

From: [Thomas Schuttish](#)
To: [Major, Erica \(BOS\)](#)
Cc: [Bintliff, Jacob \(BOS\)](#); [Lovett, Li \(BOS\)](#); [Low, Jen \(BOS\)](#); [Jennifer Fieber](#); [Hepner, Lee \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#)
Subject: LUT April 25th Item No. 3 (Board File No.210866); Item No. 4 (Board File No. 211202); and Item No. 5 (Board File No. 211234)
Date: Saturday, April 23, 2022 5:09:08 PM

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*Dear Ms. Major:
Good morning. Here are my email comments for the members of the LUT.
Thank you and take care.
Georgia Schuttish*

Dear Supervisors Melgar, Preston and Peskin:

Here are my comments for the three Ordinances that are on your Agenda for Monday, April 25, 2022:

1. Please vote all three Ordinances out of the LUT to the full Board in order to have a robust debate.
2. At your Monday meeting, please discuss Supervisor Peskin's suggestion to upzone the entire RH-1 to RH-2.
[Which would be RH-2, RH-2(D) and RH-2(S)].
3. At your Monday meeting, please discuss Commissioner Fung's suggestion from when the Mandelman Ordinance was heard and approved last year at the Planning Commission to upzone only the corner lots to allow up to six units. This has great merit in terms of a range of unit size and most importantly in terms of egress issues, both for windows and entrances/exits .
4. At your Monday meeting, please discuss Supervisor Mar's Ordinance in the context of protecting existing owners as well as expanding ownership. At the Informational Hearing on October 21, 2021 on SB 9 (Case No. 2018-016522 CWP) Planning Staff members, Ms. Nickolopoulos and Ms. Conner presented an "Executive Summary".

Below is an annotated "cut and paste" from page 14 of their "Executive Summary". Page 14 raises many important issues. However my question is how can lower income property owners be protected from the need to "cash out" due to the increased development pressures from SB 9 and predatory speculators?

This is a drawback with SB 9 as stated by the two Planners in their "Executive Summary".

And there may even be these same development pressures on San Francisco residents, our neighbors, with the proposed local versions.

This issue needs discussion and attention. I have not heard any further discussion of it by either the Planning Commission or the Board since Ms. Nickolopoulos and Ms. Conner raised it in their Executive Summary last October. I also included the link to their entire Executive Summary as I don't think it is in the Board packets.

Thank you.
Sincerely,
Georgia Schuttish

Executive Summary CASE NO. 2018-016522CWP Hearing Date: October 21, 2021

Since 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.

Additional Considerations

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.

https://commissions.sfplanning.org/cpcpackets/2018-016522CWP_102121.pdf