

BOARD of SUPERVISORS



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MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: July 25, 2023

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 25, 2023

The following file was forwarded as a **COMMITTEE REPORT** to the Board meeting, Tuesday, July 25, 2023. This item was acted upon at the Committee Meeting on Monday, July 24, 2023, at 1:30 p.m., by the votes indicated below.

Item No. 64

File No. 230026

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots in the RH (Residential, House) District, excluding lots located in the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, and exempt eligible projects that do not propose the demolition of any units subject to the rent increase limitations of the Rent Ordinance from conditional use authorizations and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Vote:

Supervisor Myrna Melgar - Aye
Supervisor Dean Preston - Aye
Supervisor Aaron Peskin - Aye

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

Vote:

Supervisor Myrna Melgar - Aye
Supervisor Dean Preston - Aye
Supervisor Aaron Peskin - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney

File No. 230026 Committee Item No. 7
Board Item No. 64

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date July 24, 2023

Board of Supervisors Meeting Date July 25, 2023

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Public Correspondence

OTHER (Use back side if additional space is needed)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Well-Resourced Neighborhoods Map</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral CEQA PC 011723</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral YC 012423</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral YC 052223</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral CEQA PC 052223</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>CEQA Determination 060123</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Hearing Notice 061223</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC Transmittal 060923</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Melgar Comm Rpt Req 071323 Updated</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>COB No Comm Rpt 071823</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Melgar Comm Rpt 072023</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Peskin Proposed Amendments</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Comm Rpt Memo 072423</u>

Completed by: Erica Major Date July 19, 2023

Completed by: Erica Major Date July 25, 2023

[Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District]

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize ~~the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, excluding lots located in the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots~~ in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, and exempt eligible projects that do not propose the demolition of any units subject to the rent increase limitations of the Rent Ordinance from conditional use authorizations; and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of

1 **Planning Code, Section 101.1, and findings of public necessity, convenience, and**
2 **welfare under Planning Code, Section 302.**

3 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
4 **Additions to Codes** are in *single-underline italics Times New Roman font*.
5 **Deletions to Codes** are in *~~strikethrough italics Times New Roman font~~*.
6 **Board amendment additions** are in double-underlined Arial font.
7 **Board amendment deletions** are in ~~strikethrough Arial font~~.
8 **Asterisks (* * * *)** indicate the omission of unchanged Code
9 subsections or parts of tables.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. CEQA and Land Use Findings.

12 (a) The Planning Department has determined that the actions contemplated in this
13 ordinance comply with the California Environmental Quality Act (California Public Resources
14 Code Section 21000 *et seq.*). Said determination is on file with the Clerk of the Board of
15 Supervisors in File No. 230026 and is incorporated herein by reference. The Board affirms
16 this determination.

17 (b) On June 1, 2023, the Planning Commission, in Resolution No. 21327, adopted
18 findings that the actions contemplated in this ordinance are consistent, on balance, with the
19 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
20 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
21 Board of Supervisors in File No. 230026, and is incorporated herein by reference.

22 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
23 amendments will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. 21327, and the Board adopts such reasons as
25 its own. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
No. 230026 and is incorporated herein by reference.

1
2 Section 2. General Findings.

3 (a) California faces a severe crisis of housing affordability and availability, prompting
4 the Legislature to declare, in Section 65589.5 of the Government Code, that the state has “a
5 housing supply and affordability crisis of historic proportions. The consequences of failing to
6 effectively and aggressively confront this crisis are hurting millions of Californians, robbing
7 future generations of a chance to call California home, stifling economic opportunities for
8 workers and businesses, worsening poverty and homelessness, and undermining the state’s
9 environmental and climate objectives.”

10 (b) This crisis of housing affordability and availability is particularly severe in San
11 Francisco. It is characterized by dramatic increases in rent and home sale prices over recent
12 years.

13 (c) According to the Planning Department’s 2020 Housing Inventory, the cost of
14 housing in San Francisco has increased dramatically since the Great Recession of 2008-
15 2009, with the median sale price for a two-bedroom house more than tripling from 2011 to
16 2021, from \$493,000 to \$1,580,000. This includes a 9% increase from 2019 to 2020 alone,
17 even in the face of the COVID-19 pandemic. The median rental price for a two-bedroom
18 apartment saw similar although slightly smaller increases, nearly doubling from \$2,570 to
19 \$4,500 per month, from 2011 to 2019, before declining in 2020 due to the pandemic.

20 (d) These housing cost trends come after decades of underproduction of housing in
21 the Bay Area. The City’s Chief Economist has estimated that approximately 5,000 new
22 market-rate housing units per year would be required to keep housing prices in San Francisco
23 constant with the general rate of inflation. To this end, the City’s COVID-19 Economic
24 Recovery Task Force included a recommendation in its October 2020 report to support
25

1 construction of small multifamily buildings in low density areas to support “missing middle”
2 housing opportunities.

3 (e) Moreover, San Francisco will be challenged to meet increased Regional Housing
4 Needs Allocation (“RHNA”) goals in the 2023-2031 Housing Element cycle, which total 82,069
5 units over eight years, more than 2.5 times the goal of the previous eight-year cycle. Of those
6 units, 46,598 units must be affordable to extremely-low, very-low, low-, and moderate-income
7 households. At the same time, relatively new State laws like Senate Bill 35 (2017) would limit
8 San Francisco’s local zoning control and discretion if the City does not meet these RHNA
9 housing production goals.

10 (f) San Francisco’s new housing production in recent years has been heavily
11 concentrated in the eastern and southeastern parts of the City, with 90% of all new housing
12 produced in just ten eastside and central neighborhoods, according to the 2019 Housing
13 Affordability Strategies Report. These neighborhoods are home to many of the City’s most
14 established communities of color and communities most vulnerable to displacement
15 pressures.

16 (g) The California Fair Housing Task Force annually updates the Tax Credit Allocation
17 Committee/Department of Housing and Community Development Opportunity Map
18 (“TCAC/HCD Opportunity Map”). The TCAC/HCD Opportunity Map identifies high-resource
19 and highest-resource areas in the state whose concentration of resources have been shown
20 to support positive economic, educational, and health outcomes for low-income families —
21 particularly long-term outcomes for children. The ~~2020~~2021 TCAC/HCD Opportunity Map is
22 the basis for the Well-Resourced Neighborhoods Map in the 2023-2031 Housing Element, on
23 file with the Clerk of the Board of Supervisors in File No. 230001. The Well-Resourced
24 Neighborhoods Map is also on file with the Clerk of the Board of Supervisors in File No.
25 ~~_____~~230026 and is incorporated herein by reference.

1 (h) Since 2005, just 10% of all new housing in San Francisco and 10% of new
2 affordable housing in San Francisco has been built in high- and highest-resource
3 neighborhoods, though these areas cover nearly 52% of the residential land in the city. In
4 these high-resource neighborhoods, 65% of the land is limited to one or two units. While
5 these land use and development patterns characterize many western neighborhoods in the
6 City, most residential parcels in northeastern neighborhoods contain multifamily homes of two
7 or more units. Permitting additional units in high-resource areas – where the built
8 environment is primarily comprised of single-family homes – will increase the supply of
9 available housing, including the supply of modestly-sized family units that are more affordable
10 than large, single-family homes.

11 (i) While recent legislation has authorized multi-family homes in these neighborhoods,
12 additional procedural requirements may render them too expensive to deliver. Streamlining
13 and simplifying permit processes will help provide more equitable access to the application
14 process and improve certainty of development outcomes for small multifamily buildings in
15 high- and highest-resource neighborhoods.

16 (j) This ordinance creates the Family Housing Opportunity Special Use District (SUD),
17 whose boundaries are generally coterminous with the Well-Resourced Neighborhoods Map in
18 the 2023-2031 Housing Element. This legislation expands upon and complements recently
19 enacted state legislation, such as SB 9, that aims to promote multifamily housing development
20 in single-family neighborhoods. To this end, the legislation provides project sponsors
21 flexibility to choose from a menu of incentives to fit their project needs – be it relief from
22 procedural requirements like conditional use authorizations, neighborhood notification, and
23 public-initiated discretionary review, relief from development standards like density, or a
24 combination of the two.

1 (k) The Family Housing Opportunity SUD permits development of ~~the greater of up to~~
2 four units ~~or one unit per 1,000 square feet of lot area~~ on an individual parcel in an RH District,
3 provided that the proposed project is not located in the Telegraph Hill - North Beach
4 Residential Special Use District or the North Beach Special Use District. While the
5 boundaries of these SUDs overlap with the boundaries of the Family Housing Opportunity
6 SUD, these areas already contain multifamily housing on most parcels. The proposed project
7 must also comply ~~complies~~ with the heights and bulk specified in the City's Zoning Maps
8 (Height & Bulk Maps HT01 through HT14), in addition to other eligibility criteria detailed in this
9 ordinance. The SUD also permits up to one Group Housing ~~unit~~bedroom per 415 square feet
10 of lot area in RH-1, RH-1(D), and RH-1(S) districts. In those same districts, the SUD permits
11 the greater of up to 12 units or one unit per 1,000 square feet of lot area if the lot is the result
12 of a merger of three lots, or the greater of eight units or one unit per 1,000 square feet of lot
13 area if the lot is the result of a merger of two lots. This ordinance also streamlines approval
14 by exempting certain eligible projects that do not propose the demolition of rent-controlled
15 units from conditional use authorization and neighborhood notification requirements and
16 public-initiated discretionary review hearings in Planning Code Section 311.

17 ~~(l) All parcels affected by this ordinance are considered urban infill sites under~~
18 ~~California Government Code Section 65913(e)(3). This Board therefore declares that this~~
19 ~~ordinance is enacted pursuant to California Government Code Section 65913(e)(3).~~

20 (m) This Board finds that this ordinance is consistent with San Francisco's obligation
21 to affirmatively further fair housing pursuant to California Government Code Section 8899.50,
22 by increasing density for projects that enter into regulatory agreements with the City
23 acknowledging that, in consideration for the density exceptions, the new units shall be subject
24 to local rent control notwithstanding the Costa-Hawkins Rental Housing Act (California Civil
25 Code Section 1954.50 *et seq.*). Increasing density in this manner meaningfully addresses

1 significant disparities in housing needs and access to opportunity. Additionally, this ordinance
2 streamlines the approval process to promote certainty in development outcomes in high- and
3 highest-resource neighborhoods.

4 (am) This Board finds that it is in the public interest to encourage the production of a
5 variety of unit types, sizes, and tenure to accommodate people in different living situations,
6 including a mix of smaller units that can help young adults secure housing and seniors to
7 downsize, and larger units that can help growing or multi-generational families stay
8 adequately housed.

9 (en) This Board recognizes that additional development opportunities may lead to
10 speculative real estate investments that may seek to displace current residents, demolish
11 existing housing stock, build new units, and quickly sell those units. To discourage such
12 speculation, demolition of existing units, and displacement of current residents, particularly in
13 existing multifamily buildings, this ordinance makes the benefit of the streamlining and
14 development incentives available only to persons who have owned their properties for ~~one~~five
15 years prior to the date of their application, if the project contains two or more dwelling units, or
16 one year prior to the date of their application, if the lot contains one or fewer dwelling units or
17 a single-family home with an Unauthorized Unit . These requirements includeing the
18 ownership duration of ~~their~~an Eligible Predecessor, as defined herein, subject to exceptions
19 for multiple ownership structures and vacant buildings described further in the ordinance.

20
21 Section 3. Article 2 of the Planning Code is hereby amended by adding Section
22 249.94, to read as follows:

23
24 **SEC. 249.94. FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT.**
25

1 (a) **Purpose.** To incentivize the development of multifamily housing in the City’s well-
2 resourced neighborhoods, a special use district entitled “Family Housing Opportunity Special Use
3 District” is hereby established.

4 (b) **Boundaries.** The boundaries of the Family Housing Opportunity Special Use District are
5 shown on Special Use District Maps Sheets SU 1, SU 2, SU 3, SU 4, SU 5, SU 6, SU 7, SU 11, SU 12,
6 and SU 13. These boundaries consist generally of the areas designated as high-resource and highest-
7 resource on the Well-Resourced Neighborhoods Map of the 2023-2031 Housing Element.

8 (c) **Eligibility.** An eligible project under this Section 249.94 shall be a project that complies
9 with all the following criteria:

10 (1) is located in an RH District in the Family Housing Opportunity Special Use District,
11 and is not located in the Telegraph Hill - North Beach Residential Special Use District (Section
12 249.49) or the North Beach Special Use District (Section 780.3);

13 (2) is not seeking or receiving approval under the provisions of Planning Code Sections
14 206.3, 206.5, or 206.6;

15 (3) is not located on a parcel resulting from a lot split under California Government
16 Code Section 66411.7;

17 (4) proposes any of the following project types:

18 (A) **Single-Lot Development Project.** The construction on a single lot,
19 including through the alteration of an existing structure, of at least two dwelling units and no more
20 than the maximum number of four dwelling units on a single lot prescribed in subsection
21 (d)(1)(A) of this Section 249.94, inclusive of any existing dwelling units on the site and any
22 Unauthorized Units, as defined in Section 317, occupied by a tenant at any time within the five
23 years preceding application. For a project proposing four dwelling units, the fourth dwelling unit
24 shall be constructed in the rear yard pursuant to subsection (d)(3) of this Section 249.94. If the
25 proposed rear-yard unit does not meet the requirements of subsection (d)(3) of this Section

1 249.94, the project shall be limited to three units. For a project proposing fewer than four
2 dwelling units, up to one unit may be located in the rear yard pursuant to subsection (d)(3) of this
3 Section 249.94.

4 (B) Lot-Merger Development Project in RH-1 Districts. A merger of up to
5 three lots in RH-1, RH-1(D), or RH-1(S) districts and the construction on the resulting lot of at least
6 nine dwelling units and no more than the maximum number of 42 dwelling units prescribed in
7 subsection (d)(1)(B) of this Section 249.94 for a three-lot merger project, or at least six dwelling
8 units and no more than the maximum number of eight dwelling units prescribed in subsection
9 (d)(1)(B) of this Section 249.94 for a two-lot merger project. A project proposing a lot merger shall
10 not be eligible to construct a rear-yard unit pursuant to subsection (d)(3) of this Section 249.94.

11 (C) Group Housing Development Project. A single-lot project pursuant to
12 subsection (c)(4)(A) of this Section 249.94 and a lot-merger project pursuant to subsection (c)(4)(B) of
13 this Section 249.94 may also propose the construction of Group Housing up to the density limits
14 prescribed in subsection (d)(1)(C) of this Section 249.94 for projects located in RH-1, RH-1(D), or
15 RH-1(S) districts. For projects outside of those districts, the group housing density limit shall
16 be the limits or currently otherwise permitted under the Planning Code, whichever is greater. A
17 project shall not propose both dwelling units and Group Housing bedrooms. Projects proposing
18 Group Housing units bedrooms shall not be eligible for condominium subdivision, including but not
19 limited to conversion pursuant to Subdivision Code Section 1396.7.;

20 (5) contains the following bedroom configurations:

21 (A) for single-lot projects under subsection (c)(4)(A) of this Section
22 249.94, at least two dwelling units with two or more bedrooms, unless the project proposes the
23 addition of one dwelling unit to a lot with three existing dwelling units, in which case the
24 required bedroom configurations in this subsection (c)(5)(A) shall not apply;

1 (B) for two-lot merger projects under subsection (c)(4)(B) of this Section
2 249.94, at least two dwelling units with two bedrooms, or at least one dwelling unit with three
3 bedrooms;

4 (C) for three-lot merger projects under subsection (c)(4)(B) of this
5 Section 249.94, at least three dwelling units with two bedrooms, or at least two dwelling units
6 with three bedrooms.

7 (D) The requirements of this subsection (c)(5) may be satisfied by
8 existing dwelling units retained on site. ~~This provision~~ subsection (c)(5) does not apply to
9 projects where all of the units qualify as Group Housing projects;

10 (6) includes more dwelling units than are existing on the site at the time of application.
11 For the purposes of this subsection (c)(6), an Unauthorized Unit, as that term is defined in
12 Planning Code Section 317, shall not be considered an existing dwelling unit. an existing
13 dwelling unit includes an Unauthorized Unit, as defined in Planning Code Section 317, that
14 has been occupied by a tenant at any time within the five years preceding application
15 submittal and also includes an Accessory Dwelling Unit, as defined in Planning Code Section
16 102. In the case of Group Housing, projects utilizing this Section 249.94 shall provide more
17 bedrooms than are existing on the site at the time of application;

18 (7) does not propose the demolition of a building that is:
19 (A) ~~listed as a Contributor to~~ located in an Article 10 Historic Districts;
20 (B) listed as a Landmark under Article 10;
21 (C) located in an Article 11 Conservation District, where the building has a
22 rating of Category I, II, III or IV;

23 (D) listed in or determined eligible for listing in the California Register of
24 Historical Resources individually and/or as a contributor to a historic district; or,
25

1 (E) listed in or determined eligible for listing in the National Register of
2 Historic Places individually and/or as a contributor to a historic district;

3 (8) complies with the Planning Code and any applicable design guidelines, including
4 but not limited to the provisions of this Section 249.94 and does not seek any variances or
5 exceptions from the Planning Code. Notwithstanding the previous sentence, an eligible project
6 shall strive for consistency with the Residential Design Guidelines to the extent feasible;

7 (9) complies with the requirements of Section 66300(d) of the California Government
8 Code, as may be amended from time to time and as are in effect at the time a complete project
9 application is submitted, except as otherwise specified herein, including but not limited to
10 requirements to replace all protected units and to offer existing occupants of any protected units that
11 are lower income households relocation benefits and a right of first refusal for a comparable unit, as
12 those terms are defined therein. Notwithstanding the foregoing sentence, if California
13 Government Code Section 66300 becomes inoperative, the project shall comply with the last
14 operative version of Section 66300 before it became inoperative. This subsection (c)(9) does
15 not modify or supersede any other City requirements related to relocation, including but not
16 limited to the requirements of Chapter 37 of the Administrative Code; and

17 (10) demonstrates the project sponsor certifies under penalty of perjury that at
18 the time of the submittal of their application, the project sponsor has owned the subject lot for a
19 minimum of one five years if the site contains two or more dwelling units, or a minimum of one
20 year if the site contains one or fewer dwelling units prior to the time of the submittal of their
21 application. Notwithstanding the foregoing sentence, a single-family home that contains an
22 Unauthorized Unit shall be subject to the one-year requirement. This ownership requirement
23 in this subsection (c)(10) shall be subject to the following:

24 (A) **Eligible Predecessor.** A property owner who has inherited the subject lot,
25 including any inheritance in or through a trust, from a blood, adoptive, or step family relationship,

1 specifically from either (i) a grandparent, parent, sibling, child, or grandchild, or (ii) the spouse or
2 registered domestic partner of such relations, or (iii) the property owner's spouse or registered
3 domestic partner (each an "Eligible Predecessor"), may add an Eligible Predecessor's duration of
4 ownership of the subject lot to the property owner's duration of ownership of the same lot.

5 (B) **Multiple Ownership.** Whenever property proposed for development is
6 jointly owned, owned as common property, or is otherwise subject to multiple ownership, the
7 durational requirements of this subsection (c)(10) must be satisfied by: (i) the majority ownership,
8 whether represented by stock, membership interest, partnership interest, co-tenancy interest, or
9 otherwise, in the case of projects proposed under subsection (c)(4)(A); or (ii) the majority ownership of
10 each lot to be merged, whether represented by stock, membership interest, partnership interest, co-
11 tenancy interest, or otherwise, in the case of projects proposed under subsection (c)(4)(B).

12 (C) **Vacant or Abandoned Property.** The ownership requirement in this
13 subsection (c)(10) that the project sponsor has owned the subject lot for a minimum of one year
14 prior to the time of the submittal of their application shall not apply if the property has been
15 vacant for one or more years at the time of application, or if the property has been registered as
16 a vacant or abandoned building pursuant to Building Code Section 103A.4 et seq. for at least five
17 years preceding the application submittal if the existing site contains two or more dwelling
18 units, or one year preceding application submittal if the site contains one or fewer dwelling
19 units or a single-family home containing an Unauthorized Unit.; and

20 (D) The requirements of this subsection (c)(10) shall apply regardless of
21 the legal form of ownership of the property, including but not limited to properties owned by a
22 limited liability company.

23 (11) the project sponsor certifies under penalty of perjury that the project does
24 not propose the demolition of:

25 (A) three or more dwelling units that are or were:

1 (i) subject to a recorded covenant, ordinance, or law that restricts
2 rents to levels affordable to persons and families of lower or very low income within the past
3 five years; or

4 (ii) subject to limits on rent increases under the Residential Rent
5 Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) within the past
6 five years; or

7 (iii) rented by lower or very low income households within the past
8 five years; or

9 (B) a dwelling unit occupied by a tenant at the time of application; or

10 (C) a dwelling unit from which a tenant has been evicted under
11 Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) within the past five years or a
12 dwelling unit that has been vacated within the past five years pursuant to a Buyout
13 Agreement, pursuant to the requirements of Administrative Code Section 37.9E, as it may be
14 amended from time to time, regardless of whether the Buyout Agreement was filed and
15 registered with the Rent Board pursuant to Administrative Code Section 37.9E(h).

16 (D) For the purposes of this subsection (c)(11) of Section 249.94, "lower
17 or very low income households" shall have the same meaning as in Government Code
18 Section 66300-; and

19 (12) the project sponsor has conducted one pre-application meeting prior to
20 filing a development application. The Planning Department shall not accept a development
21 application under this Section 249.94 without confirmation that the project sponsor has held at
22 least one pre-application meeting conforming to the requirements of this subsection (c)(12)
23 and any additional procedures established by the Planning Department. The project sponsor
24 shall provide mailed notice of the pre-application meeting to the individuals and neighborhood
25

1 organizations specified in Planning Code Section 333(e)(2)(A) and (C). The Planning
2 Department shall establish additional procedures to administer this subsection (c)(12).

3 **(d) Other Controls.**

4 **(1) Density Exceptions.** Projects that meet the eligibility criteria in subsection (c) of
5 this Section 249.94 are exempt from residential density limits, calculation of which shall not include
6 any Accessory Dwelling Units permitted under Section 207, as follows:

7 **(A) Single-Lot Density Exception.** For projects eligible under subsection
8 (c)(4)(A), the greater of up to four dwelling units per lot or one dwelling unit per 1,000 square feet
9 of lot area are allowable;

10 **(B) Lot-Merger Density Exception.** For projects eligible under subsection
11 (c)(4)(B), the greater of up to twelve dwelling units per lot or one dwelling unit per 1,000 square
12 feet of lot area are allowable, if the lot is the result of a merger of three lots, or the greater of up to
13 eight dwelling units per lot or one dwelling unit per 1,000 square feet of lot area are allowable, if
14 the lot is the result of a merger of two lots;

15 **(C) Group Housing Density Exception.** For both Single-Lot and Lot-Merger
16 Development Projects under subsection (c)(4)(A) or (B), up to one Group Housing unit bedroom per
17 415 square feet of lot area is allowable in RH-1, RH-1(D), and RH-1(S) districts.

18 **(2) Height.** Notwithstanding any other provision of this Code, including but not limited
19 to Section 261(b), the height limit for a project that meets the eligibility criteria in subsection (c) of this
20 Section 249.94 shall be 40 feet, if 40 feet is authorized by the Height Map of the Zoning Map.
21 Notwithstanding the foregoing sentence, a project shall comply with the requirements of
22 Section 261(c).

23 **(3) Construction of Rear-Yard Unit.** Construction of a rear-yard unit shall be
24 governed by the following standards:

25 **(A)** The subject parcel must be at least 2,400 square feet;

1 (B) The rear-yard unit shall be located at least four feet from the side and rear
2 lot lines and shall not share structural walls with any other structure on the lot;

3 (C) Compliance with minimum rear-yard requirements shall not be required,
4 except that a minimum 25 feet separation shall be provided between the facades that face each other;

5 (D) For the rear-yard unit and units in the primary building that obtain
6 their only Code-complying exposure from the rear yard, The dwelling unit exposure
7 requirements of Section 140(a)(2) may be satisfied through qualifying windows facing an unobstructed
8 open area that is no less than 25 feet in every horizontal dimension, and such open area is not required
9 to expand in every horizontal dimension at each subsequent floors;

10 (E) The rear-yard building height shall be limited to 20 feet measured from
11 existing grade at any given point to either i) the highest point of a finished roof, in the case of a flat
12 roof, or ii) the average height of a pitched roof or stepped roof, or similarly sculptured roof form. The
13 rear-yard building shall not be eligible for any height exemptions in subsection (d)(2) of this Section
14 249.94 or in Section 260(b); and

15 (F) Each dwelling unit or group housing bedroom shall have at least 100
16 square feet of usable open space if private, and/or 133 square feet if common.

17 (4) **Rear-Yard Setback Requirements** For projects that do not construct a rear-yard
18 unit pursuant to subsection (d)(3) of this Section 249.94, the basic rear yard setback requirement
19 shall be equal to 30% of the total depth of the lot on which the building is situated, but in no case less
20 than 15 feet.

21 (5) **Open Space Requirements for Lot-Merger Projects.** For projects eligible under
22 subsection (c)(4)(B) of this Section 249.94, each dwelling unit shall have at least 100 square feet of
23 usable open space if private, and/or 133 square feet if common.

1 (6) Minimum Density Requirement on Merged Lots. For lots merged pursuant to
2 subsection (c)(4)(B) of this Section 249.94, any development on the resulting lot shall be subject to the
3 following minimum densities:

4 (A) six units per lot, if the lot results from a two-lot merger; or

5 (B) nine units per lot, if the lot results from a three-lot merger.

6 **(e) Applicability of Rent Ordinance; Regulatory Agreements.**

7 (1) Sponsors of projects utilizing any of the density exceptions above the base
8 density up to the limits in subsection (d)(1) of this Section 249.94 shall enter into a regulatory
9 agreement with the City subjecting the new units created pursuant to such density exception, except for
10 any required Affordable Units as defined in Planning Code Section 401, to the Residential Rent
11 Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code), as a condition of
12 approval of the density exception ("Regulatory Agreement").

13 (2) The property owner and the Planning Director, or the Director's designee, on
14 behalf of the City, will execute the Regulatory Agreement, which is subject to review and approval by
15 the City Attorney's Office. The Regulatory Agreement shall be executed prior to the City's issuance of
16 the First Construction Document for the project, as defined in Section 107 A.13.1 of the Building Code.
17 Following execution of the Regulatory Agreement by all parties and approval by the City Attorney, the
18 Regulatory Agreement or a memorandum thereof shall be recorded in the title records in the Office of
19 the Assessor-Recorder against the property and shall be binding on all future owners and successors in
20 interest.

21 (3) At a minimum, the Regulatory Agreement shall contain the following:

22 (A) A description of the total number of units approved, including the number of
23 units subject to the Rent Stabilization and Arbitration Ordinance and other restricted units, if any, and
24 the location, square footage of dwelling units, and number of bedrooms in each unit;

1 (B) A statement that the new units created pursuant to the density exception are
2 not subject to the Costa-Hawkins Rental Housing Act (California Civil Code Section 1954.50 et seq.).
3 Further, because that under Section 1954.52(b), the property owner has entered into and agreed to
4 the terms of the agreement with the City in consideration for an exception from residential density
5 limits, or other direct financial contribution or other forms of assistance specified in California
6 Government Code Section 65915 et seq.;

7 (C) A description of the residential density exception or other direct financial
8 contribution or forms of assistance provided to the property owner; and

9 (D) A description of the remedies for breach of the agreement and other
10 provisions to ensure implementation and compliance with the agreement.

11 (f) **Review and Approvals.** Notwithstanding any other provision of this Code, the following
12 shall apply to any project that meets the eligibility criteria in subsection (c) of this Section
13 249.94, and irrespective of whether a project is utilizing a density exception to construct units
14 above the applicable density limit in the RH district pursuant to subsection (d)(1) of this Section
15 249.94, for any project that meets the eligibility criteria in subsection (c) of this Section 249.94,
16 the following shall apply:

17 (1) No conditional use authorization shall be required, including but not limited to the
18 requirements of Sections 303 and 317 of this Code, unless:

19 (A) a project would demolish ~~two~~ any units that are subject to limits on
20 rent increases under the Residential Rent Stabilization and Arbitration Ordinance (Chapter 37
21 of the Administrative Code); or

22 (B) a project requires a conditional use authorization pursuant to
23 Sections 249.77 or 249.92.

24 (2) Compliance with Section 311 of this Code shall not be required, unless a project
25 would demolish any units that are subject to limits on rent increases under the Residential

1 Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code), in which
2 case the requirements of Section 311 shall apply; and

3 (3) A Notice of Special Restrictions (“NSR”) shall be recorded on the title of any
4 property receiving approval under this Section 249.94. The NSR shall:

5 (A) Describe the uses, restrictions, and development controls approved under
6 Planning Code Section 249.94, including but not limited to the minimum density restrictions set forth in
7 subsection (d)(6);

8 (B) State that the NSR runs with the land and is binding on all future owners and
9 successors in interest;

10 (C) Provide the Planning Department with the ability to enforce the provisions
11 of this Section 249.94;

12 (D) Describe any other conditions that the Planning Director or Planning
13 Commission deems appropriate to ensure compliance with this Section 249.94; and

14 (E) Be signed by the City and recorded prior to issuance of the building permit
15 for the project receiving approval under this Section 249.94.

16 (g) **Review of Program.** The Planning Department shall include the location and number of
17 units of projects using this Section 249.94 in the Housing Inventory Report. Prior to December 31,
18 2030, the Planning Department shall prepare a report containing recommendations for modifications
19 to this Section 249.94, including modifications to the boundaries described in subsection (b), to further
20 the goals of the City’s Seventh Housing Element Cycle.

21
22 Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheets SU 1,
23 SU 2, SU 3, SU 4, SU 5, SU 6, SU 7, SU 11, SU 12, and SU 13 of the Zoning Map of the City
24 and County of San Francisco are hereby amended, as follows:
25

1	Description of Property	Special Use District Hereby Approved
2		
3	All parcels within the westernmost boundary	Family Housing Opportunity Special Use
4	of the Great Highway; the northernmost	District
5	boundary of the City; and the area bounded	
6	by Leavenworth between Jefferson and	
7	North Point; Columbus between North Point	
8	and Chestnut; Chestnut between Taylor and	
9	Montgomery; Montgomery between	
10	Chestnut and Greenwich; Greenwich	
11	between Montgomery and Sansome;	
12	Sansome between Greenwich and Vallejo;	
13	Vallejo between Sansome and Kearny;	
14	Kearny between Vallejo and Filbert; Filbert	
15	between Kearny and Columbus; Columbus	
16	between Filbert and Greenwich; Mason	
17	between Greenwich and Green; Green	
18	between Mason and Leavenworth;	
19	Leavenworth between Green and	
20	Washington; Washington between	
21	Leavenworth and Powell; Powell between	
22	Washington and California; California	
23	between Powell and Leavenworth;	
24	Leavenworth between California and Bush;	
25	Bush between Leavenworth and Van Ness;	

1	Van Ness between Bush and California;	
2	California between Van Ness and Steiner;	
3	Steiner between California and Sutter; Sutter	
4	between Steiner and Gough; Gough	
5	between Sutter and Geary; Geary between	
6	Gough and Baker; St. Joseph's Avenue	
7	between Geary and Turk; Turk between St.	
8	Joseph's Avenue and Scott; Scott between	
9	Turk and McAllister; McAllister between	
10	Scott and Steiner; Steiner between	
11	McAllister and Fulton; Fulton between	
12	Steiner and Laguna; Laguna between Fulton	
13	and Oak; Oak between Laguna and	
14	Fillmore; Fillmore between Oak and Page;	
15	Page between Fillmore and Webster;	
16	Webster between Page and Haight; Haight	
17	between Webster and Laguna; Laguna	
18	between Haight and Market; Market between	
19	Laguna and Castro; Castro between Market	
20	and 21st Street; 21st Street between Castro	
21	and Dolores; Dolores between 21st Street	
22	and Cesar Chavez; Cesar Chavez between	
23	Dolores and Noe; Noe between Cesar	
24	Chavez and Laidley; Harry Street Stairs	
25	between Laidley and Beacon; Beacon	

1	between Harry Street Stairs and Miguel;	
2	Miguel between Beacon and Bemis; Bemis	
3	between Miguel and Castro; Sussex	
4	between Castro and Diamond; Diamond	
5	between Sussex and Surrey; Surrey	
6	between Diamond and Bosworth; Bosworth	
7	between Surrey and San Jose; San Jose	
8	between Bosworth and Ocean; Ocean	
9	between San Jose and Howth; Howth	
10	between Ocean and Mt. Vernon; Mt. Vernon	
11	between Howth and Harrold; Grafton	
12	between Harold and Capitol; Capitol	
13	between Grafton and Lakeview; Lakeview	
14	between Capitol and Ashton; Ashton	
15	between Lakeview and Holloway; Holloway	
16	between Ashton and Junipero Serra;	
17	Junipero Serra between Holloway and 19th	
18	Avenue; 19th Avenue between Junipero	
19	Serra and Eucalyptus; Eucalyptus between	
20	19th Avenue and Middlefield; Middlefield	
21	between Eucalyptus and Lake Merced	
22	Boulevard; Lake Merced Boulevard between	
23	Middlefield and Skyline Boulevard; Skyline	
24	between Lake Merced Boulevard and Sloat;	

25

1 Sloat between Skyline and the Great
2 Highway.
3

4
5 Section 5. Article 9 of the Subdivision Code is hereby amended by amending Sections
6 1359, 1396.4, 1396.5 and adding Section 1396.7, to read as follows:
7

8 **SEC. 1359. PARCEL MAP.**

9 * * * *

10 (c) In the case of Conversions where a Tentative Map is not required, the
11 requirements of Section 1314 and the requirements of Article 9 on Conversions shall apply,
12 provided that hearings as provided in Sections 1313 and 1332 shall not be required, and
13 provided further that Article 9 shall not be applied to two-unit buildings where both units are
14 owner-occupied for one year prior to the application for Conversion. This exemption for
15 owner-occupied two-unit buildings shall not apply to units legalized pursuant to Section 207.3
16 of the Planning Code or units constructed pursuant to Section 249.94 of the Planning Code.

17 * * * *

18
19 **SEC. 1396.4. CONDOMINIUM CONVERSION FEE AND EXPEDITED**
20 **CONVERSION PROGRAM.**

21 (a) Findings. The findings of Planning Code Section 415.1 concerning the
22 City's inclusionary affordable housing program are incorporated herein by reference and
23 support the basis for charging the fee set forth herein as it relates to the conversion of
24 dwelling units into condominiums.
25

1 (b) Any building may be exempted from the annual lottery provisions of Section
2 1396 if the building owners for said building comply with either: (1) Section 1396.3(g)(1) and
3 all the requirements of this Section 1396.4; ~~or~~ (2) all the requirements of Section 1396.6; or
4 (3) all the requirements of Section 1396.7. Notwithstanding the foregoing sentence, no property or
5 applicant subject to any of the prohibitions on conversions set forth in Section 1396.2, in
6 particular a property with the eviction(s) set forth in Section 1396.2(b), is eligible for the
7 Expedited Conversion program under this Section 1396.4. Eligible buildings as set forth in this
8 subsection (b) may exercise their option to participate in this program according to the
9 following requirements:

10 * * * *

11
12 **SEC. 1396.5. SUSPENSION OF THE LOTTERY PENDING PRODUCTION OF**
13 **REPLACEMENT UNITS FOR EXPEDITED CONVERSION UNITS.**

14 * * * *

15 (c) Except as otherwise authorized under Section 1396.6 or Section 1396.7, the
16 Department shall not accept an application for the conversion of residential units under
17 Section 1396 nor conduct a lottery under this Article prior to January 1, 2024. Thereafter, the
18 lottery shall resume upon the earlier of the following: (1) the first February following the
19 Mayor's Office of Housing and Community Development report pursuant to subsection (b)
20 showing that the total number of Conversion Replacement Units produced in the City of San
21 Francisco exceeded the total number of units converted as identified in the Department's
22 report prepared pursuant to Subsection (a); or (2) completion of the "Maximum Suspension
23 Period" as defined below.

24 * * * *

1 **SEC. 1396.7. CONDOMINIUM CONVERSION ASSOCIATED WITH PROJECTS**
2 **CONSTRUCTED PURSUANT TO PLANNING CODE SECTION 249.94.**

3 *(a) Findings. The findings of Planning Code Section 415.1 concerning the City's inclusionary*
4 *affordable housing program are incorporated herein by reference and support the basis for charging*
5 *the fee set forth herein as it relates to the conversion of dwelling units into condominiums.*

6 *(b) Definition. "Existing Dwelling Unit" shall mean the dwelling unit in existence on a lot at*
7 *the time of the submittal of an application to construct a new dwelling unit pursuant to Planning Code*
8 *Section 249.94.*

9 *(c) Notwithstanding Section 1396.4 of this Code and Ordinance No. 117-13, a subdivider of a*
10 *one-unit building that has obtained a permit to build one or more new dwelling units pursuant to*
11 *Planning Code Section 249.94, which results in two or more dwelling units, and that has signed an*
12 *affidavit stating the subdivider's intent to reside in one of those resulting dwelling units, or in the*
13 *Existing Dwelling Unit, for a period of three years after the approval of the Certificate of Final*
14 *Completion and Occupancy for the new dwelling units, shall (1) be exempt from the annual lottery*
15 *provisions of Section 1396 of this Code with respect to the dwelling units built as part of the Project*
16 *and (2) be eligible to submit a condominium conversion application for the Existing Dwelling Units*
17 *and/or include the Existing Dwelling Units in a condominium map application for the project approved*
18 *pursuant to Planning Code Section 249.94. Notwithstanding the foregoing sentence, no property or*
19 *applicant subject to any of the prohibitions on conversions set forth in Section 1396.2 of this Code,*
20 *including but not limited to a property with the eviction(s) set forth in Section 1396.2(b), shall be*
21 *eligible for condominium conversion under this Section 1396.7. Eligible buildings as set forth in this*
22 *subsection (c) may exercise their option to participate in this program according to the following*
23 *requirements:*

1 (1) The applicant(s) for the subject building seeking to convert dwelling units to
2 condominiums or subdivide dwelling units into condominiums under this subsection shall pay the fee
3 specified in Section 1315 of this Code.

4 (2) In addition to all other provisions of this Section 1396.7, the applicant(s) shall
5 comply with all of the following:

6 (A) The requirements of Subdivision Code Article 9, Sections 1381, 1382, 1383,
7 1386, 1387, 1388, 1389, 1390, 1391(a) and (b), 1392, 1393, 1394, and 1395.

8 (B) The applicant(s) must certify under penalty of perjury that within the 60
9 months preceding the date of the subject application, no tenant resided at the property.

10 (C) The applicant(s) must certify under penalty of perjury that to the extent
11 any tenant vacated their unit after March 31, 2013, and before recordation of the final parcel or
12 subdivision map, such tenant did so voluntarily or if an eviction or eviction notice occurred it was not
13 pursuant to Administrative Code Sections 37.9(a)(8)-(12) and 37.9(a)(14)-(16). The applicant must
14 also certify under penalty of perjury that to the extent any tenant vacated their unit after March
15 31, 2013, and before recordation of the final parcel or subdivision map, such tenant did not
16 vacate the unit pursuant to a Buyout Agreement, pursuant to the requirements of
17 Administrative Code Section 37.9E, as it may be amended from time to time, regardless of
18 whether the Buyout Agreement was filed and registered with the Rent Board pursuant to
19 Administrative Code Section 37.9E(h). If a temporary eviction occurred under Sections 37.9(a)(11)
20 or 37.9(a)(14), then the applicant(s) shall certify under penalty of perjury that the original tenant
21 reoccupied the unit after the temporary eviction.

22 (3) If the Department finds that a violation of this Section 1396.7 occurred prior to
23 recordation of the final map or final parcel map, the Department shall disapprove the application or
24 subject map. If the Department finds that a violation of this Section occurred after recordation of the
25

1 final map or parcel map, the Department shall take such enforcement actions as are available and
2 within its authority to address the violation.

3 (4) This Section 1396.7 shall not prohibit a subdivider who has lawfully exercised the
4 subdivider's rights under Administrative Code Section 37.9(a)(13) from submitting a condominium
5 conversion application under this Section 1396.7.

6 **(d) Decisions and Hearing on the Application.**

7 (1) The applicant shall obtain a final and effective tentative map or tentative parcel
8 map approval for the condominium subdivision or parcel map within one year of paying the fee
9 specified in subsection (e) of this Section 1396.7. The Director of the Department of Public Works or
10 the Director's designee is authorized to waive the time limits set forth in this subsection (d)(1) as it
11 applies to a particular building due to extenuating or unique circumstances. Such waiver may be
12 granted only after a public hearing and in no case shall the time limit extend beyond two years after
13 submission of the application.

14 (2) No less than 20 days prior to the Department's proposed decision on a tentative
15 map or tentative parcel map, the Department shall publish the addresses of buildings being considered
16 for approval, and post such information on its website, post notice that such decision is pending at
17 the affected buildings, and provide written notice of such pending decision to the applicant, all
18 tenants of such buildings, and any member of the public who interested party who has
19 requested such notice. During this time, any interested party may file a written objection to an
20 application and submit information to the Department contesting the eligibility of a building. In
21 addition, the Department may elect to hold a public hearing on said tentative map or tentative parcel
22 map to consider the information presented by the public, other City department, or an applicant. If the
23 Department elects to hold such a hearing it shall post notice of such hearing, including posting notice
24 at the subject building, and provide written notice to the applicant, all tenants of such building, any
25 member of the public who submitted information to the Department, and any interested party who has

1 requested such notice. In the event that an objection to the conversion application is filed in
2 accordance with this subsection (d)(2), and based upon all the facts available to the Department, the
3 Department shall approve, conditionally approve, or disapprove an application and state the reasons
4 in support of that decision.

5 (3) Any map application subject to a Departmental public hearing on the subdivision
6 or a subdivision appeal shall receive a six-month extension on the time limit set forth in subsection
7 (d)(1) of this Section 1396.7.

8 (e) Should the subdivision application be denied or be rejected as untimely in accordance with
9 the dates specified in subsection (d)(1) of this Section 1396.7, or should the tentative subdivision map
10 or tentative parcel map be disapproved, the City shall refund the entirety of the application fee.

11 (f) Conversion of buildings pursuant to this Section 1396.7 shall have no effect on the terms
12 and conditions applicable to such buildings under Section 1385A or 1396 of this Code.

13
14 Section 6. Chapter 37 of the Administrative Code is hereby amended by revising
15 Sections 37.2 and 37.3, to read as follows:

16
17 **SEC. 37.2. DEFINITIONS.**

18 * * * *

19 (r) **Rental Units.** All residential dwelling units in the City together with the land and
20 appurtenant buildings thereto, and all housing services, privileges, furnishings, and facilities
21 supplied in connection with the use or occupancy thereof, including garage and parking
22 facilities.

23 * * * *

24 The term "rental units" shall not include:

25 * * * *

1 (4) Except as provided in subsections (A)-(E), dwelling units whose rents are
2 controlled or regulated by any government unit, agency, or authority, excepting those
3 unsubsidized and/or unassisted units which are insured by the United States Department of
4 Housing and Urban Development; provided, however, that units in unreinforced masonry
5 buildings which have undergone seismic strengthening in accordance with Building Code
6 Chapters 16B and 16C shall remain subject to the Rent Ordinances to the extent that the
7 ordinance is not in conflict with the seismic strengthening bond program or with the program's
8 loan agreements or with any regulations promulgated thereunder;

9 * * * *

10 (D) The term "rental units" shall include (i) Accessory Dwelling Units
11 constructed pursuant to Section 207(c)(4) of the Planning Code and that have received a
12 complete or partial waiver of the density limits and the parking, rear yard, exposure, or open
13 space standards from the Zoning Administrator pursuant to Planning Code Section 307(l);
14 ~~and (ii) New Unit(s) constructed and funded pursuant to Administrative Code Chapter 85-;~~ (iii)
15 new dwelling units created pursuant to the density exception set forth in Section 207(c)(8) of
16 the Planning Code; (iv) new dwelling units created pursuant to the HOME-SF Program set
17 forth in Section 206.3(c)(1)(B) of the Planning Code; and (v) new dwelling units created
18 pursuant to the density exception set forth in Section 249.94(d)(1) of the Planning Code.

19 ~~(E) The term "rental units" shall include any new dwelling units created~~
20 ~~pursuant to the density exceptions set forth in Sections 207(c)(8) and 249.94 of the Planning~~
21 ~~Code.~~

22 ~~(E) The term "rental units" shall include any new dwelling units created~~
23 ~~pursuant to the HOME-SF Program set forth in Section 206.3(c)(1)(B) of the Planning Code.~~

24 * * * *

1 **SEC. 37.3. RENT LIMITATIONS.**

2 (a) **Rent Increase Limitations for Tenants in Occupancy.** Landlords may impose
3 rent increases upon tenants in occupancy only as provided below and as provided by
4 subsections 37.3(d) and 37.3(g):

5 * * * *

6 (d) **Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.).**
7 Consistent with the Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.)
8 and regardless of whether otherwise provided under Chapter 37:

9 (1) **Property Owner Rights to Establish Initial and All Subsequent Rental**
10 **Rates for Separately Alienable Parcels.**

11 (A) An owner or residential real property may establish the initial and all
12 subsequent rental rates for a dwelling or a unit which is alienable separate from the title to any
13 other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b),
14 (d), or (f) of Section 11004.5 of the California Business and Professions Code. The owner's
15 right to establish subsequent rental rates under this paragraph shall not apply to a dwelling or
16 unit where the preceding tenancy has been terminated by the owner by notice pursuant to
17 California Civil Code Section 1946 or has been terminated upon a change in the terms of the
18 tenancy noticed pursuant to California Civil Code Section 827; in such instances, the rent
19 increase limitation provisions of Chapter 37 shall continue to apply for the duration of the new
20 tenancy in that dwelling or unit.

21 * * * *

22 (D) An owner's right to establish subsequent rental rates under
23 subsection 37.3(d)(1) shall not apply to a dwelling or unit that is a new dwelling unit created
24 pursuant to the Code provisions specified in Section 37.2(r)(4)(D). ~~density exceptions set forth~~
25 ~~in Sections 207(c)(8) and 249.94 of the Planning Code.~~

1 * * * *

2 **(g) New Construction and Substantial Rehabilitation.**

3 (1) An owner of a residential dwelling or unit which is newly constructed and
4 first received a certificate of occupancy after the effective date of Ordinance No. 276-79 (June
5 13, 1979), or which the Rent Board has certified has undergone a substantial rehabilitation,
6 may establish the initial and all subsequent rental rates for that dwelling or unit, except:

7 (A) where rent restrictions apply to the dwelling or unit under Sections
8 37.3(d) or 37.3(f);

9 (B) where the dwelling or unit is a replacement unit under Section
10 37.9A(b);

11 (C) as provided for certain categories of units~~Accessory Dwelling Units~~
12 ~~and New Unit(s)~~ under Section 37.2(r)(4)(D); and

13 (D) as provided in a development agreement entered into by the City
14 under Administrative Code Chapter 56; and

15 ~~(E) as provided for certain categories of new dwelling units under Section~~
16 ~~37.2(r)(4)(E).~~

17
18 Section 7. The Planning Department, the Department of Public Works, and the Rent
19 Board are authorized to adopt regulations to implement this ordinance.

20
21 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25

1 additions, and Board amendment deletions in accordance with the “Note” that appears under
2 the official title of the ordinance.

3
4 Section ~~8~~9. Severability. If any section, subsection, sentence, clause, phrase, or word
5 of this ordinance, or any application thereof to any person or circumstance, is held to be
6 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
7 shall not affect the validity of the remaining portions or applications of the ordinance. The
8 Board of Supervisors hereby declares that it would have passed this ordinance and each and
9 every section, subsection, sentence, clause, phrase, and word not declared invalid or
10 unconstitutional without regard to whether any other portion of this ordinance or application
11 thereof would be subsequently declared invalid or unconstitutional.

12
13 Section ~~9~~10. No Conflict with Federal or State Law. Nothing in this ordinance shall be
14 interpreted or applied so as to create any requirement, power, or duty in conflict with any
15 federal or state law.

16
17 Section ~~40~~11. Effective Date. This ordinance shall become effective 30 days after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor’s veto of the ordinance.

21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/Giulia Gualco-Nelson
24 GIULIA GUALCO-NELSON
Deputy City Attorney

25 n:\legana\as2023\2300112\01692861.docx

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 7/24/2023)

[Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District]

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots in the RH (Residential, House) District, excluding lots located in the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, and exempt eligible projects that do not propose the demolition of any units subject to the rent increase limitations of the Rent Ordinance from conditional use authorizations and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The General Plan consists of goals, policies and programs for the future physical development of San Francisco. The Housing Element is a component of the General Plan and serves as the City's plan for accommodating its Regional Housing Needs Allocation during an eight-year planning cycle. The 2023-2031 Housing Element identifies Well-Resourced Neighborhoods, comprised of high-resource and highest-resource areas, as defined by the California Tax Credit Allocation Committee and the Department of Housing and Community Development's Fair Housing Taskforce.

The Planning Code sets forth different zoning districts, including Special Use Districts, throughout the City, where different uses are permitted, conditionally permitted, or prohibited,

and where various controls (such as density, height and bulk standards, rear yard, and open space requirements) apply.

The Planning Code prescribes a process to grant conditional use authorizations, which may be required in a variety of circumstances, including but not limited to the demolition, removal, or merger of dwelling units (Planning Code Section 317). The Planning Code also sets forth the procedures for neighborhood notification for building permit applications and the process for members of the public to initiate discretionary review (Section 311).

Amendments to Current Law

This ordinance amends the Planning Code and Zoning Map to create the Family Housing Opportunity Special Use District (SUD). The boundaries of the SUD are generally coterminous with the Well-Resourced Neighborhoods identified in the 2023-2031 Housing Element.

This ordinance exempts qualifying development projects in the SUD that do not propose the demolition of any units subject to rent increases under the Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) from all conditional use authorizations, including, but not limited to, demolition, removal, or merger of dwelling units (Section 317), unless a Conditional Use Authorization is required under Planning Code Sections 249.77 and 249.92. Qualifying projects are also exempt from neighborhood notification procedures and public-initiated discretionary review (Section 311).

A qualifying project is one that meets all of the following criteria:

- located in an RH zone in the Family Housing Opportunity SUD and is not located in the Telegraph Hill - North Beach Residential Special Use District or the North Beach Special Use District;
- is not seeking or receiving a density bonus under the provisions of Planning Code Sections 206.3, 206.5, or 206.6;
- is not located on a parcel resulting from a lot split under California Government Code Section 66411.7;
- proposes the construction, including the alteration of an existing structure, of one of the following project types:
 - a “Single-Lot Development Project” of at least two and no more than four dwelling units, inclusive of any existing dwelling units on the site. For a project proposing four dwelling units, the fourth dwelling unit shall be constructed in the rear yard. For a project proposing fewer than four dwelling units, up to one unit may be located in the rear yard.
 - a “Lot-Merger Development Project” of up to three merged lots in the RH-1, RH-1(D), and RH-1(S) districts and the construction on the resulting lot of at least nine and no more than the greater of 12 dwelling units or one dwelling unit per 1,000 square feet of a lot area for a three-lot merger project, or at least six and

- no more than the greater of eight dwelling units or one dwelling unit per 1,000 square feet of lot area for a two-lot merger project.
- a “Group Housing Development Project” consisting of a single-lot project or a lot-merger project that proposes the construction of Group Housing up to the density limit prescribed in the SUD or currently otherwise permitted under the Planning Code, whichever is greater.
- includes more dwelling units than are existing on site at the time of application, or in the case of Group Housing, at least as many bedrooms as exist on site at the time of application;
- contains required bedroom configurations, as detailed further in the ordinance;
- does not propose the demolition of certain historic buildings, as defined in the SUD;
- complies with the Planning Code and any applicable design guidelines;
- complies with the requirements of Section 66300(d) of the California Government Code, as may be amended from time to time. The ordinance provides that if California Government Code Section 66300 becomes inoperative, the project shall comply with the last operative version of Section 66300 before it became inoperative;
- demonstrates that the project sponsor has owned the subject lot for a minimum of one year prior to the time of the submittal of their application where the lot is vacant or contains an existing single-family home, including a single-family home with an Unauthorized Unit, or five years where the lot contains two or more dwelling units, subject to certain exceptions, as defined in the SUD;
- does not propose the demolition of three or more dwelling units that are or were:
 - subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income within the past five years; or
 - subject to limits on rent increases under the Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) within the past five years; or
 - rented by lower or very low income households within the past five years; or
- does not propose the demolition of a dwelling unit occupied by a tenant at the time of application; and
- does not propose the demolition of a dwelling unit from which a tenant has been evicted under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) within the past five years or a dwelling unit that has been vacated within the past five years pursuant to a Buyout Agreement, as defined in Administrative Code Section 37.9E, as it may be amended from time to time; and
- conducts at least one pre-application meeting prior to submission of a development application, subject to further criteria in the ordinance.

