

1 [Eastern Neighborhoods Area Plans – monitoring program.]

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3 **Ordinance amending the Administrative Code Chapter 10E to establish the Eastern**  
4 **Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the**  
5 **Eastern Neighborhoods Area Plans and implementation of specified improvements;**  
6 **and adopting environmental findings.**

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

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

11 Section 1. In accordance with the actions contemplated herein, this Board adopted  
12 Ordinance No. \_\_\_\_\_, that included findings pursuant to the California  
13 Environmental Quality Act (California Public Resources Code sections 21000 et seq.). A copy  
14 of said Ordinance is on file with the Clerk of the Board of Supervisors in File No.  
15 \_\_\_\_\_ and is incorporated by reference herein.

16 Section 2. The San Francisco Administrative Code is hereby amended by amending  
17 Chapter 10E as follows:

18 CHAPTER 10E: ~~DOWNTOWN~~ NEIGHBORHOOD AREA PLAN MONITORING

19 SEC. 10E.1. DOWNTOWN PLAN FINDINGS. The Board of Supervisors makes the  
20 following findings in support of this ordinance.

21 (a) The Planning Commission has adopted the Downtown Plan as part of the General  
22 Plan of the City and County of San Francisco, and the Board of Supervisors, acting upon the  
23 recommendation of the Planning Commission, has adopted amendments to the Planning  
24 Code called for in the Downtown Plan.

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1 (b) The focus of the Downtown Plan is to prevent development where change would  
2 diminish the City's character or livability but to allow appropriately scaled development that  
3 would further the City's economic, fiscal and social objectives.

4 (c) The Downtown Plan is based on certain assessments about the ability of the City  
5 to absorb the impacts of growth in downtown San Francisco and the desirability of increasing  
6 housing, ridesharing and transit use in light of the anticipated downtown growth. The  
7 Downtown Plan proposes various actions which should be taken to achieve the following  
8 goals: An increase in the City's housing supply by an average of 1,000 to 1,500 new housing  
9 units per year; and increase in ridesharing to a point where the number of persons commuting  
10 by auto or van rises from 1.48 to 1.66 persons per vehicle; and an increase in the use of  
11 transit by downtown workers from 64 percent to 70 percent of all work trips.

12 (d) The Downtown Plan recommends the adoption of a formal process for monitoring  
13 progress toward Plan goals. This monitoring process is necessary to evaluate the  
14 effectiveness of the Plan and the impacts of downtown growth, and to make any adjustments  
15 deemed appropriate to the controls described in the Downtown Plan or to additions to the  
16 City's infrastructure and services.

17 (e) The purpose of this monitoring system shall be to determine whether the  
18 infrastructure and support systems necessary to accommodate the growth of downtown,  
19 particularly housing supply and transit capacity, have kept pace with development in the C-3  
20 Districts. If downtown is growing at a faster pace than the necessary infrastructure and  
21 support systems, it may become necessary to make further efforts to slow down the pace of  
22 development, or devise additional mechanisms for providing required infrastructure and  
23 support systems.

1 (f) The Planning Department shall undertake a two-tiered monitoring program. The  
2 two tiers are: 1) An annual collection and reporting of data from selected sources that are  
3 gathered on a regular basis, and 2) every five years, a more extensive data collection effort  
4 that includes an analysis of long-term policy indicators such as the TDR program, urban form  
5 goals, any impact fee funds, and provides analysis of the Downtown Plan's policy objectives.  
6 The annual monitoring should provide an early warning system for trends that may develop,  
7 indicating a shortfall in the long range goals.

8 SEC. 10E.2. ANNUAL REPORT. The Planning Department shall prepare an annual  
9 report detailing the effects of downtown growth. The report shall be presented to the Board of  
10 Supervisors, Planning Commission, and Mayor, and shall address: (1) the extent of  
11 development in the C-3 Districts; (2) the consequences of that development; (3) the  
12 effectiveness of the policies set forth in the Downtown Plan in maintaining San Francisco's  
13 environment and character; and (4) recommendations for measures deemed appropriate to  
14 deal with the impacts of downtown growth.

15 (a) Time Period and Due Date. Reports shall be due by July 1st of each year, and  
16 shall address the immediately preceding calendar year, except for the five year report, which  
17 shall address the preceding five calendar years.

18 (b) Data Source. The Planning Department shall assemble a data base for 1984 and  
19 subsequent years for the purpose of providing the reports. City records shall be used  
20 wherever possible. Outside sources shall be used when data from such sources are reliable,  
21 readily available and necessary in order to supplement City records.

22 (c) Categories of Information. The following categories of information shall be  
23 included:

24 Commercial Space and Employment.

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1 (1) The amount of office space "Completed," "Approved," and "Under Construction"  
2 during the preceding year, both within the C-3 Districts and elsewhere in the City. This  
3 inventory shall include the location and square footage (gross and net) of those projects, as  
4 well as an estimate of the dates when the space "Approved" and "Under Construction" will  
5 become available for occupancy.

