c)(1) and Gov. Code § 65583.2(h).)

B. The FZP Will Not Create Sufficient Capacity Because it Relies on Density Decontrol in Single-Family Neighborhoods But Does Not Create Room for Additional Density

The FZP uses form-based zoning without corresponding changes in development standards in single-family neighborhoods, which means developers cannot build in these areas. Therefore, the FZP does not actually increase capacity in these neighborhoods.

The FZP uses form-based zoning (also called density decontrol), which regulates the allowed density on a site by setting limits on height, bulk, setbacks, and other features (rather than setting numerical density limits). And while the City claims that the change from the existing numerical density limits to form-based zoning will produce additional units, its refusal to ease the existing limitations on height, bulk, and other standards that limit the buildable envelope for construction in these neighborhoods means there is no actual capacity to build additional units. For example, a lot with an existing single-family home that occupies most or all of the buildable area is unlikely to be redeveloped into multifamily housing because without easing height limits, setbacks, parking minimums, and the like, there will be no place to build the additional units.

The FZP promises to increase density, but its use of form-based density without easing height limits, setbacks, parking minimums, and other development standards will prevent building in the City's highest-resourced neighborhoods.

C. The FZP's Alternative to the State Density Bonus Law Does Not Add Sufficient Density

The City contends that its local alternative to the state Density Bonus Law will create additional capacity for housing production, and it relies on that claim to meet its RHNA shortfall. However, almost all of the capacity that the City is relying on is already available for housing production through the state Density Bonus Law, so the City's local alternative is duplicative of existing capacity under the state Density Bonus Law.

The state Density Bonus Law requires local agencies to grant density bonuses under the state law to qualifying projects. (Gov. Code § 65915(a)(1)-(b).)

The FZP would give applicants a local alternative to the state Density Bonus Law called Housing Choice-San Francisco ("HCSF"). Crucially, HCSF does not offer any increase in density beyond what is offered by the state Density Bonus Law in most locations. Moreover, when both the state Density Bonus Law and HCSF are available, applicants can only avail themselves of one.

The state Density Bonus Law is intended as a bonus on *top* of local rules. (Gov. Code § 65915(u)(1).) But the HCSF offers no increase in density beyond what developers are already entitled to under the state Density Bonus Law when a project is eligible for both. Therefore, the HCSF does not create the additional capacity required by the Housing Element Law.

II. The City Fails to Use the Required "Analytical Model" to Determine the Likelihood of Site Development

The FZP fails to use the "analytical model" required by the City's housing element. When a city includes a program in its housing element, the Housing Element Law makes it mandatory to implement the features of those programs. (Gov. Code § 65581(b); Gov. Code § 65583(c)(1); *Hoffmaster v. City of San Diego* (1997) 55 Cal.App.4th 1098.)

Program 7.1.1 of the City's housing element commits the City to implementing a rezoning program that "reasonably account[s] for sites' likelihood of development during the planning period using an analytical model." In addition to the Housing Element Law, which makes it mandatory for the City to use an "analytical model," the City's housing element uses mandatory language, stating that the City "shall" build its rezoning program around such a "probability-of-development" analysis. The FZP, however, fails to use an "analytical model," in violation of the housing element. Instead, the FZP uses three alternative methods to estimate how many housing units the FZP will produce, none of which meets the requirements of Program 7.1.1.

First, the City proposes using a "soft sites" method, which assumes that a site that is already developed with a residential use has a two percent probability of being redeveloped with the FZP's planned residential capacity, and a site that is already developed with a non-residential use has a seventy percent probability of redevelopment with a residential use. This assumption is just that, and not an analytical model. Such rigid calculations based on uniform, citywide assumptions about the odds of development on thousands of very different sites are not an "analytical model" and do not "reasonably account for sites' likelihood of development" as required by Program 7.1.1.

Second, the City assesses the likelihood of a given site being developed under the rezoning proposal using a model that evaluates whether new housing is financially feasible at a given site. The model assumes that two percent of sites currently occupied by residential uses and thirty-five percent of other sites will be redeveloped with economically feasible new housing developments. Again, this is not an "analytical model" that "reasonably account[s] for sites' likelihood of development" as required by Program 7.1.1 because its assumptions are not grounded in historical development standards in San Francisco, and its focus on financial feasibility is a distinct concept from focusing on "the probability of development." It may be financially feasible for a property to be redeveloped, but that same property can have a low likelihood of being redeveloped for a variety of reasons, especially for single-family homes that play a big role in the FZP, and which already contain high-value structures or the property owner faces financial constraints, lack of development experience, or the need to use the property for their own housing. Moreover, even if this method were accurate, it projects only 19,000 new units of housing over the planning period – far below the requirement of 36,282 new units.

The third model that the City relies on involves examining the rate at which units across the City were approved using historical data from 2005-2023 and multiplying that by the theoretical capacity of the sites. This model does not qualify as an "analytical model" because it ignores the fact that much of the development in the City in recent years has taken place on vacant sites or extremely underutilized land. In fact, around 25% of sites that were redeveloped from 2005-2023 had residential uses before redevelopment, while around 84% of sites under the FZP have residential uses. Non-vacant sites already containing residential uses are 70% less likely to be redeveloped according to the City's own analysis, and the FZP errs in assuming that non-vacant and vacant sites will be redeveloped at the same rate. (*See* Housing Element, Appendix B.2, Figure 2.) Since the FZP mostly contains parcels with residential uses, unlike past development, this approach of extrapolating from past development does not correspond to future development predictions.

The areas where housing would be built under the FZP already contain high-value structures, such as single-family homes, where the owners are unlikely or unable to redevelop the site as multi-family housing due to financial constraints, lack of development experience, and the need to use their properties for their own housing.

These areas will have much lower rates of redevelopment, which this model does not take into account. Moreover, this model has unrealistically low estimates of the City's residential zoning capacity in prior years (thus inflating the share of residential zoned capacity that has been built out) and the inclusion of residential projects built under development agreements, which do not correspond to rezonings, and which were separately counted towards the City's pre-existing residential zoned capacity in the housing element. These two reasons disqualify this model from being an "analytical model."

Additionally, the FZP does not create sufficient capacity because it assumes certain large pipeline projects will actually be constructed within the planning period, when in reality such development is exceedingly unlikely – if not impossible. For the Hunters Point/Candlestick project, approximately 3,500 units are located on Navy-owned parcels. The City will not even obtain control of these parcels until the Navy finishes remediation, which is estimated to take at least 11 more years. ("The Navy has recently informed OCII that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, to Developer will occur between 2036-2038 . . . ." (Resolution No. 26-2024, available at https://sfocii.org/sites/default/files/2024-08/5.%20RESO%2026-2024_HPS%20Approval%20of%20Amendments%20to%20Redevelopment%20Plan.pdf; *see also* https://www.sfchronicle.com/sf/article/hunters-point-shipyard-radioactive-materials-21129542.php.) Similarly, Treasure Island's phasing includes a maximum of 4,600 units completed before 2031, but the City is counting all 8,000 units toward the pipeline. (*See* https://media.api.sf.gov/documents/Ex._JJ_-_SOP.pdf; Treasure Island Sub-Phase Application 3, Schedule of Performance, Exh. JJ, Appendix B, https://media.api.sf.gov/documents/TI_Sub-Phase_Application_3_Book-Revision_1_-_reduced.pdf.)

Since none of the three models that the City considers qualifies as a reasonable "analytical model," the City is violating its legally binding commitment under Program 7.1.1.

III. The FZP Adds New Constraints On Housing Production and Fails to Analyze the Impact of These Constraints

The FZP adds new constraints on housing development, which were not analyzed in its housing element, in violation of the Housing Element Law and Senate Bill ("SB") 330.

A. The FZP's New Constraints Violate the Housing Element Law

The FZP adds new constraints on housing production, which it fails to analyze as required by the Housing Element Law. When considering rezoning plans, the Housing Element Law requires local governments to analyze new governmental constraints on housing production. (Gov. Code § 65583(a)(5); *see also Californians*

for Homeownership, Inc. v. City of Beverly Hills (2023) Los Angeles County Superior Court, Case No. 23STCP00143, at p. 6, [finding planned rezonings for housing element site inventory must analyze new constraints].)

The FZP adds new constraints on development that were not analyzed by the City's housing element, including caps on dwelling unit size, limits on curb cuts, lower parking maximums, and limits imposed by the City's local alternative to the state Density Bonus Law. As explained above, the FZP imposes new constraints because it deprives applicants of the ability to use the state Density Bonus Law in conjunction with the City's local alternative to the state Density Bonus Law, which reduces the number of units the FZP will produce. Other constraints reduce physical development capacity, e.g., caps on dwelling unit size that cannot accommodate larger families, and reduce the economic feasibility of developing housing. The FZP does *not* analyze the impact of these policies on housing production. The FZP, therefore, violates the Housing Element Law's requirement that local governments analyze new governmental constraints on housing production if they were not analyzed in a housing element. (Gov. Code § 65583(a)(5).)

B. The FZP's New Constraints Violate SB 330's Prohibition Against Rezonings Which Decrease Housing Intensity

The FZP's new constraints on housing violate SB 330's prohibition against rezonings which "lessen the intensity of housing." (Gov. Code § 66300(b)(1)(A).)

SB 330—also known as the Housing Crisis Act—prohibits local governments from enacting a development policy, standard, or condition that would "Chang[e] the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reduc[e] the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018[.]" (*Id.*) SB 330 defines "less intensive use" as including situations where a local government imposes reductions to the height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, maximum lot coverage limitations, or "*any other action that would individually or cumulatively reduce [a] site's residential development capacity*." (*Id.*; emph. added.)

As mentioned above, the FZP contains new constraints on housing, including caps on dwelling unit size, limits on curb cuts, and lower parking maximums, reduces the number of units the FZP will produce. These new constraints run afoul of SB 330 because they reduce the size of units that applicants are able to construct, which physically reduces the intensity of residential use and reduces the financial viability of residential construction. The City has also conducted no analysis to show

that there will be a concurrent increase in intensity of land use to offset the decrease in intensity of land use caused by the FZP. (Gov. Code § 66300(h).)

IV. The FZP Violates the Housing Element Law By Relying on an Overlay for Nonvacant Sites Where Development of Nonresidential Uses Is Permitted

The FZP violates the recent decision in *New Commune v. City of Redondo Beach et al.* (2025) 337 Cal.Rptr.3d 782 that overlays cannot be used to meet minimum density requirements required by rezoning programs if they permit developers to redevelop sites for non-residential uses.

As explained above, when a local government cannot accommodate its RHNA Shortfall for lower-income households with a site inventory, it has to include a rezoning program in its housing element. The Housing Element Law also requires jurisdictions that must develop rezoning programs to ensure that at least 50% of the lower income housing the agency must plan for is "accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted." (Gov. Code § 65583.2(h)(2).) As the City acknowledges in Program 7.1.1, it is subject to this statutory minimum density requirement.

In *New Commune*, the court ruled that residential "overlays are unlawful when they allow development below the statutory minimum density [required by Gov. Cod § 65583.2(h)(2)]." (*Id*. at 797.) The court in *New Commune* also noted that residential overlays are unlawful whether they are overlaid over a base zoning that permits residential or industrial and commercial uses. (*Id*.)

The FZP runs afoul of the *New Commune* decision and the Housing Element Law's minimum density requirement because it still permits nonresidential redevelopment of sites. The FZP is an overlay because it does not change the base zoning of properties, but is instead overlaid over existing zones, including non-residential zones. For instance, for properties subject to the FZP developers can still use the underlying C-2 and C-3 zoning to construct commercial structures, which would be below the statutory minimum density because no residential units would be constructed. By permitting developers to build nonresidential projects within the overlay, the FZP violates the Housing Element Law as explained by the court in *New Commune*.

V. The FZP Violates the Prohibition against Jurisdictions Forcing Applicants to Waive Their Right to Use the State Density Bonus Law

The FZP primarily relies on a local alternative to the state Density Bonus Law, which developers can only use if they waive their right to use the state Density Bonus Law. This is a violation of the state Density Bonus Law.

Local agencies are prohibited from adopting ordinances that conflict with the state Density Bonus Law or using their local alternative to impose development requirements that are more restrictive than the state Density Bonus Law. (*Schreiber v. City of Los Angeles* (2021) 69 Cal.App.5th 549.) The court in *Schreiber* made it clear that applicants have the right to use the state Density Bonus Law regardless of any local provisions, and that cities cannot deny, limit, or condition the use of the state Density Bonus Law by requiring an applicant to instead use a local alternative.

The FZP creates a local alternative to the state Density Bonus law called Housing Choice-San Francisco ("HCSF"). HCSF—proposed Planning Code Section 206.10(b)(5)—has only one criterion: that applicants agree to "not receive any density or development bonuses or relief from applicable Planning Code standards in any other State or local law or program[.]" HCSF violates the state Density Bonus Law's prohibition that local agencies cannot bar an applicant from using the state Density Bonus Law, regardless of any local provisions. The FZP illegally forces applicants to choose between the state Density Bonus Law and HCSF, which violates the rule that "an otherwise valid local ordinance that conflicts with the state Density Bonus Law is preempted." (*Latinos Unidos Del Valle De Napa Y Solano v. County of Napa* (2013) 217 Cal.App.4th 1160, 1169.) The City must amend the FZP so that the state Density Bonus Law can be used on *top* of the HCSF, which has the potential to create meaningful housing production.

VI. Conclusion

We urge the City to comply with the law and remedy the deficiencies in its rezoning plan. If the City fails to significantly increase its proposed residential capacity, there will be no realistic chance of meeting its RHNA obligations. YIMBY Law is prepared to take legal action to hold the City accountable for these clear violations of state housing law.

PATTERSON & O'NEILL, PC



Ryan J. Patterson
General Counsel for Yes In My Back Yard

CC CA Department of Housing and Community Development
Mayor Daniel Lurie

Encl. September 11, 2025 Letter from Yes In My Back Yard
October 29, 2025 Letter from Yes In My Back Yard
October 29, 2025 Report from the Chief Economist of San Francisco

EXHIBIT A

YIMBY Law

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YIMBY LAW

9/11/2025

San Francisco Planning Commission
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San Francisco, CA 94102-4689

(via email) commissions.secretary@sfgov.org

Re: San Francisco's Draft Housing Rezoning Program and Compliance with State Law

Dear Commissioners,

YIMBY Law is a 501(c)(3) non-profit organization dedicated to ensuring compliance with California's housing laws. We write today to express significant concerns regarding the City's proposed Housing Element Rezoning Program and the accompanying "Housing Choice–San Francisco" local bonus ordinance.

Summary

While the rezoning plan, including the local program, is a good step forward for housing in San Francisco, we are concerned that the plan does not actually fulfill what it promises to do. The city has produced no publicly available reports that show how the plan will be more capable of delivering the housing San Franciscans desperately need than what state laws already allow. While we support density decontrol, we do not believe the city has shown that the handful of incentives that are coupled with it will be enough to produce any more housing than state laws such as the Density Bonus Law already do.

Capacity Projections

San Francisco's Housing Element made a binding commitment to meet its Regional Housing Needs Allocation (RHNA) through a rezoning program rooted in a probabilistic analytical model Program 7.1.1. San Francisco did not base its rezoning on a site's inventory, but on the projected housing based on that model. The targets and assumptions it sets are enforced by Program 8.1.5. If San Francisco does not produce sufficient units, Program 8.1.5. applies additional upzoning requirements.

Despite the City's commitments to specific unit production, applying the city's own model used to determine the shortfall on the rezone sites, we can determine that the map would produce around 17k homes by 2031, or 47% of the 36k units promised by Program 7.1.1. That regression analysis was built on different logic than the Housing Element's existing capacity analysis. While the proposal does not clearly make up for the RHNA shortfall, its usefulness is difficult to gauge when it functions by different logic than the original rezoning analysis. In order to be comprehensible, realistic, and enforceable, San Francisco must produce a "realistic capacity" table for the rezoned sites that incorporates the Housing Element' regression analysis.

We understand that the City has conducted its own analysis that disputes these figures, but the methodology and details of this analysis have not been made publicly available; therefore we remain concerned and skeptical about the efficacy of the rezoning program in meeting the city's needed housing requirements under housing element law.

Compliance with State Law

San Francisco's rezoning program would institute a local density bonus program that, theoretically, according to the city's assertions (which are not supported by any publicly available information), would accommodate the City's RHNA shortfall. The practical and legal realities according to our analysis suggest that it would fail to produce housing at the suggested rates, and fail to meet statutory requirements.

The latest staff report associated with the September 11 Planning Commission hearing notes that 77% of parcels in the rezoning plan fall into the form based zoning code and will not have their heights increased, while for "the vast majority of residential sites, these changes are only available for projects opting into the local program."

Some proposed areas not eligible for the state bonus would benefit from San Francisco's local program. However, this local program would be exclusive to California's state density bonus law in all areas where both options are available. Whether or not the local program is superior to state incentives, the one cannot replace the other. State density bonus law is intended as a bonus on top of local rules, and should not be supplanted when it generally offers superior development potential.

San Francisco's density decontrol is generally less feasible than the state program. While we applaud the city for applying a local density bonus program to projects between 2-4 units, which are not otherwise eligible for the state density bonus, as well as allowing alternatives to providing on-site affordable units, such as off-site developments, for the vast majority of the city's proposed "rezoning" program, state density bonus law offers a superior alternative: unlimited waivers from local zoning and development standards,

providing limited discretion for local review. Comparatively, the local program is far more stringent. It contains strict rules about building size, setbacks, open space, dwelling unit exposure, and parking allowances. It contains only a 15% reduction of other development standards. The proposal would allow for greater than 15% reductions if approved by a discretionary process. Even if that expensive, time consuming process doesn't result in universal denials, it renders the project not code compliant, forcing the developer to lose protections under the Housing Accountability Act.

While we support the majority of the proposed staff changes made to the local program, we believe that they do not go far enough to ensure that the local program is a superior alternative to state density bonus law. For example, the proposal to require projects with 5+ units to reserve a minimum of 25% of the units for 2+BR units is a constraint that is not required under state density bonus law that will negatively impact density potential for the local program. Additionally, the proposed local program not only requires applicants to choose to give up their option to pursue waivers and incentives under state density bonus law, but *any other* state program that provides its own bonuses or waivers from local zoning, such as AB 2011, which offers waivers of local side and rear setback requirements when those requirements limit feasibility, limits front setback requirements, and allows 55 foot heights, which are greater than the 40 foot height limits proposed for the majority of the local program's rezoned sites.

This proposal not only replaces state density bonus allowances with a worse option, it places new constraints on any such developments via inclusionary requirements and requiring new wind studies on construction. These constraints were not reviewed in the Housing Element, meaning that they may not be imposed or that San Francisco must amend its Element to account for those constraints. New constraints must be accounted for in the Element, to demonstrate how San Francisco can realistically meet its RHNA requirements.

San Francisco must also analyze how this program would interact with existing land use regulations. Transfer taxes, inclusionary requirements, and impact fees are key drivers of unit loss, but have not been incorporated into any City analyses yet. We encourage the City Economist to incorporate them into any future analysis of this program.

Even if all of these deficiencies are corrected, they cannot make up for the requirement to change the base zoning of parcels, as required by Housing Element law and HCD interpretation. Under the new scheme, San Francisco would not change its zoned capacity, and therefore would not comply with state law. Density bonuses must add capacity on top of that allowed for in the zoning code.

Conclusion

Given the substantial deficiencies in San Francisco's rezoning program and the speculative nature of its local density bonus ordinance, the City's Housing Element certification is at risk. The burden is on San Francisco to demonstrate compliance. The use of analytical models that inflate development probability, the reliance on unproven local bonus mechanisms, and the introduction of new constraints all undermine that burden. In short, the program is not legally defensible as currently drafted, with the limited information supporting the city's conclusions that it exceeds the city's RHNA obligation

YIMBY Law has taken legal action against the City of Los Angeles for a similar failure to deliver a legally compliant rezoning program. We sincerely hope litigation will not be necessary in San Francisco. However, San Francisco will be vulnerable to lawsuits from parties working to ensure that the City complies with state law and delivers a realistic path toward housing affordability and accessibility.

We urge the Board to direct Planning to:

- Re-run the BlueSky regression analysis used for the Housing Element's "existing capacity" estimate on the rezoning proposal to produce a transparent, realistic capacity table that is made publicly available.

- Incorporate the waiver and incentive framework of SDBL into the local bonus program, or ensure that projects can access SDBL concurrently.

- Remove new constraints on development introduced by the ordinance.

- Ensure that the rezoning program meets or exceeds the 36,282-unit requirement via base zoning and that its methodology aligns with Program 7.1.1.

The stakes for San Francisco are high. We urge the City to correct course by allowing the use of density bonus and other state programs in combination with the local program.

Sincerely,

Jack Farrell, Esq.
Research Attorney
YIMBY Law

EXHIBIT B

From:	Jane Natoli
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Subject:	SF YIMBY"s letter on the City Economist"s report
Date:	Wednesday, October 29, 2025 4:13:34 PM
Attachments:	SF YIMBY FZP Letter October 29 2025.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

We are writing to urgently draw your attention to the just released report from the City Economist that shows San Francisco's rezoning will not meet our state housing requirements. Please see our attached letter, and let me know if you have any questions.

Thank you,

--
Jane Natoli (she/her)
San Francisco Organizing Director
415-335-9950



Check out everything we achieved in 2024!

Paul McDougall, California Department of Housing and Community Development
Mayor Daniel Lurie
San Francisco Board of Supervisors (re: file #250700)
October 29, 2025

We write to urgently draw your attention to **an analysis the City of San Francisco ("SF") released that finds that its own rezoning plan would violate state law.** The Family Zoning Plan ("FZP") is a significant step forward, but the city's analysis found that it will not meet the city's Housing Element's 36,282-unit requirement. **According to the city's own numbers, state law requires the city to conduct additional rezoning beyond the FZP.**

As a reminder, in 2022, the California Department of Housing and Community Development ("HCD") suggested that, instead of a traditional sites inventory, SF instead pledge to assess the capacity of its rezoning using the method from its underutilized sites analysis (a model called BlueSky, which estimates the likelihood of development). Housing Element Program 7.1.1 thus committed that SF's rezoning "shall reasonably account for sites' likelihood of development during the planning period using an analytical model."

SF's August submission to HCD revealed that SF still had not done so (see Appendix). HCD thus instructed SF that "As part of Program 7.1.1 and using analytical models to account for a site's likelihood of development in the planning period, the city should continue to explore additional and multiple methods and make adjustments as appropriate."

Today, SF did so: its City Economist reported that he used an updated version of the BlueSky analytical model—the same method HCD originally suggested SF use—to estimate the number of units the FZP will likely develop. **He reported that, in the best case scenario, the City's analytical model finds that the FZP is only likely to develop 14,646 units by 2045, far less than the 36,282 required by 2031** under 7.1.1. In other words, **using the exact method HCD suggested SF use, the City itself has found that its rezoning plan does not meet Program 7.1.1's requirements, and is around 10 times too small.**

Gov. Code § 65588(e)(4)(C)(iii) states, "If a jurisdiction…fails to complete the required rezoning within the time period required, the jurisdiction's adopted housing element shall be subject to" the housing element decertification process. Thus, **if SF fails to expand its plan, HCD will be legally obliged to begin the decertification process**.

We encourage HCD to offer SF guidance about how to bring its proposed rezoning into compliance, building on HCD's recent guidance to the city to "make adjustments as appropriate" when more analysis was made available. For example, using recent changes in state law (e.g., SB 131, SB 79), additional rezoning or policy changes that supplement the FZP (e.g., reduced fees and exactions) could be passed within months. Given the timeline required for decertification, HCD could reasonably offer SF up to six months before the builders' remedy would apply to fully complete its "required rezoning" through such a supplement.

Confirming that SF must rely on the City Economist's updated BlueSky analytical model to assess the rezoning's capacity, as well as the actions taken to satisfy Program 8.1.5 (the "circuit breaker"), would also be consistent with HCD's recent direction to the city to "us[e] conservative assumptions…that facilitate the highest housing outcomes."

SF's actions risk paving a path for other cities to evade state law. In particular, rather than "demonstrat[ing] that the existing use [on each non-vacant site] does not constitute an impediment to additional residential development" (Gov. Code, § 65583.2(g)), cities will be tempted to follow SF: promise in a Housing Element to provide this evidence later in the form of statistical analysis—but then ignore what this evidence shows when rezoning.

Best regards,

Salim Damerdji
Volunteer Lead, San Francisco YIMBY

Jane Natoli
San Francisco Organizing Director,
YIMBY Action

CC: Gustavo Velasquez, California Department of Housing and Community Development
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Sarah Dennis-Phillips, Rachael Tanner, and Lisa Chen, San Francisco Planning
Sonja Trauss, YIMBY Law
Matt Gelfand, Californians for Homeownership
Senator Scott Wiener

Appendix: Why the Planning Department's methods do not satisfy the Housing Element's requirement to "reasonably account for sites' likelihood of development during the planning period using an analytical model"

The San Francisco Planning Department's August 1 submission to HCD contained three analyses of the capacity provided by its rezoning. None of these analyses satisfy Program 7.1.1's commitment to "reasonably account for sites' likelihood of development during the planning period using an analytical model." The below details why each of the Planning Department's methods do not satisfy this requirement. Indeed, a closer look at the Planning Department's analyses suggests conclusions that are in line with the City Economist's finding that the rezoning is insufficient.

"Soft Sites Method"

Under this method, the vast majority of the rezoning's capacity is from sites without existing residential uses (but that largely have other uses). The Planning Department assumes that 70% of these sites will be developed to their maximum capacity during the planning period. This 70% assumption is not "reasonabl[e]" (and certainly not "conservative" like the city claims):

1. In San Francisco, fewer than 70% of entitled projects are ultimately developed — making it implausible that 70% of all sites without residential use will be developed, even those where no interest has been expressed in development or discontinuing existing uses. As another comparison, the Terner Center found that only 8.6% of LA's very best sites are developed over 5 years (versus SF's 70% assumption across a huge number of sites).
2. These sites largely do have other non-residential uses which make their development especially improbable. For example, the first page of SF's parcel list includes 1201-05 Columbus Avenue, a 3-story Travelodge in Fisherman's Wharf. The city assumes there is a 70% chance that properties like this will be redeveloped during the planning period.
3. The city's related assertion that 2% of sites with existing residential uses will be redeveloped during the planning period is similarly made without evidence.

This approach also allows the city to evade complying with GC 65583.2(g)'s requirement that the city provide substantial evidence that existing uses on "lower income" sites are likely to be discontinued during the planning period. The city has not provided site-specific evidence supporting their assertion that most sites with existing non-residential uses will be developed during the planning period. The lack of site-specific evidence would not be a problem if the city had provided statistical evidence (i.e., had statistically estimated what percent of these sites will have their existing use discontinued during the planning period based on historical data, as action 7.1.1 promises). But the Planning Department simply provides no evidence whatsoever that 70% of sites with existing non-residential uses will be developed, either site-specific or

statistical. This 70% figure is simply fabricated — not from "an analytical model," and it is not at all "reasonable."

"Citywide Capacity Method"

This method calculates what share of the city's remaining zoned capacity was developed annually over the last 18 years (2005-2023). It then assumes the new capacity created by the rezoning will be developed at a similar annual rate.

While reasonable in theory, there are several errors and problems with how the Planning Department is implementing this approach that make it not "reasonabl[e]" in practice:

1. The city has two versions of this approach, each with errors:
    a. The primary version (with "exclusions") divides citywide development by the amount of capacity on only a subset of parcels. This overstates the rate at which capacity historically translates into development because less capacity is considered despite all development being considered. This is like computing the average grades of all students in a class by adding up all students' grades but then dividing this total by half the number of students there are in the class.
    b. The city describes another version of the method that measures capacity on all parcels but uses Planning entitlements to measure development; during this period there were 90K entitlements but only 53K building permits. Using entitlements to measure development overstates the historical development rate, as in San Francisco many entitlements are never developed (in part due to constraints the city places on development).
2. The city's statistic that 53K units were constructed citywide 2005-2023 includes development from development agreements (DAs). By counting historical DA development when computing the rate at which historical zoned capacity is developed, the city therefore assumes that the rezoning will produce new DA development during this planning period. This is unreasonable, as DAs do not result from (re)zoning. Furthermore, the city's housing element already counted expected development from DAs during the planning period in its claims of existing capacity.
3. Parcels where projects have been proposed but have not received permits are excluded from the city's calculation of its historical capacity; this leads the city to underestimate how much historical capacity it had, and therefore overstate the development rate of its capacity.
4. The new rezoned capacity is also less developable than the existing remaining capacity. Specifically, according to the city's Bluesky model (the model it used for its underutilized sites analysis), the new capacity is about 20% less likely to be developed. This is because, for example, rezoned capacity is 3x more likely to be on sites with an existing residential use than existing capacity. It's therefore not entirely reasonable to assume that the city's historical rate of development will manifest for the new capacity.

5. The Planning Department is relying on its UrbanSim tool to measure its remaining zoned capacity (313K). But the city's housing element (Sites Inventory Appendix B2 p. 4) gives a much larger number for this (572K), as do our own calculations. Insofar as the city is now understating how much capacity it has, it is therefore overstating the rate at which that capacity has been developed. We have asked for data that would help us understand this discrepancy, but the city has indicated that its UrbanSim tool is unable to provide the underlying data that supports this 313K calculation.

When addressing the first four errors and issues above, and when using the city's housing element's estimate that the city has 572K units of capacity remaining (see point 5), the historical development rate is 0.4% and the adjusted capacity of the rezoning is therefore 10K units.

"Financial Feasibility Method"

The Planning Department has contracted with UrbanSim to estimate whether development will be economically feasible on rezoned parcels. While this analysis is welcome, there are several problems with this approach:

1. Totaling the amount of economically feasible development does not "account for sites' likelihood of development." Historically, only a fraction of economically feasible units are actually developed, and some research practitioners have advised us that there is nearly an order of magnitude difference between the two.
2. The Planning Department's economic assumptions are not "reasonabl[e]": the Department assumes that construction costs, interest rates, and developer return expectations will drop without providing evidence. It also assumes rents will jump. The Department justifies these optimistic assumptions by asserting that it is only responsible for making housing feasible to develop under better economic conditions than are likely during this planning period — but action 7.1.1 commits to providing enough capacity to make 36K units likely developed during this planning period. Furthermore, the city's poor economic environment for development reflects the city's constraints on development that Housing Element Law is supposed to remediate. I.e., the fact that the city so heavily constrains development makes more rezoning (and changes to its other policies) necessary, and cannot be ignored when considering the appropriate scope of actions to accommodate development.
3. The Department's submission describes a flawed approach for using UrbanSim's output to account for the likelihood of development: asserting that 2% of economically feasible projects will occur on sites with existing residential uses and 35% of economically feasible projects will occur on sites with other non-residential uses. These assumptions are not based on any evidence and, for the same reasons we described in the context of the "soft sites" method, are not reasonable.
4. After applying this flawed approach for accounting for the likelihood of development, the Planning Department nevertheless finds that only 19K units will be developed during the planning period. This is short of the 36K required by action 7.1.1. The Planning

Department argues that this is acceptable because the method must only demonstrate sufficient capacity for meeting the city's 16K RHNA shortfall in the Moderate and Above-Moderate income categories. But action 7.1.1 makes no reference to separate by-category targets, it simply states that the rezoning must "accommodate… approximately 36,282 new units." Furthermore, the Department's argument is also belied by the Housing Element Law and the No Net Loss Law, both of which contemplate development of market-rate and mixed-income projects on "lower income" sites (GC 65583.2(c) & (h); GC 65863(c)(2)).

EXHIBIT C

Family Zoning Plan: Economic Impact Report

Office of the Controller
Office of Economic Analysis

Items 250700 & 250701
October 29, 2025

Introduction

- Two proposed ordinances would change zoning controls to permit more housing on a large segment of San Francisco, particularly on the western half of the city. They implement changes to the Housing Element of the City's General Plan, a planning document whose revisions were adopted in 2023.
- The Ordinance in file #250700, the Zoning Map Amendment, would generally raise allowable building heights along commercial corridors and transit lines, to permit mid-rise and some high-rise development.
- The Ordinance in file #250701 implements the Housing Choice-San Francisco program, which offers an alternative to the State Density Bonus program.
- The Office of Economic Analysis (OEA) has prepared this report because the proposed legislation may have a material impact on the city's economy. This report uses a model that estimates potential new development, in order to assess economic impact. That model is not a replacement for the City's estimates of realistic capacity under Government Code § 65583.2.

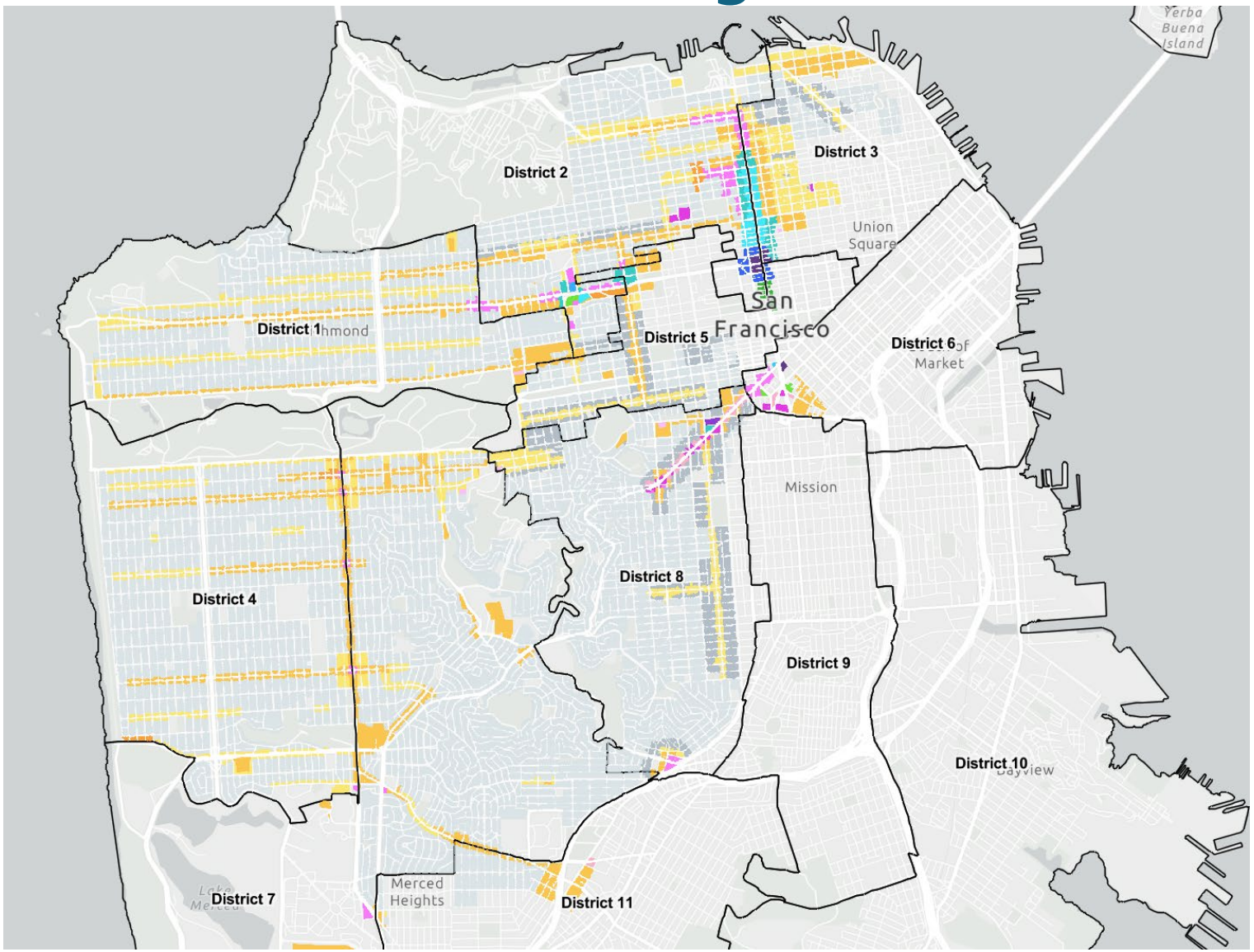
Zoning Map Amendment: Key Provisions

- The Zoning Map Amendment would make changes to allowable building heights and bulk, and/or zoning districts, in over 92,000 parcels in the city.
- The vast majority are residential parcels, whose allowable heights would either remain at 40 feet, or rise to 50 or 65 feet.
- On these and many other rezoned parcels, the Housing Choice San Francisco program (described on the next page) relaxes existing controls on the number of housing units allowed on a parcel.
- Allowable heights are generally increased to 65 to 85 feet along many commercial corridors, with development along wider streets near transit stations or major lines increased to 85 feet.
- Heights above 140 feet are allowed on certain streets that currently allow high-rise development or have larger parcels, at key intersections, and near certain major transit routes and stations. The map on page 5 provides additional details.

Housing Choice San Francisco – Key Provisions

- The Housing Choice San Francisco program, or "Local Program", gives developers an alternative to the State Density Bonus.
- Many of the rezoned residential parcels are too small to be eligible for the State Density Bonus, but may achieve greater density through the use of the Local Program.
- Local Program users also gain benefits associated with housing unit mix, methods of complying with inclusionary housing requirements, rear-yard and setback requirements, broad code flexibility, and certain process changes.
- The ordinance has several other provisions, including limiting the maximum size of new residential units, reducing allowable parking, and restricting new curb cuts. These policy changes are not considered in this report.
- Additionally, the proposed ordinance gives displaced businesses the right to relocate anywhere in the city where their activity is permitted by zoning, without a conditional use permit, and waives development impact fees associated with the relocation.

Details of the Rezoning



The map to the left, from the City Planning department, indicates which parcels in the city will be rezoned, and to which heights. It reflects the plan as of July.

Gray parcels will be zoned for low-rise, 40-50 feet housing developments. This includes single-family residential zones, within which greater density will be permitted via the Local Program.

Yellow and orange parcels will be upzoned to mid-rise development of 65-105 feet.

Pink and purple parcels will have height limits ranging from 120-180 feet, and the blue and green parcels will be upzoned for high-rise development, of 240 feet or greater.

The Rezoning and the Regional Housing Needs Assessment

- Each jurisdiction in California is required to have its Housing Element be certified by the State's Housing and Community Development Department.
- Certification involves, among other things, ensuring that the City has the zoning capacity to meet the city's obligations under the State's Regional Housing Needs Assessment (RHNA).
- RHNA is a Statewide planning process, in which future needs are forecasted for metropolitan areas, and then allocated to the individual cities and counties that administer land use planning.
- In San Francisco's case, the RHNA obligation requires the City to have realistic capacity for approximately 82,000 new housing units, at different economic levels, within an 8-year planning period ending in 2031.
- Of this 82,000 unit requirement, the City must create capacity for approximately 36,000 units.

