

1 [Opposing California State Senate Bill 827 (Wiener) - Transit-Rich Housing Bonus]

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3 **Resolution opposing California Senate Bill 827, authored by Senator Wiener, which**
4 **would fundamentally constrain, if not negate, San Francisco’s local ability to recapture**
5 **critical public value of development projects citywide and override local planning**
6 **process.**

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8 WHEREAS, Senator Wiener has introduced legislation that would mandate that local
9 jurisdictions confer significant benefits upon developers in exchange for building residential
10 projects within a one-half mile radius of a major transit stop or a one-fourth mile radius of a
11 high-quality transit corridor; and

12 WHEREAS, San Francisco appreciates the intent of Senator Wiener’s recent
13 amendments to SB 827 to strengthen tenant rights with Right to Remain which mandates that
14 the developer must provide tenants with relocation benefits, comparable rent for 42 months,
15 and right of first refusal in the new building offered at the previous rent, but does not
16 guarantee that tenants will find commensurate temporary housing nor be ultimately protected
17 from displacement; and

18 WHEREAS, SB 827 would apply to virtually all residential parcels citywide based on
19 the definition of transit rich, essentially allow the State to override San Francisco’s charter
20 authority, circumvent local planning laws and limit value recapture; and

21 WHEREAS, San Francisco has prioritized transit-oriented development throughout the
22 city and in its various neighborhood area plans, particularly in the downtown core and Transit
23 District Plan and neighborhood commercial corridors through HOME-SF; and

24 WHEREAS, San Francisco has led the region and the state in housing construction,
25 while taking a balanced approach to development that prioritizes tenant stabilization and

1 recaptures the maximum feasible value from private development for the public benefit,
2 including implementing the highest affordable housing requirements in the country; and

3 WHEREAS, San Francisco has maintained this leadership, even after the dissolution of
4 the Redevelopment Agency and related affordable housing funding streams, because of its
5 charter authority and strong local planning process; and

6 WHEREAS, San Francisco has spent years working with communities on long-range
7 planning efforts resulting in value capture for affordable housing, transportation and
8 infrastructure impacts; and

9 WHEREAS, In Planning Department analysis of SB 827, dated February 5, 2018 and
10 incorporated herein by reference, staff identified concerns about the State's attempt to
11 undermine San Francisco's sovereign local Planning Code and Design standards, which are
12 the backbone of the City's commitment to creating livable, walkable and complete
13 neighborhoods; and

14 WHEREAS, San Francisco currently has capacity to build 145,000 new units of
15 housing with no upzoning or violation of environmental laws, including 60,000 units of housing
16 currently in the planning pipeline; and

17 WHEREAS, Local planning laws and regulations have proven critical and effective in
18 protecting vulnerable communities of concern from the escalating impacts of gentrification,
19 displacement and speculation, while we wait for stronger tenant protections at the state level;
20 now, therefore, be it

21 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
22 finds that SB 827 is fundamentally flawed, based on its preemption of San Francisco's
23 sovereign charter authority and undermining of San Francisco's ability to recapture public
24 value from private developers in exchange for the added benefits of density and height; and

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1 RESOLVED, That the Board of Supervisors of the City of and County of San Francisco
2 joins with other local jurisdictions and a growing statewide coalition of housing, “complete
3 neighborhood”, environmental and tenant advocates, including those based in every district in
4 San Francisco, in opposing SB 827; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors urges state leaders to fund
6 permanent affordable housing streams to address the housing crisis throughout California;
7 and, be it

8 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
9 Francisco directs the Clerk of the Board to transmit copies of this resolution to the State
10 Legislature and the City Lobbyist upon passage.

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