

REVISED LEGISLATIVE DIGEST

(Substituted, 6/6/2017)

[Planning Code - Establish a Fee for Monitoring of Student Housing by the Mayor's Office of Housing and Community Development]

Ordinance amending the Planning Code to establish a fee for the Mayor's Office of Housing and Community Development to monitor Student Housing; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public convenience, necessity, and welfare under Planning Code Section 302.

Existing Law

Planning Code Section 415 through 415.10 set forth the requirements and procedures for San Francisco's Inclusionary Housing Program. Section 415.3 establishes the scope of this Program, and provides, in subsection (f)(5), that the Inclusionary Housing Program does not apply to a Student Housing project that meets the criteria set forth. Subsection (f)(5)(C) authorizes the Mayor's Office of Housing (now called the Mayor's Office of Housing and Community Development) to monitor the program and to develop a monitoring form and an annual monitoring fee. Each property owner and institution under this program is required to file specified information with the Mayor's Office of Housing each year.

Amendments to Current Law

The proposed legislation would establish the annual monitoring fee referenced in Planning Code Section 415.3(f)(5)(C) and provide for annual indexing of the fee by the Controller without further action by the Board of Supervisors. Subsection (f) has been renumbered (e) in order to correct a typographical error.

Background Information

The exclusion of Student Housing that meets specified criteria from the City's Inclusionary Housing Program and providing for monitoring by the Mayor's Office of Housing and Community Development (MOHCD) was added to Section 415.3 in 2010 by Ordinance No. 321-10. MOHCD has developed a monitoring form and, working with the Controller's Office and Mayor's Budget Office, has completed the cost analysis necessary to develop a monitoring fee that provides cost recovery without producing revenue that exceeds the costs of providing the monitoring service. The base monitoring fee established by this ordinance will be part of the Mayor's budget for fiscal year 2017-2018 and will be indexed by the Controller in subsequent years without further action by the Board.