Western SoMa Citizens Planning Task Force

DRAFT - WESTERN SOMA COMMUNITY STABILIZATION POLICY

A Resolution establishing a Western SoMa Community Stabilization Policy for the Western SoMa Community Plan, based upon the Planning Principles is hereby adopted by the Western SoMa Citizens Planning Task Force on **April 22, 2009**.

Upon adoption of the Western SoMa Community Plan ***[Prior to adoption….]***, the Board of Supervisors is requested to create legislation that establishes the Western SoMa Community Stabilization Policy. This Policy evaluates historic standards and sets forth metrics for desired perpetuation of proportional mixes for housing affordability and neighborhood land uses. These proposed proportional mix metrics are suggested to serve as triggers for Planning Commission project approvals and potential Conditional Use requirements. These metrics trigger the basis for procedures needed when neighborhood land use developments and permit activity have been determined to have potential negative impacts on the local economic viability or community livability. In addition, this Resolution incorporates requirements to ensure that infrastructure improvements keep pace with growth and development, that new projects pay impact fees and provide public amenities. It is the policy of the Western SoMa Citizens Planning Task Force that the Community Stabilization Policy legislation should also establish a Citizens Advisory Committee (CAC). Following the adoption of the Western SoMa Community Plan***[Prior to adoption…..and upon adoption of this Policy]***, this resolution further requests that the Board of Supervisors enabling

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legislation shall direct the Planning Department to provide the newly established Western SoMa CAC with semi-annual reports on the legislated housing affordability and land use mix metrics that will facilitate the monitoring and the implementation of this Western SoMa Community Stabilization Policy. The Western SoMa CAC will report to the Board of Supervisors and request appropriate responses for adherence to this policy.

Affordable Housing Linkage Option – Maintaining a Neighborhood Housing Affordability Mix

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Findings

1. The City now as a matter of policy requires that 30 percent of new units in master planned redevelopment areas in San Francisco be affordable housing (e.g., Mission Bay, Bayview/Shipyard, and Treasurer Island). This includes both inclusionary affordable housing units and nonprofit affordable units.

   OBJECTIVE 3.3
   ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES

2. A principal goal of the Western SoMa Community Plan is to ensure a mixed-income community for the long term.

   OBJECTIVE 1.1
   BUILD ON AN EXISTING MIXED-USED CHARACTER THAT ENCOURAGES PRODUCTION OF RESIDENTIAL USES IN AREAS MOST APPROPRIATE FOR NEW HOUSING WITH A PROXIMATE MIX OF USES AND

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SERVICES SERVING LOCAL NEEDS AND THEREBY DEVELOPING A COMPLETE NEIGHBORHOOD

3. Historically, since the 1990 SOMA zoning was adopted, the number of BMR/affordable housing units built in Western SoMa (inclusionary units and nonprofit units combined) has actually been 38 percent of the total housing units built – 707 units of affordable housing, out of 1,862 total housing units (chart attached).

4. Therefore, the same 30 percent minimum standard for affordable housing development can reasonably be set as a community and civic goal for new residential development in Western SoMa.

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Recommendations

1. Effective for all applicable development applications received by the Planning Department after the adoption of the Western SoMa Community Plan by the City and County of San Francisco, the number of market rates housing units approved by the San Francisco Planning Commission in any single calendar year shall not be more than 2.33 times (i.e., 70 percent market rate/30 percent BMR) the number of affordable housing units (including both nonprofit units and inclusionary units) approved beginning by Planning Commission action that same year. City Planning Commission approvals for development of market rate housing in excess of 2.33 times (i.e., 70 percent market rate/30

percent BMR) will be delayed until future calendar years in sequential order of first "development application" submittal dates until sufficient BMR/affordable housing units are first approved.

> "Development Application" shall mean any application for a building permit, site permit, environmental review, Conditional Use or Variance.

If, alternatively affordable housing approvals by the San Francisco Planning Commission are greater than 30 percent of total housing units approved in a year, the overage shall be carried forward and added to the subsequent years annual BMR/affordable housing approval totals for the purpose of this annual calculation.