Qualifying projects shall receive a density exception of up to four dwelling units per lot, eight units on a lot resulting from a two-lot merger, or 12 units on a lot resulting from a three-lot merger. For lot merger projects, the density exception shall be increased to one unit per 1,000 square feet of lot area where that calculation would yield more units than the numerical

limits. Qualifying projects shall also receive a density exception of up to one Group Housing unit per 415 square feet of lot area in RH-1, RH-1(D), and RH-1(S) districts. These density exceptions are not inclusive of any accessory dwelling units.

The height limit for a qualifying project is 40 feet, provided that 40 feet is permitted in the Height Map of the Planning Code. Qualifying projects are also eligible for other development incentives, such as a reduced rear yard requirement and open space requirement. Qualifying projects that construct a dwelling unit in the rear yard are subject to reduced rear yard, dwelling unit exposure, and open space requirements.

In addition, special requirements apply to lot-merger projects. Lot-merger projects are eligible for reduced open space requirements. Lots that are merged pursuant to this ordinance are subject to minimum densities that govern future development on the merged lot. These minimum densities are six units per lot, if the lot results from a two-lot merger, or nine units per lot, if the lot results from a three-lot merger.

Projects that utilize the density exceptions must subject the units created pursuant to those exceptions to rent control, minus any affordable units required by Planning Code Section 415. Project sponsors must enter into a regulatory agreement with the City, agreeing that the incentives they are receiving constitutes adequate consideration to waive their rights under the Costa-Hawkins Rental Housing Act. (California Civil Code Sections 1954.50 et seq.) The ordinance makes parallel amendments to the Administrative Code.

The ordinance also amends the Subdivision Code to authorize a subdivider of a one-unit building that has obtained a permit to build one or more new dwelling units under the SUD, resulting in two or more dwelling units, to submit an application for condominium conversion or a condominium map that includes the existing dwelling unit as well as the new dwelling units created under the SUD. This conversion program does not include projects that propose Group Housing units. Applicants must meet certain requirements specified in the ordinance. Eligible projects in the SUD that propose Group Housing units are not eligible for condominium maps or the conversion procedures set forth in the ordinance.

The ordinance provides incentives for property owners who sign an affidavit stating their intent to reside on their properties for three years after the issuance of the Certificate of Final Completion and Occupancy for the new dwelling units.

This ordinance requires the Planning Department to report on the outcomes of this SUD in the Housing Inventory Report, in addition to a report containing recommendations for modifications to the SUD to further the goals of the next Housing Element Cycle.

Background Information

The ordinance contains findings setting forth the need to promote housing development in San Francisco's well-resourced neighborhoods. It states that the City faces a severe crisis of

housing affordability and availability, characterized by dramatic increases in rent and home sale prices over recent years and historic underproduction of new housing units across income levels, particularly in the City's well-resourced neighborhoods. This ordinance also contains findings setting forth the need to affirmatively further fair housing, by increasing density in a manner that meaningfully addresses significant disparities in housing needs and access to opportunity, in addition to streamlining the approval process to promote certainty in development outcomes in these well-resourced neighborhoods.

This legislative digest reflects amendments made at the Land Use and Transportation Committee on July 10, 2023. Those amendments:

- reinstated that Conditional Use Authorization requirement under Planning Code Section 317 for projects demolishing two or more units subject to rent control;
- added eligibility criteria to restrict demolition of units with certain eviction histories and prevent displacement of tenants; and
- adopted recommendations from the Planning Commission, including increasing the density limits to the greater of the numerical limits or one unit per 1,000 square feet of lot area, requiring additional minimum bedrooms for lot merger projects, and clarifying that projects cannot propose both group housing and dwelling units.

This legislative digest reflects amendments made at the Land Use and Transportation Committee on July 17, 2023. Those amendments:

- reinstated the Conditional Use Authorization requirement under Planning Code Sections 249.77 and 249.92 for certain projects located in the Corona Heights Large Residence SUD and the Central Neighborhoods Large Residence SUD, respectively;
- added a pre-application meeting as an eligibility requirement; and
- made clerical revisions to Chapter 37 of the Administrative Code.

This legislative digest reflects amendments made at the Land Use and Transportation Committee on July 24, 2023. Those amendments:

- deleted the one unit per 1,000 square feet of lot area density computation for single-lot developments and clarified that a single-lot project that does not construct a rear-yard unit is limited to three units in the primary structure;
- reinstated the Conditional Use Authorization and Planning Code Section 311 requirements for projects that demolish any units subject to rent control;
- provided that projects located in the Telegraph Hill - North Beach Residential Special Use District or the North Beach Special Use District are ineligible for the development and streamlining incentives in the SUD;
- imposed a five-year ownership requirement for projects that contain two or more existing dwelling units and applied the one-year ownership requirement to vacant lots and existing single-family homes, including single-family homes that contain an Unauthorized Unit;

- clarified that existing units, for the purposes of calculating maximum density and unit replacement obligations, include Unauthorized Units that have been occupied by a tenant within the five years preceding the development application;
- clarified that existing units, for the purposes of unit replacement obligations, include Accessory Dwelling Units,
- clarified that the density limits in the Planning Code apply to eligible Group Housing development projects in RH-2 and RH-3 districts in the SUD;
- eliminated the bedroom configuration requirements for single-lot projects that propose the addition of a single unit to three existing dwelling units;
- augmented notice requirements for projects utilizing the condominium conversion procedures set forth in the legislation;
- clarified that the restriction on demolition of units with prior Buyout Agreement applies regardless of whether the Buyout Agreement was filed and registered with the Rent Board; and
- made other clarifying edits, including requiring that project sponsor declarations be made under penalty of perjury.

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[Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District]

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, excluding lots located in the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, and exempt eligible projects that do not propose the demolition of any units subject to the rent increase limitations of the Rent Ordinance from conditional use authorizations, and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of

1 **Planning Code, Section 101.1, and findings of public necessity, convenience, and**
2 **welfare under Planning Code, Section 302.**

3 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
4 **Additions to Codes** are in *single-underline italics Times New Roman font*.
5 **Deletions to Codes** are in *~~strikethrough italics Times New Roman font~~*.
6 **Board amendment additions** are in double-underlined Arial font.
7 **Board amendment deletions** are in ~~strikethrough Arial font~~.
8 **Asterisks (* * * *)** indicate the omission of unchanged Code
9 subsections or parts of tables.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. CEQA and Land Use Findings.

12 (a) The Planning Department has determined that the actions contemplated in this
13 ordinance comply with the California Environmental Quality Act (California Public Resources
14 Code Section 21000 *et seq.*). Said determination is on file with the Clerk of the Board of
15 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
16 determination.

17 (b) On _____, the Planning Commission, in Resolution No. _____,
18 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
19 with the City’s General Plan and eight priority policies of Planning Code Section 101.1. The
20 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
21 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

22 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
23 amendments will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. _____, and the Board adopts such
25 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
Supervisors in File No. _____and is incorporated herein by reference.

1
2 Section 2. General Findings.

3 (a) California faces a severe crisis of housing affordability and availability, prompting
4 the Legislature to declare, in Section 65589.5 of the Government Code, that the state has “a
5 housing supply and affordability crisis of historic proportions. The consequences of failing to
6 effectively and aggressively confront this crisis are hurting millions of Californians, robbing
7 future generations of a chance to call California home, stifling economic opportunities for
8 workers and businesses, worsening poverty and homelessness, and undermining the state’s
9 environmental and climate objectives.”

10 (b) This crisis of housing affordability and availability is particularly severe in San
11 Francisco. It is characterized by dramatic increases in rent and home sale prices over recent
12 years.

13 (c) According to the Planning Department’s 2020 Housing Inventory, the cost of
14 housing in San Francisco has increased dramatically since the Great Recession of 2008-
15 2009, with the median sale price for a two-bedroom house more than tripling from 2011 to
16 2021, from \$493,000 to \$1,580,000. This includes a 9% increase from 2019 to 2020 alone,
17 even in the face of the COVID-19 pandemic. The median rental price for a two-bedroom
18 apartment saw similar although slightly smaller increases, nearly doubling from \$2,570 to
19 \$4,500 per month, from 2011 to 2019, before declining in 2020 due to the pandemic.

20 (d) These housing cost trends come after decades of underproduction of housing in
21 the Bay Area. The City’s Chief Economist has estimated that approximately 5,000 new
22 market-rate housing units per year would be required to keep housing prices in San Francisco
23 constant with the general rate of inflation. To this end, the City’s COVID-19 Economic
24 Recovery Task Force included a recommendation in its October 2020 report to support
25

1 construction of small multifamily buildings in low density areas to support “missing middle”
2 housing opportunities.

3 (e) Moreover, San Francisco will be challenged to meet increased Regional Housing
4 Needs Allocation (“RHNA”) goals in the 2023-2031 Housing Element cycle, which total 82,069
5 units over eight years, more than 2.5 times the goal of the previous eight-year cycle. Of those
6 units, 46,598 units must be affordable to extremely-low, very-low, low-, and moderate-income
7 households. At the same time, relatively new State laws like Senate Bill 35 (2017) would limit
8 San Francisco’s local zoning control and discretion if the City does not meet these RHNA
9 housing production goals.

10 (f) San Francisco’s new housing production in recent years has been heavily
11 concentrated in the eastern and southeastern parts of the City, with 90% of all new housing
12 produced in just ten eastside and central neighborhoods, according to the 2019 Housing
13 Affordability Strategies Report. These neighborhoods are home to many of the City’s most
14 established communities of color and communities most vulnerable to displacement
15 pressures.

16 (g) The California Fair Housing Task Force annually updates the Tax Credit Allocation
17 Committee/Department of Housing and Community Development Opportunity Map
18 (“TCAC/HCD Opportunity Map”). The TCAC/HCD Opportunity Map identifies high-resource
19 and highest-resource areas in the state whose concentration of resources have been shown
20 to support positive economic, educational, and health outcomes for low-income families —
21 particularly long-term outcomes for children. The ~~2020~~2021 TCAC/HCD Opportunity Map is
22 the basis for the Well-Resourced Neighborhoods Map in the 2023-2031 Housing Element, on
23 file with the Clerk of the Board of Supervisors in File No. 230001. The Well-Resourced
24 Neighborhoods Map is also on file with the Clerk of the Board of Supervisors in File No.
25 ~~_____~~230026 and is incorporated herein by reference.

1 (h) Since 2005, just 10% of all new housing in San Francisco and 10% of new
2 affordable housing in San Francisco has been built in high- and highest-resource
3 neighborhoods, though these areas cover nearly 52% of the residential land in the city. In
4 these high-resource neighborhoods, 65% of the land is limited to one or two units. While
5 these land use and development patterns characterize many western neighborhoods in the
6 City, most residential parcels in northeastern neighborhoods contain multifamily homes of two
7 or more units. Permitting additional units in high-resource areas – where the built
8 environment is primarily comprised of single-family homes – will increase the supply of
9 available housing, including the supply of modestly-sized family units that are more affordable
10 than large, single-family homes.

11 (i) While recent legislation has authorized multi-family homes in these neighborhoods,
12 additional procedural requirements may render them too expensive to deliver. Streamlining
13 and simplifying permit processes will help provide more equitable access to the application
14 process and improve certainty of development outcomes for small multifamily buildings in
15 high- and highest-resource neighborhoods.

16 (j) This ordinance creates the Family Housing Opportunity Special Use District (SUD),
17 whose boundaries are generally coterminous with the Well-Resourced Neighborhoods Map in
18 the 2023-2031 Housing Element. This legislation expands upon and complements recently
19 enacted state legislation, such as SB 9, that aims to promote multifamily housing development
20 in single-family neighborhoods. To this end, the legislation provides project sponsors
21 flexibility to choose from a menu of incentives to fit their project needs – be it relief from
22 procedural requirements like conditional use authorizations, neighborhood notification, and
23 public-initiated discretionary review, relief from development standards like density, or a
24 combination of the two.

1 (k) The Family Housing Opportunity SUD permits development of the greater of up to
2 four units or one unit per 1,000 square feet of lot area on an individual parcel in an RH District,
3 provided that the proposed project is not located in the Telegraph Hill - North Beach
4 Residential Special Use District or the North Beach Special Use District. While the
5 boundaries of these SUDs overlap with the boundaries of the Family Housing Opportunity
6 SUD, these areas already contain multifamily housing on most parcels. The proposed project
7 must also comply ~~complies~~ with the heights and bulk specified in the City's Zoning Maps
8 (Height & Bulk Maps HT01 through HT14), in addition to other eligibility criteria detailed in this
9 ordinance. The SUD also permits up to one Group Housing ~~unit~~ bedroom per 415 square feet
10 of lot area in RH-1, RH-1(D), and RH-1(S) districts. In those same districts, the SUD permits
11 the greater of up to 12 units or one unit per 1,000 square feet of lot area if the lot is the result
12 of a merger of three lots, or the greater of eight units or one unit per 1,000 square feet of lot
13 area if the lot is the result of a merger of two lots. This ordinance also streamlines approval
14 by exempting eligible projects from conditional use authorization and neighborhood
15 notification requirements and public-initiated discretionary review hearings in Planning Code
16 Section 311, provided that the project does not propose the demolition of certain units subject
17 to rent control, as detailed further in the ordinance.

18 ~~(l) All parcels affected by this ordinance are considered urban infill sites under~~
19 ~~California Government Code Section 65913(e)(3). This Board therefore declares that this~~
20 ~~ordinance is enacted pursuant to California Government Code Section 65913(e)(3).~~

21 (m) This Board finds that this ordinance is consistent with San Francisco's obligation
22 to affirmatively further fair housing pursuant to California Government Code Section 8899.50,
23 by increasing density for projects that enter into regulatory agreements with the City
24 acknowledging that, in consideration for the density exceptions, the new units shall be subject
25 to local rent control notwithstanding the Costa-Hawkins Rental Housing Act (California Civil

1 Code Section 1954.50 *et seq.*). Increasing density in this manner meaningfully addresses
2 significant disparities in housing needs and access to opportunity. Additionally, this ordinance
3 streamlines the approval process to promote certainty in development outcomes in high- and
4 highest-resource neighborhoods.

5 (am) This Board finds that it is in the public interest to encourage the production of a
6 variety of unit types, sizes, and tenure to accommodate people in different living situations,
7 including a mix of smaller units that can help young adults secure housing and seniors to
8 downsize, and larger units that can help growing or multi-generational families stay
9 adequately housed.

10 (en) This Board recognizes that additional development opportunities may lead to
11 speculative real estate investments that may seek to displace current residents, demolish
12 existing housing stock, build new units, and quickly sell those units. To discourage such
13 speculation, demolition of existing units, and displacement of current residents, particularly in
14 existing multifamily buildings, this ordinance makes the benefit of the streamlining and
15 development incentives available only to persons who have owned their properties for one five
16 years prior to the date of their application, if the project contains two or more dwelling units, or
17 one year prior to the date of their application, if the lot contains one or fewer dwelling units or
18 a single-family home with an Unauthorized Unit . These requirements includeing the
19 ownership duration of their an Eligible Predecessor, as defined herein, subject to exceptions
20 for multiple ownership structures and vacant buildings described further in the ordinance.

21
22 Section 3. Article 2 of the Planning Code is hereby amended by adding Section
23 249.94, to read as follows:

24
25 **SEC. 249.94. FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT.**

1 (a) **Purpose.** To incentivize the development of multifamily housing in the City's well-
2 resourced neighborhoods, a special use district entitled "Family Housing Opportunity Special Use
3 District" is hereby established.

4 (b) **Boundaries.** The boundaries of the Family Housing Opportunity Special Use District are
5 shown on Special Use District Maps Sheets SU 1, SU 2, SU 3, SU 4, SU 5, SU 6, SU 7, SU 11, SU 12,
6 and SU 13. These boundaries consist generally of the areas designated as high-resource and highest-
7 resource on the Well-Resourced Neighborhoods Map of the 2023-2031 Housing Element.

8 (c) **Eligibility.** An eligible project under this Section 249.94 shall be a project that complies
9 with all the following criteria:

10 (1) is located in an RH District in the Family Housing Opportunity Special Use District
11 and is not located in the Telegraph Hill - North Beach Residential Special Use District (Section
12 249.49) or the North Beach Special Use District (Section 780.3);

13 (2) is not seeking or receiving approval under the provisions of Planning Code Sections
14 206.3, 206.5, or 206.6;

15 (3) is not located on a parcel resulting from a lot split under California Government
16 Code Section 66411.7;

17 (4) proposes any of the following project types:

18 (A) **Single-Lot Development Project.** The construction on a single lot,
19 including through the alteration of an existing structure, of at least two dwelling units and no more
20 than the maximum number of four dwelling units on a single lot prescribed in subsection
21 (d)(1)(A) of this Section 249.94, inclusive of any existing dwelling units on the site and any
22 Unauthorized Units, as defined in Section 317, occupied by a tenant at any time within the five
23 years preceding application. For a project proposing four dwelling units, the fourth dwelling unit
24 shall be constructed in the rear yard pursuant to subsection (d)(3) of this Section 249.94. If the
25 proposed rear-yard unit does not meet the requirements of subsection (d)(3) of this Section

1 249.94, the project shall be limited to three units. For a project proposing fewer than four
2 dwelling units, up to one unit may be located in the rear yard pursuant to subsection (d)(3) of this
3 Section 249.94.

4 (B) Lot-Merger Development Project in RH-1 Districts. A merger of up to
5 three lots in RH-1, RH-1(D), or RH-1(S) districts and the construction on the resulting lot of at least
6 nine dwelling units and no more than the maximum number of 42 dwelling units prescribed in
7 subsection (d)(1)(B) of this Section 249.94 for a three-lot merger project, or at least six dwelling
8 units and no more than the maximum number of eight dwelling units prescribed in subsection
9 (d)(1)(B) of this Section 249.94 for a two-lot merger project. A project proposing a lot merger shall
10 not be eligible to construct a rear-yard unit pursuant to subsection (d)(3) of this Section 249.94.

11 (C) Group Housing Development Project. A single-lot project pursuant to
12 subsection (c)(4)(A) of this Section 249.94 and a lot-merger project pursuant to subsection (c)(4)(B) of
13 this Section 249.94 may also propose the construction of Group Housing up to the density limits
14 prescribed in subsection (d)(1)(C) of this Section 249.94 for projects located in RH-1, RH-1(D), or
15 RH-1(S) districts. For projects outside of those districts, the group housing density limit shall
16 be the limits or currently otherwise permitted under the Planning Code, whichever is greater. A
17 project shall not propose both dwelling units and Group Housing bedrooms. Projects proposing
18 Group Housing units/bedrooms shall not be eligible for condominium subdivision, including but not
19 limited to conversion pursuant to Subdivision Code Section 1396.7.;

20 (5) contains the following bedroom configurations:

21 (A) for single-lot projects under subsection (c)(4)(A) of this Section
22 249.94, at least two dwelling units with two or more bedrooms, unless the project proposes the
23 addition of one dwelling unit to a lot with three existing dwelling units, in which case the
24 required bedroom configurations in this subsection (c)(5)(A) shall not apply;
25

1 (B) for two-lot merger projects under subsection (c)(4)(B) of this Section
2 249.94, at least two dwelling units with two bedrooms, or at least one dwelling unit with three
3 bedrooms;

4 (C) for three-lot merger projects under subsection (c)(4)(B) of this
5 Section 249.94, at least three dwelling units with two bedrooms, or at least two dwelling units
6 with three bedrooms.

7 (D) The requirements of this subsection (c)(5) may be satisfied by
8 existing dwelling units retained on site. ~~This provision~~ subsection (c)(5) does not apply to
9 projects where all of the units qualify as Group Housing projects;

10 (6) includes more dwelling units than are existing on the site at the time of application.

11 For the purposes of this subsection (c)(6), an Unauthorized Unit, as that term is defined in
12 Planning Code Section 317, shall not be considered an existing dwelling unit. an existing
13 dwelling unit includes an Unauthorized Unit, as defined in Planning Code Section 317, that
14 has been occupied by a tenant at any time within the five years preceding application
15 submittal and also includes an Accessory Dwelling Unit, as defined in Planning Code Section
16 102. In the case of Group Housing, projects utilizing this Section 249.94 shall provide more
17 bedrooms than are existing on the site at the time of application;

18 (7) does not propose the demolition of a building that is:

19 (A) ~~listed as a Contributor to~~ located in an Article 10 Historic Districts;

20 (B) listed as a Landmark under Article 10;

21 (C) located in an Article 11 Conservation District, where the building has a
22 rating of Category I, II, III or IV;

23 (D) listed in or determined eligible for listing in the California Register of
24 Historical Resources individually and/or as a contributor to a historic district; or,

1 (E) listed in or determined eligible for listing in the National Register of
2 Historic Places individually and/or as a contributor to a historic district;

3 (8) complies with the Planning Code and any applicable design guidelines, including
4 but not limited to the provisions of this Section 249.94 and does not seek any variances or
5 exceptions from the Planning Code. Notwithstanding the previous sentence, an eligible project
6 shall strive for consistency with the Residential Design Guidelines to the extent feasible;

7 (9) complies with the requirements of Section 66300(d) of the California Government
8 Code, as may be amended from time to time and as are in effect at the time a complete project
9 application is submitted, except as otherwise specified herein, including but not limited to
10 requirements to replace all protected units and to offer existing occupants of any protected units that
11 are lower income households relocation benefits and a right of first refusal for a comparable unit, as
12 those terms are defined therein. Notwithstanding the foregoing sentence, if California
13 Government Code Section 66300 becomes inoperative, the project shall comply with the last
14 operative version of Section 66300 before it became inoperative. This subsection (c)(9) does
15 not modify or supersede any other City requirements related to relocation, including but not
16 limited to the requirements of Chapter 37 of the Administrative Code; and

17 (10) demonstrates the project sponsor certifies under penalty of perjury that at
18 the time of the submittal of their application, the project sponsor has owned the subject lot for a
19 minimum of one five years if the site contains two or more dwelling units, or a minimum of one
20 year if the site contains one or fewer dwelling units prior to the time of the submittal of their
21 application. Notwithstanding the foregoing sentence, a single-family home that contains an
22 Unauthorized Unit shall be subject to the one-year requirement. This ownership requirement
23 in this subsection (c)(10) shall be subject to the following:

24 (A) **Eligible Predecessor.** A property owner who has inherited the subject lot,
25 including any inheritance in or through a trust, from a blood, adoptive, or step family relationship,

1 specifically from either (i) a grandparent, parent, sibling, child, or grandchild, or (ii) the spouse or
2 registered domestic partner of such relations, or (iii) the property owner's spouse or registered
3 domestic partner (each an "Eligible Predecessor"), may add an Eligible Predecessor's duration of
4 ownership of the subject lot to the property owner's duration of ownership of the same lot.

5 (B) **Multiple Ownership.** Whenever property proposed for development is
6 jointly owned, owned as common property, or is otherwise subject to multiple ownership, the
7 durational requirements of this subsection (c)(10) must be satisfied by: (i) the majority ownership,
8 whether represented by stock, membership interest, partnership interest, co-tenancy interest, or
9 otherwise, in the case of projects proposed under subsection (c)(4)(A); or (ii) the majority ownership of
10 each lot to be merged, whether represented by stock, membership interest, partnership interest, co-
11 tenancy interest, or otherwise, in the case of projects proposed under subsection (c)(4)(B).

12 (C) **Vacant or Abandoned Property.** The ownership requirement in this
13 subsection (c)(10) that the project sponsor has owned the subject lot for a minimum of one year
14 prior to the time of the submittal of their application shall not apply if the property has been
15 vacant for one or more years at the time of application, or if the property has been registered as
16 a vacant or abandoned building pursuant to Building Code Section 103A.4 et seq. for at least five
17 years preceding the application submittal if the existing site contains two or more dwelling
18 units, or one year preceding application submittal if the site contains one or fewer dwelling
19 units or a single-family home containing an Unauthorized Unit; and

20 (D) The requirements of this subsection (c)(10) shall apply regardless of
21 the legal form of ownership of the property, including but not limited to properties owned by a
22 limited liability company.

23 (11) the project sponsor certifies under penalty of perjury that the project does
24 not propose the demolition of:

25 (A) three or more dwelling units that are or were:

1 (i) subject to a recorded covenant, ordinance, or law that restricts
2 rents to levels affordable to persons and families of lower or very low income within the past
3 five years; or

4 (ii) subject to limits on rent increases under the Residential Rent
5 Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) within the past
6 five years; or

7 (iii) rented by lower or very low income households within the past
8 five years; or

9 (B) a dwelling unit occupied by a tenant at the time of application; or

10 (C) a dwelling unit from which a tenant has been evicted under
11 Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) within the past five years or a
12 dwelling unit that has been vacated within the past five years pursuant to a Buyout
13 Agreement, as defined in Administrative Code Section 37.9E, as it may be amended from
14 time to time, regardless of whether the Buyout Agreement was filed with the Rent Board
15 pursuant to Administrative Code Section 37.9E(h).

16 (D) For the purposes of this subsection (c)(11) of Section 249.94, "lower
17 or very low income households" shall have the same meaning as in Government Code
18 Section 66300-; and

19 (12) the project sponsor has conducted one pre-application meeting prior to
20 filing a development application. The Planning Department shall not accept a development
21 application under this Section 249.94 without confirmation that the project sponsor has held at
22 least one pre-application meeting conforming to the requirements of this subsection (c)(12)
23 and any additional procedures established by the Planning Department. The project sponsor
24 shall provide mailed notice of the pre-application meeting to the individuals and neighborhood
25

1 organizations specified in Planning Code Section 333(e)(2)(A) and (C). The Planning
2 Department shall establish additional procedures to administer this subsection (c)(12).

3 **(d) Other Controls.**

4 **(1) Density Exceptions.** Projects that meet the eligibility criteria in subsection (c) of
5 this Section 249.94 are exempt from residential density limits, calculation of which shall not include
6 any Accessory Dwelling Units permitted under Section 207, as follows:

7 **(A) Single-Lot Density Exception.** For projects eligible under subsection
8 (c)(4)(A), the greater of up to four dwelling units per lot or one dwelling unit per 1,000 square feet
9 of lot area are allowable;

10 **(B) Lot-Merger Density Exception.** For projects eligible under subsection
11 (c)(4)(B), the greater of up to twelve dwelling units per lot or one dwelling unit per 1,000 square
12 feet of lot area are allowable, if the lot is the result of a merger of three lots, or the greater of up to
13 eight dwelling units per lot or one dwelling unit per 1,000 square feet of lot area are allowable, if
14 the lot is the result of a merger of two lots;

15 **(C) Group Housing Density Exception.** For both Single-Lot and Lot-Merger
16 Development Projects under subsection (c)(4)(A) or (B), up to one Group Housing unit bedroom per
17 415 square feet of lot area is allowable in RH-1, RH-1(D), and RH-1(S) districts.

18 **(2) Height.** Notwithstanding any other provision of this Code, including but not limited
19 to Section 261(b), the height limit for a project that meets the eligibility criteria in subsection (c) of this
20 Section 249.94 shall be 40 feet, if 40 feet is authorized by the Height Map of the Zoning Map.
21 Notwithstanding the foregoing sentence, a project shall comply with the requirements of
22 Section 261(c).

23 **(3) Construction of Rear-Yard Unit.** Construction of a rear-yard unit shall be
24 governed by the following standards:

25 **(A)** The subject parcel must be at least 2,400 square feet;

1 (B) The rear-yard unit shall be located at least four feet from the side and rear
2 lot lines and shall not share structural walls with any other structure on the lot;

3 (C) Compliance with minimum rear-yard requirements shall not be required,
4 except that a minimum 25 feet separation shall be provided between the facades that face each other;

5 (D) For the rear-yard unit and units in the primary building that obtain
6 their only Code-complying exposure from the rear yard, The dwelling unit exposure
7 requirements of Section 140(a)(2) may be satisfied through qualifying windows facing an unobstructed
8 open area that is no less than 25 feet in every horizontal dimension, and such open area is not required
9 to expand in every horizontal dimension at each subsequent floors;

10 (E) The rear-yard building height shall be limited to 20 feet measured from
11 existing grade at any given point to either i) the highest point of a finished roof, in the case of a flat
12 roof, or ii) the average height of a pitched roof or stepped roof, or similarly sculptured roof form. The
13 rear-yard building shall not be eligible for any height exemptions in subsection (d)(2) of this Section
14 249.94 or in Section 260(b); and

15 (F) Each dwelling unit or group housing bedroom shall have at least 100
16 square feet of usable open space if private, and/or 133 square feet if common.

17 (4) **Rear-Yard Setback Requirements** For projects that do not construct a rear-yard
18 unit pursuant to subsection (d)(3) of this Section 249.94, the basic rear yard setback requirement
19 shall be equal to 30% of the total depth of the lot on which the building is situated, but in no case less
20 than 15 feet.

21 (5) **Open Space Requirements for Lot-Merger Projects.** For projects eligible under
22 subsection (c)(4)(B) of this Section 249.94, each dwelling unit shall have at least 100 square feet of
23 usable open space if private, and/or 133 square feet if common.

1 (6) Minimum Density Requirement on Merged Lots. For lots merged pursuant to
2 subsection (c)(4)(B) of this Section 249.94, any development on the resulting lot shall be subject to the
3 following minimum densities:

4 (A) six units per lot, if the lot results from a two-lot merger; or

5 (B) nine units per lot, if the lot results from a three-lot merger.

6 (e) Applicability of Rent Ordinance; Regulatory Agreements.

7 (1) Sponsors of projects utilizing any of the density exceptions above the base
8 density up to the limits in subsection (d)(1) of this Section 249.94 shall enter into a regulatory
9 agreement with the City subjecting the new units created pursuant to such density exception, except for
10 any required Affordable Units as defined in Planning Code Section 401, to the Residential Rent
11 Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code), as a condition of
12 approval of the density exception ("Regulatory Agreement").

13 (2) The property owner and the Planning Director, or the Director's designee, on
14 behalf of the City, will execute the Regulatory Agreement, which is subject to review and approval by
15 the City Attorney's Office. The Regulatory Agreement shall be executed prior to the City's issuance of
16 the First Construction Document for the project, as defined in Section 107 A.13.1 of the Building Code.
17 Following execution of the Regulatory Agreement by all parties and approval by the City Attorney, the
18 Regulatory Agreement or a memorandum thereof shall be recorded in the title records in the Office of
19 the Assessor-Recorder against the property and shall be binding on all future owners and successors in
20 interest.

21 (3) At a minimum, the Regulatory Agreement shall contain the following:

22 (A) A description of the total number of units approved, including the number of
23 units subject to the Rent Stabilization and Arbitration Ordinance and other restricted units, if any, and
24 the location, square footage of dwelling units, and number of bedrooms in each unit;

1 (B) A statement that the new units created pursuant to the density exception are
2 not subject to the Costa-Hawkins Rental Housing Act (California Civil Code Section 1954.50 et seq.).
3 Further, because that under Section 1954.52(b), the property owner has entered into and agreed to
4 the terms of the agreement with the City in consideration for an exception from residential density
5 limits, or other direct financial contribution or other forms of assistance specified in California
6 Government Code Section 65915 et seq.;

7 (C) A description of the residential density exception or other direct financial
8 contribution or forms of assistance provided to the property owner; and

9 (D) A description of the remedies for breach of the agreement and other
10 provisions to ensure implementation and compliance with the agreement.

11 (f) **Review and Approvals.** Notwithstanding any other provision of this Code, the following
12 shall apply to any project that meets the eligibility criteria in subsection (c) of this Section
13 249.94, and irrespective of whether a project is utilizing a density exception to construct units
14 above the applicable density limit in the RH district pursuant to subsection (d)(1) of this Section
15 249.94, for any project that meets the eligibility criteria in subsection (c) of this Section 249.94,
16 the following shall apply:

17 (1) No conditional use authorization shall be required, including but not limited to the
18 requirements of Sections 303 and 317 of this Code, unless:

19 (A) a project would demolish ~~two~~any units that are subject to limits on
20 rent increases under the Residential Rent Stabilization and Arbitration Ordinance (Chapter 37
21 of the Administrative Code); or

22 (B) a project requires a conditional use authorization pursuant to
23 Sections 249.77 or 249.92.

24 (2) Compliance with Section 311 of this Code shall not be required, unless a project
25 would demolish any units that are subject to limits on rent increases under the Residential

1 Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code), in which
2 case the requirements of Section 311 shall apply; and

3 (3) A Notice of Special Restrictions (“NSR”) shall be recorded on the title of any
4 property receiving approval under this Section 249.94. The NSR shall:

5 (A) Describe the uses, restrictions, and development controls approved under
6 Planning Code Section 249.94, including but not limited to the minimum density restrictions set forth in
7 subsection (d)(6);

8 (B) State that the NSR runs with the land and is binding on all future owners and
9 successors in interest;

10 (C) Provide the Planning Department with the ability to enforce the provisions
11 of this Section 249.94;

12 (D) Describe any other conditions that the Planning Director or Planning
13 Commission deems appropriate to ensure compliance with this Section 249.94; and

14 (E) Be signed by the City and recorded prior to issuance of the building permit
15 for the project receiving approval under this Section 249.94.

16 (g) **Review of Program.** The Planning Department shall include the location and number of
17 units of projects using this Section 249.94 in the Housing Inventory Report. Prior to December 31,
18 2030, the Planning Department shall prepare a report containing recommendations for modifications
19 to this Section 249.94, including modifications to the boundaries described in subsection (b), to further
20 the goals of the City’s Seventh Housing Element Cycle.

21
22 Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheets SU 1,
23 SU 2, SU 3, SU 4, SU 5, SU 6, SU 7, SU 11, SU 12, and SU 13 of the Zoning Map of the City
24 and County of San Francisco are hereby amended, as follows:
25

1	Description of Property	Special Use District Hereby Approved
2		
3	All parcels within the westernmost boundary	Family Housing Opportunity Special Use
4	of the Great Highway; the northernmost	District
5	boundary of the City; and the area bounded	
6	by Leavenworth between Jefferson and	
7	North Point; Columbus between North Point	
8	and Chestnut; Chestnut between Taylor and	
9	Montgomery; Montgomery between	
10	Chestnut and Greenwich; Greenwich	
11	between Montgomery and Sansome;	
12	Sansome between Greenwich and Vallejo;	
13	Vallejo between Sansome and Kearny;	
14	Kearny between Vallejo and Filbert; Filbert	
15	between Kearny and Columbus; Columbus	
16	between Filbert and Greenwich; Mason	
17	between Greenwich and Green; Green	
18	between Mason and Leavenworth;	
19	Leavenworth between Green and	
20	Washington; Washington between	
21	Leavenworth and Powell; Powell between	
22	Washington and California; California	
23	between Powell and Leavenworth;	
24	Leavenworth between California and Bush;	
25	Bush between Leavenworth and Van Ness;	

1	Van Ness between Bush and California;	
2	California between Van Ness and Steiner;	
3	Steiner between California and Sutter; Sutter	
4	between Steiner and Gough; Gough	
5	between Sutter and Geary; Geary between	
6	Gough and Baker; St. Joseph's Avenue	
7	between Geary and Turk; Turk between St.	
8	Joseph's Avenue and Scott; Scott between	
9	Turk and McAllister; McAllister between	
10	Scott and Steiner; Steiner between	
11	McAllister and Fulton; Fulton between	
12	Steiner and Laguna; Laguna between Fulton	
13	and Oak; Oak between Laguna and	
14	Fillmore; Fillmore between Oak and Page;	
15	Page between Fillmore and Webster;	
16	Webster between Page and Haight; Haight	
17	between Webster and Laguna; Laguna	
18	between Haight and Market; Market between	
19	Laguna and Castro; Castro between Market	
20	and 21st Street; 21st Street between Castro	
21	and Dolores; Dolores between 21st Street	
22	and Cesar Chavez; Cesar Chavez between	
23	Dolores and Noe; Noe between Cesar	
24	Chavez and Laidley; Harry Street Stairs	
25	between Laidley and Beacon; Beacon	

1	between Harry Street Stairs and Miguel;	
2	Miguel between Beacon and Bemis; Bemis	
3	between Miguel and Castro; Sussex	
4	between Castro and Diamond; Diamond	
5	between Sussex and Surrey; Surrey	
6	between Diamond and Bosworth; Bosworth	
7	between Surrey and San Jose; San Jose	
8	between Bosworth and Ocean; Ocean	
9	between San Jose and Howth; Howth	
10	between Ocean and Mt. Vernon; Mt. Vernon	
11	between Howth and Harrold; Grafton	
12	between Harold and Capitol; Capitol	
13	between Grafton and Lakeview; Lakeview	
14	between Capitol and Ashton; Ashton	
15	between Lakeview and Holloway; Holloway	
16	between Ashton and Junipero Serra;	
17	Junipero Serra between Holloway and 19th	
18	Avenue; 19th Avenue between Junipero	
19	Serra and Eucalyptus; Eucalyptus between	
20	19th Avenue and Middlefield; Middlefield	
21	between Eucalyptus and Lake Merced	
22	Boulevard; Lake Merced Boulevard between	
23	Middlefield and Skyline Boulevard; Skyline	
24	between Lake Merced Boulevard and Sloat;	

25

1 Sloat between Skyline and the Great
2 Highway.
3

4
5 Section 5. Article 9 of the Subdivision Code is hereby amended by amending Sections
6 1359, 1396.4, 1396.5 and adding Section 1396.7, to read as follows:
7

8 **SEC. 1359. PARCEL MAP.**

9 * * * *

10 (c) In the case of Conversions where a Tentative Map is not required, the
11 requirements of Section 1314 and the requirements of Article 9 on Conversions shall apply,
12 provided that hearings as provided in Sections 1313 and 1332 shall not be required, and
13 provided further that Article 9 shall not be applied to two-unit buildings where both units are
14 owner-occupied for one year prior to the application for Conversion. This exemption for
15 owner-occupied two-unit buildings shall not apply to units legalized pursuant to Section 207.3
16 of the Planning Code or units constructed pursuant to Section 249.94 of the Planning Code.

17 * * * *

18
19 **SEC. 1396.4. CONDOMINIUM CONVERSION FEE AND EXPEDITED**
20 **CONVERSION PROGRAM.**

21 (a) Findings. The findings of Planning Code Section 415.1 concerning the
22 City's inclusionary affordable housing program are incorporated herein by reference and
23 support the basis for charging the fee set forth herein as it relates to the conversion of
24 dwelling units into condominiums.
25

(b) Any building may be exempted from the annual lottery provisions of Section 1396 if the building owners for said building comply with either: (1) Section 1396.3(g)(1) and all the requirements of this Section 1396.4; ~~or~~ (2) all the requirements of Section 1396.6; or (3) all the requirements of Section 1396.7. Notwithstanding the foregoing sentence, no property or applicant subject to any of the prohibitions on conversions set forth in Section 1396.2, in particular a property with the eviction(s) set forth in Section 1396.2(b), is eligible for the Expedited Conversion program under this Section 1396.4. Eligible buildings as set forth in this subsection (b) may exercise their option to participate in this program according to the following requirements:

* * * *

SEC. 1396.5. SUSPENSION OF THE LOTTERY PENDING PRODUCTION OF REPLACEMENT UNITS FOR EXPEDITED CONVERSION UNITS.

* * * *

(c) Except as otherwise authorized under Section 1396.6 or Section 1396.7, the Department shall not accept an application for the conversion of residential units under Section 1396 nor conduct a lottery under this Article prior to January 1, 2024. Thereafter, the lottery shall resume upon the earlier of the following: (1) the first February following the Mayor's Office of Housing and Community Development report pursuant to subsection (b) showing that the total number of Conversion Replacement Units produced in the City of San Francisco exceeded the total number of units converted as identified in the Department's report prepared pursuant to Subsection (a); or (2) completion of the "Maximum Suspension Period" as defined below.

* * * *

1 **SEC. 1396.7. CONDOMINIUM CONVERSION ASSOCIATED WITH PROJECTS**
2 **CONSTRUCTED PURSUANT TO PLANNING CODE SECTION 249.94.**

3 *(a) Findings. The findings of Planning Code Section 415.1 concerning the City's inclusionary*
4 *affordable housing program are incorporated herein by reference and support the basis for charging*
5 *the fee set forth herein as it relates to the conversion of dwelling units into condominiums.*

6 *(b) Definition. "Existing Dwelling Unit" shall mean the dwelling unit in existence on a lot at*
7 *the time of the submittal of an application to construct a new dwelling unit pursuant to Planning Code*
8 *Section 249.94.*

9 *(c) Notwithstanding Section 1396.4 of this Code and Ordinance No. 117-13, a subdivider of a*
10 *one-unit building that has obtained a permit to build one or more new dwelling units pursuant to*
11 *Planning Code Section 249.94, which results in two or more dwelling units, and that has signed an*
12 *affidavit stating the subdivider's intent to reside in one of those resulting dwelling units, or in the*
13 *Existing Dwelling Unit, for a period of three years after the approval of the Certificate of Final*
14 *Completion and Occupancy for the new dwelling units, shall (1) be exempt from the annual lottery*
15 *provisions of Section 1396 of this Code with respect to the dwelling units built as part of the Project*
16 *and (2) be eligible to submit a condominium conversion application for the Existing Dwelling Units*
17 *and/or include the Existing Dwelling Units in a condominium map application for the project approved*
18 *pursuant to Planning Code Section 249.94. Notwithstanding the foregoing sentence, no property or*
19 *applicant subject to any of the prohibitions on conversions set forth in Section 1396.2 of this Code,*
20 *including but not limited to a property with the eviction(s) set forth in Section 1396.2(b), shall be*
21 *eligible for condominium conversion under this Section 1396.7. Eligible buildings as set forth in this*
22 *subsection (c) may exercise their option to participate in this program according to the following*
23 *requirements:*

1 (1) The applicant(s) for the subject building seeking to convert dwelling units to
2 condominiums or subdivide dwelling units into condominiums under this subsection shall pay the fee
3 specified in Section 1315 of this Code.

4 (2) In addition to all other provisions of this Section 1396.7, the applicant(s) shall
5 comply with all of the following:

6 (A) The requirements of Subdivision Code Article 9, Sections 1381, 1382, 1383,
7 1386, 1387, 1388, 1389, 1390, 1391(a) and (b), 1392, 1393, 1394, and 1395.

8 (B) The applicant(s) must certify under penalty of perjury that within the 60
9 months preceding the date of the subject application, no tenant resided at the property.

10 (C) The applicant(s) must certify under penalty of perjury that to the extent
11 any tenant vacated their unit after March 31, 2013, and before recordation of the final parcel or
12 subdivision map, such tenant did so voluntarily or if an eviction or eviction notice occurred it was not
13 pursuant to Administrative Code Sections 37.9(a)(8)-(12) and 37.9(a)(14)-(16). The applicant must
14 also certify under penalty of perjury that to the extent any tenant vacated their unit after March
15 31, 2013, and before recordation of the final parcel or subdivision map, such tenant did not
16 vacate the unit pursuant to a Buyout Agreement, as defined in Administrative Code Section
17 37.9E, as it may be amended from time to time, regardless of whether the Buyout Agreement
18 was filed with the Rent Board pursuant to Administrative Code Section 37.9E(h). If a
19 temporary eviction occurred under Sections 37.9(a)(11) or 37.9(a)(14), then the applicant(s) shall
20 certify under penalty of perjury that the original tenant reoccupied the unit after the temporary
21 eviction.

22 (3) If the Department finds that a violation of this Section 1396.7 occurred prior to
23 recordation of the final map or final parcel map, the Department shall disapprove the application or
24 subject map. If the Department finds that a violation of this Section occurred after recordation of the
25

1 final map or parcel map, the Department shall take such enforcement actions as are available and
2 within its authority to address the violation.

3 (4) This Section 1396.7 shall not prohibit a subdivider who has lawfully exercised the
4 subdivider's rights under Administrative Code Section 37.9(a)(13) from submitting a condominium
5 conversion application under this Section 1396.7.

6 **(d) Decisions and Hearing on the Application.**

7 (1) The applicant shall obtain a final and effective tentative map or tentative parcel
8 map approval for the condominium subdivision or parcel map within one year of paying the fee
9 specified in subsection (e) of this Section 1396.7. The Director of the Department of Public Works or
10 the Director's designee is authorized to waive the time limits set forth in this subsection (d)(1) as it
11 applies to a particular building due to extenuating or unique circumstances. Such waiver may be
12 granted only after a public hearing and in no case shall the time limit extend beyond two years after
13 submission of the application.

14 (2) No less than 20 days prior to the Department's proposed decision on a tentative
15 map or tentative parcel map, the Department shall publish the addresses of buildings being considered
16 for approval, and post such information on its website, post notice that such decision is pending at
17 the affected buildings, and provide written notice of such pending decision to the applicant, all
18 tenants of such buildings, and any member of the public who interested party who has
19 requested such notice. During this time, any interested party may file a written objection to an
20 application and submit information to the Department contesting the eligibility of a building. In
21 addition, the Department may elect to hold a public hearing on said tentative map or tentative parcel
22 map to consider the information presented by the public, other City department, or an applicant. If the
23 Department elects to hold such a hearing it shall post notice of such hearing, including posting notice
24 at the subject building, and provide written notice to the applicant, all tenants of such building, any
25 member of the public who submitted information to the Department, and any interested party who has

1 requested such notice. In the event that an objection to the conversion application is filed in
2 accordance with this subsection (d)(2), and based upon all the facts available to the Department, the
3 Department shall approve, conditionally approve, or disapprove an application and state the reasons
4 in support of that decision.

5 (3) Any map application subject to a Departmental public hearing on the subdivision
6 or a subdivision appeal shall receive a six-month extension on the time limit set forth in subsection
7 (d)(1) of this Section 1396.7.

8 (e) Should the subdivision application be denied or be rejected as untimely in accordance with
9 the dates specified in subsection (d)(1) of this Section 1396.7, or should the tentative subdivision map
10 or tentative parcel map be disapproved, the City shall refund the entirety of the application fee.

11 (f) Conversion of buildings pursuant to this Section 1396.7 shall have no effect on the terms
12 and conditions applicable to such buildings under Section 1385A or 1396 of this Code.

13
14 Section 6. Chapter 37 of the Administrative Code is hereby amended by revising
15 Sections 37.2 and 37.3, to read as follows:

16
17 **SEC. 37.2. DEFINITIONS.**

18 * * * *

19 (r) **Rental Units.** All residential dwelling units in the City together with the land and
20 appurtenant buildings thereto, and all housing services, privileges, furnishings, and facilities
21 supplied in connection with the use or occupancy thereof, including garage and parking
22 facilities.

23 * * * *

24 The term "rental units" shall not include:

25 * * * *

1 (4) Except as provided in subsections (A)-(E), dwelling units whose rents are
2 controlled or regulated by any government unit, agency, or authority, excepting those
3 unsubsidized and/or unassisted units which are insured by the United States Department of
4 Housing and Urban Development; provided, however, that units in unreinforced masonry
5 buildings which have undergone seismic strengthening in accordance with Building Code
6 Chapters 16B and 16C shall remain subject to the Rent Ordinances to the extent that the
7 ordinance is not in conflict with the seismic strengthening bond program or with the program's
8 loan agreements or with any regulations promulgated thereunder;

9 * * * *

10 (D) The term "rental units" shall include (i) Accessory Dwelling Units
11 constructed pursuant to Section 207(c)(4) of the Planning Code and that have received a
12 complete or partial waiver of the density limits and the parking, rear yard, exposure, or open
13 space standards from the Zoning Administrator pursuant to Planning Code Section 307(l);
14 ~~and (ii) New Unit(s) constructed and funded pursuant to Administrative Code Chapter 85-;~~ (iii)
15 new dwelling units created pursuant to the density exception set forth in Section 207(c)(8) of
16 the Planning Code; (iv) new dwelling units created pursuant to the HOME-SF Program set
17 forth in Section 206.3(c)(1)(B) of the Planning Code; and (v) new dwelling units created
18 pursuant to the density exception set forth in Section 249.94(d)(1) of the Planning Code.

19 ~~(E) The term "rental units" shall include any new dwelling units created~~
20 ~~pursuant to the density exceptions set forth in Sections 207(c)(8) and 249.94 of the Planning~~
21 ~~Code.~~

22 ~~(E) The term "rental units" shall include any new dwelling units created~~
23 ~~pursuant to the HOME-SF Program set forth in Section 206.3(c)(1)(B) of the Planning Code.~~

24 * * * *

1 **SEC. 37.3. RENT LIMITATIONS.**

2 (a) **Rent Increase Limitations for Tenants in Occupancy.** Landlords may impose
3 rent increases upon tenants in occupancy only as provided below and as provided by
4 subsections 37.3(d) and 37.3(g):

5 * * * *

6 (d) **Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.).**
7 Consistent with the Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.)
8 and regardless of whether otherwise provided under Chapter 37:

9 (1) **Property Owner Rights to Establish Initial and All Subsequent Rental**
10 **Rates for Separately Alienable Parcels.**

11 (A) An owner or residential real property may establish the initial and all
12 subsequent rental rates for a dwelling or a unit which is alienable separate from the title to any
13 other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b),
14 (d), or (f) of Section 11004.5 of the California Business and Professions Code. The owner's
15 right to establish subsequent rental rates under this paragraph shall not apply to a dwelling or
16 unit where the preceding tenancy has been terminated by the owner by notice pursuant to
17 California Civil Code Section 1946 or has been terminated upon a change in the terms of the
18 tenancy noticed pursuant to California Civil Code Section 827; in such instances, the rent
19 increase limitation provisions of Chapter 37 shall continue to apply for the duration of the new
20 tenancy in that dwelling or unit.

21 * * * *

22 (D) An owner's right to establish subsequent rental rates under
23 subsection 37.3(d)(1) shall not apply to a dwelling or unit that is a new dwelling unit created
24 pursuant to the Code provisions specified in Section 37.2(r)(4)(D). ~~density exceptions set forth~~
25 ~~in Sections 207(c)(8) and 249.94 of the Planning Code.~~

1 * * * *

2 **(g) New Construction and Substantial Rehabilitation.**

3 (1) An owner of a residential dwelling or unit which is newly constructed and
4 first received a certificate of occupancy after the effective date of Ordinance No. 276-79 (June
5 13, 1979), or which the Rent Board has certified has undergone a substantial rehabilitation,
6 may establish the initial and all subsequent rental rates for that dwelling or unit, except:

7 (A) where rent restrictions apply to the dwelling or unit under Sections
8 37.3(d) or 37.3(f);

9 (B) where the dwelling or unit is a replacement unit under Section
10 37.9A(b);

11 (C) as provided for certain categories of units~~Accessory Dwelling Units~~
12 ~~and New Unit(s)~~ under Section 37.2(r)(4)(D); and

13 (D) as provided in a development agreement entered into by the City
14 under Administrative Code Chapter 56; and

15 ~~(E) as provided for certain categories of new dwelling units under Section~~
16 ~~37.2(r)(4)(E).~~

17
18 Section 7. The Planning Department, the Department of Public Works, and the Rent
19 Board are authorized to adopt regulations to implement this ordinance.

20
21 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25

1 additions, and Board amendment deletions in accordance with the “Note” that appears under
2 the official title of the ordinance.

3
4 Section ~~8~~9. Severability. If any section, subsection, sentence, clause, phrase, or word
5 of this ordinance, or any application thereof to any person or circumstance, is held to be
6 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
7 shall not affect the validity of the remaining portions or applications of the ordinance. The
8 Board of Supervisors hereby declares that it would have passed this ordinance and each and
9 every section, subsection, sentence, clause, phrase, and word not declared invalid or
10 unconstitutional without regard to whether any other portion of this ordinance or application
11 thereof would be subsequently declared invalid or unconstitutional.

12
13 Section ~~9~~10. No Conflict with Federal or State Law. Nothing in this ordinance shall be
14 interpreted or applied so as to create any requirement, power, or duty in conflict with any
15 federal or state law.

16
17 Section ~~40~~11. Effective Date. This ordinance shall become effective 30 days after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor’s veto of the ordinance.

21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/Giulia Gualco-Nelson
24 GIULIA GUALCO-NELSON
Deputy City Attorney

25 n:\legana\as2023\2300112\01692184.docx

BOARD of SUPERVISORS



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

MEMORANDUM

Date: May 22, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230026-2
Planning, Subdivision, and Administrative Codes and Zoning Map - Family
Housing Opportunity Special Use District

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
☒ Ordinance / Resolution
☐ Ballot Measure
- The proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.
05/31/2023 *Joy Navarrete*
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
☐ General Plan ☒ Planning Code, Section 101.1 ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
☐ Landmark (*Planning Code, Section 1004.3*)
☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
☐ Mills Act Contract (*Government Code, Section 50280*)
☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.



