Resolution opposing California State Senate Bill No. 1085, authored by Senator Nancy Skinner, and urging the San Francisco Legislative Delegation to amend Senate Bill No. 1085 in recognition of San Francisco’s local planning and affordable housing tools.

WHEREAS, California Senate Bill No. 1085 (SB 1085) is intended to incentivize housing development through the State Density Bonus Law “to expand its use in California to increase affordable housing production,” according to its author; and

WHEREAS, Some local jurisdictions in California, because of local market conditions, depend on granting significant development incentives in order to produce affordable units within private housing development; and

WHEREAS, San Francisco, because of its unique local market conditions, has repeatedly demonstrated that private development can and will bear higher affordability requirements; and

WHEREAS, SB 1085 would revoke the City and County of San Francisco’s ability to continue collecting fees to build affordable housing relative to the extra market-rate housing “bonus” units granted to a housing development under the State Density Bonus Law; and

WHEREAS, San Francisco voters have consistently expressed through their votes a desire for robust affordable housing programs that prioritize the needs of the City’s most vulnerable residents; and

WHEREAS, In June 2016, the voters of San Francisco overwhelmingly adopted Proposition C which modernized and strengthened the City’s “Inclusionary Housing” policy, including ensuring that market rate housing projects availing themselves of State Density Bonus Law “bonus units” would still provide equivalent affordable housing contributions to the
City the voters of San Francisco overwhelmingly adopted Proposition C which modernized and strengthened the City’s “Inclusionary Housing” policy, including ensuring that market rate housing projects availing themselves of State Density Bonus Law “bonus units” would still provide equivalent affordable housing contributions to the City; and

WHEREAS, This SB 1085 proposed state preemption over local policies and development standards handcuffs local jurisdictions from determining how to apply affordable housing requirements in context of local market conditions; and

WHEREAS, San Francisco has been reported to have the highest median rent in the United States with a one-bedroom asking monthly rent of $3,7067 according to May 2020 data from the rental listing website Rent Jungle; and

WHEREAS, The City is also one of the highest-priced home ownership markets in the United States with a median home sales price of $1.353 million, a 3% increase from the previous year according to a 2019 report by real estate website Zillow; and

WHEREAS, The Mayor’s Office of Housing and Community Development (“MOHCD”) continues to see a widening affordability gap for extremely-low, low and middle-income households in both the rental and homeownership markets; and

WHEREAS, The housing affordability gap has the greatest impact on extremely-low and low income households such as seniors, persons with disabilities, low-income working families and veterans, and inhibits San Francisco from ensuring that economic diversity is maintained; and

WHEREAS, Limited state and federal resources and the high cost of housing development put a greater burden on local government to contribute their own limited resources, and consequently the City’s supply of affordable housing has not kept pace with demand; and
WHEREAS, The State Density Bonus Law preemptions proposed by SB1085, if 
applied to the existing affordable housing requirements on market rate housing development 
in San Francisco, would result in a reduction of affordable units; and
WHEREAS, The failure to build sufficient affordable housing in San Francisco to meet 
the needs of low- and moderate-income essential workers results in long commutes, road 
congestion, and environmental harm as people seek affordable housing at ever-greater 
distances from where they work; now, therefore, be it
RESOLVED, That San Francisco is committed to continuing to utilize all affordable 
housing policy tools to achieve local housing balance goals for all income levels; and, be it
FURTHER RESOLVED, That the Board of Supervisors of the City and County of San 
Francisco opposes SB 1085 unless amended to allow San Francisco to continue applying 
affordable housing fees to market rate “bonus” units granted under the State Density Bonus 
Law; and, be it
FURTHER RESOLVED, That the Board of Supervisors of the City and County of San 
Francisco does hereby urge the San Francisco Legislative Delegation to oppose SB 1085, as 
it would eliminate a critical San Francisco affordable housing tool; and, be it
FURTHER RESOLVED, That the Board of Supervisors of the City and County of San 
Francisco will continue to collaborate with its State Legislative Delegation to consider ways to 
make the State Density Bonus law more equitable in dense urban environments like San 
Francisco with strong existing local affordable housing policies; 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 California 
State Legislature and the City Lobbyist upon passage.
Resolution opposing California State Senate Bill No. 1085, authored by Senator Nancy Skinner, and urging the San Francisco Legislative Delegation to amend Senate Bill No. 1085 in recognition of San Francisco's local planning and affordable housing tools.

June 16, 2020 Board of Supervisors - ADOPTED
Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200626

I hereby certify that the foregoing Resolution was ADOPTED on 6/16/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

6/26/20
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 her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

6/26/2020
Date