Inventories of the Western SoMa Special Use District housing stock necessary to carry out this Community Stabilization Policy shall begin with annual Planning Department reports on **January 1, 2012**. The status of Western SoMa SUD housing affordability mix shall be the basis for determinations of residual approvable and overages carried forward into the next calendar year. In the event that no annual Planning Department report is produced by the end of January each year, Planning Commission housing approvals in the Western SoMa SUD will be permitted until 30 days after

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publication of a report that demonstrates allowances for new Planning Commission project approvals.

2. Three general classes of projects are, however, exempt from the requirements of this Community Stabilization Policy. The exempt classes of projects are as follows:
    a. Any market rate project that provides at least 30 percent affordable units itself shall be exempted from this market-rate housing approval limitation, and would be approvable at any time, or
    b. Any project located on an Assessor's Parcel of one acre or greater that has been identified in the Western SoMa Community Plan as eligible for height bonuses shall be exempted from this market-rate housing approval limitation, and would be approvable at any time, or
    c. Any project that has filed a "Development Applications" prior to January 1, 2012 shall be exempted from the market-rate and job loss linkage housing approval limitation, and would be approvable at any.
3. In addition, a market rate project with 15 percent inclusionary affordable units (BMR) would also be approvable at any time when Applicants dedicate a portion of the total developable area of the principal site to the City and County of San Francisco for the purpose of constructing units affordable to qualifying households. A minimum percentage of developable

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area, representing an equivalent percent of total potential units to be constructed, shall be dedicated to the City according the schedule in Table 319.4. To meet the requirements of this alternative, the developer must convey title to land in fee simple absolute to the Mayor's Office of Housing according to the Procedures Manual, provided the dedicated site is deemed of equivalent or greater value to the principal site per those procedures and is in line with the following requirements:

(A) The dedicated site will result in a total amount of inclusionary units not less than forty (40) units. The Mayor's Office of Housing may conditionally approve and accept dedicated sites which result in no less than twenty five (25) units at its discretion.

(B) The dedicated site will result in a total amount of inclusionary units that is equivalent or greater than the minimum percentage of the units that will be provided on the principal site, as required by Table 319.4. The Mayor's Office of Housing may also accept dedicated sites that represent the equivalent of or greater than the required percentage of units for all units be provided on a collective of sites within a one-mile radius, provided the total amount of inclusionary units provided on the dedicated site is equivalent to or greater than the total requirements for all principal sites participating in the collective, according to the requirements of Table 319.4.

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(C) The dedicated site is suitable from the perspective of size, configuration, physical characteristics, physical and environmental constraints, access, location, adjacent use, and other relevant planning criteria. The site must allow development of affordable housing that is sound, safe and acceptable.

(D) The dedicated site includes infrastructure necessary to serve the inclusionary units, including sewer, utilities, water, light, street access and sidewalks.

(E) The developer must submit full environmental clearance for the dedicated site before the land can be considered for conveyance and before a first site or building permit may be conferred upon the principal project.

(F) The City may accept dedicated sites that vary from the minimum threshold provided such a dedication is deemed generally equivalent to the original requirement by the Mayor's Office of Housing.

(G) The City may accept dedicated sites that meet the above requirements in accordance with the Procedures Manual, in combination with in-lieu fees or on-site units, provided such a combination is deemed generally equivalent by the Mayor's Office of Housing to the original requirement.

(H) The project applicant has a letter from the Mayor's Office of Housing verifying acceptance of site before it receives project

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approvals from the Planning Commission or Planning Department, which shall be used to verify dedication as a condition of approval.

The outcomes of these provisions may restrict market rate housing approvals while providing a public policy and private sector incentive for development of new affordable housing in the Western SoMa Special Use District.

Job Loss Linkage Option – Maintaining a Mixed Use Neighborhood

Findings

1. Based on historical information contained in the "Western SoMa Strategic Analysis Memos" on Housing and the Neighborhood Economy, the 2005 neighborhood mix of households and jobs is presented below. Also contained in the following table are the 2030 projected jobs/housing mix anticipating provisions in the Western SoMa Community Plan and in the absence of the Draft Plan.

