

**PROPOSED INITIATIVE ORDINANCE TO BE SUBMITTED BY FOUR
OR MORE SUPERVISORS TO THE VOTERS AT THE JUNE 3, 2008 ELECTION.**

[Under Charter Section 2.113(b), this measure must be submitted to the Board of Supervisors and filed with the Department of Elections no less than *45 days prior* to deadline for submission of such initiatives to the Department of Elections set in Municipal Elections Code Section 300(b).]

[Affordable housing requirement for the Bayview Hunters Point area development plan.]

Ordinance setting forth policies requiring the development plan for the Bayview Hunters Point area to include a significant amount of affordable housing and requiring the Board of Supervisors to find that the development plan is consistent with these affordable housing policies before it approves any sale, conveyance or lease of the City-owned land at Candlestick Point, including the property currently used for the existing Monster Park stadium and related parking areas, in connection with the development plan.

Note: Additions are *single-underline italics Times New Roman*;
deletions are ~~*strikethrough italics Times New Roman*~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

The People of the City and County of San Francisco (the "City") make the following findings:

(a) In May 2007 the City's Board of Supervisors and Mayor approved a resolution endorsing a Conceptual Framework for the integrated development of certain real property at Candlestick Point and the remaining phases of the Hunters Point Shipyard redevelopment project, both of which are located within the Bayview Hunters Point area of San Francisco (the "Bayview").

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(b) The Shipyard property, owned by the United States Department of the Navy (the "U.S. Navy"), consists of a once thriving major maritime industrial center that employed generations of Bayview residents. In 1974, the U.S. Navy ceased operation of the Shipyard, the closure of which had profoundly negative impacts on the economic base of the Bayview. The Bayview is characterized by underused and declining former industrial areas in need of revitalization. In July 1997, the Board of Supervisors adopted and the Mayor approved a redevelopment plan for the Shipyard (the "Shipyard Redevelopment Plan").

(c) Candlestick Point includes (i) the Alice Griffith Public Housing Development, also known as Double Rock ("Alice Griffith Public Housing"), which is owned by the San Francisco Housing Authority; (ii) the Candlestick Point State Recreation Area; and (iii) the City-owned stadium and related parking area under lease to the San Francisco Forty Niners (the "49ers") named Monster Park. In June 2006, the Board of Supervisors adopted and the Mayor approved a redevelopment plan covering large portions of the Bayview, including most of Candlestick Point (the "Bayview Redevelopment Plan").

(d) The Conceptual Framework envisions a major mixed-use project for the area, including hundreds of acres of new waterfront parks and open space, thousands of new units of housing, including affordable housing, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Shipyard and a site for a new stadium for the 49ers. Combining planning and development for the Shipyard Property and Candlestick Point as an integrated revitalization project provides, among other goals, an opportunity to provide a significant

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amount of affordable housing. The Shipyard Property and Candlestick Point are referred to in this Initiative as the "Project Site." A map of these two areas is attached for reference as Exhibit A. The integrated development envisioned under the Conceptual Framework is referred to in this Initiative as the "Integrated Development Plan."

(e) The purpose of the Conceptual Framework was to (1) set forth certain goals and principles to guide the proposed redevelopment of the Project Site, (2) present a preliminary plan for the integrated development of the Project Site so that the City may begin environmental review under the California environmental Quality Act ("CEQA"), and (3) set forth the parameters for the City and the San Francisco Redevelopment agency to begin an extensive community and public review process of the preliminary proposal, as that proposal may be modified and updated during the public review and planning process. As such, the Conceptual Framework envisions the creation of affordable housing, but does not set specific goals with respect to the amount of affordable housing to be created by the project.

(f) The Bayview Hunters Point Area Plan of the San Francisco General Plan identifies affordability as the primary housing issue facing the Bayview. As stated in the General Plan, the Bayview has a low median income relative to the rest of the City, such that to be affordable to most Bayview households, rental housing should be at a cost level affordable to those with 50% of the City's median income and ownership housing should be at a cost level affordable to households earning an amount equal to 80% of the City's medial income.

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- (g) The Alice Griffith Public Housing is in need of repair and replacement.

The Alice Griffith Public Housing site includes vacant land owned by the Housing Authority and provides an opportunity for the Housing Authority to partner in the overall redevelopment of housing in the area.

Section 2. Governmental and Public Review and Approval.

Any Integrated Development Plan for the Project Site will be subject to extensive public review and input and require public approvals from the City and various federal and state agencies, which may include among others the San Francisco Redevelopment Agency, the State Department of Parks and Recreation, the San Francisco Housing Authority, the San Francisco Bay Conservation and Development Commission, the State Lands Commission, the State Regional Water Quality Control Board and the U.S. Navy. The implementation of any Integrated Development Plan for the Project Site will also require amendments to the City's General Plan, the existing Bayview Redevelopment Plan and the Shipyard Redevelopment Plan following environmental review under CEQA. As a result of the public review and approval process described here, the boundaries of the Project Site as identified on Exhibit A and the provisions of the Integrated Development Plan as described in the Conceptual Framework and generally described in this Initiative may be materially different at the time of approval. The reference to the Project Site and Integrated Development Plan in this Initiative is intended to refer to both the Project Site and the Integrated Development Plan as they are defined in this Initiative, and as they may be modified in the future as a result of the public review and approval process, including the CEQA process.