June 9, 2023

Ms. Angela Calvillo, Clerk
Honorable Supervisor Melgar
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2023-000413PCAMAP
Family Housing Opportunity Special Use District; Design Controls and Review Procedures
Board File No. 230026

Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Melgar,

On June 1, 2023, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Melgar that would amend Planning Code Section 249.94. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

1. Amend eligibility criterion to also allow projects within the RM-1 Zoning District.
2. Amend the density exceptions for Single-Lot and Lot-Merger projects to also allow up to one unit per 1,000 square feet of lot area, whichever is greater.
3. For the Single-Lot Density Exception, allow four units to be proposed in primary structure.
4. For the Lot-Merger Density Exception, require at least one of the following:

	Two-Lot Merger	Three-Lot Merger
<i>Two-Bedroom Units</i>	Two (2)	Three (3)
<i>Three-Bedroom Units</i>	One (1)	Two (2)



PLANNING COMMISSION RESOLUTION NO. 21327

HEARING DATE: JUNE 1, 2023

Project Name: Family Housing Opportunity Special Use District; Design Controls and Review Procedures
Case Number: 2023-000413PCAMAP [Board File No. 230026]
Initiated by: Supervisor Melgar / Introduced January 10, 2023
Staff Contact: Veronica Flores, Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION APPROVING WITH MODIFICATION A PROPOSED ORDINANCE THAT WOULD AMEND 1) THE PLANNING CODE TO CREATE THE FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT; 2) THE PLANNING CODE TO AUTHORIZE UP TO FOUR UNITS ON INDIVIDUAL LOTS, UP TO TWELVE UNITS ON MERGED LOTS IN RH-1 DISTRICTS, AND GROUP HOUSING IN RH-1 DISTRICTS FOR ELIGIBLE PROJECTS IN THE SPECIAL USE DISTRICT; 3) THE PLANNING CODE TO EXEMPT ELIGIBLE PROJECTS IN THE SPECIAL USE DISTRICT FROM CERTAIN HEIGHT, OPEN SPACE, DWELLING UNIT EXPOSURE, AND REAR-YARD SETBACK REQUIREMENTS, CONDITIONAL USE AUTHORIZATIONS, AND NEIGHBORHOOD NOTIFICATION REQUIREMENTS; 4) THE SUBDIVISION CODE TO AUTHORIZE ELIGIBLE PROJECTS IN THE SPECIAL USE DISTRICT TO QUALIFY FOR CONDOMINIUM CONVERSION OR A CONDOMINIUM MAP THAT INCLUDES THE EXISTING DWELLING UNITS AND THE NEW DWELLING UNITS THAT CONSTITUTE THE PROJECT; 5) THE ADMINISTRATIVE CODE TO REQUIRE NEW DWELLING OR GROUP HOUSING UNITS CONSTRUCTED PURSUANT TO THE DENSITY LIMIT EXCEPTION TO BE SUBJECT TO THE RENT INCREASE LIMITATIONS OF THE RENT ORDINANCE; 6) THE ZONING MAP TO SHOW THE FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT; AND AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on January 10, 2023 Supervisor Melgar introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 230026, which amend 1) the Planning Code to create the Family

Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; and 6) the Zoning Map to show the Family Housing Opportunity Special Use District (SUD);

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 1, 2023; and,

WHEREAS, the proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The Commission’s proposed recommendations are as follows:

1. Amend eligibility criterion to also allow projects within the RM-1 Zoning District.
2. Amend the density exceptions for Single-Lot and Lot-Merger projects to also allow up to one unit per 1,000 square feet of lot area, whichever is greater.
3. For the Single-Lot Density Exception, allow four units to be proposed in primary structure.
4. For the Lot-Merger Density Exception, require at least one of the following:

	Two-Lot Merger	Three-Lot Merger
<i>Two-Bedroom Units</i>	Two (2)	Three (3)
<i>Three-Bedroom Units</i>	One (1)	Two (2)

5. Add eligibility criteria to the SUD protecting rent-controlled buildings and prohibiting buildings with tenants and a no-fault eviction history from taking part in the proposed program.
 - (1) No more than two units subject to rent control are being demolished.
 - (2) The units to be demolished are not tenant occupied and are without a history of evictions under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) (*aka No-Fault Evictions*) within last 5 years.
6. Clerical changes:
 - a. Revise “Group Housing unit” to state “Group Housing bedroom”.
 - b. Clarify that projects cannot propose a combination of Dwelling Units and Group Housing.
 - c. Clarify that Unauthorized Dwelling Units do not count for the purposes of calculating existing Dwelling Units on the property at the time of application.
 - d. Clarify that existing Dwelling Units qualify for the two-bedroom (and/or three-bedroom) requirement.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The proposed Ordinance will streamline review of qualifying housing projects.

The proposed Ordinance focuses on increasing housing production in the Well-Resourced neighborhoods.

General Plan Compliance

The proposed Ordinance and the Commission’s recommended modifications are consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 1.A

Ensure housing stability and healthy homes.

OBJECTIVE 3.B

Create a sense of belonging for all communities of color within well-resourced neighborhoods through expanded housing choice.

OBJECTIVE 4.A

Substantially expand the amount of permanently affordable housing for extremely low- to moderate-income households.

OBJECTIVE 4.B

Expand small and mid-rise multi-family housing production to serve our workforce, prioritizing middle-income households.

OBJECTIVE 4.C

Diversify housing types for all cultures, family structures, and abilities.

POLICY 19

Enable low and moderate-income households, particularly American Indian, Black, and other people of color, to live and prosper in Well-resourced Neighborhoods by increasing the number of permanently affordable housing units in those neighborhoods.

POLICY 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in Well-resourced Neighborhoods and adjacent lower-density areas near transit, including along SFMTA Rapid Network³³ and other transit.

POLICY 25

Reduce governmental constraints on development in Well-resourced Neighborhoods to enable small and mid-rise multi-family buildings providing improved housing choice and affordability.

POLICY 26

Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting State- and local-required timelines, especially for 100% affordable housing and shelter projects.

POLICY 32

Promote and facilitate aging in place for seniors and multi-generational living that supports extended families and communal households.

POLICY 33

Prevent the outmigration of families with children and support the needs of families to grow.

The proposed Ordinance aligns with the Housing Element's goal of providing a diverse stock of housing to meet existing and future residents' needs. This legislation especially responds to Policy 26 by eliminating procedural barriers through new streamlining opportunities for qualifying projects within the proposed Family Housing Opportunity SUD. The proposed Ordinance also focuses development opportunities within the Well-Resourced Neighborhoods identified in San Francisco. This directly supports Policy 25 by eliminating development constraints within the Well-Resourced Neighborhoods and Policy 19 by increasing small-and mid-rise buildings within the Well-Resourced Neighborhoods or within low-density neighborhoods. Collectively, this Ordinance supports the Housing Element's goal of "housing for all".

Planning Code Section 101 Findings

The proposed amendments to the Planning Code and Zoning Map are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 1, 2023.



Jonas P. Ionin
Commission Secretary

AYES: Braun, Diamond, Koppel, Imperial, Moore, Tanner

NOES: None

ABSENT: Ruiz

ADOPTED: June 1, 2023

5. Add eligibility criteria to the SUD protecting rent-controlled buildings and prohibiting buildings with tenants and a no-fault eviction history from taking part in the proposed program.
 - a. No more than two units subject to rent control are being demolished.
 - b. The units to be demolished are not tenant occupied and are without a history of evictions under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) (aka No-Fault Evictions) within last 5 years.
6. Clerical changes:
 - a. Revise "Group Housing unit" to state "Group Housing bedroom".
 - b. Clarify that projects cannot propose a combination of Dwelling Units and Group Housing.
 - c. Clarify that Unauthorized Dwelling Units do not count for the purposes of calculating existing Dwelling Units on the property at the time of application.
 - d. Clarify that existing Dwelling Units qualify for the two-bedroom (and/or three-bedroom) requirement.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,



Aaron D. Starr
Manager of Legislative Affairs

cc: Giulia Gualco-Nelson, Deputy City Attorney
Michael Farrah, Aide to Supervisor Melgar
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary



EXECUTIVE SUMMARY

PLANNING CODE TEXT & ZONING MAP AMENDMENT

HEARING DATE: June 1, 2023

90-Day Deadline: August 20, 2023

Project Name: Family Housing Opportunity Special Use District; Design Controls and Review Procedures
Case Number: 2023-000413PCAMAP [Board File No. 230026]
Initiated by: Supervisor Melgar / Introduced January 10, 2023
Staff Contact: Veronica Flores, Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, (628) 652-7533

Recommendation: Approval with Modifications

Planning Code and Zoning Map Amendment

The proposed Ordinance would amend 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; and 6) the Zoning Map to show the Family Housing Opportunity Special Use District (SUD).

The Way It Is Now:

The RH Districts are composed of five separate classes of districts, defined by the number of units permitted in each (see below). Projects trigger a Conditional Use Authorization (CUA) if the project is tantamount to demolition and neighborhood notification if the proposal involves a building expansion.

RH-1(D) Districts	1 unit max. per lot
RH-1 Districts	1 unit max. per lot or 1 unit per every 3,000sqft of lot area with a CUA, but in no case more than 3 units per lot
RH-1(S) Districts	1 unit max. per lot, though a small second unit is allowed if it is 600sqft or less, or 1 unit per every 3,000sqft of lot area with CUA, but in no case more than 3 units per lot
RH-2 Districts	2 unit max. per lot or 1 unit per every 1,500sqft of lot area with CUA;
RH-3 Districts	3 unit max. per lot, or 1 unit per every 1,000sqft of lot area with CUA

Accessory Dwelling Units (ADUs) may also be built in addition to the base density allowances in RH districts.

The Way It Would Be:

The proposed Ordinance would establish the Family Housing Opportunity SUD. The boundaries would be generally coterminous with the areas designated as high-resource and highest-resource neighborhoods in the “Well-Resourced Neighborhoods Map” of the 2023-2031 Housing Element (see Exhibit C). Eligible projects would be exempt from CUAs per Section 303, and the neighborhood notification and public-initiated Discretionary Review (DR) procedures in Section 311. All projects would be required to record a Notice of Special Restrictions (NSR) describing the approved uses, restrictions, and development controls. Such NSR would need to be signed by the City and recorded against the property prior to building permit issuance.

The Family Housing Opportunity SUD would allow projects with the following densities (exclusive of any Accessory Dwelling Units (ADUs)):

- Single-Lot Development Project: The construction, including the alteration of an existing structure, of at least two and no more than four dwelling units on a single lot, inclusive of any existing dwelling units on the site. For a project proposing four dwelling units, the fourth dwelling unit shall be constructed in the rear yard. For a project proposing fewer than four dwelling units, up to one unit may be in the rear yard.
- Lot-Merger Development Project in RH-1 Districts. A merger of up to three lots in RH-1, RH-1(D), or RH-1(S) districts and the construction of at least six units but no more than eight units on a two-lot merger or at least nine units but no more than 12 dwelling units on a three-lot merger.
- Group Housing Development Project: A Single-Lot project and a Lot-Merger project may also propose the construction of up to one Group Housing unit per 415 square feet of lot area or currently permitted under the Planning Code, whichever is greater.

To be eligible for this residential density limit exception, projects must demonstrate the following criteria:

- is located in an RH district within the Family Housing Opportunity SUD;
- not combined with the State Density Bonus or HOME-SF programs;
- not proposed on a property resulting from a lot-split under Senate Bill 9;
- contains at least two dwelling units with two or more bedrooms (not applicable to Group Housing);
- includes more dwelling units than are existing on the site at the time of application (Group Housing projects need to provide at least as many bedrooms as the project would demolish);

- does not propose the demolition of a known historic building;
- complies with Code and applicable design guidelines and strives for consistency with the Residential Design Guidelines (RDGs);
- complies with Senate Bill 330 unit replacement requirements for protected units; and
- the project sponsor needs to have owned the property for one year prior to application submittal.

The Ordinance also include other controls for these projects:

- the height limit shall be 40 feet, notwithstanding Section 261 special height requirements;
- for Single-Lot projects proposing a detached rear yard unit:
 - the detached rear yard units would require a four-foot setback from the rear and side property lines and be no greater than 20 feet tall as measured from grade;
 - open space requirements for each unit on the property shall be at least 100 square feet for private, and 133 square feet if common;
 - the units shall face onto an open space that is no less than 25 feet and such open area is not required to expand in every horizontal dimension at each subsequent floor;
- for Lot-Mergers projects: the minimum densities shall be at least six units for a two-lot merger and at least nine units for a three-lot merger;
 - open space requirements for each unit on the property shall be at least 100 square feet for private, and 133 square feet if common;
- the required rear yard shall be 30% (except when proposing a detached rear yard unit, in which case a minimum of 25 feet separation is required); and
- Dwelling Units built over the base density are subject to price controls and eviction controls under the Rent Ordinance (except Affordable Units provided through the Inclusionary Affordable Housing Program).

The Department shall include an update on the location and number of the units resulting from this SUD within the Housing Inventory Report. Additionally, the Department shall prepare a report containing recommendations to this SUD, including recommendations on the boundaries, prior to December 31, 2030 which is the conclusion of the current Housing Element Cycle.

Background

The City recently passed legislation (Four-plex Program) allowing increased density of up to four Dwelling Units per lot, and up to six Dwelling Units per lot in Corner Lots, in all RH zoning districts;¹ however, this Ordinance kept in place all existing procedural requirements, such as neighborhood notification (311 Notification) and Conditional Use requirements for demolishing existing housing (Planning Code Section 317). The process requirements help make housing construction less feasible by increasing time and costs associated with the project. This Ordinance seeks to eliminate these constraints by creating a Family Housing Opportunity SUD to streamline qualifying housing projects seeking such density limit exceptions. The proposed Ordinance also expands on the density limit exception by carving out a new Lot-Merger density exception described later in this report.

¹ [Ordinance 210-22, Board File No. 210866](#)

Competing Ordinances

Mayoral Executive Directive 23-01 centered on the goal of “Housing for All” and called on all City agencies to create clear action plans to implement the 2022 Housing Element. Specifically, the mayor sought ways to eliminate procedures to streamline housing construction. As part of this effort, Mayor Breed and Supervisor Engardio introduced separate legislation under Board File 230446 to reduce housing constraints and eliminate procedural barriers. The mayor’s Ordinance goes beyond the scope of Supervisor Melgar’s Ordinance and includes changes like standardizing rear yard requirements and setting minimum lot size and lot frontage for the entire city; however, there are significant overlaps between the two Ordinances.

Within that overlap, there are three main differences between Supervisor Melgar’s Ordinance and the mayor’s Ordinance. The first is that Supervisor Melgar’s Ordinance creates an SUD based on the Well-Resourced Neighborhoods within which projects are exempt from procedural requirements if they meet the eligibility requirements. The mayor’s Ordinance also creates an SUD but bases it off the Priority Equity Geographies and uses it to preserve existing review procedures within that area; moreover, both Ordinances seek to increase development within Well-Resourced Neighborhoods. The second main difference is that Supervisor Melgar’s Ordinance applies only to RH zoning district within the proposed SUD, while the mayor’s process changes are not limited to RH zoning districts. The third main difference is that Supervisor Melgar’s Ordinance seeks to replicate the density bonus provisions in the recently passed Four-plex Ordinance to create process improvements for those projects. The mayor’s Ordinance does not increase density, but instead relies on existing density, the framework of the existing Four-plex Ordinance, and anticipated zoning changes from the Housing Element implementation process. A comparison of the two Ordinances can be found in Exhibit D. The mayor’s Ordinance is scheduled to be heard by this commission on June 15, 2023.

Issues and Considerations

Housing Affordability Crisis

San Francisco has faced housing affordability challenges for decades including prices and rents that have increased to be among the highest in the nation. Most lower income renters struggle to afford their rent and homeownership is out of reach to all but those with the highest incomes or wealth. Over 85,000 renters and 39,000 owners spend more than 30% of income on housing and are considered cost burdened.^{2, 3} The most recent Point-in-Time (PIT) Count in 2022 found 7,754 people experiencing homelessness, more than 4,000 of whom are unsheltered.⁴ This was a slight decrease compared to the 2019 PIT Count, partially due to the mayor’s Homelessness Recovery Plan; however, housing for all is still an issue, nonetheless.

Households of many types face housing challenges; however, the most heavily impacted households are people living alone, who make up most severely burdened renters (spending 50% or more on rent) and families with children. This latter group faces elevated rates of cost burden and makes up nearly half of overcrowded households despite being just 18% of all households. People impacted by lack of housing options are extremely diverse. They include seniors on fixed incomes, people with physical and mental disabilities who want to live

² [Housing Needs Assessment and Assessment of Fair Housing. Housing Element 2022 Update, page 68](#)

³ HUD defines cost-burdened families as those “who pay more than 30% of their income for housing” and “may have difficulty affording necessities such as food, clothing, transportation, and medical care.” Severe rent burden is defined as paying more than 50% of one’s income on rent.

⁴ [2022 Homeless Count and Survey Comprehensive Report, page 19](#)

independently, college students, young adults trying to move out of their parents' homes, low- and moderate-income workers, middle-income homebuyers, families with children including single parents, and extended families with multiple generations living together.

People of color in San Francisco have substantially lower incomes than White residents and less housing access due to discriminatory policies. Today, Black, American Indian, and Latino residents have lower rates of home ownership than average, higher rates of cost burden, and experience homelessness at disproportionate rates. Asian residents also have higher cost burdens and, along with Latino residents, face higher rates of housing overcrowding than average.

Recent Development Patterns

In recent decades, housing was primarily built in nine neighborhoods located on the eastern half of the city where form-based, multi-family housing is more widely allowed. These neighborhoods include the Financial District / South Beach, South of Market, Mission Bay, Potrero Hill, Bayview Hunters Point, the Mission, Tenderloin, Hayes Valley, and Western Addition (see darker areas on map). Sixty percent (60%) of San Francisco's affordable units are in five neighborhoods on the eastern side of the city: the Tenderloin, South of Market, Western Addition, Mission, and Bayview-Hunters Point.⁵ The concentration of affordable housing in neighborhoods that are historically lower income and predominantly communities of color has helped stabilize vulnerable communities. However, it has also meant that affordable housing has been concentrated in neighborhoods that may lack access to good environmental quality, schools, job opportunities or transportation, as well as other services and amenities.



The neighborhoods where multi-family housing is allowed often have larger lots and higher permitted heights, resulting in larger housing projects. Because much of the rest of the city has far more restrictive rules on housing, few smaller projects on smaller lots are possible. The tendency toward larger projects on larger parcels limits options for adding housing, especially for smaller property owners, contractors, and builders who do not have the capital or scale to work on larger developments. Residents ultimately bear the brunt of these restrictions, finding limited available and affordable housing options, particularly in higher opportunity areas of the city.

Well-Resourced Neighborhoods

The proposed Ordinance focuses on development opportunities within Well-Resourced Neighborhoods as defined as the high- and highest-resource by the California Tax Credit Allocation Committee (TCAC). Well-Resourced Neighborhoods have a higher concentration of and greater access to parks, quality schools, better environmental conditions, and have higher median incomes. Collectively, these identified characteristics have

⁵ [Housing Needs Assessment and Assessment of Fair Housing. Housing Element 2022 Update. page 46](#)

been shown by research to support positive economic, educational, and health outcomes for low-income families – particularly long-term outcomes for children.

Despite having a higher concentration of resources, the Well-Resourced Neighborhoods have had low rates of housing production.

Since 2005, just 10% of all new housing in San Francisco and 10% of new affordable housing has been built in Well-Resourced Neighborhoods though these areas cover almost 52% of all the residential zoned land in the city.⁶ Exhibit C, which is based off the 2021 Opportunity Map, shows that the Well-Resourced Neighborhoods are mostly concentrated on the western side of the city. Well-Resourced Neighborhoods have experienced the lowest rates of new housing development over the last few decades. This may be partially due to recent rezoning in the inverse geographies since much of the eastern side of the city has established form-based zoning. Additionally, small projects have historically faced strong neighborhood opposition on the western side of the city.

The proposed Ordinance seeks to increase housing production within these Well-Resourced Neighborhoods by providing density limit exceptions as of right and adding more development opportunities through a Lot-Merger density exception. Additionally, this proposed Ordinance helps combat the housing affordability crisis by creating new rent-controlled and Affordable Units.

Eliminating Procedural Barriers for Increased Housing Production

The proposed Ordinance expands on prior legislation that created density limit exceptions throughout the city by removing development hurdles that often delay or kill housing projects, particularly on the west side. This proposed legislation removes the CUA and neighborhood notification requirements, as well as eliminates the public-initiated DR process for all qualifying projects. All these projects would need to comply with the criteria and development controls of the Family Housing Opportunity SUD to have the streamlined benefits. These streamlining benefits are available to projects not seeking a density exception. For example, if a project proposes a total of three units on an RH-3 lot, they will still receive the same streamlining benefits and development controls of the proposed Ordinance.

Development Controls

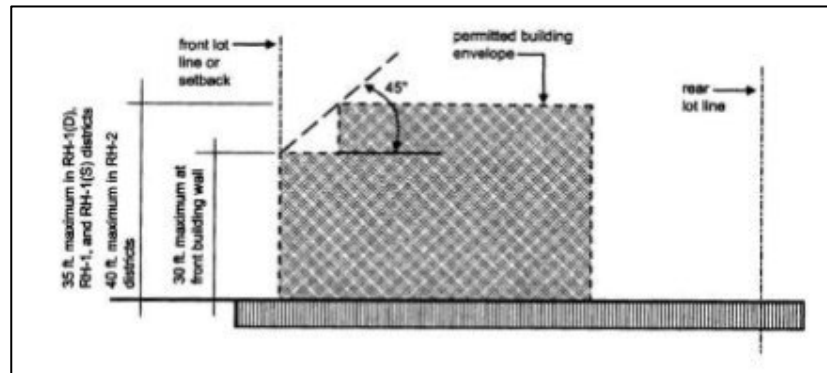
Height/Bulk Districts

Each parcel in the city has a designated Height/Bulk District outlining the maximum height for development. Section 261 includes additional controls within the RH districts including:

- no portion of a dwelling in any RH-1(D), RH-1 or RH-1(S) District shall exceed a height of 35 feet (with some exceptions due to topographical limitations of the parcel) and
- the height limit for RH-1(D), RH-1, RH-1(S) and RH-2 Districts shall be 30 feet at the front lot line, legislated setback line, or required front setback, and shall increase at an angle of 45 degrees from the horizontal toward the rear of the lot until the height limit (see Figure A).

⁶ [San Francisco Housing Element 2022 Update, page 39](#)

Figure A: Height Limits Applicable to Front Portion of the Property



[Source: San Francisco Planning Code, Section 261](#)

These additional height restrictions limit some development opportunity to build a Dwelling Unit or residential building up to 40 feet tall despite being located within a Height/Bulk District of 40-X. The proposed Ordinance seeks to alleviate some of these development constraints and make it easier to construct housing, particularly when eliminating the restrictions at the front of the property.

Design Review

The proposed Ordinance does not bypass design review and the RDGs would still apply to the extent compliance with the guidelines is feasible; however, to further achieve streamlining benefits, the city needs to move away from subjective design review (such as the RDGs) and instead review housing projects against objective design standards. The Department is currently working on objective design standards in conjunction with the rezoning effort to implement the Housing Element. Once adopted, this could further expedite review of all housing projects.

Rent Control

The Rent Ordinance provides two major types of tenant protections including 1) limits on rent increases and 2) eviction protections. The first piece limits a landlord to increasing annual rent by a certain percentage each year based on the Bay Area Consumer Price Index. It is important to note that rent control does not limit the rental price when a unit first comes onto the market or after a tenant vacates the unit. This contrasts with Inclusionary Housing where rents are limited throughout the life of the building. Even without this price cap, rent control is still highly attractive for tenants as it guarantees that the rent is only increased based on the Consumer Price Index. This helps protect against extreme or arbitrary rent increases.

The second piece related to eviction protections means a landlord can only evict a tenant based on the 16 “just causes” outlined in the Rent Ordinance. One example of a “just cause” includes nonpayment of rent or habitually late payments from a tenant, and another example includes owner move-in. These “just cause” eviction protections mean that a landlord cannot wrongfully evict a tenant based on arbitrary reasons. If there are any grievances related to these protections, a tenant can file a petition with the Rent Board. The Rent Board would then conduct an evidentiary hearing to make an official determination.

For many San Franciscans, having a rent-controlled apartment is the only way they are able move to or stay in the city. Rent-controlled units are highly sought after with only a limited stock of units based on the unit's first Certificate of Occupancy (COO). Generally, only dwelling units within a pre-1979 building or added as an ADU through the Local ADU Program are subject to rent control. In the past year, the City also passed the Four-plex program and amendments to the City's local bonus program (HOME-SF) that include provisions for new rent-controlled units. There is also the Housing Crisis Act of 2019 and Senate Bill 330 also allows a City to replace any rent-controlled units that are demolished as part of a housing development. Prior to this, replacing rent-controlled units was done only intermittently through Development Agreements limiting the number of new protected units.

As drafted, the Ordinance requires units seeking a density exception to be subject to rent control. The only exception would be for units that are required to be Affordable Units. Using the same example as described earlier, if a project proposes a total of three units on an RH-3 lot, it would not be required to provide rent-controlled units. In this scenario, the project is not seeking a density exception but is taking advantage of the proposed streamlining benefits. Under the Lot-Merger project path, the Ordinance would potentially yield larger batches of rent-controlled units (sans any required Affordable Units).

General Plan Compliance

The proposed Ordinance aligns with the Housing Element's goal of providing a diverse stock of housing to meet existing and future residents' needs. This legislation especially responds to Policy 26 by eliminating procedural barriers through new streamlining opportunities for qualifying projects within the proposed Family Housing Opportunity SUD. The proposed Ordinance also focuses development opportunities within the Well-Resourced Neighborhoods identified in San Francisco. This directly supports Policy 25 by eliminating development constraints within the Well-Resourced Neighborhoods and Policy 19 by increasing small-and mid-rise buildings within the Well-Resourced Neighborhoods or within low-density neighborhoods. Collectively, this Ordinance supports the Housing Element's goal of "housing for all".

Racial and Social Equity Analysis

This analysis builds on the efforts to review Supervisor Mandelman's recent legislation to create the four-unit density exception for Residential Districts. That analysis found that the most likely existing housing typology to be affected by the legislation was small, single-family homes. This was because demolition of multi-unit buildings to increase the existing density by a few units was not financially feasible. This proposed Ordinance alleviates some of those financial constraints by allowing qualifying housing projects as of right, instead of requiring additional CUA entitlements.

Reduce Potential Vulnerability of Single-Family Homeowners

Despite high home prices, 50% of single-family homes are owned by moderate- or low-income owners. Single-family homes have much lower turnover than multi-family ownership units or rental units. 46% of single-family homes have been occupied for 20 years or more and 70% occupied for 10 years or more. Length of ownership may explain why so many single-family homes have owners with low and moderate incomes even though

current housing prices are unaffordable. These households may have purchased a house when prices were lower, inherited a home, or their income may have been higher when they purchased the property (*i.e., retirees*).⁷

Over 39,000 owners report facing cost burdens, comprising about 30% of all owners. A little less than half of burdened owners experience severe burdens, paying more than 50% of income in housing costs (over 19,000 owners).⁸ Middle income owners are more likely to be cost burdened than renters but more than 80% of severely burdened owners are lower income. People of color are disproportionately impacted by owner cost burden, likely due to disproportionately lower incomes. Black or African American owners, as well as Hispanic or Latino, Native Hawaiian or Pacific Islander, and Asian owners, experience elevated rates of owner cost burden. While rents have dropped, the single-family home market has been highly active. Prices have only gone up in the past couple of years indicating that the pressures that might encourage these homeowners to sell their properties is powerfully in action *now*. Changing density limits is unlikely to make a significant difference in the choices these families currently face.

Aging In Place

Asian and Hispanic households are typically more likely than White households to opt into multi-generational living. The proposed density limit exceptions are especially appealing for multi-generational families looking to live collectively under one roof but still maintain their own independence by having distinct Dwelling Units. This also provides additional opportunities for seniors to age in place by relocating to a new unit on the ground floor or even a detached unit in the rear yard.

The Lot-Merger projects is envisioned to provide homeowners with limited liquid savings to be able to pool their resources together and increase housing opportunities and communal amenities on site. This requires a convergence of financial mechanisms, potential public-private partnerships, and interested property owners or available lots adjacent to each other to be able to pursue such lot mergers. If achieved, this increases the flexibility for the building configurations and unit types within a proposed housing project. This could also help families increase their equity in the long run, further cementing or enhancing their ability to age in place.

Making Well-Resourced Neighborhoods More Inclusive

The proposed Ordinance concentrates on increasing housing production within Well-Resourced Neighborhoods. Traditionally, low-income households are limited in their housing choices, often only able to rent or purchase in neighborhoods with fewer resources. The proposed Ordinance aligns with the Housing Element goal to open wealthy, predominantly white, and well-resourced neighborhoods to all communities of color and low-income households. This initiative seeks to provide access to high-quality neighborhood resources that foster positive economic and health outcomes.

Implementation

The Department has determined that this Ordinance eliminates procedural barriers and streamlines review for qualifying projects within the proposed Family Housing Opportunity SUD. Additionally, the proposed Ordinance will impact our current implementation procedures in the following ways:

⁷ [Housing Needs Assessment and Assessment of Fair Housing. Housing Element 2022 Update. page 37](#)

⁸ [Housing Needs Assessment and Assessment of Fair Housing. Housing Element 2022 Update. page 73](#)

- Create a new Family Housing Opportunity SUD Informational and Supplemental Application Packet;
- Require applications to submit the above Supplemental Application prior to submitting a Lot Line Adjustment (LLA) application to Public Works;
- Create a Regulatory Agreement template to designate rent-controlled units; and
- Create a new NSR template outlining the approved uses, restrictions, and development controls.

The items described above will take lead time at the front end and should not increase staff review time or costs. These efforts will be beneficial for the applicants as they will better understand upfront the new options available to them. Additionally, the revisions to the Regulatory Agreement designating the new rent-controlled units can also use the Below Market Rate designation process as a model. Therefore, staff does not anticipate revising the Regulatory Agreements will require a lengthy process.

Recommendation

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendations are as follows:

1. Amend eligibility criterion to also allow projects within the RM-1 Zoning District.
2. Amend the density exceptions for Single-Lot and Lot-Merger projects to also allow up to one unit per 1,000 square feet of lot area, whichever is greater.
3. Eliminate the reference to RDGs or replace with "adopted objective design standards".
4. Eliminate the one-year ownership requirement.
5. For the Single-Lot Density Exception, allow four units to be proposed in primary structure.
6. For the Lot-Merger Density Exception, require at least one of the following:

	Two-Lot Merger	Three-Lot Merger
<i>Two-Bedroom Units</i>	Two (2)	Three (3)
<i>Three-Bedroom Units</i>	One (1)	Two (2)

7. Add eligibility criteria to the SUD protecting rent-controlled buildings and prohibiting buildings with tenants and a no-fault eviction history from taking part in the proposed program.

(1) No more than two units subject to rent control are being demolished.

(2) The units to be demolished are not tenant occupied and are without a history of evictions under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) (*aka No-Fault Evictions*)

within last 5 years.

8. Clerical changes:

- a. Revise “Group Housing unit” to “Group Housing bedroom”.
- b. Clarify that projects cannot propose a combination of Dwelling Units and Group Housing.
- c. Clarify that Unauthorized Dwelling Units do not count for the purposes of calculating existing Dwelling Units on the property at the time of application.
- d. Clarify that existing Dwelling Units qualify for the two-bedroom (and/or three-bedroom) requirement.

Basis for Recommendation

The Department supports the proposed Ordinance because it supports the Housing Element’s goals of increasing housing production and diversifying the housing stock, particularly within the Well-Resourced Neighborhoods. This Ordinance also supports the Mayoral Executive Directive’s goal of “Housing for All”. However, the Department believes the Ordinance would be more effective with the following modifications:

Recommendation 1: Amend eligibility criterion to also allow projects within the RM-1 Zoning District.

The RM-1 Zoning District has a mixture of Dwelling Unit types found within RH Districts, but in addition have a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The RM-1 Zoning District permits a density of three units per lot or up to one unit per 800 square feet of lot area. A typical lot in the Sunset neighborhood, for example, has a parcel area of 2,500 square feet and would allow up to three Dwelling Units. The proposed Ordinance should be expanded to include RM-1 so that this zoning district is not less dense than what the proposed density limit exceptions would allow.

Recommendation 2: Amend the density exceptions for Single-Lot and Lot-Merger projects to also allow up to one unit per 1,000 square feet of lot area, whichever is greater.

The proposed Ordinance includes minimum densities for both Single-Lot and Lot-Merger projects but does not consider development potential on larger lots. The legislation should be revised to allow an additional density exemption of up to one unit per 1,000 square feet of lot area or the prescribed density minimum in the proposed Ordinance, whichever is greater (see examples in tables below). This 1,000 square feet threshold is modeled after the current CUA requirement for large lots on RH-3 parcels.

Single-Lot Project Example:

Lot Area in Square Feet	Density exception under proposed Ordinance	Density exception per 1,000 square feet of lot area (recommended modification)
2,500 (typical lot)	Four (4)	Three (3)
7,000	Four (4)	Seven (7)

Three-Lot Merger Project Example:

Lot Area in Square Feet	Density exception under proposed Ordinance	Density exception per 1,000 square feet of lot area (recommended modification)
7,500 (typical lots)	Twelve (12)	Eight (8)
16,000	Twelve (12)	Sixteen (16)

The greater density exception is **bolded** in each example above. This recommendation modification would allow a greater density exception as-of-right in cases of large parcels or resulting lot-mergers.

Recommendation 3: Eliminate the reference to RDGs or replace it with “adopted objective design standards”.

The Department is working on moving away from subjective design review such as the RDGs and instead review housing projects against objective design standards. The Department is currently working on objective design standards in conjunction with the rezoning effort to implement the Housing Element. Once adopted, this could further expedite review of all housing projects.

Recommendation 4: Eliminate the one-year ownership requirement.

The ownership requirement was originally included in the Four-plex program to discourage speculative projects and developers; however, it’s not clear that this stops speculative development or that the City should be discouraging people from investing in housing construction based on how long someone has owned the property. It could take up to a year for an applicant to finalize development plans, but that could also be done in a matter of months. Not allowing the applicant to submit plans when they are ready increases holding costs and ultimately the cost of housing. It also slows down the pace of housing development, and since the City needs 82,000 housing units in the next 8 years setting an arbitrary holding time is counterproductive. Eliminating the ownership requirement allows applicants to start their projects sooner and helps produce housing the housing we desperately need now. This recommendation would also align with Mayor Breed’s a streamlining legislation which eliminates the ownership requirement in the Four-plex program.

Recommendation 5: For the Single-Lot Density Exception, allow four units to be proposed in primary structure.

The current provision for Single-Lot Density Exception only allows four-unit developments to have a three-unit building at the front of the lot, and one unit in the rear yard. This requirement was initially based on the understanding that the building code necessitates an elevator in four-unit buildings. The concern was that the additional height required for an elevator posed challenges during the Supervisor’s outreach. However, there is no prohibition on installing an elevator in a one- or two-unit 40’ building, and an applicant could propose a State ADU within the front building, which may trigger the need for an elevator. Allowing the entire development to take place at the front of the lot maintains the City’s historic development pattern, which offers several environmental benefits and health benefits to residents. Additionally, constructing side yards or fire protected pathways through the front building would be necessary to accommodate development in the rear yard. Given our zero-lot line development pattern and the narrowness of our 25’ lots, developing the rear yard becomes less practical.

Recommendation 6: For the Lot-Merger Density Exception, require at least one of the following:

	Two-Lot Merger	Three-Lot Merger
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<i>Two-Bedroom Units</i>	Two (2)	Three (3)
<i>Three-Bedroom Units</i>	One (1)	Two (2)

The minimum of two units providing at least two bedrooms makes sense for the Single-Lot development projects but should be expanded for the Lot-Merger projects. This recommendation expands the proposed two-bedroom requirement by 1) increasing the number of required two-bedroom units when three lots are merged and 2) allowing an additional option for Lot-Merger projects to comply with unit type requirements. The idea is that a Lot-Merger project will yield more units than a Single-Lot project and thus there is more flexibility in the types of units offered. The recommended amendments align with the intent of the proposed Ordinance to create family-sized Dwelling Units.

Recommendation 7: Add eligibility criteria to the SUD protecting rent-controlled buildings and prohibiting buildings with tenants and a no-fault eviction history from taking part in the proposed program.

- (1) No more than two units subject to rent control are being demolished.
- (2) The units to be demolished are not tenant occupied and are without a history of evictions under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) (*aka No-Fault Evictions*) within last 5 years.

While Supervisor Melgar's ordinance includes a prohibition on condo conversion for buildings that have a history of no-fault evictions, we believe that this criterion should be used to determine eligibility for the program. We also want to protect multi-unit buildings (three or more units) from being demolished to reduce the loss of existing housing stock and minimize displacement. Supervisor Melgar's ordinance specifies that replacement, relocation and first right of refusal per SB 330 must be adhered to; however, it does not set a limit on the number of units in this category that could be demolished.

Recommendation 8: Clerical changes:

These changes are recommended to correct the nomenclature and language used within the proposed Ordinance. All changes are more clerical in nature and will not change the intent of the legislation.

Recommendation 8a: Revise "Group Housing unit" to "Group Housing bedroom".

Group Housing is a different use than a Dwelling Unit. The correct term is "Group Housing bedroom".

Recommendation 8b: Clarify that projects cannot propose a combination of Dwelling Units and Group Housing.

Density is calculated differently between Dwelling Units and Group Housing bedrooms. Additionally, Group Housing projects require different common space and communal kitchen requirements which should not be applied to Dwelling Units. This clarifies that the separate uses cannot be combined within the proposed SUD.

Recommendation 8c: Clarify that Unauthorized Dwelling Units do not count for the purposes of calculating existing Dwelling Units on the property at the time of application.

Unauthorized Dwelling Units should not be counted as an existing Dwelling Unit because the intent of the legislation is to increase the number of legal Dwelling Units. For example, if there is currently a single-family dwelling with an Unauthorized Dwelling Unit, the final project should include at least two Dwelling Units. This property should not need be required to propose a project with at least three Dwelling Units.

Recommendation 8d: Clarify that existing Dwelling Units qualify for the two-bedroom (and/or three-bedroom) requirement.

The Ordinance should not discount existing Dwelling Units when reviewing for the project's unit types against the eligibility criterion because not all proposed projects would be new construction. For example, if there are currently two (2) two-bedroom units at the property, the project should already meet the eligibility criterion even if they are proposing to add only one (1) new one-bedroom to the property. The eligibility criterion should review the resulting project, not just *new* Dwelling Units.

Required Commission Action

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

Environmental Review

The proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 230026
- Exhibit C: Proposed Family Housing Opportunity SUD boundaries
- Exhibit D: Comparison of Melgar and the mayor's proposed Ordinances



PLANNING COMMISSION DRAFT RESOLUTION

HEARING DATE: June 1, 2023

Project Name: Family Housing Opportunity Special Use District; Design Controls and Review Procedures
Case Number: 2023-000413PCAMAP [Board File No. 230026]
Initiated by: Supervisor Melgar / Introduced January 10, 2023
Staff Contact: Veronica Flores, Legislative Affairs
veronica.flores@sfgov.org, 628-652-7525
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION APPROVING WITH MODIFICATION A PROPOSED ORDINANCE THAT WOULD AMEND 1) THE PLANNING CODE TO CREATE THE FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT; 2) THE PLANNING CODE TO AUTHORIZE UP TO FOUR UNITS ON INDIVIDUAL LOTS, UP TO TWELVE UNITS ON MERGED LOTS IN RH-1 DISTRICTS, AND GROUP HOUSING IN RH-1 DISTRICTS FOR ELIGIBLE PROJECTS IN THE SPECIAL USE DISTRICT; 3) THE PLANNING CODE TO EXEMPT ELIGIBLE PROJECTS IN THE SPECIAL USE DISTRICT FROM CERTAIN HEIGHT, OPEN SPACE, DWELLING UNIT EXPOSURE, AND REAR-YARD SETBACK REQUIREMENTS, CONDITIONAL USE AUTHORIZATIONS, AND NEIGHBORHOOD NOTIFICATION REQUIREMENTS; 4) THE SUBDIVISION CODE TO AUTHORIZE ELIGIBLE PROJECTS IN THE SPECIAL USE DISTRICT TO QUALIFY FOR CONDOMINIUM CONVERSION OR A CONDOMINIUM MAP THAT INCLUDES THE EXISTING DWELLING UNITS AND THE NEW DWELLING UNITS THAT CONSTITUTE THE PROJECT; 5) THE ADMINISTRATIVE CODE TO REQUIRE NEW DWELLING OR GROUP HOUSING UNITS CONSTRUCTED PURSUANT TO THE DENSITY LIMIT EXCEPTION TO BE SUBJECT TO THE RENT INCREASE LIMITATIONS OF THE RENT ORDINANCE; 6) THE ZONING MAP TO SHOW THE FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT; AND AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on January 10, 2023 Supervisor Melgar introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 230026, which amend 1) the Planning Code to create the Family

Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; and 6) the Zoning Map to show the Family Housing Opportunity Special Use District (SUD);

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 1, 2023; and,

WHEREAS, the proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The Commission’s proposed recommendations are as follows:

1. Amend eligibility criterion to also allow projects within the RM-1 Zoning District.
2. Amend the density exceptions for Single-Lot and Lot-Merger projects to also allow up to one unit per

1,000 square feet of lot area, whichever is greater.

3. Eliminate the reference to RDGs or replace with “adopted objective design standards”.
4. Eliminate the one-year ownership requirement.
5. For the Single-Lot Density Exception, allow four units to be proposed in primary structure.
6. For the Lot-Merger Density Exception, require at least one of the following:

	Two-Lot Merger	Three-Lot Merger
<i>Two-Bedroom Units</i>	Two (2)	Three (3)
<i>Three-Bedroom Units</i>	One (1)	Two (2)

7. Add eligibility criteria to the SUD protecting rent-controlled buildings and prohibiting buildings with tenants and a no-fault eviction history from taking part in the proposed program.

(1) No more than two units subject to rent control are being demolished.

(2) The units to be demolished are not tenant occupied and are without a history of evictions under Administrative Code Sections 37.9(a)(8)-(12) or 37.9(a)(14)-(16) (*aka No-Fault Evictions*) within last 5 years.

8. Clerical changes:
 - a. Revise “Group Housing unit” to state “Group Housing bedroom”.
 - b. Clarify that projects cannot propose a combination of Dwelling Units and Group Housing.
 - c. Clarify that Unauthorized Dwelling Units do not count for the purposes of calculating existing Dwelling Units on the property at the time of application.
 - d. Clarify that existing Dwelling Units qualify for the two-bedroom (and/or three-bedroom) requirement.

Findings

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The proposed Ordinance will streamline review of qualifying housing projects.

The proposed Ordinance focuses on increasing housing production in the Well-Resourced neighborhoods.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 1.A

Ensure housing stability and healthy homes.

OBJECTIVE 3.B

Create a sense of belonging for all communities of color within well-resourced neighborhoods through expanded housing choice.

OBJECTIVE 4.A

Substantially expand the amount of permanently affordable housing for extremely low- to moderate-income households.

OBJECTIVE 4.B

Expand small and mid-rise multi-family housing production to serve our workforce, prioritizing middle-income households.

OBJECTIVE 4.C

Diversify housing types for all cultures, family structures, and abilities.

POLICY 19

Enable low and moderate-income households, particularly American Indian, Black, and other people of color, to live and prosper in Well-resourced Neighborhoods by increasing the number of permanently affordable housing units in those neighborhoods.

POLICY 20

Increase mid-rise and small multi-family housing types by adopting zoning changes or density bonus programs in Well-resourced Neighborhoods and adjacent lower-density areas near transit, including along SFMTA Rapid Network33 and other transit.

POLICY 25

Reduce governmental constraints on development in Well-resourced Neighborhoods to enable small and mid-rise multi-family buildings providing improved housing choice and affordability.

POLICY 26

Streamline and simplify permit processes to provide more equitable access to the application process, improve certainty of outcomes, and ensure meeting State- and local-required timelines, especially for 100% affordable housing and shelter projects.

POLICY 32

Promote and facilitate aging in place for seniors and multi-generational living that supports extended families and communal households.

POLICY 33

Prevent the outmigration of families with children and support the needs of families to grow.

The proposed Ordinance aligns with the Housing Element's goal of providing a diverse stock of housing to meet existing and future residents' needs. This legislation especially responds to Policy 26 by eliminating procedural barriers through new streamlining opportunities for qualifying projects within the proposed Family Housing Opportunity SUD. The proposed Ordinance also focuses development opportunities within the Well-Resourced Neighborhoods identified in San Francisco. This directly supports Policy 25 by eliminating development constraints within the Well-Resourced Neighborhoods and Policy 19 by increasing small-and mid-rise buildings within the Well-Resourced Neighborhoods or within low-density neighborhoods. Collectively, this Ordinance supports the Housing Element's goal of "housing for all".

Planning Code Section 101 Findings

The proposed amendments to the Planning Code and Zoning Map are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 1, 2023.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

Resolution XXXXXX
June 1, 2023

Case No.2023-000413PCA2023-000413PCAMAP
Family Housing Opportunity Special Use District;
Design Controls and Review Procedures

ADOPTED: June 1, 2023

[Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District]

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 (Residential-House, One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in single-underline italics Times New Roman font.
Deletions to Codes are in ~~strikethrough italics Times New Roman font~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

1 Be it ordained by the People of the City and County of San Francisco:

2
3 Section 1. CEQA and Land Use Findings.

4 (a) The Planning Department has determined that the actions contemplated in this
5 ordinance comply with the California Environmental Quality Act (California Public Resources
6 Code Section 21000 *et seq.*). Said determination is on file with the Clerk of the Board of
7 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
8 determination.

9 (b) On _____, the Planning Commission, in Resolution No. _____,
10 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
11 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
12 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
13 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

14 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
15 amendments will serve the public necessity, convenience, and welfare for the reasons set
16 forth in Planning Commission Resolution No. _____, and the Board adopts such
17 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
18 Supervisors in File No. _____ and is incorporated herein by reference.

19
20 Section 2. General Findings.

21 (a) California faces a severe crisis of housing affordability and availability, prompting
22 the Legislature to declare, in Section 65589.5 of the Government Code, that the state has "a
23 housing supply and affordability crisis of historic proportions. The consequences of failing to
24 effectively and aggressively confront this crisis are hurting millions of Californians, robbing
25

1 future generations of a chance to call California home, stifling economic opportunities for
2 workers and businesses, worsening poverty and homelessness, and undermining the state's
3 environmental and climate objectives.”

4 (b) This crisis of housing affordability and availability is particularly severe in San
5 Francisco. It is characterized by dramatic increases in rent and home sale prices over recent
6 years.

7 (c) According to the Planning Department's 2020 Housing Inventory, the cost of
8 housing in San Francisco has increased dramatically since the Great Recession of 2008-
9 2009, with the median sale price for a two-bedroom house more than tripling from 2011 to
10 2021, from \$493,000 to \$1,580,000. This includes a 9% increase from 2019 to 2020 alone,
11 even in the face of the COVID-19 pandemic. The median rental price for a two-bedroom
12 apartment saw similar although slightly smaller increases, nearly doubling from \$2,570 to
13 \$4,500 per month, from 2011 to 2019, before declining in 2020 due to the pandemic.

14 (d) These housing cost trends come after decades of underproduction of housing in
15 the Bay Area. The City's Chief Economist has estimated that approximately 5,000 new
16 market-rate housing units per year would be required to keep housing prices in San Francisco
17 constant with the general rate of inflation. To this end, the City's COVID-19 Economic
18 Recovery Task Force included a recommendation in its October 2020 report to support
19 construction of small multifamily buildings in low density areas to support “missing middle”
20 housing opportunities.

21 (e) Moreover, San Francisco will be challenged to meet increased Regional Housing
22 Needs Allocation (“RHNA”) goals in the 2023-2031 Housing Element cycle, which total 82,069
23 units over eight years, more than 2.5 times the goal of the previous eight-year cycle. At the
24 same time, relatively new State laws like Senate Bill 35 (2017) would limit San Francisco's
25

1 local zoning control and discretion if the City does not meet these RHNA housing production
2 goals.

3 (f) San Francisco's new housing production in recent years has been heavily
4 concentrated in the eastern and southeastern parts of the City, with 90% of all new housing
5 produced in just ten eastside and central neighborhoods, according to the 2019 Housing
6 Affordability Strategies Report. These neighborhoods are home to many of the City's most
7 established communities of color and communities most vulnerable to displacement
8 pressures.

9 (g) The California Fair Housing Task Force annually updates the Tax Credit Allocation
10 Committee/Department of Housing and Community Development Opportunity Map
11 ("TCAC/HCD Opportunity Map"). The TCAC/HCD Opportunity Map identifies high-resource
12 and highest-resource areas in the state whose concentration of resources have been shown
13 to support positive economic, educational, and health outcomes for low-income families —
14 particularly long-term outcomes for children. The 2020 TCAC/HCD Opportunity Map is the
15 basis for the Well-Resourced Neighborhoods Map in the 2023-2031 Housing Element, on file
16 with the Clerk of the Board of Supervisors in File No. 230001. The Well-Resourced
17 Neighborhoods Map is also on file with the Clerk of the Board of Supervisors in File No.
18 _____ and is incorporated herein by reference.

19 (h) Since 2005, just 10% of all new housing in San Francisco and 10% of new
20 affordable housing in San Francisco has been built in high- and highest-resource
21 neighborhoods, though these areas cover nearly 52% of the residential land in the city. In
22 these high-resource neighborhoods, 65% of the land is limited to one or two units. Permitting
23 additional units in high-resource areas will increase the supply of available housing, including
24 the supply of modestly-sized family units that are more affordable than large, single-family
25 homes.

1 (i) While recent legislation has authorized multi-family homes in these neighborhoods,
2 additional procedural requirements may render them too expensive to deliver. Streamlining
3 and simplifying permit processes will help provide more equitable access to the application
4 process and improve certainty of development outcomes for small multifamily buildings in
5 high- and highest-resource neighborhoods.

6 (j) This ordinance creates the Family Housing Opportunity Special Use District (SUD),
7 whose boundaries are generally coterminous with the Well-Resourced Neighborhoods Map in
8 the 2023-2031 Housing Element. This legislation expands upon and complements recently
9 enacted state legislation, such as SB 9, that aims to promote multifamily housing development
10 in single-family neighborhoods. To this end, the legislation provides project sponsors
11 flexibility to choose from a menu of incentives to fit their project needs – be it relief from
12 procedural requirements like conditional use authorizations, neighborhood notification, and
13 public-initiated discretionary review, relief from development standards like density, or a
14 combination of the two.

15 (k) The Family Housing Opportunity SUD permits development of up to four units on
16 an individual parcel in an RH District, provided that the proposed project complies with the
17 heights and bulk specified in the City's Zoning Maps (Height & Bulk Maps HT01 through
18 HT14), in addition to other eligibility criteria detailed in this ordinance. The SUD also permits
19 up to one Group Housing unit per 415 square feet of lot area in RH-1, RH-1(D), and RH-1(S)
20 districts. In those same districts, the SUD permits up to 12 units if the lot is the result of a
21 merger of three lots, or eight units if the lot is the result of a merger of two lots. This
22 ordinance also streamlines approval by exempting eligible projects from conditional use
23 authorization and neighborhood notification requirements and public-initiated discretionary
24 review hearings in Planning Code Section 311.

1 (l) All parcels affected by this ordinance are considered urban infill sites under
2 California Government Code Section 65913(e)(3). This Board therefore declares that this
3 ordinance is enacted pursuant to California Government Code Section 65913(e)(3).

4 (m) This Board finds that this ordinance is consistent with San Francisco's obligation to
5 affirmatively further fair housing pursuant to California Government Code Section 8899.50, by
6 increasing density for projects that enter into regulatory agreements with the City
7 acknowledging that, in consideration for the density exceptions, the new units shall be subject
8 to local rent control notwithstanding the Costa-Hawkins Rental Housing Act (California Civil
9 Code Section 1954.50 *et seq.*). Increasing density in this manner meaningfully addresses
10 significant disparities in housing needs and access to opportunity. Additionally, this ordinance
11 streamlines the approval process to promote certainty in development outcomes in high- and
12 highest-resource neighborhoods.

13 (n) This Board finds that it is in the public interest to encourage the production of a
14 variety of unit types, sizes, and tenure to accommodate people in different living situations,
15 including a mix of smaller units that can help young adults secure housing and seniors to
16 downsize, and larger units that can help growing or multi-generational families stay
17 adequately housed.

