



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Interim Controls Summary:

Affordable Housing Controls

Case Number: Board File No. 10-00047
Initiated by: Supervisor Chiu, Mayor Newsom
Effective Date: February 11, 2010

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Staff,

As most of you are aware, Section 315 is currently undergoing amendments so that it will conform to recently-passed California court decisions regarding affordable housing.

While the current amendments are going through the legislative process, the Board of Supervisors passed interim controls that the Department must use until the final controls are effective.

Below is a brief summary of the interim controls:

- Section 315: now called the *Affordable Housing Program*, not the *Residential Inclusionary Housing Program*.
- The interim controls are the proposed final controls that were introduced. Therefore, we are essentially implementing the final Section 315 program.
- It is a FEE-BASED program.

Every project subject to Section 315 must pay an affordable housing impact fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% or the percentage that applied to the project if the project is subject to the different requirements.

A project sponsor must pay the Affordable Housing Fee unless it qualifies for and chooses to meet the requirements through an alternative.

Alternative #1:

- If the developer chooses to sell the residential units rather than offer them as rental units, then the developer may build the affordable units on or off-site instead.

Alternative #2:

- It has received a direct financial contribution from the government.

Alternative #3:

- Project sponsor enters into a Development Agreement with the City and County of San Francisco.

Alternativ#4:

- It is an 100% affordable housing project.

All projects that may be exempt from Section 315 must provide documentation of exemption to the Planning Department and the Mayor's Office of Housing.

Kate Conner & I are working on updating the Declaration of Intent and creating a new Affidavit form. They should be ready the week of June 7th.

Link to signed legislation:

<http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/resolutions10/r0036-10.pdf>