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Section 3. Purpose.

The purpose of this Initiative is to express the voters' intent that the City and other applicable agencies incorporate a significant affordable housing component into the Integrated Development Plan. The voters wish to encourage all local, state and federal agencies with applicable jurisdiction to take all steps necessary to proceed with an Integrated Development Plan consistent with this Initiative.

Section 4. Policies

It is the Policy of the People of the City that any Integrated Development Plan approved by the City for the Project Site under a new redevelopment plan for the Project Site or through amendments to the Shipyard Redevelopment Plan or Bayview Redevelopment Plan, or both, include the following provisions:

(a) The Integrated Development Plan shall require that at least one-half of all new housing units to be developed in the Project Site over the term of the redevelopment plan be affordable as follows: (1) at least one-sixth of all units shall be affordable to 80% SFMI households; (2) at least one-sixth of all units shall be affordable to 60% SFMI households; and (3) at least one-sixth of all units shall be affordable to 30% SFMI households. For purposes of this subsection (a):

(i) "80% SFMI household," "60% SFMI household," and "30% SFMI household" mean, respectively, a household that earns no more than 80%, 60%, and 30% of the median household income, adjusted for family size, in the City, as calculated by the Mayor's Office of Housing or its successor ("MOH") each year using data from the United States Department of Housing and Urban Development ("HUD") or, if that data is unavailable, from other comparable, publicly available and credible data.

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(ii) "Affordable" means a residential dwelling offered for rent at a monthly price, including utilities, that does not exceed thirty percent (30%) of household monthly gross income, or offered for sale at a price with a payment for all housing costs that is consistent with MOH's underwriting guidelines. MOH shall develop and maintain guidelines that specify affordability and other requirements, including a minimum household size for dwellings with a certain number of bedrooms or square feet.

(b) The Integrated Development Plan shall provide that preferences for the affordable housing provided by this Initiative shall be made available for rent or purchase to persons and families of low- and moderate-income in the following order of priority, to the extent permitted by law: (1) any resident in good standing of Alice Griffith Public Housing as of January 1, 2008 or subsequently; (2) persons who have rights to residential relocation assistance under the San Francisco Redevelopment Agency's Certificate of Preference Program as amended by San Francisco Redevelopment Agency Resolution No. 253-98, adopted on December 8, 1998 and others who are entitled to residential relocation assistance under the California Redevelopment Law because they have been displaced from redevelopment project areas in San Francisco; (3) rent burdened or assisted housing residents, defined as persons paying more than 50% of their income for housing, or persons residing in public housing or HUD Section 8 housing; (4) San Francisco residents and (5) members of the general public. Any residency preference authorized under this Section shall be permitted only to the extent that such preference: (a) does not have the purpose or effect of delaying or otherwise denying access to housing based on race, color, ethnic origin, gender, religion, disability, age, or other protected characteristic of any member of an applicant

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household; and (b) is not based on how long an applicant has resided or worked in the area.

(c) Any rebuilding of Alice Griffith Public Housing as part of the Integrated Development Plan, to the extent allowed under any applicable federal and state laws, (i) shall provide at least one-for-one replacement units targeted to the same income levels as those of the existing residents and (ii) must be phased to ensure that all eligible residents of Alice Griffith Public Housing as of January 1, 2008, have the right to move to new comparable units on the Alice Griffith Public Housing site without being displaced from existing Alice Griffith Public Housing units until the new replacement units are ready for occupancy; provided, however, this Initiative does not intend to fix income eligibility for San Francisco Housing Authority residency or alter any applicable rules or regulations of the San Francisco Housing Authority or of HUD regarding eligibility for residency.

Section 5. Disposition of City Land at Candlestick Point

The Board of Supervisors shall not approve any sale, conveyance or lease of the City-owned land at Candlestick Point, including the property currently used for the existing Monster Park stadium and related parking areas, in connection with the Integrated Development Plan unless the Board of Supervisors finds, following the public review process described in Section 2 of this Initiative, that the Integrated Development Plan is consistent with and incorporates the policies set forth in Section 4 of this Initiative.

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Section 6. Severability

If any provision of this Initiative, or any application of this Initiative to any person or circumstance is held invalid, such invalidity shall not affect any provision or application of this Initiative that can be given effect without the invalid provision or application. To this end, the provisions of this Initiative are severable.

SUBMITTED:

Member, Board of Supervisors

Date: _____

Member, Board of Supervisors

Date: _____

Member, Board of Supervisors

Date: _____

Member, Board of Supervisors

Date: _____