18 (o) This Board recognizes that additional development opportunities may lead to
19 speculative real estate investments that may seek to displace current residents, demolish
20 existing housing stock, build new units, and quickly sell those units. To discourage such
21 speculation, demolition of existing units, and displacement of current residents, this ordinance
22 makes the benefit of the streamlining and development incentives available only to persons
23 who have owned their properties for one year prior to the date of their application, including
24 the ownership duration of their Eligible Predecessor, as defined herein, subject to exceptions
25 for multiple ownership structures and vacant buildings described further in the ordinance.

Section 3. Article 2 of the Planning Code is hereby amended by adding Section 249.94, to read as follows:

SEC. 249.94. FAMILY HOUSING OPPORTUNITY SPECIAL USE DISTRICT.

(a) Purpose. To incentivize the development of multifamily housing in the City's well-resourced neighborhoods, a special use district entitled "Family Housing Opportunity Special Use District" is hereby established.

(b) Boundaries. The boundaries of the Family Housing Opportunity Special Use District are shown on Special Use District Maps Sheets SU 1, SU 2, SU 3, SU 4, SU 5, SU 6, SU 7, SU 11, SU 12, and SU 13. These boundaries consist generally of the areas designated as high-resource and highest-resource on the Well-Resourced Neighborhoods Map of the 2023-2031 Housing Element.

(c) Eligibility. An eligible project under this Section 249.94 shall be a project that complies with all the following criteria:

(1) is located in an RH District in the Family Housing Opportunity Special Use District;

(2) is not seeking or receiving approval under the provisions of Planning Code Sections 206.3, 206.5, or 206.6;

(3) is not located on a parcel resulting from a lot split under California Government Code Section 66411.7;

(4) proposes any of the following project types:

(A) Single-Lot Development Project. The construction, including through the alteration of an existing structure, of at least two and no more than four dwelling units on a single lot, inclusive of any existing dwelling units on the site. For a project proposing four dwelling units, the fourth dwelling unit shall be constructed in the rear yard pursuant to subsection (d)(3) of this Section

1 249.94. For a project proposing fewer than four dwelling units, up to one unit may be located in the
2 rear yard pursuant to subsection (d)(3) of this Section 249.94.

3 (B) **Lot-Merger Development Project in RH-1 Districts.** A merger of up to
4 three lots in RH-1, RH-1(D), or RH-1(S) districts and the construction on the resulting lot of at least
5 nine and no more than 12 dwelling units for a three-lot merger project, or at least six and no more than
6 eight dwelling units for a two-lot merger project. A project proposing a lot merger shall not be eligible
7 to construct a rear-yard unit pursuant to subsection (d)(3) of this Section 249.94.

8 (C) **Group Housing Development Project.** A single-lot project pursuant to
9 subsection (c)(4)(A) of this Section 249.94 and a lot-merger project pursuant to subsection (c)(4)(B) of
10 this Section 249.94 may also propose the construction of Group Housing up to the density limits
11 prescribed in subsection (d)(1)(C) of this Section 249.94 or currently permitted under the Planning
12 Code, whichever is greater. Projects proposing Group Housing units shall not be eligible for
13 condominium subdivision, including but not limited to conversion pursuant to Subdivision Code Section
14 1396.7.

15 (5) contains at least two dwelling units with two or more bedrooms. This provision
16 does not apply to projects where all of the units qualify as Group Housing;

17 (6) includes more dwelling units than are existing on the site at the time of application.
18 In the case of Group Housing, projects utilizing this Section 249.94 shall provide more bedrooms than
19 are existing on the site at the time of application;

20 (7) does not propose the demolition of a building that is:

21 (A) listed as a Contributor to Article 10 Historic Districts;

22 (B) listed as a Landmark under Article 10;

23 (C) located in an Article 11 Conservation District, where the building has a
24 rating of Category I, II, III or IV

1 (D) listed in or determined eligible for listing in the California Register of
2 Historical Resources; or,

3 (E) listed in or determined eligible for listing in the National Register of
4 Historic Places;

5 (8) complies with the Planning Code and any applicable design guidelines, including
6 but not limited to the provisions of this Section 249.94. Notwithstanding the previous sentence, an
7 eligible project shall strive for consistency with the Residential Design Guidelines to the extent
8 feasible;

9 (9) complies with the requirements of Section 66300(d) of the California Government
10 Code, as may be amended from time to time, including but not limited to requirements to replace all
11 protected units and to offer existing occupants of any protected units that are lower income households
12 relocation benefits and a right of first refusal for a comparable unit, as those terms are defined therein;
13 and

14 (10) demonstrates that the project sponsor has owned the subject lot for a minimum of
15 one year prior to the time of the submittal of their application, subject to the following:

16 (A) **Eligible Predecessor.** A property owner who has inherited the subject lot,
17 including any inheritance in or through a trust, from a blood, adoptive, or step family relationship,
18 specifically from either (i) a grandparent, parent, sibling, child, or grandchild, or (ii) the spouse or
19 registered domestic partner of such relations, or (iii) the property owner's spouse or registered
20 domestic partner (each an "Eligible Predecessor"), may add an Eligible Predecessor's duration of
21 ownership of the subject lot to the property owner's duration of ownership of the same lot.

22 (B) **Multiple Ownership.** Whenever property proposed for development is
23 jointly owned, owned as common property or is otherwise subject to multiple ownership, the durational
24 requirements of this subsection (c)(10) must be satisfied by: (i) the majority ownership, whether
25 represented by stock, membership interest, partnership interest, co-tenancy interest, or otherwise, in

1 the case of projects proposed under subsection (c)(4)(A); or (ii) the majority ownership of each lot to
2 be merged, whether represented by stock, membership interest, partnership interest, co-tenancy
3 interest, or otherwise, in the case of projects proposed under subsection (c)(4)(B).

4 (C) **Vacant or Abandoned Property.** The requirement in this subsection (c)(10)
5 that the project sponsor has owned the subject lot for a minimum of one year prior to the time of the
6 submittal of their application shall not apply if the property has been vacant for one or more years at
7 the time of application, or if the property has been registered as a vacant or abandoned building
8 pursuant to Building Code Section 103A.4 et seq.

9 (d) **Other Controls.**

10 (1) **Density Exceptions.** Projects that meet the eligibility criteria in subsection (c) of
11 this Section 249.94 are exempt from residential density limits, calculation of which shall not include
12 any Accessory Dwelling Units permitted under Section 207, as follows:

13 (A) **Single-Lot Density Exception.** For projects eligible under subsection
14 (c)(4)(A), up to four dwelling units per lot are allowable;

15 (B) **Lot-Merger Density Exception.** For projects eligible under subsection
16 (c)(4)(B), up to twelve dwelling units per lot are allowable, if the lot is the result of a merger of three
17 lots, or up to eight dwelling units per lot are allowable, if the lot is the result of a merger of two lots;

18 (C) **Group Housing Density Exception.** For both Single-Lot and Lot-Merger
19 Development Projects under subsection (c)(4)(A) or (B), up to one Group Housing unit per 415 square
20 feet of lot area is allowable in RH-1, RH-1(D), and RH-1(S) districts.

21 (2) **Height.** Notwithstanding any other provision of this Code, including but not limited
22 to Section 261, the height limit for a project that meets the eligibility criteria in subsection (c) of this
23 Section 249.94 shall be 40 feet, if 40 feet is authorized by the Height Map of the Zoning Map.

24 (3) **Construction of Rear-Yard Unit.** Construction of a rear-yard unit shall be
25 governed by the following standards:

1 (A) The subject parcel must be at least 2,400 square feet;

2 (B) The rear-yard unit shall be located at least four feet from the side and rear
3 lot lines and shall not share structural walls with any other structure on the lot;

4 (C) Compliance with minimum rear-yard requirements shall not be required,
5 except that a minimum 25 feet separation shall be provided between the facades that face each other;

6 (D) The dwelling unit exposure requirements of Section 140(a)(2) may be
7 satisfied through qualifying windows facing an unobstructed open area that is no less than 25 feet in
8 every horizontal dimension, and such open area is not required to expand in every horizontal
9 dimension at each subsequent floor;

10 (E) The rear-yard building height shall be limited to 20 feet measured from
11 existing grade at any given point to either i) the highest point of a finished roof in the case of a flat roof
12 or ii) the average height of a pitched roof or stepped roof, or similarly sculptured roof form. The rear-
13 yard building shall not be eligible for any height exemptions in subsection (d)(2) of this Section 249.94
14 or in Section 260(b); and

15 (F) Each dwelling unit shall have at least 100 square feet of usable open space
16 if private, and 133 square feet if common.

17 (4) **Rear-Yard Setback Requirements.** For projects that do not construct a rear-yard
18 unit pursuant to subsection (d)(3) of this Section 249.94, the basic rear yard setback shall be equal to
19 30% of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

20 (5) **Open Space Requirements for Lot-Merger Projects.** For projects eligible under
21 subsection (c)(4)(B) of this Section 249.94, each dwelling unit shall have at least 100 square feet of
22 usable open space if private, and 133 square feet if common.

23 (6) **Minimum Density Requirement on Merged Lots.** For lots merged pursuant to
24 subsection (c)(4)(B) of this Section 249.94, any development on the resulting lot shall be subject to the
25 following minimum densities:

1 (A) six units per lot, if the lot results from a two-lot merger, or

2 (B) nine units per lot, if the lot results from a three-lot merger.

3 **(e) Applicability of Rent Ordinance; Regulatory Agreements.**

4 (1) Sponsors of projects utilizing any of the density exceptions in subsection (d)(1) of
5 this Section 249.94 shall enter into a regulatory agreement with the City subjecting the new units
6 created pursuant to such density exception, except for any required Affordable Units as defined in
7 Planning Code Section 401, to the Residential Rent Stabilization and Arbitration Ordinance (Chapter
8 37 of the Administrative Code), as a condition of approval of the density exception (“Regulatory
9 Agreement”).

10 (2) The property owner and the Planning Director, or the Director’s designee, on
11 behalf of the City, will execute the Regulatory Agreement, which is subject to review and approval by
12 the City Attorney’s Office. The Regulatory Agreement shall be executed prior to the City’s issuance of
13 the First Construction Document for the project, as defined in Section 107 A.13.1 of the Building Code.
14 Following execution of the Regulatory Agreement by all parties and approval by the City Attorney, the
15 Regulatory Agreement or a memorandum thereof shall be recorded in the title records in the Office of
16 the Assessor-Recorder against the property and shall be binding on all future owners and successors in
17 interest.

18 (3) At a minimum, the Regulatory Agreement shall contain the following:

19 (A) A description of the total number of units approved, including the number of
20 units subject to the Rent Stabilization and Arbitration Ordinance and other restricted units, if any, and
21 the location, square footage of dwelling units, and number of bedrooms in each unit;

22 (B) A statement that the new units created pursuant to the density exception are
23 not subject to the Costa-Hawkins Rental Housing Act (California Civil Code Section 1954.50 et seq.)
24 because under Section 1954.52(b), the property owner has entered into and agreed to the terms of the
25 agreement with the City in consideration for an exception from residential density limits, or other

1 direct financial contribution or other forms of assistance specified in California Government Code
2 Section 65915 et seq.;

3 (C) A description of the residential density exception or other direct financial
4 contribution or forms of assistance provided to the property owner; and

5 (D) A description of the remedies for breach of the agreement and other
6 provisions to ensure implementation and compliance with the agreement.

7 (f) **Review and Approvals.** Notwithstanding any other provision of this Code and irrespective
8 of whether a project is utilizing a density exception pursuant to subsection (d)(1) of this Section 249.94,
9 for any project that meets the eligibility criteria in subsection (c) of this Section 249.94 the following
10 shall apply:

11 (1) No conditional use authorization shall be required, including but not limited to the
12 requirements of Sections 303 and 317 of this Code;

13 (2) Compliance with Section 311 of this Code shall not be required; and

14 (3) A Notice of Special Restrictions (“NSR”) shall be recorded on the title of any
15 property receiving approval under this Section 249.94. The NSR shall:

16 (A) Describe the uses, restrictions, and development controls approved under
17 Planning Code Section 249.94, including but not limited to the minimum density restrictions set forth in
18 subsection (d)(6);

19 (B) State that the NSR runs with the land and is binding on all future owners and
20 successors in interest;

21 (C) Provide the Planning Department with the ability to enforce the provisions
22 of this Section 249.94;

23 (D) Describe any other conditions that the Planning Director deems appropriate
24 to ensure compliance with this Section 249.94; and

1 (E) Be signed by the City and recorded prior to issuance of the building permit
2 for the project receiving approval under this Section 249.94.

3 (g) **Review of Program.** The Planning Department shall include the location and number of
4 units of projects using this Section 249.94 in the Housing Inventory Report. Prior to December 31,
5 2030, the Planning Department shall prepare a report containing recommendations for modifications
6 to this Section 249.94, including modifications to the boundaries described in subsection (b), to further
7 the goals of the City's Seventh Housing Element Cycle.

8
9 Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheets SU 1,
10 SU 2, SU 3, SU 4, SU 5, SU 6, SU 7, SU 11, SU 12, and SU 13 of the Zoning Map of the City
11 and County of San Francisco are hereby amended, as follows:

Description of Property	Special Use District Hereby Approved
All parcels within the westernmost boundary of the Great Highway; the northernmost boundary of the City; and the area bounded by Leavenworth between Jefferson and North Point; Columbus between North Point and Chestnut; Chestnut between Taylor and Montgomery; Montgomery between Chestnut and Greenwich; Greenwich between Montgomery and Sansome; Sansome between Greenwich and Vallejo; Vallejo between Sansome and Kearny;	Family Housing Opportunity Special Use District

1	Kearny between Vallejo and Filbert; Filbert	
2	between Kearny and Columbus; Columbus	
3	between Filbert and Greenwich; Mason	
4	between Greenwich and Green; Green	
5	between Mason and Leavenworth;	
6	Leavenworth between Green and	
7	Washington; Washington between	
8	Leavenworth and Powell; Powell between	
9	Washington and California; California	
10	between Powell and Leavenworth;	
11	Leavenworth between California and Bush;	
12	Bush between Leavenworth and Van Ness;	
13	Van Ness between Bush and California;	
14	California between Van Ness and Steiner;	
15	Steiner between California and Sutter; Sutter	
16	between Steiner and Gough; Gough	
17	between Sutter and Geary; Geary between	
18	Gough and Baker; St. Joseph's Avenue	
19	between Geary and Turk; Turk between St.	
20	Joseph's Avenue and Scott; Scott between	
21	Turk and McAllister; McAllister between	
22	Scott and Steiner; Steiner between	
23	McAllister and Fulton; Fulton between	
24	Steiner and Laguna; Laguna between Fulton	
25	and Oak; Oak between Laguna and	

1	Fillmore; Fillmore between Oak and Page;	
2	Page between Fillmore and Webster;	
3	Webster between Page and Haight; Haight	
4	between Webster and Laguna; Laguna	
5	between Haight and Market; Market between	
6	Laguna and Castro; Castro between Market	
7	and 21st Street; 21st Street between Castro	
8	and Dolores; Dolores between 21st Street	
9	and Cesar Chavez; Cesar Chavez between	
10	Dolores and Noe; Noe between Cesar	
11	Chavez and Laidley; Harry Street Stairs	
12	between Laidley and Beacon; Beacon	
13	between Harry Street Stairs and Miguel;	
14	Miguel between Beacon and Bemis; Bemis	
15	between Miguel and Castro; Sussex	
16	between Castro and Diamond; Diamond	
17	between Sussex and Surrey; Surrey	
18	between Diamond and Bosworth; Bosworth	
19	between Surrey and San Jose; San Jose	
20	between Bosworth and Ocean; Ocean	
21	between San Jose and Howth; Howth	
22	between Ocean and Mt. Vernon; Mt. Vernon	
23	between Howth and Harrold; Grafton	
24	between Harold and Capitol; Capitol	
25	between Grafton and Lakeview; Lakeview	

1 between Capitol and Ashton; Ashton
2 between Lakeview and Holloway; Holloway
3 between Ashton and Junipero Serra;
4 Junipero Serra between Holloway and 19th
5 Avenue; 19th Avenue between Junipero
6 Serra and Eucalyptus; Eucalyptus between
7 19th Avenue and Middlefield; Middlefield
8 between Eucalyptus and Lake Merced
9 Boulevard; Lake Merced Boulevard between
10 Middlefield and Skyline Boulevard; Skyline
11 between Lake Merced Boulevard and Sloat;
12 Sloat between Skyline and the Great
13 Highway.
14

15
16 Section 5. Article 9 of the Subdivision Code is hereby amended by amending Sections
17 1359, 1396.4, 1396.5 and adding Section 1396.7, to read as follows:

18
19 **SEC. 1359. PARCEL MAP.**

20 * * * *

21 (c) In the case of Conversions where a Tentative Map is not required, the
22 requirements of Section 1314 and the requirements of Article 9 on Conversions shall apply,
23 provided that hearings as provided in Sections 1313 and 1332 shall not be required, and
24 provided further that Article 9 shall not be applied to two-unit buildings where both units are
25 owner-occupied for one year prior to the application for Conversion. This exemption for

owner-occupied two-unit buildings shall not apply to units legalized pursuant to Section 207.3 of the Planning Code or units constructed pursuant to Section 249.94 of the Planning Code.

* * * *

**SEC. 1396.4. CONDOMINIUM CONVERSION FEE AND EXPEDITED
CONVERSION PROGRAM.**

(a) Findings. The findings of Planning Code Section 415.1 concerning the City's inclusionary affordable housing program are incorporated herein by reference and support the basis for charging the fee set forth herein as it relates to the conversion of dwelling units into condominiums.

(b) Any building may be exempted from the annual lottery provisions of Section 1396 if the building owners for said building comply with either: (1) Section 1396.3(g)(1) and all the requirements of this Section 1396.4; ~~or~~ (2) all the requirements of Section 1396.6; or (3) all the requirements of Section 1396.7. Notwithstanding the foregoing sentence, no property or applicant subject to any of the prohibitions on conversions set forth in Section 1396.2, in particular a property with the eviction(s) set forth in Section 1396.2(b), is eligible for the Expedited Conversion program under this Section 1396.4. Eligible buildings as set forth in this subsection (b) may exercise their option to participate in this program according to the following requirements:

* * * *

**SEC. 1396.5. SUSPENSION OF THE LOTTERY PENDING PRODUCTION OF
REPLACEMENT UNITS FOR EXPEDITED CONVERSION UNITS.**

* * * *

(c) Except as otherwise authorized under Section 1396.6 or Section 1396.7, the Department shall not accept an application for the conversion of residential units under Section 1396 nor conduct a lottery under this Article prior to January 1, 2024. Thereafter, the lottery shall resume upon the earlier of the following: (1) the first February following the Mayor's Office of Housing and Community Development report pursuant to subsection (b) showing that the total number of Conversion Replacement Units produced in the City of San Francisco exceeded the total number of units converted as identified in the Department's report prepared pursuant to Subsection (a); or (2) completion of the "Maximum Suspension Period" as defined below.

* * * *

**SEC. 1396.7. CONDOMINIUM CONVERSION ASSOCIATED WITH PROJECTS
CONSTRUCTED PURSUANT TO PLANNING CODE SECTION 249.94.**

(a) Findings. The findings of Planning Code Section 415.1 concerning the City's inclusionary affordable housing program are incorporated herein by reference and support the basis for charging the fee set forth herein as it relates to the conversion of dwelling units into condominiums.

(b) Definition. "Existing Dwelling Unit" shall mean the dwelling unit in existence on a lot at the time of the submittal of an application to construct a new dwelling unit pursuant to Planning Code Section 249.94.

(c) Notwithstanding Section 1396.4 of this Code and Ordinance No. 117-13, a subdivider of a one-unit building that has obtained a permit to build one or more new dwelling units pursuant to Planning Code Section 249.94, which results in two or more dwelling units, and that has signed an affidavit stating the subdivider's intent to reside in one of those resulting dwelling units, or in the Existing Dwelling Unit, for a period of three years after the approval of the Certificate of Final Completion and Occupancy for the new dwelling units, shall (1) be exempt from the annual lottery

1 provisions of Section 1396 of this Code with respect to the dwelling units built as part of the Project
2 and (2) be eligible to submit a condominium conversion application for the Existing Dwelling Units
3 and/or include the Existing Dwelling Units in a condominium map application for the project approved
4 pursuant to Planning Code Section 249.94. Notwithstanding the foregoing sentence, no property or
5 applicant subject to any of the prohibitions on conversions set forth in Section 1396.2 of this Code,
6 including but not limited to a property with the eviction(s) set forth in Section 1396.2(b), shall be
7 eligible for condominium conversion under this Section 1396.7. Eligible buildings as set forth in this
8 subsection (c) may exercise their option to participate in this program according to the following
9 requirements:

10 (1) The applicant(s) for the subject building seeking to convert dwelling units to
11 condominiums or subdivide dwelling units into condominiums under this subsection shall pay the fee
12 specified in Section 1315 of this Code.

13 (2) In addition to all other provisions of this Section 1396.7, the applicant(s) shall
14 comply with all of the following:

15 (A) The requirements of Subdivision Code Article 9, Sections 1381, 1382, 1383,
16 1386, 1387, 1388, 1389, 1390, 1391(a) and (b), 1392, 1393, 1394, and 1395.

17 (B) The applicant(s) must certify that within the 60 months preceding the date
18 of the subject application, no tenant resided at the property.

19 (C) The applicant(s) must certify that to the extent any tenant vacated their unit
20 after March 31, 2013, and before recordation of the final parcel or subdivision map, such tenant did so
21 voluntarily or if an eviction or eviction notice occurred it was not pursuant to Administrative Code
22 Sections 37.9(a)(8)-(12) and 37.9(a)(14). If a temporary eviction occurred under Sections 37.9(a)(11)
23 or 37.9(a)(14), then the applicant(s) shall certify that the original tenant reoccupied the unit after the
24 temporary eviction.

1 (3) If the Department finds that a violation of this Section 1396.7 occurred prior to
2 recordation of the final map or final parcel map, the Department shall disapprove the application or
3 subject map. If the Department finds that a violation of this Section occurred after recordation of the
4 final map or parcel map, the Department shall take such enforcement actions as are available and
5 within its authority to address the violation.

6 (4) This Section 1396.7 shall not prohibit a subdivider who has lawfully exercised the
7 subdivider's rights under Administrative Code Section 37.9(a)(13) from submitting a condominium
8 conversion application under this Section 1396.7.

9 **(d) Decisions and Hearing on the Application.**

10 (1) The applicant shall obtain a final and effective tentative map or tentative parcel
11 map approval for the condominium subdivision or parcel map within one year of paying the fee
12 specified in subsection (e) of this Section 1396.7. The Director of the Department of Public Works or
13 the Director's designee is authorized to waive the time limits set forth in this subsection (d)(1) as it
14 applies to a particular building due to extenuating or unique circumstances. Such waiver may be
15 granted only after a public hearing and in no case shall the time limit extend beyond two years after
16 submission of the application.

17 (2) No less than 20 days prior to the Department's proposed decision on a tentative
18 map or tentative parcel map, the Department shall publish the addresses of buildings being considered
19 for approval and post such information on its website. During this time, any interested party may file a
20 written objection to an application and submit information to the Department contesting the eligibility
21 of a building. In addition, the Department may elect to hold a public hearing on said tentative map or
22 tentative parcel map to consider the information presented by the public, other City department, or an
23 applicant. If the Department elects to hold such a hearing it shall post notice of such hearing and
24 provide written notice to the applicant, all tenants of such building, any member of the public who
25 submitted information to the Department, and any interested party who has requested such notice. In

1 the event that an objection to the conversion application is filed in accordance with this subsection
2 (d)(2), and based upon all the facts available to the Department, the Department shall approve,
3 conditionally approve, or disapprove an application and state the reasons in support of that decision.

4 (3) Any map application subject to a Departmental public hearing on the subdivision
5 or a subdivision appeal shall receive a six-month extension on the time limit set forth in subsection
6 (d)(1) of this Section 1396.7.

7 (e) Should the subdivision application be denied or be rejected as untimely in accordance with
8 the dates specified in subsection (d)(1) of this Section 1396.7, or should the tentative subdivision map
9 or tentative parcel map be disapproved, the City shall refund the entirety of the application fee.

10 (f) Conversion of buildings pursuant to this Section 1396.7 shall have no effect on the terms
11 and conditions applicable to such buildings under Section 1385A or 1396 of this Code.

12
13 Section 6. Chapter 37 of the Administrative Code is hereby amended by revising
14 Sections 37.2 and 37.3, to read as follows:

15
16 **SEC. 37.2. DEFINITIONS.**

17 * * * *

18 (r) **Rental Units.** All residential dwelling units in the City together with the land and
19 appurtenant buildings thereto, and all housing services, privileges, furnishings, and facilities
20 supplied in connection with the use or occupancy thereof, including garage and parking
21 facilities.

22 * * * *

23 The term "rental units" shall not include:

24 * * * *

1 (4) Except as provided in subsections (A)-(E), dwelling units whose rents are
2 controlled or regulated by any government unit, agency, or authority, excepting those
3 unsubsidized and/or unassisted units which are insured by the United States Department of
4 Housing and Urban Development; provided, however, that units in unreinforced masonry
5 buildings which have undergone seismic strengthening in accordance with Building Code
6 Chapters 16B and 16C shall remain subject to the Rent Ordinances to the extent that the
7 ordinance is not in conflict with the seismic strengthening bond program or with the program's
8 loan agreements or with any regulations promulgated thereunder;

9 * * * *

10 (E) The term "rental units" shall include any new dwelling units created
11 pursuant to the density exception_s set forth in Section_s 207(c)(8) and 249.94 of the Planning
12 Code.

14 **SEC. 37.3. RENT LIMITATIONS.**

15 (a) **Rent Increase Limitations for Tenants in Occupancy.** Landlords may impose
16 rent increases upon tenants in occupancy only as provided below and as provided by
17 subsections 37.3(d) and 37.3(g):

18 * * * *

19 (d) **Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.).**
20 Consistent with the Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.)
21 and regardless of whether otherwise provided under Chapter 37:

22 (1) **Property Owner Rights to Establish Initial and All Subsequent Rental**
23 **Rates for Separately Alienable Parcels.**

24 (A) An owner or residential real property may establish the initial and all
25 subsequent rental rates for a dwelling or a unit which is alienable separate from the title to any

1 other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b),
2 (d), or (f) of Section 11004.5 of the California Business and Professions Code. The owner's
3 right to establish subsequent rental rates under this paragraph shall not apply to a dwelling or
4 unit where the preceding tenancy has been terminated by the owner by notice pursuant to
5 California Civil Code Section 1946 or has been terminated upon a change in the terms of the
6 tenancy noticed pursuant to California Civil Code Section 827; in such instances, the rent
7 increase limitation provisions of Chapter 37 shall continue to apply for the duration of the new
8 tenancy in that dwelling or unit.

9 * * * *

10 (D) An owner's right to establish subsequent rental rates under
11 subsection 37.3(d)(1) shall not apply to a dwelling or unit that is a new dwelling unit created
12 pursuant to the density exception~~s~~ set forth in Section~~s~~ 207(c)(8) and 249.94 of the Planning
13 Code.

14 * * * *

15
16 Section 7. The Planning Department, the Department of Public Works, and the Rent
17 Board are authorized to adopt regulations to implement this ordinance.

18
19 Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
23 additions, and Board amendment deletions in accordance with the "Note" that appears under
24 the official title of the ordinance.

1 Section 8. Severability. If any section, subsection, sentence, clause, phrase, or word
2 of this ordinance, or any application thereof to any person or circumstance, is held to be
3 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
4 shall not affect the validity of the remaining portions or applications of the ordinance. The
5 Board of Supervisors hereby declares that it would have passed this ordinance and each and
6 every section, subsection, sentence, clause, phrase, and word not declared invalid or
7 unconstitutional without regard to whether any other portion of this ordinance or application
8 thereof would be subsequently declared invalid or unconstitutional.

9
10 Section 9. No Conflict with Federal or State Law. Nothing in this ordinance shall be
11 interpreted or applied so as to create any requirement, power, or duty in conflict with any
12 federal or state law.

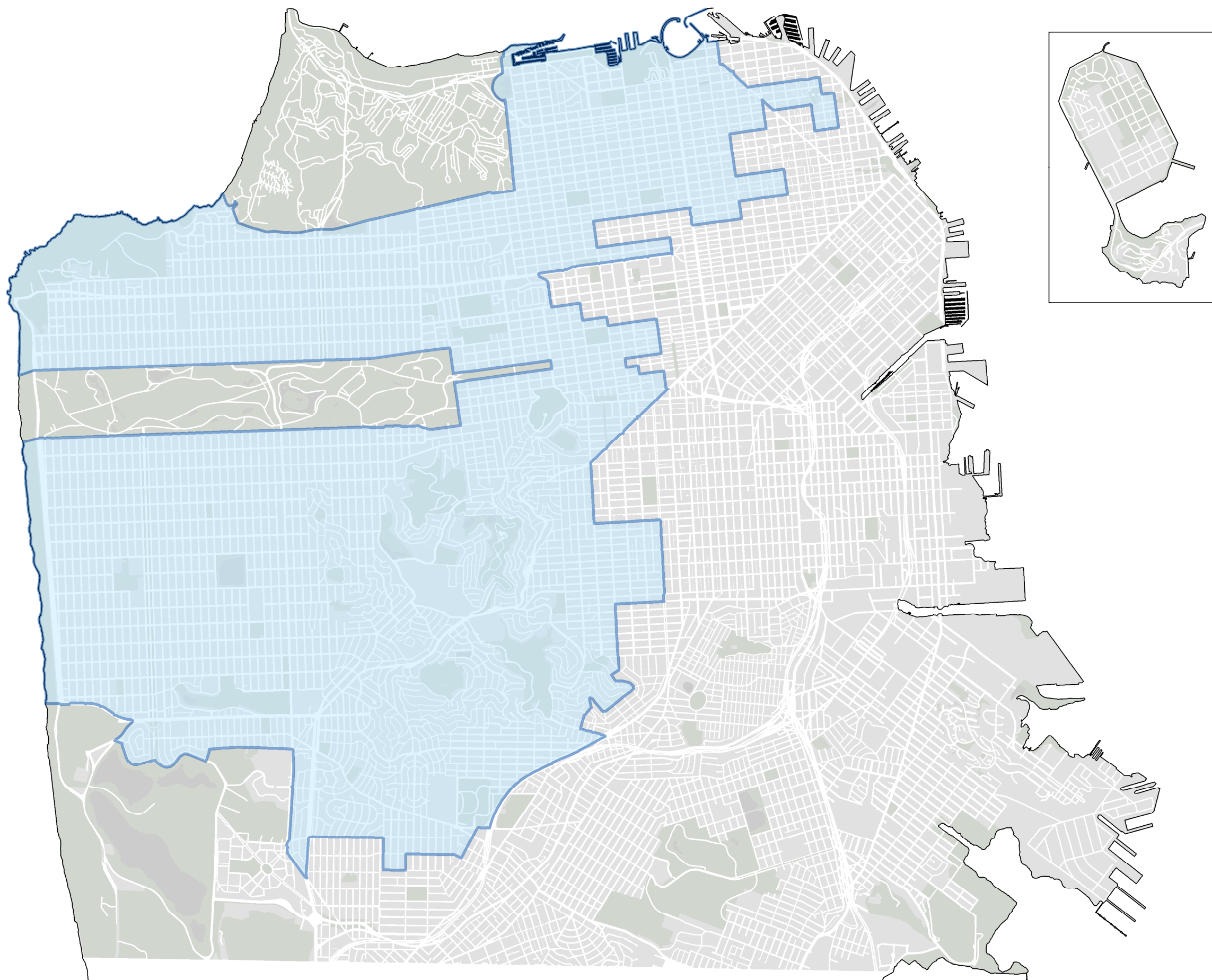
13
14 Section 10. Effective Date. This ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor's veto of the ordinance.

18
19 APPROVED AS TO FORM:
20 DAVID CHIU, City Attorney

21 By: /s/ Giulia Gualco-Nelson
22 GIULIA GUALCO-NELSON
23 Deputy City Attorney

24
25
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EXHIBIT C

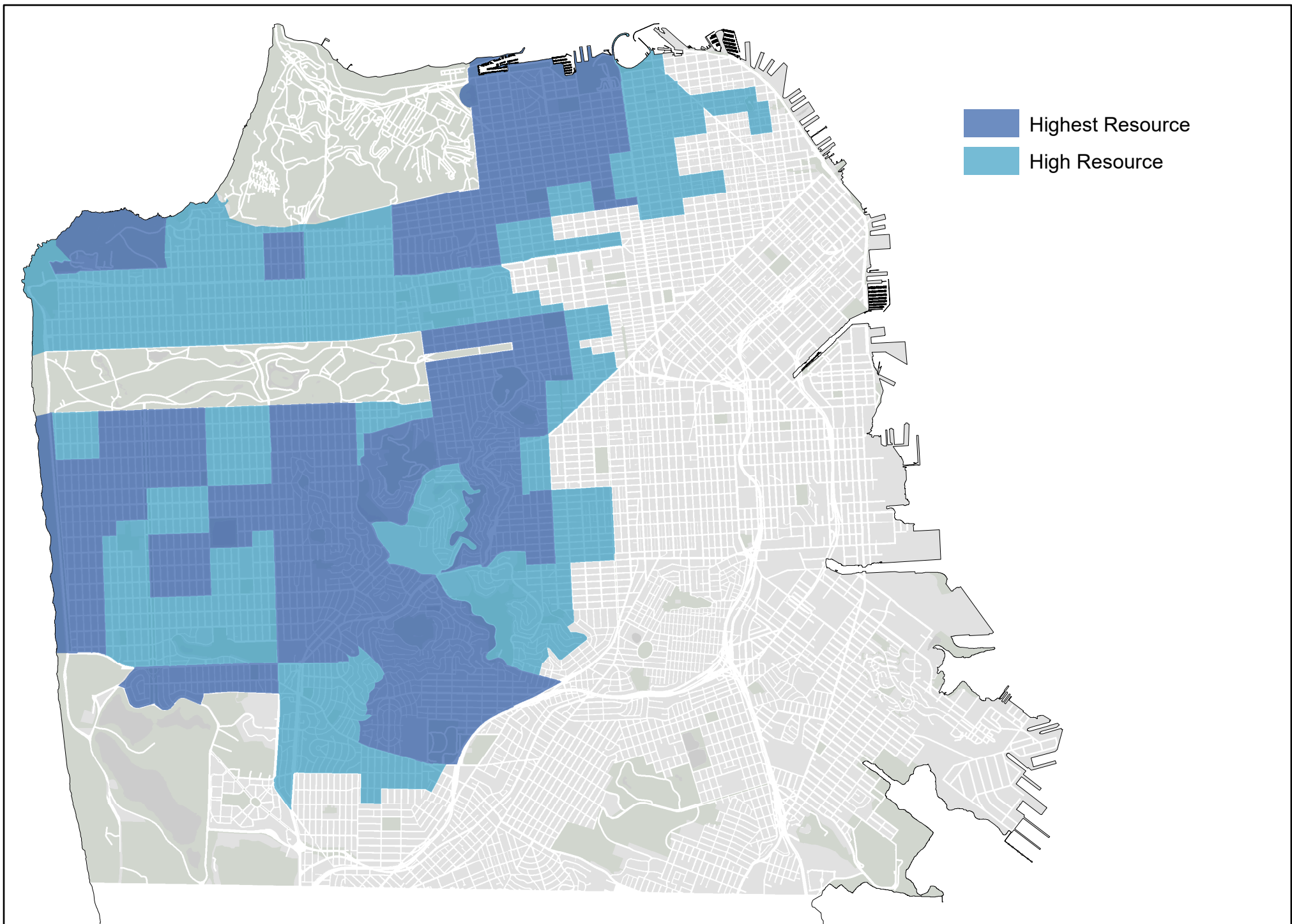


2010 San Francisco Census Tracts:
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128, 129.01, 129.02, 130, 131.01, 131.02, 132, 133, 134,
135, 153, 154, 155, 156, 157, 158.02, 163, 164, 165, 166,
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478.01, 478.02, 479.01, 479.02, 9802

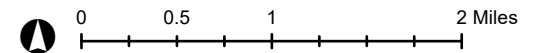
EXHIBIT D

	Supervisor Melgar	Mayor Breed	Analysis
SUD	Creates an SUD based on Well-Resourced Neighborhoods map.	Creates a SUD based on Priority Equity Geographies map (excluding areas that overlap with Well-Resourced Neighborhoods).	Some areas of the city aren't covered by either area, and some parts overlap. Using the Priority Equity Geographies as a basis to maintain existing 311 and 317 controls exempts slightly more neighborhoods from 311 and 317 controls, while using the Well-Resourced Neighborhoods as a basis subjects slightly fewer neighborhoods to the proposed exemptions.
Purpose of SUD	Uses the SUD to provide exemptions from 317 and 311 requirements, and additional density allowances based on specific criteria for properties within the Well-resourced Neighborhoods.	Uses the SUD to maintain existing 311 and 317 requirements for the Priority Equity Geographies.	
311 - Neighborhood Notification	Exempts projects from 311 only if the project is eligible under the criteria outlined in the SUD. (see below)	Exempts all projects from 311 notifications, unless they are located with the Priority Equity Geographies SUD.	More projects would be exempt from 311 under the mayor's ordinance, as 311 would only apply to projects within the Priority Equity Geographies. If the mayor's ordinance is adopted as is, it would negate this provision in Melgar's proposed SUD.
317-CU Requirement for Demo or Alteration	Exempts projects from 317 only if the project is eligible under the criteria outlined in the SUD. (1) is located in an RH District in the Family Housing Opportunity Special Use District; (2) is not seeking or receiving approval under HOME SF, State Density Bonus, or Affordable Housing Bonus projects. (3) is not located on lots resulting from a lot split from SB 9 (4) proposes a specific list of project types (see below). (5) contains at least two dwelling units with two or more bedrooms. <u>(6) includes more dwelling units than are existing on the site at the time of application.</u> <u>(7) does not propose the demolition of a known historic building.</u> (8) Is not seeking a variance, complies applicable design guidelines, complies with the SUD and "strives" to comply with the RDG; <u>(9) Complies with the 3 Rs in SB 330;</u> (10) The project sponsor has owned the property for at least one year.	Exempts project from 317 if they are not located with the Priority Equity Geographies and meet the following criteria: (1) The units to be demolished are not tenant occupied and are without a history of no fault evictions within the last 5 years; (2) No more than two units that are required to be replaced per subsection (5) below would be removed or demolished; <u>(3) The building proposed for demolition of a known Historic Building;</u> <u>(4) The proposed project is adding at least one more unit than would be demolished; and,</u> <u>(5) The project complies the 3 Rs in SB 330</u>	Several of Melgar criteria (1, 2, 4, 5, 10) appear to be in response to allowing increased density and mirror the four-plex legislation. Whereas the mayor's ordinance relies on the provisions already outlined in the four-plex ordinance, existing zoning and anticipated zoning changes. The mayor's ordinance does not have a one-year ownership requirement to take advantage of process improvements, and projects seeking a variance would still be able to take advantage of process relief (but would still need to be granted a variance). If the mayor's ordinance passed as is, it would negate the 317 exemption controls in Melgar's ordinance.
Additional Density	Allows additional density on lots in RH Districts that meet the criteria in the SUD. Additional density is similar to what is allowed in the Four-plex Program, but also includes merger provisions that allow additional density.	Does not provide any additional density beyond what is allowed in existing zoning or the Four-plex Program.	
Lot Size	Requires eligible projects to have a minimum lot size of 2,400 or greater in order to construct a unit in the required rear yard.	Reduces the minimum lot size city wide to 1,200 sq. ft. and minimum lot frontage to 20'	Because Melgar's SUD only sets a minimum lot size for rear yard development and the mayor's change is to minimum lot sizes city-wide, these two provisions do not conflict.

Height	Limits eligible projects to 40' in height. Also eliminates 35' height limit on residential buildings in RH-1 Districts, the reduced height limit based on topographical conditions and the required sun plane at the front of the property.	Removes the CU to exceed 40' in RH Districts.	Very few lots in RH districts exceed 40', however there are some. The mayor's ordinance removes the CU requirement for projects in RH districts above 40'. Essentially Sup. Melgar would be creating a new control in her program that would limit eligible projects to 40'. These two provisions do not conflict.
Rear Yard	Allows for a 30% rear yard for projects that are eligible under the SUD (except on single-lot developments that are proposing a rear unit in which case the project requires a separation of at least 25 feet)	Changes the rear yard to 30% in RH and RM-1 and RM-2 properties. No eligibility requirement	If the mayor's ordinance passes with this provision, the 30% rear yard requirement in Sup. Melgar's ordinance would be unnecessary; however if they both move forward there isn't a conflict.
Rear Yard Development	Allows qualifying projects to add a unit in the rear yard, with a 25-foot rear yard between buildings	Allows development in the rear yard only for through lots and corner lots.	Sup. Melgar's ordinance outlines very specific types of projects and configurations that are eligible for the streamlined review process. This includes allowing eligible projects to construct detached units in the rear yard on lots greater than or equal to 2,400 sq. ft. The mayor's ordinance relaxes some development controls more widely, like allowing buildings in the required rear yard on through and corner lots without any qualifiers; however, unlike Melgar's it would not permit units in the rear yard on interior lots. Under both programs, a detached State ADU would still be allowed regardless of the lot type. If both ordinances moved forward as is, there would not be a conflict.
Open Space	Reduces open space requirements for qualifying projects to 100 sq. ft. per unit or 133 sq. ft. if common	Does not amend useable open space requirements (excluding minimum dimensions)	Since the mayor's ordinance does not allow for increased density, it does not amend the amount of usable open space that is required per unit. Instead it relies on existing zoning controls for the district, or programs like the four-plex ordinance.
Rent Control	Requires units above the base density to be rent controlled	N/A	Since the mayor's ordinance is not providing for additional density it cannot impose rent control on units above the base density; however, projects that utilize the four plex ordinance would still have a rent control requirement.
Displacement Protections	Includes SB 330 protections for displaced tenants (the 3 Rs) as a criterion to be eligible for the program, and if the property has had a no-fault eviction the units cannot be condo converted.	Includes SB 330 protections for displaced tenants (the 3 Rs), and a prohibition on no-fault evictions within the past 5 years to qualify for exception from 317.	Sup. Melgar is creating Section 1396.7 of the Subdivision Code to prohibit condo conversions for units created by her program where there has been a no fault eviction. They mayor's ordinance makes this a criterion in order to be exempt from 317 CU requirements.
Group Housing	Permits Group Housing in the SUD at 1 room for 415 sq ft. of lot area	Amends the four-plex program to allow Group Housing at 1 room per 415 sq ft of lot area.	Both Amendments can move forward without conflict. Melgar is mirroring the densities allowed in the four-plex ordinance, so it makes sense that both programs should be amended to allow group housing at the same density.



Well-Resourced Neighborhoods: State Department of Housing and Community Development
SAN FRANCISCO



From: [Board of Supervisors \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Major, Erica \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Entezari, Mehran \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: 4 Letters Regarding File No. 230026
Date: Thursday, July 20, 2023 12:43:00 PM

Hello,

Please see attached 4 Letters Regarding **File No. 230026:**

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Regards,

John Bullock
Office of the Clerk of the Board
San Francisco Board of Supervisor
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
BOS@sfgov.org | www.sfbos.org

***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: [Aaron Goodman](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Land Use agenda comments
Date: Tuesday, July 18, 2023 12:57:45 PM

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

Agenda ITEM 6 - Melgar "Family Housing" Ordinance File #230026

I am opposed to the current rendition of melgars family housing ordinance.

It ignores communities rights and does not provide sufficient housing that is affordable to working citizens of SF.

The implications noted by others opposed to the legislation are indicative of the problems and concerns with letting developers demolish sound housing and build up for profits while ignoring affordability and lacking infrastructure (aka transit)

The west side has lacked in housing but also transit solutions. Why allow carte Blanche approvals when we see the results are often poorly design and not providing anything we need currently.

Regards

Ag D11

Sent from my iPhone

From: [Douglas Mehl](#)
To: [Board of Supervisors \(BOS\)](#)
Cc: [MandelmanStaff, \[BOS\]](#)
Subject: "Case Number: 2023-003676PCAMAP; Board File No. 230446"
Date: Wednesday, July 19, 2023 1:26:27 PM

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

Supervisor Mandelman,

Our city desperately needs to streamline the approval process and construct additional housing to equalize the supply and demand issue in San Francisco. We need to cut the red tape in approving new projects. I urge the Land Use Committee and the Board of Supervisors to approve the "Housing for All" ordinance.

I will be watching how you vote and will vote you out of office if you fail to support this important ordinance.

Sincerely,

Doug Mehl, AIA, Principal

dm@fm-arch.com

FENNIE+MEHL [Architects](#)

415.378.5184- Mobile | 415.278.9596- Office

300 Brannan Street, Suite 310 | San Francisco, CA 94107

From: [Patricia Solis Fillon](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Case Number: 2023-003676PCAMAP; Board File No. 230446
Date: Wednesday, July 19, 2023 4:12:52 PM

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

Dear San Francisco Board of Supervisors:

I am writing to express my strong support for the "Housing for All" ordinance.

There has been a knee jerk reaction to oppose any mid to high density housing. The political forces in San Francisco have caved into these forces for decades. We are now reaping the tragic results of this short sightedness.

As an architect, urban planner, citizen and lover of San Francisco, I believe now is the time to implement a policy which comprehensively addresses our immediate and long-term housing crisis.

The proposed changes include process improvements, development standards modifications, and expanded housing development incentives throughout the city. Implementing these changes will offer diverse housing options for all residents of San Francisco, thereby expanding affordability and opportunity.

We can expand housing options for all San Francisco residents by passing the 'Housing for All' ordinance. The correlation between supply and demand is undeniable, and the lack of adequate housing significantly contributes to the city's high cost of living. Private market-driven housing construction, with limited public subsidies, is the foundation of housing in San Francisco, the state, and the entire country. Streamlining the process and allowing developers to increase density will reduce construction costs per unit, ultimately benefiting renters and homeowners.

Expanding the inventory of housing options in San Francisco will foster greater neighborhood diversity, provide better housing opportunities for vulnerable populations, and contribute to a thriving city culture where everyone can flourish.

I urge the Land Use Committee and the Board of Supervisors to approve the "Housing for All" ordinance. Together, we can create a more inclusive and affordable housing landscape for all residents of San Francisco.

Sincerely,

Patricia Solis, AIA, NOMA

From: [Caroline S. Lebar](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Case Number: 2023-003676PCAMAP; Board File No. 230446
Date: Wednesday, July 19, 2023 8:02:20 PM

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

Dear San Francisco Board of Supervisors,

As an architect living and working in San Francisco, I am writing to express my support for the proposed 'Housing for All' ordinance. I commend the efforts made under the 2022 Housing Element Update, which focuses on racial and social equity, to address San Francisco's housing challenges. With a state-mandated goal of constructing 82,000 housing units within the next eight years, this plan aims to provide diverse housing options that strengthen our communities and improve overall affordability and diversity. The 'Housing for All' ordinance aligns with several policies outlined in the Housing Element. It specifically targets the removal of obstacles that hinder housing construction, especially based on subjective criteria. The proposed changes include process improvements, development standards modifications, and expanded housing development incentives throughout the city. Implementing these changes will offer diverse housing options for all residents of San Francisco, thereby expanding affordability and opportunity.

Process Improvements: The ordinance introduces several changes to eliminate costly and time-consuming requirements that impede housing construction and increase costs. We can save valuable time and resources by exempting code-compliant projects from certain processes like Conditional Use permits, the 311 process, and public hearings for projects outside the Priority Equity Geographies SUD. Additionally, allowing "as of right" development for heights and large lot projects, streamlining the approval of State Density Bonus Projects, enabling senior housing development wherever housing is permitted, and providing administrative approval for reasonable accommodations will further facilitate housing construction.

Development Standards: The proposed ordinance brings about standardization and changes in development standards to foster creativity and high-quality housing. Consolidating rear yard requirements, reducing front setbacks, and adjusting minimum lot widths and areas will allow for greater flexibility in designing housing that meets the higher densities mandated by the Housing Element. Other changes, such as allowing open space in specific locations and reevaluating street-facing ground floor uses, will contribute to a more inclusive and vibrant urban environment.

Expand Affordable Housing Incentives: The ordinance includes code changes that simplify the process of building affordable housing. Expanding fee waivers for all 100% affordable projects, broadening the eligibility for Home SF, and removing restrictions on eligibility requirements will increase the availability of affordable units to individuals with modest incomes. These measures will help address San Francisco's pressing need for affordable housing options. We can expand housing options for all San Francisco residents by passing the 'Housing for All' ordinance. The correlation between supply and demand is undeniable, and the lack of adequate housing significantly contributes to the city's high cost of living.

Private market-driven housing construction, with limited public subsidies, is the foundation of housing in San Francisco, the state, and the entire country. Streamlining the process and allowing developers to increase density will reduce construction costs per unit, ultimately benefiting renters and homeowners.

Higher density in our neighborhoods will promote stronger communities as it increases the number of individuals actively observing and engaging with their surroundings. Moreover, a denser population in our neighborhood commercial districts will create opportunities for residents to successfully launch and operate small retail businesses, surpassing the impact of mandated ground-floor retail spaces. Expanding the inventory of housing options in San Francisco will foster greater neighborhood diversity, provide better housing opportunities for vulnerable populations, and contribute to a thriving city culture where everyone can flourish. I urge the Land Use Committee and the Board of Supervisors to approve the "Housing for All" ordinance. Together, we can create a more inclusive and affordable housing landscape for all residents of San Francisco.

Respectfully submitted,
Caroline Lebar, AIA, LEED AP BD+C
Architect, Leddy Maytum Stacy Architects
1940 Bryant St.
Mission District, San Francisco

From: [Avi Gandhi](#)
To: [Major Erica \(BOS\)](#)
Subject: Public Comment Re: Legislative File #230026
Date: Monday, July 24, 2023 12:46:30 PM

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July 24, 2023

Chair Myrna Melgar
Land Use and Transportation Committee
SF Board of Supervisors
City Hall
San Francisco, CA

Re: Streamlining Legislation
"Family Housing Opportunity Special Use District"
Legislative File #230026

Dear Chair Melgar and Supervisors,

Chinatown Community Development Center (CCDC) is a nonprofit community-based organization providing affordable housing for low-income tenants across San Francisco with decades long experience in community engaged planning in the Chinatown area. Young Community Developers (YCD) is a Black-led nonprofit that has served the historically under-resourced Black community in San Francisco's Bayview-Hunters Point for over 50 years.

We are writing to express our support for Supervisor Melgar's legislation titled "Family Housing Opportunity Special Use District (SUD)." We recognize this legislation as a positive step towards increasing density and reducing constraints in the city's "Well Resourced" Areas while respecting the boundaries of the city's "Priority Equity Geographies" (PEGs) and other vulnerable areas outside of the proposed SUD.

PEGs are home to some of the oldest communities of color facing significant displacement risks, including neighborhoods like the Tenderloin, Chinatown, Mission, Bayview-Hunters Point, and Excelsior, as well as Cultural Districts like the Calle 24 Latino Cultural District and the African American Arts & Cultural District. These communities are already burdened by high rents and property prices resulting from surrounding market-rate developments and the scarcity of sites for affordable housing makes them susceptible to further displacement pressures.

By focusing on the city's "Well Resourced" Areas that have historically underproduced housing, the legislation aims to alleviate the housing shortage without exacerbating

displacement risks in PEGs and other vulnerable areas outside the SUD. This targeted approach recognizes the importance of maintaining the social fabric of vulnerable neighborhoods, where long-standing residents and small businesses have contributed significantly to the cultural richness of the city. By containing the impacts of streamlining, the legislation also aligns with the principles of Affirmatively Furthering Fair Housing laws outlined in the Housing Element, addressing geographic inequities, and recognizing the higher risk of displacement impacts that market-rate development poses in Priority Equity communities.

We also appreciate the inclusion of provisions that prevent the demolition of tenant-occupied units or those with a history of 'no-fault' evictions; and prevent the demolition of rent-controlled units. These measures help safeguard tenants and contribute to housing stability. We believe that this approach, which aims to increase density and reduce constraints in the city's "Well Resourced" Areas, while maintaining tenant protections and acknowledging the boundaries of PEGs, is a step in the right direction, and encourage the Board of Supervisors to support the legislation.

Sincerely,

Avi Gandhi
Senior Community Planner
Chinatown Community Development Center

Zachary Weisenburger
Land Use Policy Analyst
Young Community Developers

Avi Gandhi *(she/her)* | **Senior Planner**
Community Planning and Policy
Chinatown Community Development Center

Tel: (415) 984-2471

669 Clay St | San Francisco, CA | 94111

chinatowncdc.org | [@chinatowncdc](https://twitter.com/chinatowncdc)

Join us: [Careers at CCDC](#)

Effective January 9, 2023, Chinatown CDC have relocated our administrative offices. Our new office is located at 615 Grant Ave, San Francisco CA 94108 (cross street California). Please update your records.



