

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**OFFICE OF THE DIRECTOR**

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HCD applauds San Francisco Mayor's veto of rezoning ordinance that evades state housing law

Sacramento —Today, the California Department of Housing and Community Development (HCD) acknowledged and applauded a critical veto by San Francisco Mayor London Breed of a local ordinance that attempts to bypass state housing laws. Specifically, the fourplex ordinance evades the City's obligations under SB 9 to provide ministerial approval for small-scale projects. Moreover, the ordinance would maintain the existing discretionary approval process and impose more onerous conditions and requirements when compared to SB 9. Taken together, these regulatory hurdles will render such projects financially infeasible to pursue, as the City's own analysis acknowledged.

HCD recognizes the Board's effort to facilitate housing production by ostensibly upzoning its single family only zoning districts. These districts collectively cover large portions of the city that have been off-limits to new housing development for decades. However, in 2021, the State Legislature enacted SB 9, requiring local jurisdictions to approve up to four housing units on single family-zoned properties. Additionally, SB 9 contains key eligibility criteria addressing environmental site constraints (e.g., wetlands, wildfire risk), anti-displacement measures for renters and low-income households, and protection of existing historic resources.

In addition, Housing Element Law requires jurisdictions to facilitate housing production by analyzing and removing constraints to allow for a variety of housing types. Extending the City's discretion to approve a new class of housing projects continues policies and practices that hinder housing production at a time when the City is required to create systemic reforms. As the City prepares its 6th cycle housing element, which is currently under review, HCD looks forward to working with the City to identify concrete and actionable strategies that will be effective in unlocking the City's housing potential.

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The California Department of Housing and Community Development is dedicated to the preservation and expansion of safe and affordable housing, so more Californians have a place to call home. Our team works to ensure an adequate supply of housing for Californians and promotes the growth of strong communities through its leadership, policy and program development. For more information, please visit www.hcd.ca.gov and follow us on Twitter, @California_HCD; Facebook, @CaliforniaHCD; and LinkedIn.