



AARON PESKIN

August 5, 2019

Ballot Simplification Committee  
1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102  
CC: Barbara Carr

Dear Committee Members

Thank you for taking up Item 2 on today's agenda. On behalf of Supervisors Fewer, Peskin, Haney and Walton, I respectfully request that the Ballot Simplification Committee consider the following additions and changes to the "Affordable Housing and Educator Housing" initiative digest. I have attached a "track changes" version of the digest that reflects the language that the sponsors believe will help clarify the legislative intent of the measure for voters, including the following changes:

1. I request that the first sentence in "The Way It Is Now" section include the bolded language below:
  - "The City Planning Code regulates the size, height and density of buildings in San Francisco **with zoning rules**, and restricts how buildings can be used."
    - *Rationale:* This would explicitly explain how the code regulates building attributes.
2. In the third paragraph of "The Way It Is Now," please consider joining the two sentences more fluidly:
  - In Public zoning districts, the Planning Code allows government buildings, public structures, City plazas, parks, and other similar uses, **but currently The Planning Code** prohibits any residential buildings in Public zoning districts.
    - *Rationale:* It clarifies succinctly that this is the current practice, not withstanding other allowable uses.
3. In the fourth paragraph of "The Way It Is Now," please consider adding the following text in bold:
  - "The Department must prioritize and expedite its review of proposed affordable housing projects, **though there is not a required specific amount of time for that review.**"

## **Affordable Housing and Educator Housing\***

**Digest** by the Ballot Simplification Committee

**Status:** Draft for Consideration  
**On:** Monday, August 5, 2019  
**Members:** Packard, Anderson, Raveche

**Deadline to Request Reconsideration:** TBD

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**The Way It Is Now:** The City Planning Code regulates the size, height and density of buildings in San Francisco **with zoning rules**, and restricts how buildings can be used. The Planning Code applies different zoning rules to different neighborhoods and areas in San Francisco.

In Residential zoning districts, the Planning Code allows residential buildings but regulates the size, height, density and other factors like the amount of yard space, open space, and non-residential space. Some types of buildings are subject to a “conditional use” authorization, which requires the Planning Commission to hold a public hearing and consider certain factors before approving the project.

In Public zoning districts, the Planning Code allows government buildings, public structures, City plazas, parks, and other similar uses, **but currently**, ~~The Planning Code~~ prohibits any residential buildings in Public zoning districts.

The Planning Department reviews proposed projects for compliance with zoning requirements, and the Planning Commission also reviews some proposals. The Department must prioritize and expedite its review of proposed affordable housing projects, **though there is not a required specific amount of time for that review**.

The Planning Code does not include **a specific definition or** zoning rules for residential projects dedicated to employees of the San Francisco Unified School District or the San Francisco Community College District.

**The Proposal:** Proposition \_\_\_\_\_ is an ordinance that would amend the Planning Code to allow 100% Affordable Housing Projects and Educator Housing projects **on large lots in residential and neighborhood-commercial zoning districts and** in Public zoning districts and to expedite City approval of these projects.

A building would qualify as 100% Affordable Housing under Proposition \_\_\_\_\_ if all the residential units in the building are dedicated to Very-Low, Low, and Moderate Income households, up to 120% of the Area Median Income, and the average income for units in the building is no higher than 80% of Area Median Income. **In all cases, the upper end price for**

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~~these Residential units could be no more than would be sold or rented for at least 20% less~~  
than the average market price for similar units in the same neighborhood.

A building would qualify as Educator Housing if all the residential units in the building are dedicated to households that include employees of the San Francisco Unified School District or the San Francisco Community College District. At least four-fifths of the units in an Educator Housing project would be dedicated to households with an income between 30% and 140% of Area Median Income, and the average income for households in all those units could be no higher than 100% of Area Median Income. One-fifth of the units in the Educator Housing project could be dedicated to households with an income up to 160% of Area Median Income. All units would have to comply with minimum size requirements.

Under Proposition , 100% Affordable Housing and Educator Housing projects:

- Would be allowed in Residential zoning districts and in Public zoning districts, except on property used for parks;
- Would be located on lots that are at least 10,000 square feet;
- Could not demolish or replace existing residential units;
- Would be subject to less restrictive rules regarding size, **ground floor** height, density, and other factors than other residential buildings;
- Could include a limited amount of commercial or other non-residential uses **that support and complement the housing**; and
- Would not be subject to any conditional use restriction unless the restriction has been adopted by the voters.

Proposition would ~~allow~~~~require the City to~~ **City to approve** ~~expedite its review of the first up to 500 total units of proposed Educator Housing as a pilot program~~ following the adoption of the ballot measure. **The Board of Supervisors would be authorized to extend that program after evaluating the success of the pilot.** -

Proposition would require the City to complete its review of proposed 100% Affordable Housing projects and ~~the first 500 units of~~ proposed Educator Housing **projects** within 90 to 180 days, depending on the size of the project. The Planning Department could approve 100% Affordable and Educator Housing administratively, without review by the Planning Commission.

The Board of Supervisors could amend Proposition ~~to refine various details~~ by a two-thirds vote without ~~necessitating additional~~ voter approval.

**A "YES" Vote Means:** If you vote "yes," you want to allow ~~certain~~ 100% affordable housing and educator housing projects in areas of the City zoned to allow residential buildings and on public ~~properties other than parks~~ government buildings, and you want to require the City to expedite approval of these projects.

**A "NO" Vote Means:** If you vote "no," you do not want to make these changes.

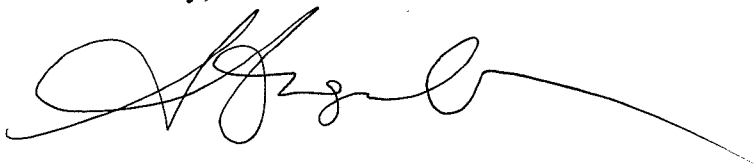
*\*Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*

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- *Rationale*: This would clarify the current practice of expedited review, which is guided by discretionary prioritization without deadlines.
4. In the fifth paragraph of “The Way It Is Now,” please consider a slight clarification in bold to the following sentence:
- “The Planning Code does not include **a specific definition or** zoning rules for residential projects dedicated to employees of the San Francisco Unified School District or the San Francisco Community College District.”
    - *Rationale*: Clarifying the issue at hand is the lack of a definition of Educator Housing to apply regulations to.
5. In the first paragraph of the “The Proposal” please consider adding the bolded language:
- “The Proposal: Proposition        is an ordinance that would amend the Planning Code to allow 100% Affordable Housing Projects and Educator Housing projects **on large lots in residential and neighborhood-commercial zoning districts and** in Public zoning districts and to expedite City approval of these projects.”
    - *Rationale*: This is very important for voters to understand what specifically the zoning change would entail, in addition to the maximum utility and feasibility of this proposal in mixed-use neighborhoods with development opportunities.
6. In the second paragraph of the “The Proposal” please consider adding the following explanatory language in bold:
- “**In all cases, the upper end price for these R** esidential units **could be no more than** ~~would be sold or rented for at least 20%~~ less than the average market price for similar units in the same neighborhood.”
    - *Rationale*: Clarifying important fact for voters as to the proposal’s sale and rental price requirements.
7. Please consider the final following changes to “The Proposal” definitions to “100% Affordable Housing and Educator Housing projects” attached in the track changes document.

Thank you for your consideration and for all of your time and effort devoted to the work of the Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sunny Angulo', with a long horizontal flourish extending to the right.

Sunny Angulo  
*Supervisor Peskin, Chief of Staff*