July 24, 2023

Chair Myrna Melgar
Land Use and Transportation Committee
SF Board of Supervisor
City Hall
San Francisco, CA

RE: Agenda Item 7 -- Family Housing Opportunity Special Use District

Dear Chair Melgar and Supervisors:

The San Francisco Tenants Union is the largest membership-based tenant organization in the City with fifty-one years of experience fighting for tenant rights. The San Francisco Anti Displacement Coalition represents twenty housing rights organizations assisting thousands of tenants each year who struggle to stay in San Francisco despite threats of eviction and unaffordable housing costs.

Together our organizations write to express our support for the Family Housing Opportunity Special Use District. With the amendments we understand will be introduced by the Chair, this proposal establishes an appropriate framework for protecting the rights of existing and future tenants within the context of the proposed scale of projects in high resource areas and improved enforcement of other tenant protections by city agencies.

We highlight five essential elements of this proposal:

1. **Assure public notice of proposed development that may result in the loss of housing and fuel displacement**

Notice to the community and residents at or near the site of a proposed development is essential to safeguard the integrity of a program that eases controls either on the demolition of housing or promotes market rate development in neighborhoods impacted by displacement. Without adequate public notice the requirement of the 'ministerial approval' of development leaves Planning staff entirely dependent upon the one-sided claims of developers and incomplete public records. Our organizations are regularly contacted by long-time residents whose presence are denied by would-be developers. Eliminating public notice and the

opportunity for the community to ‘ground truth’ developer claims is an invitation for fraud and will undermine the program’s capacity to achieve its stated goals. Supervisor Melgar’s requirement of a pre-application process, if fully implemented by Planning Department rules, provides a basic baseline for public notice for the scale of projects proposed by this ordinance.

2. Require public approvals of all demolitions of rent controlled housing

It is a long-standing principle and policy of this city, with roots in the decades long struggle against the destruction of this city’s working class and BIPOC communities, that the demolition of rent controlled housing must be the subject of a public approval process. Supervisor Melgar’s proposal honors that principle by requiring Conditional Use approval for the demolition of any rent controlled housing. This should be a bottomline standard for any streamlining program.

We remain concerned, however, about the frequent failure by the Planning Department to properly identify how many housing units are located on a site. We understand Supervisor Melgar is drafting legislation to strengthen such city’s policies and practices. That additional legislation is necessary for the implementation of this legislation and to preserve our city’s existing rent controlled housing stock. We look forward to the introduction of such a proposal.

3 Protect existing tenants from displacement fostered by the city’s development policies

The proposal’s five year ‘look back’ period for most no-fault evictions and buy-outs are an essential minimum policy to mitigate the displacement impacts of streamlining policies. We are disappointed and disagree with the City Attorney’s refusal to approve including Ellis Act evictions in this look back policy. We are grateful for Supervisor Melgar’s efforts to establish a more effective policy to prevent displacement. We will continue to advocate for other protections against Ellis Act evictions.

4. Protect future San Francisco tenants with rent and eviction controls.

As San Francisco launches its ambitious plans for expanding housing development, it should not be encouraging the development of housing where future tenants will have zero or only second-class protections against unjust evictions and rent increases. That should not be San Francisco’s housing future. The present legislation correctly proposes that housing developments that benefit from an expedited approval process should extend the protections of the rent ordinance to the newly developed units.

5. Respect the Housing Element’s commitment to provide additional protections in Priority Equity Areas

A core component of the recently adopted Housing Element is the establishment of Priority Equity Areas that require additional protections and tailored policies that address the needs to the city's most racially and economically disadvantaged neighborhoods. Reducing community input and public oversight over market rate development in Priority Equity Areas requires more extensive research and separate consideration. The present proposal correctly focuses its proposed streamlining of development approvals on higher resources areas.

We view the inclusion of above provisions of the present proposal as a starting point of a process that will require appropriate implementing policies by the Planning Department and other agencies to assure the stated goals of the program are accomplished. Without more effective policy implementation, existing residents will continue to be displaced through off-the-books evictions and off-the-books housing units will disappear through unauthorized demolitions.

We also recognize that the present proposal will primarily if not exclusively promote market rate development – addressing part but only part of the housing unmet needs of this city. Clearly the need for more affordable housing development for those who cannot afford market rents must be addressed through other policies and programs.

For all the above reasons, we encourage the committee to recommend the amended proposal for approval by the full Board.

Respectfully,

A handwritten signature in black ink, appearing to read "Roisin Isner".

ROISIN ISNER
Director of Activism and Operations
SAN FRANCISCO TENANTS UNION

A handwritten signature in black ink, appearing to read "Molly Goldberg".

MOLLY GOLDBERG
Director
SAN FRANCISCO ANTI DISPLACEMENT COALITION

From: [Robert Hall](#)
To: [Major, Erica \(BOS\)](#)
Subject: Oppose "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026
Date: Wednesday, July 12, 2023 8:15:40 PM

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

Please oppose "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026.

Nearly every media outlet is talking about the [biodiversity crisis](#) and the climate crisis. This is not a time to weaken the environmental review process. It's a time to strengthen it. With recent changes at the state level like SB9, San Francisco already has parks like [Palou Phelps](#) in the developers cross hairs. Why loosen the rules to build more luxury condos? Please concentrate your energies on protecting San Francisco from the looming environmental crises and redeveloping our flagging downtown. There's an urgent need to reimagine the empty commercial space to create a community people want to live in, not just commute to.

I'm a huge supporter and advocate of the city and sympathize what you're up against. Please don't compromise the environment or eliminate the beauty of our natural heritage. Fill the empty buildings where all the concrete has already been poured.

Robert Hall
1946 Grove St. Apt. 6
San Francisco, CA 94117

From: [Thomas Schuttish](#)
To: [Major, Erica \(BOS\)](#)
Subject: LUT June 12, 2024 Item No. 6 Family Housing Opportunity SUD Case Number 2023-000413PCAMAP (Board File No. 230026)
Date: Sunday, June 11, 2023 4:11:53 PM
Attachments: [#2021-012246PCA.pdf](#)

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

Dear Ms. Major:

Attached are my comments (a pdf and the email below) for the LUT hearing on Monday June 12th for Board File No. 230026, Item No. 6.

This is what I sent in to the Planning Commission when this File was heard on June 1st.

Also do you think this Item will be heard as scheduled or do you think it will be continued?

Thanks much and take good care.
Sincerely,
Georgia Schuttish

Begin forwarded message:

Dear Commissioners:

Attached are the comments I submitted last year for Supervisor Safai's proposed legislation which I think are also applicable to Supervisor Melgar's legislation that will be before you on June 1, 2023. Some of the comments submitted also concern SB 9.

While her legislation is both broader and more specific than his, the points raised in the attached pdf apply. Particularly the point regarding the concern raised by Planning Department Staff about low income home owners "cashing out" under SB 9 (See page 14 of Executive Summary, October 21, 2021). There are probably many low income home owners in the Well Resourced Neighborhoods.

I also want to add a few more points:

1. If there is no 311 Notification, does that mean there will be no PreApp Notice? The PreApp Notice is linked with the 311 Notification criteria. Will the only

Notice to immediately adjacent neighbors be a form letter from DBI about a Demolition?

What if the project is a major Alteration? Without any appeal process to the Board of Appeals how will adjacent property owners have any leverage to protect their property from damage, particularly the undermining of foundations which is a real issue where there are zero lot lines. It seems like developers will have no incentive to “be kind and considerate” to the neighboring property owners.

2. **A year is too short of a time for ownership.** It is not uncommon for developers to hold onto properties for longer than that. One year will encourage and allow for speculative development. And the Staff Report's **Recommendation 4** on page 12, to eliminate the one year ownership requirement will only turbo-charge speculation by developers. [See Finding (o) on page 6 of the proposed Ordinance].

3. Finally. **According to a May 23, 2023 SF Chronicle article Supervisor Melgar and the Mayor are proposing legislation to allow for “denser housing” along many commercial corridors.** I think the general public awareness of the 2024 Housing Element is that is where — *on the commercial corridors* — development would occur on the Westside — not on the neighboring Avenues. It is highly unlikely the existing housing in St. Francis Wood or Balboa Terrace or Ingleside Terrace or West Portal or Seacliff or the Marina will be demolished to create multi-unit housing. But there are blocks and blocks of sound housing in the Richmond and the Sunset that will be vulnerable to speculation and demolition. ***The legislation proposing housing on the commercial corridors — that are also transit corridors — should be considered and approved first before transforming half the City into an SUD.***

Thank you.

Georgia Schuttish

QUESTION #1

Sometimes overlooked in all the discussions about increasing density in the RHD's is the statement on page 14 (attached) of the Staff's October 21, 2021 analysis of SB 9. This is true for this PCA as well. How can this bad outcome be prevented? Here is the statement:

"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".

QUESTION #2

This PCA proposes getting rid of 311 Notification, Discretionary Review and Section 317. All three allow for transparency and full participation of the public whether tenants or property owners.

The published Century Urban Feasibility Studies do not explicitly analyze getting rid of these in the analyses with the Staff Reports. According to the May 6, 2022 Staff Report it states that the assumption is one year for the project to be completed. And also, that the fees will be limited to no more than \$10K. In fact in some of the emails between Staff last year, it was stated that Century Urban was reluctant to factor in ministerial review into their analysis. Is this so?

Here are some more questions:

1. *On average how much does 311 Notification cost a developer?*
2. *How many 311 Notifications lead to Discretionary Review?*
3. *How many Discretionary Reviews are withdrawn before the hearing?*
4. *How often does Discretionary Review either find or correct "errors" in a project?*
5. *What is the housing policy rationale for Section 317?*
6. *What is the intent of the conditions in Conditional Use regarding the outcome of a project?*

Attached is an article from the San Francisco Chronicle which offers conflicting statements about densification. On the one hand the problem is the physical constraints of building four units, but on the other hand, regardless of the physical limitations in designing a four-plex on the typical San Francisco lot, the real problem is too much process! How can it be both?

Also attached are annotated printouts of five multi-unit projects with entitlements that are now for sale. This illustrates the speculative fever (or commodification) in housing and the issue raised in Question #1 above. Please note the asking price for these entitlements. Is this now the market? Four of the five could have been "refreshed" to provide housing these past years.

QUESTION #3

Century Urban writes that the most financially feasible outcome may be to preserve, and not demolish, an existing SFH and add a unit creating a duplex in an SB9 scenario. (Again this has ramifications for the "cashing out" issue in Question #1). See the Century Urban studies for January 31st (page 4) and May 6th (page 3) attached to the Staff Reports in the agenda packet. Has the Commission had an update on the details of the project applications under SB 9 and should such an update also include an update on the Residential Flat Policy and any mergers of dwelling units per Section 317 (b) (7)?

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.

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:

⁷ The legislative history and full text of the bill is available at https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=20210220SB10

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Zoning from page A1

2,700 square feet — which doesn't allow much room to shoehorn four units. And vacant lots are rare, as are "tear downs," small and outdated homes that don't have much value.

Sean Kieghran, president of San Francisco's Residential Builders Association, said he supports getting rid of single-family only zoning but doesn't think it will result in many new units. Kieghran said that building fourplexes requires either two staircases or a staircase and an elevator, which takes up too much of the site.

And, unless the city streamlined the process of building a fourplex on a single-family lot, builders would run into too many bureaucratic obstacles, Kieghran said. "With how long it takes to get through planning and fire and DPW and all the other red tape it's not likely we are going to see anybody building fourplexes anytime soon," he said.

Before the late 1960s, San Francisco developers regularly built two-, three-, and four-unit buildings. Stacked flats were the bread and butter of San Francisco's housing stock. But in the late 1960s and 1970s a series of laws changed that, and the majority of the city, especially the west side, was rezoned to prohibit anything but single-family homes.

One of the few architects to design fourplexes on single-family sized lots in the last few decades is Daniel Solomon, who has worked on three such projects. One of those is at 247 27th Ave., a

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He said the designed and inevitable, but barely took as much and execute as complexes his known for.

"You would not want to get rid of it without a study as part of its general plan update. After the Berkeley vote, Council Member Terry Taplin, one of the authors of the resolution, called it a "historical opportunity for us in Berkeley."

While lots are big moment for us in East Bay, there are s But while the movement of obstacles, accordin to allow multifamily build- Anthony, a veteran C ings in zones previously builder. Land is expe limited to single-family neighbors unreceptive homes is being embraced velopment, and curre as a correction of past dis- quirements — 12-foot criminatory policies — ways, open space req Sacramento, Oregon and- ments, parking minim Minneapolis have passed- would make four units such laws — the question- sible unless it's a large of whether it will actual- housing produ-

And the projects would be expensive — four 1,250-

Zoning changes unlikely to end Bay Area crisis

By J.K. Dineen

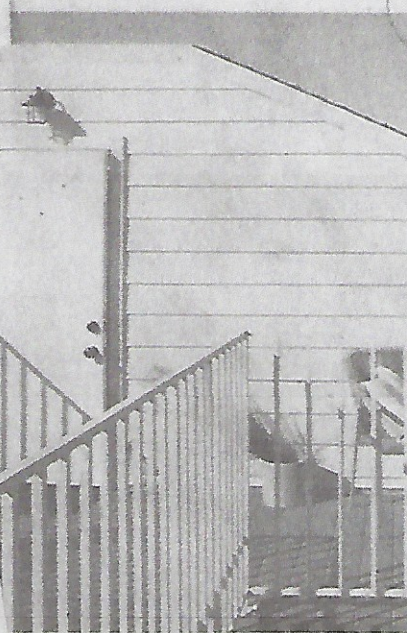
The national movement to eliminate exclusionary single-family zoning is picking up steam in the Bay Area as cities explore the benefits of getting rid of a land use policy designed to keep people of color and working class families out of neighborhoods.

Last week, the city councils in Berkeley and South San Francisco took steps to end single-family zoning, with Berkeley promising to do so within a year.

get rid of it within
and South City initiating a
study as part of its general
plan update. After the
Berkeley vote, Council
Member Terry Taplin, one
of the authors of the resolu-
tion, called it a "historical
moment for us in Berkeley."

are big moment for us. But while the movement here are s... to allow multifamily build-
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unreceptive homes is being embraced
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projects wou increase housing produc-
— four 1,250- tion is a lot more compli-
cated, according to build-
and architects.

In particular, building "fourplexes" — the four-unit building type that has been promoted as a more democratic, sustainable and affordable alternative to the single-family homes — is challenging in fully built centers such as



of 247 27th Ave. in San Francisco. The Most single-family lots in the city are



One of the bedrooms on the third floor of 27th Avenue moved to the end of the building for the family is gaining steam the Ba-

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much to qualify for subsidized housing. To hit the middle in San Francisco, units would have to be able to house households making between 80% to 120% of median income, which for a family of four is between \$102,500 and \$153,700.

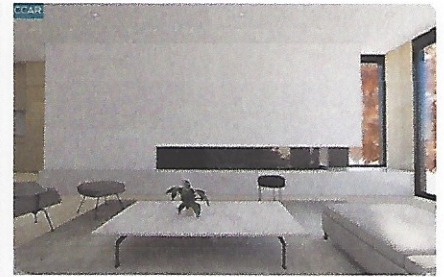
Opponents to the u
fear that it could lead
placement. South San
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developers could targ
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vide some of the city'
affordable housing.

"I am fearful that the houses to be gobbled by developers might be .

© 2022 CCAR
NEW 8 HRS AGO



Street View



See all 4 photos

565 29th St, San Francisco, CA 94131

\$2,290,000

Buy with Redfin: \$2,284,128 >

6
Beds

5
Baths

4,270
Sq Ft



Go tour this home

THURSDAY
14
JUL

FRIDAY
15
JUL

SATURDAY
16
JUL

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APPROVED AS ALTERATION W/ 2ND UNIT
APPLIED 5/2019 - SITE PERMIT APPVD - 12/2020
ADVERTISED AS SFH
UNOCCUPIED SINCE 2018?

About This Home

Shovel Ready! Build your own dream home! Great investment opportunity! 587 29th street sold for \$6,005,000

Listed by Fiona Zhao • DRE #01996841 • HomeSmart Optima Realty, Inc
Redfin last checked: 12 minutes ago | Last updated July 13, 2022

• Source: bridgeMLS, Bay East AOR, or Contra Costa AOR #41001360

Home Facts

Status	New	Time on Redfin
Property Type	Single Family Residential	Baths
Year Built	1910	Community
Lot Size	2,850 Sq. Ft.	MLS#

Price Insights

List Price	\$2,290,000	Est. Mo. Payment	\$12,758
Redfin Estimate	\$2,399,762	Price/Sq.Ft.	\$536

8 hours
"PENDING"
4 full, 2 partial
"ACTUALLY"
Noe Valley
41001360
SOLD 2018 - \$1.365M
SALE 2020 - \$1.895M
SOLD 2021 - \$1.788M
LISTED 2/22 - \$2.31M
REMOVED 5/22
RE-LISTED
7/22 - \$2.29M

Search

Overview

Property Details

Sale & Tax History

Schools

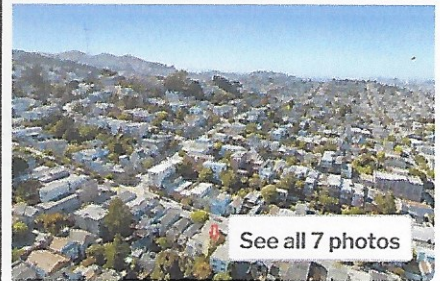
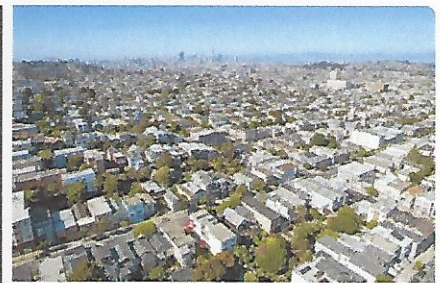
NEW 4 HRS AGO



461 29th STREET

SAN FRANCISCO, CALIFORNIA, 94117

Street View



See all 7 photos

461 29th St, San Francisco, CA 94131

\$2,669,000

Est. \$14,876/mo [Get a custom quote](#)

— Beds

— Baths

2,848

Sq Ft (Lot)



Go tour this home

SATURDAY

SUNDAY

MONDAY

16

17

18

JUL

JUL

JUL



Tour in Person



Tour via Video Chat

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APPROVED AS CWA — 1/2020
SITE PERMIT ISSUED — 2/2021
OLD BUILDING DEMOLISHED — 6/2021

About This Home

Rare Fully Entitled and shovel ready development site. Build 2 brand new luxury condos and 1 ADU on a vacant view lot in desirable Noe Valley. The design includes is 2 story over garage approximately 6100 square feet with private roof deck for units 2 & 3, (2 Car Garage Parking). Unit 1 consists of 3Br + Office /2.5Ba, 1800 sq. ft. with ample outdoor space. Unit 2 consists of 2Br/2Ba, 1508 sq.ft. with private roof deck. Unit 3 consists of 3Br + Office/2.5Ba, 1458 sq. ft. with private roof deck. The property is located in the heart of Noe Valley with views of downtown San Francisco skyline and beyond, within walking distance to Noe Valley, shops, restaurants, and transportation. Plans are available upon request.

Show Less

Listed by Gary Tribulato • DRE #01220884 • Corcoran Global Living
Listed by Gregory Tribulato • DRE #01763336 • Corcoran Global Living
Redfin last checked: 9 minutes ago | Last updated July 15, 2022

• Source: San Francisco MLS #422678386

Home Facts

Status	Active	Time on Redfin	4 hours
Property Type	Vacant Land	Community	San Francisco
Lot Size	2,848 Sq. Ft.	MLS#	422678386

SOLD 11/2017 — \$1.2M
SOLD 12/2017 — \$1.475M
LISTED 6/2021 — \$2.495M
LISTED 7/2022 — \$2.669M

4234 24th Street

San Francisco, CA 94114

☆ Save

➔ Share

\$3,249,000 Price **6** Beds **4** Baths **1 1/2** Bath **5,100** Sq. Ft. **\$637** per Sq. Ft.

Overview

Location

Property Info

Property History

Public Records

Schools

Similar Homes



LISTING UPDATED: 05/31/2022 11:52 AM

Status **Coming Soon**MLS # **422659869**

Days on Compass -

Taxes -

HOA Fees -

Condo/Co-op Fees -

Compass Type **Single Family**MLS Type **Residential / Single
Family Residence**

Year Built -

Lot Size **0.07 AC / 2,944 SF**County **San Francisco
County**

Entitled Plans for a 4-level New Construction compound in the best Noe Valley location. A flexible floor plan featuring sophisticated modern interiors, iconic hillside views, flat walk-out yard, and stately kitchens designed for indoor/outdoor entertaining. Warm natural light fills the voluminous living spaces through oversized windows, with each level enjoying access to the outdoors. Complete with an elevator, this home will provide generous possibilities to exceed the needs of individuals, couples, families, and entertainers alike. The 2nd dwelling allows for flexibility of use while providing privacy for each family member or occupant. Neighborhood staples at your doorstep include the Noe Playground with hoops and tennis, Philz Coffee, Firefly Restaurant, + Rin's Thai, along with Whole Foods and popular cafes and eateries. *Photos are architectural renderings.

Collapse ▲

UNOCCUPIED SINCE 2019?

CONTACT AGENT(S)

Name

Email

Phone

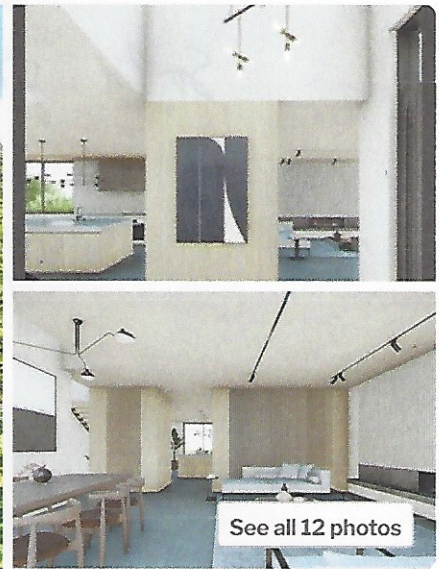
I would like more
information about 4234
24th Street.

Send Message

SOLD 7/2019 — \$1.85
APPLIED 9/2019
CUA - 7/2021
PERMIT ISSUED - 7/2022
LISTED JUNE 2022 - \$3.249M



Street View



See all 12 photos

4250 26th St, San Francisco, CA 94131

\$3,989,000

Est. \$22,233/mo [Get a custom quote](#)

6

Beds

6.5

Baths

—

Sq Ft



Go tour this home

SATURDAY

16

JUL

SUNDAY

17

JUL

MONDAY

18

JUL



Tour in Person



Tour via Video Chat

Schedule Tour

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(415) 234-4215

Buy + Sell = Save

When you buy & sell with Redfin, we cut our listing fee to 1%—half what others charge. [Get started](#)

PER DBI TRACKING NOT ALL
DRAWINGS SUBMITTED AS OF 12/2021
UNOCCUPIED SINCE 2017?

About This Home

Nestled in the heart of San Francisco's Noe Valley is an unparalleled development opportunity. This collaborative project culminates four years of design planning, architectural development and neighborhood outreach. 4250 26th Street is a rare extra wide lot (40 feet), single family home and ADU with unobstructed panoramic views designed by award winning, EDMONDS + LEE Architects. The plans include 4 stories, 6 bedroom, 6.5 bathrooms, 2 car garage, elevator, access yard, several decks, and 6000 sq ft. All of the levels have been designed to have high ceiling heights with large rear over-sized windows. The new house and ADU has been approved by the Planning Department. 4250 26th Street is a remarkable and special building opportunity rarely found in The City. This makes 4250 26th Street a unique property that is ready to start building with a team that will support your vision. Noe Valley is one the best neighborhoods to live in. Close to Douglass Park and Downtown.

Show Less

Listed by Amy Lui • DRE #01381559 • Compass

Redfin last checked: [8 minutes ago](#) | Last updated June 14, 2022

• Source: San Francisco MLS #422669251

Home Facts

Status	Active	Time on Redfin	31 days
Property Type	Single Family Residential	Year Built	1929

LISTED 5/2017 — \$1.449M
SOLD 6/2017 — \$2.3M
ORIGINAL
PERMIT APPLICATION AS
ALTERATION IN 2018
CHANGED APPLICATION TO
DEMO — 2A APPROVED 7/2020
4 DR REQUESTS
COMMISSION TOOK DR +
APPROVED 7/2021
LISTED 6/2022 — \$3.989M



4152 - 4154 24th St, San Francisco, CA 94114

\$3,675,000

Est. \$20,483/mo [Get a custom quote](#)

12

Beds

11.5

Baths

6,512

Sq Ft



Go tour this home

SATURDAY

16

JUL

SUNDAY

17

JUL

MONDAY

18

JUL

Tour in Person

Tour via Video Chat

Schedule Tour

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OR

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Buy with a Redfin Agent and get \$9,242 back.

Ask a Question

(415) 234-4215

About This Home

EXISTING HOUSE UNOCCUPIED SINCE 2017?

Fully entitled 5 unit residential condominium project in the heart of Noe Valley. Developers dream! Permit is ready to pick up to begin work immediately. 4 units in the front building. Large cottage in the back. Back cottage is 3Bd/3.5 Bath. Front building is 3 2Bd/2Bath Units and 1 3Bd/2Bath Unit. Listed by Amir Hardy • DRE #01797731 • Compass
Redfin last checked: [9 minutes ago](#) | Last updated June 30, 2022

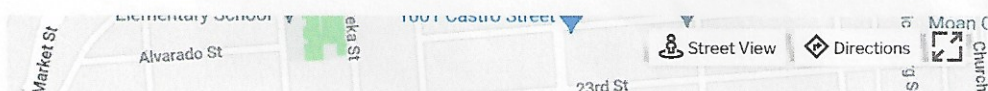
• Source: San Francisco MLS #422645674

Home Facts

Status	Active	Time on Redfin	15 days
Property Type	Single Family Residential	Year Built	1902
Community	San Francisco	Lot Size	2,850 Sq. Ft.
MLS#	422645674		

Price Insights

List Price	\$3,675,000	Est. Mo. Payment	\$20,483
Price/Sq.Ft.	\$564		



LISTED 4/2015 — \$1.248M
SOLD 4/2015 — \$1.95M
APPLIED AS DEMO
BUT WITHDRAWN
312 ISSUED 7/18
APPLIED AS ALTERATION 9/18
ISSUED 10/2019
VARIANCE APPVD BY ZA FOR
REAR BUILDING 9/2018
LISTED 6/30 — \$3.675M

From: [Robert Ho](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Monday, July 17, 2023 10:54:19 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so-called "Family Housing" ordinance (File #230026) is bad legislation. Even in its current amended form, it unacceptably waives far too much environmental and community noticing and review of real estate projects, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

Supervisor Melgar **still** has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand **truly** affordable and environmentally sound housing in San Francisco!

San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be working with rental property owners, large and small, to dramatically reduce the amount of vacant housing. We should be converting vacant office space into affordable places to live as has been successfully done in other major cities such as NYC. Demolishing housing and building rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

- 1) Restore **all** noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.
- 2) Expand the initial public comment period for new projects from 30 days, back to 60 days.
- 3) Add language mandating truly affordable housing, requiring that new affordable housing is for working class people and follows government mandates at the 80% AMI level.
- 4) Ban Wall Street Speculators! Language must be added which penalizes and prevents large corporate real estate and investment firms which control over \$100 million in properties, from

quickly buying, building, and selling housing as a speculative asset for profit.

IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. But if Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Robert Ho
District 7 Resident

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Subject: 15 Env, EJ & Community Orgs Sign To Strongly *OPPOSE* MELGAR "Family Housing" & Engardio-Breed "Constraints Reduction"
Date: Monday, July 17, 2023 8:37:59 AM
Attachments: [SF CEQA Defenders Sign-On July-17-2023.pdf](#)

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15 Environmental, Environmental Justice & Community Orgs Sign To Strongly *OPPOSE* MELGAR 'Family Housing' & Engardio-Breed 'Constraints Reduction' *(Also see attached in PDF format)*



SPEAK Sunset Parkside Education & Action Committee

July 17, 2023

To: City and County of San Francisco Decision Makers - 1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102

Re: **OPPOSE** Engardio-Breed-Dorsey "Constraints Reduction Ordinance" ("Housing Production") **File #230446** and **OPPOSE** Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" **File #230026**

Dear San Francisco Decision Makers:

The undersigned environmental, housing, economic justice, community, and climate crisis response organizations write to voice our strong opposition to the Engardio-Breed-Dorsey "Constraints Reduction" and the Melgar-Engardio "Family Housing Opportunity Special Use

District” ordinances. They would enact drastic and sweeping exceptions to San Francisco's environmental and community review of real estate projects and would undermine health, environmental, economic and neighborhood protections. The Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (aka “Housing Production Ordinance”) contains massive unprecedented waivers of local environmental, community and demolition review that are absolutely unacceptable, all in the name of producing housing called “affordable” when most of that housing would be for families making \$150,000 to \$190,000 per year! The Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” unacceptably waives nearly all environmental and community review for housing expansions in its large target project area to allow sweeping height increases, project design exemptions, open space requirement reductions, and condo conversions that will remove badly needed affordable rental housing! Together these ordinances would worsen:

- **The Unaffordable Housing Crisis** - These ordinances promote building new high priced housing that is *not* affordable, and condo conversions that displace rental housing. It is ridiculous that the Engardio-Breed-Dorsey ordinance calls housing built mostly for families making \$150,000 to \$190,000 dollars per year “affordable”. We already have a 50% *oversupply* of housing for those income levels! And the Melgar-Engardio ordinance relies on existing “affordable” standards that are not working and have already allowed gentrification to destroy San Francisco neighborhoods.
- **The Homelessness Crisis** - The gentrification spurred by these ordinances would push most rents citywide even higher, driving more middle, working and lower class San Franciscans either out of the city, or onto our streets where they will face unacceptable dangers of declining health, street crime, and underemployment.
- **The Vacant Housing Crisis** - San Francisco has at least 40,000 vacant housing units, most of them *far* overpriced. We also have empty office space that can be converted into thousands more apartments. We do not need more housing construction, we need to make our existing housing space affordable!
- **The Environmental Justice & Equity Crisis** - These ordinances would gut environmental and community review protections and would establish “Urban Renewal” style redevelopment zones, setting precedents that would allow corporate real estate giants to even more easily build unhealthy housing on toxic and radioactive waste sites like those in Bayview Hunters Point and on Treasure Island (which local, state and federal agencies have falsely declared “cleaned up”).
- **The Climate Crisis** - These bills are bad for the environment. Allowing sweeping demolitions and expansions of existing homes and apartments, to replace them with luxury condo and rental towers, will use massive amounts of new cement and other building materials releasing *more* greenhouse gases, not less.

These ordinances would build housing for the wealthy, create more homelessness, and are an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators. Please vote DOWN these unacceptable corporate attacks on San Francisco's environmental, economic, cultural, and community integrity!

Sincerely:

California Alliance of Local Electeds Californians for Energy Choice Concerned Residents of the Sunset East Mission Improvement Association Extinction Rebellion SF Bay Area Greenaction for Health & Environmental Justice Mid-Sunset Neighborhood Association Our City SF Our Neighborhood Voices San Franciscans for Urban Nature San Francisco Green Party San Francisco Tomorrow Save Our Neighborhoods SF Sunflower Alliance Sunset Parkside Education & Action Committee

From: [Glenn Rogers](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Land Use Committee (Agenda ITEM 6 - Melgar "Family Housing" Ordinance File #230026)
Date: Monday, July 17, 2023 10:28:46 AM

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Honorable Supervisors

We would like to remind the Board of Supervisors that downtown business occupancy is at an all time low making the need for housing in San Francisco both unnecessary and without merit. Past legislation required sound existing housing be preserved to allow low and middle income individuals a chance to rent or purchase housing. This new "Family Housing ordinance is "flying in the face" of responsible legislation of the past.

1) We need to Restore *all* noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and all projects that would expand the dimensions of existing buildings, to add one or more new units of housing.

2) We need to Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) We need to Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

5) We need to Ban Wall Street Speculators! Language must be added which penalizes and prevents large corporate real estate and investment firms which control over \$100 million in properties, from quickly buying, building, and selling

housing as a speculative asset for profit. Large property owners must be required to wait *10 years* before reselling housing.

Glenn Rogers, RLA
Parkmerced Action Coalition
Landscape Architect
License 3223

From: [Katherine Petrin](#)
Cc: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: SF Heritage Comment Letter re: "Family Housing" Ordinance - Land Use and Transportation Committee Agenda Item No. 6 - Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District
Date: Monday, July 17, 2023 12:30:03 PM

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17 July 2023

Land Use and Transportation Committee
Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Plaza
San Francisco, CA 94102

Re: Agenda Item No. 6 - Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District

Board President Peskin, Supervisors Melgar and Preston,

San Francisco Heritage (SF Heritage) appreciates the opportunity to comment on the legislation now before Land Use Committee hearing, the ordinance regarding Planning Code amendments to create the Family Housing Opportunity Special Use District, also known as the "Family Housing" ordinance.

Established in 1971, SF Heritage is a nonprofit organization dedicated to preserving and enhancing San Francisco's architectural and cultural identity. SF Heritage has consistently supported the creation of affordable housing in San Francisco.

SF Heritage understands the intent of the proposed amendments in the "Family Housing" ordinance. However, we suggest including improved, technical language, for efficiency and consistency, specifically with regard to new development in historic districts so that it aligns with existing State legislation.

Senate Bill No. 9, approved on September 16, 2021, specifies that new development occur as described:

The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

In aligning with existing adopted legislation, the ordinance will be more efficient and eliminate confusion with existing State law.

We hope the comments of SF Heritage will be considered before the ordinance moves forward.

Sincerely,

Woody LaBounty

President and CEO

From: [Robert Ho](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Monday, July 17, 2023 10:54:20 PM

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Dear Supervisors,

Supervisor Myrna Melgar's so-called "Family Housing" ordinance (File #230026) is bad legislation. Even in its current amended form, it unacceptably waives far too much environmental and community noticing and review of real estate projects, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

Supervisor Melgar **still** has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand **truly** affordable and environmentally sound housing in San Francisco!

San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be working with rental property owners, large and small, to dramatically reduce the amount of vacant housing. We should be converting vacant office space into affordable places to live as has been successfully done in other major cities such as NYC. Demolishing housing and building rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

- 1) Restore **all** noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.
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- 4) Ban Wall Street Speculators! Language must be added which penalizes and prevents large corporate real estate and investment firms which control over \$100 million in properties, from

quickly buying, building, and selling housing as a speculative asset for profit.

IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. But if Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Robert Ho
District 7 Resident



July 17, 2023

To: City and County of San Francisco Decision Makers - 1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102

Re: **OPPOSE** Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (“Housing Production”) **File #230446**
and **OPPOSE** Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” **File #230026**

Dear San Francisco Decision Makers:

The undersigned environmental, housing, economic justice, community, and climate crisis response organizations write to voice our strong opposition to the Engardio-Breed-Dorsey “Constraints Reduction” and the Melgar-Engardio “Family Housing Opportunity Special Use District” ordinances. They would enact drastic and sweeping exceptions to San Francisco's environmental and community review of real estate projects and would undermine health, environmental, economic and neighborhood protections.

The Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (aka “Housing Production Ordinance”) contains massive unprecedented waivers of local environmental, community and demolition review that are absolutely unacceptable, all in the name of producing housing called "affordable" when most of that housing would be for families making \$150,000 to \$190,000 per year!

The Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” unacceptably waives nearly all environmental and community review for housing expansions in its large target project area to allow sweeping height increases, project design exemptions, open space requirement reductions, and condo conversions that will remove badly needed affordable rental housing!

Together these ordinances would worsen:

- **The Unaffordable Housing Crisis** - These ordinances promote building new high priced housing that is *not* affordable, and condo conversions that displace rental housing. It is ridiculous that the Engardio-Breed-Dorsey ordinance calls housing built mostly for families making \$150,000 to \$190,000 dollars per year “affordable”. We already have a 50% *oversupply* of housing for those income levels! And the Melgar-Engardio ordinance relies on existing “affordable” standards that are not working and

have already allowed gentrification to destroy San Francisco neighborhoods.

- **The Homelessness Crisis** - The gentrification spurred by these ordinances would push most rents citywide even higher, driving more middle, working and lower class San Franciscans either out of the city, or onto our streets where they will face unacceptable dangers of declining health, street crime, and underemployment.
- **The Vacant Housing Crisis** - San Francisco has at least 40,000 vacant housing units, most of them *far* overpriced. We also have empty office space that can be converted into thousands more apartments. We do not need more housing construction, we need to make our existing housing space affordable!
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- **The Climate Crisis** - These bills are bad for the environment. Allowing sweeping demolitions and expansions of existing homes and apartments, to replace them with luxury condo and rental towers, will use massive amounts of new cement and other building materials releasing *more* greenhouse gases, not less.

These ordinances would build housing for the wealthy, create more homelessness, and are an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators. Please vote DOWN these unacceptable corporate attacks on San Francisco’s environmental, economic, cultural, and community integrity!

Sincerely:

California Alliance of Local Electeds
Californians for Energy Choice
Concerned Residents of the Sunset
East Mission Improvement Association
Extinction Rebellion SF Bay Area
Greenaction for Health & Environmental Justice
Mid-Sunset Neighborhood Association
Our City SF
Our Neighborhood Voices
San Franciscans for Urban Nature
San Francisco Green Party
San Francisco Tomorrow
Save Our Neighborhoods SF
Sunflower Alliance
Sunset Parkside Education & Action Committee

From: [Nicholas C. Belloni \(PAR\)](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Cc: [Breed, Mayor London \(MYR\)](#); [CPC-Commissions Secretary](#)
Subject: OPPOSE Engardio-Breed-Dorsey "Constraints Reduction Ordinance" ("Housing Production") File #230446 and OPPOSE Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" File #230026
Date: Saturday, July 15, 2023 7:01:59 PM
Attachments: [PAR Constraints Reduction Ordinance.pdf](#)

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Mayor Breed, President Peskin

I respectfully submit PAR's letter in opposition to Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" File #230026

Thank You

Nick Belloni

From: [Jean Barish](#)
To: [MelgarStaff \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: Family Housing Opportunity Special Use District - File No. 230026
Date: Sunday, July 16, 2023 8:35:39 PM

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

Dear LUC Chair Melgar, Board of Supervisors President Peskin, and Supervisor Preston,
I am writing to urge you to continue the subject legislation, File No. 230026, at the Land Use Committee meeting on July 17, 2023.

This legislation will result in sweeping changes to the San Francisco Planning Code. It will eliminate many public notices including Conditional Use notification, increase condominium conversions, densify neighborhoods, provide Planning Code exemptions, significantly alter neighborhood character, and all the while not provide for the affordable housing the City desperately needs.

The changes to the Planning Code are very broad and very complex. But this legislation was drafted with virtually no input from neighborhood groups and the people most impacted by this legislation. And the public has had access to this latest iteration for less than a week. While I understand the City must show it is working toward fulfilling the terms of the Housing Element and meeting the State's RHNA housing requirements, that does not justify taking action on this legislation at the July 17 meeting. Please, continue this ordinance until all stakeholders have had enough time to review and comment on it.

We must all work collaboratively and cooperatively in order to create a city that reflects the goals of equity and diversity of which we are all so proud. I trust you will do what is in the best interest of all San Franciscans and vote to continue this legislation.

Thank you for your consideration.

Sincerely,

Jean

Jean B Barish

jeanbbarish@hotmail.com

From: [Shawna J. McGrew](#)
To: [Peskin, Aaron \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [peskin.staff@gmail.com](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: so called "Family Housing"
Date: Monday, July 17, 2023 8:07:39 AM

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Tropical Earth



Yesterday I received a E mail informing me that the SF Budget & Legislative Analyst informed voters/tax payers that it has revised its 1st estimate of vacant housing from 40,000 to 61,473 and add to that the already empty units that have been built, in progress

being built and already approved housing to be built.
All of this exceeds California's mandate for SF to build.
I have a simple request to send Melgar's legislation back to the drawing board until it contains affordable housing mandates, restores environmental and community noticing. It is a must to have input from the neighborhood.
I am sure you as a home owner would want to be notified of any demolition and additional stories on your block.
I have heard that some supervisors tell their community to go to SF Planning Dept. to see what plans have been submitted. You and I know how difficult and unrealistic that is.
Thank You
Shawna McGrew

Tropical Earth





Dear President Peskin and Members of the Board of Supervisors:

I am writing on behalf of Planning Association for the Richmond (“PAR”) regarding the referenced legislation. As the largest and oldest neighborhood organization in the Richmond District, PAR urges you to oppose the Engardio-Breed-Dorsey “Constraints Reduction” and the Melgar-Engardio “Family Housing Opportunity Special Use District” ordinances.

These proposed ordinances raise many concerns:

- **The rush to judgment and lack of public participation in preparation of these ordinances is unacceptable.** The residents of San Francisco only recently became aware of this legislation. The sponsors did not reach out to impacted communities during its drafting. Public engagement is critical in a democracy and safeguards both the governed and those governing. These ordinances will significantly impact countless home owners and tenants. Before you consider this legislation their voices must be heard.
- **Housing need is overestimated and supply is underestimated.** The State housing needs assessment (“RHNA”) number that has become the gold standard for revising the Planning Code is overinflated. A state audit submitted a blistering report that these RHNA numbers have been overstated by up to hundreds of thousands of housing units. (<https://www.auditor.ca.gov/reports/2021-125/index.html>) In addition, according to the City’s Planning Department’s 2023 Q1 Housing Development Pipeline report, there are currently over 70,000 new units in the development pipeline. (<https://sfplanning.org/project/pipeline-report#current-dashboard>) These ordinances are based on flawed assumptions and faulty data. There is no good reason to gut the Planning Code to make it easier to build. The very foundation on which this legislative edifice has been built does not support these ordinances.
- **Removal of most public notice requirements is unacceptable.** These proposed ordinances eliminate 311 notices, most demolition notices, the right to Discretionary Review, and Conditional Use hearings. This lack of transparency and right of appeal should not be approved. Residents have a right to know about and oppose developments and renovations that impact their neighborhoods. These new provisions unfairly benefit developers and should not stand. This lack of transparency and specificity is of special concern in the newly proposed “Special Use” districts, and could justify the kind of Urban Renewal that decimated neighborhoods in the 60’s.



- **The legislation fails to address the need for affordable housing.** There is general agreement that the greatest need for housing in San Francisco is housing for middle-income and low-income people. But this legislation does nothing to provide housing for low-income people, and falls short of providing for the needs of middle-income people as well. Most of the new housing will be market rate, with inadequate provisions for rent-controlled and affordable units. We are also concerned this legislation will exacerbate the growing homeless crisis.
- **The legislation does not address the need for increased infrastructure.** It is inevitable that along with more housing, there is a need for more infrastructure...sewage and water; transportation; schools; emergency services; and all the other services and institutions needed by a growing community. This legislation is silent on all these needs, and should be amended to include these vital services.

In conclusion, PAR urges you not to approve these ordinances until there has been a more thorough consideration of all their impacts, and following full participation by all community stakeholders.

Thank you for your consideration.

Sincerely,

Nicholas Belloni

From: [Michael Anders](#)
To: [Breed, Mayor London \(MYR\)](#); [Board of Supervisors \(BOS\)](#)
Subject: Re: Parcel K/ Proxy
Date: Saturday, July 15, 2023 1:35:59 PM

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

This type of event would not be possible if Proxy is closed for 70 housing units





On Fri, Jul 14, 2023 at 8:39 PM Michael Anders <mja712@gmail.com> wrote:

Hello,

I am a resident of Hayes Valley (District 5) and a strong advocate of all housing, both market rate and affordable. My supervisor, Dean Preston, does not seem to respond or care about the concerns of his constituents so I am writing to the remaining members of the BOS and the mayor on this very important issue.

I am aware of the history of Parcel K (Proxy) and that it was originally designated by voters to be a site for affordable housing around 2000. However, I am writing today to express my concerns about Supervisor Preston's push to build a very small affordable housing complex on this land.

To be clear, the plan to build housing on 600 McAllister and 98 Franklin is fantastic. I am a believer in building housing in all parts of the city including my neighborhood. There is more room for housing in Hayes Valley which is not yet in development.

However, we need to draw the line somewhere. Proxy has become a beloved part of the Hayes Valley community. An outdoor gym during the day where community members have exercised for 3 years, a space for community events like a circus, movie nights, carnival, jazz, dance parties, and more. A retail location for an ice cream parlor and a brewery. It complements Patricia's Green perfectly and makes Hayes Valley one of the best neighborhoods in the world.

Why would the city want to destroy that? And for what, 70 units of housing? Is it really worth wrecking our community for only 70 units of housing?

As I walk around the city, I see vacant, unused parking lots. I see empty retail storefronts. I see empty offices. Tons of real estate. Why not build hundreds of thousands of units in those places? Just like we don't build housing over parks, gardens and playgrounds, we also should not build housing on community gathering places and recreation centers like Proxy.

I would ask that the city propose a law, a proposition or some other ballot measure, to officially designate Parcel K as a public gathering place which will be kept without housing permanently. Let's keep building housing all over our city, but let's protect our public spaces which are loved by members of the community and focus on building on the several unused properties, parking lots, office buildings, former retail locations and unused plots of land across our city. Not the places that are enjoyed daily by thousands of community members.

Thank you,

Michael Anders
District 5

Sent from my iPhone

--

Mike

From: [Geo Kimmerling](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Proposed Family Hosing Ordinance
Date: Saturday, July 15, 2023 1:20:15 PM
Attachments: [Family housing Ordinance proposal II.doc](#)

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

Please see attached.
Thank you.
Flo Kimmerling
Mid-Sunset Neighborhood Association



MID-SUNSET NEIGHBORHOOD ASSOCIATION

Dear Supervisors,

- Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar **still** has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand **truly** affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore **all noticing and hearings** for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

2) Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

We are counting on you to hear the voice of thousands of residents and a consortium of neighborhood organizations.

Thank you.

Flo Kimmerling

President

Mid-Sunset Neighborhood Association

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [ChanStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mandelman, Rafael \(BOS\)](#); [Thornhill, Jackie \(DEM\)](#); [Green, Ross \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Hajee, Zahra \(BOS\)](#); [Ronen, Hillary;](#) [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - *Still* OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 5:42:58 PM

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Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar *still* has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand *truly* affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore *all* noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

2) Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

5) Ban Wall Street Speculators! Language must be added which penalizes and prevents large corporate real estate and investment firms which control over \$100 million in properties, from quickly buying, building, and selling housing as a speculative asset for profit. Property owners must be required to wait *10 years* before reselling (aka "flipping") housing.

IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. But if Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Eric Brooks, Campaign Coordinator
Our City SF, and San Francisco CEQA Defenders
415-756-8844

From: [Kathleen Kelley](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#)
Cc: [Kathleen Kelley](#)
Subject: Oppose Sup. Myrna Melgar Attack on Environment & Affordable Housing Land Use Item 6, July 17 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 6:12:51 PM

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

Dear Supervisors,

We need affordable housing, not luxury housing. We have a 50% overage of luxury housing. Supervisor Melgar's Land Use Ordinance is unacceptable. Please do the right thing.

Recognize that the Melgar ordinance is flawed. Listen to the experts, please accept additional expert recommendations to solve the affordable crisis. We do not have a luxury housing crisis.

Facts:

- Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar **still** has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand **truly** affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore **all noticing and hearings** for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

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3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

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IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. That is NO REASON to vote for it.

If Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Kathleen Kelley
Resident of D4 94122

From: [Elliot Helman](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 9:11:01 PM

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Dear Supervisors,

I grew up in SF and i *still* love this city, even though it has become so unaffordable. We need real *affordable* housing, which will not be achieved by Supervisor Myrna Melgar's "Family Housing" ordinance File #230026. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

With at least 40,000 vacant housing units, 70,000 new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Melgar "Family Housing" ordinance until it can guarantee affordable housing with environmental review and input from the community!

Thank you,

Elliot Helman
350SF
94158

From: [Michael Anders](#)
To: [Board of Supervisors \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Parcel K/ Proxy
Date: Friday, July 14, 2023 8:39:56 PM

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

Hello,

I am a resident of Hayes Valley (District 5) and a strong advocate of all housing, both market rate and affordable. My supervisor, Dean Preston, does not seem to respond or care about the concerns of his constituents so I am writing to the remaining members of the BOS and the mayor on this very important issue.

I am aware of the history of Parcel K (Proxy) and that it was originally designated by voters to be a site for affordable housing around 2000. However, I am writing today to express my concerns about Supervisor Preston's push to build a very small affordable housing complex on this land.

To be clear, the plan to build housing on 600 McAllister and 98 Franklin is fantastic. I am a believer in building housing in all parts of the city including my neighborhood. There is more room for housing in Hayes Valley which is not yet in development.

However, we need to draw the line somewhere. Proxy has become a beloved part of the Hayes Valley community. An outdoor gym during the day where community members have exercised for 3 years, a space for community events like a circus, movie nights, carnival, jazz, dance parties, and more. A retail location for an ice cream parlor and a brewery. It complements Patricia's Green perfectly and makes Hayes Valley one of the best neighborhoods in the world.

Why would the city want to destroy that? And for what, 70 units of housing? Is it really worth wrecking our community for only 70 units of housing?

As I walk around the city, I see vacant, unused parking lots. I see empty retail storefronts. I see empty offices. Tons of real estate. Why not build hundreds of thousands of units in those places? Just like we don't build housing over parks, gardens and playgrounds, we also should not build housing on community gathering places and recreation centers like Proxy.

I would ask that the city propose a law, a proposition or some other ballot measure, to officially designate Parcel K as a public gathering place which will be kept without housing permanently. Let's keep building housing all over our city, but let's protect our public spaces which are loved by members of the community and focus on building on the several unused properties, parking lots, office buildings, former retail locations and unused plots of land across our city. Not the places that are enjoyed daily by thousands of community members.

Thank you,

Michael Anders
District 5

Sent from my iPhone

From: [Katherine Petrin](#)
Cc: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: SF Heritage Comment Letter re: "Family Housing" Ordinance - Land Use and Transportation Committee Agenda Item No. 6 - Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District
Date: Monday, July 17, 2023 12:30:03 PM

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17 July 2023

Land Use and Transportation Committee
Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Plaza
San Francisco, CA 94102

Re: Agenda Item No. 6 - Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District

Board President Peskin, Supervisors Melgar and Preston,

San Francisco Heritage (SF Heritage) appreciates the opportunity to comment on the legislation now before Land Use Committee hearing, the ordinance regarding Planning Code amendments to create the Family Housing Opportunity Special Use District, also known as the "Family Housing" ordinance.

Established in 1971, SF Heritage is a nonprofit organization dedicated to preserving and enhancing San Francisco's architectural and cultural identity. SF Heritage has consistently supported the creation of affordable housing in San Francisco.

SF Heritage understands the intent of the proposed amendments in the "Family Housing" ordinance. However, we suggest including improved, technical language, for efficiency and consistency, specifically with regard to new development in historic districts so that it aligns with existing State legislation.

Senate Bill No. 9, approved on September 16, 2021, specifies that new development occur as described:

The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

In aligning with existing adopted legislation, the ordinance will be more efficient and eliminate confusion with existing State law.

We hope the comments of SF Heritage will be considered before the ordinance moves forward.

Sincerely,

Woody LaBounty

President and CEO

From: [Glenn Rogers](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Land Use Committee (Agenda ITEM 6 - Melgar "Family Housing" Ordinance File #230026)
Date: Monday, July 17, 2023 10:28:47 AM

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Honorable Supervisors

We would like to remind the Board of Supervisors that downtown business occupancy is at an all time low making the need for housing in San Francisco both unnecessary and without merit. Past legislation required sound existing housing be preserved to allow low and middle income individuals a chance to rent or purchase housing. This new "Family Housing ordinance is "flying in the face" of responsible legislation of the past.

1) We need to Restore *all* noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and all projects that would expand the dimensions of existing buildings, to add one or more new units of housing.

2) We need to Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) We need to Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

5) We need to Ban Wall Street Speculators! Language must be added which penalizes and prevents large corporate real estate and investment firms which control over \$100 million in properties, from quickly buying, building, and selling

housing as a speculative asset for profit. Large property owners must be required to wait *10 years* before reselling housing.

Glenn Rogers, RLA
Parkmerced Action Coalition
Landscape Architect
License 3223

From: [Jake Price](#)
To: [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#); [Engardio, Joel \(BOS\)](#)
Subject: List of Letter Senders for Dom-i-city Legislation
Date: Friday, July 7, 2023 11:24:48 AM
Attachments: [List of Dom-i-city letter senders.xlsx](#)

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

Good morning Members of the Land Use Committee,

On behalf of the Housing Action Coalition, please see the attached list of names of those who sent [letters in support of Dom-i-city legislation](#). This is in reference to Item 8 on the July 10th agenda.