Substitutions and Proposed Amendments

- On September 30, a new version of #250700 was substituted by Mayor Lurie, which made relatively minor zoning changes on a number of parcels. This analysis reflects those changes.
- On October 21, Supervisor Melgar proposed an amendment that would prohibit the use of the Local Program on any parcel containing more then two existing housing units, which would involve the demolition of a unit subject to rent control.
- Also on October 21, Supervisor Sauter introduced an amendment that creates incentives for developers to replace lost commercial space.
- As the language of these two amendments was made public less than one week ago, this report does not attempt to model their economic impact.

Economic Impact Factors

- When the City relaxes zoning controls, by reducing density restrictions or increasing allowable heights, more development projects will become financially feasible, and the supply of housing in the city will rise.
- This increased supply will put downward pressure on housing prices in the city. Cheaper housing benefits city residents who move within the city, and also makes San Francisco more affordable for new arrivals.
- The development of new housing also stimulates investment and employment in construction and related industries.
- The population growth associated with new housing also stimulates the local economy, by expanding the numbers of workers and consumers.
- On the other hand, the limited amount of vacant lots in the city means that new housing generally involves the loss of existing buildings, including both residential and commercial properties. This can impose relocation and other costs on residential and commercial tenants.

Estimating the Likelihood of New Housing Development

- The amount of new housing that the rezoning will produce is an important contributor to its economic impact. To estimate this, OEA refined a statistical model that it has used since 2016 to estimate the impact of policy changes on housing production in the city[1].
- The model was the result of statistical analysis of housing production in San Francisco over the 2004-2024 period. Technical details on the model are provided in the Appendix.
- The first part of the model estimates the likelihood that multifamily housing will be developed on a given parcel, in a given year. The statistical analysis found that a parcel is more likely to develop when:
  - it has smaller existing buildings (or is vacant), and is located closer to downtown.
  - its zoning allows for a greater height, makes it eligible for the State Density Bonus, and does not restrict the number of units that may be constructed.
  - housing prices are relatively high, and construction costs are relatively low, compared to other years.

Estimating the Number of Units Produced

- The second part of the model estimates the number of units that will be produced when a parcel does develop housing. Based on past experience, the statistical analysis found that a parcel developing housing will produce more units when:
  - its land area and allowable maximum height are greater;
  - it is eligible for the State Density Bonus;
  - its zoning does not restrict the number of units that may be built.
- The OEA used the first part of the model to estimate the probability that housing will be built on a parcel over the next twenty years[2]. That probability was multiplied by the estimate of housing units from the second part, to create an expected number of housing units generated for each parcel over twenty years. When this is summed across all parcels, a citywide housing total is generated.
- This method was used to create estimates of housing production under the existing zoning, and the proposed rezoning. The difference is the estimate of housing that could be produced as a result of the proposed zoning changes.

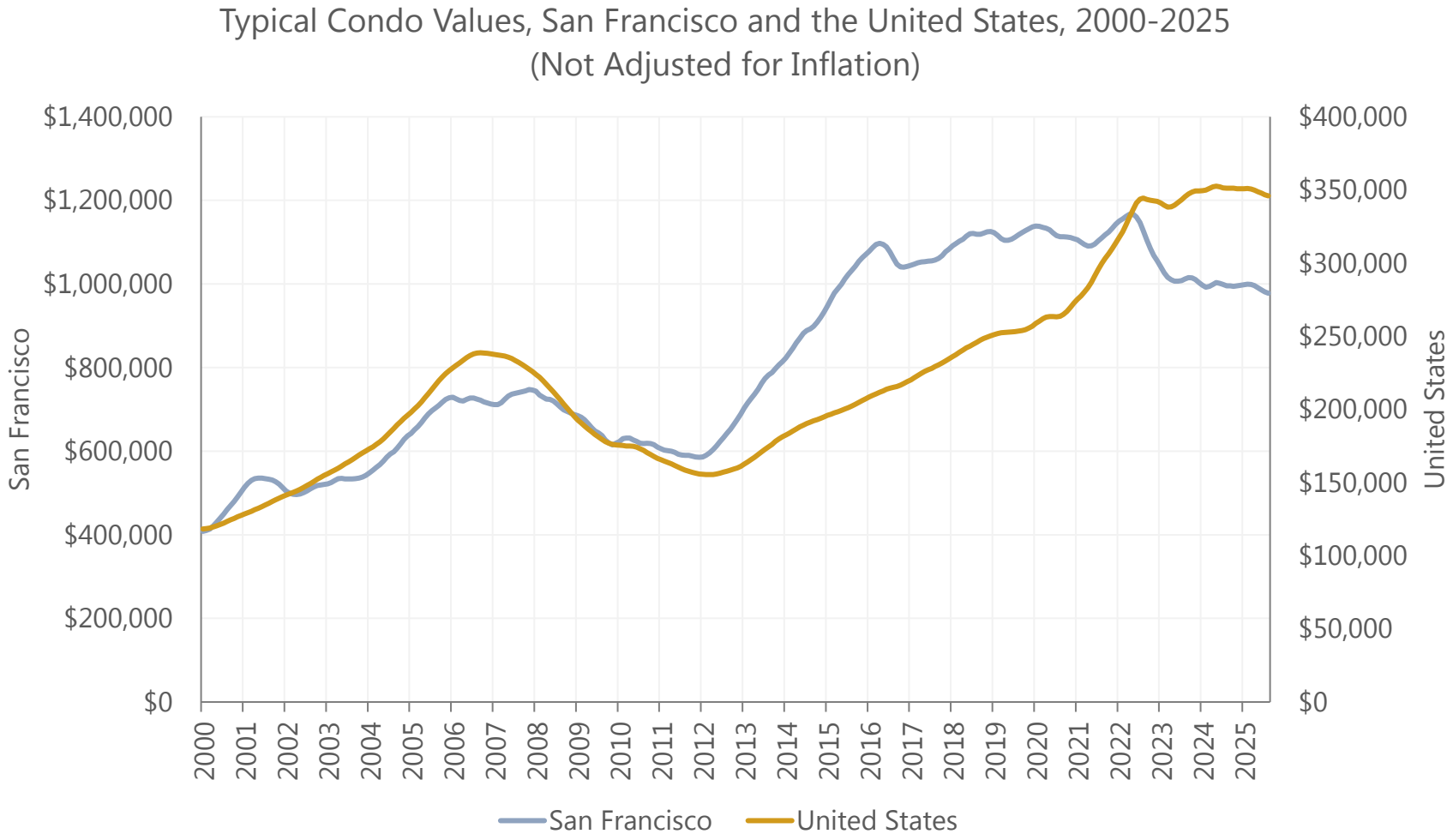
Limitations of the Housing Development Model

- The housing development model can forecast future housing development based on the city's past experience, but important caveats must be made.
- Because of data availability, not every factor that affects housing production could be included. Missing data may include features of the parcel itself, or policies that may have changed over the 2004-24 period, or vary within the aggregated zoning designations used by the model.
- Limited data also prevents the analysis of fine-grained policy changes in the proposed rezoning, such as restrictions on unit size and mix.
- Several new City and State policies that were intended to encourage housing production have been enacted in recent years, such as, for example, the City's 2023 Housing Production Ordinance (0248-23). The model may be unable to properly assess the impact of these policies in the future.
- Despite these limitations, the OEA believes this approach is well-suited to estimating housing production, for the purposes of economic impact reporting.

Future Housing Market Scenarios

- As noted earlier, the amount of housing that will be produced as a result of the rezoning, and its economic impact, will depend on future housing market conditions. This creates an additional level of uncertainty in the forecasts.
- Gauging future market conditions is further complicated by changes in the city's housing market since the COVID-19 pandemic, as described on the next page.
- To understand the scope of what could potentially happen, the OEA created two future scenarios for housing prices and costs in San Francisco.
- In a high-growth scenario, San Francisco's housing prices, relative to the U.S., return to pre-COVID levels by 2030, and grow at the city's pre-COVID rate after that. Construction costs are assumed to grow at the same rate as inflation.
- In a low-growth scenario, San Francisco's post-COVID relative housing prices are assumed to represent a "new normal," and housing prices are assumed to grow only at a national average level over the next twenty years. Construction costs are also assumed to grow at the same rate as inflation.

San Francisco and U.S. Housing Price Trends Since 2000



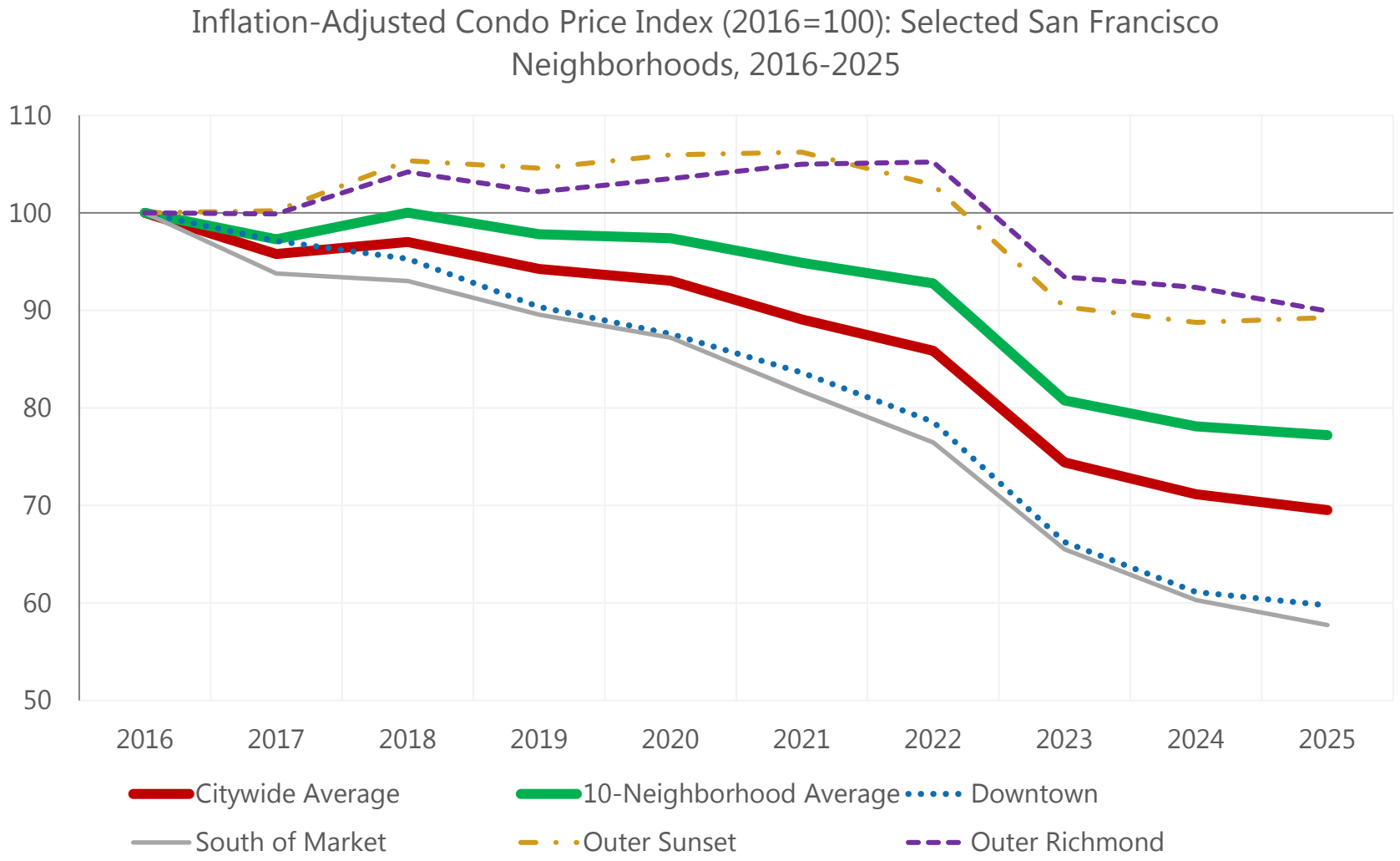
While San Francisco's housing has always been expensive, during the 2010s, average San Francisco condo prices rose much faster than the rest of the U.S., to as much as 5 times the typical U.S. price.

Since 2020, however, San Francisco condo prices have declined, despite rising inflation and rising U.S. condo prices. Adjusted for inflation, typical San Francisco condo prices in 2025 are 25% lower than they were in 2019.

Among other factors, the increase in remote office work during COVID has reduced the value of a residence near large office employment centers like downtown San Francisco.

Source: Zillow. Data retrieved October 1, 2025.

Housing Price Trends Within the City



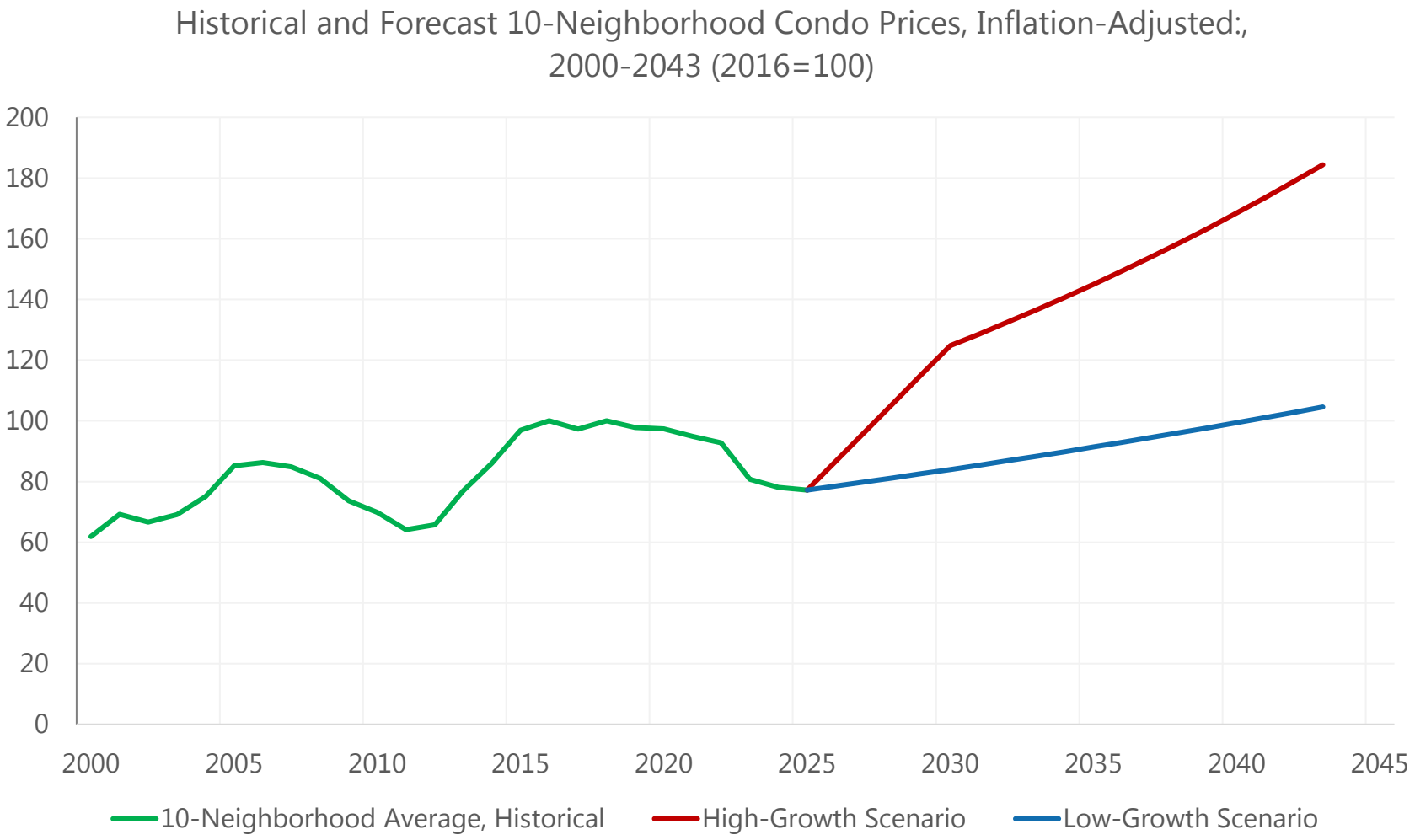
Source: Zillow. Data retrieved October 1, 2025.

The reduced value of a downtown location has also shifted multifamily price patterns within the city.

Condos in neighborhoods like Downtown and South of Market have experienced inflation-adjusted price drops of more than 40% since 2016, while the Richmond and Sunset have fallen by far less.

Because most multifamily housing in the city is near downtown, but most of the proposed rezoning is not, the use of a citywide average condo price index is inappropriate. This analysis uses an average price across the 10 Zillow neighborhoods most affected by the zoning, which is somewhat higher than the citywide average.

High and Low Growth Scenario Price Forecasts

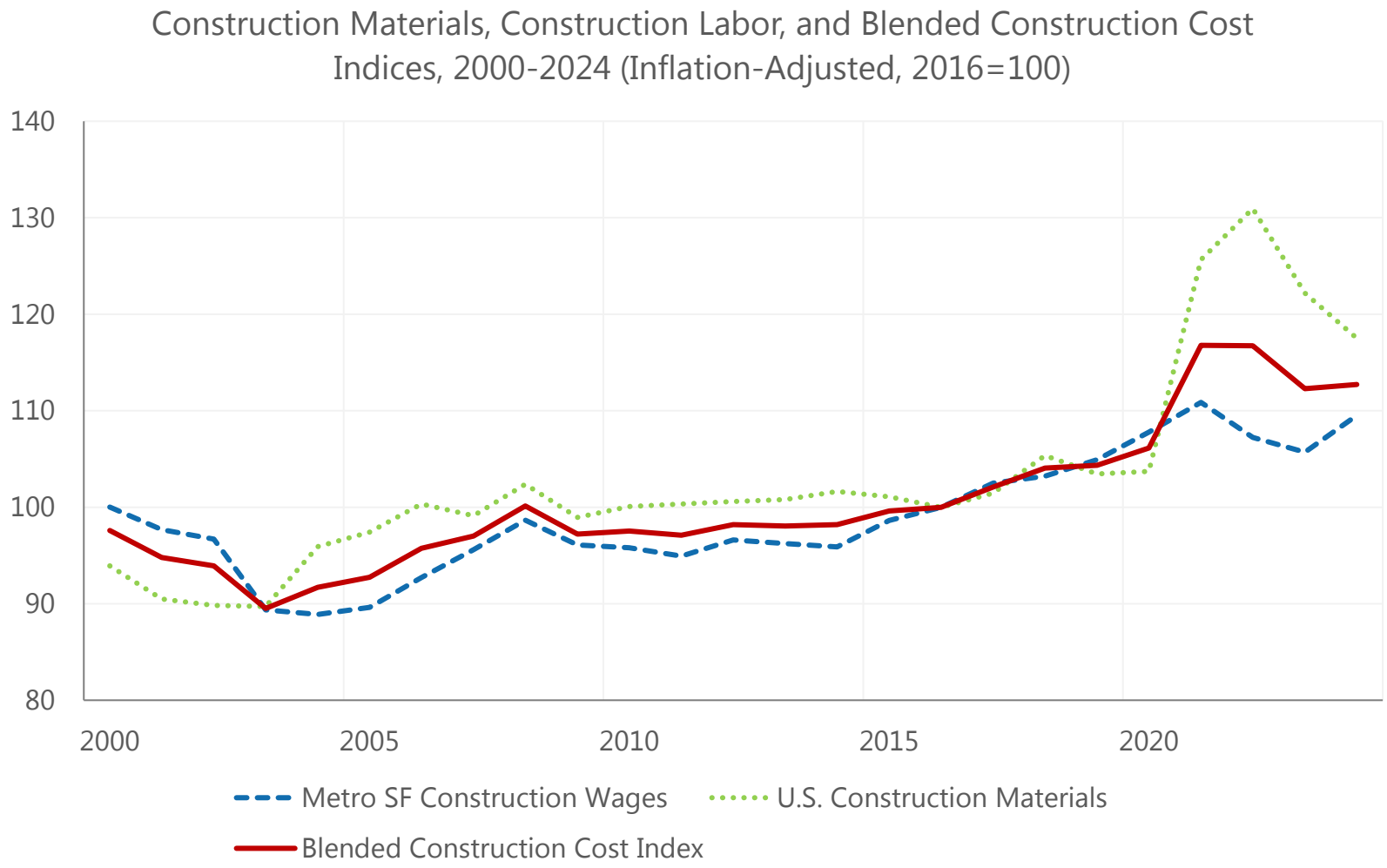


Our high-growth scenario assumes that San Francisco's housing prices, relative to the U.S., return to pre-pandemic levels by 2030, and then grow at the city's long-term average rate until 2045. This implies a rapid growth in housing prices over the next five years, of over 10% per year.

In the low-growth scenario, the post-COVID housing market represents a new normal, and San Francisco housing prices are assumed to grow only at the U.S. long-term rate at 1.8% per year, in inflation-adjusted dollars. Under this assumption, San Franciso housing prices would not recover to their pre-COVID peak, in inflation-adjusted dollars, until 2041.

Source: Zillow. 10 Neighborhoods are Buena Vista, Polk Gulch, Inner Sunset, Marina, Mission, North Waterfront, Outer Sunset, Outer Richmond, Inner Richmond, and Western Addition.

Construction Cost Trends and Scenarios



Source: Bureau of Economic Analysis; U.S. Census Bureau, "Quarterly Workforce Indicators

The housing development model uses two measures of construction costs: materials cost and local construction industry wages. They are blended into a single index for modeling purposes. Details are in the Appendix.

The cost of construction materials and local wages have grown faster than overall inflation, particularly in the last few years. In 2024, real construction materials costs were 18% higher, and real local wages were 10% higher, than they were in 2016.

In both the high-growth and low-growth scenarios, the blended index is assumed to grow at 0% (after inflation) over the 2026-2045 period. This reflects an assumption that both labor and material costs inflation will revert to the broader rate of inflation in the long term.

Housing Production Forecasts Under Current Zoning

Planning District	Historic, 2000-24	Low-Growth Scenario Forecast, 2026-45	High-Growth Scenario Forecast, 2026-45
Buena Vista	975	43	90
Central	72	192	390
Downtown	289	112	230
Ingleside	0	58	120
Inner Sunset	123	28	59
Marina	131	126	263
Mission	187	197	406
Northeast	449	136	283
Outer Sunset	15	16	33
Richmond	0	23	47
South Central	0	6	11
Western Addition	997	658	1,265
Total	3,238	1,594	3,199

Source: For historic housing production, San Francisco Planning Department

Generally, the housing development model forecasts that the current zoning will produce fewer units in the next 20 years than the numbers of units that were produced in the last 20 years.

The table to the left only covers the portion of each planning district that is in the proposed rezoning area. In total, under the current zoning, the model forecasts 1,594 or 3,199 units under the low- and high-growth forecasts, respectively, while 3,238 units were built in the same areas over the 2000-2024 period.

On the next two pages, the model's forecasts of the additional housing created by the proposed zoning is discussed.

Forecast Net Effect of the Zoning

- As shown in the table below, under the low-growth and high-growth scenarios described earlier, the rezoning would lead to 8,504 and 14,646 additional housing units, beyond what would be produced under current zoning, over the next 20 years.

Low Growth Scenario	**Units**
20-Year Housing Production, Existing Zoning	1,594
20-Year Housing Production, Proposed Rezoning	10,098
Effect of Proposed Rezoning	8,504

High Growth Scenario	**Units**
20-Year Housing Production, Existing Zoning	3,199
20-Year Housing Production, Proposed Rezoning	17,845
Effect of Proposed Rezoning	14,646

Summary by Current Zoning District

		Low-Growth			High-Growth		
Current Zoning[3]	Number of Parcels	Average Housing Likelihood, Current	Average Housing Likelihood, Proposed	Change in Housing Units	Average Housing Likelihood, Current	Average Housing Likelihood, Proposed	Change in Housing Units
RH1	43,009	0.001%	0.205%	798	0.003%	0.446%	1,731
RH2	26,486	0.002%	0.259%	576	0.005%	0.565%	1,250
RH3_RM1	13,741	0.009%	0.347%	547	0.018%	0.756%	1,186
Office/Commercial	114	0.570%	0.780%	48	1.185%	1.639%	104
Public	239	0.060%	1.450%	3,483	0.122%	2.560%	4,814
Density-Restricted Multifamily	7,079	0.336%	0.490%	3,007	0.674%	1.026%	5,467
Form-Based Multifamily	2,053	0.725%	0.725%	46	1.502%	1.502%	94
Total	92,721			8,504			14,646

The table to the left breaks out the results by current zoning. It illustrates how many rezoned parcels are in the RH-1, RH-2, and RH-3 or RM-1 residential zones, primarily in the western side of the city. These areas will see a substantial increase in the likelihood of developing housing over the next 20 years, but the chances are still small, so those 83,000+ parcels are only forecast to produce about additional 4,200 housing units by 2045, in the high growth scenario.

Fewer Public parcels (generally owned by the City or SFUSD) are larger, and more likely to develop housing through the rezoning, though this depends on the owner's decisions.

Estimating the Loss of Existing Residential Units

- To evaluate the economic impact, OEA calculated the net increase in housing units.
- In the low-growth scenario, 463 more units would be lost under the proposed zoning than under current zoning, over the 20-year forecast period. In the high-growth scenario, 1,031 more housing units would be lost. These losses represent a 6-8% of the housing units gained as a result of the rezoning. Amendments proposed on October 20th may reduce these losses, along with overall housing production.
- The loss of existing housing slightly dampens the housing price reductions associated with the rezoning, and may impose financial harms on existing tenants. City and State law heavily restricts, but does not prohibit, the eviction of tenants for the purpose of demolition, or the demolition of rent-controlled housing. These events have been quite rare in recent decades. If this occurs, tenants are entitled to relocation payments.
- Without any way to meaningfully estimate the number of evictions or demolitions of rent-controlled units, or the financial impact on tenants, this report does not attempt to quantify these potential costs.

Impacts on Housing Prices

- The responsiveness of housing prices to increases in housing supply is a function of price elasticities of supply and demand, which the OEA has estimated in past research[4].
- The elasticities imply that the proposed rezoning would lead to a -2.5% to -4.2% change in housing prices in the city, depending on the scenario. For context, those percentages are also expressed in terms of current housing prices and apartment rents.

	Low Growth Scenario	**High Growth Scenario**
Net Change in Housing Supply (units produced less demolitions)	8,041	13,615
Percentage Change in Housing Supply[5]	2.0%	3.4%
Price Elasticity of Demand	-0.7	-0.7
Price Elasticity of Supply	0.1	0.1
Percent change in housing prices	-2.5%	-4.2%
Corresponding change in condo prices[6]	-$24,500	-$41,600
Corresponding change in annual apartment market rents[7]	-$903	-$1,529

Estimating Relocation and Disruption Costs

- To account for the impact on commercial businesses, OEA estimated potential displacement costs. Details are provided in the Appendix.
- Displaced businesses are estimated to occupy commercial space ranging from approximately 1.5 to 2.6 million square feet, depending on the scenario. This displacement would occur over twenty years, and it is highly likely that the rezoning would lead to an increase in the amount of commercial space in the city.
- Annual business disruption and relocation costs range from $16 to $28 million, in today's dollars.

	Low Growth	High Growth
Loss of occupied commercial space (million sf)	1.5	2.6
Disruption-relocation cost/sf	$190	$190
Annual disruption/relocation cost (2025 $ million)	$16	$28

REMI Economic Impact Simulation

- Based on the economic impact factors described earlier, the OEA used the REMI model to measure the net economic impact of the changes associated with the high and low growth scenarios to the city's economy over the 2026-2045 period:
  - An increase in the city's residential capital stock of $8.0 billion (low growth) to $13.5 billion (high growth) in today's dollars, representing the investment associated with the new units forecast under the two scenarios. These figures are calculated by multiplying the net increase in units by average prices.
  - A reduction in citywide housing prices, reaching 2.5% (low growth) and 4.2% (high growth) by 2045.
  - Annual business disruption and relocation costs for retail businesses of $16 million (low growth) and $28 million (high growth) in today's dollars, until 2045.

Economic Impact Assessment

- In the low-growth scenario, the city's GDP would be $560 million larger, in today's dollars, on average over the 2026-45 period. Total employment in the city would be approximately 3,000 more than under the current zoning, on average over the period.
- In the high-growth scenario, the city's GDP growth would be $940 million larger than under current zoning, in 2025 dollars. Employment would be about 5,000 higher.
- Employment gains are expected in every sector, but would be most heavily concentrated in the construction, health care, real estate, and accommodations and food services sectors.
- Despite the displacement of businesses, retail trade is forecast to grow as a result of the population and economic growth created by the proposed rezoning, adding about 210 jobs in the low-growth scenario and about 350 jobs in the high-growth scenario.
- Like most major policies, the proposed rezoning involves benefits and costs. Our analysis suggests the proposed rezoning's positive impact on the city's economy, from lower housing prices and construction, outweighs the negative impact from displaced businesses, by a factor of approximately 22:1.

Conclusions

- The context for housing development in San Francisco has changed profoundly in the past several years. Since 2019, after adjusting for inflation, condo prices in San Francisco have dropped by 25%, while our blended construction cost index has risen by 8%.
- Given this starting point, an expansive rezoning effort, like the proposed Family Zoning plan, will be challenged to match the 2010s levels of new housing development in the city, even under an optimistic high-growth scenario.
- Nevertheless, under both scenarios considered in this report, the proposed rezoning would lead to a significant increase in the city's housing supply, and have broadly positive effects on housing prices and the city's broader economy. The benefits of new residential investments and lower housing prices are projected to outweigh the costs of business interruption and displacement by a factor of roughly 22:1.
- If market conditions were such that the 36,000 unit target was achieved, as a result of the rezoning, the economic impact on the city would likely be significantly more positive than the estimates in this report.

Footnotes

1. See, for example, Inclusionary Housing Working Group: Preliminary Report September 2016.
2. Three large parcels were excluded from the analysis: Laguna Honda Hospital, and the USF Main and Lone Mountain campuses. While all three parcels receive height increases in the proposed rezoning, their size and unique uses makes them unsuitable for the model. If the model could accurately estimate the amount of housing likely to occur on those parcels, the total housing estimate reported in this report would be larger.
3. These are the aggregate zoning classifications used by the model. See the Appendix for details.
4. See Potential Effects of Limiting Market-Rate Housing in the Mission.
5. Assuming 406,000 housing units in the city.
6. Based on Zillow's 2025 average condo prices for San Francisco.
7. Based on 2025 average apartment asking rents, from ApartmentList.

Appendix

- Housing Development Model
  - Methodology
  - Data sources
  - Model coefficients and performance
  - Scenario Inputs
  - Zoning District Classification
  - Logic of Applying the Model to the Proposed Rezoning
- Estimates of Business Interruption and Relocation Costs

Appendix: Housing Development Model: Methodology

- The housing development model is a two-stage step model. The first stage is a logistic regression, covering every parcel in the city, except those subject to a development agreement, over the 2004-2024 period.
- The dependent variable of the logistic regression is 1 if the parcel produced housing in a given year, and 0 otherwise. Parcels that produce housing in a given year were removed from the dataset for subsequent years. Independent variables, reflecting existing land use, market conditions, and zoning, are listed on the next page.
- The second stage is a regression model including all parcels that produced multifamily housing with more than 10 units, over the 2004-24 period. The dependent variable is the number of units produced on the parcel, and the independent variables are the parcel's "building envelope" (its area multiplied by its allowable height), and two interaction variables: the building envelope times a dummy indicating if the parcel was eligible for the State Density Bonus in that year, and the building envelope times a dummy indicating if the parcel was subject to density-restricted zoning in that year. The intercept of the model was fixed at zero.

Appendix: Housing Development Model: Methodology

- The models' coefficients were used in a forecast that calculated the log-likelihood of development for each rezoned parcel, in each of the forecast years 2026-2045, using the site and zoning information, and the price and cost assumptions for each year (shown on the next page). The log-likelihoods were converted into annual probabilities, from which a 20-year probability of development was calculated.
- The model coefficients were also used to calculate a units estimate; the 20-year probability times the units estimate is the expected number of units produced on that parcel in the 20-year forecast period.
- The forecast model was run for both the current and the proposed zoning. See the section "Logic of Applying the Model to the Proposed Rezoning" for more details.
- Three parcels were excluded from the forecast: Laguna Honda Hospital, the University of San Francisco Main Campus, and the University of San Francisco Lone Mountain Campus. While some housing may be built on those parcels in the forecast period, the model is not well-suited for large parcels with unique uses like these.

Appendix: Housing Development Model: Data Sources

Variable Description	Variable	Data Source
Height limit for site in ft	Height_Ft	Planning Department, Zoning Districts
Area for lot in 1000 sq ft	Area_1000	Planning Department, Land Use Database 4/16/25
Extisting building square footage in 1000 sq ft	Bldg_SqFt_1000	Planning Department, Land Use Database 4/16/25
Residential Existing Use using ResUnits (Dummy)	Res_Dummy	Planning Department, Land Use Database 4/16/25
Historic Status for Parcel (Dummy)	Historic	Planning Department, Land Use Database 4/16/25
Real Construction Cost Variable, 2 years prior	Construc_Cost_Real	a 60/40 average of Real Construction Materials PPI and Real San Francisco MSA Construction Wages, 2016=100
10-Neighborhood Housing Price Index (Zillow), Real, 2 years prior	Zillow_Price_Real	SF real condo prices per Zillow, 2016=100
Dummy indicating eligibility for State Density Bonus, 2016 forward	SDB_2016_5Plus	Calculated from Zoning Districts
Zoning dummy: Office/Commercial	zp_OfficeComm	Planning Department, Zoning Districts
Zoning dummy: Density Restricted Multifamily, RTO = Form Based	zp_DRMulti_RTO	Planning Department, Zoning Districts
Zoning dummy: Form Based Multifamily, RTO = form based	zp_FBDMulti_RTO	Planning Department, Zoning Districts
Zoning dummy: Industrial / Production, Distribution & Repair	zp_PDRInd	Planning Department, Zoning Districts
Zoning dummy: Public/Open Space	zp_Public	Planning Department, Zoning Districts
Zoning dummy: Redevelopment Area	zp_Redev	Planning Department, Zoning Districts
Zoning dummy: Residential 2-Family (2 Units per Lot)	zp_RH2	Planning Department, Zoning Districts
Zoning = Residential 3-Family or Res Mixed (1/800 sqft)	zp_RH3_RM1	Planning Department, Zoning Districts
Planning District dummy variables	DIST_<District Name>	Planning District from Assessor's Secured Roll DB

Appendix: Logistic Regression Coefficients

Variable Description	Variable	Coeff	StdErr	WaldChiSq	Prob>Chi Sq
Intercept	Intercept	(1.6226)	1.2829	1.5998	0.2059
Height limit for site in ft	Height_Ft	0.0017	0.0007	4.9693	0.0258
Area for lot in 1000 sq ft	Area_1000	0.0049	0.0009	30.6563	0.0000
Envelope Area in 1000 sq ft (area/1000*ht/10)	Env_1000_Area_Height	0.0002	0.0001	5.0369	0.0248
Extisting building square footage in 1000 sq ft	Bldg_SqFt_1000	(0.0023)	0.0007	10.7241	0.0011
Residential Existing Use using ResUnits (Dummy)	Res_Dummy	(0.8231)	0.1222	45.3669	0.0000
Historic Status for Parcel (Dummy)	Historic	(1.0378)	0.1271	66.6847	0.0000
Real Construction Cost Variable	Construc_Cost_Real	(0.0992)	0.0129	58.8929	0.0000
SF Housing Price Index (Zillow), Real	Zillow_Price_Real	0.0143	0.0053	7.1326	0.0076
Dummy for State Density Bonus, 5+ Unit Sites, 2016 forward	SDB_2016_5Plus	0.6303	0.1608	15.3724	0.0000
Zoning = Office/Commercial	zp_OfficeComm	4.2634	0.4873	76.5337	0.0000
Zoning = Density Restricted Multifamily, RTO = Form Based	zp_DRMulti_RTO	4.2450	0.4523	88.0989	0.0000
Zoning = Form Based Multifamily, RTO = form based	zp_FBDMulti_RTO	5.0508	0.4640	118.4768	0.0000
Zoning = Industrial / Production, Distribution & Repair	zp_PDRInd	3.4115	0.4790	50.7257	0.0000
Zoning = Public/Open Space	zp_Public	1.2491	0.8385	2.2190	0.1363
Zoning = Redevelopment Area	zp_Redev	4.5361	0.4999	82.3213	0.0000
Zoning = Residential 2-Family (2 Units per Lot)	zp_RH2	0.2674	0.6672	0.1607	0.6885
Zoning = Residential 3-Family or Res Mixed (1/800 sqft)	zp_RH3_RM1	1.3187	0.6064	4.7289	0.0297

Appendix: Logistic Regression Coefficients (Continued)

Variable Description	Variable	Coeff	StdErr	WaldChiSq	Prob>Chi Sq
District = South Bayshore	DIST_SBayshore	(1.4824)	0.3179	21.7380	0.0000
District = Bernal Heights	DIST_BernalHts	(1.7011)	0.6087	7.8100	0.0052
District = South Central	DIST_Scentral	(1.7307)	0.3867	20.0267	0.0000
District = Central	DIST_Central	(1.1523)	0.3353	11.8102	0.0006
District = Buena Vista	DIST_BuenaVista	(2.5369)	1.0188	6.2010	0.0128
District = Northeast	DIST_Northeast	(1.4171)	0.2539	31.1439	0.0000
District = Western Addition	DIST_WestAddition	(0.6831)	0.2362	8.3630	0.0038
District = South of Market	DIST_SOMA	(0.0756)	0.1903	0.1579	0.6911
District = Inner Sunset	DIST_InnerSunset	(1.6187)	0.4882	10.9939	0.0009
District = Richmond	DIST_Richmond	(2.8019)	0.5355	27.3716	0.0000
District = Ingleside	DIST_Ingleside	(1.8670)	0.4925	14.3711	0.0002
District = Outer Sunset	DIST_OuterSunset	(2.6147)	0.6098	18.3867	0.0000
District = Marina	DIST_Marina	(1.2492)	0.3253	14.7457	0.0001
District = Mission	DIST_Mission	(1.0938)	0.2380	21.1176	0.0000

Omitted Variables for Groups of Dummy Variables:

Omitted zoning = RH1

Omitted district = Downtown

Appendix: Units Regression Coefficients

Variable Description	Variable	Coeff	St Error	T-Stat
Simple building envelope (area/1000 * ht/10)	Env_1000_Area_Height	0.4252	0.0159	26.72
State Density Bonus * Simple Bldg Envelope (5+ Unit Sites, 2016 forward)	SDB_2016_5Plus_EnvFull	0.4385	0.0389	11.28
Simple Bldg Envelope only if density-restricted	Zoning_DR_EnvFull	(0.1601)	0.0174	(9.22)

Note: Model removes largest 5% (Positive and Negative) residual outliers

Appendix: Model Performance

Logistic Regression	
Number of Observations	3,369,573
Number with Dependent Variable = 1	422
Pseudo R-Square	0.000611
Max Rescaled R-Square	0.244596

Units Regression	
Number of Observations	383
R-Sq	0.867779
Adj R-Sq	0.866735
Dependent Mean Value	81.87206
Standard Error of Regression	48.40184

Appendix: Zoning Classifications

- The table below shows the correspondence between the City's zoning districts, and the aggregate zoning variables in the model.

