



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18897

HEARING DATE: JUNE 6, 2013

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Date: May 30, 2013
Case No.: **2013.0536T**
Project Address: **Planning Code Amendment: Defining a Significant Increase in Residential Development Potential**
Initiated by: Housing Review Committee, formed as part of Proposition C
Staff Contact: Sophie Hayward – (415) 558-6372
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Reviewed by: AnMarie Rodgers, Manager, Legislative Affairs
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Recommendation: **Approval**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 401 TO DEFINE “SIGNIFICANT INCREASE IN RESIDENTIAL DEVELOPMENT POTENTIAL” FOR THE PURPOSES OF CHARTER SECTION 16.110(H); ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.

PREAMBLE

Whereas, on November 6, 2012 San Francisco voters adopted Proposition: “Affordable Housing Trust Fund and Housing Production Incentives” (hereinafter, “Proposition C”); and,

Whereas, Proposition C prohibits the adoption of legislation or regulation that would require an increase in the Inclusionary Housing obligation of future projects beyond the thresholds and requirements defined in the Charter Amendment, with certain exceptions; and,

Whereas, one such exception is defined in Section 16.110.(h) (1)(B) (iv) as “An area subject to a change in zoning enacted after November 6, 2012 that affects 40 or more acres or greater and results in a significant increase in residential development potential, where the area is not also encompassed by a Special Use District adopted after November 6, 2012; and,

Whereas, Proposition C did not define the term “significant increase in residential development potential,” it did establish the Housing Review Committee to recommend a standard in the form of a proposed ordinance to the Board of Supervisors; and,

Whereas, the Housing Review Committee held public hearings on February 7, 2013 and on March 13, 2013. After considering public input and recommendations of staff, the Housing Review Committee recommended the standard set forth in the attached draft Ordinance for purposes of Charter Section 16.110(h); and,

Whereas, on June 6, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the 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 the applicant, Department staff, and other interested parties; and,

Whereas, the pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and,

MOVED, that the Commission hereby *adopts* this Resolution to recommend approval of the draft Ordinance to the Board of Supervisors.

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:

1. **General Plan Compliance.** This Resolution is consistent with the following Objectives and Policies of the General Plan:

I. HOUSING ELEMENT

OBJECTIVE 7

Secure funding and resources for permanently affordable housing, including innovative programs that are not solely reliant on traditional mechanisms or capital.

POLICY 7.1

Expand the financial resources available for permanently affordable housing, especially permanent sources.

The proposed Ordinance would advance this Objective and Policy by implementing Proposition C (the Housing Trust Fund) as an innovative source of funding for affordable housing.

2. **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.
3. **Planning Code Section 101 Findings.** The proposed replacement project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinance will have no adverse impact on neighborhood-serving retail uses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed Ordinance will have no adverse effect on existing housing and neighborhood character. The proposed Ordinance will help ensure that neighborhoods maintain a mix of housing for diverse economic levels

- C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance will facilitate implementation of Proposition C, the Housing Trust Fund, which would significantly enhance affordable housing finance in the City. Over 30 years, the Housing Trust Fund is estimated to provide approximately \$1.2 billion for affordable housing production.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

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

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance will not result in displacement of industrial or service sectors.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposed Ordinance would not affect the preparedness against injury and loss of life in an earthquake.

- G) That landmark and historic buildings will be preserved:

The proposed Ordinance would not adversely affect landmark and historic buildings.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed Ordinance would not adversely affect parks and open spaces in terms their access to sunlight and vistas.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on June 6, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Hillis, Moore, and Wu

NAYS: Commissioner Sugaya

ABSENT: None

ADOPTED: June 6, 2013