Please let me know if you have any questions.

Thank you,

Jake Price

--

Jake Price | Pronouns: He/Him
San Francisco and North Bay Community Organizer | HAC
555 Montgomery Street, Suite 720, San Francisco, CA 94111
Mobile: (510) 367-1165
Email: jake@housingactioncoalition.org | Web: housingactioncoalition.org



First Name	Last Name	Email	Mailing City
David	Tejeda	dtrepairs@gmail.com	San Francisco
David	Umbertg	david.umbertg@gmail.com	San Francisco
Mark	Macy	markm@macyarchitecture.com	San Francisco
Milo	Trauss	milotrauss@gmail.com	san francisco
Annette	Billingsley	ab94115@gmail.com	San Francisco
Hunter	Oatman-Stanford	hoatmanstanford@gmail.com	San Francisco
Kathleen	Ciabattini	kathyciab@gmail.com	San Francisco
Joseph	DiMento	joedimento@gmail.com	San Francisco
Noelle	Langmack	nlangmac@alumni.nd.edu	San Francisco
Sarah	Rogers	serogers@gmail.com	San Francisco
Townsend	Walker	townsend@townsendwalker.com	San Francisco
Tracy	Freedman	tracyfreedman@gmail.com	San Francisco
Jessica	Perla	jessica@jperla.com	San Francisco
Judy	Wade	judywadesf@gmail.com	San Francisco
Justin	Truong	justintruong56@gmail.com	San Francisco
Arvind	Ramesh	arvinddd2003@gmail.com	San Francisco
Jawwad	Zakaria	jzakaria2000@gmail.com	San Francisco
John	Marcom	john.marcom@gmail.com	San Francisco
William	Kee	williampkee@gmail.com	San Francisco
Vickrum	Singh	vickrum701@icloud.com	San Francisco
Wendy	herzenberg	scrappylynn@yahoo.com	San Francisco
Jake	Price	jake@housingactioncoalition.org	San Francisco
Eugene	Lew	eugene@eeleu.net	San Francisco
Jane	Yam	jane.yam@gmail.com	San Francisco
Steven	Shoemaker	steven.benton.shoemaker@gmail.com	San Francisco
Vic	DeAngelo	phorum@me.com	San Francisco
Susan	Setterholm	susan.setterholm@mba.berkeley.edu	San Francisco
Sloane	Cook	sloanewcook@gmail.com	San Francisco
Corey	Smith	cwsmith17@gmail.com	San Francisco
Laura	Fingal-Surma	laura@urbanist.vc	San Francisco
Colleen	Beach	lizardinthewires@gmail.com	San Francisco
Kenneth	Burke	kennethjburkejr@gmail.com	San Francisco
Alan	Billingsley	alanbillingsley215@gmail.com	San Francisco
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Philip	Lonsdale	phil.lonsdale@gmail.com	San Francisco

Mailing Zip/Postal Code
94114
94110
94118
94131
94115
94107
94127
94131
94117
94110
94109
94117
94107
94121
94112
94115
94122
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94118
94118
94118-1425
94121-3128
94109
94121
94117
94110
94127
94114
94114
94558
94110

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [ChanStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mandelman, Rafael \(BOS\)](#); [Thornhill, Jackie \(DEM\)](#); [Green, Ross \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Hajee, Zahra \(BOS\)](#); [Ronen, Hillary;](#) [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - *Still* OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 5:42:58 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar *still* has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand *truly* affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore *all* noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

2) Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

5) Ban Wall Street Speculators! Language must be added which penalizes and prevents large corporate real estate and investment firms which control over \$100 million in properties, from quickly buying, building, and selling housing as a speculative asset for profit. Property owners must be required to wait *10 years* before reselling (aka "flipping") housing.

IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. But if Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Eric Brooks, Campaign Coordinator
Our City SF, and San Francisco CEQA Defenders
415-756-8844

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [ChanStaff \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Thornhill, Jackie \(DEM\)](#); [Green, Ross \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Hajee, Zahra \(BOS\)](#); [Ronen, Hillary;](#) [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [StefaniStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - *Still* OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 5:41:36 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar *still* has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand *truly* affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore *all* noticing and hearings for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

2) Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

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IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. But if Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

[Your Name]

[Your Organization if any]

[Your Zip Code]

Eric Brooks, Campaign Coordinator
Our City SF, and San Francisco CEQA Defenders

From: [Kathleen Kelley](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#)
Cc: [Kathleen Kelley](#)
Subject: Oppose Sup. Myrna Melgar Attack on Environment & Affordable Housing Land Use Item 6, July 17 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 6:12:52 PM

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

Dear Supervisors,

We need affordable housing, not luxury housing. We have a 50% overage of luxury housing. Supervisor Melgar's Land Use Ordinance is unacceptable. Please do the right thing.

Recognize that the Melgar ordinance is flawed. Listen to the experts, please accept additional expert recommendations to solve the affordable crisis. We do not have a luxury housing crisis.

Facts:

- Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar **still** has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand **truly** affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore **all noticing and hearings** for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

2) Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

4) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

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IMPORTANT: Melgar claims that Mayor Breed will veto any housing ordinance with such anti-speculation protections. That is NO REASON to vote for it.

If Melgar's ordinance is so unpopular it can't get the eight Board of Supervisors votes it takes to override a mayoral veto, then Melgar's ordinance is NOT GOOD ENOUGH and needs to be voted down!

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Kathleen Kelley
Resident of D4 94122

From: [Elliot Helman](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Public Comment: Land Use Item 6, July 17 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Thursday, July 13, 2023 9:11:01 PM

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Dear Supervisors,

I grew up in SF and i *still* love this city, even though it has become so unaffordable. We need real *affordable* housing, which will not be achieved by Supervisor Myrna Melgar's "Family Housing" ordinance File #230026. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

With at least 40,000 vacant housing units, 70,000 new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Melgar "Family Housing" ordinance until it can guarantee affordable housing with environmental review and input from the community!

Thank you,

Elliot Helman
350SF
94158

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Subject: 15 Env, EJ & Community Orgs Sign To Strongly *OPPOSE* MELGAR "Family Housing" & Engardio-Breed "Constraints Reduction"
Date: Monday, July 17, 2023 8:37:59 AM
Attachments: [SF CEQA Defenders Sign-On July-17-2023.pdf](#)

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15 Environmental, Environmental Justice & Community Orgs Sign To Strongly *OPPOSE* MELGAR 'Family Housing' & Engardio-Breed 'Constraints Reduction' (Also see attached in PDF format)



SPEAK Sunset Parkside Education & Action Committee

July 17, 2023

To: City and County of San Francisco Decision Makers - 1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102

Re: **OPPOSE** Engardio-Breed-Dorsey "Constraints Reduction Ordinance" ("Housing Production") **File #230446** and **OPPOSE** Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" **File #230026**

Dear San Francisco Decision Makers:

The undersigned environmental, housing, economic justice, community, and climate crisis response organizations write to voice our strong opposition to the Engardio-Breed-Dorsey "Constraints Reduction" and the Melgar-Engardio "Family Housing Opportunity Special Use District" ordinances. They would enact drastic and sweeping exceptions to San Francisco's

environmental and community review of real estate projects and would undermine health, environmental, economic and neighborhood protections. The Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (aka “Housing Production Ordinance”) contains massive unprecedented waivers of local environmental, community and demolition review that are absolutely unacceptable, all in the name of producing housing called “affordable” when most of that housing would be for families making \$150,000 to \$190,000 per year! The Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” unacceptably waives nearly all environmental and community review for housing expansions in its large target project area to allow sweeping height increases, project design exemptions, open space requirement reductions, and condo conversions that will remove badly needed affordable rental housing! Together these ordinances would worsen:

- **The Unaffordable Housing Crisis** - These ordinances promote building new high priced housing that is *not* affordable, and condo conversions that displace rental housing. It is ridiculous that the Engardio-Breed-Dorsey ordinance calls housing built mostly for families making \$150,000 to \$190,000 dollars per year “affordable”. We already have a 50% *oversupply* of housing for those income levels! And the Melgar-Engardio ordinance relies on existing “affordable” standards that are not working and have already allowed gentrification to destroy San Francisco neighborhoods.
- **The Homelessness Crisis** - The gentrification spurred by these ordinances would push most rents citywide even higher, driving more middle, working and lower class San Franciscans either out of the city, or onto our streets where they will face unacceptable dangers of declining health, street crime, and underemployment.
- **The Vacant Housing Crisis** - San Francisco has at least 40,000 vacant housing units, most of them *far* overpriced. We also have empty office space that can be converted into thousands more apartments. We do not need more housing construction, we need to make our existing housing space affordable!
- **The Environmental Justice & Equity Crisis** - These ordinances would gut environmental and community review protections and would establish “Urban Renewal” style redevelopment zones, setting precedents that would allow corporate real estate giants to even more easily build unhealthy housing on toxic and radioactive waste sites like those in Bayview Hunters Point and on Treasure Island (which local, state and federal agencies have falsely declared “cleaned up”).
- **The Climate Crisis** - These bills are bad for the environment. Allowing sweeping demolitions and expansions of existing homes and apartments, to replace them with luxury condo and rental towers, will use massive amounts of new cement and other building materials releasing *more* greenhouse gases, not less.

These ordinances would build housing for the wealthy, create more homelessness, and are an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators. Please vote DOWN these unacceptable corporate attacks on San Francisco's environmental, economic, cultural, and community integrity!

Sincerely:

California Alliance of Local Electeds Californians for Energy Choice Concerned Residents of the Sunset East Mission Improvement Association Extinction Rebellion SF Bay Area Greenaction for Health & Environmental Justice Mid-Sunset Neighborhood Association Our City SF Our Neighborhood Voices San Franciscans for Urban Nature San Francisco Green Party San Francisco Tomorrow Save Our Neighborhoods SF Sunflower Alliance Sunset Parkside Education & Action Committee



July 17, 2023

To: City and County of San Francisco Decision Makers - 1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102

Re: **OPPOSE** Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (“Housing Production”) **File #230446**
and **OPPOSE** Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” **File #230026**

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The Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (aka “Housing Production Ordinance”) contains massive unprecedented waivers of local environmental, community and demolition review that are absolutely unacceptable, all in the name of producing housing called "affordable" when most of that housing would be for families making \$150,000 to \$190,000 per year!

The Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” unacceptably waives nearly all environmental and community review for housing expansions in its large target project area to allow sweeping height increases, project design exemptions, open space requirement reductions, and condo conversions that will remove badly needed affordable rental housing!

Together these ordinances would worsen:

- **The Unaffordable Housing Crisis** - These ordinances promote building new high priced housing that is *not* affordable, and condo conversions that displace rental housing. It is ridiculous that the Engardio-Breed-Dorsey ordinance calls housing built mostly for families making \$150,000 to \$190,000 dollars per year “affordable”. We already have a 50% *oversupply* of housing for those income levels! And the Melgar-Engardio ordinance relies on existing “affordable” standards that are not working and

have already allowed gentrification to destroy San Francisco neighborhoods.

- **The Homelessness Crisis** - The gentrification spurred by these ordinances would push most rents citywide even higher, driving more middle, working and lower class San Franciscans either out of the city, or onto our streets where they will face unacceptable dangers of declining health, street crime, and underemployment.
- **The Vacant Housing Crisis** - San Francisco has at least 40,000 vacant housing units, most of them *far* overpriced. We also have empty office space that can be converted into thousands more apartments. We do not need more housing construction, we need to make our existing housing space affordable!
- **The Environmental Justice & Equity Crisis** - These ordinances would gut environmental and community review protections and would establish “Urban Renewal” style redevelopment zones, setting precedents that would allow corporate real estate giants to even more easily build unhealthy housing on toxic and radioactive waste sites like those in Bayview Hunters Point and on Treasure Island (which local, state and federal agencies have falsely declared “cleaned up”).
- **The Climate Crisis** - These bills are bad for the environment. Allowing sweeping demolitions and expansions of existing homes and apartments, to replace them with luxury condo and rental towers, will use massive amounts of new cement and other building materials releasing *more* greenhouse gases, not less.

These ordinances would build housing for the wealthy, create more homelessness, and are an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators. Please vote DOWN these unacceptable corporate attacks on San Francisco’s environmental, economic, cultural, and community integrity!


Sincerely:

California Alliance of Local Electeds
Californians for Energy Choice
Concerned Residents of the Sunset
East Mission Improvement Association
Extinction Rebellion SF Bay Area
Greenaction for Health & Environmental Justice
Mid-Sunset Neighborhood Association
Our City SF
Our Neighborhood Voices
San Franciscans for Urban Nature
San Francisco Green Party
San Francisco Tomorrow
Save Our Neighborhoods SF
Sunflower Alliance
Sunset Parkside Education & Action Committee

Major, Erica (BOS)

From: Shawna J. McGrew <sunsetfog@aol.com>
Sent: Monday, July 17, 2023 8:06 AM
To: Peskin, Aaron (BOS); MelgarStaff (BOS); Angulo, Sunny (BOS); Preston, Dean (BOS); Smeallie, Kyle (BOS); peskin.staff@gmail.com; PrestonStaff (BOS); Major, Erica (BOS); Board of Supervisors (BOS)
Subject: so called "Family Housing"

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Yesterday I received a E mail informing me that the SF Budget & Legislative Analyst informed voters/tax payers that it has revised its 1st estimate of vacant housing from 40,000 to 61,473 and add to that the already empty units that have been built, in progress being built and already approved housing to be built.

All of this exceeds California's mandate for SF to build.


I have a simple request to send Melgar's legislation back to the drawing board until it contains affordable housing mandates, restores environmental and community noticing. It is a must to have input from the neighborhood.

I am sure you as a home owner would want to be notified of any demolition and additional stories on your block.

I have heard that some supervisors tell their community to go to SF Planning Dept. to see what plans have been submitted. You and I know how difficult and unrealistic that is.

Thank You

Shawna McGrew



AOL Mail Sentbox

From: [Bruce Wolfe](#)
To: [Major, Erica \(BOS\)](#)
Cc: [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); brucew@hanc-sf.org
Subject: Deliver to Land Use & Transportation Committee
Date: Sunday, July 16, 2023 11:26:36 PM
Attachments: [HANC-BOS_LandUseCmte-Oppose_FHOSUD-20230716.pdf](#)

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Dear Ms. Major --

Please deliver our attached Letter of Opposition to the Committee and enter into the record for Item #6 in today's agenda. *Thank you.*

On behalf of HANC Board of Directors,

Bruce Wolfe, MSW
Corresponding Secretary

HAIGHT ASHBURY NEIGHBORHOOD COUNCIL

07/16/2023

Land Use and Transportation Committee

SF Board of Supervisors

SF City Hall
1 Dr Carlton B Goodlett Pl
San Francisco, CA 94102

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Jim Rhoads
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Tab Buckner
Nate Horrell
Danielle McVay
Christian Vaisse
Tes Welborn

Re: Item 6 : Statement of the HANC Board in Opposition unless Amended, July 17, 2023

Members Land Use and Transportation Committee

The members of the Board of the Haight- Ashbury Neighborhood Council are opposed to the proposed Family Housing Opportunity Special Use District, Legislative Draft 3, dated July 10, 2023.

We do so for two primary reasons:

First, as drafted, it will almost certainly , using the language of its own General Finding (o), "lead to speculative real estate investments that may seek to displace current residents...[and] demolish existing housing stock."; and,

Second, its failure to require meaningful affordability as a condition of extraordinary permissions and density bonuses it grants , will displace thousands of low and moderate income San Franciscans, many elderly, families with dependent children and people of color undercutting the City's often repeated "commitment" to equity and equality in development policy.

The boundary of the proposed SUD encompasses the area of the City that has both high numbers of seniors and families with dependent children and it is odd that legislation which claims to be "family friendly" would target the very parts of San Francisco that already houses them. What is the logic of allowing expedited demolitions of family housing, with no meaningful public participation , in order to build "family housing" other than simply creating market opportunities in real estate speculation as warned in its General Findings?

The ordinance, as presently drafted does not ban any unit produced under its authority from being used as either a corporate suite or a short term rental, adding to its appeal to "investor" speculators. Moreover, what is the point of conversions made more easy for these units in Section 1396.4 if it is not to make them more financially attractive to speculators? Finally, why does the ordinance require but one year prior ownership of a lot to qualify for these very generous concessions when it requires 60 months - 5 years!- proof of non tenant occupation to convert then to a condo. How is the one year owner supposed to know the five year rental history of the unit?

While the proposed ordinance targets current residential neighborhoods with both high numbers of existing families and senior households it makes no effort to either require minimum sizes for the family units or required set asides for senior

units even if seniors are displaced in the fast track demolition process created by the ordinance. Tiny shoebox units may make great Airbnb opportunities but are useless for families.

The current draft of the ordinance requires that none of the units built meet affordable rents as required in other density bonus proposals. The measure simply requires that the units be under rent control as if rent control and mandatory affordability requirements are the same. They are not.

Rent controlled units start out at market rate rents, while mandatory affordable units are initially offered at substantially below market rate. Rent controlled units can convert to market rate once a vacancy occurs, affordable units must be offered to the new tenant at the same affordable rents the previous tenant paid.

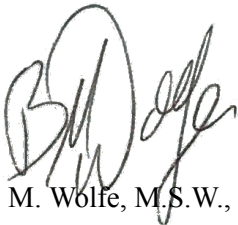
In short the legislation proposes to convey to market rate real estate investors accelerated demolitions, greater density, expedited condo conversions, no short term rental controls and no lasting below market affordability requirements all without public notice or comment.

The legislation should be held in committee until amendments are made.

The legislation should be amended to:

1. establish permanent affordability levels on the newly developed units;
2. establish minimum unit size for family housing built under the ordinance;
3. ban short term rentals and corporate suit uses in units developed under the program;
4. require that the applicant seeking demolition and density bonus owned the property for at least five years prior to the application;
5. that no subject property has had an Ellis Act eviction;
6. require all permits requesting demolition of more than one unit of sound housing be subject to a conditional use permit with appeals to the Board of Supervisors;
7. that the condo conversion section of the ordinance (Section 1396.7) be severed and submitted as separate legislation;
8. require a one for one replacement requirement for any senior unit demolished to make way for the new development.

On Behalf of HANC Board of Directors,



Bruce M. Wolfe, M.S.W., Corresponding Secretary

Cc: Supervisor Myrna Melgar, Chair
 Supervisor Aaron Peskin, BOS President
 Supervisor Dean Preston

From: [Nicholas C. Belloni \(PAR\)](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Cc: [Breed, Mayor London \(MYR\)](#); [CPC-Commissions Secretary](#)
Subject: OPPOSE Engardio-Breed-Dorsey "Constraints Reduction Ordinance" ("Housing Production") File #230446 and OPPOSE Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" File #230026
Date: Saturday, July 15, 2023 7:01:59 PM
Attachments: [PAR Constraints Reduction Ordinance.pdf](#)

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Mayor Breed, President Peskin

I respectfully submit PAR's letter in opposition to Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" File #230026

Thank You

Nick Belloni



Dear President Peskin and Members of the Board of Supervisors:

I am writing on behalf of Planning Association for the Richmond (“PAR”) regarding the referenced legislation. As the largest and oldest neighborhood organization in the Richmond District, PAR urges you to oppose the Engardio-Breed-Dorsey “Constraints Reduction” and the Melgar-Engardio “Family Housing Opportunity Special Use District” ordinances.

These proposed ordinances raise many concerns:

- **The rush to judgment and lack of public participation in preparation of these ordinances is unacceptable.** The residents of San Francisco only recently became aware of this legislation. The sponsors did not reach out to impacted communities during its drafting. Public engagement is critical in a democracy and safeguards both the governed and those governing. These ordinances will significantly impact countless home owners and tenants. Before you consider this legislation their voices must be heard.
- **Housing need is overestimated and supply is underestimated.** The State housing needs assessment (“RHNA”) number that has become the gold standard for revising the Planning Code is overinflated. A state audit submitted a blistering report that these RHNA numbers have been overstated by up to hundreds of thousands of housing units. (<https://www.auditor.ca.gov/reports/2021-125/index.html>) In addition, according to the City’s Planning Department’s 2023 Q1 Housing Development Pipeline report, there are currently over 70,000 new units in the development pipeline. (<https://sfplanning.org/project/pipeline-report#current-dashboard>) These ordinances are based on flawed assumptions and faulty data. There is no good reason to gut the Planning Code to make it easier to build. The very foundation on which this legislative edifice has been built does not support these ordinances.
- **Removal of most public notice requirements is unacceptable.** These proposed ordinances eliminate 311 notices, most demolition notices, the right to Discretionary Review, and Conditional Use hearings. This lack of transparency and right of appeal should not be approved. Residents have a right to know about and oppose developments and renovations that impact their neighborhoods. These new provisions unfairly benefit developers and should not stand. This lack of transparency and specificity is of special concern in the newly proposed “Special Use” districts, and could justify the kind of Urban Renewal that decimated neighborhoods in the 60’s.



- **The legislation fails to address the need for affordable housing.** There is general agreement that the greatest need for housing in San Francisco is housing for middle-income and low-income people. But this legislation does nothing to provide housing for low-income people, and falls short of providing for the needs of middle-income people as well. Most of the new housing will be market rate, with inadequate provisions for rent-controlled and affordable units. We are also concerned this legislation will exacerbate the growing homeless crisis.
- **The legislation does not address the need for increased infrastructure.** It is inevitable that along with more housing, there is a need for more infrastructure...sewage and water; transportation; schools; emergency services; and all the other services and institutions needed by a growing community. This legislation is silent on all these needs, and should be amended to include these vital services.

In conclusion, PAR urges you not to approve these ordinances until there has been a more thorough consideration of all their impacts, and following full participation by all community stakeholders.

Thank you for your consideration.

Sincerely,

Nicholas Belloni

From: [Judi Gorski](#)
To: [Peskin, Aaron \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Major, Erica \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Judi - gmail Gorski](#)
Subject: Public Comment for the Permanent Record to Object to Family Housing Ordinance 230026 to be considered by the Land Use Committee Monday, July 17, 2023, 1:30 PM
Date: Saturday, July 15, 2023 6:44:33 PM

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To:
Aaron Peskin (aaron.peskin@sfgov.org) (peskinstaff@sfgov.org)
Sunny Angulo (sunny.angulo@sfgov.org)
Dean Preston (dean.preston@sfgov.org) (prestonstaff@sfgov.org)
Kyle Smeallie (kyle.smeallie@sfgov.org)
Erica Major (erica.major@sfgov.org)
Myrna Melgar (melgarstaff@sfgov.org)
SF Board of Supervisors (board.of.supervisors@sfgov.org)
Joel Engardio (joel.engardio@sfgov.org)(engardiostaff@sfgov.org)

From: Judi Gorski

Date: July 15, 2023

Re: Public Comment for the Permanent Record to Object to Family Housing Ordinance 230026
to be considered by the Land Use Committee Monday, July 17, 2023, 1:30 PM

Dear President Peskin, Supervisors, Members of the Land Use Committee and interested parties,

Please enter the following into the permanent record as my public comments submitted on this matter listed on the Agenda as ITEM 6 - Melgar "Family Housing" Ordinance File #230026.

As a 45+ year resident of San Francisco, I'm writing to urge you to **vote NO on proposed Ordinance No. 230026**, championed by Supervisor Melgar as the "Family Housing" ordinance unless more changes are made to its current amended form. My objections and concerns are as follows:

-Language needs to be added requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year. Build more affordable rental residences as opposed to condo conversions that will gentrify the city and drive out affordable rental housing.

-Language needs to be added that requires large corporate real estate and investment firms which control over \$100 million in properties, to wait ten (10) years before selling the housing they quickly buy/build in San Francisco as a

speculative asset for profit.

- We need Discretionary Review and Conditional Use hearings for all demolitions and all projects that would expand the dimensions of existing buildings to add one or more new units of housing.

-The community needs to receive adequate notice of these and all meetings and hearings concerning these matters and time to review and weigh in before the Committee votes. Expand the initial public comment period for new projects from 30 days, back to 60 days.

-Encourage Supervisor Melgar to meet with neighborhood, environmental, and social justice groups to collaborate together and **draft an ordinance for housing that is actually affordable and environmentally sound, something we can all get behind and support.**

Please vote NO on Ordinance 230026 or delay voting until these changes are made.

Thank you.

Judi Gorski, SF Resident/Voter
Member Concerned Residents of the Sunset
Open Roads for All

From: [Geo Kimmerling](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Proposed Family Hosing Ordinance
Date: Saturday, July 15, 2023 1:21:27 PM
Attachments: [Family housing Ordinance proposal II.doc](#)

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Please see attached.
Thank you.
Flo Kimmerling
Mid-Sunset Neighborhood Association



MID-SUNSET NEIGHBORHOOD ASSOCIATION

Dear Supervisors,

- Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is STILL not remotely good enough. Even in its current amended form, it still has no affordable housing mandates, unacceptably waives far too much environmental and community noticing and review of real estate projects, expands gentrifying condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and allows corporate real estate speculators free rein to demolish and sell off vast tracts of existing housing for profit.

- Supervisor Melgar **still** has not agreed to meet with neighborhood, environmental, and social justice groups to collaborate together and draft an ordinance to expand **truly** affordable and environmentally sound housing in San Francisco!

- San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to build more housing in the City. We should instead be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

- Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood, environmental, and social justice groups to make the following changes:

1) Restore **all noticing and hearings** for environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings in order to add one or more new units of housing.

2) Expand the initial public comment period for new projects from 30 days, back to 60 days.

3) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

IMPORTANT: Melgar claims state law doesn't allow this. If that's true, then her ordinance can't fulfill its stated purpose of building "Family Housing" and should be voted down.

We are counting on you to hear the voice of thousands of residents and a consortium of neighborhood organizations.

Thank you.

Flo Kimmerling

President

Mid-Sunset Neighborhood Association

From: [Thomas Schuttish](#)
To: [Major, Erica \(BOS\)](#); [Melgar, Myrna \(BOS\)](#)
Cc: [Smeallie, Kyle \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [Low, Jen \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Souza, Sarah \(BOS\)](#)
Subject: Comments for LUT, July 17, 2023, Item No. 6 # 230026 [Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District
Date: Saturday, July 15, 2023 12:27:44 PM
Attachments: [WebPage.pdf](#)
[First Comments on Melgar Leg. June 11, 2023.pdf](#)

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<https://sfyimby.com/2023/07/sunset-steps-win-aia-san-francisco-housing-design-competition.html>

Dear Ms. Major and Staff to LUT Committee Members and Supervisor Melgar:

Above is an FYI for the LUT on Monday July 17, 2023. The attachment was published on the YIMBY website re: the AIA contest for new housing prototypes to densify the Sunset District.

The renderings in this AIA contest look so true-to-life.

However, questions should arise about these new structures if these are the prototypes for the Sunset and the rest of the Westside under the Family Housing Opportunity Ordinance and the upcoming rezoning.

These are hypothetical questions of course, just as the detailed designs in the article are hypothetical.

So let's pretend these contestants represent the new housing built in the Family Housing Opportunity SUD if this legislation is approved by the Board and signed by the Mayor. Here are some questions.

What original housing was replaced?

Was the replaced original housing sound and livable?

Was the new structure an addition to the original housing constructed through an Alteration Permit?

Or was the original housing demolished under a Demolition Permit?

Was the original housing in an Historic District or a potential Historic District (see Mary Brown's studies of the Sunset District)?

In the original housing were there any tenants? Or a UDU?

Did any long time owners of the original housing “cash-out” as discussed in the October 2021 Executive Summary p. 14, from the Planning Department analyzing SB 9?

What did the Century Urban Financial Feasibility Analyses completed for the Housing Element say, if anything about new structures like these prototypes structures? What did they write about the viability of the original housing? Did they conclude that adding a unit to the existing housing to create a duplex might be the most affordable and effective way to densify some housing?

Was there any neighborhood outreach before these new structures were approved under the streamlining proposed in the Ordinance?

I am also re-submitting my June 11th correspondence to the LUT which I also submitted to the Planning Commission regarding this legislation.

It raises questions about: *The “cashing out” of long-time owners as mentioned above; The length of ownership of a property (I am sorry, one year is just way too short); The Century Urban Studies for January 31, 2022 (p.4) and May 6, 2022 (p.3) produced for the Housing Element; And the proposed legislation from the Mayor and Supervisor Melgar on densifying on the transit/commercial corridors that was outlined in the article published in the Chronicle on May 23, 2023 by J.K. Dineen.*

Sincerely,
Georgia Schuttish

Sunset Steps Win AIA San Francisco Housing Design Competition

[Andrew Nelson](#)

The American Institute of Architects chapter in [San Francisco](#) has announced the awardees of the *AIASF Housing+ San Francisco 2050 Design Competition*. AIASF set the competition as a response to the city's Housing Element requirement for 82,000 new units of housing by 2031. The winning submission is Sunset Steps, a four-story infill with ten homes designed by West of West Architecture & Design.

The competition asked architects across the nation to “imagine multiple dwellings on mid-block parcels and corner lots in San Francisco’s [Sunset District](#).” AIASF opened up for submissions in March this year, pre-dating the controversial proposal for [2700 Sloat Boulevard](#), first revealed in early April. The projects were judged based on dwelling quality, constructability, community space, aesthetics, and their environmental impact. The goal, as stated by AIASF, is “to address the City’s growing population by proposing new housing types to increase density, enabling more equitable and attainable housing and greater neighborhood vitality.”

Paul Adamson, FAIA, 2022 Board President of AIASF, and Co-Chair of the AIASF Housing Knowledge Community, shared that the competition is the “result of several years of dialogue among members of the AIASF Housing Knowledge Community about the housing crisis, learning how we got here, and imagining ways we might get beyond the current shortage. The recent state and local legislation, effectively up zoning previously single-family-only parcels, suggested a clear opportunity for designers to respond.”

Sunset Steps

Sunset Steps design influence diagram, rendering by West of West

Description by West of West

Sunset Steps is a collection of homes that center around the backyard as a place that brings communities together: entertaining, growing, cooking, and sharing food become the catalyst for a true community. Prioritizing the yard as a space for everyone gives every member of the community access to high-quality living. The building envelope descends to the common ground providing opportunities for unimpeded stepped terraces giving sixty-five percent of the site to the landscape. This replicable community increases density and maintains San Francisco's iconic hillside landscape.

The building fosters collaborative living through two mechanisms: a generous circulation loop and a terraced massing. The circulation loop links

each rooftop “yard” to a set of shared stairs with decks, balconies, and gardens that serve as venues for informal encounters. The terraced massing gathers density towards the street frontage and visually connects the communal areas of the midblock site. Together these elements weave a close-knit vertical neighborhood.

Sunset Steps neighborhood context, rendering by West of West

Sunset Steps floor plans, illustration by West of West

The homes' notched massing allows light to enter deep into the property. Corner windows create homes with natural light on multiple sides, uncompromised natural ventilation, and biophilic connections to the native landscaping that envelopes the site. Quality natural materials like the deep terracotta facade, wood windows, and heavy timber structure bring warmth to each home. The introduction of CLT slabs cuts the typical time for framing in half. The high-performance windows, continuous insulation, and ventilation paired heat recovery system optimize for air lightness, climate specificity, and thermal-bridge-free design, achieving passive house standards.

Partnering with a local community land trust keeps this property affordable. That community land trust owns the land, reducing the cost of the homes significantly. Individuals can own a whole floor or a portion. The simple addition or subtraction of a portion of the wall allows this flexibility. At its

most dense, this is a community of ten homes and at its least a set of four. The homes can grow and shift with the community over time. Together, the qualities that build Sunset Steps form something greater than a multifamily building: it is a place for a beloved community to call home.

Sunset Lanterns

Sunset Lanterns, proposal by Kennerly Architecture & Planning

AIASF also announced the three Merit Award winners and two Citation Award winners. Of the six projects revealed, four are mid-block infills, and two are corner lot projects. [Kennerly Architecture](#) & Planning received merits for the eight-unit Sunset Lanterns. The firm writes that the housing be “arranged in two slender towers and a backyard cottage. A central courtyard brings light to the homes and adjacent properties, and serves as a social hub for the community.”

Six from One

Six from One project, illustration by Martin Fenlon Architecture

Martin Fenlon Architecture proposed Six from One, which could split a single family parcel into three lots for a total of six homes. Fenlon writes that “each unit is anchored by a three-story stair hall that doubles as a solar chimney, capped with a ventilation skylight.” A modular foundation will allow contractors to use “engineered lumber and prefabricated shear panels to be easily assembled based on pre-approved span tables and plans,” which should reduce costs and improve affordability.

Carved Terrace Block

Carved Terrace Block, proposal by Object Territories

The next Merit Award was given to Carved Terrace Block by Object-Territories. The corner property design imagines a dense four-story infill punctuated by carved outdoor spaces and solar shading. Energy savings are made with ground source heat pumps, solar panels, and on-site water collection. The first writes that “the outer skin is a soft grey veil of wood, reminiscent of shingle style houses in the Bay Area. Inset volumes contrast the grey wood with naturally colored oiled wood. Wood surfaces provide interiors with warm, embracing spaces. Contemporary bay windows pop out from the façade plane to allow light and additional space to bedrooms. A communal roof terrace promotes social interaction and provides ocean views to the west. The building is constructed with cross-laminated timber (CLT) panels – for walls and slabs – with supplementary glulam framing where needed.”

In Our Back Yard

In Our Back Yard showing area context nestled inside the backyards of a Sunset District block,
illustration by ISA

In Our Back Yard mid-block view, illustration by ISA

In Our Back Yard by ISA won a Citation Award for a unique solution to bringing new density to the city's Sunset District, replacing the sprawling backyard that dominates much of the low-rise neighborhood with new neighbors while retaining the existing homes. The project uses small amenity portals to access the central pathway. The firm's proposal states, "new housing shouldn't subtract from the existing community or its unique character. If one family is asked to demolish their home to make way for multiple new units, there may not be any takers, but if a whole block can rally together to add housing without demolition or displacement, a radically transformational impact is possible."

Housing is Infrastructure

Housing Is Infrastructure, illustration by Po-Yu Chung

Another Citation Award went to Housing is Infrastructure, designed by Po-Yu Chung. The corner parcel project uses a universal housing structure that can be built quickly with flexible interiors and pre-fabricated furniture above a ground-floor built for community space and cafes. The firm proposes that the government build and own the structures, while NGO's and NPO's can help manage the property.

The project jury includes Anne Torney of Mithun, Antje Steinmuller of CCA, David Winslow from the San Francisco Planning Department, Director of the MOHCD Eric Shaw, author Frances Anderton, and Hector Perez of Woodbury University School of Architecture. For more information about the competition and each project, visit the [AIA SF website here](#).

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From: [Thomas Schuttish](#)
To: [Major, Erica \(BOS\)](#)
Subject: LUT June 12, 2024 Item No. 6 Family Housing Opportunity SUD Case Number 2023-000413PCAMAP (Board File No. 230026)
Date: Sunday, June 11, 2023 4:11:53 PM
Attachments: [#2021-012246PCA.pdf](#)

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Dear Ms. Major:

Attached are my comments (a pdf and the email below) for the LUT hearing on Monday June 12th for Board File No. 230026, Item No. 6.

This is what I sent in to the Planning Commission when this File was heard on June 1st.

Also do you think this Item will be heard as scheduled or do you think it will be continued?

Thanks much and take good care.
Sincerely,
Georgia Schuttish

Begin forwarded message:

Dear Commissioners:

Attached are the comments I submitted last year for Supervisor Safai's proposed legislation which I think are also applicable to Supervisor Melgar's legislation that will be before you on June 1, 2023. Some of the comments submitted also concern SB 9.

While her legislation is both broader and more specific than his, the points raised in the attached pdf apply. Particularly the point regarding the concern raised by Planning Department Staff about low income home owners "cashing out" under SB 9 (See page 14 of Executive Summary, October 21, 2021). There are probably many low income home owners in the Well Resourced Neighborhoods.

I also want to add a few more points:

1. If there is no 311 Notification, does that mean there will be no PreApp Notice? The PreApp Notice is linked with the 311 Notification criteria. Will the only

Notice to immediately adjacent neighbors be a form letter from DBI about a Demolition?

What if the project is a major Alteration? Without any appeal process to the Board of Appeals how will adjacent property owners have any leverage to protect their property from damage, particularly the undermining of foundations which is a real issue where there are zero lot lines. It seems like developers will have no incentive to “be kind and considerate” to the neighboring property owners.

2. **A year is too short of a time for ownership.** It is not uncommon for developers to hold onto properties for longer than that. One year will encourage and allow for speculative development. And the Staff Report's **Recommendation 4** on page 12, to eliminate the one year ownership requirement will only turbo-charge speculation by developers. [See Finding (o) on page 6 of the proposed Ordinance].

3. Finally. **According to a May 23, 2023 SF Chronicle article Supervisor Melgar and the Mayor are proposing legislation to allow for “denser housing” along many commercial corridors.** I think the general public awareness of the 2024 Housing Element is that is where — *on the commercial corridors* — development would occur on the Westside — not on the neighboring Avenues. It is highly unlikely the existing housing in St. Francis Wood or Balboa Terrace or Ingleside Terrace or West Portal or Seacliff or the Marina will be demolished to create multi-unit housing. But there are blocks and blocks of sound housing in the Richmond and the Sunset that will be vulnerable to speculation and demolition.

The legislation proposing housing on the commercial corridors — that are also transit corridors — should be considered and approved first before transforming half the City into an SUD.

Thank you.

Georgia Schuttish

QUESTION #1

Sometimes overlooked in all the discussions about increasing density in the RHD's is the statement on page 14 (attached) of the Staff's October 21, 2021 analysis of SB 9. This is true for this PCA as well. How can this bad outcome be prevented? Here is the statement:

"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".

QUESTION #2

This PCA proposes getting rid of 311 Notification, Discretionary Review and Section 317. All three allow for transparency and full participation of the public whether tenants or property owners.

The published Century Urban Feasibility Studies do not explicitly analyze getting rid of these in the analyses with the Staff Reports. According to the May 6, 2022 Staff Report it states that the assumption is one year for the project to be completed. And also, that the fees will be limited to no more than \$10K. In fact in some of the emails between Staff last year, it was stated that Century Urban was reluctant to factor in ministerial review into their analysis. Is this so?

Here are some more questions:

1. *On average how much does 311 Notification cost a developer?*
2. *How many 311 Notifications lead to Discretionary Review?*
3. *How many Discretionary Reviews are withdrawn before the hearing?*
4. *How often does Discretionary Review either find or correct "errors" in a project?*
5. *What is the housing policy rationale for Section 317?*
6. *What is the intent of the conditions in Conditional Use regarding the outcome of a project?*

Attached is an article from the San Francisco Chronicle which offers conflicting statements about densification. On the one hand the problem is the physical constraints of building four units, but on the other hand, regardless of the physical limitations in designing a four-plex on the typical San Francisco lot, the real problem is too much process! How can it be both?

Also attached are annotated printouts of five multi-unit projects with entitlements that are now for sale. This illustrates the speculative fever (or commodification) in housing and the issue raised in Question #1 above. Please note the asking price for these entitlements. Is this now the market? Four of the five could have been "refreshed" to provide housing these past years.

QUESTION #3

Century Urban writes that the most financially feasible outcome may be to preserve, and not demolish, an existing SFH and add a unit creating a duplex in an SB9 scenario. (Again this has ramifications for the "cashing out" issue in Question #1). See the Century Urban studies for January 31st (page 4) and May 6th (page 3) attached to the Staff Reports in the agenda packet. Has the Commission had an update on the details of the project applications under SB 9 and should such an update also include an update on the Residential Flat Policy and any mergers of dwelling units per Section 317 (b) (7)?

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.

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:

⁷ The legislative history and full text of the bill is available at https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=20210220SB10

San Francisco

SFCHRONICLE.COM | Sunday, Feb. 1, 2009

unlikely Effort to add housing praised, scorned

Zoning from page A1

2,700 square feet — which doesn't allow much room to shoehorn four units. And vacant lots are rare, as are "tear downs," small and outdated homes that don't have much value.

Sean Kieghran, president of San Francisco's Residential Builders Association, said he supports getting rid of single-family only zoning but doesn't think it will result in many new units. Kieghran said that building fourplexes requires either two staircases or a staircase and an elevator, which takes up too much of the site.

And, unless the city streamlined the process of building a fourplex on a single-family lot, builders would run into too many bureaucratic obstacles, Kieghran said. "With how long it takes to get through planning and fire and DPW and all the other red tape it's not likely we are going to see anybody building fourplexes anytime soon," he said.

Before the late 1960s, San Francisco developers regularly built two-, three-, and four-unit buildings. Stacked flats were the bread and butter of San Francisco's housing stock. But in the late 1960s and 1970s a series of laws changed that, and the majority of the city, especially the west side, was rezoned to prohibit anything but single-family homes.

One of the few architects to design fourplexes on single-family sized lots in the last few decades is Daniel Solomon, who has worked on three such projects. One of those is at 247 27th Ave., a

quarter-acre lot that roofed a Golden Gate Park building into a typical triplex — homes, or three apartment corner.

"These projects, but a big dent in Solomon said a tool to create a completely different because some of the best doesn't need it. It's very hard to get a lot or tear down would work."

He said the designed and built it, but barely took as much time and execute as complexes his firm known for.

"You would need a developer willing to risk on a minuscule amount of money, an architect who can plan update. After the damage," he said. Berkeley vote, Council Member Terry Taplin, one of the authors of the resolution, called it a "historical moment for us in Berkeley."

While lots are big in East Bay, there are a lot of obstacles, according to Anthony, a veteran Council member. Land is expensive. Neighbors unreceptive to development, and current requirements — 12-foot setbacks, open space requirements, parking minimums — would make four units possible unless it's a large lot.

And the projects would be expensive — four 1,250-

Zoning changes unlikely to end Bay Area crisis

By J.K. Dineen

The national movement to eliminate exclusionary single-family zoning is picking up steam in the Bay Area as cities explore the benefits of getting rid of a land use policy designed to keep people of color and working class families out of certain neighborhoods.

Last week, the city councils in Berkeley and South San Francisco took steps to end single-family zoning, with Berkeley promising to get rid of it within a year.

South City initiating a study as part of its general plan update. After the Berkeley vote, Council Member Terry Taplin, one of the authors of the resolution, called it a "historical moment for us in Berkeley."

But while the movement to allow multifamily buildings in zones previously limited to single-family homes is being embraced as a correction of past discriminatory policies — Sacramento, Oregon and Minneapolis have passed such laws — the question of whether it will actually increase housing production is a lot more complicated, according to builders and architects.

In particular, building "fourplexes" — the four-unit building type that has been promoted as a more democratic, sustainable and affordable alternative to the single-family homes — is challenging in fully built centers such as

of 247 27th Ave. in San Francisco. The Most single-family lots in the city are t



One of bedroom the this floor of 27th Ave. movement end zo for sin family is gain steam the Ba

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or
3

much to qualify for sub housing. To hit the middle in San Francisco units would have to be able to households make between 80% to 120% of median income, which family of four is between \$102,500 and \$153,700.

Opponents to the fear that it could lead to displacement. South San Francisco Mayor Mark Addie developers could target single-family rentals to provide some of the city's affordable housing.

"I am fearful that houses to be gobbled up by developers might be

© 2022 CCAR
NEW 8 HRS AGO



Street View



See all 4 photos

565 29th St, San Francisco, CA 94131

\$2,290,000

Buy with Redfin: \$2,284,128 >

6
Beds

5
Baths

4,270
Sq Ft



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THURSDAY
14
JUL

FRIDAY
15
JUL

SATURDAY
16
JUL

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APPROVED AS ALTERATION W/ 2ND UNIT
APPLIED 5/2019 - SITE PERMIT APPVD - 12/2020
ADVERTISED AS SFH
UNOCCUPIED SINCE 2018?

About This Home

Shovel Ready! Build your own dream home! Great investment opportunity! 587 29th street sold for \$6,005,000

Listed by Fiona Zhao • DRE #01996841 • HomeSmart Optima Realty, Inc
Redfin last checked: 12 minutes ago | Last updated July 13, 2022

• Source: bridgeMLS, Bay East AOR, or Contra Costa AOR #41001360

Home Facts

Status	New	Time on Redfin
Property Type	Single Family Residential	Baths
Year Built	1910	Community
Lot Size	2,850 Sq. Ft.	MLS#

Price Insights

List Price	\$2,290,000	Est. Mo. Payment	\$12,758
Redfin Estimate	\$2,399,762	Price/Sq.Ft.	\$536

8 hours
"PENDING"
4 full, 2 partial
"ACTUALLY"
Noe Valley
41001360
SOLD 2018 - \$1.365M
SALE 2020 - \$1.895M
SOLD 2021 - \$1.788M
LISTED 2/22 - \$2.31M
REMOVED 5/22
RE-LISTED
7/22 - \$2.29M

Search

Overview

Property Details

Sale & Tax History

Schools

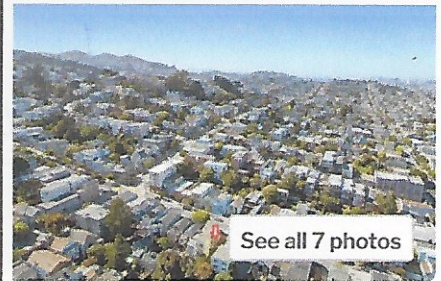
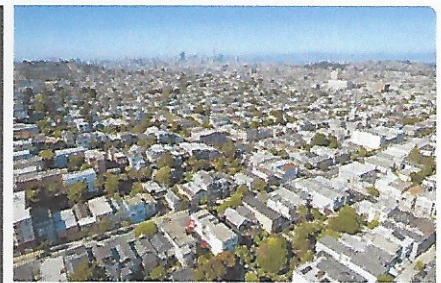
NEW 4 HRS AGO



461 29th STREET

SAN FRANCISCO, CALIFORNIA, 94117

Street View



See all 7 photos

461 29th St, San Francisco, CA 94131

\$2,669,000

Est. \$14,876/mo [Get a custom quote](#)

— Beds

— Baths

2,848

Sq Ft (Lot)



Go tour this home

SATURDAY

SUNDAY

MONDAY

16

17

18

JUL

JUL

JUL



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APPROVED AS CWA — 1/2020
SITE PERMIT ISSUED — 2/2021
OLD BUILDING DEMOLISHED — 6/2021

About This Home

Rare Fully Entitled and shovel ready development site. Build 2 brand new luxury condos and 1 ADU on a vacant view lot in desirable Noe Valley. The design includes is 2 story over garage approximately 6100 square feet with private roof deck for units 2 & 3, (2 Car Garage Parking). Unit 1 consists of 3Br + Office /2.5Ba, 1800 sq. ft. with ample outdoor space. Unit 2 consists of 2Br/2Ba, 1508 sq.ft. with private roof deck. Unit 3 consists of 3Br + Office/2.5Ba, 1458 sq. ft. with private roof deck. The property is located in the heart of Noe Valley with views of downtown San Francisco skyline and beyond, within walking distance to Noe Valley, shops, restaurants, and transportation. Plans are available upon request.

Show Less

Listed by Gary Tribulato • DRE #01220884 • Corcoran Global Living
Listed by Gregory Tribulato • DRE #01763336 • Corcoran Global Living
Redfin last checked: 9 minutes ago | Last updated July 15, 2022

• Source: San Francisco MLS #422678386

Home Facts

Status	Active	Time on Redfin	4 hours
Property Type	Vacant Land	Community	San Francisco
Lot Size	2,848 Sq. Ft.	MLS#	422678386

SOLD 11/2017 — \$1.2M
SOLD 12/2017 — \$1.475M
LISTED 6/2021 — \$2.495M
LISTED 7/2022 — \$2.669M

4234 24th Street

San Francisco, CA 94114

☆ Save

➔ Share

\$3,249,000 Price **6** Beds **4** Baths **1 1/2** Bath **5,100** Sq. Ft. **\$637** per Sq. Ft.

Overview

Location

Property Info

Property History

Public Records

Schools

Similar Homes



LISTING UPDATED: 05/31/2022 11:52 AM

Status **Coming Soon**MLS # **422659869**

Days on Compass -

Taxes -

HOA Fees -

Condo/Co-op Fees -

Compass Type **Single Family**MLS Type **Residential / Single
Family Residence**

Year Built -

Lot Size **0.07 AC / 2,944 SF**County **San Francisco
County**

Entitled Plans for a 4-level New Construction compound in the best Noe Valley location. A flexible floor plan featuring sophisticated modern interiors, iconic hillside views, flat walk-out yard, and stately kitchens designed for indoor/outdoor entertaining. Warm natural light fills the voluminous living spaces through oversized windows, with each level enjoying access to the outdoors. Complete with an elevator, this home will provide generous possibilities to exceed the needs of individuals, couples, families, and entertainers alike. The 2nd dwelling allows for flexibility of use while providing privacy for each family member or occupant. Neighborhood staples at your doorstep include the Noe Playground with hoops and tennis, Philz Coffee, Firefly Restaurant, + Rin's Thai, along with Whole Foods and popular cafes and eateries. *Photos are architectural renderings.

Collapse ▲

UNOCCUPIED SINCE 2019?

CONTACT AGENT(S)

Name

Email

Phone

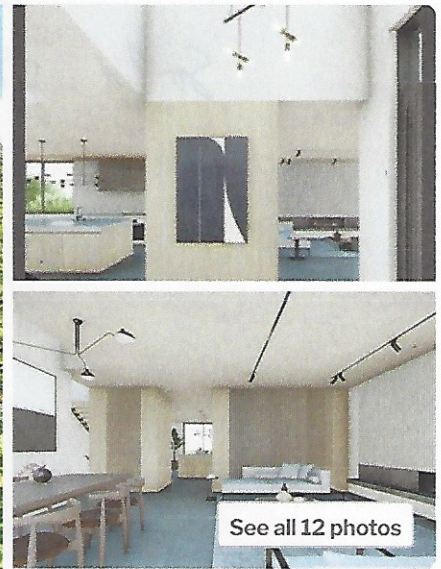
I would like more
information about 4234
24th Street.

Send Message

SOLD 7/2019 — \$1.85
APPLIED 9/2019
CUA - 7/2021
PERMIT ISSUED - 7/2022
LISTED JUNE 2022 - \$3.249M



Street View



See all 12 photos

4250 26th St, San Francisco, CA 94131

\$3,989,000

Est. \$22,233/mo [Get a custom quote](#)

6
Beds

6.5
Baths

—
Sq Ft



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PER DBI TRACKING NOT ALL
DRAWINGS SUBMITTED AS OF 12/2021
UNOCCUPIED SINCE 2017?

About This Home

Nestled in the heart of San Francisco's Noe Valley is an unparalleled development opportunity. This collaborative project culminates four years of design planning, architectural development and neighborhood outreach. 4250 26th Street is a rare extra wide lot (40 feet), single family home and ADU with unobstructed panoramic views designed by award winning, EDMONDS + LEE Architects. The plans include 4 stories, 6 bedroom, 6.5 bathrooms, 2 car garage, elevator, access yard, several decks, and 6000 sq ft. All of the levels have been designed to have high ceiling heights with large rear over-sized windows. The new house and ADU has been approved by the Planning Department. 4250 26th Street is a remarkable and special building opportunity rarely found in The City. This makes 4250 26th Street a unique property that is ready to start building with a team that will support your vision. Noe Valley is one the best neighborhoods to live in. Close to Douglass Park and Downtown.

[Show Less](#)

Listed by Amy Lui • DRE #01381559 • Compass
Redfin last checked: [8 minutes ago](#) | Last updated June 14, 2022

• Source: San Francisco MLS #422669251

Home Facts

Status	Active	Time on Redfin	31 days
Property Type	Single Family Residential	Year Built	1929

LISTED 5/2017 — \$1.449M
SOLD 6/2017 — \$2.3M
ORIGINAL
PERMIT APPLICATION AS
ALTERATION IN 2018
CHANGED APPLICATION TO
DEMO — 2A APPROVED 7/2020
4 DR REQUESTS
COMMISSION TOOK DR +
APPROVED 7/2021
LISTED 6/2022 — \$3.989M

Search

Overview

Property Details

Sale & Tax History

Schools



Floor Plans

Street View

See all 5 photos

4152 - 4154 24th St, San Francisco, CA 94114

\$3,675,000

Est. \$20,483/mo Get a custom quote

12

Beds

11.5

Baths

6,512

Sq Ft



Go tour this home

SATURDAY

16

JUL

SUNDAY

17

JUL

MONDAY

18

JUL

Tour in Person

Tour via Video Chat

Schedule Tour

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Ask a Question

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About This Home

EXISTING HOUSE UNOCCUPIED SINCE 2017?