Zoning Variable	Zoning Districts
zp_RH1	C-2/RH-1(D); RH-1(D)/C-2; C-M/RH-1; M-1/RH-1; NC-1/RH-1; NC-1/RH-1/RH-2; NC-2/RH-1; NC-2/RH-1(D); NC-3/RH-1; NCD/RH-1; NCD/RH-1(D); NC-S/RH-1; NCT-OCEAN/RH-1(D); NCT/RH-1(D); P/P-W/RH-1; P/RH-1; P/RH-1(D); P/RH-1/RH-1(D); P/RH-1/RH-2; RH-1; RH-1(D); RH-1(D)/NC-2; RH-1(D)/RH-1; RH-2/RH-1; RH-2/RH-1(D); RH-1(D)/RH-2; RH-1(D)/RM-1; RH-1(S); RH-1/C-M; RH-1/M-1; RH-1/NC-1; RH-1/NC-2; RH-1/NC-3; RH-1/NC-S; RH-1/RH-1(D); RH-1/RH-2; RH-1/RH-2/RM-1; RH-1/RM-1; RM-1/RH-1; RH-3/RH-1
zp_RH2	NC-1/RH-1/RH-2; P/RH-1/RH-2; RH-2/RH-1; RH-2/RH-1(D); RH-1(D)/RH-2; RH-1/RH-2; RH-1/RH-2/RM-1; M-1/RH-2/RM-1; MUR/RH-2; NC-1/RH-2; NC-2/RH-2; NC-3/RH-2; NCD/RH-2; NC-S/RH-2; NCT-GLEN PARK/RH-2; NCT-OCEAN/RH-2; NCT/RH-2; P/RH-2; P/RM-1/RH-2; RH-2; RH-2/NC-1; RH-2/NC-2; RH-2/NC-3; RH-2/RH-3; RH-2/RM-1; RM-1/RH-2; RH-2/RM-2; RM-2/RH-2; RH-2/RM-3; RM-3/RH-2; RH-3/RH-2
zp_RH3_RM1	RH-1/RH-2/RM-1; M-1/RH-2/RM-1; P/RM-1/RH-2; RH-2/RH-3; RH-2/RM-1; RM-1/RH-2; RH-3/RH-2; RH-1(D)/RM-1; RH-1/RM-1; RM-1/RH-1; RH-3/RH-1; C-2/RH-3; C-2/RM-1; C-2/RM-1/RM-4; C-M/RM-1; HP-RA/RM-1; M-1/RM-1; M-2/RH-3; NC-1/RM-1; RM-1/NC-1; NC-2/RH-3; NC-2/RM-1; NC-3/RH-3; NC-3/RM-1; NCD/RH-3; NCD/RH-3/UPR MARKET; NCD/RH-3/UPR MARK; NCD/RH-3/VALENCIA; NCD/RM-1; NCD/RM-1/SACRAMENTO; NCD/SACRAMENTO ST; NCD/SACRAMENTO/RM-1; NCD/RM-1/SACRAMEN; NCT-DIVISADERO/RH-3; NCT-DIVISADERO/RM-1; NCT/RH-3; NCT/RM-1; P/PM-R/RM-1; P/RH-3; P/RM-1; PM-MU2/PM-OS/PM-R/RM-1; PM-R/RM-1; RH-3; RH-3/C-2; RH-3/HAYES; RH-3/M-2; RH-3/NC-2; RH-3/RM-1; RM-1/RH-3; RH-3/RM-2; RM-2/RH-3; RH-3/RM-3; RM-3/RH-3; RH-3/RSD; RH-3/VALENCIA; RM-1; RM-1/C-M; RM-1/C-M/M-1; RM-1/NC-3; RM-1/RM-2; RM-1/RM-3; RM-1/RM-4; RM-1/SACRAMENTO
zp_OfficeComm	C-2/RH-3; C-2/RM-1; C-2/RM-1/RM-4; C-M/RM-1; RH-3/C-2; RM-1/C-M; RM-1/C-M/M-1; C-2/RH-1(D); RH-1(D)/C-2; C-M/RH-1; RH-1/C-M; C-2; C-2/M-1; C-2/M-1/P; C-2/P; C-3-G; C-3-G/C-3-R; C-3-G/C-M; C-3-G/RC-4; C-3-O; C-3-O(SD); C-3-O(SD)/P; C-3-O(SD)/TB DTR; C-3-O/C-3-O(SD); C-3-O/C-3-R; C-3-O/C-3-S; C-3-O/C-3-S/P; C-3-O/TB DTR; C-3-R; C-3-S; C-3-S/P; C-M; C-M/M-1; CMUO; CMUO/MUR; CMUO/P; MUO; NCD/C-2; P/C-3-R; RM-3/C-2; RM-4/C-2; WMUO

Appendix: Zoning Classifications (Continued)

Zoning Variable	Zoning Districts
zp_DRMulti_RTO	NC-2/P; NC-3/P/RM-3; NCD/P; NC-S/P; P/NC-S; P/NC-2; P/RC-4; P/RM-2; P/RM-3; C-2/RM-1/RM-4; C-3-G/RC-4; NCD/C-2; RM-3/C-2; RM-4/C-2; NC-1/RM-1; RM-1/NC-1; NC-2/RH-3; NC-2/RM-1; NC-3/RH-3; NC-3/RM-1; NCD/RH-3; NCD/RH-3/UPR MARKET; NCD/RH-3/UPR MARK; NCD/RH-3/VALENCIA; NCD/RM-1; NCD/RM-1/SACRAMENTO; NCD/SACRAMENTO ST; NCD/SACRAMENTO/RM-1; NCD/RM-1/SACRAMEN; RH-3/HAYES; RH-3/NC-2; RH-3/RM-2; RM-2/RH-3; RH-3/RM-3; RM-3/RH-3; RH-3/RSD; RH-3/VALENCIA; RM-1/NC-3; RM-1/RM-2; RM-1/RM-3; RM-1/RM-4; RM-1/SACRAMENTO; NC-1/RH-1/RH-2; NC-1/RH-2; NC-2/RH-2; NC-3/RH-2; NCD/RH-2; NC-S/RH-2; RH-2/NC-1; RH-2/NC-2; RH-2/NC-3; RH-2/RM-2; RM-2/RH-2; RH-2/RM-3; RM-3/RH-2; NC-1/RH-1; NC-2/RH-1; NC-2/RH-1(D); NC-3/RH-1; NCD/RH-1; NCD/RH-1(D); NC-S/RH-1; RH-1(D)/NC-2; RH-1/NC-1; RH-1/NC-2; RH-1/NC-3; RH-1/NC-S; 24TH-MISSION; 24TH STREET- NOE VALL; 24TH-NOE; BROADWAY; BROADWAY NEIGHBORHOOD; C-2/RM-4; CASTRO STREET NEIGHBO; CASTRO; CCB; CRNC; CR-NC; CRNC/CVR; CR-NC/CVR; CRNC/RM-4; CVR; DTR/RC-4; FILLMORE; HAIGHT; HAIGHT STREET NEIGHBO; HAYES; HAIGHT STREET NEIGHBO; INNER CLEMENT; INNER CLEMENT STREET; INNER SUNSET; INNER SUNSET NEIGHBOR; M-1/NC-2; M-1/RM-2; M-1/RSD; NC-1; NC-1/RM-2; NC-1/RM-3; NC-2; NC-2/M-1; NC-2/NC-3; NC-3/NC-2; NC-2/RM-3; NC-2/RM-4; NC-3; NC-3/RC-4; NC-3/RM-3; NC-3/RM-4; NCD; NCD/; NCD/24TH STREET- NOE VALL; NCD/24TH STREET-; NCD/24TH-MISSION; NCD/24TH-NOE; NCD/24TH-NOE-VALLE; NCD/24TH-NOE-VALLEY; NCD/BROADWAY; NCD/BROADWAY NEIG; NCD/BROADWAY NEIGHBORHOOD; NCD/CASTRO; NCD/CASTRO STREET; NCD/CASTRO STREET NEIGHBO; NCD/EXCELSIOR OUTER MISSI; NCD/EXCELSIOR OUT; EXCELSIOR OUTER MISSI; NCD/FILLMORE; NCD/HAIGHT; NCD/HAIGHT STREET; NCD/HAIGHT STREET NEIGHBO; NCD/HAYES; NCD/HAYES NCT; NCD/HAYES NCT/RTO; NCD/INNER CLEMENT; NCD/INNER CLEMENT STREET; NCD/INNER SUNSET; NCD/INNER SUNSET NEIGHBOR; NCD/IRVING STREET NEIGHBO; NCD/IRVING STREET; NCD/IRVING; IRVING STREET NEIGHBO; NCD/JAPANTOWN NEIGHBORHOO; NCD/JAPANTOWN NEI; JAPANTOWN NEIGHBORHOO; NCD/JUDAH STREET NEIGHBOR; NCD/JUDAH; NCD/JUDAH STREET; JUDAH STREET NEIGHBOR; NCD/NC-1; NCD/NC-2; NCD/NC-3; NCD/NCT; NCD/NO BEACH; NCD/NORIEGA STREET NEIGHB; NCD/NORIEGA STREE; NCD/NORIEGA; NCD/NORTH BEACH NEIGHBORH; NCD/NORTH BEACH N; NCD/NORTH BEACH; NCD/NORTHBEACH; NCD/NORTH BEACH/RM-1; NCD/NORTHBEACH/RM-1; NCD/OUTER CLEMENT; NCD/OUTER CLEMENT STREET; NCD/OUTER CLEMENT STREET; NCD/PACIFIC; NCD/PACIFIC AVENU; NCD/PACIFIC/RM-3; NCD/PACIFIC;RM-3; NCD/PACIFIC AVENUE NEIGHB; NCD/POLK; NCD/POLK STREET N; NCD/POLK STREET NEIGHBORH; NCD/POLK/RC-3; NCD/POLK/RC-4; NCD/RC-3; NCD/RESIDENTIAL- HOUSE, O; NCD/RESIDENTIAL-; NCD/RM-2; NCD/RM-3; NCD/RM-3/PACIFIC; NCD/RTO; NCD/SACRAMENTO; NCD/SACRAMENTO STREET NEI; NCD/TARAVAL STREET NEIGHB; NCD/TARAVAL STREE; NCD/TARAVAL; NCD/UNION; NCD/UNION STREET; NCD/UNION STREET NEIGHBOR; NCD/UPPER FILLMORE NEIGHB; NCD/UPPER FILLMOR; NCD/UPPER FILLMORE; NCD/UPPERFILLMORE; NCD/UPPER MARKET STREET N; NCD/UPPER MARKET; NCD/UPR MARKET NC; NCD/UPR MARKET; NCD/UPR MARKET NCT; NCD/UPR MARKET NCT/; NCD/VALENCIA; NCD/WEST PORTAL; NCD/WEST PORTAL A; NCD/WEST PORTAL AVENUE NE; NCD/BAYVIEW; NCD/COLE VALLEY; NCD/CORTLAND AVENUE; NCD/GEARY BOULEVARD; NCD/GEARY BOULEVA; NCD/GEARY BOULEVARD/RH-2; NCD/GEARY BOULEVARD/RM-1; NCD/INNER BALBOA STREET; NCD/INNER BALBOA S; NCD/OUTER BALBOA STREET; NCD/ OUTER BALBOA STREET; NCD/OUTER BALBOA S; NCD/LOWER HAIGHT STREET; NCD/LOWER HAIGHT S; NCD/LOWER HAIGHT STREET/RH-3; NCD/LOWER POLK STREET; NCD/MISSION BERNAL; NCD/INNER TARAVAL STREET; NCD/INNER TARAVAL; NCD/SAN BRUNO AVENUE; NCD/LAKESIDE VILLAGE; NCD/LAKESIDE VILLAG; NC-S; NC-S/PM-R; NC-S/RM-3; NCT-DIVISADERO/RM-3; NCT/RM-3; NCT/RM-4; NO BEACH; OUTER CLEMENT; POLK; RC-3; RC-3/POLK; RC-3/RM-3; RC-4; RC-4/NC-3; RC-4/RH DTR; RC-4/RM-4; RED/SLR; RM-2; RM-2/M-1; RM-2/NC-1; RM-2/NC-2; RM-2/NO BEACH; RM-2/RM-3; RM-2/RM-4; RM-3; RM-3/NC-1; RM-3/NC-2; RM-3/NC-3; RM-3/NC-S; RM-3/RC-3; RM-3/RM-4; RM-4; RM-4/CR-NC; RM-4/NC-2; RM-4/NC-3; RM-4/RC-4; RSD; RSD/SLR; SACRAMENTO; SLR; SSO; UNION; UPR MARKET; VALENCIA; WEST PORTAL

Appendix: Zoning Classifications (Continued)

Zoning Variable	Zoning Districts
zp_Public	C-2/M-1/P; C-2/P; C-3-O(SD)/P; C-3-O/C-3-S/P; C-3-S/P; CMUO/P; P/C-3-R; P/RM-1/RH-2; P/PM-R/RM-1; P/RH-3; P/RM-1; PM-MU2/PM-OS/PM-R/RM-1; P/RH-1/RH-2; P/RH-2; P/P-W/RH-1; P/RH-1; P/RH-1(D); P/RH-1/RH-1(D); Remove; HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-1/M-2/P; M-1/P; M-2/MB-OS; M-2/MB-RA/P; M-2/P; MB-O; MB-O/MB-RA; MB-OS; MB-RA/P; MUG/P; NC-2/P; NC-3/P/RM-3; NCD/P; NC-S/P; NCT/P; NCT-3/P; NCT-3/RTO; P; P/C-3-O(SD); P/M-1; P/M-2; P/MISS BAY S PL; P/MISS BAY S PLN; P/MUR; P/NC-S; P/NC-2; P/PDR-2; P/PM-OS; P/PM-OS/PM-R; P/P-W; P/RC-4; P/RM-2; P/RM-3; P/TB DTR; P/RTO-C; P, RTO-C; PM-CF; PM-CF/PM-OS; PM-CF/PM-OS/PM-R; PM-MU1/PM-OS; PM-MU2/PM-OS/PM-R; PM-OS; PM-OS/PM-R; PM-OS/PM-R/PM-S; PM-OS/PM-S; Public
zp_FBDMulti_RTO	DTR/RC-4; NCD/HAYES NCT; NCD/HAYES NCT/RTO; NCD/NCT; NCD/RTO; NCD/UPR MARKET NCT; NCD/UPR MARKET NCT/; NC-S/PM-R; NCT-DIVISADERO/RM-3; NCT/RM-3; NCT/RM-4; RC-4/RH DTR; RED/SLR; P/PM-R/RM-1; PM-MU2/PM-OS/PM-R/RM-1; MUG/P; NCT/P; NCT-3/P; NCT-3/RTO; P/MUR; P/PM-OS/PM-R; P/TB DTR; P/RTO-C; P, RTO-C; PM-CF/PM-OS/PM-R; PM-MU1/PM-OS; PM-MU2/PM-OS/PM-R; PM-OS/PM-R; PM-OS/PM-R/PM-S; C-3-O(SD)/TB DTR; C-3-O/TB DTR; CMUO/MUR; NCT-DIVISADERO/RH-3; NCT-DIVISADERO/RM-1; NCT/RH-3; NCT/RM-1; PM-R/RM-1; MUR/RH-2; NCT-GLEN PARK/RH-2; NCT-OCEAN/RH-2; NCT/RH-2; NCT-OCEAN/RH-1(D); NCT/RH-1(D); DTR; DTR/M-1; M-1/RH DTR; M-2/MR-MU; M-2/P70-MU; MB-RA/MR-MU; MR-MU; MUG; MUG/RED; MUR; NCT; NCT-DIVISADERO; NCT-FOLSOM; NCT-GLEN PARK; NCT-HAYES; NCT-HAYES/RTO; NCT-HAYES/RTO-1; NCT-MISSION; NCT-UPPER MARKET; NCT-UPPER MARKET;; NCT-UPPER MARKET/RH-2; NCT-UPPER MARKET/RH-3; NCT-OCEAN; NCT-SOMA; NCT/NCT-3; NCT/RCD; NCT/RED-MX; NCT/RTO; NCT/RTO-M; NCT/UMU; NCT-1; NCT-2; NCT-3; NCT-3/NCT-HAYES; RTO-1/NCT-3; RTO/NCT-3; P70-MU; PDR-1-D/UMU; PDR-1-G/UMU; PM-MU1; PM-MU1/PM-R; PM-MU2/PM-R; PM-MU2; PM-R; RCD; RED; RED-MX; RED-MX/WMUG; RH DTR; RH DTR/SB-DTR; RH DTR/TB DTR; RTO; RTO-1; RTO/NCT; RTO-1/RTO-C; RTO-C; RTO-M; SB-DTR; SPD; TB DTR; UMU; WMUG
zp_PDRInd	DTR/M-1; M-1/RH DTR; M-2/MR-MU; M-2/P70-MU; PDR-1-D/UMU; PDR-1-G/UMU; M-1/NC-2; M-1/RM-2; M-1/RSD; NC-2/M-1; RM-2/M-1; C-2/M-1/P; HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-1/M-2/P; M-1/P; M-2/MB-OS; M-2/MB-RA/P; M-2/P; P/M-1; P/M-2; P/PDR-2; C-2/M-1; C-M/M-1; RH-1/RH-2/RM-1; M-1/RH-2/RM-1; M-1/RM-1; M-2/RH-3; RH-3/M-2; M-1/RH-1; RH-1/M-1; HP-RA/M-1; HP-RA/M-2; M-1; M-1/M-1; M-1/M-2; M-1/PDR-1-B; M-1/PDR-2; M-2; M-2 (MB); M-2/MB-RA; M-2/PDR-2; M-2/SLI; MISS BAY S PLN/M-2; MISS BAY S PL; MISS BAY S PLN; MISS BAY S PLN/M-; PDR-1; PDR-1/PDR-2; PDR-1-B; PDR-1-B/PDR-2; PDR-1-D; PDR-1-G; PDR-2; SALI; SLI; SLI/M-2
zp_Redev	HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-2/MB-RA/P; HP-RA/M-1; HP-RA/M-2; M-2/MB-RA; MISS BAY S PLN/M-2; MISS BAY S PL; MISS BAY S PLN; MISS BAY S PLN/M-; MB-RA/MR-MU; MB-O/MB-RA; MB-RA/P; P/MISS BAY S PL; P/MISS BAY S PLN; HP-RA/RM-1; HP-RA; MB-RA; MISS BAY N RED; MISS BAY N RED PLN; MISS BAY N RED PL; MISS BAY S RED; MISS BAY S RED PLN; MISS BAY S RED PL

Appendix: Logic of Applying the Model

- This section of the appendix describes in more detail how the model was used to produce estimates of future housing production.
- For the existing zoning (“baseline”), the application of the model is straightforward. Current zoning was encoded using the zoning classification on the previous page, and current allowable height was used as the height variable in the logistic regression, and to calculate building envelope in the units regression.
- For the proposed rezoning (“policy”), the logic used was as follows: based on the units regression, each 1000 square feet of building envelope results in 0.42 units. The State Density Bonus adds an additional 0.44 units. Parcels that elect to use the Local Program therefore need to accommodate at least 0.44 additional units per 1000 square feet of envelope if developers are to choose this option. For parcels where the Local Program was more desirable, and on parcels that are ineligible for the SDB, because their zoning and size prevents them from building more than 5 units, the Local Program was applied. For all other parcels the SDB was used.

Appendix: Logic of Applying the Model (Continued)

- Probabilities and units for any parcel using the State Density Bonus were calculated by:
  - In the logistic regression, using the first new height in the rezoning table for Height_Ft and in the Env_1000_Area_Height calculation.
  - In the units regression, using the first new height in the rezoning table to calculate Env_1000_Area_Height;
  - Incorporating the SDB_2016_5Plus_EnvFull effect;
  - Incorporating the Zoning_DR_EnvFull if applicable (i.e. the parcel is density-restricted.

Appendix: Logic of Applying the Model (Continued)

- Probabilities and units for any parcel using the Local Program were calculated by:
  - In the logistic regression, setting zp_FBDMulti_RTO = 1, to account for the relaxation of density controls in the Local Program;
  - In the logistic regression, using the second new height in the rezoning table for Height_Ft and in the Env_1000_Area_Height calculation.
  - In the units regression, using the second new height in the rezoning table to calculate Env_1000_Area_Height;
  - In the units regression, removing the SDB_2016_5Plus_EnvFull effect;
  - In the units regression, removing the Zoning_DR_EnvFull effect.

Appendix: Business Disruption / Relocation Costs

- The analysis makes the following assumptions about business disruption and relocation costs:
  - Lost space will be 10% vacant, so 90% of the loss represents the loss of occupied space.
  - Lost business net income (for 6 months of disruption): $5/occupied square foot.
  - Fixed labor costs (for 6 months): $10/occupied square foot.
  - Moving costs and build-out of space at new premises: $175/occupied square foot

Staff Contact

Ted Egan, Ph.D., Chief Economist ted.egan@sfgov.org

From: Deldelp Medina
To: Carroll, John (BOS)
Subject: Without rent control I would be pushed out of the city
Date: Monday, November 17, 2025 2:49:32 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mr. Carroll,

I wanted to share with you my experiences and reality. I have been living in San Francisco for the last fifteen years, thanks to rent control. Without being able to live in locally owned apartments, I would not have been able to raise my family here. When new housing is built, it shouldn't be at the expense of units that are keeping folks rooted to their neighborhood. I support incentives to have folks build without displacing those of us who have created homes and communities.

Best,

Deldelp

--
Deldelp Medina
She/Her/Ella
My schedule/Mi Horario: Calendly_Deldelp

From:	Devon Bolla
To:	Carroll, John (BOS); Board of Supervisors (BOS)
Cc:	Ryan Patterson; Ephraim Margolin; Sonja Trauss
Subject:	Proposed Family Zoning Plan and Housing Element Implementation: File Nos. 250700, 250701, 251071, 251073, 250985, and 250966
Date:	Monday, November 17, 2025 2:44:12 PM
Attachments:	2025.11.17 Ltr re SF Family Zoning Plan - RJP.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon,

Attached for your review is a memo regarding a proposed family zoning plan and housing element implementation.

Thank you,

Devon J. Bolla
(she/her)
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November 17, 2025

VIA EMAIL

Chair Myrna Melgar
Land Use and Transportation Committee
San Francisco Board of Supervisors
49 South Van Ness Avenue
San Francisco, CA 94103
john.carroll@sfgov.org
Board.of.Supervisors@sfgov.org

Re: Proposed Family Zoning Plan and Housing Element Implementation
File Nos. 250700, 250701, 251071, 251073, 250985, and 250966

Dear Chair Melgar and Honorable Supervisors:

Our office represents Yes In My Back Yard ("YIMBY Law"), a 501(c)(3) non-profit organization whose mission is to enforce state housing laws. We write to share our concerns regarding San Francisco's proposed Family Zoning Plan ("FZP"). Our comments incorporate the comments of YIMBY Action and its members, including the attached letters dated September 11, 2025 and October 29, 2025.

I. The City Will Violate the Housing Element Law if it Adopts the FZP Knowing that it Will Not Produce the Required Housing Units

The City's 6th cycle housing element noted that the City was unable to identify enough sites to accommodate the number of units for lower- and moderate-income households, including a 15% buffer, that it was assigned to plan for during its 6th cycle ("RHNA Shortfall"). The Department of Housing and Community Development, therefore, directed the City to include a program in its housing element identifying sites for rezoning to accommodate these units as mandated by the Housing Element Law. (Gov. Code § 65584.09(a)-(b); Gov. Code § 65583(c)(1); *Martinez v. City of Clovis* (2023) 90 Cal. App. 5th 193, 225.) However, the City's proposed rezoning program—Program 7.1.1— and the FZP, which implements Program 7.1.1, are inadequate because (1) the City's own analysis found that the FZP will not create enough units for the City to meet its RHNA Shortfall; (2) the FZP will not create sufficient capacity because it relies on density decontrol in residential neighborhoods without corresponding changes in development standards; and (3) the FZP's local alternative to the state Density Bonus Law will not increase

density because it is duplicative of existing capacity under the state Density Bonus Law.

A. The Chief Economist's Report Confirms that the FZP Will Not Create Enough Units for the City to Meet its RHNA Shortfall

On October 29, 2025, the City's Chief Economist published a report, which found that the FZP will produce **less than half** the number of housing units that the City is required to plan for to meet its RHNA Shortfall – in more than double the time allowed. The report concluded that in a best-case scenario, the FZP would only produce around 14,600 additional units over the next 20 years, representing just 40% of the 36,282 units the City is required to plan for over the next eight years. Under a low-growth scenario, the FZP would only produce 8,504 units over 20 years. Either scenario is inadequate and would be a spectacular failure of the City to comply with the Housing Element Law, which requires local governments to plan to meet their RHNA shortfall through rezoning programs. (Gov. Code § 65583(c)(1) and Gov. Code § 65583.2(h).)

B. The FZP Will Not Create Sufficient Capacity Because it Relies on Density Decontrol in Single-Family Neighborhoods But Does Not Create Room for Additional Density

The FZP uses form-based zoning without corresponding changes in development standards in single-family neighborhoods, which means developers cannot build in these areas. Therefore, the FZP does not actually increase capacity in these neighborhoods.

The FZP uses form-based zoning (also called density decontrol), which regulates the allowed density on a site by setting limits on height, bulk, setbacks, and other features (rather than setting numerical density limits). And while the City claims that the change from the existing numerical density limits to form-based zoning will produce additional units, its refusal to ease the existing limitations on height, bulk, and other standards that limit the buildable envelope for construction in these neighborhoods means there is no actual capacity to build additional units. For example, a lot with an existing single-family home that occupies most or all of the buildable area is unlikely to be redeveloped into multifamily housing because without easing height limits, setbacks, parking minimums, and the like, there will be no place to build the additional units.

The FZP promises to increase density, but its use of form-based density without easing height limits, setbacks, parking minimums, and other development standards will prevent building in the City's highest-resourced neighborhoods.

C. The FZP's Alternative to the State Density Bonus Law Does Not Add Sufficient Density

The City contends that its local alternative to the state Density Bonus Law will create additional capacity for housing production, and it relies on that claim to meet its RHNA shortfall. However, almost all of the capacity that the City is relying on is already available for housing production through the state Density Bonus Law, so the City's local alternative is duplicative of existing capacity under the state Density Bonus Law.

The state Density Bonus Law requires local agencies to grant density bonuses under the state law to qualifying projects. (Gov. Code § 65915(a)(1)-(b).)

The FZP would give applicants a local alternative to the state Density Bonus Law called Housing Choice-San Francisco ("HCSF"). Crucially, HCSF does not offer any increase in density beyond what is offered by the state Density Bonus Law in most locations. Moreover, when both the state Density Bonus Law and HCSF are available, applicants can only avail themselves of one.

The state Density Bonus Law is intended as a bonus on *top* of local rules. (Gov. Code § 65915(u)(1).) But the HCSF offers no increase in density beyond what developers are already entitled to under the state Density Bonus Law when a project is eligible for both. Therefore, the HCSF does not create the additional capacity required by the Housing Element Law.

II. The City Fails to Use the Required "Analytical Model" to Determine the Likelihood of Site Development

The FZP fails to use the "analytical model" required by the City's housing element. When a city includes a program in its housing element, the Housing Element Law makes it mandatory to implement the features of those programs. (Gov. Code § 65581(b); Gov. Code § 65583(c)(1); *Hoffmaster v. City of San Diego* (1997) 55 Cal.App.4th 1098.)

Program 7.1.1 of the City's housing element commits the City to implementing a rezoning program that "reasonably account[s] for sites' likelihood of development during the planning period using an analytical model." In addition to the Housing Element Law, which makes it mandatory for the City to use an "analytical model," the City's housing element uses mandatory language, stating that the City "shall" build its rezoning program around such a "probability-of-development" analysis. The FZP, however, fails to use an "analytical model," in violation of the housing element. Instead, the FZP uses three alternative methods to estimate how many housing units the FZP will produce, none of which meets the requirements of Program 7.1.1.

First, the City proposes using a "soft sites" method, which assumes that a site that is already developed with a residential use has a two percent probability of being redeveloped with the FZP's planned residential capacity, and a site that is already developed with a non-residential use has a seventy percent probability of redevelopment with a residential use. This assumption is just that, and not an analytical model. Such rigid calculations based on uniform, citywide assumptions about the odds of development on thousands of very different sites are not an "analytical model" and do not "reasonably account for sites' likelihood of development" as required by Program 7.1.1.

Second, the City assesses the likelihood of a given site being developed under the rezoning proposal using a model that evaluates whether new housing is financially feasible at a given site. The model assumes that two percent of sites currently occupied by residential uses and thirty-five percent of other sites will be redeveloped with economically feasible new housing developments. Again, this is not an "analytical model" that "reasonably account[s] for sites' likelihood of development" as required by Program 7.1.1 because its assumptions are not grounded in historical development standards in San Francisco, and its focus on financial feasibility is a distinct concept from focusing on "the probability of development." It may be financially feasible for a property to be redeveloped, but that same property can have a low likelihood of being redeveloped for a variety of reasons, especially for single-family homes that play a big role in the FZP, and which already contain high-value structures or the property owner faces financial constraints, lack of development experience, or the need to use the property for their own housing. Moreover, even if this method were accurate, it projects only 19,000 new units of housing over the planning period – far below the requirement of 36,282 new units.

The third model that the City relies on involves examining the rate at which units across the City were approved using historical data from 2005-2023 and multiplying that by the theoretical capacity of the sites. This model does not qualify as an "analytical model" because it ignores the fact that much of the development in the City in recent years has taken place on vacant sites or extremely underutilized land. In fact, around 25% of sites that were redeveloped from 2005-2023 had residential uses before redevelopment, while around 84% of sites under the FZP have residential uses. Non-vacant sites already containing residential uses are 70% less likely to be redeveloped according to the City's own analysis, and the FZP errs in assuming that non-vacant and vacant sites will be redeveloped at the same rate. (*See* Housing Element, Appendix B.2, Figure 2.) Since the FZP mostly contains parcels with residential uses, unlike past development, this approach of extrapolating from past development does not correspond to future development predictions.

The areas where housing would be built under the FZP already contain high-value structures, such as single-family homes, where the owners are unlikely or unable to redevelop the site as multi-family housing due to financial constraints, lack of development experience, and the need to use their properties for their own housing.

These areas will have much lower rates of redevelopment, which this model does not take into account. Moreover, this model has unrealistically low estimates of the City's residential zoning capacity in prior years (thus inflating the share of residential zoned capacity that has been built out) and the inclusion of residential projects built under development agreements, which do not correspond to rezonings, and which were separately counted towards the City's pre-existing residential zoned capacity in the housing element. These two reasons disqualify this model from being an "analytical model."

Additionally, the FZP does not create sufficient capacity because it assumes certain large pipeline projects will actually be constructed within the planning period, when in reality such development is exceedingly unlikely – if not impossible. For the Hunters Point/Candlestick project, approximately 3,500 units are located on Navy-owned parcels. The City will not even obtain control of these parcels until the Navy finishes remediation, which is estimated to take at least 11 more years. ("The Navy has recently informed OCII that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, to Developer will occur between 2036-2038 . . . ." (Resolution No. 26-2024, available at https://sfocii.org/sites/default/files/2024-08/5.%20RESO%2026-2024_HPS%20Approval%20of%20Amendments%20to%20Redevelopment%20Plan.pdf; *see also* https://www.sfchronicle.com/sf/article/hunters-point-shipyard-radioactive-materials-21129542.php.) Similarly, Treasure Island's phasing includes a maximum of 4,600 units completed before 2031, but the City is counting all 8,000 units toward the pipeline. (*See* https://media.api.sf.gov/documents/Ex._JJ_-_SOP.pdf; Treasure Island Sub-Phase Application 3, Schedule of Performance, Exh. JJ, Appendix B, https://media.api.sf.gov/documents/TI_Sub-Phase_Application_3_Book-Revision_1_-_reduced.pdf.)

Since none of the three models that the City considers qualifies as a reasonable "analytical model," the City is violating its legally binding commitment under Program 7.1.1.

III. The FZP Adds New Constraints On Housing Production and Fails to Analyze the Impact of These Constraints

The FZP adds new constraints on housing development, which were not analyzed in its housing element, in violation of the Housing Element Law and Senate Bill ("SB") 330.

A. The FZP's New Constraints Violate the Housing Element Law

The FZP adds new constraints on housing production, which it fails to analyze as required by the Housing Element Law. When considering rezoning plans, the Housing Element Law requires local governments to analyze new governmental constraints on housing production. (Gov. Code § 65583(a)(5); *see also Californians*

for Homeownership, Inc. v. City of Beverly Hills (2023) Los Angeles County Superior Court, Case No. 23STCP00143, at p. 6, [finding planned rezonings for housing element site inventory must analyze new constraints].)

The FZP adds new constraints on development that were not analyzed by the City's housing element, including caps on dwelling unit size, limits on curb cuts, lower parking maximums, and limits imposed by the City's local alternative to the state Density Bonus Law. As explained above, the FZP imposes new constraints because it deprives applicants of the ability to use the state Density Bonus Law in conjunction with the City's local alternative to the state Density Bonus Law, which reduces the number of units the FZP will produce. Other constraints reduce physical development capacity, e.g., caps on dwelling unit size that cannot accommodate larger families, and reduce the economic feasibility of developing housing. The FZP does *not* analyze the impact of these policies on housing production. The FZP, therefore, violates the Housing Element Law's requirement that local governments analyze new governmental constraints on housing production if they were not analyzed in a housing element. (Gov. Code § 65583(a)(5).)

B. The FZP's New Constraints Violate SB 330's Prohibition Against Rezonings Which Decrease Housing Intensity

The FZP's new constraints on housing violate SB 330's prohibition against rezonings which "lessen the intensity of housing." (Gov. Code § 66300(b)(1)(A).)

SB 330—also known as the Housing Crisis Act—prohibits local governments from enacting a development policy, standard, or condition that would "Chang[e] the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reduc[e] the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018[.]" (*Id.*) SB 330 defines "less intensive use" as including situations where a local government imposes reductions to the height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, maximum lot coverage limitations, or "*any other action that would individually or cumulatively reduce [a] site's residential development capacity*." (*Id.*; emph. added.)

As mentioned above, the FZP contains new constraints on housing, including caps on dwelling unit size, limits on curb cuts, and lower parking maximums, reduces the number of units the FZP will produce. These new constraints run afoul of SB 330 because they reduce the size of units that applicants are able to construct, which physically reduces the intensity of residential use and reduces the financial viability of residential construction. The City has also conducted no analysis to show

that there will be a concurrent increase in intensity of land use to offset the decrease in intensity of land use caused by the FZP. (Gov. Code § 66300(h).)

IV. The FZP Violates the Housing Element Law By Relying on an Overlay for Nonvacant Sites Where Development of Nonresidential Uses Is Permitted

The FZP violates the recent decision in *New Commune v. City of Redondo Beach et al.* (2025) 337 Cal.Rptr.3d 782 that overlays cannot be used to meet minimum density requirements required by rezoning programs if they permit developers to redevelop sites for non-residential uses.

As explained above, when a local government cannot accommodate its RHNA Shortfall for lower-income households with a site inventory, it has to include a rezoning program in its housing element. The Housing Element Law also requires jurisdictions that must develop rezoning programs to ensure that at least 50% of the lower income housing the agency must plan for is "accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted." (Gov. Code § 65583.2(h)(2).) As the City acknowledges in Program 7.1.1, it is subject to this statutory minimum density requirement.

In *New Commune*, the court ruled that residential "overlays are unlawful when they allow development below the statutory minimum density [required by Gov. Cod § 65583.2(h)(2)]." (*Id*. at 797.) The court in *New Commune* also noted that residential overlays are unlawful whether they are overlaid over a base zoning that permits residential or industrial and commercial uses. (*Id*.)

The FZP runs afoul of the *New Commune* decision and the Housing Element Law's minimum density requirement because it still permits nonresidential redevelopment of sites. The FZP is an overlay because it does not change the base zoning of properties, but is instead overlaid over existing zones, including non-residential zones. For instance, for properties subject to the FZP developers can still use the underlying C-2 and C-3 zoning to construct commercial structures, which would be below the statutory minimum density because no residential units would be constructed. By permitting developers to build nonresidential projects within the overlay, the FZP violates the Housing Element Law as explained by the court in *New Commune*.

V. The FZP Violates the Prohibition against Jurisdictions Forcing Applicants to Waive Their Right to Use the State Density Bonus Law

The FZP primarily relies on a local alternative to the state Density Bonus Law, which developers can only use if they waive their right to use the state Density Bonus Law. This is a violation of the state Density Bonus Law.

Local agencies are prohibited from adopting ordinances that conflict with the state Density Bonus Law or using their local alternative to impose development requirements that are more restrictive than the state Density Bonus Law. (*Schreiber v. City of Los Angeles* (2021) 69 Cal.App.5th 549.) The court in *Schreiber* made it clear that applicants have the right to use the state Density Bonus Law regardless of any local provisions, and that cities cannot deny, limit, or condition the use of the state Density Bonus Law by requiring an applicant to instead use a local alternative.