WSoMa		w/o Plan			w/ Plan			Net Addition Plan over No Plan
	2005	2030	2005-2030	% Chg.	2030	2005-2030	% Chg.	2030
Households	2,461	4,077	1,616	66%	5,169	2,708	110%	1,092
Jobs	18,872	23,682	4,810	25%	31,861	12,989	69%	8,179

SOURCE: San Francisco Planning Department. 2008

2. Data used in the environmental analysis for the Western SoMa Community Plan shows a 2005 jobs/household mix of 7.67:1, with the number of jobs

far exceeding the number of households. Without the Western SoMa Community Plan, by 2030, the jobs/household mix is anticipated to be 5.81:1 as household growth is projected to outpace job growth in the neighborhood. With the provisions in the Western SoMa Community Plan, the 2030 projections are the jobs/household mix is anticipated to be 6.61:1.

Recommendations

1. With data from the Planning Department annual reports on Housing production and the Commerce and Industry, the Western SoMa CAC shall monitor the changes in the jobs/housing mix over time.

2. Should the annual neighborhood data for net new jobs/household mix additions fall bellow 6.60:1 for two consecutive years; the CAC will request the Planning Commission impose the following Conditional Use requirements and findings for a period of time necessary to return to the desired jobs/household mix specified by this Policy for the entire Western SoMa Special Use District. This interim moratorium shall be maintained for the maximum legally allowable time frame or until all options to restore the 6.60:1 net new jobs/housing mix have been exhausted by the CAC working in conjunction with all appropriate San Francisco city agencies.
   The outcomes of these provisions will be (1) to monitor the neighborhood jobs to housing mix, (2) to restrict all housing approvals when households exceed the established 6.60:1 jobs per household metric trigger (3) providing

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a public policy that maintains an important mixed use quality in the neighborhood, thereby assuring a vibrant community where neighborhood opportunities to live and work in proximity to retail shopping and Bay Area transit services are maintained.

Conditional Use Modifications for Community

Findings

Planning Code Section 303 sets forth the Conditional Use procedures and necessary general case findings. The Western SoMa Citizen Planning Task Force recommendation for a Community Stabilization Policy rely significantly on Conditional Use triggers to slow and offset adverse impacts associated with rapid housing growth and commercial changes in the neighborhood. In order for the Conditional Use process to achieve the desired outcomes, the Western SoMa Citizens Planning Task Force recommends adding Section 303(o) to the Planning Code as follows.

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Recommendations

Amend the San Francisco Planning Code to add Section 303 (o) as follows.

(o) Western SoMa Special Use District Community Stabilization.

(1) With respect to an application for any new land development proposal in the in the Western SoMa Special Use District upon findings by the Western SoMa Citizens Advisory

*Committee(**yet to be formed**) and confirmed by the San Francisco Planning Commission that one of the housing or mixed-use thresholds defined in Planning Code Section _____ have been crossed, a Conditional Use permit is required per Section 703.3(f), the Planning Commission shall consider, in addition to the criteria set forth in Subsection (c) above:*

(A) The affordability mix of housing as defined in Planning Code Section _____ shall be maintained in the Western SoMa Special Use District. Any new development that does not demonstrate a contribution to maintaining the overall historic affordability mix of housing stock shall be put in a queue of housing project applications until the proposed project can be brought before the Planning Commission and demonstrate a contribution to maintaining the historic neighborhood affordability mix of housing.

(B) The balance of jobs and housing in the mixed use neighborhood as defined in Planning Code Section _____ shall be maintained in the Western SoMa Special Use District. A new development that does not further and maintain the historic mixed use neighborhood character shall be put in a queue of

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project applications until the proposed project can be brought before the Planning Commission and demonstrate the ability to contribute to maintaining the historic neighborhood mix of jobs and housing.

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APPENDIX

Illustrative Inventory Provided by the Western SoMa Citizens Planning Task Force for Projects and the Year of Completion and Subject to Planning Department Verification

NOTE: The Community Stabilization Policy call for monitoring of annual inventories of projects "approved" and not projects "completed" as provided in this inventory.