Fully entitled 5 unit residential condominium project in the heart of Noe Valley. Developers dream! Permit is ready to pick up to begin work immediately. 4 units in the front building. Large cottage in the back. Back cottage is 3Bd/3.5 Bath. Front building is 3 2Bd/2Bath Units and 1 3Bd/2Bath Unit. Listed by Amir Hardy • DRE #01797731 • Compass Redfin last checked: 9 minutes ago | Last updated June 30, 2022

• Source: San Francisco MLS #422645674

Home Facts

Status	Active	Time on Redfin	15 days
Property Type	Single Family Residential	Year Built	1902
Community	San Francisco	Lot Size	2,850 Sq. Ft.
MLS#	422645674		

Price Insights

List Price	\$3,675,000	Est. Mo. Payment	\$20,483
Price/Sq.Ft.	\$564		



LISTED 4/2015 — \$1.248M
SOLD 4/2015 — \$1.95M
APPLIED AS DEMO
BUT WITHDRAWN
312 ISSUED 7/18
APPLIED AS ALTERATION 9/18
ISSUED 10/2019
VARIANCE APPVD BY ZA FOR
REAR BUILDING 9/2018
LISTED 6/30 — \$3.675M

From: [Robert Hall](#)
To: [Board of Supervisors \(BOS\)](#); [PrestonStaff \(BOS\)](#)
Subject: Oppose "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026
Date: Wednesday, July 12, 2023 7:26:41 PM
Attachments: [image.png](#)

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

Please oppose "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026.

Nearly every media outlet is talking about the [biodiversity crisis](#) and the climate crisis. This is not a time to weaken the environmental review process. It's a time to strengthen it. With recent changes at the state level like SB9, San Francisco already has parks like [Palou Phelps](#) in the developers cross hairs. Why loosen the rules to build more luxury condos? Please concentrate your energies on protecting San Francisco from the looming environmental crises and redeveloping our flagging downtown. There's an urgent need to reimagine the empty commercial space to create a community people want to live in, not just commute to.

I'm a huge supporter and advocate of the city and sympathize what you're up against. Please don't compromise the environment or eliminate the beauty of our natural heritage. Fill the empty buildings where all the concrete has already been poured.

Robert Hall
1946 Grove St. Apt. 6
San Francisco, CA 94117

What's at Risk if We Don't Adapt?

Assets at risk of SLR flooding¹:

75,000
total households,
including **12,000**
in the most
socially vulnerable
communities.³

200,000
total jobs, and
15,000 total
businesses.

20,000
vulnerable acres
at risk, including
wetlands,
lagoons, and tidal
marshes.³



Photo credit: Ben Berlin, 2020

Estimates of a Subset of Assets at Risk: (in 2022 dollars)

\$85 billion

Estimated assessed value of parcels
at risk²

\$151 billion

Estimated value of major roadways at
risk²

¹ Assuming 4.9 feet of inundation by 2050.

² Calculated based on 230 miles of vulnerable major class roadways, using a median transportation adaptation cost of \$25,000 per foot. Adaptation assumes only elevation or realignment and not protection in place or multi-benefit solutions.

³ Social vulnerability defined by the high and highest levels of BCDC's Community Vulnerability Data.

⁴ From Adapting to Rising Tides Bay Area, 2020

3

Inventory of Adaptation Needs

Local Adaptation Projects and Study Areas¹

- Local Adaptation Projects
- Local Study Areas

192 projects in original inventory

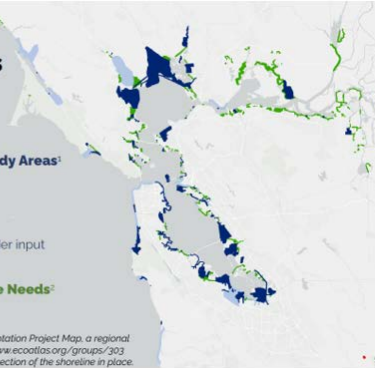
132 projects updated with stakeholder input
Includes 47 new projects added

Potential Protective Infrastructure Needs²

- Placeholder Adaptation Needs

¹ Includes projects identified in BCDC's Shoreline Adaptation Project Map, a regional project inventory hosted through EcoAtlas: <https://www.ecoatlas.org/groups/303>

² Placeholder needs determined by assuming the protection of the shoreline in place.



5

From: [Candace Low](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Opposition to: Constraints Reduction Ordinance ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026
Date: Wednesday, July 12, 2023 12:25:39 PM

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

Dear Members of the San Francisco Board of Supervisors,

As a native of San Francisco for over 50 years, and an active member of the community, I am writing to oppose Constraints Reduction Ordinance ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026.

It should be a priority to conduct an environmental assessment of impacts to the rare community of the San Francisco sand dune communities and the mental health and well-being of the people who live and visit the neighborhood this project would impact.

Sincerely,

Candace Low

A concerned citizen of the outer sunset community.

Candace Low, PhD
Biology Department
San Francisco State University
E-mail: clowsf@sfsu.edu

From: [Leanna Louie](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!
Date: Tuesday, July 11, 2023 12:16:31 PM

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

Dear Honorable Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she suspend her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.

2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year

3) NO Condo Conversions! Remove all language that expands condo conversions.

4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

Thank you,

Leanna Louie
Resident of San Francisco since 1979

From: [Bronwen Lemmon](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: "Family Housing" ordinance = NO
Date: Tuesday, July 11, 2023 10:56:43 AM

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

Dear Representatives,

I write to say, "No" to Supervisor Myrna Melgar's "Family Housing" ordinance.

I am responding no to this ordinance for the following reasons:

1. That there has been no notices or hearings planned or presented in order for a fair and honest environmental and community review.
Furthermore, it would be fair and honest to expand public hearing period for all new projects from 30 days to 60 days.
2. It would be fair to add verifiable language to demonstrate the Family Housing Ordinance ordinance will indeed provide 100% housing for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) Family Housing needs to stay in the low income family housing bracket. Condo Conversions have no place in that so please remove that language.
- 4) Please hit a hard pause on demolitions. Reasons for this include, the 40k vacant housing units in SF, the 70k new units already in the pipeline and the thousands of potential office space conversions. For these reasons it makes no fiscal sense to SF taxpayers to have more demolitions when there is a surplus of existing buildings. Furthermore, this sort of unnecessary building activity adds to the greenhouse gas emissions that we all must be limiting to essentials.

Sincerely,

Bronwen Lemmon
SF voter and taxpayer

San Francisco, CA 94122
Ph: 415.820.3930

From: [Catherine Robyns](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Against Sup. Melgar's "Family Housing" Plan
Date: Monday, July 10, 2023 2:14:01 PM

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

Dear Supervisors,

I am writing, as a multi-generational resident of the Richmond and a member of our neighborhood's Russian community, to oppose Supervisor Melgar's plans for the upzoning and redevelopment of the Richmond District.

We are against the gentrification of our neighborhood and the disruption of community stability for developer's gains.

This proposal would impact the natural space that characterizes the coast of California. San Francisco's environmental health is not what it once was, our tree canopy is smaller than all other major US cities and our air quality is often registered as unhealthy. There is a reason that the California coastal neighborhoods have always been low lying and underdeveloped. Preservation of our western side is essential to creating a balance to our city, and to combating the degradation of our urban and natural environment.

Best regards,
Catherine

From: [Aaron Goodman](#)
To: [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [BOS Clerks Office \(BOS\)](#)
Subject: Against melgar housing ordinance
Date: Monday, July 10, 2023 12:23:07 PM

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

I cannot attend today's hearing on the melgar housing ordinance.

I am concerned about the demolition of sound housing (obsolescence) in terms of the environmental impacts and the displacement and gentrification of lower income neighborhoods in SF without some legislation that can actually protect and prevent evictions.

The agreements the city made prior with larger developers don't hold water when the land changes hands and can and probably will be taken to court.

The concerns are that you need to legislate the requirements for balanced development of essential rental housing stock.

We see plenty of new projects that are not affordable to many existing residents...

This legislation does not solve the imbalance of years of ignoring the problem nor does it take significant steps to deal with infrastructure and the density proposed.

I support the orgs opposed to this legislation.

A.Goodman D11

Sent from my iPhone

From: [DJ Niccolls](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Melgar Ordinance Attacking Environmental Review
Date: Monday, July 10, 2023 11:44:56 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,
Dorothy J Niccolls
Resident in outer richmond

From: [Bronwen Lemmon](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: "Family Housing" ordinance = NO
Date: Tuesday, July 11, 2023 10:56:43 AM

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

Dear Representatives,

I write to say, "No" to Supervisor Myrna Melgar's "Family Housing" ordinance.

I am responding no to this ordinance for the following reasons:

1. That there has been no notices or hearings planned or presented in order for a fair and honest environmental and community review.
Furthermore, it would be fair and honest to expand public hearing period for all new projects from 30 days to 60 days.
2. It would be fair to add verifiable language to demonstrate the Family Housing Ordinance ordinance will indeed provide 100% housing for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) Family Housing needs to stay in the low income family housing bracket. Condo Conversions have no place in that so please remove that language.
- 4) Please hit a hard pause on demolitions. Reasons for this include, the 40k vacant housing units in SF, the 70k new units already in the pipeline and the thousands of potential office space conversions. For these reasons it makes no fiscal sense to SF taxpayers to have more demolitions when there is a surplus of existing buildings. Furthermore, this sort of unnecessary building activity adds to the greenhouse gas emissions that we all must be limiting to essentials.

Sincerely,

Bronwen Lemmon
SF voter and taxpayer

San Francisco, CA 94122
Ph: 415.820.3930

From: [DJ Niccolls](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Melgar Ordinance Attacking Environmental Review
Date: Monday, July 10, 2023 11:44:45 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
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- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,
Dorothy J Niccolls
Resident in outer richmond

From: [JJ Hollingsworth](#)
To: [Peskin, Aaron \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Major, Erica \(BOS\)](#); [MelgarStaff \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Angulo, Sunny \(BOS\)](#)
Subject: Family Housing Ordinance
Date: Friday, July 7, 2023 4:40:19 PM

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

Dear Supervisor,

I have a very deep concern about the following matter. I am not against building affordable housing in San Francisco, but this measure doesn't even begin to solve housing issues and in fact will exacerbate the current problems.

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with **no** input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore **all** existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
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Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

JJ Hollingsworth

From: [Robert Ho](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Request Delay of Supervisor Melgar's "Family Housing" Ordinance
Date: Friday, July 7, 2023 3:06:42 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
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Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Robert Ho

From: [Geo Kimmerling](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Supervisor Melgar"s proposed Family Housing Initiative
Date: Friday, July 7, 2023 6:42:44 PM
Attachments: [Family Housing Initiative.doc](#)

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

Please see attached letter from the Mid-Sunset Neighborhood Association, a neighborhood organization representing 187 families.

Thank you,
Flo Kimmerling
President MSNA



MID-SUNSET NEIGHBORHOOD ASSOCIATION

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with no input from neighborhood and environmental groups! As a group, the Board of Supervisors cannot represent us if they do not listen to our concerns.

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
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Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Flo Kimmerling, President
Mid-Sunset Neighborhood Association

From: [Jason Jungreis](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No to "Family Housing" ordinance: Build the already-approved large developments in the pipeline, don't destroy existing neighborhoods!
Date: Saturday, July 8, 2023 2:37:47 PM

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

Dear Supervisor,

There are over 72,000 units in the housing pipeline, with about half in approved large developments -- BE EFFICIENT, BUILD THOSE!
(<https://sfplanning.org/project/pipeline-report#current-dashboard>)

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
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Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Jason Jungreis
527 47th Avenue
SF 94121

From: [lucky fung](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Supervisor Myrna Melgar's family ordinance is bad for San Francisco
Date: Saturday, July 8, 2023 2:02:43 PM

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

>
> Board of Supervisors
>
> Supervisor Myrna Melgar's proposed family housing directive will tear up existing zoning ordinances on housing density in residential neighborhoods
>
> Please do not support Supervisor Melgar's family housing plan. Ask her to suspend her proposed legislation. She & the BOS should meet with the community and environmental groups to work out an executive agreement density on proposals to bring affordable housing to San Francisco
>
> I'm am not against building higher density dwellings in high traffic corridors such as Geary Blvd, Presidio/19th Avenue, Judah street, Taraval Street, Ocean street, but I
> do not support converting single family residential neighborhood homes into multiplexes in West of Twin Peaks and Sunset & Richmond residential neighborhoods
>
> Lucky Fung
>
> Sent from my iPhone

From: [Pamela Barrango](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Cc: [Pamela Barrango](#)
Subject: Stop Melgar Ordinance Attacking Environmental Review
Date: Saturday, July 8, 2023 1:50:58 PM

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

Dear Supervisors,

I am writing in opposition to the Supervisor Melgar “Family Housing” ordinance.

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

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- 3) NO Condo Conversions! Remove all language that expands condo conversions.
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increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Pamela Barrango

Resident of D4

From: [Kathleen Kelley](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Cc: [Kathleen Kelley](#)
Subject: Stop Melgar Ordinance Attacking Environmental Review
Date: Saturday, July 8, 2023 1:06:26 PM

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

Dear Supervisors,

I am writing in opposition to the Supervisor Melgar "Family Housing" ordinance.

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.

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3) NO Condo Conversions! Remove all language that expands condo conversions.

4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Kathleen Kelley

Resident of D4

From: [RL](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Public Comment: Land Use Item 8, July 10 - OPPOSE Unless Amended - Melgar "Family Housing" File #230026
Date: Saturday, July 8, 2023 12:56:22 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
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Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Renee Lazear

SON-SF ~ Save Our Neighborhoods SF

94116

From: [David OBrien](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Family housing
Date: Saturday, July 8, 2023 9:57:50 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

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Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,
Sent from my iPhone

David OBrien

From: [Lou Ann Bassan](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Joel Engardio](#)
Subject: NO to Supervisor Melgar housing ordinance
Date: Saturday, July 8, 2023 9:06:39 AM

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Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

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Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,
Lou Ann Bassan

From: [carol harvey](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: PLEASE VOTE NO ON SUP. MELGAR'S NON-AFFORDABLE "FAMILY HOUSING ORDINANCE. THANK YOU!
Date: Saturday, July 8, 2023 8:57:08 AM

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Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

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- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Carol Harvey
Bay Area Investigative Reporter

From: [Marian Laffan](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Supervisor Melgar's housing ordinance hearing July10
Date: Saturday, July 8, 2023 4:42:22 AM

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

Dear Supervisor,

I am writing to register my objections to the ordinance proposed by Supervisor Melgar (to be presented to the BOS on July 10 2023). As the owner of a two residential unit in the Sunset (one unit is my residence, the other rented to a senior for the past 10 years) and a property tax/income tax/sales tax contributor to the city I particularly object to the waiver of community noticing and opportunity to submit observations on real estate projects and developments.

Supervisor Myrna Melgar's mis titled "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that will destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist Supervisor Melgar delays her legislation, sits down with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects.
- 2) Add language mandating truly affordable housing, requiring a percentage (to be negotiated) of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance in its current form and work to include that changes documented above.

Thank You,

Marian Laffan

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Public Comment For Land Use Committee, July 10, 2023 - OPPOSE Unless Amended - Melgar "Family Housing SUD" File #230026
Date: Friday, July 7, 2023 9:10:39 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Eric Brooks, Campaign Coordinator
Our City SF and

San Francisco CEQA Defenders

From: [aeboken](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: Strongly Urging CONTINUANCE for Land Use and Transportation Committee Agenda Item #7 [Planning, Subdivision, and Administrative Code - Family Housing Opportunity Special Use District] File #230026 Otherwise OPPOSE UNLESS AMENDED
Date: Sunday, July 9, 2023 1:31:40 PM
Attachments: [Fee Schedule.pdf](#)

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

TO: Land Use and Transportation Committee members

Board of Supervisors members

FROM: Eileen Boken, President

Sunset-Parkside Education and Action Committee (SPEAK)

RE: Family Housing Opportunity SUD

Position: Strongly urging continuance otherwise oppose unless amended.

SPEAK is strongly urging that this legislation be continued as there has been no prior outreach to any District 4 (four) organizations and no known prior outreach to other affected districts.

If the Land Use and Transportation Committee is unwilling to continue this item, SPEAK would take the position to oppose unless amended.

The overall proposed amendments are as follows:

- Restore all existing noticing and hearings including DR and CU. Additionally, expand the public comment period from 30 days to 60 days.
- Mandate truly affordable housing with 100% affordable housing at \$80,000. per year for families and \$50,000. per year for individuals.
- Eliminate all condo conversion language.
- Eliminate all demolitions.

SPEAK's specific amendment would be to create a pilot project solely in District 7 (seven) and eliminate all references to other districts.

On the issue of noticing, at the June 29, 2023 hearing of the Planning Commission, the Director of Current Planning stated that if the current noticing was eliminated that there would

still be the options of Block Book Notification (BBN) and buildingeye.

The Director of Current Planning failed to state that BBN is fee-based.

[Refer to attached Planning Department Fee Schedule section 6 (six).]

For a neighborhood organization, the fee is \$45. per block.

SPEAK's boundaries have approximately 580 blocks. The total BBN fee would be approximately \$26,100.

BBN is also apparently cumbersome and inefficient.

The buildingeye software appears to be not ready for primetime.

Reiterating some of SPEAK's comments from the June 12, 2023 meeting of the Land Use and Transportation Committee on this legislation:

In 2018, ABAG and MTC convened the CASA Compact to address the region's housing needs.

During a CASA Compact meeting, one of the CASA Compact members stated on the record that the problem is too much democracy.

Is the message of this legislation and its co-sponsors that the problem is too much democracy?

###

Sent from my Verizon, Samsung Galaxy smartphone



FEE SCHEDULE

EFFECTIVE AUGUST 29, 2022
UPDATED APRIL 28, 2023

The Planning Department charges fees to compensate for the cost of processing applications. Payments may be made by cash, check (payable to "San Francisco Planning Department"), credit card or wire transfer.

Fee Increases

Every year, application fees are adjusted by the two-year average consumer price index (CPI) change for the San Francisco/San Jose Primary Metropolitan Statistical Area. An updated fee schedule showing these adjusted rates and any other fee changes is published in August or early September each year.

Time and Materials Charges

Enforcement and monitoring fees, and all applications, except those for the Short-Term Rental Registry and Discretionary Reviews, are subject to billing for staff time and materials if the cost of reviewing the application exceeds the initial fee charged. Applications for entitlements that are administratively reviewed and approved without a public hearing (e.g. Administrative Minor Permit to Alter; Administrative Certificate of Appropriateness) will be subject only to time and materials billing and will not be charged an up-front application fee.

Fee Calculators

This year's fee calculators are incorporated in the worksheets below.

Development Impact Fees

In addition to application fees, the City imposes impact fees on development projects in order to mitigate the impacts caused by new development on public services, infrastructure and facilities. Development impact fees are collected by the Department of Building Inspection; they are adjusted annually in January based on Annual Infrastructure Construction Cost Inflation Estimates. More information about impact fees is available at sfplanning.org.

Refunds

Any application withdrawn prior to a public hearing or canceled by the Planning Department is eligible for a refund of the initial application fee less the cost of time and materials expended. Refund requests must be submitted within six months of the project closure date.

Relevant Code Citations

Administrative Code			
2.21	8.28	31.12	31.22.1
31.23.1	41A.5(g)(3)(B)		41A.6(d)(1)(A)
41F.3(f)(3)(x)			

Planning Code			
169.4(g)	176.C.1	206	303.2
328	350	604.1	
604.2	610(b)(2)(B)	611	



Contact Information

For additional information, please visit sfplanning.org or contact the Planning Information Center at **628.652.7300** or pic@sfgov.org.

For wiring instructions, please email cpc.wiretransfer@sfgov.org

中文詢問請電 | Para información en Español llamar al | Para sa impormasyon sa Tagalog tumawag sa 682.652.7550

NOTE

Where an applicant requests **two or more approvals** involving a Conditional Use, Planned Unit Development, Variance, Downtown Large Project Authorization, District Section 309 review, Large Project Authorization in the Eastern Neighborhoods, Large Project Authorization (Section 329), Certificate of Appropriateness, Permit to Alter a Significant or Contributory building both within and outside of Conservation Districts, or a Coastal Zone Permit review, the amount of **the second** and each subsequent initial fees of lesser value shall be **reduced to 50%** plus time and materials as set forth in Planning Code Section 350.

* BOARD OF SUPERVISORS APPEALS SURCHARGE INCLUDED	\$120
** BOARD OF APPEALS SURCHARGE INCLUDED	\$37.00

1 BUILDING PERMIT PLANNING REVIEW

a. Change in Use or Alteration of an Existing Building	Base Fee	Variable x construction cost	Total
\$0 - \$9,999	\$447		
\$10,000 - \$49,999	\$458	+ 4.678%	
\$50,000 - \$99,999	\$3,405	+ 3.125%	
\$100,000 - \$499,999	\$5,001	+ 3.420%	
\$500,000 - \$999,999	\$18,945	+ 0.865%	
\$1,000,000 - \$4,999,999	\$23,354	+ 0.339%	
\$5,000,000 - \$99,999,999	\$37,199	+ 0.004%	
\$100,000,000 or more	\$42,868		
b. Solar Panels/Over-the-Counter Solar Equipment Installation			\$229**
c. New Construction**	Base Fee	Variable x construction cost	Total
\$0 - \$99,999	\$3,106		
\$100,000 - \$499,999	\$3,108	+ 3.420%	
\$500,000 - \$999,999	\$17,054	+ 1.091%	
\$1,000,000 - \$4,999,999	\$22,619	+ 0.421%	
\$5,000,000 - \$99,999,999	\$39,745	+ 0.005%	
\$100,000,000 or more	\$46,833		

Item	Fee
d. Back Check Fee for Permit Revisions	\$322**
e. Demolition Permit	\$2,052**
f. Building Permit Neighborhood Notification	\$104** + \$3.77 per envelope
g. Signs Permit	\$215**

NOTES 1. Windows, Roofs, Siding & Doors Replacement Applications approved over-the-counter at the Public Information Counter shall be charged 1/2 the fee set forth above.

2. Building Permit Fees will be waived for permits related to granting legal status to existing dwelling units constructed without required permits, per **Board Ordinance 150571**, effective for activities prior to January 1, 2020.

2 ENVIRONMENTAL REVIEW

Exemptions	Fee
a. Categorical Exemption Checklist	\$399
b. Categorical Exemption Certificate	\$7,925*
c. Historic Resource Determination (HR Part 1)	\$3,390*
Historic Resource Impact Review (HR Part 2)	\$4,535
d. Class 32 Categorical Exemption	See Worksheet 13
e. Categorical Exemption Prepared by Another City Agency Review	\$456*
Inside Community Plan Areas	Fee
f. Environmental Document Determination	\$17,427
g. Community Plan Evaluation	\$9,642*
h. Initial Study/Environmental Evaluation	See Worksheet 11
i. Focused Environmental Impact Report (EIR)	1/2 EIR fee
j. Environmental Impact Report (EIR)	See Worksheet 12
Outside of Community Plan Areas	Fee
k. Initial Study	See Worksheet 9
l. Environmental Impact Report (EIR)	See Worksheet 10
m. EIR Supplemental	1/2 EIR fee*
n. EIR Addendum	\$31,297
o. Negative Declaration Addendum/Re-evaluation	\$31,297
Transportation Review or Impact Study	Fee
p. Transportation Review or Study	\$29,809
q. Site Circulation Review	\$10,823



3 LAND USE SUPPLEMENTALS

Supplemental	Fee
a. Amendments <ul style="list-style-type: none"> - General Plan Amendment (GPA) - Planning Code Text Amendment (PCA) - Zoning Map Amendment (MAP) 	Time & Materials \$19,704 \$9,861
b. Certificate of Appropriateness (COA) <ul style="list-style-type: none"> - Administrative - Full Certificate of Appropriateness (COA) Construction Cost: <ul style="list-style-type: none"> - \$0 to \$999 - \$1,000 to \$19,999 - \$20,000 or more 	Time & Materials \$467** \$1,752** \$7,974**
c. Coastal Zone Permit (CTZ)	See Worksheet 8
d. Conditional Use Authorization (CUA)	See Worksheet 7
Planned Unit Development (PUD)	See Worksheet 7
State Density Bonus - Analyzed	See Worksheet 7
e. Determination of Compatibility	See Worksheet 7
f. Discretionary Review	
<ul style="list-style-type: none"> - Publically-Initiated Discretionary Review (DRP) - Mandatory & Staff-Initiated Discretionary Review (DRM) 	\$699 \$4,807
g. Downtown Large and Residential Project Authorization (DNX)	See Worksheet 8
Application for 1 or more exceptions under Section 309	\$2,576**
h. Eastern Neighborhoods Large Project Authorizations (ENX)	See Worksheet 7
i. General Plan Referral (GPR)	\$4,629
Streamlined sidewalk width changes	\$1,843
j. HOME-SF (AHB)	See Worksheet 14
k. Institutional Master Plan (IMP)	
<ul style="list-style-type: none"> - Abbreviated - Full or Substantial Revision 	\$3,137 \$17,143
l. Landmarks Designation	
<ul style="list-style-type: none"> - Individual (DES) - District (DES) - Designation or change of boundary of a conservation district or significant or contributory building 	\$366 \$1,465 \$8,778
m. Legislative Setback Amendment	\$3,987
n. Permit to Alter (PTA)	
<ul style="list-style-type: none"> - Minor Permit to Alter - Major Permit to Alter 	Time & Materials \$11,626**

o. Mills Act Contract (MLS)	
- Commercial Properties	\$6,701
- Residential Properties	\$3,350
p. Office Allocation (OFA)	\$6,842**
q. Preliminary Project Assessment (PPA) ¹	\$6,191
r. Service Station Conversion Determinations by ZA	\$3,892
s. Shadow Study Analysis (SHD)	\$691**
t. Short-Term Residential Rental Registry Application	\$550
u. General Advertising Signs	
- Annual Inventory Maintenance Fee (per sign)	\$310
- Inventory Registration and Updates (per sign)	\$958
- General Advertising Sign Fee (per individual relocation agreement application)	\$1,711
- Sign Program – Reconsideration Hearing Fee	\$5,829
- Sign Structure In-Lieu Application (per sign structure)	\$547
v. Temporary Use Authorization	\$571
w. Transferrable Development Rights	
- Statement of Eligibility (TDE)	\$2,092**
- Execution of Certificate of Transfer (TDT)	\$593
- Notice of Use of TDR (TDU)	\$1,851
x. Transportation Demand Management (TDM) Program ²	
- TDM Plan Review	\$7,013
- TDM Periodic Compliance Review	\$1,169
- TDM Plan Update Review	\$1,519
z. Variance (VAR)	
Construction Cost:	
- \$0 to \$9,999	\$1,180**
- \$10,000 to \$19,999	\$2,584**
- \$20,000 or more	\$5,223**

NOTES **1.** PPA Fees may be deducted from future Planning review fees.

2. Per [Board Ordinance 160925](#), projects with 24 dwelling units or less are exempt from fees for periodic compliance review and voluntary update review. Non-profit organizations that receive funding from the City are exempt from all TDM fees.

4 INTERAGENCY REFERRALS

Activity	Fee
a. Public Health, Fire, Police, Entertainment Commission, Cannabis, and other agencies	\$170
b. Personal Wireless Service Facilities Site Permit (Facilities within Public Right-of-Way only)	\$266
c. Surface Mounted Facilities Site Permit -Planning Department's review of the preferred location list	\$366.50

5 ENFORCEMENT & APPEALS

Activity	Fee
a. Appeal of Preliminary Negative Declaration to Planning Commission	\$698
b. Appeals to Board of Supervisors	\$698
c. Enforcement Fee Monitoring Conditions of Approval, Zoning Authorization (ZA) Mitigation Monitoring or Environmental Review (MCM)	\$1,580
d. Planning Code Violation Penalties	up to \$1,000 per day
e. Sign Program Penalties (per day per violation)	
- 100 sq ft or less	\$100
- 101-300 sq ft	\$1,000
- 301-500 sq ft	\$1,750
- more than 500 sq ft	\$2,500
f. Short-Term Residential Rental notice of Violation Penalties (per day)	\$484
g. Unauthorized Dwelling Unit (UDU) removal of (1) or addition (3+)	Up to \$250,000 per unit
h. Historic Property: Damage / Demolishing	Up to \$500,000 per property

6 PUBLIC INFORMATION

Item	Fee
a. Block Book Notification (BBN) <ul style="list-style-type: none"> - For an Individual (per lot) \$45 - Each additional lot \$18 - For a Neighborhood Organization (per block) \$45 - Each additional block \$18 	
b. Document Sales (publications/transcripts)	Varies per document
c. Pre-Application Meeting – Department-Facilitated (PRV)	\$1,218
d. Project Review Meeting (policy/code/interpretation) <ul style="list-style-type: none"> 5 or fewer dwelling units or affordable housing projects <ul style="list-style-type: none"> - Planning Department Only \$515 - Interagency (Planning, DBI, DPW, Fire) \$1,662 6 or more dwelling units or commercial projects <ul style="list-style-type: none"> - Planning Department Only \$1,218 - Interagency (Planning, DBI, DPW, Fire) \$2,365 	
e. Subscription to Planning Commission Agendas	\$52 per year
f. Subscription to Historic Preservation Commission Agendas	\$52 per year
g. Zoning Verification Letters (per lot)	\$208**
h. Zoning Administrator Written Determinations	\$808**

7 ENTITLEMENT FEE WORKSHEET

Conditional Use / Planned Unit Development / Eastern Neighborhoods Large Project Authorizations

			Base Fee	Surcharge*	Total
a. No construction cost (excluding extension of hours)			\$2,517	\$120	\$2,637
b. No construction cost (including extension of hours)			\$1,799	\$120	\$1,919
c. \$1 through \$9,999			\$1,799	\$120	\$1,919
d. \$10,000 to \$999,999	Applied ¹	Variable			
Enter Cost: \$ <input type="text"/>	\$10,000	0.817%	\$1,799	\$120	
e. \$1,000,000 to \$4,999,999					
Enter Cost: \$ <input type="text"/>	\$1,000,000	0.972%	\$10,027	\$120	
f. \$5,000,000 to \$9,999,999					
Enter Cost: \$ <input type="text"/>	\$5,000,000	0.817%	\$49,695	\$120	
g. \$10,000,000 to \$19,999,999					
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.424%	\$91,524	\$120	
h. \$20,000,000 and more			\$134,566	\$120	\$134,686
i. Amend conditions of approval of a previous project			\$1,336	\$120	\$1,456
j. Wireless Telecommunications Services (WTS)			\$6,293	\$120	\$6,413

NOTES 1. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

2. The initial fee amount is not to exceed 50% of the project construction cost for projects more than \$10,000.

3. If the project meets the Community Business Priority Processing Program criteria, the fee rate will be adjusted.

8 ENTITLEMENT FEE WORKSHEET

Downtown Large Project Authorization / Downtown Residential Project Authorization / Coastal Zone Permit

			Base Fee	Surcharge**	Total
a. \$0 through \$9,999			\$358	\$37	\$395
b. \$10,000 to \$999,999	Applied ¹	Variable			
Enter Cost: \$ <input type="text"/>	\$10,000	0.164%	\$364	\$37	
c. \$1,000,000 to \$4,999,999					
Enter Cost: \$ <input type="text"/>	\$1,000,000	0.195%	\$2,017	\$37	
d. \$5,000,000 to \$9,999,999					
Enter Cost: \$ <input type="text"/>	\$5,000,000	0.161%	\$9,971	\$37	
e. \$10,000,000 to \$19,999,999					
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.085%	\$18,249	\$37	
f. \$20,000,000 and more			\$26,944	\$37	\$26,981
g. Amend conditions of approval of a previous project			\$1,336	\$37	\$1,373

NOTES 1. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

2. The initial fee amount is not to exceed 50% of the project construction cost for projects more than \$10,000.

9 ENVIRONMENTAL EVALUATION FEE WORKSHEET

Outside adopted Plan Areas

			Base Fee	Surcharge*	Total
a. \$0 through 9,999			\$1,496	\$120	\$1,616
b. \$10,000 to \$199,999	Applied ¹	Variable ²			
Enter Cost: \$ <input type="text"/>	\$10,000	2.828%	\$5,821	\$120	
c. \$200,000 to \$999,999					
Enter Cost: \$ <input type="text"/>	\$200,000	2.139%	\$11,304	\$120	
d. \$1,000,000 to \$9,999,999					
Enter Cost: \$ <input type="text"/>	\$1,000,000	1.796%	\$28,753	\$120	
e. \$10,000,000 to \$29,999,999					
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.552%	\$193,475	\$120	
f. \$30,000,000 to \$49,999,999					
Enter Cost: \$ <input type="text"/>	\$30,000,000	0.208%	\$306,243	\$120	
g. \$50,000,000 to \$99,999,999					
Enter Cost: \$ <input type="text"/>	\$50,000,000	0.050%	\$348,606	\$120	
h. \$100,000,000 and more					
Enter Cost: \$ <input type="text"/>	\$100,000,000	0.022%	\$373,964	\$120	

NOTES 1. An applicant proposing major revisions to a project application that has been inactive for more than six months and is assigned shall submit a new application.

2. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

10 EIR FEE WORKSHEET

Outside adopted Plan Areas

			Base Fee	Total
a. \$0 through \$199,999				\$33,230
b. \$200,000 to \$999,999	Applied ¹	Variable ²		
Enter Cost: \$ <input type="text"/>	\$200,000	0.818%	\$33,230	
c. \$1,000,000 to \$9,999,999				
Enter Cost: \$ <input type="text"/>	\$1,000,000	0.552%	\$40,070	
d. \$10,000,000 to \$29,999,999				
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.224%	\$90,817	
e. \$30,000,000 to \$49,999,999				
Enter Cost: \$ <input type="text"/>	\$30,000,000	0.060%	\$137,058	
f. \$50,000,000 to \$99,999,999				
Enter Cost: \$ <input type="text"/>	\$50,000,000	0.060%	\$149,661	
g. \$100,000,000 and over				
Enter Cost: \$ <input type="text"/>	\$100,000,000	0.022%	\$181,436	

NOTES 1. An applicant proposing major revisions to a project application that has been inactive for more than six months and is assigned shall submit a new application.

2. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

11 ENVIRONMENTAL EVALUATION FEE WORKSHEET

Within adopted Plan Areas

			Base Fee	Surcharge*	Total
a. \$0 through \$9,999			\$1,863	\$120	\$1,983
b. \$10,000 to \$199,999	Applied ¹	Variable ²			
Enter Cost: \$ <input type="text"/>	\$10,000	3.523%	\$7,742	\$120	
c. \$200,000 to \$999,999					
Enter Cost: \$ <input type="text"/>	\$200,000	2.662%	\$14,565	\$120	
d. \$1,000,000 to \$9,999,999					
Enter Cost: \$ <input type="text"/>	\$1,000,000	2.232%	\$36,275	\$120	
e. \$10,000,000 to \$29,999,999					
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.688%	\$241,209	\$120	
f. \$30,000,000 to \$49,999,999					
Enter Cost: \$ <input type="text"/>	\$30,000,000	0.257%	\$381,543	\$120	
g. \$50,000,000 to \$99,999,999					
Enter Cost: \$ <input type="text"/>	\$50,000,000	0.060%	\$434,403	\$120	
h. \$100,000,000 and more					
Enter Cost: \$ <input type="text"/>	\$100,000,000	0.026%	\$465,868	\$120	

NOTES 1. An applicant proposing major revisions to a project application that has been inactive for more than six months and is assigned shall submit a new application.

2. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

12 EIR FEE WORKSHEET

Within adopted Plan Areas

			Base Fee	Total
a. \$0 through \$199,999			\$41,354	\$41,354
b. \$200,000 to \$999,999	Applied ¹	Variable ²		
Enter Cost: \$ <input type="text"/>	\$200,000	1.015%	\$41,354	
c. \$1,000,000 to \$9,999,999				
Enter Cost: \$ <input type="text"/>	\$1,000,000	0.688%	\$49,870	
d. \$10,000,000 to \$29,999,999				
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.283%	\$113,020	
e. \$30,000,000 to \$49,999,999				
Enter Cost: \$ <input type="text"/>	\$30,000,000	0.076%	\$170,601	
f. \$50,000,000 to \$99,999,999				
Enter Cost: \$ <input type="text"/>	\$50,000,000	0.076%	\$186,412	
g. \$100,000,000 and over				
Enter Cost: \$ <input type="text"/>	\$100,000,000	0.026%	\$225,941	

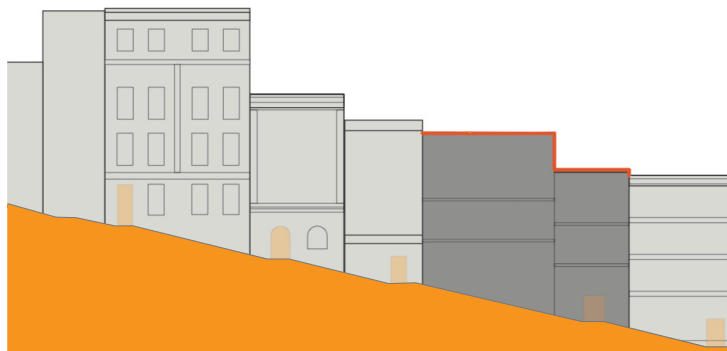
NOTES 1. An applicant proposing major revisions to a project application that has been inactive for more than six months and is assigned shall submit a new application.

2. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

13

CLASS 32 - CATEGORICAL EXEMPTION FEE WORKSHEET

			Base Fee	Surcharge*	Total
a. \$0 through \$9,999			\$14,352	\$120	\$14,472
b. \$10,000 to \$199,999	Applied ¹	Variable ²			
Enter Cost: \$ <input type="text"/>	\$10,000	0.250%	\$14,352	\$120	
c. \$200,000 to \$999,999					
Enter Cost: \$ <input type="text"/>	\$200,000	0.239%	\$14,827	\$120	
d. \$1,000,000 to \$9,999,999					
Enter Cost: \$ <input type="text"/>	\$1,000,000	0.072%	\$16,739	\$120	
e. \$10,000,000 and above					
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.530%	\$23,260	\$120	



NOTES 1. An applicant proposing major revisions to a project application that has been inactive for more than six months and is assigned shall submit a new application.

2. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

14 HOME-SF (AHB) FEE WORKSHEET

HOME-SF

			Base Fee	Surcharge*	Total
a. No construction cost (excluding extension of hours)			\$1,258	\$120	\$1,378
b. No construction cost (including extension of hours)			\$899	\$120	\$1,019
c. \$1 through \$9,999			\$899	\$120	\$1,019
d. \$10,000 to \$999,999	Applied ¹	Variable			
Enter Cost: \$ <input type="text"/>	\$10,000	0.408%	\$899	\$120	
e. \$1,000,000 to \$4,999,999					
Enter Cost: \$ <input type="text"/>	\$1,000,000	0.486%	\$5,014	\$120	
f. \$5,000,000 to \$9,999,999					
Enter Cost: \$ <input type="text"/>	\$5,000,000	0.408%	\$24,847	\$120	
g. \$10,000,000 to \$19,999,999					
Enter Cost: \$ <input type="text"/>	\$10,000,000	0.213%	\$45,627	\$120	
h. \$20,000,000 and more			\$67,283	\$120	\$67,403
i. Amend conditions of approval of a previous project			\$668	\$120	\$788

NOTES 1. The appropriate variable is calculated on the applied amount, which is the difference between the project cost and minimum construction cost of the range.

From: skylar@greenaction.org
To: [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary; Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#)
Subject: Public Comment: Land Use item 7, July 24 - OPPOSE UNLESS AMENDED- Melgar "Family Housing"
Date: Monday, July 24, 2023 11:48:18 AM

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Dear Supervisors,

We need more time to look at the new amendments proposed by Supervisors Peskin and Preston look *much* better, but we are only just seeing them. San Franciscans need a few weeks to read these, and respond with any proposed improvements. We cannot be expected to assess and accept such major changes in just a few days.

Even with the new amendments, Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is still not ready. **It still has no affordable housing mandates, unacceptably waives far too much environmental and community review of projects, expands gentrifying condo conversions that will eliminate affordable rental housing, drives unnecessary polluting demolitions, and gives corporate real estate speculators free rein to demolish and sell off vast tracts of single family homes and replace them with condos and apartment buildings to be resold in just one year for profit!**

San Francisco does not need ANY new market rate housing! San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions. **Instead of building luxury units, we should be transforming vacant housing and office space into affordable places to live. Demolishing housing and building expensive condo and rental expansions would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.**

Please delay this legislation, and continue to work with neighborhood, environmental, and social justice groups to make the following changes:

- 1) Clearly spell out all Noticing Requirements in the *text* of this ordinance. San Franciscans do not trust Planning Department staff to come up with noticing rules and procedures later!
- 2) Add language triggering environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings, in order to add one or more new units of housing.
- 3) Expand the initial public comment period for new projects from 30 days, back to 60 days.
- 4) COMPLETELY Ban Wall Street Speculators! Stronger Language must be added which truly penalizes and prevents large corporate real estate and investment firms from quickly buying, building, and selling ANY housing as a speculative asset for profit including single family homes and apartments that are not rent controlled. Because Wall Street profiteers like BlackRock and Vanguard 'flip' housing property in 5 year time windows, property owners and managers must be required to wait *10 years* before reselling housing.
- 5) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.
- 6) NO Condo Conversions! Remove all language that expands condo

conversions. Condos will further gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,
Skylar Sacoolas
Greenaction for Health and Environmental Justice
94102

From: [SON-SF SaveOurNeighborhoodsSF](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Public Comment: Land Use item 7, July 24 - *STILL* OPPOSE Unless Amended - Melgar "Family Housing"
Date: Saturday, July 22, 2023 10:36:32 AM

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Dear Supervisors Etc.,

We **OPPOSE** Melgar "Family Housing" Ordinance File #230026

- This Ordinance is **NOT acceptable** & certainly is not needed in its current state
- I am **VERY certain** that if any of these proposed housing projects were to be demolished & to be "built" literally in your backyard or close to your Neighborhoods, you would **NOT want, approve of & certainly would want to be "notified" of any such projects, demolition & CEQA issues!!**
- **We need more time to look at the new amendments!** Amendments proposed by Supervisors Peskin and Preston look *much* better, but we are only just seeing them. San Franciscans need a few weeks to read these, and respond with any proposed improvements. We cannot be expected to assess and accept such major changes in just a few days
- **Even with the new amendments, Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is still not ready.** It still has no affordable housing mandates, unacceptably waives far too much environmental and community review of projects, expands gentrifying condo conversions that will eliminate affordable rental housing, drives unnecessary polluting demolitions, and gives corporate real estate speculators free rein to demolish and sell off vast tracts of single family homes and replace them with condos and apartment buildings to be resold in just one year for profit!
- **Why are we building ANY new market rate housing at all?** San Francisco has

at least 40,000 vacant housing units, 70,000 new units in the pipeline, and thousands more potential units from empty office space conversions. Instead of building luxury units, we should be transforming vacant housing and office space into affordable places to live. **Demolishing housing and building expensive condo and rental expansions would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction. Additionally, the proposed 82,000 housing figure was incorrectly and over inflated by RHNA!**

- **Please delay this legislation, and continue to work with neighborhood, environmental, and social justice groups to make the following changes:**

1) Clearly spell out all Noticing Requirements in the *text* of this ordinance. San Franciscans do not trust Planning Department staff to come up with noticing rules and procedures later!

2) Add language triggering environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings, in order to add one or more new units of housing

3) Expand the initial public comment period for new projects from 30 days, back to 60 days

4) COMPLETELY Ban Wall Street Speculators! Stronger Language must be added which truly penalizes and prevents large corporate real estate and investment firms from quickly buying, building, and selling ANY housing as a speculative asset for profit **including single family homes and apartments that are not rent controlled.** Because Wall Street profiteers like BlackRock and Vanguard 'flip' housing property in 5 year time windows, property owners and managers must be required to wait ***10 years*** before reselling housing

5) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year

6) The entire so-called **AFFORDABLE HOUSING Program needs to be scraped & re-written to be **TRULY about Affordable Housing NOT a subsidy for Developers to get rich****

7) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Renee Lazear
SON-SF ~ Save Our Neighborhoods SF
D4 Resident - 94116

From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Public Comment: Land Use item 7, July 24 - *STILL* OPPOSE, UNLESS AMENDED - Melgar "Family Housing"
Date: Friday, July 21, 2023 6:24:10 PM

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Public Comment: Land Use item 7, July 24 - *STILL* OPPOSE, UNLESS AMENDED - Melgar "Family Housing"

Dear Supervisors,

- **We need more time to look at the new amendments!** Amendments proposed by Supervisors Peskin and Preston look *much* better, but we are only just seeing them on July 21. San Franciscans need a few weeks to read these, and respond with any proposed improvements. We cannot be expected to assess and accept such major changes in just a few days.

- **Even with the new amendments, Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is still not ready.** It still has no affordable housing mandates, unacceptably waives far too much environmental and community review of projects, expands gentrifying condo conversions that will eliminate affordable rental housing, drives unnecessary polluting demolitions, and gives corporate real estate speculators free rein to demolish and sell off vast tracts of single family homes and replace them with condos and apartment buildings to be resold in just one year for profit!

- **Why are we building ANY new market rate housing at all?** San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions. Instead of building luxury units, we should be transforming vacant housing and office space into affordable places to live. **Demolishing housing and building expensive condo and rental expansions would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.**

- **Please delay this legislation, and continue to work with neighborhood, environmental, and social justice groups to make the following changes:**

1) Clearly spell out all Noticing Requirements in the *text* of this ordinance. San

Franciscans do not trust Planning Department staff to come up with noticing rules and procedures later!

2) Add language triggering environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings, in order to add one or more new units of housing.

3) Expand the initial public comment period for new projects from 30 days, back to 60 days.

4) COMPLETELY Ban Wall Street Speculators! Stronger Language must be added which truly penalizes and prevents large corporate real estate and investment firms from quickly buying, building, and selling ANY housing as a speculative asset for profit **including single family homes and apartments that are not rent controlled**. Because Wall Street profiteers like BlackRock and Vanguard 'flip' housing property in 5 year time windows, property owners and managers must be required to wait *10 years* before reselling housing.

5) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

6) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Eric Brooks, Campaign Coordinator
Our City SF, and
SF CEQA Defenders

415-756-8844

From: [Geo Kimmerling](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: Family Housing Ordinance
Date: Saturday, July 22, 2023 11:18:08 AM
Attachments: [Board of Supervisors-72223.doc](#)

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Please see attached.
Thank you.
Flo Kimmerling



MID-SUNSET NEIGHBORHOOD ASSOCIATION

July 21, 2023

Dear Supervisors,

Although we appreciate a great deal the strong amendments which Supervisors Peskin and Preston added to Supervisor Melgar's Family Initiative, there is still much work to be done on this proposal. In brief, here are the additional items the neighborhood association would like to see in order to support the bill:

More time to review the bill and amendments

A "neighborhood noticing" component that is clearly spelled out. We do not want Planning to make their own rules after the bill is passed.

Affordable housing mandates added to the bill

Review hearings as a right for neighbors when there is notice of demolition or new condos.

At this point, we cannot support the bill.

Thank you for taking the time to read this letter.

Sincerely,

Flo Kimmerling
President, Mid-Sunset Neighborhood Association

From: [Shawna J. McGrew](#)
To: [Peskin, Aaron \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); peskin.staff@gmail.com; [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Melgar's Ordinance
Date: Monday, July 24, 2023 8:12:34 AM

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Mercer



I want to Thank Supervisor Peskin and Preston for adding a safety net to protect our communities.

But I do not think it goes far enough for neighborhoods for notifications of projects. Rules need to be set in stone not a vague statement.

Neighborhoods need time to review projects near their community.

This legislation needs to be put on hold until voters/tax payers have a opportunity to see what developments and the protection of CEQA standards are in place. A question What does the word "subdivision" mean in this legislation mean? Spell it out. Special Use District to Qualify for Condo Conversion" Did not the voters, do not know what year or ballot number, vote against this? I believe the people who rented would be forced to buy or move so it was voted down.

What does affordable mean? Supervisor Engardio stated at the first Land Use Committee that income needed to buy one of these condos you would have to make somewhere between \$150.000 and \$180.000. Who makes that?

Thank You

Shawna McGrew

1522-32n Ave.

S.F., Ca

94122

Sunsetfog@aol.com



AOL Mail Stationery

From: [Jean Barish](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Subject: LUTC Meeting Agenda July 24, Item 7: "Family Housing" Legislation - PLEASE OPPOSE
Date: Monday, July 24, 2023 9:43:04 AM

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

Dear Chair Melgar, Board President Peskin, and Supervisor Preston,

I am writing to urge you not to approve the proposed Family Housing legislation until there are further changes.

While I greatly appreciate the Amendments proposed by Supervisors Peskin and Preston, more time is needed for all stakeholders to review and respond to them. Even with the new amendments there are still serious flaws in this ordinance.

- **The noticing requirements are too vague.** They must be much more specific so there is no ambiguity and “wiggle-room” that could allow the Planning Department to avoid community input.
- **There is not an adequate affordable housing mandate.** The legislation must include language requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.
- **There should be language the prevents Wall Street speculators from buying and flipping houses.** Housing in San Francisco should not be treated like real estate in a game of *Monopoly*. The legislation must include provisions that prevent profiteering instead of supporting housing for all.
- **This legislation should not include provisions for condo conversions,** which removes affordable rental housing that is so sorely needed.

Finally, I remain puzzled why are we building any new market rate housing. San Francisco has at least forty thousand vacant housing units, over seventy thousand new units in the pipeline, and thousands more potential units from empty office space conversions. The very foundation on which this legislation is built is shaky.

The sweeping changes in this legislation will drastically alter a large part of the City. There is no need to rush this legislation. Such changes should only be made after there has been more opportunity to work with neighborhood, environmental and social justice groups to make this legislation something we can all be proud of.

Please, vote NO on the Melgar "Family Housing" ordinance unless these additional revisions are made.

Thank you very much for your consideration,

Jean

Jean B Barish
jeanbbarish@hotmail.com

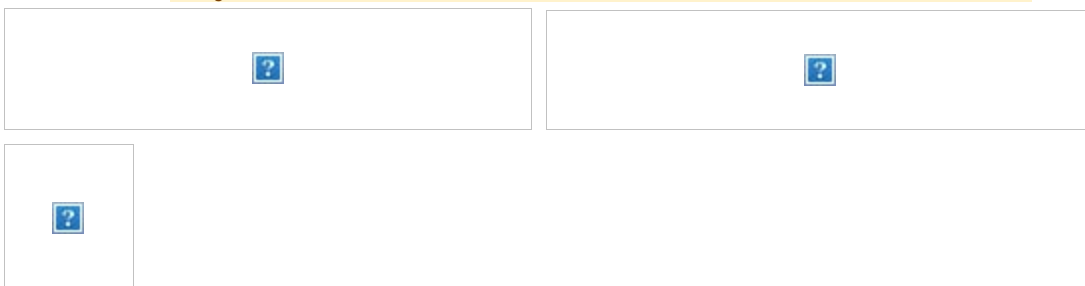
From: [Eric Brooks](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [Ronen, Hillary](#); [Herrera, Ana \(BOS\)](#); [RonenStaff \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Waltonstaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Buckley, Jeff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Goldberg, Jonathan \(BOS\)](#); [EngardioStaff \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Tam, Madison \(BOS\)](#); [DorseyStaff \(BOS\)](#)
Subject: CSFN Joins 17 Env, EJ & Community Orgs To Strongly *OPPOSE* MELGAR "Family Housing" & Engardio-Breed "Constraints Reduction"
Date: Monday, July 24, 2023 10:33:01 AM
Attachments: [SF CEQA Defenders Sign-On July-24-2023.pdf](#)

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Coalition for San Francisco Neighborhoods Joins 17 Environmental, Environmental Justice & Community Orgs To Strongly *OPPOSE* MELGAR 'Family Housing' & Engardio-Breed 'Constraints Reduction' *(Also see attached in PDF format)*



Bayview Hunters Point Mothers & Fathers Committee



SPEAK Sunset Parkside Education & Action Committee

July 24, 2023

To: City and County of San Francisco Decision Makers - 1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102

Re: **OPPOSE** Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (“Housing Production”) **File #230446** and **OPPOSE** Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” **File #230026**

Dear San Francisco Decision Makers: The undersigned environmental, housing, economic justice, community, and climate crisis response organizations write to voice our strong opposition to the Engardio-Breed-Dorsey “Constraints Reduction” and the Melgar-Engardio “Family Housing Opportunity Special Use District” ordinances. They would enact drastic and sweeping exceptions to San Francisco's environmental and community review of real estate projects and would undermine health, environmental, economic and neighborhood protections. The Engardio-Breed-Dorsey “Constraints Reduction Ordinance” (aka “Housing Production Ordinance”) contains massive unprecedented waivers of local environmental, community and demolition review that are absolutely unacceptable, all in the name of producing housing called "affordable" when most of that housing would be for families making \$150,000 to \$190,000 per year!

The Melgar-Engardio “Family Housing Opportunity Special Use District Ordinance” unacceptably waives nearly all environmental and community review for housing expansions in its large target project area to allow sweeping height increases, project design exemptions, open space requirement reductions, and condo conversions that will remove badly needed affordable rental housing!