The FZP creates a local alternative to the state Density Bonus law called Housing Choice-San Francisco ("HCSF"). HCSF—proposed Planning Code Section 206.10(b)(5)—has only one criterion: that applicants agree to "not receive any density or development bonuses or relief from applicable Planning Code standards in any other State or local law or program[.]" HCSF violates the state Density Bonus Law's prohibition that local agencies cannot bar an applicant from using the state Density Bonus Law, regardless of any local provisions. The FZP illegally forces applicants to choose between the state Density Bonus Law and HCSF, which violates the rule that "an otherwise valid local ordinance that conflicts with the state Density Bonus Law is preempted." (*Latinos Unidos Del Valle De Napa Y Solano v. County of Napa* (2013) 217 Cal.App.4th 1160, 1169.) The City must amend the FZP so that the state Density Bonus Law can be used on *top* of the HCSF, which has the potential to create meaningful housing production.

VI. Conclusion

We urge the City to comply with the law and remedy the deficiencies in its rezoning plan. If the City fails to significantly increase its proposed residential capacity, there will be no realistic chance of meeting its RHNA obligations. YIMBY Law is prepared to take legal action to hold the City accountable for these clear violations of state housing law.

PATTERSON & O'NEILL, PC



Ryan J. Patterson
General Counsel for Yes In My Back Yard

CC CA Department of Housing and Community Development
Mayor Daniel Lurie

Encl. September 11, 2025 Letter from Yes In My Back Yard
October 29, 2025 Letter from Yes In My Back Yard
October 29, 2025 Report from the Chief Economist of San Francisco

EXHIBIT A

YIMBY Law

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YIMBY LAW

9/11/2025

San Francisco Planning Commission
400, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

(via email) commissions.secretary@sfgov.org

Re: San Francisco's Draft Housing Rezoning Program and Compliance with State Law

Dear Commissioners,

YIMBY Law is a 501(c)(3) non-profit organization dedicated to ensuring compliance with California's housing laws. We write today to express significant concerns regarding the City's proposed Housing Element Rezoning Program and the accompanying "Housing Choice–San Francisco" local bonus ordinance.

Summary

While the rezoning plan, including the local program, is a good step forward for housing in San Francisco, we are concerned that the plan does not actually fulfill what it promises to do. The city has produced no publicly available reports that show how the plan will be more capable of delivering the housing San Franciscans desperately need than what state laws already allow. While we support density decontrol, we do not believe the city has shown that the handful of incentives that are coupled with it will be enough to produce any more housing than state laws such as the Density Bonus Law already do.

Capacity Projections

San Francisco's Housing Element made a binding commitment to meet its Regional Housing Needs Allocation (RHNA) through a rezoning program rooted in a probabilistic analytical model Program 7.1.1. San Francisco did not base its rezoning on a site's inventory, but on the projected housing based on that model. The targets and assumptions it sets are enforced by Program 8.1.5. If San Francisco does not produce sufficient units, Program 8.1.5. applies additional upzoning requirements.

Despite the City's commitments to specific unit production, applying the city's own model used to determine the shortfall on the rezone sites, we can determine that the map would produce around 17k homes by 2031, or 47% of the 36k units promised by Program 7.1.1. That regression analysis was built on different logic than the Housing Element's existing capacity analysis. While the proposal does not clearly make up for the RHNA shortfall, its usefulness is difficult to gauge when it functions by different logic than the original rezoning analysis. In order to be comprehensible, realistic, and enforceable, San Francisco must produce a "realistic capacity" table for the rezoned sites that incorporates the Housing Element' regression analysis.

We understand that the City has conducted its own analysis that disputes these figures, but the methodology and details of this analysis have not been made publicly available; therefore we remain concerned and skeptical about the efficacy of the rezoning program in meeting the city's needed housing requirements under housing element law.

Compliance with State Law

San Francisco's rezoning program would institute a local density bonus program that, theoretically, according to the city's assertions (which are not supported by any publicly available information), would accommodate the City's RHNA shortfall. The practical and legal realities according to our analysis suggest that it would fail to produce housing at the suggested rates, and fail to meet statutory requirements.

The latest staff report associated with the September 11 Planning Commission hearing notes that 77% of parcels in the rezoning plan fall into the form based zoning code and will not have their heights increased, while for "the vast majority of residential sites, these changes are only available for projects opting into the local program."

Some proposed areas not eligible for the state bonus would benefit from San Francisco's local program. However, this local program would be exclusive to California's state density bonus law in all areas where both options are available. Whether or not the local program is superior to state incentives, the one cannot replace the other. State density bonus law is intended as a bonus on top of local rules, and should not be supplanted when it generally offers superior development potential.

San Francisco's density decontrol is generally less feasible than the state program. While we applaud the city for applying a local density bonus program to projects between 2-4 units, which are not otherwise eligible for the state density bonus, as well as allowing alternatives to providing on-site affordable units, such as off-site developments, for the vast majority of the city's proposed "rezoning" program, state density bonus law offers a superior alternative: unlimited waivers from local zoning and development standards,

providing limited discretion for local review. Comparatively, the local program is far more stringent. It contains strict rules about building size, setbacks, open space, dwelling unit exposure, and parking allowances. It contains only a 15% reduction of other development standards. The proposal would allow for greater than 15% reductions if approved by a discretionary process. Even if that expensive, time consuming process doesn't result in universal denials, it renders the project not code compliant, forcing the developer to lose protections under the Housing Accountability Act.

While we support the majority of the proposed staff changes made to the local program, we believe that they do not go far enough to ensure that the local program is a superior alternative to state density bonus law. For example, the proposal to require projects with 5+ units to reserve a minimum of 25% of the units for 2+BR units is a constraint that is not required under state density bonus law that will negatively impact density potential for the local program. Additionally, the proposed local program not only requires applicants to choose to give up their option to pursue waivers and incentives under state density bonus law, but *any other* state program that provides its own bonuses or waivers from local zoning, such as AB 2011, which offers waivers of local side and rear setback requirements when those requirements limit feasibility, limits front setback requirements, and allows 55 foot heights, which are greater than the 40 foot height limits proposed for the majority of the local program's rezoned sites.

This proposal not only replaces state density bonus allowances with a worse option, it places new constraints on any such developments via inclusionary requirements and requiring new wind studies on construction. These constraints were not reviewed in the Housing Element, meaning that they may not be imposed or that San Francisco must amend its Element to account for those constraints. New constraints must be accounted for in the Element, to demonstrate how San Francisco can realistically meet its RHNA requirements.

San Francisco must also analyze how this program would interact with existing land use regulations. Transfer taxes, inclusionary requirements, and impact fees are key drivers of unit loss, but have not been incorporated into any City analyses yet. We encourage the City Economist to incorporate them into any future analysis of this program.

Even if all of these deficiencies are corrected, they cannot make up for the requirement to change the base zoning of parcels, as required by Housing Element law and HCD interpretation. Under the new scheme, San Francisco would not change its zoned capacity, and therefore would not comply with state law. Density bonuses must add capacity on top of that allowed for in the zoning code.

Conclusion

Given the substantial deficiencies in San Francisco's rezoning program and the speculative nature of its local density bonus ordinance, the City's Housing Element certification is at risk. The burden is on San Francisco to demonstrate compliance. The use of analytical models that inflate development probability, the reliance on unproven local bonus mechanisms, and the introduction of new constraints all undermine that burden. In short, the program is not legally defensible as currently drafted, with the limited information supporting the city's conclusions that it exceeds the city's RHNA obligation

YIMBY Law has taken legal action against the City of Los Angeles for a similar failure to deliver a legally compliant rezoning program. We sincerely hope litigation will not be necessary in San Francisco. However, San Francisco will be vulnerable to lawsuits from parties working to ensure that the City complies with state law and delivers a realistic path toward housing affordability and accessibility.

We urge the Board to direct Planning to:

- Re-run the BlueSky regression analysis used for the Housing Element's "existing capacity" estimate on the rezoning proposal to produce a transparent, realistic capacity table that is made publicly available.

- Incorporate the waiver and incentive framework of SDBL into the local bonus program, or ensure that projects can access SDBL concurrently.

- Remove new constraints on development introduced by the ordinance.

- Ensure that the rezoning program meets or exceeds the 36,282-unit requirement via base zoning and that its methodology aligns with Program 7.1.1.

The stakes for San Francisco are high. We urge the City to correct course by allowing the use of density bonus and other state programs in combination with the local program.

Sincerely,

Jack Farrell, Esq.
Research Attorney
YIMBY Law

EXHIBIT B

From:	Jane Natoli
To:	paul.mcdougall@hcd.ca.gov
Cc:	gustavo.velasquez@hcd.ca.gov; melinda.coy@hcd.ca.gov; Zisser, David@HCD; megan.kirkeby@hcd.ca.gov; shannan.west@hcd.ca.gov; Frank, Lisa@HCD; Herrera, Fidel@HCD; matthew.struhar@doj.ca.gov; david.pai@doj.ca.gov; alex.fisch@doj.ca.gov; Annie Fryman; Tanner, Rachael (CPC); Chen, Lisa (CPC); Sonja Trauss; matt@caforhomes.org; senator.wiener@senate.ca.gov; Severiano.Christian@sen.ca.gov; Mohtashemi, Raayan; David Broockman; Board of Supervisors (BOS); BOS-Supervisors; Board of Supervisors (BOS); Bonde, Aly (MYR); Dennis Phillips, Sarah (CPC)
Subject:	SF YIMBY"s letter on the City Economist"s report
Date:	Wednesday, October 29, 2025 4:13:34 PM
Attachments:	SF YIMBY FZP Letter October 29 2025.pdf

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Hello,

We are writing to urgently draw your attention to the just released report from the City Economist that shows San Francisco's rezoning will not meet our state housing requirements. Please see our attached letter, and let me know if you have any questions.

Thank you,

--
Jane Natoli (she/her)
San Francisco Organizing Director
415-335-9950



Check out everything we achieved in 2024!

Paul McDougall, California Department of Housing and Community Development
Mayor Daniel Lurie
San Francisco Board of Supervisors (re: file #250700)
October 29, 2025

We write to urgently draw your attention to **an analysis the City of San Francisco ("SF") released that finds that its own rezoning plan would violate state law.** The Family Zoning Plan ("FZP") is a significant step forward, but the city's analysis found that it will not meet the city's Housing Element's 36,282-unit requirement. **According to the city's own numbers, state law requires the city to conduct additional rezoning beyond the FZP.**

As a reminder, in 2022, the California Department of Housing and Community Development ("HCD") suggested that, instead of a traditional sites inventory, SF instead pledge to assess the capacity of its rezoning using the method from its underutilized sites analysis (a model called BlueSky, which estimates the likelihood of development). Housing Element Program 7.1.1 thus committed that SF's rezoning "shall reasonably account for sites' likelihood of development during the planning period using an analytical model."

SF's August submission to HCD revealed that SF still had not done so (see Appendix). HCD thus instructed SF that "As part of Program 7.1.1 and using analytical models to account for a site's likelihood of development in the planning period, the city should continue to explore additional and multiple methods and make adjustments as appropriate."

Today, SF did so: its City Economist reported that he used an updated version of the BlueSky analytical model—the same method HCD originally suggested SF use—to estimate the number of units the FZP will likely develop. **He reported that, in the best case scenario, the City's analytical model finds that the FZP is only likely to develop 14,646 units by 2045, far less than the 36,282 required by 2031** under 7.1.1. In other words, **using the exact method HCD suggested SF use, the City itself has found that its rezoning plan does not meet Program 7.1.1's requirements, and is around 10 times too small.**

Gov. Code § 65588(e)(4)(C)(iii) states, "If a jurisdiction…fails to complete the required rezoning within the time period required, the jurisdiction's adopted housing element shall be subject to" the housing element decertification process. Thus, **if SF fails to expand its plan, HCD will be legally obliged to begin the decertification process**.

We encourage HCD to offer SF guidance about how to bring its proposed rezoning into compliance, building on HCD's recent guidance to the city to "make adjustments as appropriate" when more analysis was made available. For example, using recent changes in state law (e.g., SB 131, SB 79), additional rezoning or policy changes that supplement the FZP (e.g., reduced fees and exactions) could be passed within months. Given the timeline required for decertification, HCD could reasonably offer SF up to six months before the builders' remedy would apply to fully complete its "required rezoning" through such a supplement.

Confirming that SF must rely on the City Economist's updated BlueSky analytical model to assess the rezoning's capacity, as well as the actions taken to satisfy Program 8.1.5 (the "circuit breaker"), would also be consistent with HCD's recent direction to the city to "us[e] conservative assumptions…that facilitate the highest housing outcomes."

SF's actions risk paving a path for other cities to evade state law. In particular, rather than "demonstrat[ing] that the existing use [on each non-vacant site] does not constitute an impediment to additional residential development" (Gov. Code, § 65583.2(g)), cities will be tempted to follow SF: promise in a Housing Element to provide this evidence later in the form of statistical analysis—but then ignore what this evidence shows when rezoning.

Best regards,

Salim Damerdji
Volunteer Lead, San Francisco YIMBY

Jane Natoli
San Francisco Organizing Director,
YIMBY Action

CC: Gustavo Velasquez, California Department of Housing and Community Development
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Sonja Trauss, YIMBY Law
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Senator Scott Wiener

Appendix: Why the Planning Department's methods do not satisfy the Housing Element's requirement to "reasonably account for sites' likelihood of development during the planning period using an analytical model"

The San Francisco Planning Department's August 1 submission to HCD contained three analyses of the capacity provided by its rezoning. None of these analyses satisfy Program 7.1.1's commitment to "reasonably account for sites' likelihood of development during the planning period using an analytical model." The below details why each of the Planning Department's methods do not satisfy this requirement. Indeed, a closer look at the Planning Department's analyses suggests conclusions that are in line with the City Economist's finding that the rezoning is insufficient.

"Soft Sites Method"

Under this method, the vast majority of the rezoning's capacity is from sites without existing residential uses (but that largely have other uses). The Planning Department assumes that 70% of these sites will be developed to their maximum capacity during the planning period. This 70% assumption is not "reasonabl[e]" (and certainly not "conservative" like the city claims):

1. In San Francisco, fewer than 70% of entitled projects are ultimately developed — making it implausible that 70% of all sites without residential use will be developed, even those where no interest has been expressed in development or discontinuing existing uses. As another comparison, the Terner Center found that only 8.6% of LA's very best sites are developed over 5 years (versus SF's 70% assumption across a huge number of sites).
2. These sites largely do have other non-residential uses which make their development especially improbable. For example, the first page of SF's parcel list includes 1201-05 Columbus Avenue, a 3-story Travelodge in Fisherman's Wharf. The city assumes there is a 70% chance that properties like this will be redeveloped during the planning period.
3. The city's related assertion that 2% of sites with existing residential uses will be redeveloped during the planning period is similarly made without evidence.

This approach also allows the city to evade complying with GC 65583.2(g)'s requirement that the city provide substantial evidence that existing uses on "lower income" sites are likely to be discontinued during the planning period. The city has not provided site-specific evidence supporting their assertion that most sites with existing non-residential uses will be developed during the planning period. The lack of site-specific evidence would not be a problem if the city had provided statistical evidence (i.e., had statistically estimated what percent of these sites will have their existing use discontinued during the planning period based on historical data, as action 7.1.1 promises). But the Planning Department simply provides no evidence whatsoever that 70% of sites with existing non-residential uses will be developed, either site-specific or

statistical. This 70% figure is simply fabricated — not from "an analytical model," and it is not at all "reasonable."

"Citywide Capacity Method"

This method calculates what share of the city's remaining zoned capacity was developed annually over the last 18 years (2005-2023). It then assumes the new capacity created by the rezoning will be developed at a similar annual rate.

While reasonable in theory, there are several errors and problems with how the Planning Department is implementing this approach that make it not "reasonabl[e]" in practice:

1. The city has two versions of this approach, each with errors:
    a. The primary version (with "exclusions") divides citywide development by the amount of capacity on only a subset of parcels. This overstates the rate at which capacity historically translates into development because less capacity is considered despite all development being considered. This is like computing the average grades of all students in a class by adding up all students' grades but then dividing this total by half the number of students there are in the class.
    b. The city describes another version of the method that measures capacity on all parcels but uses Planning entitlements to measure development; during this period there were 90K entitlements but only 53K building permits. Using entitlements to measure development overstates the historical development rate, as in San Francisco many entitlements are never developed (in part due to constraints the city places on development).
2. The city's statistic that 53K units were constructed citywide 2005-2023 includes development from development agreements (DAs). By counting historical DA development when computing the rate at which historical zoned capacity is developed, the city therefore assumes that the rezoning will produce new DA development during this planning period. This is unreasonable, as DAs do not result from (re)zoning. Furthermore, the city's housing element already counted expected development from DAs during the planning period in its claims of existing capacity.
3. Parcels where projects have been proposed but have not received permits are excluded from the city's calculation of its historical capacity; this leads the city to underestimate how much historical capacity it had, and therefore overstate the development rate of its capacity.
4. The new rezoned capacity is also less developable than the existing remaining capacity. Specifically, according to the city's Bluesky model (the model it used for its underutilized sites analysis), the new capacity is about 20% less likely to be developed. This is because, for example, rezoned capacity is 3x more likely to be on sites with an existing residential use than existing capacity. It's therefore not entirely reasonable to assume that the city's historical rate of development will manifest for the new capacity.

5. The Planning Department is relying on its UrbanSim tool to measure its remaining zoned capacity (313K). But the city's housing element (Sites Inventory Appendix B2 p. 4) gives a much larger number for this (572K), as do our own calculations. Insofar as the city is now understating how much capacity it has, it is therefore overstating the rate at which that capacity has been developed. We have asked for data that would help us understand this discrepancy, but the city has indicated that its UrbanSim tool is unable to provide the underlying data that supports this 313K calculation.

When addressing the first four errors and issues above, and when using the city's housing element's estimate that the city has 572K units of capacity remaining (see point 5), the historical development rate is 0.4% and the adjusted capacity of the rezoning is therefore 10K units.

"Financial Feasibility Method"

The Planning Department has contracted with UrbanSim to estimate whether development will be economically feasible on rezoned parcels. While this analysis is welcome, there are several problems with this approach:

1. Totaling the amount of economically feasible development does not "account for sites' likelihood of development." Historically, only a fraction of economically feasible units are actually developed, and some research practitioners have advised us that there is nearly an order of magnitude difference between the two.
2. The Planning Department's economic assumptions are not "reasonabl[e]": the Department assumes that construction costs, interest rates, and developer return expectations will drop without providing evidence. It also assumes rents will jump. The Department justifies these optimistic assumptions by asserting that it is only responsible for making housing feasible to develop under better economic conditions than are likely during this planning period — but action 7.1.1 commits to providing enough capacity to make 36K units likely developed during this planning period. Furthermore, the city's poor economic environment for development reflects the city's constraints on development that Housing Element Law is supposed to remediate. I.e., the fact that the city so heavily constrains development makes more rezoning (and changes to its other policies) necessary, and cannot be ignored when considering the appropriate scope of actions to accommodate development.
3. The Department's submission describes a flawed approach for using UrbanSim's output to account for the likelihood of development: asserting that 2% of economically feasible projects will occur on sites with existing residential uses and 35% of economically feasible projects will occur on sites with other non-residential uses. These assumptions are not based on any evidence and, for the same reasons we described in the context of the "soft sites" method, are not reasonable.
4. After applying this flawed approach for accounting for the likelihood of development, the Planning Department nevertheless finds that only 19K units will be developed during the planning period. This is short of the 36K required by action 7.1.1. The Planning

Department argues that this is acceptable because the method must only demonstrate sufficient capacity for meeting the city's 16K RHNA shortfall in the Moderate and Above-Moderate income categories. But action 7.1.1 makes no reference to separate by-category targets, it simply states that the rezoning must "accommodate… approximately 36,282 new units." Furthermore, the Department's argument is also belied by the Housing Element Law and the No Net Loss Law, both of which contemplate development of market-rate and mixed-income projects on "lower income" sites (GC 65583.2(c) & (h); GC 65863(c)(2)).

EXHIBIT C

Family Zoning Plan: Economic Impact Report

Office of the Controller
Office of Economic Analysis

Items 250700 & 250701
October 29, 2025

Introduction

- Two proposed ordinances would change zoning controls to permit more housing on a large segment of San Francisco, particularly on the western half of the city. They implement changes to the Housing Element of the City's General Plan, a planning document whose revisions were adopted in 2023.
- The Ordinance in file #250700, the Zoning Map Amendment, would generally raise allowable building heights along commercial corridors and transit lines, to permit mid-rise and some high-rise development.
- The Ordinance in file #250701 implements the Housing Choice-San Francisco program, which offers an alternative to the State Density Bonus program.
- The Office of Economic Analysis (OEA) has prepared this report because the proposed legislation may have a material impact on the city's economy. This report uses a model that estimates potential new development, in order to assess economic impact. That model is not a replacement for the City's estimates of realistic capacity under Government Code § 65583.2.

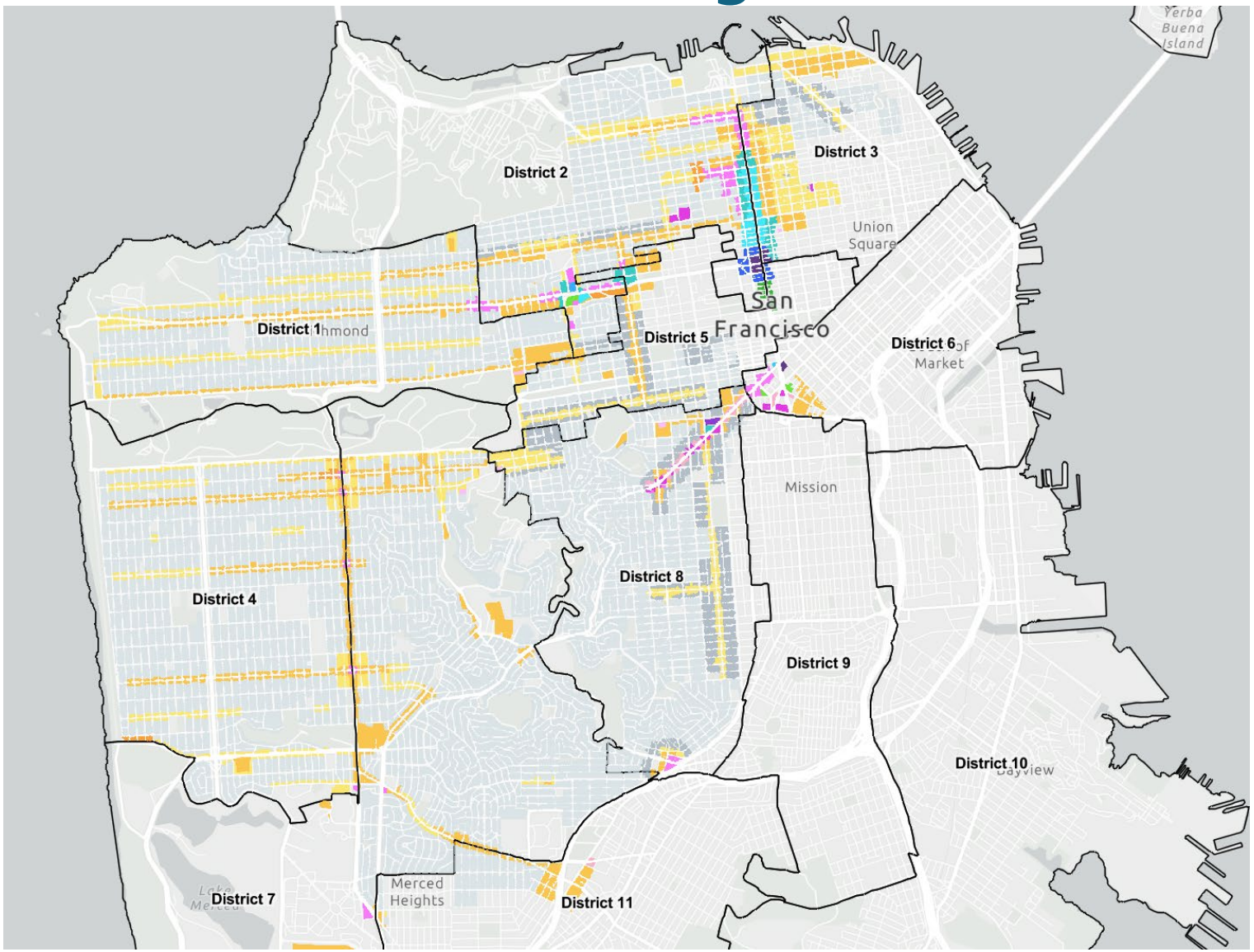
Zoning Map Amendment: Key Provisions

- The Zoning Map Amendment would make changes to allowable building heights and bulk, and/or zoning districts, in over 92,000 parcels in the city.
- The vast majority are residential parcels, whose allowable heights would either remain at 40 feet, or rise to 50 or 65 feet.
- On these and many other rezoned parcels, the Housing Choice San Francisco program (described on the next page) relaxes existing controls on the number of housing units allowed on a parcel.
- Allowable heights are generally increased to 65 to 85 feet along many commercial corridors, with development along wider streets near transit stations or major lines increased to 85 feet.
- Heights above 140 feet are allowed on certain streets that currently allow high-rise development or have larger parcels, at key intersections, and near certain major transit routes and stations. The map on page 5 provides additional details.

Housing Choice San Francisco – Key Provisions

- The Housing Choice San Francisco program, or "Local Program", gives developers an alternative to the State Density Bonus.
- Many of the rezoned residential parcels are too small to be eligible for the State Density Bonus, but may achieve greater density through the use of the Local Program.
- Local Program users also gain benefits associated with housing unit mix, methods of complying with inclusionary housing requirements, rear-yard and setback requirements, broad code flexibility, and certain process changes.
- The ordinance has several other provisions, including limiting the maximum size of new residential units, reducing allowable parking, and restricting new curb cuts. These policy changes are not considered in this report.
- Additionally, the proposed ordinance gives displaced businesses the right to relocate anywhere in the city where their activity is permitted by zoning, without a conditional use permit, and waives development impact fees associated with the relocation.

Details of the Rezoning



The map to the left, from the City Planning department, indicates which parcels in the city will be rezoned, and to which heights. It reflects the plan as of July.

Gray parcels will be zoned for low-rise, 40-50 feet housing developments. This includes single-family residential zones, within which greater density will be permitted via the Local Program.

Yellow and orange parcels will be upzoned to mid-rise development of 65-105 feet.

Pink and purple parcels will have height limits ranging from 120-180 feet, and the blue and green parcels will be upzoned for high-rise development, of 240 feet or greater.

The Rezoning and the Regional Housing Needs Assessment

- Each jurisdiction in California is required to have its Housing Element be certified by the State's Housing and Community Development Department.
- Certification involves, among other things, ensuring that the City has the zoning capacity to meet the city's obligations under the State's Regional Housing Needs Assessment (RHNA).
- RHNA is a Statewide planning process, in which future needs are forecasted for metropolitan areas, and then allocated to the individual cities and counties that administer land use planning.
- In San Francisco's case, the RHNA obligation requires the City to have realistic capacity for approximately 82,000 new housing units, at different economic levels, within an 8-year planning period ending in 2031.
- Of this 82,000 unit requirement, the City must create capacity for approximately 36,000 units.

Substitutions and Proposed Amendments

- On September 30, a new version of #250700 was substituted by Mayor Lurie, which made relatively minor zoning changes on a number of parcels. This analysis reflects those changes.
- On October 21, Supervisor Melgar proposed an amendment that would prohibit the use of the Local Program on any parcel containing more then two existing housing units, which would involve the demolition of a unit subject to rent control.
- Also on October 21, Supervisor Sauter introduced an amendment that creates incentives for developers to replace lost commercial space.
- As the language of these two amendments was made public less than one week ago, this report does not attempt to model their economic impact.

Economic Impact Factors

- When the City relaxes zoning controls, by reducing density restrictions or increasing allowable heights, more development projects will become financially feasible, and the supply of housing in the city will rise.
- This increased supply will put downward pressure on housing prices in the city. Cheaper housing benefits city residents who move within the city, and also makes San Francisco more affordable for new arrivals.
- The development of new housing also stimulates investment and employment in construction and related industries.
- The population growth associated with new housing also stimulates the local economy, by expanding the numbers of workers and consumers.
- On the other hand, the limited amount of vacant lots in the city means that new housing generally involves the loss of existing buildings, including both residential and commercial properties. This can impose relocation and other costs on residential and commercial tenants.

Estimating the Likelihood of New Housing Development

- The amount of new housing that the rezoning will produce is an important contributor to its economic impact. To estimate this, OEA refined a statistical model that it has used since 2016 to estimate the impact of policy changes on housing production in the city[1].
- The model was the result of statistical analysis of housing production in San Francisco over the 2004-2024 period. Technical details on the model are provided in the Appendix.
- The first part of the model estimates the likelihood that multifamily housing will be developed on a given parcel, in a given year. The statistical analysis found that a parcel is more likely to develop when:
  - it has smaller existing buildings (or is vacant), and is located closer to downtown.
  - its zoning allows for a greater height, makes it eligible for the State Density Bonus, and does not restrict the number of units that may be constructed.
  - housing prices are relatively high, and construction costs are relatively low, compared to other years.

Estimating the Number of Units Produced

- The second part of the model estimates the number of units that will be produced when a parcel does develop housing. Based on past experience, the statistical analysis found that a parcel developing housing will produce more units when:
  - its land area and allowable maximum height are greater;
  - it is eligible for the State Density Bonus;
  - its zoning does not restrict the number of units that may be built.
- The OEA used the first part of the model to estimate the probability that housing will be built on a parcel over the next twenty years[2]. That probability was multiplied by the estimate of housing units from the second part, to create an expected number of housing units generated for each parcel over twenty years. When this is summed across all parcels, a citywide housing total is generated.
- This method was used to create estimates of housing production under the existing zoning, and the proposed rezoning. The difference is the estimate of housing that could be produced as a result of the proposed zoning changes.

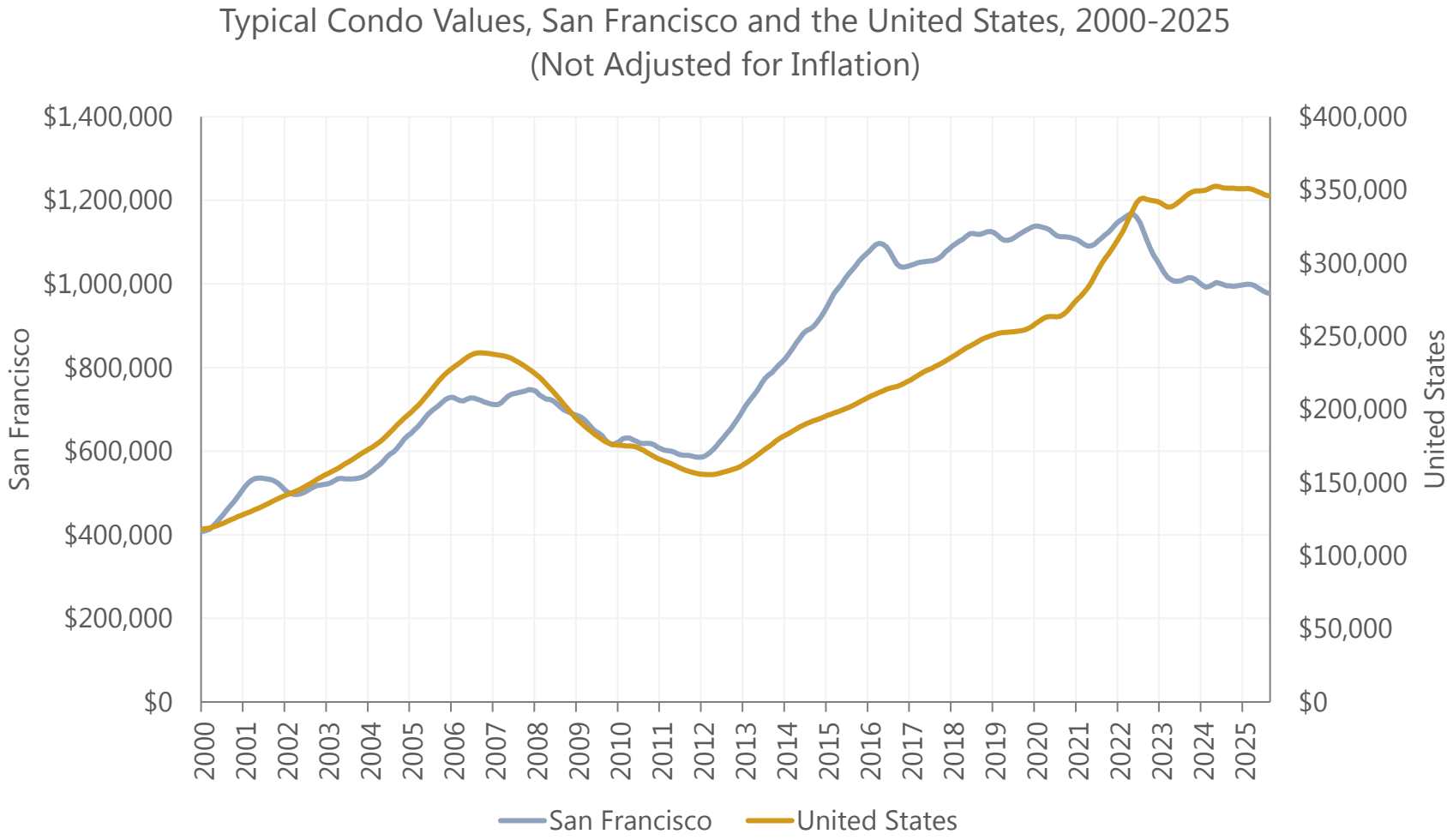
Limitations of the Housing Development Model

- The housing development model can forecast future housing development based on the city's past experience, but important caveats must be made.
- Because of data availability, not every factor that affects housing production could be included. Missing data may include features of the parcel itself, or policies that may have changed over the 2004-24 period, or vary within the aggregated zoning designations used by the model.
- Limited data also prevents the analysis of fine-grained policy changes in the proposed rezoning, such as restrictions on unit size and mix.
- Several new City and State policies that were intended to encourage housing production have been enacted in recent years, such as, for example, the City's 2023 Housing Production Ordinance (0248-23). The model may be unable to properly assess the impact of these policies in the future.
- Despite these limitations, the OEA believes this approach is well-suited to estimating housing production, for the purposes of economic impact reporting.

Future Housing Market Scenarios

- As noted earlier, the amount of housing that will be produced as a result of the rezoning, and its economic impact, will depend on future housing market conditions. This creates an additional level of uncertainty in the forecasts.
- Gauging future market conditions is further complicated by changes in the city's housing market since the COVID-19 pandemic, as described on the next page.
- To understand the scope of what could potentially happen, the OEA created two future scenarios for housing prices and costs in San Francisco.
- In a high-growth scenario, San Francisco's housing prices, relative to the U.S., return to pre-COVID levels by 2030, and grow at the city's pre-COVID rate after that. Construction costs are assumed to grow at the same rate as inflation.
- In a low-growth scenario, San Francisco's post-COVID relative housing prices are assumed to represent a "new normal," and housing prices are assumed to grow only at a national average level over the next twenty years. Construction costs are also assumed to grow at the same rate as inflation.

San Francisco and U.S. Housing Price Trends Since 2000



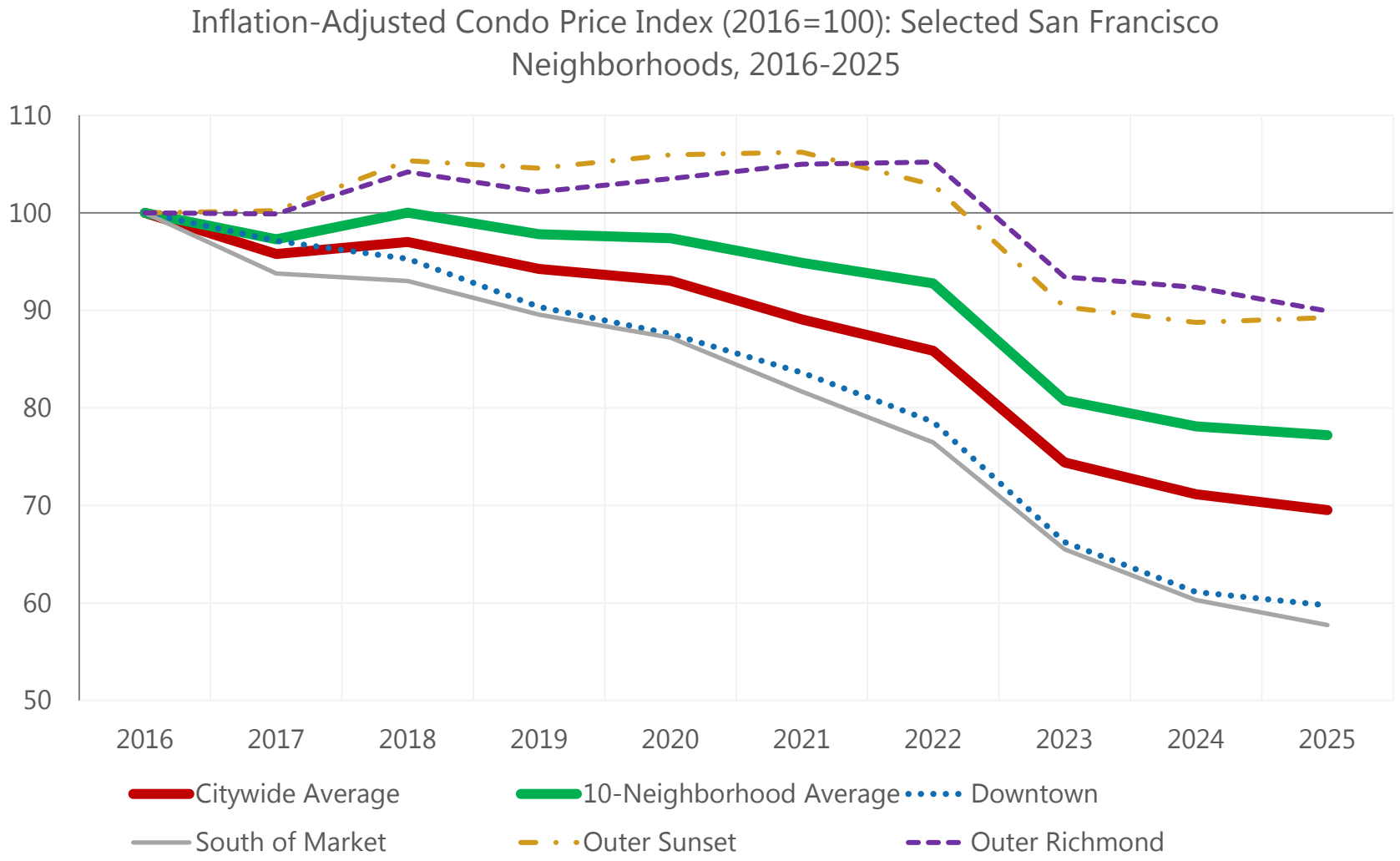
While San Francisco's housing has always been expensive, during the 2010s, average San Francisco condo prices rose much faster than the rest of the U.S., to as much as 5 times the typical U.S. price.