6 (2) Office Vacancy Ratio. An estimate of the current office vacancy rate in the C-3  
7 Districts and citywide.

8 (3) Citywide and C-3 District Office Employment. An estimate of additional office  
9 employment, by occupation type, in the C-3 Districts and citywide.

10 (4) Tourist Hotel Rooms and Employment. An estimate of the net increment or tourist  
11 hotel rooms and additional hotel employment in the C-3 Districts.

12 (5) Retail Space and Employment. An estimate of the net increment of retail space  
13 and of the additional retail employment relocation trends and patterns within the City and the  
14 Bay Area.

15 (6) Business Formation and Relocation. An estimate of the rate of the establishment  
16 of new businesses and business and employment relocation trends and patterns within the  
17 City and the Bay Area.

18 Housing.

19 (7) Housing Units Certified for Occupancy. An estimate of the number of housing units  
20 throughout the City newly constructed, demolished, or converted to other uses.

21 (8) Jobs/Housing Linkage Program. A summary of the operation of the Jobs/Housing  
22 Linkage Program (formerly the Office Affordable Housing Production Program) and the  
23 Housing Affordability Fund, identifying the number and income mix of units constructed or  
24 assisted with these monies.

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1 Transportation.

2 (9) Parking Inventory. An estimate of the net increment of off-street parking spaces  
3 approved in C-3 Districts.

4 (10) Vehicle Occupancy Rates. An estimate of vehicle occupancy rates for vehicles in  
5 or entering the City.

6 (11) Transit Service. An estimate of transit ridership for peak periods.

7 (12) Transit Impact Fee. A summary of the use of the transit impact development fee  
8 funds, collected from development.

9 Fiscal.

10 (13) Revenues. An estimate of the net increment of revenues by type (property tax,  
11 business taxes, hotel and sales taxes) from office, retail and hotel space.

12 (d) Report. The analysis of the factors under Commercial Space and Employment will  
13 provide an estimate of the increase in housing and transit demand. The comparison of  
14 increased demand with the increase in the supply of housing and in transit ridership will  
15 indicate the degree that the City is able to accommodate new development. Based on this  
16 data, the Department shall analyze the effectiveness of City policies governing downtown  
17 growth and shall recommend any additional measures deemed appropriate.

18 SEC. 10E.3. FIVE YEAR REPORT.

19 On March 15, 1990, and every fifth year thereafter by July 1st, the report submitted  
20 shall address the preceding five calendar years and, in addition to the data described above,  
21 shall include, as deemed appropriate, a cordon count of downtown oriented travel and an  
22 employer/employee survey and any other information necessary for the purpose of monitoring  
23 the impact of downtown development. The five-year report shall monitor long-term policy  
24 indicators such as the TDR program, urban form goals, any impact fee funds, and provide  
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1 analysis of the Downtown Plan's policy objectives. If the Planning Department determines that  
2 early warnings from the annual reports indicate the need for collection of a cordon count and  
3 employer/employee survey, it may include such data in any annual report, and may include an  
4 analysis of data for a period of time earlier than the preceding calendar year.

5 SEC. 10E.4. INFORMATION TO BE FURNISHED.

6 It shall be the duty of the heads of all departments, offices, commissions, bureaus and  
7 divisions of the City and County of San Francisco, upon request by the Planning Department,  
8 to furnish such information as they may have or be able to obtain relating to the matters to be  
9 included in the reports required herein.

10 **SEC. 10E.5. EASTERN NEIGHBORHOODS AREA PLANS MONITORING PROGRAM.**

11 *(a) Findings.*

12 *(1) The Board of Supervisors and the Planning Commission have adopted the Eastern*  
13 *Neighborhoods Area Plans as part of the General Plan of the City and County of San Francisco as*  
14 *further described in Ordinance Nos. \_\_\_\_\_, copies of which are on file with the Clerk of the*  
15 *Board of Supervisors in File Nos. \_\_\_\_\_ and are incorporated herein by reference. The*  
16 *Area Plans outline specific goals that cumulatively frame the community's vision for the management*  
17 *of growth and development in the Eastern Neighborhoods (East SoMa, Mission, Showplace*  
18 *Square/Potrero Hill, and Central Waterfront).*

19 *(2) The Eastern Neighborhoods Area Plans introduce innovative policies and land use controls*  
20 *to achieve the plan goals. Successful realization of the plan's goals requires a coordinated*  
21 *implementation of land use controls, community and public service delivery, key policies, and*  
22 *community infrastructure improvements.*

23 *(3) The Eastern Neighborhoods Area Plans also establish general public improvements and*  
24 *amenities needed to meet the needs of both existing residents, as well as those needs generated by new*  
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1 development, and identified these in the Eastern Neighborhoods Needs Assessment. A copy of this  
2 document is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
3 incorporated herein by reference.

