

# EXAMPLE: The Impact of Senate Bill 50 on San Francisco

## TODAY in S.F.

Discretionary Decisions  
and Local Control =  
**98% of Projects**

(The city rules on Height, Density,  
Setback, Lot Merger, Use Size,  
Parking, Massing, Exposure, Rear  
Yard, Floor Area Ratio,  
Demolition Control, Design  
Standards, Impact Fee)

Part-Discretionary  
Decisions and some State  
Control =  
**1% of Projects**

## WHAT DOES SB 50 CHANGE?

SB 50 is “weaponized” by  
Wiener/Skinner’s 2017  
changes to the 1982 **Housing  
Accountability Act (HAA)**, to  
turn this process upside-down.

**HAA bans your city/county  
from rejecting all projects that:**  
A) “Are code-complying and  
do not need exceptions to  
Planning Code or Zoning.”

**Under HAA, a city/county can  
only reject a code-compliant  
project if:**  
A) “It directly harms public  
health & safety based on  
objective written standards.”

## S.F. UNDER SB 50

Discretionary Decisions  
and Local Control =  
**5% of Projects?**

Statewide, **1000s of  
projects become “code-  
complying” & by-right.**  
No city/county can  
**CHANGE or STOP** them.

Part-Discretionary  
Decisions plus some  
State Control =  
**1% of Projects?**

## Density Bonus (DB) in Effect TODAY

No Discretionary Decisions and All State-Controlled = 1% of Projects

Under Senate Bill 35, DB today MANDATES that a developer can choose up to 3 exemptions from a broad menu of: Concessions / Incentives / Waivers

It redefines “code compliance” by letting DEVELOPERS choose exemptions from YOUR CITY’S Planning Code & Zoning, as long as the project contains affordable units based on the extra height that is granted.

Today, YOUR CITY MUST approve all projects invoking Density Bonus and can only shape projects up to 10%, but WITHOUT any loss of units.

If your city rejects a Density Bonus project or makes it infeasible via design requirements, you can (will) be sued by the developer and ordered by a court to approve the project and pay attorney fees & fines.

## SB 50’s Projected Dramatic Effect on S.F.

No Discretionary Decisions and All State-Controlled = 94% of Projects?

SB 50 MANDATES Density Bonus on Steroids:

- Minimum height of 45’ within ½ mile of high-quality rail stops, allowing 75’ heights due to DB
- Minimum height of 55’ within 1/4 mile of “high quality” rail or bus stops, allowing 85’ due to DB
- YOUR CITY’S “Jobs-rich/good school/above-median” areas are instantly rezoned to 75’ or 85’ heights.

\*\*\*\*\* THESE MANDATES AUTOMATICALLY ELIMINATE SINGLE-FAMILY ZONING AND DENSITY CONTROL in ALL ABOVE AREAS, STATEWIDE. \*\*\*\*\*

Cities will be sued for challenging developers, who are allowed to waive up to 3 DB menu items to upzone your single-family areas: Height, Density, Floor Area Ratio, Massing Setbacks, Rear Yard, Exposure, Lot Mergers, Use Size, Parking, Demolition Controls, Design Standards. Impact Fees