Since 2020, however, San Francisco condo prices have declined, despite rising inflation and rising U.S. condo prices. Adjusted for inflation, typical San Francisco condo prices in 2025 are 25% lower than they were in 2019.

Among other factors, the increase in remote office work during COVID has reduced the value of a residence near large office employment centers like downtown San Francisco.

Source: Zillow. Data retrieved October 1, 2025.

Housing Price Trends Within the City



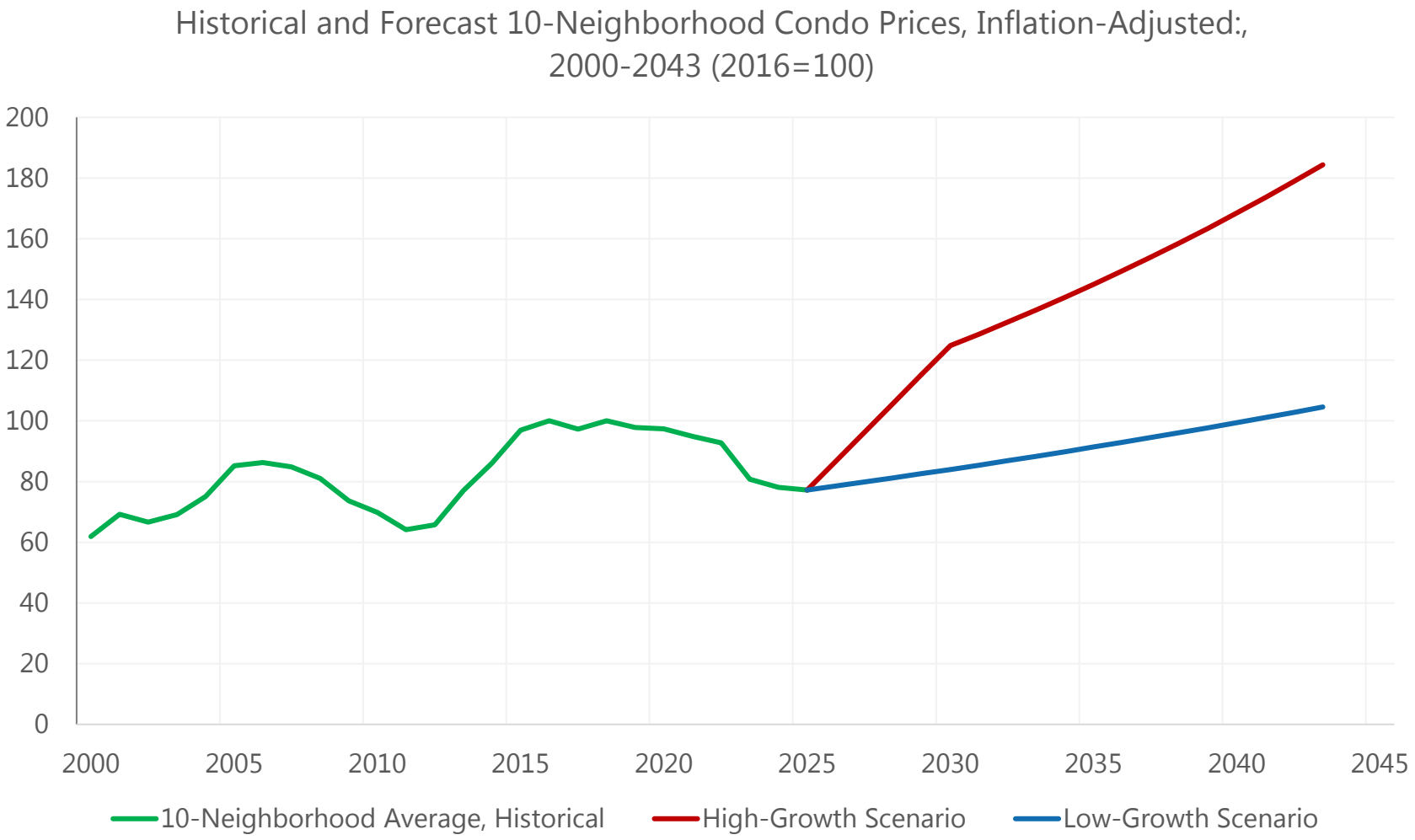
Source: Zillow. Data retrieved October 1, 2025.

The reduced value of a downtown location has also shifted multifamily price patterns within the city.

Condos in neighborhoods like Downtown and South of Market have experienced inflation-adjusted price drops of more than 40% since 2016, while the Richmond and Sunset have fallen by far less.

Because most multifamily housing in the city is near downtown, but most of the proposed rezoning is not, the use of a citywide average condo price index is inappropriate. This analysis uses an average price across the 10 Zillow neighborhoods most affected by the zoning, which is somewhat higher than the citywide average.

High and Low Growth Scenario Price Forecasts

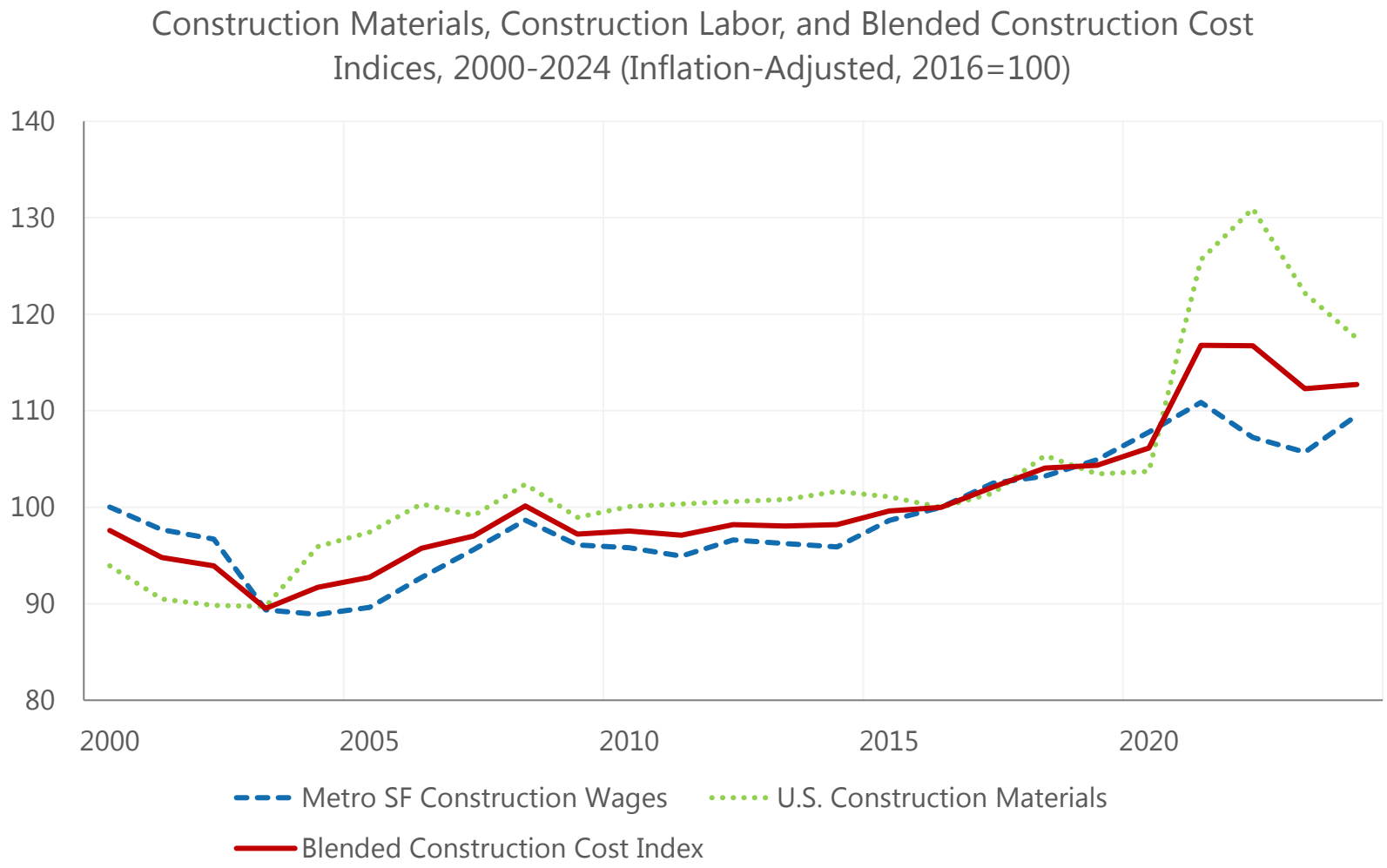


Our high-growth scenario assumes that San Francisco's housing prices, relative to the U.S., return to pre-pandemic levels by 2030, and then grow at the city's long-term average rate until 2045. This implies a rapid growth in housing prices over the next five years, of over 10% per year.

In the low-growth scenario, the post-COVID housing market represents a new normal, and San Francisco housing prices are assumed to grow only at the U.S. long-term rate at 1.8% per year, in inflation-adjusted dollars. Under this assumption, San Franciso housing prices would not recover to their pre-COVID peak, in inflation-adjusted dollars, until 2041.

Source: Zillow. 10 Neighborhoods are Buena Vista, Polk Gulch, Inner Sunset, Marina, Mission, North Waterfront, Outer Sunset, Outer Richmond, Inner Richmond, and Western Addition.

Construction Cost Trends and Scenarios



Source: Bureau of Economic Analysis; U.S. Census Bureau, "Quarterly Workforce Indicators

The housing development model uses two measures of construction costs: materials cost and local construction industry wages. They are blended into a single index for modeling purposes. Details are in the Appendix.

The cost of construction materials and local wages have grown faster than overall inflation, particularly in the last few years. In 2024, real construction materials costs were 18% higher, and real local wages were 10% higher, than they were in 2016.

In both the high-growth and low-growth scenarios, the blended index is assumed to grow at 0% (after inflation) over the 2026-2045 period. This reflects an assumption that both labor and material costs inflation will revert to the broader rate of inflation in the long term.

Housing Production Forecasts Under Current Zoning

Planning District	Historic, 2000-24	Low-Growth Scenario Forecast, 2026-45	High-Growth Scenario Forecast, 2026-45
Buena Vista	975	43	90
Central	72	192	390
Downtown	289	112	230
Ingleside	0	58	120
Inner Sunset	123	28	59
Marina	131	126	263
Mission	187	197	406
Northeast	449	136	283
Outer Sunset	15	16	33
Richmond	0	23	47
South Central	0	6	11
Western Addition	997	658	1,265
Total	3,238	1,594	3,199

Source: For historic housing production, San Francisco Planning Department

Generally, the housing development model forecasts that the current zoning will produce fewer units in the next 20 years than the numbers of units that were produced in the last 20 years.

The table to the left only covers the portion of each planning district that is in the proposed rezoning area. In total, under the current zoning, the model forecasts 1,594 or 3,199 units under the low- and high-growth forecasts, respectively, while 3,238 units were built in the same areas over the 2000-2024 period.

On the next two pages, the model's forecasts of the additional housing created by the proposed zoning is discussed.

Forecast Net Effect of the Zoning

- As shown in the table below, under the low-growth and high-growth scenarios described earlier, the rezoning would lead to 8,504 and 14,646 additional housing units, beyond what would be produced under current zoning, over the next 20 years.

Low Growth Scenario	**Units**
20-Year Housing Production, Existing Zoning	1,594
20-Year Housing Production, Proposed Rezoning	10,098
Effect of Proposed Rezoning	8,504

High Growth Scenario	**Units**
20-Year Housing Production, Existing Zoning	3,199
20-Year Housing Production, Proposed Rezoning	17,845
Effect of Proposed Rezoning	14,646

Summary by Current Zoning District

		Low-Growth			High-Growth		
Current Zoning[3]	Number of Parcels	Average Housing Likelihood, Current	Average Housing Likelihood, Proposed	Change in Housing Units	Average Housing Likelihood, Current	Average Housing Likelihood, Proposed	Change in Housing Units
RH1	43,009	0.001%	0.205%	798	0.003%	0.446%	1,731
RH2	26,486	0.002%	0.259%	576	0.005%	0.565%	1,250
RH3_RM1	13,741	0.009%	0.347%	547	0.018%	0.756%	1,186
Office/Commercial	114	0.570%	0.780%	48	1.185%	1.639%	104
Public	239	0.060%	1.450%	3,483	0.122%	2.560%	4,814
Density-Restricted Multifamily	7,079	0.336%	0.490%	3,007	0.674%	1.026%	5,467
Form-Based Multifamily	2,053	0.725%	0.725%	46	1.502%	1.502%	94
Total	92,721			8,504			14,646

The table to the left breaks out the results by current zoning. It illustrates how many rezoned parcels are in the RH-1, RH-2, and RH-3 or RM-1 residential zones, primarily in the western side of the city. These areas will see a substantial increase in the likelihood of developing housing over the next 20 years, but the chances are still small, so those 83,000+ parcels are only forecast to produce about additional 4,200 housing units by 2045, in the high growth scenario.

Fewer Public parcels (generally owned by the City or SFUSD) are larger, and more likely to develop housing through the rezoning, though this depends on the owner's decisions.

Estimating the Loss of Existing Residential Units

- To evaluate the economic impact, OEA calculated the net increase in housing units.
- In the low-growth scenario, 463 more units would be lost under the proposed zoning than under current zoning, over the 20-year forecast period. In the high-growth scenario, 1,031 more housing units would be lost. These losses represent a 6-8% of the housing units gained as a result of the rezoning. Amendments proposed on October 20th may reduce these losses, along with overall housing production.
- The loss of existing housing slightly dampens the housing price reductions associated with the rezoning, and may impose financial harms on existing tenants. City and State law heavily restricts, but does not prohibit, the eviction of tenants for the purpose of demolition, or the demolition of rent-controlled housing. These events have been quite rare in recent decades. If this occurs, tenants are entitled to relocation payments.
- Without any way to meaningfully estimate the number of evictions or demolitions of rent-controlled units, or the financial impact on tenants, this report does not attempt to quantify these potential costs.

Impacts on Housing Prices

- The responsiveness of housing prices to increases in housing supply is a function of price elasticities of supply and demand, which the OEA has estimated in past research[4].
- The elasticities imply that the proposed rezoning would lead to a -2.5% to -4.2% change in housing prices in the city, depending on the scenario. For context, those percentages are also expressed in terms of current housing prices and apartment rents.

	Low Growth Scenario	**High Growth Scenario**
Net Change in Housing Supply (units produced less demolitions)	8,041	13,615
Percentage Change in Housing Supply[5]	2.0%	3.4%
Price Elasticity of Demand	-0.7	-0.7
Price Elasticity of Supply	0.1	0.1
Percent change in housing prices	-2.5%	-4.2%
Corresponding change in condo prices[6]	-$24,500	-$41,600
Corresponding change in annual apartment market rents[7]	-$903	-$1,529

Estimating Relocation and Disruption Costs

- To account for the impact on commercial businesses, OEA estimated potential displacement costs. Details are provided in the Appendix.
- Displaced businesses are estimated to occupy commercial space ranging from approximately 1.5 to 2.6 million square feet, depending on the scenario. This displacement would occur over twenty years, and it is highly likely that the rezoning would lead to an increase in the amount of commercial space in the city.
- Annual business disruption and relocation costs range from $16 to $28 million, in today's dollars.

	Low Growth	High Growth
Loss of occupied commercial space (million sf)	1.5	2.6
Disruption-relocation cost/sf	$190	$190
Annual disruption/relocation cost (2025 $ million)	$16	$28

REMI Economic Impact Simulation

- Based on the economic impact factors described earlier, the OEA used the REMI model to measure the net economic impact of the changes associated with the high and low growth scenarios to the city's economy over the 2026-2045 period:
  - An increase in the city's residential capital stock of $8.0 billion (low growth) to $13.5 billion (high growth) in today's dollars, representing the investment associated with the new units forecast under the two scenarios. These figures are calculated by multiplying the net increase in units by average prices.
  - A reduction in citywide housing prices, reaching 2.5% (low growth) and 4.2% (high growth) by 2045.
  - Annual business disruption and relocation costs for retail businesses of $16 million (low growth) and $28 million (high growth) in today's dollars, until 2045.

Economic Impact Assessment

- In the low-growth scenario, the city's GDP would be $560 million larger, in today's dollars, on average over the 2026-45 period. Total employment in the city would be approximately 3,000 more than under the current zoning, on average over the period.
- In the high-growth scenario, the city's GDP growth would be $940 million larger than under current zoning, in 2025 dollars. Employment would be about 5,000 higher.
- Employment gains are expected in every sector, but would be most heavily concentrated in the construction, health care, real estate, and accommodations and food services sectors.
- Despite the displacement of businesses, retail trade is forecast to grow as a result of the population and economic growth created by the proposed rezoning, adding about 210 jobs in the low-growth scenario and about 350 jobs in the high-growth scenario.
- Like most major policies, the proposed rezoning involves benefits and costs. Our analysis suggests the proposed rezoning's positive impact on the city's economy, from lower housing prices and construction, outweighs the negative impact from displaced businesses, by a factor of approximately 22:1.

Conclusions

- The context for housing development in San Francisco has changed profoundly in the past several years. Since 2019, after adjusting for inflation, condo prices in San Francisco have dropped by 25%, while our blended construction cost index has risen by 8%.
- Given this starting point, an expansive rezoning effort, like the proposed Family Zoning plan, will be challenged to match the 2010s levels of new housing development in the city, even under an optimistic high-growth scenario.
- Nevertheless, under both scenarios considered in this report, the proposed rezoning would lead to a significant increase in the city's housing supply, and have broadly positive effects on housing prices and the city's broader economy. The benefits of new residential investments and lower housing prices are projected to outweigh the costs of business interruption and displacement by a factor of roughly 22:1.
- If market conditions were such that the 36,000 unit target was achieved, as a result of the rezoning, the economic impact on the city would likely be significantly more positive than the estimates in this report.

Footnotes

1. See, for example, Inclusionary Housing Working Group: Preliminary Report September 2016.
2. Three large parcels were excluded from the analysis: Laguna Honda Hospital, and the USF Main and Lone Mountain campuses. While all three parcels receive height increases in the proposed rezoning, their size and unique uses makes them unsuitable for the model. If the model could accurately estimate the amount of housing likely to occur on those parcels, the total housing estimate reported in this report would be larger.
3. These are the aggregate zoning classifications used by the model. See the Appendix for details.
4. See Potential Effects of Limiting Market-Rate Housing in the Mission.
5. Assuming 406,000 housing units in the city.
6. Based on Zillow's 2025 average condo prices for San Francisco.
7. Based on 2025 average apartment asking rents, from ApartmentList.

Appendix

- Housing Development Model
  - Methodology
  - Data sources
  - Model coefficients and performance
  - Scenario Inputs
  - Zoning District Classification
  - Logic of Applying the Model to the Proposed Rezoning
- Estimates of Business Interruption and Relocation Costs

Appendix: Housing Development Model: Methodology

- The housing development model is a two-stage step model. The first stage is a logistic regression, covering every parcel in the city, except those subject to a development agreement, over the 2004-2024 period.
- The dependent variable of the logistic regression is 1 if the parcel produced housing in a given year, and 0 otherwise. Parcels that produce housing in a given year were removed from the dataset for subsequent years. Independent variables, reflecting existing land use, market conditions, and zoning, are listed on the next page.
- The second stage is a regression model including all parcels that produced multifamily housing with more than 10 units, over the 2004-24 period. The dependent variable is the number of units produced on the parcel, and the independent variables are the parcel's "building envelope" (its area multiplied by its allowable height), and two interaction variables: the building envelope times a dummy indicating if the parcel was eligible for the State Density Bonus in that year, and the building envelope times a dummy indicating if the parcel was subject to density-restricted zoning in that year. The intercept of the model was fixed at zero.

Appendix: Housing Development Model: Methodology

- The models' coefficients were used in a forecast that calculated the log-likelihood of development for each rezoned parcel, in each of the forecast years 2026-2045, using the site and zoning information, and the price and cost assumptions for each year (shown on the next page). The log-likelihoods were converted into annual probabilities, from which a 20-year probability of development was calculated.
- The model coefficients were also used to calculate a units estimate; the 20-year probability times the units estimate is the expected number of units produced on that parcel in the 20-year forecast period.
- The forecast model was run for both the current and the proposed zoning. See the section "Logic of Applying the Model to the Proposed Rezoning" for more details.
- Three parcels were excluded from the forecast: Laguna Honda Hospital, the University of San Francisco Main Campus, and the University of San Francisco Lone Mountain Campus. While some housing may be built on those parcels in the forecast period, the model is not well-suited for large parcels with unique uses like these.

Appendix: Housing Development Model: Data Sources

Variable Description	Variable	Data Source
Height limit for site in ft	Height_Ft	Planning Department, Zoning Districts
Area for lot in 1000 sq ft	Area_1000	Planning Department, Land Use Database 4/16/25
Extisting building square footage in 1000 sq ft	Bldg_SqFt_1000	Planning Department, Land Use Database 4/16/25
Residential Existing Use using ResUnits (Dummy)	Res_Dummy	Planning Department, Land Use Database 4/16/25
Historic Status for Parcel (Dummy)	Historic	Planning Department, Land Use Database 4/16/25
Real Construction Cost Variable, 2 years prior	Construc_Cost_Real	a 60/40 average of Real Construction Materials PPI and Real San Francisco MSA Construction Wages, 2016=100
10-Neighborhood Housing Price Index (Zillow), Real, 2 years prior	Zillow_Price_Real	SF real condo prices per Zillow, 2016=100
Dummy indicating eligibility for State Density Bonus, 2016 forward	SDB_2016_5Plus	Calculated from Zoning Districts
Zoning dummy: Office/Commercial	zp_OfficeComm	Planning Department, Zoning Districts
Zoning dummy: Density Restricted Multifamily, RTO = Form Based	zp_DRMulti_RTO	Planning Department, Zoning Districts
Zoning dummy: Form Based Multifamily, RTO = form based	zp_FBDMulti_RTO	Planning Department, Zoning Districts
Zoning dummy: Industrial / Production, Distribution & Repair	zp_PDRInd	Planning Department, Zoning Districts
Zoning dummy: Public/Open Space	zp_Public	Planning Department, Zoning Districts
Zoning dummy: Redevelopment Area	zp_Redev	Planning Department, Zoning Districts
Zoning dummy: Residential 2-Family (2 Units per Lot)	zp_RH2	Planning Department, Zoning Districts
Zoning = Residential 3-Family or Res Mixed (1/800 sqft)	zp_RH3_RM1	Planning Department, Zoning Districts
Planning District dummy variables	DIST_<District Name>	Planning District from Assessor's Secured Roll DB

Appendix: Logistic Regression Coefficients

Variable Description	Variable	Coeff	StdErr	WaldChiSq	Prob>Chi Sq
Intercept	Intercept	(1.6226)	1.2829	1.5998	0.2059
Height limit for site in ft	Height_Ft	0.0017	0.0007	4.9693	0.0258
Area for lot in 1000 sq ft	Area_1000	0.0049	0.0009	30.6563	0.0000
Envelope Area in 1000 sq ft (area/1000*ht/10)	Env_1000_Area_Height	0.0002	0.0001	5.0369	0.0248
Extisting building square footage in 1000 sq ft	Bldg_SqFt_1000	(0.0023)	0.0007	10.7241	0.0011
Residential Existing Use using ResUnits (Dummy)	Res_Dummy	(0.8231)	0.1222	45.3669	0.0000
Historic Status for Parcel (Dummy)	Historic	(1.0378)	0.1271	66.6847	0.0000
Real Construction Cost Variable	Construc_Cost_Real	(0.0992)	0.0129	58.8929	0.0000
SF Housing Price Index (Zillow), Real	Zillow_Price_Real	0.0143	0.0053	7.1326	0.0076
Dummy for State Density Bonus, 5+ Unit Sites, 2016 forward	SDB_2016_5Plus	0.6303	0.1608	15.3724	0.0000
Zoning = Office/Commercial	zp_OfficeComm	4.2634	0.4873	76.5337	0.0000
Zoning = Density Restricted Multifamily, RTO = Form Based	zp_DRMulti_RTO	4.2450	0.4523	88.0989	0.0000
Zoning = Form Based Multifamily, RTO = form based	zp_FBDMulti_RTO	5.0508	0.4640	118.4768	0.0000
Zoning = Industrial / Production, Distribution & Repair	zp_PDRInd	3.4115	0.4790	50.7257	0.0000
Zoning = Public/Open Space	zp_Public	1.2491	0.8385	2.2190	0.1363
Zoning = Redevelopment Area	zp_Redev	4.5361	0.4999	82.3213	0.0000
Zoning = Residential 2-Family (2 Units per Lot)	zp_RH2	0.2674	0.6672	0.1607	0.6885
Zoning = Residential 3-Family or Res Mixed (1/800 sqft)	zp_RH3_RM1	1.3187	0.6064	4.7289	0.0297

Appendix: Logistic Regression Coefficients (Continued)

Variable Description	Variable	Coeff	StdErr	WaldChiSq	Prob>Chi Sq
District = South Bayshore	DIST_SBayshore	(1.4824)	0.3179	21.7380	0.0000
District = Bernal Heights	DIST_BernalHts	(1.7011)	0.6087	7.8100	0.0052
District = South Central	DIST_Scentral	(1.7307)	0.3867	20.0267	0.0000
District = Central	DIST_Central	(1.1523)	0.3353	11.8102	0.0006
District = Buena Vista	DIST_BuenaVista	(2.5369)	1.0188	6.2010	0.0128
District = Northeast	DIST_Northeast	(1.4171)	0.2539	31.1439	0.0000
District = Western Addition	DIST_WestAddition	(0.6831)	0.2362	8.3630	0.0038
District = South of Market	DIST_SOMA	(0.0756)	0.1903	0.1579	0.6911
District = Inner Sunset	DIST_InnerSunset	(1.6187)	0.4882	10.9939	0.0009
District = Richmond	DIST_Richmond	(2.8019)	0.5355	27.3716	0.0000
District = Ingleside	DIST_Ingleside	(1.8670)	0.4925	14.3711	0.0002
District = Outer Sunset	DIST_OuterSunset	(2.6147)	0.6098	18.3867	0.0000
District = Marina	DIST_Marina	(1.2492)	0.3253	14.7457	0.0001
District = Mission	DIST_Mission	(1.0938)	0.2380	21.1176	0.0000

Omitted Variables for Groups of Dummy Variables:

Omitted zoning = RH1

Omitted district = Downtown

Appendix: Units Regression Coefficients

Variable Description	Variable	Coeff	St Error	T-Stat
Simple building envelope (area/1000 * ht/10)	Env_1000_Area_Height	0.4252	0.0159	26.72
State Density Bonus * Simple Bldg Envelope (5+ Unit Sites, 2016 forward)	SDB_2016_5Plus_EnvFull	0.4385	0.0389	11.28
Simple Bldg Envelope only if density-restricted	Zoning_DR_EnvFull	(0.1601)	0.0174	(9.22)

Note: Model removes largest 5% (Positive and Negative) residual outliers

Appendix: Model Performance

Logistic Regression	
Number of Observations	3,369,573
Number with Dependent Variable = 1	422
Pseudo R-Square	0.000611
Max Rescaled R-Square	0.244596

Units Regression	
Number of Observations	383
R-Sq	0.867779
Adj R-Sq	0.866735
Dependent Mean Value	81.87206
Standard Error of Regression	48.40184

Appendix: Zoning Classifications

- The table below shows the correspondence between the City's zoning districts, and the aggregate zoning variables in the model.

Zoning Variable	Zoning Districts
zp_RH1	C-2/RH-1(D); RH-1(D)/C-2; C-M/RH-1; M-1/RH-1; NC-1/RH-1; NC-1/RH-1/RH-2; NC-2/RH-1; NC-2/RH-1(D); NC-3/RH-1; NCD/RH-1; NCD/RH-1(D); NC-S/RH-1; NCT-OCEAN/RH-1(D); NCT/RH-1(D); P/P-W/RH-1; P/RH-1; P/RH-1(D); P/RH-1/RH-1(D); P/RH-1/RH-2; RH-1; RH-1(D); RH-1(D)/NC-2; RH-1(D)/RH-1; RH-2/RH-1; RH-2/RH-1(D); RH-1(D)/RH-2; RH-1(D)/RM-1; RH-1(S); RH-1/C-M; RH-1/M-1; RH-1/NC-1; RH-1/NC-2; RH-1/NC-3; RH-1/NC-S; RH-1/RH-1(D); RH-1/RH-2; RH-1/RH-2/RM-1; RH-1/RM-1; RM-1/RH-1; RH-3/RH-1
zp_RH2	NC-1/RH-1/RH-2; P/RH-1/RH-2; RH-2/RH-1; RH-2/RH-1(D); RH-1(D)/RH-2; RH-1/RH-2; RH-1/RH-2/RM-1; M-1/RH-2/RM-1; MUR/RH-2; NC-1/RH-2; NC-2/RH-2; NC-3/RH-2; NCD/RH-2; NC-S/RH-2; NCT-GLEN PARK/RH-2; NCT-OCEAN/RH-2; NCT/RH-2; P/RH-2; P/RM-1/RH-2; RH-2; RH-2/NC-1; RH-2/NC-2; RH-2/NC-3; RH-2/RH-3; RH-2/RM-1; RM-1/RH-2; RH-2/RM-2; RM-2/RH-2; RH-2/RM-3; RM-3/RH-2; RH-3/RH-2
zp_RH3_RM1	RH-1/RH-2/RM-1; M-1/RH-2/RM-1; P/RM-1/RH-2; RH-2/RH-3; RH-2/RM-1; RM-1/RH-2; RH-3/RH-2; RH-1(D)/RM-1; RH-1/RM-1; RM-1/RH-1; RH-3/RH-1; C-2/RH-3; C-2/RM-1; C-2/RM-1/RM-4; C-M/RM-1; HP-RA/RM-1; M-1/RM-1; M-2/RH-3; NC-1/RM-1; RM-1/NC-1; NC-2/RH-3; NC-2/RM-1; NC-3/RH-3; NC-3/RM-1; NCD/RH-3; NCD/RH-3/UPR MARKET; NCD/RH-3/UPR MARK; NCD/RH-3/VALENCIA; NCD/RM-1; NCD/RM-1/SACRAMENTO; NCD/SACRAMENTO ST; NCD/SACRAMENTO/RM-1; NCD/RM-1/SACRAMEN; NCT-DIVISADERO/RH-3; NCT-DIVISADERO/RM-1; NCT/RH-3; NCT/RM-1; P/PM-R/RM-1; P/RH-3; P/RM-1; PM-MU2/PM-OS/PM-R/RM-1; PM-R/RM-1; RH-3; RH-3/C-2; RH-3/HAYES; RH-3/M-2; RH-3/NC-2; RH-3/RM-1; RM-1/RH-3; RH-3/RM-2; RM-2/RH-3; RH-3/RM-3; RM-3/RH-3; RH-3/RSD; RH-3/VALENCIA; RM-1; RM-1/C-M; RM-1/C-M/M-1; RM-1/NC-3; RM-1/RM-2; RM-1/RM-3; RM-1/RM-4; RM-1/SACRAMENTO
zp_OfficeComm	C-2/RH-3; C-2/RM-1; C-2/RM-1/RM-4; C-M/RM-1; RH-3/C-2; RM-1/C-M; RM-1/C-M/M-1; C-2/RH-1(D); RH-1(D)/C-2; C-M/RH-1; RH-1/C-M; C-2; C-2/M-1; C-2/M-1/P; C-2/P; C-3-G; C-3-G/C-3-R; C-3-G/C-M; C-3-G/RC-4; C-3-O; C-3-O(SD); C-3-O(SD)/P; C-3-O(SD)/TB DTR; C-3-O/C-3-O(SD); C-3-O/C-3-R; C-3-O/C-3-S; C-3-O/C-3-S/P; C-3-O/TB DTR; C-3-R; C-3-S; C-3-S/P; C-M; C-M/M-1; CMUO; CMUO/MUR; CMUO/P; MUO; NCD/C-2; P/C-3-R; RM-3/C-2; RM-4/C-2; WMUO

Appendix: Zoning Classifications (Continued)

Zoning Variable	Zoning Districts
zp_DRMulti_RTO	NC-2/P; NC-3/P/RM-3; NCD/P; NC-S/P; P/NC-S; P/NC-2; P/RC-4; P/RM-2; P/RM-3; C-2/RM-1/RM-4; C-3-G/RC-4; NCD/C-2; RM-3/C-2; RM-4/C-2; NC-1/RM-1; RM-1/NC-1; NC-2/RH-3; NC-2/RM-1; NC-3/RH-3; NC-3/RM-1; NCD/RH-3; NCD/RH-3/UPR MARKET; NCD/RH-3/UPR MARK; NCD/RH-3/VALENCIA; NCD/RM-1; NCD/RM-1/SACRAMENTO; NCD/SACRAMENTO ST; NCD/SACRAMENTO/RM-1; NCD/RM-1/SACRAMEN; RH-3/HAYES; RH-3/NC-2; RH-3/RM-2; RM-2/RH-3; RH-3/RM-3; RM-3/RH-3; RH-3/RSD; RH-3/VALENCIA; RM-1/NC-3; RM-1/RM-2; RM-1/RM-3; RM-1/RM-4; RM-1/SACRAMENTO; NC-1/RH-1/RH-2; NC-1/RH-2; NC-2/RH-2; NC-3/RH-2; NCD/RH-2; NC-S/RH-2; RH-2/NC-1; RH-2/NC-2; RH-2/NC-3; RH-2/RM-2; RM-2/RH-2; RH-2/RM-3; RM-3/RH-2; NC-1/RH-1; NC-2/RH-1; NC-2/RH-1(D); NC-3/RH-1; NCD/RH-1; NCD/RH-1(D); NC-S/RH-1; RH-1(D)/NC-2; RH-1/NC-1; RH-1/NC-2; RH-1/NC-3; RH-1/NC-S; 24TH-MISSION; 24TH STREET- NOE VALL; 24TH-NOE; BROADWAY; BROADWAY NEIGHBORHOOD; C-2/RM-4; CASTRO STREET NEIGHBO; CASTRO; CCB; CRNC; CR-NC; CRNC/CVR; CR-NC/CVR; CRNC/RM-4; CVR; DTR/RC-4; FILLMORE; HAIGHT; HAIGHT STREET NEIGHBO; HAYES; HAIGHT STREET NEIGHBO; INNER CLEMENT; INNER CLEMENT STREET; INNER SUNSET; INNER SUNSET NEIGHBOR; M-1/NC-2; M-1/RM-2; M-1/RSD; NC-1; NC-1/RM-2; NC-1/RM-3; NC-2; NC-2/M-1; NC-2/NC-3; NC-3/NC-2; NC-2/RM-3; NC-2/RM-4; NC-3; NC-3/RC-4; NC-3/RM-3; NC-3/RM-4; NCD; NCD/; NCD/24TH STREET- NOE VALL; NCD/24TH STREET-; NCD/24TH-MISSION; NCD/24TH-NOE; NCD/24TH-NOE-VALLE; NCD/24TH-NOE-VALLEY; NCD/BROADWAY; NCD/BROADWAY NEIG; NCD/BROADWAY NEIGHBORHOOD; NCD/CASTRO; NCD/CASTRO STREET; NCD/CASTRO STREET NEIGHBO; NCD/EXCELSIOR OUTER MISSI; NCD/EXCELSIOR OUT; EXCELSIOR OUTER MISSI; NCD/FILLMORE; NCD/HAIGHT; NCD/HAIGHT STREET; NCD/HAIGHT STREET NEIGHBO; NCD/HAYES; NCD/HAYES NCT; NCD/HAYES NCT/RTO; NCD/INNER CLEMENT; NCD/INNER CLEMENT STREET; NCD/INNER SUNSET; NCD/INNER SUNSET NEIGHBOR; NCD/IRVING STREET NEIGHBO; NCD/IRVING STREET; NCD/IRVING; IRVING STREET NEIGHBO; NCD/JAPANTOWN NEIGHBORHOO; NCD/JAPANTOWN NEI; JAPANTOWN NEIGHBORHOO; NCD/JUDAH STREET NEIGHBOR; NCD/JUDAH; NCD/JUDAH STREET; JUDAH STREET NEIGHBOR; NCD/NC-1; NCD/NC-2; NCD/NC-3; NCD/NCT; NCD/NO BEACH; NCD/NORIEGA STREET NEIGHB; NCD/NORIEGA STREE; NCD/NORIEGA; NCD/NORTH BEACH NEIGHBORH; NCD/NORTH BEACH N; NCD/NORTH BEACH; NCD/NORTHBEACH; NCD/NORTH BEACH/RM-1; NCD/NORTHBEACH/RM-1; NCD/OUTER CLEMENT; NCD/OUTER CLEMENT STREET; NCD/OUTER CLEMENT STREET; NCD/PACIFIC; NCD/PACIFIC AVENU; NCD/PACIFIC/RM-3; NCD/PACIFIC;RM-3; NCD/PACIFIC AVENUE NEIGHB; NCD/POLK; NCD/POLK STREET N; NCD/POLK STREET NEIGHBORH; NCD/POLK/RC-3; NCD/POLK/RC-4; NCD/RC-3; NCD/RESIDENTIAL- HOUSE, O; NCD/RESIDENTIAL-; NCD/RM-2; NCD/RM-3; NCD/RM-3/PACIFIC; NCD/RTO; NCD/SACRAMENTO; NCD/SACRAMENTO STREET NEI; NCD/TARAVAL STREET NEIGHB; NCD/TARAVAL STREE; NCD/TARAVAL; NCD/UNION; NCD/UNION STREET; NCD/UNION STREET NEIGHBOR; NCD/UPPER FILLMORE NEIGHB; NCD/UPPER FILLMOR; NCD/UPPER FILLMORE; NCD/UPPERFILLMORE; NCD/UPPER MARKET STREET N; NCD/UPPER MARKET; NCD/UPR MARKET NC; NCD/UPR MARKET; NCD/UPR MARKET NCT; NCD/UPR MARKET NCT/; NCD/VALENCIA; NCD/WEST PORTAL; NCD/WEST PORTAL A; NCD/WEST PORTAL AVENUE NE; NCD/BAYVIEW; NCD/COLE VALLEY; NCD/CORTLAND AVENUE; NCD/GEARY BOULEVARD; NCD/GEARY BOULEVA; NCD/GEARY BOULEVARD/RH-2; NCD/GEARY BOULEVARD/RM-1; NCD/INNER BALBOA STREET; NCD/INNER BALBOA S; NCD/OUTER BALBOA STREET; NCD/ OUTER BALBOA STREET; NCD/OUTER BALBOA S; NCD/LOWER HAIGHT STREET; NCD/LOWER HAIGHT S; NCD/LOWER HAIGHT STREET/RH-3; NCD/LOWER POLK STREET; NCD/MISSION BERNAL; NCD/INNER TARAVAL STREET; NCD/INNER TARAVAL; NCD/SAN BRUNO AVENUE; NCD/LAKESIDE VILLAGE; NCD/LAKESIDE VILLAG; NC-S; NC-S/PM-R; NC-S/RM-3; NCT-DIVISADERO/RM-3; NCT/RM-3; NCT/RM-4; NO BEACH; OUTER CLEMENT; POLK; RC-3; RC-3/POLK; RC-3/RM-3; RC-4; RC-4/NC-3; RC-4/RH DTR; RC-4/RM-4; RED/SLR; RM-2; RM-2/M-1; RM-2/NC-1; RM-2/NC-2; RM-2/NO BEACH; RM-2/RM-3; RM-2/RM-4; RM-3; RM-3/NC-1; RM-3/NC-2; RM-3/NC-3; RM-3/NC-S; RM-3/RC-3; RM-3/RM-4; RM-4; RM-4/CR-NC; RM-4/NC-2; RM-4/NC-3; RM-4/RC-4; RSD; RSD/SLR; SACRAMENTO; SLR; SSO; UNION; UPR MARKET; VALENCIA; WEST PORTAL