Western Soma Housing Inventory (post 1990)

Summary Sheet

Year Built	ST Num	ST Name	ST Type	Market Rate Units	Inclusionary/ Affordable	% Affordable	Housing Type
1993	960	Natoma	St	4			live/work
Total 1993				4	0		
Cumulative Total				4	0	00.0%	
1994	201	8th	St		104		100% Affordable
1994	450	9th	St	1			live/work
1994	940	Natoma	St	8			live/work
Total 1994				9	104	92.0%	
Cumulative Total				**13**	**104**	**88.9%**	
1995	1101	Howard	St		34		100% Affordable
1995	75	Sheridan	St	4			live/work
1995	55	Grace	St	2			live/work
1995	55	Norfolk	St	6			
Total 1995				12	34	73.9%	
Cumulative Total				**25**	**138**	**84.7%**	
1996	125	Gilbert	St	16			live/work
1996	52	Washburn	St	2			live/work
Total 1996				18	0	0.0%	
Cumulative Total				**43**	**138**	**76.2%**	
1997	25	Lucerne	St	20			
1997	139	Welsh	St	12			live/work
1997	1601	Howard	St	12			live/work
Total 1997				44	0	0.0%	
Cumulative Total				**87**	**138**	**61.3%**	
1998	896	Folsom	St	1			

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1998	735	Tehama	St	1			live/work
1998	175	Bluxome	St	102			live/work
Total 1998				104	0	0.0%	
Cumulative Total				**191**	**138**	**41.9%**	
2000	655	5th	St	20			market
2000	1250	Folsom	St	1			live/work
Total 2000				21	0	0.0%	
Cumulative Total				**212**	**138**	**39.4%**	
2001	826	Folsom	St	10			live/work
2001	520	6th	St	24			condo
2001	590	6th	St	24			live/work
2001	745	Clementina	St	2			live/work
2001	128	Morris	St	16			live/work
2001	761	Tehama	St	14			live/work
Total 2001				90	0	0.0%	
Cumulative Total				**302**	**138**	**31.4%**	
2002	165	8th	St		48		100% Affordable
2002	767	Bryant	St	20			live/work
2002	670	Natoma	St		48		100% Affordable
2002	60	Rausch	St	37			market
Total 2002				57	96	62.7%	
Cumulative Total				**359**	**234**	**39.5%**	
2003	239	8th	St	14			?
2003	526	Brannan	St	108			live/work
2003	9	Lafayette	St	3			
2003	1025	Minna	St	12			?
2003	1166	Howard	St		162		100% Affordable
Total 2003				137	162	54.2%	
Cumulative Total				**496**	**396**	**44.4%**	
2004	1221-1247	Harrison	St	56			live/work
2004	108	Langton	St	4			condo
2004	45	Sheridan	St	1			
Total 2004				61	0	0.0%	
Cumulative Total				**557**	**396**	**41.5%**	
2005	75	Dore	St	98			market
2005	1168	Folsom	St	19	1		market

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2005	1346	Folsom	St		98		100% Affordable
2005	624	Natoma	St	5			
Total 2005				122	99	44.8%	
Cumulative Total				**679**	**495**	**42.2%**	
2006	785	Brannan	St		56		SRO
2006	639	Natoma	St	4			
2006	1028	Natoma	St	4			
2006	737	Tehama	St	3			
2006	773	Tehama	St	3			
2006	776	Tehama	St	12	2		condo
2006	1042	Minna	St	3			
Total 2006				29	58	66.7%	
Cumulative Total				**708**	**553**	**43.8%**	
2007	252	9th	St	2			live/work
2007	77	Bluxome	St	92	10		market
2007	30	Dore	St	38	4		market
2007	1234	Howard	St	16	2		condo
2007	21	Lafayette	St	3			condo
2007	50	Langton	St	3			
2007	742	Natoma	St	2			live/work
2007	673	Brannan	St	48			live/work
2007	683	Brannan	St	39			live/work
2007	8	McLea	Ct	26	3		market
Total 2007				269	19	6.6%	
Cumulative Total				**977**	**572**	**36.9%**	
2009	275	10th	St		135		SRO
Total 2009				0	135	100.0%	
Cumulative Total				**977**	**707**	**42.0%**	
1990s	394	Townsend	St	20			live/work
2000s	52	Rausch	St	6			market
2000s	340	Townsend	St	20			live/work
2000s	370	Townsend	St	17			live/work
?	340	11TH	St	20			
?	121	9th	St	20			
?	21	Brush	St	4			live/work
?	149	Dore	St	8			

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?	1178	Folsom	St	14			live/work
?	1178	Folsom	St	26			
?	870	Harrison	St	22			
?	660	Natoma	St	4			
?	1029	Natoma	St	4			
?	56	Ringold	St	2			
?	55	Sheridan	St	1			
Total Unknown Year				188	0	00.0%	
Cumulative Total				**1,165**	**707**	**37.8%**	

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