Together these ordinances would worsen:

- **The Unaffordable Housing Crisis** - These ordinances promote building new high priced housing that is *not* affordable, and condo conversions that displace rental housing. It is ridiculous that the Engardio-Breed-Dorsey ordinance calls housing built mostly for families making \$150,000 to \$190,000 dollars per year “affordable”. We already have a 50% *oversupply* of housing for those income levels! And the Melgar-Engardio ordinance relies on existing “affordable” standards that are not working and have already allowed gentrification to destroy San Francisco neighborhoods.
- **The Homelessness Crisis** - The gentrification spurred by these ordinances would push most rents citywide even higher, driving more middle, working and lower class San Franciscans either out of the city, or onto our streets where they will face unacceptable dangers of declining health, street crime, and underemployment.
- **The Vacant Housing Crisis** - San Francisco has at least 40,000 vacant housing units, most of them *far* overpriced. We also have empty office space that can be converted into thousands more apartments. We do not need more housing construction, we need to make our existing housing space affordable!
- **The Environmental Justice & Equity Crisis** - These ordinances would gut environmental and community review protections and would establish “Urban Renewal” style

redevelopment zones, setting precedents that would allow corporate real estate giants to even more easily build unhealthy housing on toxic and radioactive waste sites like those in Bayview Hunters Point and on Treasure Island (which local, state and federal agencies have falsely declared “cleaned up”).

- **The Climate Crisis** - These bills are bad for the environment. Allowing sweeping demolitions and expansions of existing homes and apartments, to replace them with luxury condo and rental towers, will use massive amounts of new cement and other building materials releasing *more* greenhouse gases, not less.

These ordinances would build housing for the wealthy, create more homelessness, and are an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators. Please vote DOWN these unacceptable corporate attacks on San Francisco’s environmental, economic, cultural, and community integrity!

Sincerely:

Bayview Hunters Point Mothers & Fathers Committee
California Alliance of Local Electeds Californians for Energy Choice Coalition for San Francisco
Neighborhoods
Concerned Residents of the Sunset East Mission Improvement Association Extinction Rebellion
SF Bay Area Greenaction for Health & Environmental Justice Mid-Sunset Neighborhood
Association Our City SF Our Neighborhood Voices San Franciscans for Urban Nature San
Francisco Green Party San Francisco Tomorrow Save Our Neighborhoods SF Sunflower Alliance
Sunset Parkside Education & Action Committee



**extinction
rebellion**
SF BAY AREA



OUR CITY
San Francisco San Francisco
San Francisco San Francisco
San Francisco San Francisco
San Francisco San Francisco
San Francisco San Francisco
San Francisco San Francisco



**Our
Neighborhood
Voices**



Bayview Hunters Point Mothers & Fathers Committee



SPEAK SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE

July 24, 2023

To: City and County of San Francisco Decision Makers - 1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102

Re: **OPPOSE** Engardio-Breed-Dorsey "Constraints Reduction Ordinance" ("Housing Production") **File #230446**
and **OPPOSE** Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" **File #230026**

Dear San Francisco Decision Makers:

The undersigned environmental, housing, economic justice, community, and climate crisis response organizations write to voice our strong opposition to the Engardio-Breed-Dorsey "Constraints Reduction" and the Melgar-Engardio "Family Housing Opportunity Special Use District" ordinances. They would enact drastic and sweeping exceptions to San Francisco's environmental and community review of real estate projects and would undermine health, environmental, economic and neighborhood protections.

The Engardio-Breed-Dorsey "Constraints Reduction Ordinance" (aka "Housing Production Ordinance") contains massive unprecedented waivers of local environmental, community and demolition review that are absolutely unacceptable, all in the name of producing housing called "affordable" when most of that housing would be for families making \$150,000 to \$190,000 per year!

The Melgar-Engardio "Family Housing Opportunity Special Use District Ordinance" unacceptably waives nearly all environmental and community review for housing expansions in its large target project area to allow sweeping height increases, project design exemptions, open space requirement reductions, and condo conversions that will remove badly needed affordable rental housing!

Together these ordinances would worsen:

- **The Unaffordable Housing Crisis** - These ordinances promote building new high priced housing that is *not* affordable, and condo conversions that displace rental housing. It is ridiculous that the Engardio-Breed-Dorsey ordinance calls housing built mostly for families making \$150,000 to \$190,000 dollars per year "affordable". We already have a 50% *oversupply* of housing for those income levels!

And the Melgar-Engardio ordinance relies on existing “affordable” standards that are not working and have already allowed gentrification to destroy San Francisco neighborhoods.

- **The Homelessness Crisis** - The gentrification spurred by these ordinances would push most rents citywide even higher, driving more middle, working and lower class San Franciscans either out of the city, or onto our streets where they will face unacceptable dangers of declining health, street crime, and underemployment.
- **The Vacant Housing Crisis** - San Francisco has at least 40,000 vacant housing units, most of them *far* overpriced. We also have empty office space that can be converted into thousands more apartments. We do not need more housing construction, we need to make our existing housing space affordable!
- **The Environmental Justice & Equity Crisis** - These ordinances would gut environmental and community review protections and would establish “Urban Renewal” style redevelopment zones, setting precedents that would allow corporate real estate giants to even more easily build unhealthy housing on toxic and radioactive waste sites like those in Bayview Hunters Point and on Treasure Island (which local, state and federal agencies have falsely declared “cleaned up”).
- **The Climate Crisis** - These bills are bad for the environment. Allowing sweeping demolitions and expansions of existing homes and apartments, to replace them with luxury condo and rental towers, will use massive amounts of new cement and other building materials releasing *more* greenhouse gases, not less.

These ordinances would build housing for the wealthy, create more homelessness, and are an environmentally destructive giveaway to rapacious Wall Street and corporate real estate speculators. Please vote DOWN these unacceptable corporate attacks on San Francisco’s environmental, economic, cultural, and community integrity!

Sincerely:

Bayview Hunters Point Mothers & Fathers Committee
California Alliance of Local Electeds
Californians for Energy Choice
Coalition for San Francisco Neighborhoods
Concerned Residents of the Sunset
East Mission Improvement Association
Extinction Rebellion SF Bay Area
Greenaction for Health & Environmental Justice
Mid-Sunset Neighborhood Association
Our City SF
Our Neighborhood Voices
San Franciscans for Urban Nature
San Francisco Green Party
San Francisco Tomorrow
Save Our Neighborhoods SF
Sunflower Alliance
Sunset Parkside Education & Action Committee

From: [Board of Supervisors \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: FW: Public Comment: Land Use item 7, July 24 - *STILL* OPPOSE Unless Amended - Melgar "Family Housing"
Date: Monday, July 24, 2023 11:25:59 AM

Dear Supervisors,

Please see below regarding:

File No. 230026 - Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Regards,

Richard Lagunte
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 | (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: Najuawanda Daniels <Najuawanda.Daniels@seiu1021.org>

Sent: Monday, July 24, 2023 10:35 AM

Subject: Public Comment: Land Use item 7, July 24 - *STILL* OPPOSE Unless Amended - Melgar "Family Housing"

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

Dear Supervisors,

I'm Naj Daniels a Sf native, and resident of D10. I do not support the Family Housing ordinance as it stands, and seek the following changes:

1) Clearly spell out all Noticing Requirements in the *text* of this ordinance. San Franciscans do not trust Planning Department staff to come up with noticing rules and procedures later!

2) Add language triggering environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings, in order to add one or more new units of housing.

3) Expand the initial public comment period for new projects from 30 days, back to 60 days.

4) COMPLETELY Ban Wall Street Speculators! Stronger Language must be added which truly penalizes and prevents large corporate real estate and investment firms from quickly buying, building, and selling ANY housing as a speculative asset for profit **including single family homes and apartments that are not rent controlled.** Because Wall Street profiteers like BlackRock and Vanguard 'flip' housing property in 5 year time windows, property owners and managers must be required to wait *10 years* before reselling housing.

5) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

6) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

We need more time to look at the new amendments! Amendments proposed by Supervisors

Peskin and Preston look *much* better, but we are only just seeing them. San Franciscans need a few weeks to read these, and respond with any proposed improvements. We cannot be expected to assess and accept such major changes in just a few days.

Even with the new amendments, Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is still not ready. It still has no affordable housing mandates, unacceptably waives far too much environmental and community review of projects, expands gentrifying condo conversions that will eliminate affordable rental housing, drives unnecessary polluting demolitions, and gives corporate real estate speculators free rein to demolish and sell off vast tracts of single family homes and replace them with condos and apartment buildings to be resold in just one year for profit!

Why are we building ANY new market rate housing at all? San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions. Instead of building luxury units, we should be transforming vacant housing and office space into affordable places to live. **Demolishing housing and building expensive condo and rental expansions would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.**

Please delay this legislation, and continue to work with neighborhood, environmental, and social justice groups.

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

In Solidarity,

Naj Daniels

From: [Najuawanda Daniels](#)
Subject: Public Comment: Land Use item 7, July 24 - *STILL* OPPOSE Unless Amended - Melgar "Family Housing"
Date: Monday, July 24, 2023 10:35:51 AM

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

Dear Supervisors,

I'm Naj Daniels a Sf native, and resident of D10. I do not support the Family Housing ordinance as it stands, and seek the following changes:

1) Clearly spell out all Noticing Requirements in the *text* of this ordinance. San Franciscans do not trust Planning Department staff to come up with noticing rules and procedures later!

2) Add language triggering environmental and community review, including Discretionary Review and Conditional Use hearings, for all demolitions, and projects that would expand the horizontal or vertical dimensions of existing buildings, in order to add one or more new units of housing.

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5) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

6) NO Condo Conversions! Remove all language that expands condo conversions. Condos will gentrify the city and drive out affordable rental housing. If we are going to build more housing, it should be 100% truly affordable rental units.

We need more time to look at the new amendments! Amendments proposed by Supervisors Peskin and Preston look *much* better, but we are only just seeing them. San Franciscans need a few weeks to read these, and respond with any proposed improvements. We cannot be expected to assess and accept such major changes in just a few days.

Even with the new amendments, Supervisor Myrna Melgar's so called "Family Housing" ordinance File #230026, is still not ready. It still has no affordable housing mandates, unacceptably waives far too much environmental and community review of projects, expands gentrifying condo conversions that will eliminate affordable rental housing, drives unnecessary polluting demolitions, and gives corporate real estate speculators free rein to demolish and sell off vast tracts of single family homes and replace them with condos and apartment buildings to be resold in just one year

for profit!

Why are we building ANY new market rate housing at all? San Francisco has at least 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions. Instead of building luxury units, we should be transforming vacant housing and office space into affordable places to live. **Demolishing housing and building expensive condo and rental expansions would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.**

Please delay this legislation, and continue to work with neighborhood, environmental, and social justice groups.

Please vote NO on the Melgar "Family Housing" ordinance unless these changes are made!

In Solidarity,

Naj Daniels

From: [Claire Zvanski](#)
To: [Peskin, Aaron \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: Melgar proposal
Date: Monday, July 10, 2023 10:26:33 AM

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

This proposal from Melgar must be defeated! It's insane! We should not be destroying our city because we think we need to panic about housing. This proposal is NOT acceptable in any residential neighborhood. But it is especially horrific near the beach or zoo or any area in the Outer Sunset.

I can assure you that those of us in the Excelsior will also fight against such an assault if the proposal passes. We don't want our neighborhoods assaulted by such an imposing monster, either.

We know there are many vacant residential units in SF. No need to build monster facilities under the assumption we are desperate for more housing units.

We elect Supervisors we expect to protect the integrity of our neighborhoods and residents. We expect these individuals to KNOW the City and make reasonable proposals to actually meet the needs of our residents. We expect those proposals to enhance our City. We don't expect proposals that insult the integrity of our residents and neighborhoods.

We don't want more unhoused folks to remain unhoused. But the Melgar proposal is NOT the answer! It's INSULTING!!

Please oppose this outrageous proposal and tell Supervisor Melgar to stop insulting San Franciscans. We are not going to accept such outrageous proposals and we vote!

Respectfully submitted,
Claire Zvanski
Excelsior resident
Native San Franciscan

From: [Lynne Beeson](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Cc: [Chan, Connie \(BOS\)](#)
Subject: Please DELETE the email below. It was sent in error. Sorry
Date: Monday, July 10, 2023 9:58:50 AM

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

Dear Supervisors and Staff,

I'm writing about pending legislation sponsored by Supervisor Melgar that will significantly impact development in the Richmond District and western areas of San Francisco. The Board of Supervisors Land Use Committee is considering this legislation at their Monday, July 10 meeting, 1:30 pm.

(file:///C:/Users/Jean%20Barish/Downloads/lut071023_agenda.pdf) This legislation would significantly rezone the Richmond and Sunset, allowing the conversion of single-family homes into 4-unit buildings w/o community notice or Conditional Use authorization. It's like the Richmond Specials on steroids. It also loosens up condo conversions, reducing the number of affordable rentals, and does not provide for affordable housing.

Attached is a map outlining the "Well-Resourced Neighborhoods Special Use Districts" that the legislation is targeting. As you can see, it covers most of the western and northern part of the City. And here's a link to a summary of this leg: <https://sfgov.legistar.com/View.ashx?M=F&ID=11981580&GUID=8674B447-EF2D-4C3B-AB82-96C94FC30CDE>

We need your help to stop this legislation. It will significantly alter many communities throughout the city while, at the same time, ignore all those who need affordable housing. Below is an email you can send the Supervisors urging them to oppose these significant Planning Code changes. Among other things, there's a great deal of concern that there has not been any participation by the impacted communities. It was written behind closed doors and thrust upon us very recently. It reads as though it was written by developers. This is not how our progressive city should work and we need to send a strong message that we won't tolerate this abuse.

Sincerely,
Lynne Beeson, District 1

From: [Stephen Gorski](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Major, Erica \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Board of Supervisors \(BOS\)](#); sgorskilaw@gmail.com
Subject: Public Comments for the Permanent Record Objecting to Family Housing Ordinance to be considered by the B.O.S. Land Use Committee Meeting Monday, July 10, 2023, 1:30 pm
Date: Monday, July 10, 2023 8:08:37 AM

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

To:
Aaron Peskin (aaron.peskin@sf.gov)
Dean Preston (dean.preston@sfgov.org) (prestonstaff@sfgov.org)
Kyle Smeallie (kyle.smeallie@sfgov.org)
Erica Major (erica.major@sfgov.org)
Myrna Melgar (melgarstaff@sfgov.org)
SF Board of Supervisors (board.of.supervisors@sfgov.org)

From: Stephen J. Gorski

Date: July 10, 2023

Re: Public Comment for the Permanent Record to Object to Family Housing Ordinance 230026 to be considered by the Land Use Committee Monday, July 10, 2023, 1:30 PM

Dear President Peskin, Supervisors, Members of the Land Use Committee and interested parties,

I'm unable to attend this meeting so I am writing to enter into the permanent record **my objections to the Family Housing Ordinance proposed by Supervisor Myrna Melgar and urge you to vote against it or delay voting on it** before the Committee holds more open meetings and has received input from neighborhood and environmental groups.

My understanding of this ordinance is that it has no affordable housing mandates, it dangerously waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written without input from neighborhood and environmental groups.

We need more public interaction to answer residents' concerns on any negative impacts regarding the health, safety, environmental issues, traffic congestion and parking. We have seen another housing project nearby to 2700 Sloat that remains mostly empty and still without any retail tenants as promised. It is clear this proposed Ordinance is a gift to developers and to the Bicycle Coalition that has infiltrated most of the City's departments.

Please insist that a revised ordinance is drafted that contains language to:

1) Restore ***all*** existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days; and

2) Mandate truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.

Please remove all language that expands condo conversions. **There should be no condo conversions.**

Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, **there is absolutely NO need to demolish ANY existing housing.** Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction. **There should be no demolitions.**

Please vote NO on Family Housing Ordinance 230026.

Please acknowledge receipt of this email. Thank you in advance for considering my comments and including them in the permanent record.

Stephen J. Gorski,
Voter/Resident of the Outer Sunset D4 for 43+ years
Member of Concerned Residents of the Sunset,
Member of Open Roads for All,
and in support of other citizens and community organizations against this ordinance

Sent from my iPad

From: [Peter Griffith](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: "NO" TO SUPERVISOR MELGAR'S SO CALLED "FAMILY HOUSING" ORDINANCE
Date: Monday, July 10, 2023 7:56:04 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,
Peter Griffith
2550 Great Highway, SF

From: [Paula Katz](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Joel Engardio](#); [Goldberg, Jonathan \(BOS\)](#)
Subject: Please Vote No on Supervisor Myrna Melgar's Family Housing Ordinance As Written
Date: Sunday, July 9, 2023 11:39:53 PM

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

Dear Supervisor,

While we need new housing in the Sunset, Supervisor Myrna Melgar's so-called "Family Housing" ordinance is not the right approach. For the reasons I discuss below, I oppose it and urge you to vote No on the proposed ordinance as written.

In its current form, Supervisor Melgar's ordinance has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with absolutely *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
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Please vote NO on Supervisor Melgar's "Family Housing" ordinance.

Thank you,

Paula Katz
District 4 Resident

From: [Judith Stein](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Please vote NO on the Myrna Melgar "Family Housing."
Date: Sunday, July 9, 2023 11:05:21 PM

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

Dear Supervisors,

I am writing because I am concerned about hearing tomorrow regarding Supervisor Melgar's "Family Housing" proposal

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
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Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Judith Stein
SF Resident

From: [Judi Gorski](#)
To: [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [peskinstaff@sfgov.org](#); [PrestonStaff \(BOS\)](#); [Judi - gmail Gorski](#)
Subject: Public Comments for the Permanent Record Objecting to Family Housing Ordinance to be considered by the Board of Supervisors Land Use Committee meeting Monday, July 10, 2023, 1:30 pm
Date: Sunday, July 9, 2023 7:18:17 PM

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

To:
Aaron Peskin (aaron.peskin@sfgov.org) (peskinstaff@sfgov.org)
Sunny Angulo (sunny.angulo@sfgov.org)
Dean Preston (dean.preston@sfgov.org) (prestonstaff@sfgov.org)
Kyle Smeallie (kyle.smeallie@sfgov.org)
Erica Major (erica.major@sfgov.org)
Myrna Melgar (melgarstaff@sfgov.org)
SF Board of Supervisors (board.of.supervisors@sfgov.org)

From: Judi Gorski

Date: July 9, 2023

Re: Public Comment for the Permanent Record to Object to Family Housing Ordinance 230026
to be considered by the Land Use Committee Monday, July 10, 2023, 1:30 PM

Dear President Peskin, Supervisors, Members of the Land Use Committee and interested parties,

I'm unable to attend this meeting so I am writing to enter into the permanent record **my objections to the Family Housing Ordinance proposed by Supervisor Myrna Melgar and urge you to vote against it or delay voting on it** before the Committee holds more open meetings and has received input from neighborhood and environmental groups.

My understanding of this ordinance is that it has no affordable housing mandates, it dangerously waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written without input from neighborhood and environmental groups.

Please insist that a revised ordinance is drafted that contains language to:

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days; and**
- 2) Mandate truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.**

Please remove all language that expands condo conversions. **There should be no condo**

conversions.

Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, **there is absolutely NO need to demolish ANY existing housing.** Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction. **There should be no demolitions.**

Please vote NO on Family Housing Ordinance 230026.

Please acknowledge receipt of this email. Thank you in advance for considering my comments and including them in the permanent record.

Judi Gorski,

Voter/Resident of the Outer Sunset D4

Member of Concerned Residents of the Sunset,

Member of Open Roads for All,

and in support of other citizens and community organizations against this ordinance

From: [Susan Reichert Wong](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: NO
Date: Sunday, July 9, 2023 4:09:51 PM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.

2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year

3) NO Condo Conversions! Remove all language that expands condo conversions.

4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,
Susan Wong

From: [Jean Barish](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Land Use and Transportation Committee Meeting - July 10, 2023, Agenda Item #8
Date: Sunday, July 9, 2023 3:20:31 PM

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

Dear Supervisors,

I am writing about the pending "Family Housing Opportunity" legislation that is coming before the Land Use and Transportation Committee on July 11, 2023. I join with many others urging you not to approve this legislation as currently submitted. This legislation is a significant revision of the Planning Code, and should not be passed as currently drafted. Its impact on San Francisco is too important for it to be rushed through the approval process. As a resident of the Richmond District, I am especially concerned about its impact on my community.

In its current form the ordinance has many flaws:

- It unacceptably waives nearly all environmental and community noticing and review;
- It has no affordable housing mandates;
- It expands condo conversions that destroy affordable rental housing;
- It drives unnecessary and polluting demolitions; and,
- It was written with no input from neighborhood and environmental groups

Please Vote NO on this legislation, and insist that Supervisor Melgar and other sponsors agree to meet with neighborhood and environmental groups to revise it. Below are just a few of the revisions I'd like to see:

- 1) **Restore all existing noticing and hearings for environmental and community review**, including discretionary review and conditional use hearings for all projects, and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) **Add language mandating truly affordable housing**, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year.
- 3) **Remove all language that expands condo conversions.**
- 4) **NO Demolitions!** Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing Opportunity" legislation.

Thank you for your consideration.

Sincerely,

Jean
Jean B Barish

jeanbbarish@hotmail.com

From: [Judy Pell](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Melgar Ordinance
Date: Sunday, July 9, 2023 2:38:06 PM

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

Dear Supervisors,

Please don't let real estate interests ruin the west side with indiscriminate development.

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Supervisor Melgar needs to delay her legislation and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Judy Pell
San Francisco, CA 94121

Compose:
Melgar
Ordinance



From: [Christine Hanson](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Agenda ITEM 8 - Melgar "Family Housing" Ordinance File #230026
Date: Sunday, July 9, 2023 1:49:52 PM

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

Dear Supervisors,

I oppose Supervisor Melger's "family housing" ordinance unless it is amended.

I have personally seen Community input benefit the design of a project. When the plans for the projected housing at Balboa Reservoir were presented to its CAC multiple residents from the area pointed out how the developers had completely ignored the intense and ever present wind in the area. At the next meeting the developers came back with better designs for a windy area.

The community also pushed hard for, and succeeded in increasing, the number of affordable housing units, in that plan—though not as many as the Community had wanted. If you want more affordable units built allow the Community to push for them instead of locking them out of the process as this ordinance proposes. Please also, amend this ordinance so that affordable housing built is actually affordable.

Much of the area affected by this legislation includes a 7 block by 2 block section of land that is listed as a liquefaction zone on the City's liquefaction and seismic map. Half of the block where that tower projected to be built by the zoo is also on the liquefaction map—only half of that block, which presents an interesting potential outcome in a big earthquake. Those areas are also

identified additionally as situated in the City's general earthquake hazard zones.

Do you trust that with minimal review these hazards will be successfully mitigated?

Have there been any projections about how quickly the Tsunami zone can be evacuated with an increased population? This is something more likely to be considered if the development process includes Community input.

Please don't pass Supervisor Melger's ordinance without amending it to protect present and future San Franciscans. What we stand to lose is not worth the sacrifice to create more empty market rate buildings.

Thank you,
Christine Hanson
40 year resident of the Excelsior

--

Perfectionism is the voice of the oppressor.
Annie Lamott

From: [Christina Shih](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Family housing ordinance - OPPOSE
Date: Saturday, July 8, 2023 3:33:49 PM
Attachments: [Map Well-Resourced Areas.pdf](#)

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

Having seen how the “Richmond Specials” destroyed the character of many blocks in San Francisco, opening up a flood of similar buildings by this legislation is the wrong approach to solving the housing crisis in San Francisco. How about converting unused buildings like what was done with the Public Health Hospital and the Shriner’s hospital? What about in-filling, not destroying existing housing?

Vote NO on the so-called “Family Housing” Ordinance.

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

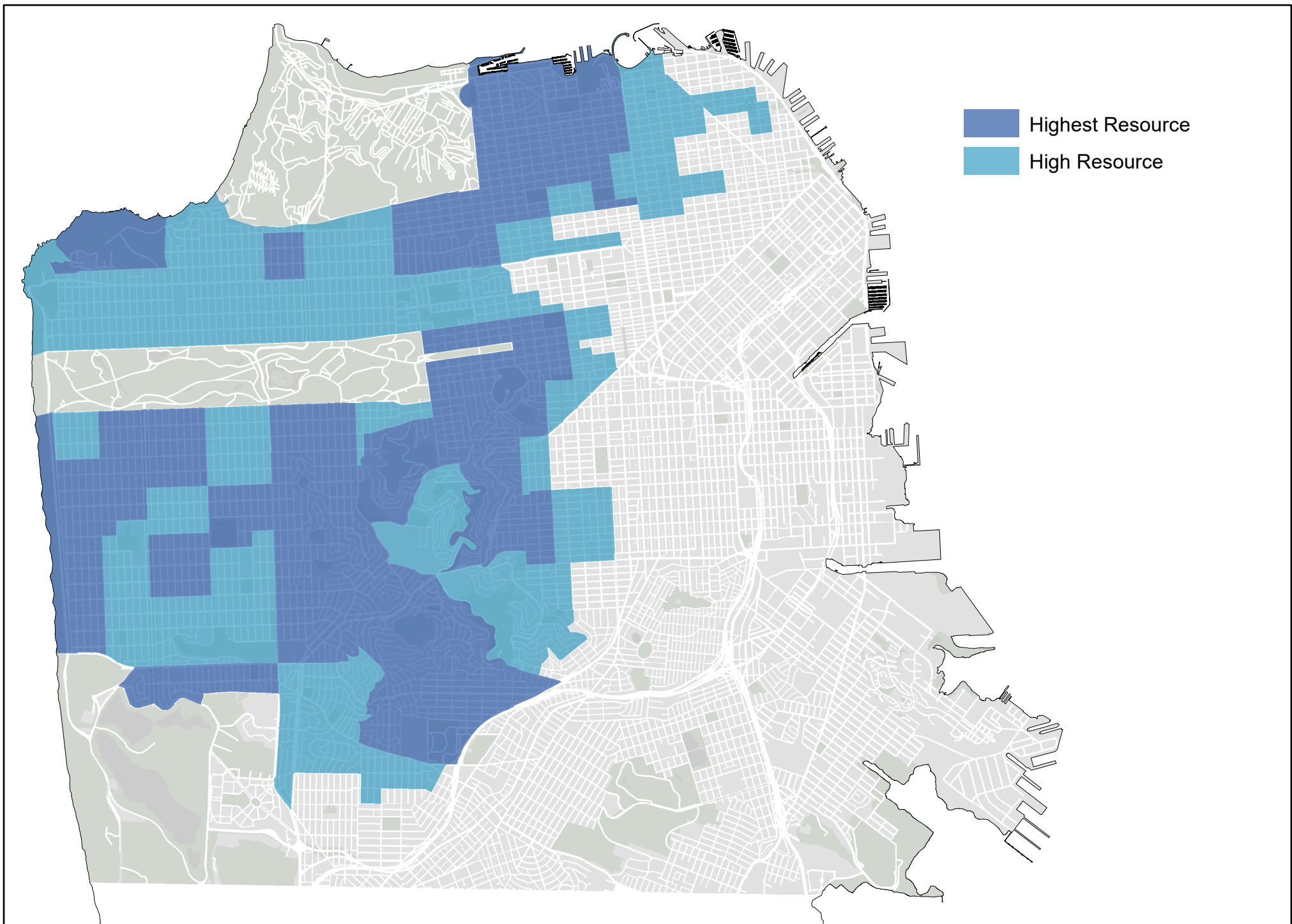
- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

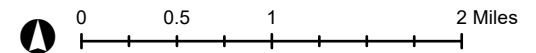
Thank you,

[Your Name]

[Your Organization if you represent one]



Well-Resourced Neighborhoods: State Department of Housing and Community Development
SAN FRANCISCO



From: [Lance Carnes](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Stop Supervisor Myrna Melgar's so called "Family Housing" ordinance
Date: Sunday, July 9, 2023 10:39:31 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,
Lance Carnes
Telegraph Hill Dwellers

From: [Michael](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: July 10 meeting regarding Planning Code changes
Date: Sunday, July 9, 2023 10:03:36 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar remove her legislation or sit down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,
Michael

From: fogcitygal2@aol.com
To: [Board of Supervisors \(BOS\)](#)
Subject: Sunset highrise
Date: Sunday, July 9, 2023 8:58:00 AM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.

2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year

3) NO Condo Conversions! Remove all language that expands condo conversions.

4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,
Bonnie White
326 Frida Kahlo Way
SF. 94112

[Sent from the all new AOL app for iOS](#)

From: [Shawna J. McGrew](#)
To: arron.peskin@sfgov.org; [Preston, Dean \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: OPPOSE MERLGAR'S "FAMILY HOUSING"
Date: Sunday, July 9, 2023 7:32:03 AM

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

Why I and signatures below oppose Melgar's flawed so calling "Family Housing" bill

- 1) Has NO affordable housing mandates
- 2) It adds condo conversions that destroy affordable rental housing (I thought this was down by the voters years ago
- 3) Destroys "DEMOCRACY" by ending noticing and hearings for environmental and community input.

What should be done

- 1) Expand the initial public comment period for new projects from 30 days to 60 days
- 2) Post notices in local newspapers for demolitions and new projects

KEEP SAN FRANCISCO TRULY DEMOCRATIC BY ADDING THE VOTERS TO HAVE A SAY

Thank You
Shawna McGrew
Carli Fullerton
Oskar Rosas
Lynn Hill
Sean McGrew

From: [Lisa Tsang](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: No on Myrna Melgar
Date: Saturday, July 8, 2023 10:43:31 PM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she delay her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.

2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year

3) NO Condo Conversions! Remove all language that expands condo conversions.

4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

Thank you,

Lisa Tsang
San Francisco Voter

Sent from my iPhone

From: [Beth Lewis](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: NO on the Myrna Melgar "Family Housing."
Date: Saturday, July 8, 2023 9:14:03 PM

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

Dear Supervisor:

Supervisor Myrna Melgar's "Family Housing" ordinance in its current form is flawed. It has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with absolutely no input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore all existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects, and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) And importantly, NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, **and thousands more potential units from empty office space conversions**, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Beth Lewis
471 25th Avenue
SF, CA 94121

From: [\(null\) \(null\)](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Judi Gorski](#)
Subject: Family housing ordinance
Date: Saturday, July 8, 2023 8:09:40 PM

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

What you current politicians are doing to the city is a travesty. Nothing you and your “non profit” friends have done has accomplished anything good, in fact just the opposite is happening. SF is being ridiculed by the whole world.

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Mike Regan
D7 resident
Democratic voter (maybe not this year)
Disabled veteran
Member of Open the Great Highway

Sent from my iPhone

From: [Diane Garfield](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Family Housing issue - NO
Date: Saturday, July 8, 2023 4:39:53 PM

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

Dear Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Diane Garfield
1562 45th Ave.
San Francisco

Sent from my iPad

From: [Linda Chan](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); dean.presto@sfgov.org; [Smeallie, Kyle \(BOS\)](#); preskinstaff@sfgov.org; [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Please vote NO on the Myrna Melgar "Family Housing"
Date: Saturday, July 8, 2023 4:15:27 PM

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

Dear Supervisor,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist that Supervisor Melgar delays her legislation, and sits down at the table with neighborhood and environmental groups to make the following changes in her text.

- 1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.
- 2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year
- 3) NO Condo Conversions! Remove all language that expands condo conversions.
- 4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing."

Thank you,

Linda Chan
Sunset Residents

From: [Leanna Louie](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!
Date: Tuesday, July 11, 2023 12:16:31 PM

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

Dear Honorable Supervisors,

Supervisor Myrna Melgar's so called "Family Housing" ordinance in its current form, has no affordable housing mandates, unacceptably waives nearly all environmental and community noticing and review of real estate projects, expands condo conversions that destroy affordable rental housing, drives unnecessary and polluting demolitions, and was written with *no* input from neighborhood and environmental groups!

Please insist of Supervisor Melgar that she suspend her legislation, and sit down at the table with neighborhood and environmental groups to make the following changes in her text.

1) Restore *all* existing noticing and hearings for environmental and community review, including discretionary review and conditional use hearings for all projects - and expand the initial public comment period for new projects from 30 days to 60 days.

2) Add language mandating truly affordable housing, requiring that 100% of new housing is for families making less than \$80,000 per year, and individuals making less than \$50,000 per year

3) NO Condo Conversions! Remove all language that expands condo conversions.

4) NO Demolitions! Because San Francisco has 40k vacant housing units, 70k new units in the pipeline, and thousands more potential units from empty office space conversions, there is absolutely NO need to demolish ANY existing housing. Demolishing housing and building expensive condo and rental high-rises would drive a huge increase in greenhouse gas emissions from cement and other building materials, and construction.

Please vote NO on the Myrna Melgar "Family Housing" ordinance unless these changes are made!

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

Thank you,

Leanna Louie
Resident of San Francisco since 1979

From: [Catherine Robyns](#)
To: [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [MelgarStaff \(BOS\)](#)
Subject: Against Sup. Melgar's "Family Housing" Plan
Date: Monday, July 10, 2023 2:14:01 PM

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

Dear Supervisors,

I am writing, as a multi-generational resident of the Richmond and a member of our neighborhood's Russian community, to oppose Supervisor Melgar's plans for the upzoning and redevelopment of the Richmond District.

We are against the gentrification of our neighborhood and the disruption of community stability for developer's gains.

This proposal would impact the natural space that characterizes the coast of California. San Francisco's environmental health is not what it once was, our tree canopy is smaller than all other major US cities and our air quality is often registered as unhealthy. There is a reason that the California coastal neighborhoods have always been low lying and underdeveloped. Preservation of our western side is essential to creating a balance to our city, and to combating the degradation of our urban and natural environment.

Best regards,
Catherine

From: [CNPS Yerba Buena](#)
To: [Major, Erica \(BOS\)](#)
Subject: Fwd: Opposition to "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026
Date: Thursday, July 13, 2023 1:33:29 PM
Attachments: [2023.07.12 Comments re Constraints Reduction and Family Housing Special Use District Ordinances.pdf](#)

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

July 13, 2023

Land Use & Transportation Committee

Supervisors Melgar, Preston, Peskin

Clerk: Erica Major

Email: Erica.Major@sfgov.org

(415) 554-4441

Subject: Opposition to "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026

Dear Members of the San Francisco Board of Supervisors,

On behalf of the California Native Plant Society, I am writing to express our strong opposition to the "Constraints Reduction Ordinance" ("Housing Production") File #230446 and the "Family Housing Opportunity Special Use District Ordinance" File #230026. As an environmental organization dedicated to the preservation and conservation of native plant species and their habitats, we believe these proposed ordinances pose significant threats to our natural environment and must be reconsidered.

Firstly, the "Constraints Reduction Ordinance" fails to recognize the importance of environmental review in housing development. [\[Ma2\]](#) This ordinance risks disregarding crucial assessments of potential impacts on biodiversity, ecosystems, and native plant communities. Environmental review processes exist to ensure that new developments are conducted in an environmentally responsible manner and mitigate any adverse effects on our natural heritage.

Secondly, the "Family Housing Opportunity Special Use District Ordinance" focuses on housing opportunities without adequately addressing the potential impacts on sensitive habitats and native plant species. While we support efforts to provide affordable housing, it is crucial to strike a balance between housing needs and the protection of our natural resources. Special use districts should not compromise the integrity of ecosystems or contribute to the loss of biodiversity.

It is essential to recognize the numerous benefits that native plant communities offer to

our city, its residents and visitors. Native plants provide habitat for wildlife, contribute to improved air and water quality, and help mitigate the negative effects of climate change. Preserving and restoring native plant communities should be a priority in any development plan to ensure the long-term sustainability and resilience of our urban environment.

We strongly urge the San Francisco Board of Supervisors to reconsider and reject the "Constraints Reduction Ordinance" ("Housing Production") File #230446 and the "Family Housing Opportunity Special Use District Ordinance" File #230026. We encourage the Board to prioritize the incorporation of environmental review processes that safeguard our native plant species, ecosystems, and the overall health of our environment.

Furthermore, we believe that a comprehensive approach to housing development is necessary, which includes measures to promote sustainable building practices, integrate green infrastructure, and protect and restore natural habitats. By integrating these principles into housing policies, we can achieve a harmonious balance between meeting the housing needs of our community and preserving our natural heritage.

Thank you for your attention to this matter. We trust that you will carefully consider our concerns and take proactive steps to safeguard our environment while addressing the pressing housing challenges facing our city. We look forward to continuing our engagement and collaboration with the San Francisco Board of Supervisors toward sustainable solutions that benefit our community and our natural world.

Sincerely,

Eddie Bartley

Eddie Bartley

President, CNPS Yerba Buena Chapter

On behalf of Board Members of the CNPS Yerba Buena chapter

Note: transmitted via email text and attached pdf

July 12, 2023

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Board.of.Supervisors@sfgov.org



CALIFORNIA
NATIVE PLANT SOCIETY

Yerba Buena
Chapter

Subject: Opposition to "Constraints Reduction Ordinance" ("Housing Production") File #230446 and "Family Housing Opportunity Special Use District Ordinance" File #230026

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It is essential to recognize the numerous benefits that native plant communities offer to our city, its residents and visitors. Native plants provide habitat for wildlife, contribute to improved air and water quality, and help mitigate the negative effects of climate change. Preserving and restoring native plant communities should be a priority in any development plan to ensure the long-term sustainability and resilience of our urban environment.

We strongly urge the San Francisco Board of Supervisors to reconsider and reject the "Constraints Reduction Ordinance" ("Housing Production") File #230446 and the "Family Housing Opportunity Special Use District Ordinance" File #230026. We encourage the Board to prioritize the incorporation of environmental review processes that safeguard our native plant species, ecosystems, and the overall health of our environment.

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Thank you for your attention to this matter. We trust that you will carefully consider our concerns and take proactive steps to safeguard our environment while addressing the pressing housing challenges facing our city. We look forward to continuing our engagement and collaboration with the San Francisco Board of Supervisors toward sustainable solutions that benefit our community and our natural world.

Sincerely,

Eddie Bartley

Eddie Bartley

President, CNPS Yerba Buena Chapter

On behalf of Board Members of the CNPS Yerba Buena chapter



MYRNA MELGAR

DATE: July 19, 2023

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request them be considered by the full Board on Tuesday, July 25, 2023, as Committee Reports:

File No. 230800

Acceptance and Recording of Avigation Easement - SyNoor LLC - 410 Noor Avenue, South San Francisco

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from SyNoor LLC for the development at 410 Noor Avenue in South San Francisco, California, at no cost to the City and County of San Francisco; to authorize the Director of Property to enter into amendments or modifications to the grant of avigation easement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of this Resolution; and making findings under the California Environmental Quality Act and affirming the Planning Department

File No. 230779

Street Naming - Portions of Palo Alto Avenue to La Avanzada Street and Dellbrook Avenue

Sponsor: Melgar

Resolution renaming a segment of Palo Alto Avenue to La Avanzada Street from its new terminus at 241 Palo Alto Avenue westward to its intersection with Dellbrook Avenue and renaming the remaining segment of Palo Alto Avenue between its intersection with Dellbrook Avenue and its westward terminus at Clarendon Avenue to Dellbrook Avenue.

File No. 230559

Planning, Building, Fire Codes - Small Business Month Fee Waivers Including for Awning Installation and Business Signs

Sponsor: Engardio

Ordinance amending the Planning, Building, and Fire Codes to codify the annual waiver of awning replacement fees and awning sign fees applied for during the month of May, to annually waive fees for Business Signs and new awning installations applied for during the months of May 2023 and

May 2024, and to indicate that the Planning Code, Building, and Fire Code waivers pertaining to pedestrian street lighting as well as awning replacement, awning installation, and awning sign fees are keyed to permit application in May rather than permit issuance in May; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

File No. 230818

Supporting California State Senate Bill No. 532 (Wiener) - The Safe, Clean & Reliable Bay Area Public Transportation Emergency Act
Sponsors: Mandelman; Melgar and Dorsey

Resolution supporting California State Senate Bill No. 532, introduced by Senator Scott Wiener, enabling the San Francisco Bay Area to raise funds to prevent a medium-term public transportation operations budget shortfall while requiring transit safety, cleanliness, and reliability improvements.

File No. 230764

Planning, Building Codes - Development Impact Fee Indexing, Deferral, and Waivers; Adoption of Nexus Study
Sponsor: Mayor

Ordinance amending the Planning Code to 1) modify the annual indexing of certain development impact fees, with the exception of inclusionary housing fees; 2) provide that the type and rates of applicable development impact fees, with the exception of inclusionary housing fees, shall be determined at the time of project approval; 3) exempt eligible development projects in PDR (Production, Distribution, and Repair) Districts, and the C-2 (Community Business) and C-3 (Downtown Commercial) Zoning Districts from all development impact fees for a three-year period; 4) allow payment of development impact fees, with the exception of fees deposited in the Citywide Affordable Housing Fund, to be deferred until issuance of the first certificate of occupancy; and 5) adopt the San Francisco Citywide Nexus Analysis supporting existing development impact fees for recreation and open space, childcare facilities, complete streets, and transit infrastructure and making conforming revisions to Article 4 of the Planning Code; amending the Building Code to allow payment of development impact fees, with the exception of fees deposited in the Citywide Affordable Housing Fund, to be deferred until issuance of the first certificate of occupancy and repealing the fee deferral surcharge; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

File No. 230769

Planning, Administrative Codes - Development Impact Fee Reductions
Sponsors: Peskin; Safai

Ordinance amending the Planning Code to: 1) reduce Inclusionary Housing Program requirements of the Planning Code, for projects exceeding a stated unit size that have been approved prior to November 1, 2023, and that receive a first construction document within a specified period; 2) adopt a process for those projects to request a modification to conditions of approval related to development impact fees, subject to delegation by the

Planning Commission; 3) reduce Article 4 development impact fees, including Inclusionary Affordable Housing fees, for projects approved before November 1, 2026, that receive a first construction document within 30 months of entitlement; and 4) modify the Inclusionary Housing Program Ordinance effective November 1, 2026, to reduce applicable fees, and on-site or off-site unit requirements, for projects that exceed a stated unit size; amending the Administrative Code to update the Inclusionary Housing Technical Advisory Committee member requirements; affirming the Planning Department's determination under the California Environmental Quality Act; making public necessity, convenience, and welfare findings under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 230026**Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District**

Sponsors: Melgar; Engardio

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, July 24, 2023, at 1:30 p.m.

BOARD of SUPERVISORS



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

MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: July 18, 2023

SUBJECT: **NO COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 18, 2023

The following file was not forwarded as a **COMMITTEE REPORT** to the Board meeting, Tuesday, July 18, 2023. This item was acted upon at the Committee Meeting on Monday, July 17, 2023, at 1:30 p.m., by the votes indicated below.

Item No. 71

File No. 230026

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Vote:

Supervisor Myrna Melgar - Aye
Supervisor Dean Preston - Aye
Supervisor Aaron Peskin - Aye

CONTINUED AS AMENDED

Vote:

Supervisor Myrna Melgar - Aye
Supervisor Dean Preston - Aye
Supervisor Aaron Peskin - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney

BOARD of SUPERVISORS



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Fax No. (415) 554-5163
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**NOTICE OF PUBLIC HEARING
LAND USE AND TRANSPORTATION COMMITTEE
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard.

Date: June 12, 2023

Time: 1:30 p.m.

Location: **IN-PERSON MEETING INFORMATION**
Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

REMOTE ACCESS

Watch: www.sfgovtv.org

Public Comment Call-In: <https://sfbos.org/remote-meeting-call>

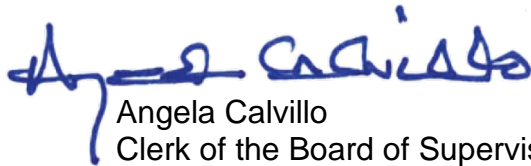
Subject: **File No. 230026.** Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 (Residential-House, One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, June 9, 2023.

For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee:

Erica Major (Erica.Major@sfgov.org) ~ (415) 554-4441)

Please Note: *The Department is open for business, but employees may be working from home. Please allow 24 hours for us to return your call or email.*

A handwritten signature in blue ink, appearing to read "Angela Calvillo", with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

em:bjj

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ERICA MAJOR
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description

EDM 06.12.2023 Land Use - 230026 Zoning Map (Melgar)

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

06/02/2023

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$447.72
Total	\$447.72

EXM# 3707554

NOTICE OF PUBLIC HEARING SAN FRAN- CISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE MONDAY, JUNE 12 - 1:30 PM

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard. File No. 230026. Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 (Residential House, One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Location: IN-PERSON MEETING INFORMATION Legislative Chamber, Room 250, located at City Hall 1 Dr. Carlton B. Goodlett Place, San Francisco, CA REMOTE ACCESS Watch: www.sfgovtv.org Public Comment Call-In: <https://sfbos.org/remote-meeting-call> In accordance with Administrative Code,

Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, June 9, 2023. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee: Erica Major (Erica.Major@sfgov.org ~ (415) 554-4441)

EXM-3707554#



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BOARD of SUPERVISORS



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

MEMORANDUM

Date: May 22, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230026-2
Planning, Subdivision, and Administrative Codes and Zoning Map - Family
Housing Opportunity Special Use District

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☐ General Plan
 - ☒ Planning Code, Section 101.1
 - ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: May 22, 2023

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 230026-2

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize up to four units on individual lots, up to twelve units on merged lots in RH-1 (Residential-House, One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard setback requirements, conditional use authorizations, and neighborhood notification requirements; 4) amending the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) amending the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Board of Supervisors
Land Use and Transportation Committee
Referral – File No. 230026

Please return this cover sheet with the Commission's response to Erica Major, Assistant Clerk, Land Use and Transportation Committee at Erica.Major@sfgov.org.

RESPONSE FROM YOUTH COMMISSION **Date:** _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Youth Commission

BOARD of SUPERVISORS



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

MEMORANDUM

Date: January 17, 2023
To: Planning Department / Commission
From: Erica Major, Clerk of the Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 230026
Planning Code, Zoning Map - Family Housing Opportunity Special Use District; Design Controls and Review Procedures

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☐ General Plan
 - ☒ Planning Code, Section 101.1
 - ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to Erica Major at Erica.Major@sfgov.org.

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: January 24, 2023

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 230026

Ordinance amending the Planning Code to create the Family Housing Opportunity Special Use District, authorize up to four dwelling units for eligible projects, exempt eligible projects from certain height restrictions, conditional use authorizations, and neighborhood notification requirements, and eliminate a Planning Commission discretionary review hearing for eligible projects upon delegation by the Planning Commission; amending the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Please return this cover sheet with the Commission's response to Erica Major, Assistant Clerk, Land Use and Transportation Committee at Erica.Major@sfgov.org.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ **No Comment**

____ Recommendation Attached

Chairperson, Youth Commission

Member, Board of Supervisors
District 7



City and County of San Francisco

MYRNA MELGAR

DATE: July 12, 2023

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, July 18, 2023, as Committee Reports:

File No. 230770

Administrative Code - Government Regulated Rents

Sponsors: Preston; Walton and Chan

Ordinance amending the Administrative Code to provide that tenant-occupied units in buildings that will be receiving either low-income housing tax credits or tax-exempt multifamily revenue bonds shall remain subject to the Rent Ordinance, as long as any of the existing tenants continue to reside in the unit, or unless all the tenants in the unit agree otherwise in writing; and for any such units that may have previously become exempt from the Rent Ordinance since 2018, restoring rents to the levels allowed had the Rent Ordinance continuously applied.

File No. 230690

Planning Code - Landmark Designation - Parkside Branch Library

Sponsor: Engardio

Ordinance amending the Planning Code to designate Parkside Branch Library, situated within McCoppin Square Park, 1200 Taraval Street, a portion of Assessor's Parcel Block No. 2351, Lot No. 001, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

File No. 230732

Planning and Building Codes - Commercial to Residential Adaptive Reuse and Downtown Economic Revitalization

Sponsors: Mayor; Peskin

Ordinance amending the Planning Code to 1) facilitate residential uses Downtown by authorizing the conversion of non-residential uses to residential use in C (Commercial) zoning districts, and exempting such projects from requirements for rear yard, open space, streetscape

COMMITTEE REPORTS MEMORANDUM

Land Use and Transportation Committee

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improvements, dwelling unit exposure, off-street freight loading, curb cuts for vehicular access, bike parking, transportation demand management, dwelling unit mix, and Intermediate Length Occupancy controls, permitting live work units in such project, streamlining administrative approvals for projects in the C-3 zoning district, and modifying the dimensional limits on exemptions to height restrictions for mechanical equipment, elevator, stair, and mechanical penthouses; 2) economically revitalize Downtown by adding Flexible Workspace as a defined use, authorizing large scale retail uses in the C-3 zoning district, allowing window displays in the C-3 zoning district, allowing Flexible Workspace as an active ground floor commercial use along certain street frontages in C-3 zoning districts, allowing accessory storage in any C zoning district, allowing the temporary installation for 60 days of certain signs in the C-3-R district, allowing temporary non-residential uses in vacant spaces for up to one year, including formula retail, reducing density limits for Residential Dwelling Units and Senior Housing in the C-2 zoning districts east of or fronting Franklin Street/13th Street and north of Townsend Street, principally permitting Laboratory, Life Science, Agricultural and Beverage Processing, and Animal Hospitals in C-2 zoning districts, principally permitting Senior Housing, Residential Care Facilities, Outdoor Entertainment, Open Recreation Areas, Animal Hospitals, and Trade Schools in the C-3 zoning district, allowing formula retail as a ground floor use on Market Street, principally permitting office and design professional uses on the second floor and higher in the C-3-R zoning district, and requiring consideration of office vacancy in consideration of granting exceptions in the Transit Center Commercial Special Use District; 3) streamline sign permitting citywide and in the C-3 and portions of the C-2 districts by allowing for the repair and rehabilitation of certain neon signs, and exempting existing business signs in the C-3 zoning district from certain zoning controls; 4) streamline Historic Preservation review of administrative certificates of appropriateness, and minor permits to alter for awnings, and Qualifying Scopes of Work, as may be delegated by the Historic Preservation Commission; 5) increase threshold for large projects subject to commercial to residential ratios in the C-3-O district, and provide alternatives to on-site open space in certain C-3 districts by allowing for payment of an in lieu fee as an alternative to providing open space; 6) facilitate residential adaptive reuse by amending the Building Code to add standards for adaptive reuse of non-residential buildings; and 7) principally permit formula retail and waive size limitations for such uses on a portion of Showplace Square Area (555-9th Street, Assessor's Parcel Block No. 3781, Lot No. 003); affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

File No. 230745

Building, Planning Codes - Existing Awning Amnesty Program

Sponsors: Mayor; Peskin and Stefani

Ordinance amending the Building and Planning Codes to create a temporary amnesty program for unpermitted awnings that streamlines the application process to legalize awnings, waives applicable fees, and confers legal nonconforming status for awnings and signs that do not comply with the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency

COMMITTEE REPORTS MEMORANDUM

Land Use and Transportation Committee

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with the General Plan and the eight priority policies of Planning Code Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code Section 302.

File No. 230374

Building Code - Streamlining Site Permit Review

Sponsors: Safai; Melgar

Ordinance amending the Building Code to outline the site permit application process, and define and limit the scope of Building Official review of site permits; requiring simultaneous interdepartmental review of electronically submitted applications for site permits; and affirming the Planning Department's determination under the California Environmental Quality Act.

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File No. 230026

Planning, Subdivision, and Administrative Codes and Zoning Map - Family Housing Opportunity Special Use District

Sponsors: Melgar; Engardio

Ordinance amending 1) the Planning Code to create the Family Housing Opportunity Special Use District; 2) the Planning Code to authorize the greater of up to four units or one unit per 1,000 square feet of lot area on individual lots in the RH (Residential, House) District, the greater of up to twelve units or one unit per 1,000 square feet of lot area on three merged lots and the greater of up to eight units or one unit per 1,000 square feet of lot area on two merged lots in RH-1 (Residential, House: One Family) districts, and Group Housing in RH-1 districts for eligible projects in the Special Use District; 3) the Planning Code to exempt eligible projects in the Special Use District from certain height, open space, dwelling unit exposure, and rear-yard requirements, conditional use authorizations, and neighborhood notification requirements; 4) the Subdivision Code to authorize eligible projects in the Special Use District to qualify for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; 5) the Administrative Code to require new dwelling or group housing units constructed pursuant to the density limit exception to be subject to the rent increase limitations of the Rent Ordinance; 6) the Zoning Map to show the Family Housing Opportunity Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, July 17, 2023, at 1:30 p.m.



MYRNA MELGAR

DATE: July 12, 2023

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
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File No. 230374

Building Code - Streamlining Site Permit Review

Sponsors: Safai; Melgar

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File No. 230026

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Sponsors: Melgar; Engardio

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