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

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

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

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

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

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

Supervisors Peskin; Ronen, Yee, Fewer, Kim
BOARD OF SUPERVISORS
recaptures the maximum feasible value from private development for the public benefit,
including implementing the highest affordable housing requirements in the country; and

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

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

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

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

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

RESOLVED, That the Board of Supervisors of the City and County of San Francisco
finds that SB 827 is fundamentally flawed, based on its preemption of San Francisco’s
sovereign charter authority and undermining of San Francisco’s ability to recapture public
value from private developers in exchange for the added benefits of density and height; and
RESOLVED, That the Board of Supervisors of the City of and County of San Francisco joins with other local jurisdictions and a growing statewide coalition of housing, “complete neighborhood”, environmental and tenant advocates, including those based in every district in San Francisco, in opposing SB 827; and, be it

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

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco directs the Clerk of the Board to transmit copies of this resolution to the State Legislature and the City Lobbyist upon passage.
Resolution opposing California Senate Bill 827, authored by Senator Wiener, which would fundamentally constrain, if not negate, San Francisco’s local ability to recapture critical public value of development projects citywide and override local planning process.

March 12, 2018 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

March 12, 2018 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

April 03, 2018 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
   Ayes: 7 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani and Yee
   Noes: 4 - Breed, Safai, Sheehy and Tang

April 03, 2018 Board of Supervisors - ADOPTED AS AMENDED
   Ayes: 8 - Cohen, Fewer, Kim, Peskin, Ronen, Stefani, Tang and Yee
   Noes: 3 - Breed, Safai and Sheehy

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/3/2018 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mark E. Farrell
Mayor

4/13/18
Date Approved
I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

File No. 180162

Angela Calvillo
Clerk of the Board

Date 4/15/18