Appendix: Zoning Classifications (Continued)

Zoning Variable	Zoning Districts
zp_Public	C-2/M-1/P; C-2/P; C-3-O(SD)/P; C-3-O/C-3-S/P; C-3-S/P; CMUO/P; P/C-3-R; P/RM-1/RH-2; P/PM-R/RM-1; P/RH-3; P/RM-1; PM-MU2/PM-OS/PM-R/RM-1; P/RH-1/RH-2; P/RH-2; P/P-W/RH-1; P/RH-1; P/RH-1(D); P/RH-1/RH-1(D); Remove; HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-1/M-2/P; M-1/P; M-2/MB-OS; M-2/MB-RA/P; M-2/P; MB-O; MB-O/MB-RA; MB-OS; MB-RA/P; MUG/P; NC-2/P; NC-3/P/RM-3; NCD/P; NC-S/P; NCT/P; NCT-3/P; NCT-3/RTO; P; P/C-3-O(SD); P/M-1; P/M-2; P/MISS BAY S PL; P/MISS BAY S PLN; P/MUR; P/NC-S; P/NC-2; P/PDR-2; P/PM-OS; P/PM-OS/PM-R; P/P-W; P/RC-4; P/RM-2; P/RM-3; P/TB DTR; P/RTO-C; P, RTO-C; PM-CF; PM-CF/PM-OS; PM-CF/PM-OS/PM-R; PM-MU1/PM-OS; PM-MU2/PM-OS/PM-R; PM-OS; PM-OS/PM-R; PM-OS/PM-R/PM-S; PM-OS/PM-S; Public
zp_FBDMulti_RTO	DTR/RC-4; NCD/HAYES NCT; NCD/HAYES NCT/RTO; NCD/NCT; NCD/RTO; NCD/UPR MARKET NCT; NCD/UPR MARKET NCT/; NC-S/PM-R; NCT-DIVISADERO/RM-3; NCT/RM-3; NCT/RM-4; RC-4/RH DTR; RED/SLR; P/PM-R/RM-1; PM-MU2/PM-OS/PM-R/RM-1; MUG/P; NCT/P; NCT-3/P; NCT-3/RTO; P/MUR; P/PM-OS/PM-R; P/TB DTR; P/RTO-C; P, RTO-C; PM-CF/PM-OS/PM-R; PM-MU1/PM-OS; PM-MU2/PM-OS/PM-R; PM-OS/PM-R; PM-OS/PM-R/PM-S; C-3-O(SD)/TB DTR; C-3-O/TB DTR; CMUO/MUR; NCT-DIVISADERO/RH-3; NCT-DIVISADERO/RM-1; NCT/RH-3; NCT/RM-1; PM-R/RM-1; MUR/RH-2; NCT-GLEN PARK/RH-2; NCT-OCEAN/RH-2; NCT/RH-2; NCT-OCEAN/RH-1(D); NCT/RH-1(D); DTR; DTR/M-1; M-1/RH DTR; M-2/MR-MU; M-2/P70-MU; MB-RA/MR-MU; MR-MU; MUG; MUG/RED; MUR; NCT; NCT-DIVISADERO; NCT-FOLSOM; NCT-GLEN PARK; NCT-HAYES; NCT-HAYES/RTO; NCT-HAYES/RTO-1; NCT-MISSION; NCT-UPPER MARKET; NCT-UPPER MARKET;; NCT-UPPER MARKET/RH-2; NCT-UPPER MARKET/RH-3; NCT-OCEAN; NCT-SOMA; NCT/NCT-3; NCT/RCD; NCT/RED-MX; NCT/RTO; NCT/RTO-M; NCT/UMU; NCT-1; NCT-2; NCT-3; NCT-3/NCT-HAYES; RTO-1/NCT-3; RTO/NCT-3; P70-MU; PDR-1-D/UMU; PDR-1-G/UMU; PM-MU1; PM-MU1/PM-R; PM-MU2/PM-R; PM-MU2; PM-R; RCD; RED; RED-MX; RED-MX/WMUG; RH DTR; RH DTR/SB-DTR; RH DTR/TB DTR; RTO; RTO-1; RTO/NCT; RTO-1/RTO-C; RTO-C; RTO-M; SB-DTR; SPD; TB DTR; UMU; WMUG
zp_PDRInd	DTR/M-1; M-1/RH DTR; M-2/MR-MU; M-2/P70-MU; PDR-1-D/UMU; PDR-1-G/UMU; M-1/NC-2; M-1/RM-2; M-1/RSD; NC-2/M-1; RM-2/M-1; C-2/M-1/P; HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-1/M-2/P; M-1/P; M-2/MB-OS; M-2/MB-RA/P; M-2/P; P/M-1; P/M-2; P/PDR-2; C-2/M-1; C-M/M-1; RH-1/RH-2/RM-1; M-1/RH-2/RM-1; M-1/RM-1; M-2/RH-3; RH-3/M-2; M-1/RH-1; RH-1/M-1; HP-RA/M-1; HP-RA/M-2; M-1; M-1/M-1; M-1/M-2; M-1/PDR-1-B; M-1/PDR-2; M-2; M-2 (MB); M-2/MB-RA; M-2/PDR-2; M-2/SLI; MISS BAY S PLN/M-2; MISS BAY S PL; MISS BAY S PLN; MISS BAY S PLN/M-; PDR-1; PDR-1/PDR-2; PDR-1-B; PDR-1-B/PDR-2; PDR-1-D; PDR-1-G; PDR-2; SALI; SLI; SLI/M-2
zp_Redev	HP-RA/M-1/M-2/P; HP-RA/M-2/P; M-2/MB-RA/P; HP-RA/M-1; HP-RA/M-2; M-2/MB-RA; MISS BAY S PLN/M-2; MISS BAY S PL; MISS BAY S PLN; MISS BAY S PLN/M-; MB-RA/MR-MU; MB-O/MB-RA; MB-RA/P; P/MISS BAY S PL; P/MISS BAY S PLN; HP-RA/RM-1; HP-RA; MB-RA; MISS BAY N RED; MISS BAY N RED PLN; MISS BAY N RED PL; MISS BAY S RED; MISS BAY S RED PLN; MISS BAY S RED PL

Appendix: Logic of Applying the Model

- This section of the appendix describes in more detail how the model was used to produce estimates of future housing production.
- For the existing zoning (“baseline”), the application of the model is straightforward. Current zoning was encoded using the zoning classification on the previous page, and current allowable height was used as the height variable in the logistic regression, and to calculate building envelope in the units regression.
- For the proposed rezoning (“policy”), the logic used was as follows: based on the units regression, each 1000 square feet of building envelope results in 0.42 units. The State Density Bonus adds an additional 0.44 units. Parcels that elect to use the Local Program therefore need to accommodate at least 0.44 additional units per 1000 square feet of envelope if developers are to choose this option. For parcels where the Local Program was more desirable, and on parcels that are ineligible for the SDB, because their zoning and size prevents them from building more than 5 units, the Local Program was applied. For all other parcels the SDB was used.

Appendix: Logic of Applying the Model (Continued)

- Probabilities and units for any parcel using the State Density Bonus were calculated by:
  - In the logistic regression, using the first new height in the rezoning table for Height_Ft and in the Env_1000_Area_Height calculation.
  - In the units regression, using the first new height in the rezoning table to calculate Env_1000_Area_Height;
  - Incorporating the SDB_2016_5Plus_EnvFull effect;
  - Incorporating the Zoning_DR_EnvFull if applicable (i.e. the parcel is density-restricted.

Appendix: Logic of Applying the Model (Continued)

- Probabilities and units for any parcel using the Local Program were calculated by:
  - In the logistic regression, setting zp_FBDMulti_RTO = 1, to account for the relaxation of density controls in the Local Program;
  - In the logistic regression, using the second new height in the rezoning table for Height_Ft and in the Env_1000_Area_Height calculation.
  - In the units regression, using the second new height in the rezoning table to calculate Env_1000_Area_Height;
  - In the units regression, removing the SDB_2016_5Plus_EnvFull effect;
  - In the units regression, removing the Zoning_DR_EnvFull effect.

Appendix: Business Disruption / Relocation Costs

- The analysis makes the following assumptions about business disruption and relocation costs:
  - Lost space will be 10% vacant, so 90% of the loss represents the loss of occupied space.
  - Lost business net income (for 6 months of disruption): $5/occupied square foot.
  - Fixed labor costs (for 6 months): $10/occupied square foot.
  - Moving costs and build-out of space at new premises: $175/occupied square foot

Staff Contact

Ted Egan, Ph.D., Chief Economist ted.egan@sfgov.org

From:	Carroll, John (BOS)
To:	Melgar, Myrna (BOS); Low, Jen (BOS); Chen, Chyanne (BOS); Sciammas, Charlie (BOS); Mahmood, Bilal (BOS); Cooper, Raynell (BOS)
Cc:	stephenjontorres@gmail.com
Subject:	FW: Letter for today"s (11/17) agenda
Date:	Monday, November 17, 2025 2:06:00 PM
Attachments:	2025.11.17 Letter to BoS Land Use and Transpo Committee Re_ TPO and Decontrol Ammendments.pdf

---

From: Stephen Torres <stephenjontorres@gmail.com>
Sent: Monday, November 17, 2025 2:05 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Letter for today's (11/17) agenda

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Clerk Carroll,

Please see the attached letter.

Best,

Stephen Torres

Stephen Torres
Mission District, San Francisco

November 17, 2025

The Land Use & Transportation Committee of the San Francisco Board of Supervisors
Room 250
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Chairperson Melgar and Members of the Land Use and Transportation Committee,

I am writing to you to strongly urge that you move forward the amendments submitted by Supervisors Chan and Chen.

There has been a lot of time given to the obligations that our city has to the State and the mandates it has imposed on San Francisco and other municipalities across the state. Mandates that should have been challenged by the Board as other municipalities have. What has not been given appropriate consideration, however, is the obligations that the State has to this City. The obligations to meet the housing affordability crisis that continue to strangle average working class and vulnerable populations out of San Francisco.

Instead we are entertaining conversations about attracting new “vibrant” residents to replace the ones we have. The seniors who have worked their entire lives to age in place in the city they love. The working poor who continue to try and hold on even as hours decrease and jobs dry up. Even those of us that live in subsidized housing face higher rents and less wages with no protections because we have no rent control or tenants protections.

The idea that any San Franciscan is expendable in order to build housing with no guarantees on affordability or sustainability is unconscionable. This body, and by extension, the Board of Supervisors must ensure that all rent-controlled housing is exempt and push back against the State if need be. If we are to be accountable to the State, they and all theiragencies must likwise be accountable to us in full transparency.

You have been elected to represent the interests of your constituents and their future, but not at the expense of their present.

Sincerely,

Stephen Torres
Resident, District 9
Worker, Districts 8 & 9

From: Paul Wermer
To: Carroll, John (BOS)
Subject: FILE NO. 250701, Family Zoning Plan (2025-11 -17):
Date: Monday, November 17, 2025 12:09:44 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

17 November 2025

To: Land Use and Transportation Committee

From: Paul Wermer

Subject: FILE NO. 250701, Family Zoning Plan

I am concerned that the current up zoning plan inadvertently encourages the development of luxury flats in projects for fewer than 9 residential units. If the Residential Nexus study is correct, this will create a demand for 30-40% of the number of BMR Units – with no inclusionary housing provided.

This would aggravate the actual housing shortage and affordability crisis for over 70% of San Franciscan household incomes.

To prevent this, any upzoning must require an inclusionary housing component, and it must be a more meaningful contribution than the current $249.50/sf in-lieu fee. (That covers less than half the cost of a BMR unit)

Background: I have asked Planning staff about this and have received no response so far:

As I read the Family Zoning Plan (version 5 -12, BOS File 25071), my understanding is as follows:

a) Any project complying with the proposed HC-SF (206.10) and Height Limits (sec 263.19 (b)) qualifies for the local program height bonus. It only needs to add one or more units to a building with at least one existing residential unit.

b) By purchasing a 1 or 2 residential unit building (exempt for rent control protections) I could then take a currently zoned RH-2/40 ft height and by adding one additional unit to the project qualify for an 85' structure on a 25x 100 lot, with 18% rear yard, leaving me with at least 1500 sq ft of buildable lot area. At 85 ft height, that would allow 3 luxury units of 3500 - 4000 sq ft. (Condos and TICs, not being rent controlled units, means that multi unit buildings on larger lots are vulnerable as well)

c) There is no inclusionary housing requirement. Given the Residential Nexus report (2016), 3 luxury units would create a demand for somewhere between 0.9 - 1.2 BMR units.

If so, there is a risk of large numbers of projects for fewer than 10 units targeting the top 10% of incomes - which means that this "plan" will actually increase the already unmet demand for units affordable to the wide range of household incomes below $200K, aggravating

availability and affordability.

Has there been any analysis to look at exactly how many lots might be vulnerable to this incentive? This is especially an issue for lots in desirable locations – for example, Lincoln or Fulton with views of Golden Gate Park, and sites with views of the Bay or Ocean.

I should note that I am concerned that 4000 sq ft limit on qualifying residential units is also easily subverted by clever designs.

--
Paul Wermer
San Francisco,CA 94115

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Mchugh, Eileen (BOS); BOS-Operations; BOS Legislation, (BOS); Carroll, John (BOS)
Subject:	152 Letters regarding Zoning
Date:	Monday, November 17, 2025 12:02:13 PM
Attachments:	152 Letters regarding Zoning.pdf

Hello,

Please see attached for 152 letters regarding zoning.

File No. 250966, LUT Item No. 4: General Plan Amendments - Family Zoning Plan

File No. 250700, LUT Item No. 5: Zoning Map - Family Zoning Plan (Mayor, Sauter, Mahmood, Dorsey)

File No. 251071, LUT Item No. 6: Zoning Map - Family Zoning Plan (Mayor, Sauter, Mahmood, Dorsey)

File No. 250701, LUT Item No. 7: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

File No. 251073, LUT Item No. 8: Planning, Business and Tax Regulations, Administrative Codes - Family Zoning Plan (Mayor)

File No. 251072: Planning, Business and Tax Regulations Codes - Family Zoning Plan (Mayor)

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From:	Nick Ferris
To:	Melgar, Myrna (BOS); Chen, Chyanne (BOS); Mahmood, Bilal (BOS); Mandelman, Rafael (BOS)
Cc:	Chan, Connie (BOS); Carroll, John (BOS); Board of Supervisors (BOS)
Subject:	Re: Support for Chan and Chen Amendments to the Family Zoning Plan Land Use and Transportation Committee Agenda Items 4-7, November 17, 2025
Date:	Monday, November 17, 2025 8:24:17 AM
Attachments:	THD LUC Upzoning Plan 11.17.25.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My apologies. I am adding correct email for President Mandelman.

Nick Ferris
President, Telegraph Hill Dwellers

On Mon, Nov 17, 2025 at 8:15 AM Nick Ferris <nicholashferris@gmail.com> wrote:

> Dear President Mandelman, Chair Melgar, and Members of the Land Use and Transportation Committee,
>
> The Telegraph Hill Dwellers (THD) continues to oppose the proposed Family Zoning Plan ("Upzoning Plan"), but we implore you to adopt the amendments offered by Supervisors Chan and Chen that will help to prevent the displacement of tenants and small businesses and provide a plan for development of the 100% affordable housing we so desperately need. We also continue to urge the Committee and Board of Supervisors to reverse the inclusion of Telegraph Hill, North Beach, and the Northern Waterfront in the Upzoning Plan, which was not contemplated in the 2022 Housing Element or Mayor Breed's zoning proposal.
>
> **President Mandelman, we urge you to please schedule a "Committee of the Whole" to consider all of the proposed amendments.** We are concerned that the Land Use and Transportation Committee may consider tabling and killing the Chan and Chen amendments in committee. We hope not. But, if so, you will have abdicated your responsibility to the democratic process. The full Board of Supervisors deserves a chance to consider these amendments. And, the public deserves to know where each supervisor stands.
>
> In any event, a vote to approve the Upzoning Plan is premature until you have full analysis and clarity on the implications of SB 79 for the Upzoning Plan, not just the 5-page fact-sheet summary prepared by the Planning Department.
>
> If you move forward with this Upzoning Plan, please adopt the following amendments:
>
> 1. **Approve Supervisors Chan's and Chen's Proposed Amendments:**
>   - **Exclude all historic resources,** including local historic districts and those eligible for the California and National Registers, from the Upzoning Plan (Chan File No. 251073).
>   - **Exclude All Existing Residential Units, including all rent-controlled units** from the Upzoning Plan (Chan File No. 251073).
>   - **Remove the Planning Equity Geography Special Use District** ("PEG SUD") from the Upzoning Plan (Chen File No. 251071).
>   - **Remove the Coastal Zone** from the Upzoning Plan (Chan File No. 251071).

- **Remove Form-Based Density in the Base Zoning in All Districts** (Chan File No. 251073).
- **Adopt a Progress Requirement** for obtaining a building permit within a time certain of project approval – "Use it or Lose It" (Chan File No. 251073)
- **Require Inclusionary Affordable Housing Within 1⁄2 Mile** of the development (Chan File No. 251073).

2. Amend Supervisor Melgar's Legislation to Remove All Rent-Controlled Housing
We appreciate Supervisor Melgar's amendment removing rent-controlled housing with three or more units but urge her to expand this amendment to exclude **all** rent-controlled housing with two or more units, not just three or more.

3. Approve Supervisor Chan's Legacy Business Controls
THD joins with Small Business Forward to support Supervisor Chan's legislation to extend the requirement for a Conditional Use Authorization for sites where a Legacy Business has been displaced. In absence of having any other tools available or financial resources to support the successful relocation of a Legacy Business within the community, the Conditional Use is an imperfect but necessary mechanism to discourage displacement of Legacy Businesses in the first place. That is why Small Business Forward supports the extension of the CU legislation until other more effective protection measures are in place, such as commercial rent control, the right of return, and adequate relocation assistance.

4. Create an Affordable Housing Special Use District and Funding Strategy.
We join with REP-SF and the Council of Community Housing Organizations (CCHO) to demand that the SFMTA-SUD be revised to provide that these publicly owned parcels be developed for 100% affordable and social housing. Under San Francisco's state-approved Housing Element, as mandated by the state, 57% of the 36,200 new housing units proposed to be developed under the Upzoning Plan—more than 20,000 units—must be affordable to low- and very-low-income households. Yet the Upzoning Plan has no funding strategy or realistic plan to produce those affordable homes. It risks satisfying Sacramento's procedural checklist while abandoning the substance of the law: to build housing for the people who need it most.

5. Remove North Beach, Telegraph Hill, and the Northern Waterfront from the Upzoning Plan.
THD continues to strongly oppose the late inclusion in the Upzoning Plan of major portions of Telegraph Hill, North Beach, and the Northern Waterfront, areas that were not included in the 2022 Adopted Housing Element ("2022 Housing Element") or considered in the Environmental Impact Report (EIR). These areas represent one of the densest neighborhoods in San Francisco, with roughly 82% of our residents currently living in existing pre-1979 multi-family, rent-controlled buildings housing our City's workforce and seniors, including a large immigrant Asian population. Based on the City's profiles of neighborhoods in San Francisco, there are **37,156** people per square mile in North Beach as compared to **17,325** people per square mile in San Francisco. The Planning Department's own data shows that rent-controlled buildings in District 3 (built before 1979 with 2+ units, excluding condos) represent approximately 32,340 individual units, 13,983 of which are located in the current version of the Upzoning Plan. **In other words, tenants occupying 13,983 units will be subject to potential eviction and displacement.**

And, although the 2022 Housing Element and EIR assumed that the Northeast Planning

District would provide net new housing units of only *800 units* by 2050, the Upzoning Plan suddenly increased that figure to *5,900 units*, a stunning *650% increase*. This is a far greater percentage increase than any other area in the City. The height and density increases represented by this increase will significantly impact existing tenants, small businesses, historic resources, parks and open spaces, and the diverse culture of District 3.

* * * * * * * *

In conclusion, THD believes that the Upzoning Plan, as proposed, threatens tenants and small businesses, pits neighborhoods against each other, and disregards decades of community-based policymaking that has built San Francisco into a resilient, vibrant city through a network of strong neighborhoods.

The proposed amendments from Supervisors Chan and Chen address these concerns by focusing on protecting tenants and rent-controlled housing citywide, supporting small businesses, and prioritizing the development of affordable housing. We urge this Committee to move these critical elements forward.

Sincerely,
Nick Ferris, President

November 16, 2025
Via Email

President Rafael Mandelman and
Members of the Land Use and Transportation Committee
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Rafael Mandelman – *Rafael.Mandleman@sfgov.org*
Myrna Melgar, Chair - *Myrna.Melgar@sfgov.org*
Chyanne Chen, Vice-Chair - *Chyanne.Chen@sfgov.org*
Bilal Mahmood, Member - *Bilal.Mahmood@sfgov.org*

RE: Support for Chan and Chen Amendments to the Family Zoning Plan
Land Use and Transportation Committee Agenda Items 4-7, November 17, 2025

Dear President Mandelman, Chair Melgar, and Members of the Land Use and Transportation Committee,

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- **Require Inclusionary Affordable Housing Within ½ Mile** of the development (Chan File No. 251073).

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* * * * * * * *

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Sincerely,

Nick Ferris, President

ccs: Supervisor Connie Chan – *connie.chan@sfgov.org*
Clerk John Carroll - *John.Carroll@sfgov.org*
Members, San Francisco Board of Supervisors - *Board.of.Supervisors@sfgov.org*

[1] https://www.city-data.com/neighborhood/North-Beach-San-Francisco-CA.html

From:	Neighborhoods United SF
To:	MelgarStaff (BOS); MahmoodStaff; ChenStaff
Cc:	Lurie, Daniel (MYR); Segal, Ned (MYR); Dennis Phillips, Sarah (CPC); Tanner, Rachael (CPC); Switzky, Joshua (CPC); Chen, Lisa (CPC); So, Lydia (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Mcgarry, Sean (CPC); Williams, Gilbert A (CPC); Ionin, Jonas (CPC); Board of Supervisors (BOS); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); DorseyStaff (BOS); Mandelman, Rafael (BOS); FielderStaff; Waltonstaff (BOS); Neighborhoods United - SF
Subject:	Support for Chan and Chen Amendments; Request for Pause, and HCD Oversight on Family Zoning Plan [Board File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966, "Family Zoning Plan"]
Date:	Saturday, November 15, 2025 10:03:21 AM
Attachments:	NUSF Letter to LUT_ Support for Chan and Chen Amendments and Request for Pause and HCD Oversight on the Family Zoning Plan.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Chairperson and Members of the LUT Committee,

On behalf of Neighborhoods United SF, we respectfully urge the Land Use and Transportation (LUT) Committee to take the following actions regarding Mayor Lurie's proposed Family Zoning Plan:

1. **Adopt the amendments** introduced by Supervisors Connie Chan and Chyanne Chen.
2. **Place a pause** on the process given the extraordinary and unsettled circumstances in District 4.
3. **Recommend a "Committee of the Whole"** session before forwarding this legislation to the full Board of Supervisors.
4. **Request an extension** from the California Department of Housing and Community Development (HCD) to allow for full review, transparency, and participation.
5. **Require HCD leadership to attend** Land Use and Transportation hearings, the Committee of the Whole, and full Board meetings to provide clear, direct answers on state compliance criteria and housing capacity calculations.

Below is further context for each request:

1. Adopt the Chan and Chen Amendments
These amendments take essential steps to protect sound housing, historic resources, and

our shoreline, while helping ensure that new development truly serves working families and essential workers.

2. Pause the Process in Light of District 4 Circumstances
Given the extraordinary and unsettled conditions in District 4, including the lack of representation and multiple unresolved planning and mapping inconsistencies, it is imperative that the City pause the process. Proceeding without full district representation would be premature and would further erode public confidence in the City's planning process.

3. Convene a Committee of the Whole Session
We urge the LUT Committee to recommend a 'Committee of the Whole' session before the legislation advances to the full Board. This will allow all Supervisors to hear public testimony, fully deliberate the proposal, and give time for Mayor Lurie to appoint a new District 4 Supervisor, ensuring every district has representation before a citywide rezoning plan of this scale moves forward.

4. Request an Extension from HCD
We further request that the City seek an extension from the California Department of Housing and Community Development (HCD) to allow adequate time for proper environmental review, public engagement, and a full evaluation of the proposed amendments' impacts on existing neighborhoods and housing capacity calculations. Transparency and thorough review should take precedence over arbitrary timelines.

5. Require HCD's Direct Participation
As you deliberate on the City's Family Zoning Plan and its relationship to the certified Housing Element, HCD leadership should be required to attend LUT hearings, Committee of the Whole, and the full Board meeting. Their participation is critical so that Supervisors and the public can receive direct, transparent answers on how housing capacity is being calculated, how compliance with state mandates is determined, and how proposed amendments will affect San Francisco's standing with the State.

While we support more housing through thoughtful, responsible planning, Neighborhoods United SF is firmly opposed to the Family Zoning Plan in its current form. The proposal goes far beyond what was envisioned in the certified Housing Element and would irreversibly reshape our city without delivering the affordability or equity it promises.

San Franciscans deserve clarity, accountability, and responsible planning, not conflicting interpretations of state requirements or exaggerated capacity figures that could reshape our city for generations.

Thank you for your leadership and commitment to transparent decision-making on behalf of the residents of San Francisco.

Sincerely,
Lori Brooke
Co-Founder, Neighborhoods United SF
neighborhoodsunitedsf.org

cc:
Mayor Daniel Lurie
Ned Segal, Chief of Housing and Economic Development
SF Planning Commission
SF Board of Supervisors
Sarah Dennis Phillips, Director, Planning Department
Rachael Tanner, Director of Citywide Planning, Planning Department
Joshua Switzky, Deputy Director of Citywide Policy, Planning Department
Lisa Chen, Principal Planner, Planning Department

Neighborhoods United SF Partner Organizations:

Aquatic Park Neighbors
Barbary Coast Neighborhood Association
Catalysts for Local Control
Cathedral Hill Neighborhood Association
Coalition for San Francisco Neighborhoods
Cole Valley Improvement Association
Corbett Heights Neighbors
Cow Hollow Association
Cow Hollow-Marina Neighbors and Merchants
D2 United
D4ward
Diamond Heights Community Association
Dolores Heights Improvement Club
East Mission Improvement Association
Excelsior District Improvement Association
Forest Hill Association
Francisco Park Conservancy
Geary Boulevard Merchants and Property Owners Association
Golden Gate Heights Neighborhood Association
Golden Gate Valley Neighborhood Association
Greater West Portal Neighborhood Association
Haight Ashbury Neighborhood Council
Ingleside Terrace Homeowners Assoc
Jordan Park Improvement Association
Lakeside Property Owners Association
La Playa Park Coalition
La Playa Village

Laurel Heights Neighborhood Association
Lombard Hill Improvement Association
Marina - Cow Hollow Neighbors and Merchants
Marina Community Association
Mid-Sunset Neighborhood Association
Midtown Terrace Homeowners Association
Miraloma Park Improvement Club
Mission Dolores Neighborhood Association
Noe Valley Council
North Beach Tenants Committee
Oceanview/Merced Heights/Ingleside - Neighbors in Action
Our Neighborhood Voices
Pacific Avenue Neighborhood Association
Parkmerced Action Coalition
Planning Association for the Richmond
Rincon Point Neighborhood Association
Russian Hill Community Association
Russian Hill Improvement Association
San Francisco Land Use Coalition
San Francisco Tenants Union
Save Our Amazing Richmond
Save Our Neighborhoods SF
Sensible D7
St. Francis Homes Association
Small Business Forward
Sunset Heights Association of Responsible People
Sunset-Parkside Education & Action Committee
Sunset United Neighbors
Telegraph Hill Dwellers
University Terrace Association
Waterfront Action Committee
Westwood Park Association

November 15, 2025

San Francisco Board of Supervisors
Land Use and Transportation Committee
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Support for Chan and Chen Amendments and Request for Pause and HCD Oversight on the Family Zoning Plan

Land Use and Transportation Committee Agenda Items 4-7, November 17, 2025, Board File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966, "Family Zoning Plan"

Dear Chairperson and Members of the Committee,

On behalf of Neighborhoods United SF, we respectfully urge the Land Use and Transportation (LUT) Committee to take the following actions regarding Mayor Lurie's proposed Family Zoning Plan:

1. **Adopt the amendments** introduced by Supervisors Connie Chan and Chyanne Chen.
2. **Place a pause** on the process given the extraordinary and unsettled circumstances in District 4.
3. **Recommend a "Committee of the Whole"** session before forwarding this legislation to the full Board of Supervisors.
4. **Request an extension** from the California Department of Housing and Community Development (HCD) to allow for full review, transparency, and participation.
5. **Require HCD leadership to attend** Land Use and Transportation hearings, the Committee of the Whole, and full Board meetings to provide clear, direct answers on state compliance criteria and housing capacity calculations.

Below is further context for each request:

1. Adopt the Chan and Chen Amendments
These amendments take essential steps to protect sound housing, historic resources, and our shoreline, while helping ensure that new development truly serves working families and essential workers, not luxury developers.

2. Pause the Process in Light of District 4 Circumstances
Given the extraordinary and unsettled conditions in District 4, including the lack of representation and multiple unresolved planning and mapping inconsistencies, it is imperative that the City pause the process. Proceeding without full district representation would be premature and would further erode public confidence in the City's planning process.

3. Convene a Committee of the Whole Session
We urge the LUT Committee to recommend a 'Committee of the Whole' session before the legislation advances to the full Board. This will allow all Supervisors to hear public testimony, fully deliberate the proposal, and give time for Mayor Lurie to appoint a new District 4 Supervisor, ensuring every district has representation before a citywide rezoning plan of this scale moves forward.

4. Request an Extension from HCD
We further request that the City seek an extension from the California Department of Housing and Community Development (HCD) to allow adequate time for proper environmental review, public engagement, and a full evaluation of the proposed amendments' impacts on existing neighborhoods and housing capacity calculations. Transparency and thorough review should take precedence over arbitrary timelines.

5. Require HCD's Direct Participation
As you deliberate on the City's Family Zoning Plan and its relationship to the certified Housing Element, HCD leadership should be required to attend LUT hearings, Committee of the Whole, and the full Board meeting. Their participation is critical so that Supervisors and the public can receive direct, transparent answers on how housing capacity is being calculated, how compliance with state mandates is determined, and how proposed amendments will affect San Francisco's standing with the State.

While we support more housing through thoughtful, responsible planning, Neighborhoods United SF is firmly opposed to the Family Zoning Plan in its current form. The proposal goes far beyond what was envisioned in the certified Housing Element and would irreversibly reshape our city without delivering the affordability or equity it promises.

San Franciscans deserve clarity, accountability, and responsible planning, not conflicting interpretations of state requirements or exaggerated capacity figures that could reshape our city for generations.

Thank you for your leadership and commitment to transparent decision-making on behalf of the residents of San Francisco.

Sincerely,
Lori Brooke
Co-Founder, Neighborhoods United SF
neighborhoodsunitedsf.org

cc:
Mayor Daniel Lurie
Ned Segal, Chief of Housing and Economic Development
SF Planning Commission
SF Board of Supervisors
Jonas P. Ionin, Commission Secretary, Planning Department

Sarah Dennis Phillips, Director, Planning Department
Rachael Tanner, Director of Citywide Planning, Planning Department
Joshua Switzky, Deputy Director of Citywide Policy, Planning Department
Lisa Chen, Principal Planner, Planning Department

Neighborhoods United SF Partner Organizations:
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Barbary Coast Neighborhood Association
Catalysts for Local Control
Cathedral Hill Neighborhood Association
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Cole Valley Improvement Association
Corbett Heights Neighbors
Cow Hollow Association
Cow Hollow-Marina Neighbors and Merchants
D2 United
D4ward
Diamond Heights Community Association
Dolores Heights Improvement Club
East Mission Improvement Association
Excelsior District Improvement Association
Forest Hill Association
Francisco Park Conservancy
Geary Boulevard Merchants and Property Owners Association
Golden Gate Heights Neighborhood Association
Golden Gate Valley Neighborhood Association
Greater West Portal Neighborhood Association
Haight Ashbury Neighborhood Council
Ingleside Terrace Homeowners Assoc
Jordan Park Improvement Association
Lakeside Property Owners Association
La Playa Park Coalition
La Playa Village
Laurel Heights Neighborhood Association
Lombard Hill Improvement Association
Marina - Cow Hollow Neighbors and Merchants
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San Francisco Land Use Coalition
San Francisco Tenants Union
Save Our Amazing Richmond
Save Our Neighborhoods SF
Sensible D7
St. Francis Homes Association
Small Business Forward
Sunset Heights Association of Responsible People
Sunset-Parkside Education & Action Committee
Sunset United Neighbors
Telegraph Hill Dwellers
University Terrace Association
Waterfront Action Committee
Westwood Park Association

From: molliespack@everyactioncustom.com on behalf of Leslie Wong
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 9:58:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a resident of Distsrict 1 and support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers. The upzoning of areas like my district would be adversely affected by the proposed upzoning. Building up would ruin the community and unique character of our neighborhoods as well as straining the resources and infrastructure. There are other, more effective ways to provide more housing without destroying our neighborhoods.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Leslie Wong
San Francisco, CA 94121

From:	troymcmahan22@everyactioncustom.com on behalf of Troy McMahan
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 8:28:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Troy McMahan
San Francisco, CA 94115

From: sf.lorna@everyactioncustom.com on behalf of Lorna Walker
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 8:27:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: I live on Bush Street and I'm not sure why your carved out my block as one of the few to be upsized. That is discrimination and clearly because we are in the poor part of District 2. It's. It fair to target the poor and protect the rich neighborhoods of Pacific Heights.

Sincerely,
Lorna Walker
San Francisco, CA 94115

From: Melissa Hernandez
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 8:05:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I write this as someone who lives in two-unit rent controlled housing! My neighbors and I don't want to be displaced. We live living in SF and in our neighborhood.

The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent, I urge you to include these policies in any upzoning plan:
Create an Affordable Housing Special Use District (SUD) to require a minimum of 50% truly affordable development on large opportunity parcels.
Carve out ALL 100,000 rent-controlled homes (representing 200k renters) from the Mayor's Plan. Our local electeds voted to adopt a Housing Element that prioritized the preservation of people's homes – this should not be up for negotiation. We can build the housing we need on opportunity sites that do not include rent-controlled homes.
We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the

private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,
Melissa

Melissa Hernandez
mghernandez117@gmail.com
256 Brighton Ave
San Francisco, California 94112

From: Kristi Dowler
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 7:59:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent, I urge you to include these policies in any upzoning plan:
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We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,

Kristi Dowler
kristdowler@gmail.com

San Francisco, California 94123

From: Bunny McFadden
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 7:50:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent, I urge you to include these policies in any upzoning plan:
Create an Affordable Housing Special Use District (SUD) to require a minimum of 50% truly affordable development on large opportunity parcels.
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We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,

Bunny McFadden
residue.wooden0h@icloud.com

San Francisco, California 94102

From: Myra Krieger
To: Board of Supervisors (BOS)
Subject: The Up Zoning in Russian Hill Alleys - Pls. Vote NO
Date: Friday, November 14, 2025 5:56:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please Retain the 40 Foot

Height Limit on our ALLEYS.

If you allow Six Stories, then Prohibit On Street Parking for new Alley construction .

--
Myra Krieger, Staff Reporter
San Francisco Senior Beat
kriegermyra@gmail.com
415-776-7857

From: peter.yedidia@everyactioncustom.com on behalf of Peter Yedidia
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 5:42:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm proud to have lived in San Francisco for 50 years, presently in District 3, zip 94133. I dearly love our city and am passionate about the need for more affordable housing. Unfortunately, as written, the Mayor's "Family" upzoning plan will not make housing more affordable and will irreparably harm our name treasured neighborhoods.

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

Finally, remove North Beach and Fisherman's Wharf from the upzoning map. They were not in the Housing Element and were surprisingly added at the last minute without consultation with neighborhood groups.

