

1 [Affirming Compliance with State Housing Laws]

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3 **Resolution affirming San Francisco's compliance with certain state housing laws in**  
4 **support of the Municipal Transportation Agency's application for funding by the**  
5 **Metropolitan Transportation Commission's One Bay Area Grant Program (OBAG 3).**

6  
7 WHEREAS, The San Francisco region has the highest housing costs in the United  
8 States; and

9 WHEREAS, The Bay Area produced less than the total need for low- and moderate-  
10 income housing units from 2015-2022, and absent the commitment of additional funding from  
11 local, regional, state and/or federal sources, the Bay Area is at risk of underproducing low-  
12 income units during the 2023-2031 time period; and

13 WHEREAS, There are limited funding sources available to secure land for the  
14 construction of low- and moderate-income housing; and

15 WHEREAS, Public lands can play a critical role in increasing the supply of land for  
16 affordable housing;

17 WHEREAS, Accessory dwelling units (ADUs) and junior accessory dwelling units  
18 (JADUs) provide an important option to increase the availability and affordability of housing,  
19 especially in existing, lower density neighborhoods; and

20 WHEREAS, Density bonuses are an effective tool to increase the financial feasibility of  
21 housing and incentivize the creation of affordable housing; and

22 WHEREAS, The Metropolitan Transportation Commission adopted Resolution  
23 No. 4505, outlining the programming policy and project selection criteria for the One Bay Area  
24 Grant Program (OBAG 3), including certain requirements to access these funds; now,  
25 therefore, be it

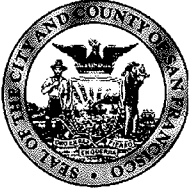
1 RESOLVED, By the Board of Supervisors of the City and County of San Francisco,  
2 State of California, that San Francisco agrees to comply with the terms of Surplus Land Act  
3 (California Government Code, Section 54220 et seq.), as exists now or may be amended in  
4 the future, including, but not limited to, AB 1255 (Rivas, 2019), which requires jurisdictions to  
5 compile and report annually an inventory of surplus lands to the California Department of  
6 Housing and Community Development; and be it

7 FURTHER RESOLVED, San Francisco agrees to comply with state laws related to  
8 ADUs and JADUs, as it exists now or may be amended in the future, including, but not limited  
9 to California Government Code, Sections 65852.150, 65852.2, 65852.22, et seq. and  
10 California Health & Safety Code, Sections 17980.12; and, be it

11 FURTHER RESOLVED, That San Francisco agrees to comply with state Density  
12 Bonus Law (California Government Code, Section 65915 et seq.), as exists now or may be  
13 amended in the future; and, be it further

14 FURTHER RESOLVED, That San Francisco warrants and represents that is in  
15 compliance with the aforementioned state housing laws and that except for *2700 Sloat*  
16 *Holding, LLC v. City and County of San Francisco*, San Francisco Superior Court Case No.  
17 518268, and *YIMBY v. City and County of San Francisco*, San Francisco Superior Court Case  
18 No. 517661, there are no claims, actions, suits, or proceedings pending to the best of San  
19 Francisco's knowledge, alleging violations of the aforementioned state housing laws by the  
20 City and County of San Francisco.

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City and County of San Francisco

Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 231085

Date Passed: November 14, 2023

Resolution affirming San Francisco's compliance with certain state housing laws in support of the Municipal Transportation Agency's application for funding by the Metropolitan Transportation Commission's One Bay Area Grant Program (OBAG 3).

November 08, 2023 Budget and Finance Committee - RECOMMENDED

November 14, 2023 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE


Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton


November 14, 2023 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 231085

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 11/14/2023 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
London N. Breed  
Mayor

11/21/23  
Date Approved