



SAN FRANCISCO PLANNING DEPARTMENT

To: Honorable San Francisco Board of Supervisors,
Angela Calvillo, Clerk of the Board

Date: February 17, 2011

Re: File 110009, Amending Area Plan Fee Waiver Criteria for Affordable
Housing--Commission Completed Review Without Recommendation

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This memorandum concerns the referral of Board File Number File 110009, Amending Area Plan Fee Waiver Criteria for Affordable Housing. This proposed Ordinance would amend Section 406 of the San Francisco Planning Code and has been considered by the Planning Commission in full as part of a larger Ordinance which also amended Sections 420.1-420.5 of the San Francisco Planning Code, as such the Commission declines hearing the matter again.

The proposed changes contained in Board File Number File 110009 were considered by the Planning Commission on December 9, 2010, as part of a proposed Ordinance to amend to the Visitacion Valley Community Facilities and Infrastructure Fee and Fund (Board File No. 101247). At that time, the Planning Department recommended that the legislation be approved as proposed. On December 9, 2010, the Planning Commission voted to continue the item until February 3rd, 2011, with a respectful recommendation that Supervisor Maxwell continue working with all parties on the issue of fees.

Subsequently, the Board Land Use Committee heard said Board File No. 101247 without waiting for the Planning Commission action. At the December 13, 2010 Land Use Committee meeting, the file was amended to remove the proposed changes to Section 406, due to public noticing requirements. This file which, as amended, only pertained to Sections 420.1-420.5 of the Planning Code was approved on final read by the Board of Supervisors on January 4, 2011. On January 7, 2011 Mayor Gavin Newsom signed the legislation into law as Ordinance Number 3-11.

On January 4, 2011, Supervisor Maxwell introduced Board File No. 110009. This legislation solely contains the severed piece of 101247 (amendments to Section 406) which was considered and continued by the Planning Commission but could not be considered by the Board due to noticing requirements. The Planning Commission subsequently removed reconsideration of the legislation from the February 3, 2011 hearing agenda.