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SUBJECT: Pending Legislation at San Francisco Board of Supervisors
DATE: July 2023

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1. Fee Reductions and Deferrals (Peskin, Safai, Breed) - Date Introduced: June 27 (Fee Reductions) & July 11 (Fee Deferrals)

[Link to Fee Reduction Legislation](#)

[Link to Fee Indexing and Deferral Legislation](#)

Status: Both passed the Board of Supervisors 10-1 on First Reading, July 25

Policy Description: These ordinances change the requirements for required inclusionary rates for eligible projects and get rid of automatic annual increases in inclusionary rates between certain dates, and reduce other development impact fees for eligible projects. New projects started between November 1, 2023 and November 1, 2026 would have an inclusionary rate of 15%, with impact fees cut by 33% if they receive their first construction document within 30 months of approval. Projects approved before November 1, 2023 also can have their impact fees cut by 33% if they receive their first construction document before May 1, 2029. For Pipeline Projects, the new inclusionary rate is 12% for on-site and 16.4% for off-site units. They modify the annual fee escalation rate of development impact fees to be a flat rate of 2% and waive fees for certain development projects in the Community

Business, Downtown Commercial, and Production, Distribution, and Repair Districts. They freeze the rates of development impact fees and provide that the type and rates of applicable development impact fees (except for inclusionary housing fees) will be determined at the time of project approval for eligible projects. Finally, they allow the payment of development impact fees to be deferred until issuance of the first certificate of occupancy and repeal the fee deferral surcharge (except for fees deposited in the Citywide Affordable Housing Fund).

For more information, check out the [legislation digest](#).

2. Redesigning Site Permit Review (Safai + Melgar version) Date Introduced: April 4, 2023

[Link to Legislation](#)

Status: Passed full Board 11-0 on July 25th

Policy Description: This ordinance codifies the city's site permit review process within the Building Code, restricts the Building Official's review of site permits, and requires departments to review site permit applications electronically and concurrently.

3. Increasing Density Limits in R- Districts (Melgar, Engardio) - Date Introduced: May 16, 2023

[Passed Legislation Link](#)

[Duplicated File Link](#)

Status: Amended at Land Use Committee on July 10, Version 1 Passed Board of Supervisors 11-0 on July 25th. Duplicated File will return to Planning Commission in September

Policy Description: This ordinance increases density limits on vacant or owner-occupied RH parcels to 4, 8, or 12 units, depending on the size of the lot and orientation on the block, and allows for lot mergers to better maximize the size of a developable parcel for new construction.

4. Removing Public Hearings & Unnecessary Zoning Obstacles (Breed) - Date Introduced: April 18, 2023

[Link to Legislation](#)

Status: Scheduled for Land Use Committee September 18th. *Passed out of Planning Commission June 29, with Moore and Imperial voting NO.*

Policy Description: This ordinance – championed by Mayor Breed’s Administration – is known as “Housing for All,” and was the first ordinance introduced by city leaders to implement our 6th Cycle Housing Element in compliance with state law. It removes conditional use and public hearing/notification requirements for most types of housing projects throughout the city, removes impact fees for 100% affordable housing projects utilizing a density bonus, and amends the Planning Code to allow for more flexible uses of ground floor space on residential projects.

5. Removing Density Limits on Commercial/Mixed Use corridors (Breed version) - Date Introduced: June 13, 2023

[Link to Legislation](#)

Status: Not yet scheduled for Planning Commission (likely September)

Policy Description: This ordinance removes all references to residential density limits citywide in Residential Commercial (RC), Residential Transit Oriented (RTO), Neighborhood Commercial (NC), and certain Neighborhood Commercial District (NCD) zones, but excludes otherwise eligible parcels located within equity priority geographies as determined by the Housing Element. [This map](#) shows the parcels that are affected.

6. Removing Density Limits on Commercial/Mixed Use corridors (Safai version) - Date Introduced: June 13, 2023

[Link to Legislation](#)

Status: Not yet scheduled for Planning Commission (likely September)

Policy Description: This ordinance removes all references to residential density limits citywide in Neighborhood Commercial District (NCD) zoning, with equal treatment for parcels inside/outside priority equity geographies.

7. Redesigning the Site Permit process (Breed version) - Date Introduced: NOT YET INTRODUCED

[Link to Legislation forthcoming]

Status: PENDING INTRODUCTION

Policy Notes: This ordinance has not yet been introduced, but we've included it in this list because Breed's effort on site permit reform represents a significant legislative and administrative overhaul in the site permit review process. Although the exact details are not yet public, we know this legislation will include moving most site permit review responsibilities away from DBI and to Planning and/or the Permit Center. The goal of this legislation and the accompanying administrative efforts will be to remove procedural redundancies, limit appeal opportunities, and conform (and exceed) new state law requirements.