Respectfully, San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Peter Yedidia
San Francisco, CA 94133

From:	manduin@everyactioncustom.com on behalf of Morgan Weiss
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 5:34:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

These changes are not yet well vetted, or if they are, then residents don't know enough about it. Understanding that there are some state level requirements, I am sure that with all the bureaucracy in our world there is room for a petition to the governor to limit, or at least delay, requirements until they are fully justified. These expensive projects do not demonstrably close the affordable housing gap. That cost is not just in money, but it is also in irreplaceable space, which, once made available to developers, will be virtually impossible to restore.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Morgan Weiss
San Francisco, CA 94110

From: Leah Higgins
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 5:33:45 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent, I urge you to include these policies in any upzoning plan:
Create an Affordable Housing Special Use District (SUD) to require a minimum of 50% truly affordable development on large opportunity parcels.
Carve out ALL 100,000 rent-controlled homes (representing 200k renters) from the Mayor's Plan. Our local electeds voted to adopt a Housing Element that prioritized the preservation of people's homes – this should not be up for negotiation. We can build the housing we need on opportunity sites that do not include rent-controlled homes.
We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,

Leah Higgins
leaheloise@yahoo.com
524 Haight Street
San Francisco, 94117

From: Sachiel Rosen
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 5:33:07 PM

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Members of the Board of Supervisors,

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Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,

Sachiel Rosen
bagghead1@gmail.com
670 34TH AVE
San Francisco, California 94121

From: Samantha Malpiedi
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 5:00:32 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent in District 8, I urge you to include these policies in any upzoning plan:
Create an Affordable Housing Special Use District (SUD) to require a minimum of 50% truly affordable development on large opportunity parcels.
Carve out ALL 100,000 rent-controlled homes (representing 200k renters) from the Mayor's Plan. Our local electeds voted to adopt a Housing Element that prioritized the preservation of people's homes – this should not be up for negotiation. We can build the housing we need on opportunity sites that do not include rent-controlled homes.
We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,

Samantha Malpiedi
samantha.malpiedi@gmail.com
952 Guerrero Street
San Francisco, California 94110

From: kittym@everyactioncustom.com on behalf of Kitty Margolis
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 4:57:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a North Beach lifer who has been both a renter and a property owner, I support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

I also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions. We do not deserve to have thoughtless "non-plans" rammed down our throats.

North Beach, a historically important community that was added in at the very last minute, shouldn't even be part of this upzoning conversation. There was no opportunity for community input. Please slow down!

Sincerely,
Kitty Margolis
San Francisco, CA 94133

From: Madison Steinke
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 4:55:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I am begging you to please support Connie Chan's amendment and protect our beautiful city and its wonderful residents.
The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent, I urge you to include these policies in any upzoning plan:
Create an Affordable Housing Special Use District (SUD) to require a minimum of 50% truly affordable development on large opportunity parcels.
Carve out ALL 100,000 rent-controlled homes (representing 200k renters) from the Mayor's Plan. Our local electeds voted to adopt a Housing Element that prioritized the preservation of people's homes – this should not be up for negotiation. We can build the housing we need on opportunity sites that do not include rent-controlled homes.
We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more

than ever!

Sincerely,

Madison Steinke
madisteinke@gmail.com
1251 24TH AVE
San Francisco, California 94122

From: Talia Banarie
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Friday, November 14, 2025 4:10:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

The Mayor's blanket upzoning proposal will not solve San Francisco's affordability crisis – it will make it worse without significant amendments, by displacing renters and small businesses, and prioritizing luxury development over the housing our communities need.

There is a better way forward that meets State capacity mandates without displacement, while ensuring housing built is affordable to San Franciscans. As a voting constituent, I urge you to include these policies in any upzoning plan:
Create an Affordable Housing Special Use District (SUD) to require a minimum of 50% truly affordable development on large opportunity parcels.
Carve out ALL 100,000 rent-controlled homes (representing 200k renters) from the Mayor's Plan. Our local electeds voted to adopt a Housing Element that prioritized the preservation of people's homes – this should not be up for negotiation. We can build the housing we need on opportunity sites that do not include rent-controlled homes.
We should be requiring MORE affordable homes – not replacing them with market-rate units. Please vote down any proposals to swap BMR homes for rent-controlled market rate units. And increase the BMR inclusionary requirements to 20% on-site, so that the private housing that does end up getting built is at least affordable to 20% of working San Franciscans.
Require family-sized housing for a growing San Francisco and require developers to make 50% of the units 2-3 bedrooms plus communal living space.
Truly support mom & pop small businesses in the impacted neighborhood commercial corridors by prohibiting the demolition of SF-certified Legacy Businesses, requiring developers provide relocation costs starting at $150k and turn-key "warm shell" tenant improvements for displaced small businesses.
Workers who build our housing deserve a living wage. Include local prevailing wage requirements in Mayor's Plan.
Protect public access to our waterfront and environmental protections for our coast. Do not side with Trump policies to privatize and develop our protected coastal waterfront and carve out the parcels that should be protected for the public.
Finally, beyond this legislation — please get serious about an affordable housing financing strategy. The lack of political will to move forward voters' number one priority is disheartening – the City can and must be stronger advocates for San Franciscans to the State and the Feds, beyond private fundraising for Downtown. Our neighborhoods cannot afford to wait for the private market to do the job of local government. We need your creative leadership now more than ever!

Sincerely,

Talia Banarie
tbanarie@gmail.com

San Francisco, California 94110

From:	bridget.maley@everyactioncustom.com on behalf of Bridget Maley
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 3:46:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Bridget Maley
San Francisco, CA 94123

From:	nuptial.51.boxes@everyactioncustom.com on behalf of stephanie de maria
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 3:42:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

North Beach and Fisherman's wharf are SF Historical neighborhoods and have had that designation for years, in addition North Beach is the densest neighbor in San Francisco and home to many San Franciscans on rent control. Please support Supervisor Chan's ammendment and insist on HCD participation.

Sincerely,
stephanie de maria
San Francisco, CA 94133

From:	mark_keleher@everyactioncustom.com on behalf of Mark Keleher
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 3:32:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Mark Keleher
San Francisco, CA 94123

From: juliedearborn@everyactioncustom.com on behalf of Julie Dearborn
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 12:59:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

I am a retired teachers living in a rent controlled apartment in the Richmond District. If I lose this apartment, I will not be able to afford another at market rate prices. Please support the Chan and Chen amendments. A plan to create housing should not displace people who have housing. I agree that some form of upzoning needs to happen, but it shouldn't threaten the homes of long term residents.

Sincerely,
Julie Dearborn
San Francisco, CA 94121

From:	editorial@everyactioncustom.com on behalf of Harry Pariser
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 12:10:18 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Please support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

Without an amendment prohibiting demolition of ALL rent controlled housing, many tenants and small businesses will be dislocated, neighborhood character all over SF will decline, but no truly affordable housing will be constructed!

Support the Chan and Chen amendments

Sincerely,
Harry Pariser
San Francisco, CA 94122

From:	gb_andrews@everyactioncustom.com on behalf of Gandhia Andrews
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 11:26:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Don't let this city be run over by a Weiner who is only trying to be another useless career politician. We have self governance laws that allow the city to regulate itself and not be bullied by the state or a Weiner.

Sincerely,
Gandhia Andrews
San Francisco, CA 94132

From: amy7w2m@everyactioncustom.com on behalf of Amy Meyer
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 11:26:00 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I live in Lincoln Manor on Clement Street. It is a planned development more than 100 years old. Like several families living here, I have a member of my extended family living with me. I am 92 years old and it makes my living here secure and happy. Otherwise I would have to go into a nursing home. It gives my young family member a place to live while she develops her career.

This neighborhood helped to get the Golden Gate National Recreation Area, a campaign in which I was a leader. It starts a few blocks from here. Neighbors did everything from testifying at hearings to typing the required letters to contributing funds for the campaign.

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Amy Meyer
San Francisco, CA 94121

From:	marymmoc@everyactioncustom.com on behalf of Mary OConnell
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 10:50:18 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Everyone knows the city needs more housing, but this just gives developers over the top concessions. This can be done in a much more thoughtful manner. I hear calls from lots of people in the city, including the entertainment commission, calling for looser regulations so that San Francisco can be a world-class city, like New York. The thing that makes San Francisco so very special is that it's a livable city. Don't screw it up now

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Mary OConnell
San Francisco, CA 94123

From:	jvmahoney67@everyactioncustom.com on behalf of John Mahoney
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 9:05:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
John Mahoney
San Francisco, CA 94121

From: theharveysofsf@everyactioncustom.com on behalf of Thomas Harvey
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 8:52:15 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: I have written before with no changes; East of 15th avenue and Taraval are no buses or streetcars, however, the 65' proposed new height limits include three blocks East to Forest Side avenue.
The block between Funston Avenue and Forest Side Avenue should definitely not be included as it is well over 500' from MUNI.
Please respond.
My other comment is along 15th avenue from Ulloa to Taraval will completely block views for those East of 15th avenue looking West. The beautiful sunsets and seeing the ocean including Fort Funston will be gone.
With no additional infrastructure, all utilities and roads will make this area non-livable and unsafe, not where someone wants to raise a family.

Sincerely,
Thomas Harvey
San Francisco, CA 94116

From:	cjverb1@everyactioncustom.com on behalf of Carol Verburg
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Friday, November 14, 2025 8:35:52 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Greetings from a San Francisco resident who first moved here in 1971 and has lived in the Sunset, Pacific Heights, and Russian Hill before settling in North Beach 29 years ago.

I have learned a great deal about the now very-much-outdated State Housing Mandate at neighborhood meetings around the City, and have continued to attend hearings at City Hall despite the conspicuous disappearance of the Land Use & Transportation members during public comment, because the absurd upzoning proposals being rammed down our throats by the Wiener-Lurie-Sauter group and their profiteering backers threaten to destroy the very assets that make SF so popular with the tech-bro crowd seeking new high-end housing, at the expense of the 700,000-plus residents who currently live and work here and love this City as it is.

This is to urge you to:

1. Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

2. Demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

3. In making decisions that will change San Francisco forever, base them on what kind of city works best for its residents, not on pandering or potential personal gain.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Carol Verburg
San Francisco, CA 94133

From: litagent@everyactioncustom.com on behalf of Cherie Fehrman
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 7:32:53 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:
Protect the unique nature of our residential neighborhoods without rushing into changes that will forever alter San Francisco. Listen to what the people want. Let's not destroy historic structures for concrete and glass towers of questionable architectural value. More affordable housing may be needed but let's not throw out the baby with the bath water. In the past, many unfortunate changes were made which could have been avoided with a little more thought. Let's not make affordable housing forever change the character of our neighborhoods.

Sincerely,
Cherie Fehrman
San Francisco, CA 94118

From: mdarnton@everyactioncustom.com on behalf of Margaret Blodgett
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 2:14:03 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

I live in a in clutch of historic homes called Lincoln Manor spanning a few blocks in the far Outer Richmond between Clement and Geary, 36th-38th Avenues. We host annual block parties and our children zip between the little grid our houses form, sometimes in bare feet, sometimes wobbling on their bikes. It's quiet and clean and safe enough for them to explore their independence as they learn to navigate the city. The stretch of Clement on the north end of our neighborhood is a dedicated bike lane and runs along a green corridor that used to be a Chinese cemetery, now a public golf course that occasionally chucks balls into our back yards. My children collect them and trade the brightly colored ones, which are by far the most coveted. We've set up lemonade stands at the golf course where my son and his best friend, who lives ten houses away within Lincoln Manor, sell used balls for 50 cents and Arnold Palmers - they donate the proceeds to charity and we reward them for their community service with Legos and Rice Crispy treats the size of their fists from Anne at the Garden House Cafe just down the block. We know our neighbors and throw their newspapers a little closer to their front doors, let their dogs out when they're stuck at work, water their plants when they travel... in other words, we've carved out a little slice of sweet, settled, civic life in this bustling, often anonymous and transient city. I cannot imagine how this will change once single family homes are boxed out by multi unit buildings and our little streets are choked with cars. Our backyards won't get sunlight, our children won't know their neighbors, and they won't feel safe practicing biking or dog walking amid the congestion and chaos. This city has many vacant apartments and homes and businesses. There are ample corridors suited for greater development untapped and unrealized - why alter the character and charm of some of San Francisco's little pocket communities just to meet some arbitrary development quota? This is the sort of action that forces young families, especially those that have a tenuous but faithful toehold, out of the city. We are voters and tax payers and community builders. We made the choice to live in this far flung, sleepy corner of the city and we beseech you to respect its integrity and character. Please don't box us out of a life we love.

Sincerely,
Margaret Blodgett
San Francisco, CA 94121

From: emailamr@everyactioncustom.com on behalf of Ann Rubin
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 1:15:16 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: We are going to look back on this as another era of Urban Renewal. We need to do better.

Sincerely,
Ann Rubin
Los Angeles, CA 90048

From: marycmcf@everyactioncustom.com on behalf of Mary McFadden
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Friday, November 14, 2025 12:00:19 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

We cannot build our way out of an affordability crisis created by wealth disparity. Those who work for wages, who need mortgages to buy homes, cannot compete with billionaires who view property as houses as investment portfolios. Upzoning does not lower home prices, it raises them because the land value increases proportionately to the investment.

If a home is worth $1m, when that space is rezoned for 8 units (each worth $1m), that land, not eh home, becomes worth more than $8m. The highest bidder gets the land. Those who want homes are thrown out of the equation, thrown out of the city.

We who built this place, who made San Francisco are now being told to get out, to sell to the richest of the rich. As public servants, your job is to serve residents, not cowtow to international investment groups.

Sincerely,
Mary McFadden
San Francisco, CA 94115

From: molliespack@everyactioncustom.com on behalf of Leslie Wong
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 9:40:33 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a resident of District Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Leslie Wong
San Francisco, CA 94121

From: l_bluestone@everyactioncustom.com on behalf of Louise Bluestone
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 9:22:33 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Louise Bluestone
San Francisco, CA 94115

From: vozalegre@everyactioncustom.com on behalf of L. Diaz
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 9:21:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
L. Diaz
San Francisco, CA 94121

From: dede.estey@everyactioncustom.com on behalf of Deidre Estey
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 9:00:23 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: I live in the Richmond ,near Fulton street alongside the Park.Huge high rises and tower aptments full of small 1 bedrooms will cause the whole area to change with little parking,already full buses during rush hours with a lot of standing already. The problem of destruction to glorious Edwardian homes alongside the park will will horrible! I chose the Richmond for a quiet,residential neighborhood,full of families, and good schools. The beauty of the natural environment will be forever changed and needs,Affordable family accommodations, not million dollar high rises ruining the sun/shade ratio along our streets.

Sincerely,
Deidre Estey
San Francisco, CA 94121

From: tevisajones@everyactioncustom.com on behalf of Tevis Jones
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 7:33:36 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

PLEASE support the Chan and Chen amendments to PROTECT existing housing, PRESERVE San Francisco's historic and coastal resources, and make sure future growth meets the needs of WORKING FAMILIES, NOT the wealthy citizens who have their hands in the $$pockets of Big Real Estate and always seem to win against the humble residents of San Francisco.

HCD leadership must appear before the Board of Supervisors to explain how their housing numbers are determined and how the proposed upzoning will affect compliance and benefit ALL residents of San Francisco, not just the wealthy scions who protect their wealth via real estate. The City of San Francisco (NOW SPONSORED BY PREDATORS) is using inaccurate data to force the working families of San Francisco's Westside to bend the knee to wealthy real estate political actors. HCD must justify their (faulty) numbers or the City will face a middle-class revolt against the wealthy San Francisco political class. (Take note, the hapless NON-Sunset millionaires who squandered big bucks to back Engardio.) This is a struggle for justice between San Francisco's middle class and the ruling oligarchy class of San Francisco for the true spirit of our city, and we're focused on activating justice for EVERYONE in this city, something that has been missing from San Francisco for a long time as it's sunk into cronyism and oligarchy.

San Franciscans deserve transparency and fair, fact-based planning decisions. DO NOT DESTROY THE REMAINING MIDDLE-CLASS OF SAN FRANCISCO IN THE WESTERN NEIGHBORHOODS!

Additional comments: I've lived in the Sunset for 30 years, and we've already been subjected to outsize housing with no onsite parking on a toxic site that San Francisco refused to deal with properly, plus City government threats of more community destruction. I do not trust San Francisco city government - it has become a creature of the bicycle coalition and the wealthy residents who are as undemocratic as the BOS in their attempts to manipulate middle class neighborhoods. San Francisco is completely disrespectful of the Sunset & the Richmond (is it due to our lack of wealth and/or your racism??)
**Thank you so much to Supervisors Connie Chan & Chyanne Chen, who respect & value San Francisco's diverse middle class and who refuse to bend the knee to the wealth-powered citizens of San Francisco & beyond (including the bicycle coalition & almost all elements of city government including sfrecpark) that are corruptly partnering with real estate magnates & wealthy parties to destroy the Western Neighborhoods where the remaining SF middle class resides. THIS is what the proliferation of aggressive coercive forcible housing actions (using maga tactics to bludgeon the middle class on the Westside) will create: the destruction of the middle class in San Francisco's Western Neighborhoods, and then the city that once stood on an alabaster hilll will lose sadly but justly its heart.

Sincerely,
Tevis Jones
San Francisco, CA 94122

From:	r9dennis@everyactioncustom.com on behalf of Dennis Shiraki
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Thursday, November 13, 2025 6:50:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Dennis Shiraki
San Francisco, CA 94122

From: susanmackowski@everyactioncustom.com on behalf of Susan Mackowski
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 6:34:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Susan Mackowski
San Francisco, CA 94133

From: em-s@everyactioncustom.com on behalf of Emi Miyoshi-Shiraki
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 6:32:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Emi Miyoshi-Shiraki
San Francisco, CA 94122

From: jmmackowski@everyactioncustom.com on behalf of John Matthew Mackowski
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 6:09:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

For decades San Francisco has withstood attempts by developers to ruin the character of its neighborhoods in the pursuit of profit. Why now are you sacrificing the essence of what makes San Francisco unique? You can achieve more functional housing by working within existing zoning but removing regulation and delay that makes construction unnecessarily expensive.

I call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

Sincerely,
John Matthew Mackowski
San Francisco, CA 94133

From: homeagain@everyactioncustom.com on behalf of Michael Mazgai
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 6:09:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Michael Mazgai
San Francisco, CA 94117

From: jmmackowski@everyactioncustom.com on behalf of John Matthew Mackowski
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 5:52:34 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I urge you to support the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

The upzoning plan as presented will destroy the character of San Francisco's north waterfront surrounding Telegraph Hill, North Beach and Russian Hill. It is a giveaway to developers at the expense of residents who pay the taxes that support city government.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
John Matthew Mackowski
San Francisco, CA 94133

From:	ferrante.lynn@everyactioncustom.com on behalf of Lynn Ferrante
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Thursday, November 13, 2025 5:44:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: I am strongly opposed to making the Van Ness corridor into a Miami like setting with huge high rises. . This zoning is way too high and will ruin neighborhoods adjacent. Spread out in other areas instead of putting the majority of the burden on Van ness please.

Sincerely,
Lynn Ferrante
San Francisco, CA 94109

From:	kielygomes@everyactioncustom.com on behalf of Karen Schwartz
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Thursday, November 13, 2025 5:39:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Karen Schwartz
San Francisco, CA 94114

From:	bdethiers@everyactioncustom.com on behalf of Bernard Dethiers
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Thursday, November 13, 2025 5:30:54 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a long term North Beach resident, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Bernard Dethiers
San Francisco, CA 94133

From: natashjadewolf@everyactioncustom.com on behalf of Natashja Dewolfe
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 5:11:39 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I have lived in the Inner Sunset for 45 years, and in San Francisco for 54 years. I think this is a very wrong headed plan. Why not start with building by retrofitting the empty buildings downtown first? And start with empty spaces first?? I am really afraid I won't recognize not just my neighborhood, but my City!!

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: Please rethink this. We need to prioritize rent controlled buildings and long term tenants!

Sincerely,
Natashja Dewolfe
San Francisco, CA 94122

From: Mikalis.Faklys@everyactioncustom.com on behalf of Michael Faklis
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:59:58 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Michael Faklis
San Francisco, CA 94111

From: lehr.david@everyactioncustom.com on behalf of Dave Lehr
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:40:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Please demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Thank you!

Sincerely,
Dave Lehr
San Francisco, CA 94123

From: vandana1@everyactioncustom.com on behalf of Vandana Di Scala
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:39:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Vandana Di Scala
San Francisco, CA 94122

From: shoshod5623@everyactioncustom.com on behalf of shoshanah dobry
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:29:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Dear Mayor Lurie, Board of Supervisors & the Planning Comission:

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

This plan doesn't seem to have any basis in the needs of the whole population of San Francisco. Once we have common sense planned buildings completed to meet the current needs of San Francisco then, we as a city, can look toward other building that might look toward the future and what the population might look like. We don't want to end up as a city like those around Lake Tahoe or others in Silicon Valley that don't have the housing to support all of the different "classes" of people needed to keep the city alive and thriving.

Thank you for reading my thoughts.

Sincerely,
shoshanah dobry
San Francisco, CA 94124

From:	ferrante.lynn@everyactioncustom.com on behalf of Lynn Ferrante
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Thursday, November 13, 2025 4:28:22 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps.
- Reconsider the proposed height of buildings along Van Ness. I am especially concerned that this plan will result in YEARS of destruction and construction in the Van Ness corridor already having had construction destroy businesses for the new bus lane. There are neighborhoods adjacent to the Van Ness corridor that will be destroyed by the excessive height of the buildings along Van Ness and stretching up the adjacent streets
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised

Sincerely,
Lynn Ferrante
San Francisco, CA 94109

From: scoopfoggy@everyactioncustom.com on behalf of Shirley Fogarino
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:16:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Shirley Fogarino
San Francisco, CA 94123

From: dj@everyactioncustom.com on behalf of Diane Josephs
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:15:15 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

I am concerned in general that upzoning is inequitable. The western Russian Hill Neighbors, will be drastically impacted and were never informed by planningn and still are unaware. it is no surprise that this occurred as this may be related to the fact that the extreme zoning has been dumped on our area. On 11/3 I submitted some of the names, addresses, phone numbers or emails to no avail.

Sincerely,
Diane Josephs
San Francisco, CA 94109

From: ThomasWeed@everyactioncustom.com on behalf of Thomas Weed
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 4:03:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Thomas Weed

From: sfamc2@everyactioncustom.com on behalf of Arnold Cohn
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:59:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

How would you feel if an eight story apartment building became your next door neighbor?

Protect existing San Francisco housing.

Sincerely,
Arnold Cohn

From: pattired12@everyactioncustom.com on behalf of Patti McMahon
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:56:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:
Bringing more housing into the downtown San Francisco area is more realistic. High rise buildings
Are here and people living in the area are needed to make it more like New York City .

Sincerely,
Patti McMahon
San Francisco, CA 94121

From:	tessa_oleary@everyactioncustom.com on behalf of tessa oleary
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Thursday, November 13, 2025 3:56:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
tessa oleary
San Francisco, CA 94116

From: audreycrls@everyactioncustom.com on behalf of Audrey Carlson
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:54:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance. I am extremely concerned that our State Senator Scott Weiner will continue to layer additional bonus floors to what SF Planning says will be the highest building heights.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Audrey Carlson
San Francisco, CA 94123

From: ratt57@everyactioncustom.com on behalf of Doug McKirahan
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:54:36 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Doug McKirahan
San Francisco, CA 94121

From: timepuzzle@everyactioncustom.com on behalf of John Robert Smith
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:52:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
John Robert Smith
San Francisco, CA 94127

From: noguera@everyactioncustom.com on behalf of Hatun Noguera
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:50:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Hatun Noguera
San Francisco, CA 94127

From: john33sf@everyactioncustom.com on behalf of John Nulty
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:48:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
John Nulty
San Francisco, CA 94142

From: don.ayers@everyactioncustom.com on behalf of Don Ayers
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Thursday, November 13, 2025 3:47:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Please support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Don Ayers

From: kcdegnan@everyactioncustom.com on behalf of KC Degnan
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Saturday, November 15, 2025 9:47:35 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Dear Mayor Lurie and San Francisco Supervisors:

There is a heart-breaking exhibit at the Museum of San Francisco (Commercial Street) about the "urban renewal" project that destroyed the Western Addition and Japantown in the 1960s in the name of "progress." Please, please do not make the same irreparable mistake again with a misguided (however well intentioned) "up zoning" plan that is not transparent or well thought-through. What has been proposed will not address the housing issue allegedly at stake. Listen to your constituents who will be impacted by this ill-conceived plan.

I urge you to support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

There are real and serious questions about this process. For this to be truly transparent, HCD leadership must appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance. It would be very helpful to explain other options that were considered and why they were rejected so citizens can better understand the proposed "strategy."

San Franciscans deserve transparency and fair, fact-based planning decisions. Visit the exhibit at the Museum of San Francisco before you go down in history as making the same devastating mistake.

Sincerely,
KC Degnan
San Francisco, CA 94133

From: ckar101@everyactioncustom.com on behalf of Kim Russo
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Saturday, November 15, 2025 8:26:08 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Kim Russo
San Francisco, CA 94122

From: connie.rubiano@everyactioncustom.com on behalf of Constance Rubiano
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 7:18:28 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I have lived in SF for 47 years. Please amend this proposal to include affordable housing for people who are not in the 1%.

We do need MORE HOUSING IN SF. BUT for whom? This upzoning SHOULD NOT INCLUDE DEMOLISHING EXISTING HOUSING, ESPECIALLY THAT WHICH IS NOW RENT-CONTROLLED.

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Constance Rubiano
San Francisco, CA 94133

From: norkydeg@everyactioncustom.com on behalf of Norman Degelman
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 4:49:04 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional): The private sector will not solve the housing problem. They are more concerned with making a profit. They are not concerned with providing affordable housing for people.

Sincerely,
Norman Degelman
San Francisco, CA 94117

From: kathygee606@everyactioncustom.com on behalf of Kathleen Gee
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Sunday, November 16, 2025 9:46:42 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments: I was born and have lived in San Francisco for over 70 years, the majority in the Richmond district. I understand the desire for growth. The current proposal greatly increases height limits on every other block in the Richmond - Supposedly where the muni lines are. However, the 31 Balboa was eliminated for several years and the 2 Clement still has not returned. Will all bus lines be guaranteed ?
We do not need to give carte blanc to luxury developers, to build mostly tiny studios & one br apts while building heights that greatly impact the sunshine/light and create wind tunnels in the neighborhood. We should ensure our wondrous and unique vistas and neighborhoods. We should not be eliminating parking requirements to simply create more units for the developers. Elderly and citizens with disabilities need to be able to drive and park. Three blocks to a muni stop is too much of a barrier for many to maintain their independence for shopping and other ADL.
Any legislation needs to ensure that San Francisco retains its personality and is actually livable and not just a labyrinth of tiny overcrowded rabbit hutches

Sincerely,
Kathleen Gee
San Francisco, CA 94118

From: epaulshi@everyactioncustom.com on behalf of Yang Deng
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Sunday, November 16, 2025 9:08:50 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am writing to you in support of the Chan and Chen amendments to protect existing housing, preserve San Francisco’s historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

I demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Yang Deng
San Francisco, CA 94116

From: leishi92@everyactioncustom.com on behalf of Lei Shi
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Sunday, November 16, 2025 9:07:48 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

I demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Sincerely,
Lei Shi
San Francisco, CA 94116

From:	Cici Lee
To:	Board of Supervisors (BOS)
Cc:	Sauter, Danny (BOS); SauterStaff; commission.secretary@sfgov.org
Subject:	Heigh Limit
Date:	Sunday, November 16, 2025 8:26:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear City Leaders;

Please retain the 40 foot height limit on our little streets. Raising the limit will turn our little alley into a dark and slot canyons that not one wants to live in.

Thanks,
Cici Lee
1332 Pacific Ave, San Francisco, CA 94109

From:	Cici Lee
To:	commission.secretary@sfgov.org; Board of Supervisors (BOS); Sauter, Danny (BOS)
Subject:	height Limit
Date:	Sunday, November 16, 2025 8:17:40 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear City Leaders;

Please retain the 40 foot height limit on our little streets. Raising the limit will turn our little alley into a dark and slot canyons that not one wants to live in.

Thanks,
Cici Lee
1332 Pacific Ave, San Francisco, CA 94109

From:	Kathy Howard
To:	ChanStaff (BOS); ChenStaff; DorseyStaff (BOS); Fielder, Jackie (BOS); MahmoodStaff; MandelmanStaff (BOS); MelgarStaff (BOS); SauterStaff; Walton, Shamann (BOS); SherrilStaff@sfgov.org; Board of Supervisors (BOS); Lurie, Daniel (MYR)
Cc:	Mcgarry, Sean (CPC); Campbell, Amy (CPC); Imperial, Theresa (CPC); Moore, Kathrin (CPC); Braun, Derek (CPC); So, Lydia (CPC); Williams, Gilbert A (CPC); Ionin, Jonas (CPC)
Subject:	BOS LUTC Family Zoning Plan items - Nov. 17, 2025
Date:	Sunday, November 16, 2025 7:11:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

The entire City voted on District 4's Great Highway, but once again **District 4**, through no fault of our own, **has NO voice in the upzoning legislation**. This is despite the fact that the upzoning legislation could result in bulldozing our entire neighborhood.

This is **upzoning without representation.** You should postpone this vote until the mayor acts on appointing a replacement. *We are tired of being ignored*.

I urge you to form a Committee of the Whole, including our new Supervisor, to allow all of the Supervisors to hear public testimony and fully deliberate the upzoning proposal. Our new Supervisor should also first spend time in our neighborhood, learning what our residents want to have happen to their home. Whether or not this person is a rubber-stamp for the zoning plan and ignores residents' concerns will determine their ability to be elected in June.

I also ask that the City seek an extension from the California Department of Housing and Community Development (HCD) to allow adequate time for proper environmental review, public engagement, and a full evaluation of the proposed amendments' impacts on existing neighborhoods and housing capacity calculations. Transparency and thorough review should take precedence over arbitrary timelines.

HCD leadership should be required to attend BOS LUTC hearings, Committee of the Whole, and the full Board meeting. Their participation is critical so that ***all 11*** Supervisors and the public can receive direct, transparent answers on how housing capacity is being calculated, how compliance with state mandates is determined, and how proposed amendments will affect San Francisco's standing with the State.

As to the legislation, many changes must be made:

- **Eliminate in-lieu fees**. In-lieu fees delay affordable housing and create exclusive enclaves of luxury housing.

- **Dedicate all suitable public land – excluding parks and public open space - to 100%**

affordable housing.

- **Preserve the Coastal Zone as it is today.**
- **Prohibit upzoning in the Tsunami Zone.** It is reckless to increase building heights or density in areas at high risk of tsunami inundation.
- **Repair and reactivate the local tsunami warning system**.
- **Protect historic and culturally significant buildings, districts and open space.** All **Category A and A-eligible historic buildings, districts, and open space** should be exempted from upzoning. District 4's mid-century homes and civic buildings reflect our community's unique cultural heritage and deserve preservation.
- **Prevent height increases near parks and schools.** Casting shadows on open spaces and classrooms undermines the very "well-resourced" character of our district that the City claims to value.
- **Install the emergency firefighting system before more density is built, or a major quake and the ocean winds could result in an unstoppable fire that will run from west to east over all of San Francisco.**

Thank you for your consideration of these points.

Sincerely,

Katherine Howard

Outer Sunset

District 4

From:	Rick Bond
To:	Sauter, Danny (BOS); SauterStaff; Board of Supervisors (BOS); commission.secretary@sfgov.org
Subject:	No slot canyons!
Date:	Sunday, November 16, 2025 7:05:56 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

City leaders,

Please retain the 40 foot height limit on our little streets. Raising the limit will turn them into dark, forbidding slot canyons.

Thanks,
Rick Bond
21 Russell St, San Francisco, CA 94109

From:	desireemiles@everyactioncustom.com on behalf of Desiree Maggiora Miles
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Sunday, November 16, 2025 5:31:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):
To Mayor Lurie & Honorable SF Officials,
I take great pride in being a second generation San Franciscan, my parents being first born children of wonderful Italian Immigrants, our grandparents. On my son's paternal side, he is a Fifth Generation San Franciscan, also taking great pride in the fact that his great-grandfather and great uncles, The Miles Brothers , were well-known local photographers in San Francisco at the time of the Great Earthquake of 1906 and took humbling photos of our beloved City in ruins during the days following that historic event. The Miles Brothers sadly lost their studios as a result of the devastating quake but their photos of City Hall after the quake and Market Street a day before are indelible in archives of San Francisco history! I very much appreciate your kind review of my comments and background. The rich history that our families share and the amazing bond that we have with San Francisco is immeasurable. I urgently implore you, Mayor Lurie , and SF Supervisors ,Officials and Planners to RETHINK the plan for up zoning our great City neighborhoods. I vehemently reject the current planning proposals. They will decimate our neighborhood businesses, drive up affordability and not mitigate the issues that they claim to address. The flavor of our neighborhoods will be lost , as well as practical issues like parking spaces - destructive ideas like meters in residential neighborhoods - would wreak havoc on current residents as well as potential, future residents have already been proposed . Our beloved SF is a unique landscape and thus requires careful attention to details of locations, views, services needed to accommodate additional numbers of residents and many other factors that would impact affordability for anyone attempting to enter the rental or home ownership market in our varied neighborhoods. PLEASE fight back against Senator Scott Wiener's dictatorship of required housing in the State of CA and TAMP DOWN these unreasonable mandates to make our City more affordable to live in for some more residents and NOT UNAFFORDABLE FOR MANY!!!!! We have limited space which will impact affordability so a reasonable compromise will help additional residents-although mot many more- to be able to have an OPPORTUNITY to live in our amazing neighborhoods and thrive. Thank you again for your kind and prompts attention to this matter

Sincerely,
Desiree Maggiora Miles

San Francisco, CA 94123

From: PhilD01210@everyactioncustom.com on behalf of Phil Dillard
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Sunday, November 16, 2025 4:56:07 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:
Monday's pending Planning Commission hearing on District 3 is, frankly, an abomination of process and a serious failure of representation. I say that as a proud American, a Navy veteran, a capitalist and entrepreneur, and a 17 year San Francisco resident who has lived more than 10 of those years on Green Street in North Beach.
I have already attended multiple hearings on this upzoning and related changes. At the last one, this item was pushed so far back on the agenda that, like many working residents, I had to leave for client meetings before public comment was called. The people who can stay all day tend to be retirees, union contingents, and insiders. Working age residents who are building businesses, paying high rents or mortgages, and raising families are effectively excluded.
And even when we do speak, it does not feel like public comment is taken seriously. Residents from across the neighborhood spoke clearly and in good faith. Commissioners and staff listened, then went right back to minutiae and a predetermined agenda. That is not genuine engagement. It is a box checked.
I am very active in my community. I attend Telegraph Hill Dwellers, Russian Hill and North Beach neighbors meetings. I volunteer with North Beach Citizens and talk with residents, seniors, families, workers and small business owners every week. I walk this city day and night and there is nothing like North Beach anywhere else in San Francisco.
Almost no one I know of working age is aware of the true scope of BOS File 250682 and the related upzoning proposals. When they do learn what is being proposed, they are unanimously opposed. They do not want the elimination of the North Beach Special Use District. They do not want larger commercial footprints that invite chains. They do not want the erosion of conditional use review that silences neighbors. They do not want priority processing that strips away notice and hearings.
They definitely do not want more speculative high rise development that produces empty "safe deposit boxes in the sky" for absentee investors. I live across from one of those towers. It is mostly dark. It does nothing for our housing crisis and nothing for our community.
I have seen this pattern before. I watched it in Chicago and Philadelphia. We have all heard the stories of Seattle and Vancouver, where once distinctive neighborhoods were hollowed out by high rise luxury development, chain retail, and absentee ownership. Within a decade, the culture and small business ecosystem that drew people there in the first place was pushed out.
North Beach is the opposite of that. It is one of the few truly thriving, mixed use, mixed income, small business driven neighborhoods left in this city. People come from all over San Francisco and all over the world to experience something authentic here. The legislation in BOS 250682 and the Upzoning Plan attack the very tools that protected this place for decades.
There is a deep hypocrisy in preaching local democracy, community voice, and equity while pushing top down state and mayoral mandates on the most densely populated district in the city, over the clear objections of the people who actually live and work here. North Beach is already dense. District 3 is already dense. We have existing underused

buildings and existing permits that could be activated without destroying the fabric of the neighborhood.
We are not anti housing. We are not anti development. We are against bad planning and lazy, one size fits all policy th

Sincerely,
Phil Dillard
San Francisco, CA 94133

From: Bridget Dyer
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Sunday, November 16, 2025 4:36:35 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I am writing to urge your support of the combined amendments of Supervisors Connie Chan and Chyanne Chen to Mayor Lurie's Upzoning Plan, specifically:

Don't Demolish Tenant Homes – Over 45,000 renters are at increased risk of displacement as a result of the Plan's increased incentives to demolish tenant-occupied flats in North Beach, Upper Chinatown, Noe Valley, Buena Vista, the Castro, the Sunset, the Marina and the Richmond. SF Planning confirmed in its original plan analysis that we did not need to redevelop rent-controlled homes to meet our unit count goal. I support Supervisor Connie Chan's common-sense amendment to remove all residential flats from the local plan, knowing we don't need to displace hard-working San Franciscans to build the housing we need.

Protect the Public Waterfront – San Francisco once led the nation with thoughtful and sustainable planning that kept our public coast and bay waterfronts safe from overdevelopment. I support Supervisor Connie Chan's proposed amendment to remove the coastal and waterfront parcels that would be exposed to Trumpian privatization and luxury development. We are not Mar-a-Lago!

Build Real Family-Sized Housing – The mayor's Plan currently has no mandatory unit requirements, but rather offers 2-bedroom units as an "option" for developers. I support Supervisor Connie Chan's proposed amendment to the new density decontrol provisions the mayor put into the plan this year, which incentivize more $4000/month "microunits" – instead of the 2- and 3-bedroom homes families need.

Comply With Housing Element, Preserve PEGs – The unanimously adopted Housing Element was clear: Priority Equity Geographies have already born the brunt of development displacement, and yet the mayor included PEG neighborhoods into his new map. This is not what the Board adopted and approved, with support from community. I support Supervisor Chyanne Chen's proposed amendment to protect the PEGs as previously adopted.

Preserve Our Cultural & Historic Assets – We can build the housing we need without destroying San Francisco's cultural and historic assets. I support Supervisor Connie Chan's amendment to protect historic resources in this plan.

Build the Affordable Housing We Need – The mayor has proposed selling off 27+ public sites, which are critical to the construction of the 46,000 units of affordable housing SF is required to build by 2031. I support Supervisor Connie Chan's proposal to create an Affordable Housing Special Use District to maximize our public land for affordable housing.

While we did not elect the anonymous Sacramento bureaucrats at the HCD, we elected you all to be legislators and policy-makers who will advocate for us to the State and do what's best for SF. The mayor claims our hands are tied and we have to let HCD write our laws or we will lose "local control" – if you have to run your emails by HCD officials for approval, it would appear we already have.

Politicians were given a clear mandate from voters this past Election Day – we will support you, when you stand up for us. Don't be the Democrats that bungle another opportunity to fight for real affordable housing for us all – please show some political willpower, moral courage and leadership. Don't let your legacy be making San Francisco a city only for millionaires.

Sincerely,
Bridget Dyer
Hans Hony
Renters

Bridget Dyer
bridgetdyer@gmail.com
14 Prospect Ave,
San Francisco, California 94110

From: Dean Brown
To: Board of Supervisors (BOS)
Subject: San Francisco Needs More Housing Options: Support Family Zoning Plan
Date: Sunday, November 16, 2025 12:25:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Clerk of the Board Angela Calvillo,

Dear San Francisco Supervisors,

I'm writing to express my strong support for the Family Zoning Plan.

I live on Carl street and my wife and I often walk down Irving street and there's just tons of 1 story buildings where we could have 3 stories of housing on top and a commercial floor on the bottom. I have kids and grandkids and want them to have a chance to live here. One bedroom apartments rent for more than $2,000 per month and we need all types of housing.

This housing problem did not happen overnight and it won't be solve quickly. However, the Family Zoning Plan is an important step in the right direction and should be approved.

I support Supervisor Melgar's small-business fund, and Supervisors Sherrill and Sauter's amendment to encourage larger family units (2-3 bedrooms). These strengthen the plan without risking state compliance, and the Mayor has signaled support.
And I oppose Proposals to exclude nearly all residential sites from rezoning or impose restrictions that would undercut housing capacity and jeopardize our state approval.

We need to get moving on this housing issue and I am tired of how long it takes to get things done in San Francisco. Please pass this plan so we can move on to building more housing.

Thanks,

Dean

Dean Brown
mondean@gmail.com
458 Carl street
SAN FRANCISCO , California 94117

From: Simone Alberti
To: Board of Supervisors (BOS)
Subject: San Francisco Needs More Housing Options: Support Family Zoning Plan
Date: Sunday, November 16, 2025 9:56:56 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Clerk of the Board Angela Calvillo,

Dear San Francisco Supervisors,

I'm writing to express my strong support for the Family Zoning Plan.

San Francisco urgently needs more homes — and this plan moves us in the right direction. It will expand housing choices across the city, especially in high-opportunity areas near transit, jobs, and schools. It gives families the flexibility to build backyard units, in-law apartments, and small buildings that allow them to stay close to the people they love.

This is a thoughtful, community-informed proposal that aligns with our Housing Element goals while addressing the real, everyday needs of San Franciscans. I urge you to support the Family Zoning Plan and to continue working toward a housing system that is fair, inclusive, and responsive to the city's future.

Let's build a San Francisco where everyone can belong. Thank you for your partnership and collaboration.

Simone Alberti
simo.alb88@gmail.com
131 Noe St.
San Francisco, California 94114

From:	kumasong@everyactioncustom.com on behalf of Karen Kirschling
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Saturday, November 15, 2025 8:04:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Karen Kirschling

From: dolbay@everyactioncustom.com on behalf of Liam Hennessy
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Saturday, November 15, 2025 6:29:07 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Liam Hennessy
San Francisco, CA 94133

From:	lgpetty
To:	MelgarStaff (BOS); ChenStaff; MahmoodStaff
Cc:	Carroll, John (BOS); MelgarStaff (BOS); ChenStaff; mahmoudstaff@sfgov.org; Board of Supervisors (BOS); BOS-Legislative Aides
Subject:	All Tenant Protection Ordinance Amendments Require Due Deliberation
Date:	Saturday, November 15, 2025 5:33:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I write in support of Supervisor Cheyanne Chen's Tenant Protection Ordinance and to urge you not to "disappear" all the other amendments to it that have been proposed by Supervisors Chan and Chen.

In our democracy (yes we still have one) every serious proposal deserves serious consideration in a fair hearing and open decision process.

The public are entitled to know about all of the TPO amendment proposals -- in clear words, and in full. They are entitled to time and opportunity to examine them freely. People are entitled to express their opinions on them -- softly in writing; loudly in public. And, not least of all, the public are entitled to know the position of each of their representatives on each of the proposals.

Or has San Francisco fallen into an elitist shadow world where electeds get to ignore proposed legislation that might help the people, and hide the proposals so deeply that the people are forever denied them?

San Francisco government must not operate in secret.

Would any Supervisor take away the People's basic rights? For what reason? For "efficiency"? For political advantage? For monetary gain? For misguided fear of higher government reprisal? Or just because some can't stand the "noise" in a noisy, messy democracy?

I'll be delighted if you prove San Francisco is indeed still a democracy by giving all the Chan and Chen TPO amendments a full airing.

Lorraine Petty

-For Affordable Housing.
-Against Demolition of Sound Residential Housing.
-D2/5 Voter.

From:	nora.chin@everyactioncustom.com on behalf of Nora Chin
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date:	Saturday, November 15, 2025 4:29:50 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Nora Chin
San Francisco, CA 94118

From: brideynewman@everyactioncustom.com on behalf of Bridget Newman
To: Board of Supervisors (BOS)
Subject: Approve Chan"s Amendments & Insist on HCD Participation [Files: 250700, 250701, 250966]
Date: Saturday, November 15, 2025 3:25:38 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a District 1 resident; my family has lived in the Richmond District for 45 years. I support the Chan and Chen amendments to protect existing housing, preserve San Francisco's historic and coastal resources, and make sure future growth meets the needs of working families, not luxury developers. I ask that you do the same. Beyond the fact that we lack fire-fighting infrastructure from 12th Avenue to the sea in the Richmond and 19th Avenue to the sea in the Sunset, building towers on sand is sheer folly.

Also demand that HCD leadership appear before the Board of Supervisors to explain how housing numbers are determined and how the proposed upzoning will affect compliance.

Ted Egan, San Francisco's Chief Economist, pointed out in his recent report that a high growth scenario under the Upzoning Plan that would include eliminating over 6,000 current rent-controlled housing units and demolishing the sites of hundreds of small businesses would decrease rent on the average apartment by $125/month. However, he also states that "Annual business disruption and relocation costs range from $16 to $28 million, in today's dollars." Density does not equal affordability.

San Franciscans deserve transparency and fair, fact-based planning decisions.

Additional comments:

Sincerely,
Bridget Newman
San Francisco, CA 94121

From: Xoe Watchman
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Saturday, November 15, 2025 2:20:50 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I am writing to urge your support of the combined amendments of Supervisors Connie Chan and Chyanne Chen to Mayor Lurie's Upzoning Plan, specifically:

Don't Demolish Tenant Homes – Over 45,000 renters are at increased risk of displacement as a result of the Plan's increased incentives to demolish tenant-occupied flats in North Beach, Upper Chinatown, Noe Valley, Buena Vista, the Castro, the Sunset, the Marina and the Richmond. SF Planning confirmed in its original plan analysis that we did not need to redevelop rent-controlled homes to meet our unit count goal. I support Supervisor Connie Chan's common-sense amendment to remove all residential flats from the local plan, knowing we don't need to displace hard-working San Franciscans to build the housing we need.

Protect the Public Waterfront – San Francisco once led the nation with thoughtful and sustainable planning that kept our public coast and bay waterfronts safe from overdevelopment. I support Supervisor Connie Chan's proposed amendment to remove the coastal and waterfront parcels that would be exposed to Trumpian privatization and luxury development. We are not Mar-a-Lago!

Build Real Family-Sized Housing – The mayor's Plan currently has no mandatory unit requirements, but rather offers 2-bedroom units as an "option" for developers. I support Supervisor Connie Chan's proposed amendment to the new density decontrol provisions the mayor put into the plan this year, which incentivize more $4000/month "microunits" – instead of the 2- and 3-bedroom homes families need.

Comply With Housing Element, Preserve PEGs – The unanimously adopted Housing Element was clear: Priority Equity Geographies have already born the brunt of development displacement, and yet the mayor included PEG neighborhoods into his new map. This is not what the Board adopted and approved, with support from community. I support Supervisor Chyanne Chen's proposed amendment to protect the PEGs as previously adopted.

Preserve Our Cultural & Historic Assets – We can build the housing we need without destroying San Francisco's cultural and historic assets. I support Supervisor Connie Chan's amendment to protect historic resources in this plan.

Build the Affordable Housing We Need – The mayor has proposed selling off 27+ public sites, which are critical to the construction of the 46,000 units of affordable housing SF is required to build by 2031. I support Supervisor Connie Chan's proposal to create an Affordable Housing Special Use District to maximize our public land for affordable housing.

While we did not elect the anonymous Sacramento bureaucrats at the HCD, we elected you all to be legislators and policy-makers who will advocate for us to the State and do what's best for SF. The mayor claims our hands are tied and we have to let HCD write our laws or we will lose "local control" – if you have to run your emails by HCD officials for approval, it would appear we already have.

Politicians were given a clear mandate from voters this past Election Day – we will support you, when you stand up for us. Don't be the Democrats that bungle another opportunity to fight for real affordable housing for us all – please show some political willpower, moral courage and leadership. Don't let your legacy be making San Francisco a city only for millionaires.

Sincerely,

Xoe Watchman
xoewatchman@gmail.com
2008 BALBOA ST
San Francisco, California 94121

From: Andrew Nelson
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Saturday, November 15, 2025 2:10:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I am writing to urge your support of the combined amendments of Supervisors Connie Chan and Chyanne Chen to Mayor Lurie's Upzoning Plan, specifically:

Don't Demolish Tenant Homes – Over 45,000 renters are at increased risk of displacement as a result of the Plan's increased incentives to demolish tenant-occupied flats in North Beach, Upper Chinatown, Noe Valley, Buena Vista, the Castro, the Sunset, the Marina and the Richmond. SF Planning confirmed in its original plan analysis that we did not need to redevelop rent-controlled homes to meet our unit count goal. I support Supervisor Connie Chan's common-sense amendment to remove all residential flats from the local plan, knowing we don't need to displace hard-working San Franciscans to build the housing we need.

Protect the Public Waterfront – San Francisco once led the nation with thoughtful and sustainable planning that kept our public coast and bay waterfronts safe from overdevelopment. I support Supervisor Connie Chan's proposed amendment to remove the coastal and waterfront parcels that would be exposed to Trumpian privatization and luxury development. We are not Mar-a-Lago!

Build Real Family-Sized Housing – The mayor's Plan currently has no mandatory unit requirements, but rather offers 2-bedroom units as an "option" for developers. I support Supervisor Connie Chan's proposed amendment to the new density decontrol provisions the mayor put into the plan this year, which incentivize more $4000/month "microunits" – instead of the 2- and 3-bedroom homes families need.

Comply With Housing Element, Preserve PEGs – The unanimously adopted Housing Element was clear: Priority Equity Geographies have already born the brunt of development displacement, and yet the mayor included PEG neighborhoods into his new map. This is not what the Board adopted and approved, with support from community. I support Supervisor Chyanne Chen's proposed amendment to protect the PEGs as previously adopted.

Preserve Our Cultural & Historic Assets – We can build the housing we need without destroying San Francisco's cultural and historic assets. I support Supervisor Connie Chan's amendment to protect historic resources in this plan.

Build the Affordable Housing We Need – The mayor has proposed selling off 27+ public sites, which are critical to the construction of the 46,000 units of affordable housing SF is required to build by 2031. I support Supervisor Connie Chan's proposal to create an Affordable Housing Special Use District to maximize our public land for affordable housing.

While we did not elect the anonymous Sacramento bureaucrats at the HCD, we elected you all to be legislators and policy-makers who will advocate for us to the State and do what's best for SF. The mayor claims our hands are tied and we have to let HCD write our laws or we will lose "local control" – if you have to run your emails by HCD officials for approval, it would appear we already have.

Politicians were given a clear mandate from voters this past Election Day – we will support you, when you stand up for us. Don't be the Democrats that bungle another opportunity to fight for real affordable housing for us all – please show some political willpower, moral courage and leadership. Don't let your legacy be making San Francisco a city only for millionaires.

On a personal note, as residents of North Beach for almost two decades and recent small business owners in the neighborhood, the lack of protections for rent controlled units and small businesses in the mayor's big beautiful family zoning plan keeps my wife and I awake at night. As poets in one of the most important neighborhoods for art and poetry in the world, we will not accept any vision of our neighborhood that prioritizes the financial gain of a few real estate developers over the centuries of culture created by the artists & poets who have made our neighborhood so desirable to developers in the first place.

Sincerely,

Andrew Paul Nelson & Caitlyn Sky Wild
Owner/operators of Golden Sardine
362 Columbus Ave.

Andrew Nelson
afishwithfrogseyes@gmail.com
362 Columbus Ave
San Francisco, California 94133

From: joanneshanahan135@everyactioncustom.com on behalf of joanne shanahan
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Saturday, November 15, 2025 1:38:54 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a 4th generation San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and will permanently change the whole feel out our neighborhoods. The one thing k I e always loved about SF is all the totally different neighborhoods we have. You can choose single family houses or downtown vibes.

We ask on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent.

I realize the need for more housing but is building high rises in neighborhoods where there isnt any the right thing to do? I think a scaled back version would better suit the city I live.
Thank you.

Sincerely,
joanne shanahan
San Francisco, CA 94116

From: Madhuri Mudaliar
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Saturday, November 15, 2025 1:18:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I am writing to urge your support of the combined amendments of Supervisors Connie Chan and Chyanne Chen to Mayor Lurie's Upzoning Plan, specifically:

Don't Demolish Tenant Homes – Over 45,000 renters are at increased risk of displacement as a result of the Plan's increased incentives to demolish tenant-occupied flats in North Beach, Upper Chinatown, Noe Valley, Buena Vista, the Castro, the Sunset, the Marina and the Richmond. SF Planning confirmed in its original plan analysis that we did not need to redevelop rent-controlled homes to meet our unit count goal. I support Supervisor Connie Chan's common-sense amendment to remove all residential flats from the local plan, knowing we don't need to displace hard-working San Franciscans to build the housing we need.

Protect the Public Waterfront – San Francisco once led the nation with thoughtful and sustainable planning that kept our public coast and bay waterfronts safe from overdevelopment. I support Supervisor Connie Chan's proposed amendment to remove the coastal and waterfront parcels that would be exposed to Trumpian privatization and luxury development. We are not Mar-a-Lago!

Build Real Family-Sized Housing – The mayor's Plan currently has no mandatory unit requirements, but rather offers 2-bedroom units as an "option" for developers. I support Supervisor Connie Chan's proposed amendment to the new density decontrol provisions the mayor put into the plan this year, which incentivize more $4000/month "microunits" – instead of the 2- and 3-bedroom homes families need.

Comply With Housing Element, Preserve PEGs – The unanimously adopted Housing Element was clear: Priority Equity Geographies have already born the brunt of development displacement, and yet the mayor included PEG neighborhoods into his new map. This is not what the Board adopted and approved, with support from community. I support Supervisor Chyanne Chen's proposed amendment to protect the PEGs as previously adopted.

Preserve Our Cultural & Historic Assets – We can build the housing we need without destroying San Francisco's cultural and historic assets. I support Supervisor Connie Chan's amendment to protect historic resources in this plan.

Build the Affordable Housing We Need – The mayor has proposed selling off 27+ public sites, which are critical to the construction of the 46,000 units of affordable housing SF is required to build by 2031. I support Supervisor Connie Chan's proposal to create an Affordable Housing Special Use District to maximize our public land for affordable housing.

While we did not elect the anonymous Sacramento bureaucrats at the HCD, we elected you all to be legislators and policy-makers who will advocate for us to the State and do what's best for SF. The mayor claims our hands are tied and we have to let HCD write our laws or we will lose "local control" – if you have to run your emails by HCD officials for approval, it would appear we already have.

Politicians were given a clear mandate from voters this past Election Day – we will support you, when you stand up for us. Don't be the Democrats that bungle another opportunity to fight for real affordable housing for us all – please show some political willpower, moral courage and leadership. Don't let your legacy be making San Francisco a city only for millionaires.

Sincerely,

Madhuri Mudaliar
mmmudaliar1998@gmail.com
2951 Bush Street
San Francisco , California 94115

From: Sultan Mirza
To: Board of Supervisors (BOS)
Subject: Please Retain the 40 Foot Height Limit on our ALLEYS - Russian Hill
Date: Saturday, November 15, 2025 11:34:48 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning,

Please Retain the 40 Foot Height Limit on our ALLEYS in historic Russian Hill.

If you allow Six Stories, then Prohibit On Street Parking for new Alley construction.

Thank you,

Sultan Mirza
1218 Green St, San Francisco, CA 94109

From: Ciara Keegan
To: BOS-Supervisors
Subject: Lurie's Redevelopment Plan Must Be Significantly Amended - We Deserve Real Affordability!
Date: Saturday, November 15, 2025 10:32:11 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Members of the Board of Supervisors,

I am writing to urge your support of the combined amendments of Supervisors Connie Chan and Chyanne Chen to Mayor Lurie's Upzoning Plan, specifically:

Don't Demolish Tenant Homes – Over 45,000 renters are at increased risk of displacement as a result of the Plan's increased incentives to demolish tenant-occupied flats in North Beach, Upper Chinatown, Noe Valley, Buena Vista, the Castro, the Sunset, the Marina and the Richmond. SF Planning confirmed in its original plan analysis that we did not need to redevelop rent-controlled homes to meet our unit count goal. I support Supervisor Connie Chan's common-sense amendment to remove all residential flats from the local plan, knowing we don't need to displace hard-working San Franciscans to build the housing we need.

Protect the Public Waterfront – San Francisco once led the nation with thoughtful and sustainable planning that kept our public coast and bay waterfronts safe from overdevelopment. I support Supervisor Connie Chan's proposed amendment to remove the coastal and waterfront parcels that would be exposed to Trumpian privatization and luxury development. We are not Mar-a-Lago!

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Comply With Housing Element, Preserve PEGs – The unanimously adopted Housing Element was clear: Priority Equity Geographies have already born the brunt of development displacement, and yet the mayor included PEG neighborhoods into his new map. This is not what the Board adopted and approved, with support from community. I support Supervisor Chyanne Chen's proposed amendment to protect the PEGs as previously adopted.

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Build the Affordable Housing We Need – The mayor has proposed selling off 27+ public sites, which are critical to the construction of the 46,000 units of affordable housing SF is required to build by 2031. I support Supervisor Connie Chan's proposal to create an Affordable Housing Special Use District to maximize our public land for affordable housing.

While we did not elect the anonymous Sacramento bureaucrats at the HCD, we elected you all to be legislators and policy-makers who will advocate for us to the State and do what's best for SF. The mayor claims our hands are tied and we have to let HCD write our laws or we will lose "local control" – if you have to run your emails by HCD officials for approval, it would appear we already have.

Politicians were given a clear mandate from voters this past Election Day – we will support you, when you stand up for us. Don't be the Democrats that bungle another opportunity to fight for real affordable housing for us all – please show some political willpower, moral courage and leadership. Don't let your legacy be making San Francisco a city only for millionaires.

Sincerely,

Ciara Keegan
ciaraksf@gmail.com
4225 23rd Street
San Francisco, California 94114

From:	terrencemchugh@everyactioncustom.com on behalf of Terry McHugh
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:30:58 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments: With all the building that has already been approved and in the system, why are we in such a hurry to completely change Dist 4 and parts of Dist 7. People out here paid and are paying to be similar to what it is now. No one wants towers (remember The Pink Palace and Geneva Towers), views blocked, shadows in backyards and all new buildings with no parking.

Sincerely,
Terry McHugh
San Francisco, CA 94116

From: bettymillermd@everyactioncustom.com on behalf of Betty miller Kolotkin
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 11:28:41 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Betty miller Kolotkin

From:	frankblanket@everyactioncustom.com on behalf of Derrick Scocchera
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:25:22 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

No one who lives in this city wants to spend the next decade or more living in a construction zone with constant noise, pollution, and disruption. All to benefit a few already obscenely wealthy developers, who have proven time and again that they have no interest in affordable housing or the history of this great city. As a 33 year resident of San Francisco, I feel that San Franciscans deserve transparent and accountable planning.

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

Sincerely,
Derrick Scocchera
San Francisco, CA 94133

From:	nayrbgo@everyactioncustom.com on behalf of Bryan Sanders
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:23:05 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Bryan Sanders

From: natashjadewolf@everyactioncustom.com on behalf of Natashja Dewolfe
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 11:21:59 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Natashja Dewolfe
San Francisco, CA 94122

From:	DMacDonald@everyactioncustom.com on behalf of Donald MacDonald
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:20:43 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
I live in Pacific Heights and am very concerned about the current blanket approach to upzoning across the city. Specifically the provisions in the current plan to make every corner buildable to 65 feet. I foresee this provision having severely negative, unintended speculative consequences that not only destroy neighborhood character but also adjacent property values. This provision is going to upset everyone!! Another provision which will precipitate highly negative, unintended speculative consequences is increasing the buildable height to 65 feet for the Marina Safeway lot. The Marina Safeway is the only major grocery store with parking for the neighborhood. If this store were to close for redevelopment due to the increased allowable buildable height, the neighborhood would suffer a major amenity loss for which the neighborhood would bear a high, long-term cost and loss of value. Thank you for your consideration of these points of major concern.

Sincerely,
Donald MacDonald
San Francisco, CA 94123

From: kathygee606@everyactioncustom.com on behalf of Kathleen Gee
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 11:18:05 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
Please let the unlicensed understand where and why each supervisor stands on this critical issue

Sincerely,
Kathleen Gee
San Francisco, CA 94118

From:	sflronline@everyactioncustom.com on behalf of Herbert F Mintz II
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:17:07 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly. This is not right!

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands. Don't let those critical amendments die in committee!

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance. Don't let the HCD hide in the shadows!

San Franciscans deserve transparency and accountable planning.

I have spoken before this BOS committee about the fact that the City's Emergency Firefighting Water System infrastructure does not extend much into its western and southern neighborhoods. That is definitely a public safety issue that needs to be addressed. I still think this issue deserves a hearing before the full BOS.

However, right now give the Chan and Chen amendments the public debate they deserve!

Sincerely,
Herbert F Mintz II
San Francisco, CA 94116

From:	llakkis@everyactioncustom.com on behalf of Lisa Lakkis
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:10:45 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
Blanket up-zoning has never been shown to be an effective means to solve housing shortages. San Francisco is a very beautiful, special city that should be protected and our supervisors and city officials should be fighting to protect it, not signing legislation to destroy it. 14 story buildings have no place being built on streets like Jackson, Broadway, and Pacific. My husband and I have recently relocated from Pittsburgh, PA and are living in a 7 story building on Jackson between Franklin and Gough. A 14 story building would be completely out of place in this neighborhood and would increase traffic, which is already too much and too fast in our residential neighborhood. There are no guarantees in your plan that would even require developers to build so-called "family housing" Random upzoning in inappropriate areas will not help. And to call this a transit corridor is ridiculous. It takes my husband 40 minutes to get to the Caltrain from here every morning. Anyone who thinks we should have 14 story buildings in our neighborhood or that is a transit corridor is not familiar enough with this neighborhood to make these momentous descisions.

Sincerely,
Lisa Lakkis
San Francisco, CA 94109

From:	cyssf2003@everyactioncustom.com on behalf of Christina Shih
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:09:40 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

My addition to this email: I was active in the Engardio recall because his actions severely damaged the quality of life for the western side of SF by the closure of the Great Highway and his obvious allegiance to the anti-car activitists/tech money instead of his constituents. The so called Family Zoning plan is anything BUT a "family" plan with the upzoning that allows the demolition of single family homes, rent controlled units, and small business units. The amendments to limit the PERMANENT potential damage upzoning the "Family" zoning will allow must be included and even more amendments to protect historic buildings, green spaces, views.

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Christina Shih
San Francisco, CA 94121

From:	katmacdphoto@everyactioncustom.com on behalf of Kathryn MacDonald
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:08:40 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Kathryn MacDonald
San Francisco, CA 94116

From: sbackman@everyactioncustom.com on behalf of Susan Backman
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 11:08:35 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Susan Backman
San Francisco, CA 94118

From:	bilgepump100@everyactioncustom.com on behalf of Robert Hall
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:06:39 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Robert Hall
San Francisco, CA 94117

From:	breall@everyactioncustom.com on behalf of Sophie Breall
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:04:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

I'm a long time home owner in Balboa Terrace. While I appreciate the need for more housing, I want height limitations and input into design. Don't make this into Richmond Specials that are hideous and falling apart.

Sincerely,
Sophie Breall
San Francisco, CA 94127

From:	susanmackowski@everyactioncustom.com on behalf of Susan Mackowski
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:04:41 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Susan Mackowski
San Francisco, CA 94133

From:	inor@everyactioncustom.com on behalf of R. Zierikzee
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 11:00:49 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Please don't block the amendments. This is a public issue. We want and need HCD to attend these upzoning meetings. Many seniors like myself are struggling just to survive in our current housing. If we were to lose it to upzoning we would become homeless and die. Please have mercy. Thank you.

Sincerely,
R. Zierikzee
San Francisco, CA 94118

From:	aebrooke98@everyactioncustom.com on behalf of Audrey Brooke
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:59:36 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

I am a lifelong resident of san francisco and I hold dear the communities in our city. I do not want to see the zoning laws changed in the city as it will obviously result in demolishing of buildings, displacing residents and business and raising housing prices. Please consider these common sense amendments to protect the city we love.

Sincerely,
Audrey Brooke
San Francisco, CA 94133

From:	uluusurf@everyactioncustom.com on behalf of BRETT GOBAR
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:59:26 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
BRETT GOBAR
Encinitas, CA 92024

From: noguera@everyactioncustom.com on behalf of Hatun Noguera
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:44:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Hatun Noguera
San Francisco, CA 94127

From:	larry@everyactioncustom.com on behalf of Larry Habegger
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:40:28 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I cannot make it to the hearing today, but I strongly support the amendments put forward by these two supervisors. Please add them to the resolution to create a more fair housing plan.

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Larry Habegger
San Francisco, CA 94133

From:	acxavier@everyactioncustom.com on behalf of Alice Xavier
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:40:04 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Dear Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Sincerely,
Alice Xavier
San Francisco, CA 94122

From: antenored@everyactioncustom.com on behalf of Dennis antenore
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 10:39:26 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Dennis antenore
San Francisco, CA 94122

From:	tesw@everyactioncustom.com on behalf of Tes Welborn
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 17, 2025 10:36:44 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

I have heard for years that HCD/ABAG/etc. require San Francisco approve some 80,000 new housing units. Yet the state refuses to fund this mandate. And San Francisco has had a declining population for years. So, where is the pressure coming from?? I suspect the real estate industry. San Francisco's Planning Committee should hold a public meeting with HCD to explain their demands and who benefits.

Certainly the small businesses do not - and they are the job creators in San Francisco, not big corporations.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

I have heard for years that HCD/ABAG/etc. require San Francisco approve some 80,000 new housing units. Yet the state refuses to fund this mandate. And San Francisco has had a declining population for years. So, where is the pressure coming from?? I suspect the real estate industry. San Francisco's Planning Committee should hold a public meeting with HCD to explain their demands.

Sincerely,
Tes Welborn
San Francisco, CA 94117

From:	evajfortune@everyactioncustom.com on behalf of Janice Altobelli
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:34:10 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
Housing that is affordable, below market rate is what is needed,not housing for the rich . We need to maintain residential & commercial property which is already housing & serving the San Francisco residents that currently live & work here. The people of San Francisco absolutely need to have a voice in this what appears to be a land grab which will forever change the city we care for. This has been my neighborhood for over 30 years. Housing & improving the City is wonderful but the ideas that we've been able to see & perhaps will not continue to see seem hasty & Ill conceived. Go back to the drawing board , listen & implement the amendments Supervisor Chan & Chen have proposed & keep meetings with HCD Public . Common sense & careful planning is what we need . This is a city for people if all economic levels, don't shut out the average folks . We live in a city that celebrates diversity, let's maintain that in housing & businesses.. San Francisco is not a playground for the rich.Its for all of us.

Sincerely,
Janice Altobelli
San Francisco, CA 94121

From:	georgesery@everyactioncustom.com on behalf of George Sery
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:33:53 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
George Sery

From:	rogerh104@everyactioncustom.com on behalf of Roger Hansen
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:33:22 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Roger Hansen
San Francisco, CA 94109

From: molliespack@everyactioncustom.com on behalf of Leslie Wong
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:31:36 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a born and raised San Franciscan, living in District 1 for 60 years. I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional): our city is unique and the current upzonIng plan paved a way to destroying the history, charm and character of our smaller neighborhoods. There are other ways to provide more affordable housing; this will not provide for such. It may increase inventory of new, shiny residences that are not affordable to the working class, eliminate mom and pop businesses, eliminate affordable rentals, and destroy the community and character of our beloved city.

Sincerely,
Leslie Wong
San Francisco, CA 94121

From:	Judi Gorski
To:	Carroll, John (BOS); Melgar, Myrna (BOS); MandelmanStaff (BOS); ChenStaff
Cc:	Board of Supervisors (BOS); Lurie, Daniel (MYR)
Subject:	Land Use and Transportation Meeting, 11/17/25, 1:30 pm - Take No Action on Upzoning Until D4 Has Representation
Date:	Monday, November 17, 2025 10:30:48 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: myrna.melgar@sfgov.org
Chenstaff@sfgov.org
Mandelmanstaff@sfgov.org
John.Carroll@sfgov.org

Cc: Board of Supervisors
daniel.lurie@sfgov.org

From: Judi Gorski, D4 Resident
judigorski@gmail.com

Date: November 17, 2025

Re: Land Use and Transportation Meeting, 11/17/25, 1:30 pm - Take No Action on Upzoning Until D4 Has Representation

Dear Supervisors Melgar, Chen and Mandelman:

This is a request that you please postpone discussing and amending the Family Housing Plan and reschedule it to after the Mayor has appointed a Supervisor for District 4 and after District 4 constituents have had time to meet with their new Supervisor. District 4 wants to be a part of discussions concerning the Housing Plan and suggest amendments to it, but we do not have a representative to speak for us in City Hall yet. Please seriously consider postponing this to a later date. Thank you.

Sincerely,
Judi Gorski
District 4 Resident

From: victoria.giampaoli@everyactioncustom.com on behalf of Victoria Giampaoli
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:27:18 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Please stop this upzoning it's a horrible idea and ruins the charm of this city. Do not go over 3- 4 stories—- we don't want this place to look like NY. There are tons of vacant buildings and many other areas of the city that this would not affect. Thank for your time.

Sincerely,
Victoria Giampaoli
San Francisco, CA 94123

From:	merlegoldstone2@everyactioncustom.com on behalf of Merle Goldstone
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:26:36 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Merle Goldstone
San Francisco, CA 94133

From:	nhf009@everyactioncustom.com on behalf of Nancy Fee
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:24:31 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning. Let’s protect and preserve what we all love about San Francisco and work together openly and with common sense to meet our actual and projected needs for affordable housing,

Additional comments:

Sincerely,
Nancy Fee

From:	scarampi@everyactioncustom.com on behalf of Sebastiano Scarampi
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 17, 2025 10:23:45 AM

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Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Sebastiano Scarampi
San Francisco, CA 94115

From:	scarampi@everyactioncustom.com on behalf of Sebastiano Scarampi
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 17, 2025 10:23:30 AM

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Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

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Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Sebastiano Scarampi
San Francisco, CA 94115

From: dmscott01@everyactioncustom.com on behalf of Diana Scott
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:23:13 AM

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Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress. STOP DESTROYING OUR NEIGHBORHOOD! There are already sufficient units in the pipeline to satisfy state requirements, it's been shown - so move what's been approved, don't destroy and displace to satisfy greed.

ADDITIONAL COMMENTS (optional):

Sincerely,
Diana Scott
San Francisco, CA 94116

From:	gb_andrews@everyactioncustom.com on behalf of Gandhia Andrews
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:22:22 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountability.

Sup. Melgar, do not block these amendments, please. This is the moment for you to prove you are as you declare, for the middle class and small businesses. Do not give in to the greed of developers and realtors.

Sincerely,
Gandhia Andrews
San Francisco, CA 94132

From:	margaret@everyactioncustom.com on behalf of Margaret Bradley-Foley
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:21:39 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Margaret Bradley-Foley
San Francisco, CA 94123

From:	janrobbins7@everyactioncustom.com on behalf of Jan Robbins
To:	Board of Supervisors (BOS)
Subject:	Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date:	Monday, November 17, 2025 10:21:28 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor’s upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie’s upzoning maps would impose permanent, irreversible changes to San Francisco’s land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS (optional):

Sincerely,
Jan Robbins

From:	erikafrick111@everyactioncustom.com on behalf of Erika Frick
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:21:23 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a Nob Hill resident of over 25 years, I am extremely concerned about supervisors going along with upzoning that ruins the beauty of our City, creates condos very few people will ever be able to afford, and ignores common sense approaches like converting vacant office spaces. As well, all rent controlled housing should be preserved.

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Erika Frick
San Francisco, CA 94108

From:	janrobbins7@everyactioncustom.com on behalf of Jan Robbins
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:20:49 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Jan Robbins

From: diana.giampaoli@everyactioncustom.com on behalf of diana giampaoli
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:20:43 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress.

ADDITIONAL COMMENTS please take into consideration all the empty buildings that could be retrofitted for housing. If you need to build only 4 stories. We are not NY. Quit making these developers your friends richer. This won't house the homeless or low income.

Sincerely,
diana giampaoli
San Francisco, CA 94123

From: acxavier@everyactioncustom.com on behalf of Alice Xavier
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:20:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Dear Mayor Lurie,

As a San Franciscan in D7, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Your upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement !

Sincerely,
Alice Xavier
San Francisco, CA 94122

From:	erin.dress@everyactioncustom.com on behalf of Erin Dress
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:20:34 AM

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Dear Board of Supervisors,

I'm hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Please bring greater transparency to this process so people know what is happening with these changes.

Sincerely,
Erin Dress
San Francisco, CA 94121

From: koelsch1886@everyactioncustom.com on behalf of Leslie Koelsch
To: Board of Supervisors (BOS)
Subject: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date: Monday, November 17, 2025 10:19:29 AM

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Dear Board of Supervisors,

We’re hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won’t invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Leslie Koelsch

From:	bette_stockton@everyactioncustom.com on behalf of Bette Stockton
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:19:24 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

My husband and I have been residents of North Beach since 1970 and homeowners on Chestnut St. since 1991. These drastic changes to our neighborhood and other areas of San Francisco will not accomplish the most pressing needs - affordable housing and protection for long term residents under rent control. We are not against building but what is proposed so far is not in the City's best interests. We need accountable planning that is transparent.

Sincerely,
Bette Stockton
San Francisco, CA 94133

From:	dmscott01@everyactioncustom.com on behalf of Diana Scott
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:18:21 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments: The West Side has become a political target for political ambitions - and blocking sensible amendments further insults West Side residents (who have recalled one supervisor for disregarding their input). It's time for the BOS and Supervisor Melgar to respect those residents, and stop caving to wealthy corporate interests, aided by those seeking higher political office.

Sincerely,
Diana Scott
San Francisco, CA 94116

From:	mkjanis@everyactioncustom.com on behalf of janis kaempfe
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:17:39 AM

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Dear Board of Supervisors,

As a tenant in District 3 - North Beach I am appalled at this threat to myself and other tenants for continuing to live our apartments. This leaves tenants no recourse to remain in their rent controlled apartments, pushes to demolish buildings and replace them with buildings that only upper income residents can afford and the destruction of small businesses that are the life of our community. This is a move to force middle and lower income residents out of San Francisco!

You must vote against amendments that won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
janis kaempfe
San Francisco, CA 94133

From: hedarobi5@everyactioncustom.com on behalf of David Davies
To: Board of Supervisors (BOS)
Subject: Protect Our Neighborhoods — Reject Extreme Upzoning [Files: 250700, 250701, 250966]
Date: Monday, November 17, 2025 10:17:29 AM

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Dear Board of Supervisors,

As a San Franciscan, I strongly oppose Mayor Lurie's plan, which incentivizes the demolition of existing homes, displacement of renters and small businesses, and transformation of our neighborhoods into unaffordable luxury high-rise corridors.

We call on you to:

- Drastically scale back the Mayor's upzoning maps
- Request a postponement of the arbitrary January 2026 upzoning deadline

Mayor Lurie's upzoning maps would impose permanent, irreversible changes to San Francisco's land use — going far beyond what is required, with zero affordability guarantees.

Together, these plans clear the way for mass demolition and luxury towers, prioritizing the interests of developers and billionaire investors while silencing the voices of the very communities they are supposed to represent. This is not planning — it is displacement disguised as progress

Thank you for hearing me. Thank you for your work. Please fight for low-income people. Please retain the diversity of San Francisco and keep the integrity of our neighborhoods.

Sincerely,
David Davies
San Francisco, CA 94116

From:	cdamkroger@everyactioncustom.com on behalf of Courtney Damkroger
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:17:29 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning. Support a democratic process!

Additional comments:

Sincerely,
Courtney Damkroger
San Francisco, CA 94109

From:	randymazzei@everyactioncustom.com on behalf of Randall Mazzei
To:	Board of Supervisors (BOS)
Subject:	Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:16:58 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:

Sincerely,
Randall Mazzei
San Francisco, CA 94116

From:	jennkroot@everyactioncustom.com on behalf of Jennifer Kroot
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:16:34 AM

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Dear Board of Supervisors,

We're hearing that Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

The Land Use Committee must advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparency and accountable planning.

Additional comments:
PLEASE DON'T DEMOLISH SF, PRETENDING THAT IT WILL HELP ANYONE BUT DEVELOPERS AND POLITICIANS BACKED BY THEM.
I'm so angry about the power of the developers and real estate interests backing neo lib politicians and creating the mythology that building taller and denser will help unhoused folks and working class people. I know that you are aware that there are over 10k empty units right now and that Airbnb has taken thousands of units as well as the fact that there are tons of empty buildings throughout downtown that could be turned into housing.
Without the Chan/Chen amendments, your plan will displace more low income people. You are only helping developers and people who have the money to get 2nd homes (many of these new units end up being investment property and second homes and so many of them remain empty!!!!!). I'm sure you know this already.
I have a lot more that I'd like to say, but I doubt that you've even read what I've written here.
By the way, I'm a bay area native.

Sincerely,
Jennifer Kroot
San Francisco, CA 94117

From:	liberthson@everyactioncustom.com on behalf of Dan Liberthson
To:	Board of Supervisors (BOS)
Subject:	Approve Chan"s Amendments & Insist on HCD Participation [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Monday, November 17, 2025 10:16:23 AM

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Dear Board of Supervisors,

Apparently, Supervisor Melgar plans to block the Chan and Chen amendments and won't invite HCD, the state oversight agency, to answer questions publicly.

It is important that the Land Use Committee advance Chan and Chen's compliant amendments to the full Board so the public can see where every Supervisor stands.

HCD leadership should appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

It is vitally important for the livability of our city that tenants and sound structures be protected. SF should be SF, not Manhattan, which it could become in part if the State's housing mandates are allowed to go forward without reasonable assessment and restraints. San Franciscans deserve transparency and accountable planning.

Sincerely,
Dan Liberthson
San Francisco, CA 94127