4 (4) In order to ensure a Citywide commitment to implementation of the Eastern Neighborhoods  
5 Area Plans, the implementing agencies identified in each Plan's Implementation Matrix, including the  
6 Arts Commission, Department of Building Inspection (DBI), Department of Public Health (DPH),  
7 Division of Emergency Services (DEM), Capital Planning Committee, City Administrator's Office,  
8 Controller's Office, Department of Public Works (DPW), Human Services Agency (HSA), Mayor's  
9 Office of Community Development (MOCD), Mayor's Office of Education, Mayor's Office of Housing  
10 (MOH), Office of Economic and Workforce Development (OEWD), Planning Department, Port of San  
11 Francisco, Public Utilities Commission (PUC), Recreation and Park Department (RPD), San  
12 Francisco County Transportation Authority (SFCTA), San Francisco Unified School District (SFUSD),  
13 San Francisco Municipal Transportation Agency (SFMTA), and other necessary agencies, shall be  
14 responsible for making progress towards the Plan's policies and implementation measures; for  
15 budgeting revenue towards such implementation where possible; and for cooperating with the Planning  
16 Department to report on such progress.

17 (5) In order to ensure a balanced implementation of the Eastern Neighborhoods Area Plans, the  
18 Planning Department shall institute a formal monitoring program for the Area Plan policies and  
19 implementation measures. This monitoring program shall provide basic statistics on development  
20 activity, housing construction, and infrastructure improvements in the Eastern Neighborhoods Plan  
21 Areas, and shall evaluate the effectiveness of the Plans' implementation according to growth in the  
22 Plan Areas.

23 (6) The purpose of this Monitoring Program shall be to provide rigorous monitoring and review  
24 of the effectiveness of the Eastern Neighborhoods Area Plans, to ensure rational growth in these  
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1 neighborhoods, and to ensure implementation of improvements to accompany this growth. The  
2 program shall monitor progress towards the Eastern Neighborhoods Area Plans' objectives and  
3 policies, by evaluating advancement according to each Plan's matrix of implementation actions; and  
4 measure the balance of growth against needed improvements, according to standards established in the  
5 Eastern Neighborhoods Needs Assessment.

6 **SEC. 10E.6. REPORTING REQUIREMENTS.**

7 (a) Beginning two years after plan adoption, and every five years thereafter, the Planning  
8 Department shall prepare a report detailing development activity, housing construction, and  
9 infrastructure improvements in the Eastern Neighborhoods Plan Area. The information shall be  
10 presented to the Board of Supervisors, Planning Commission, the Citizens Advisory Committee, and  
11 Mayor, and shall also include recommendations for measures deemed appropriate to deal with the  
12 impacts of neighborhood growth.

13 (b) Time Period and Due Date. Reporting shall be presented by July 1st two years after plan  
14 adoption to address the time period since plan adoption; and by July 1st during each required year  
15 thereafter to address the five calendar years immediately preceding.

16 (c) Data Source. The Planning Department shall assemble data for the purpose of providing the  
17 reports. City records shall be used wherever possible. Outside sources shall be used when data from  
18 such sources are reliable, readily available and necessary in order to supplement City records. When  
19 data is not available for the exact boundaries of the Plan Area, a similar geography will be used and  
20 noted.

21 (d) Eastern Neighborhoods Implementation Matrix. The report shall review progress toward  
22 each implementation measure specified in each Plan's Implementation Matrix. Copies of these  
23 matrices are on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and are  
24 incorporated herein by reference. It shall evaluate the actions of each responsible agency/ies  
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1 according to the timeline specified in the Implementation Matrix, and recommend amendments to  
2 implementation measures where relevant. All departments responsible for implementation measures  
3 shall cooperate and furnish information relating to their responsibilities as stated in the matrices.

4 (e) Development Activity. The report shall detail all development activity in the Plan Area over  
5 the Monitoring Period, including additions and deletions of residential and commercial space, and  
6 shall include unit size and bedroom count of units constructed, retail space and employment generated,  
7 conversions and other development statistics. The monitoring program shall include the following  
8 categories of information:

9 (1) Office Space. Amount of office space constructed in preceding years and related  
10 employment.

11 (2) Visitor and Hotel Space. Amount of hotel rooms constructed in preceding years and related  
12 employment.

13 (3) Retail Space. Amount of retail space constructed in preceding years and related  
14 employment.

15 (4) Business Formation and Relocation. An estimate of the rate of the establishment of new  
16 businesses and business and employment relocation trends and patterns within the City and the Bay  
17 Area.

18 (5) Housing. An estimate of the number of housing units newly constructed, demolished, or  
19 converted to other uses.

20 (f) Public Benefit. The report shall detail the construction of any improvements or infrastructure  
21 as described in the Eastern Neighborhoods Public Benefits Program, a copy of which is on file with  
22 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
23 reference. The report shall include the following categories of information:

1           (1) Inclusionary Housing Program. A summary of the number and income mix of units  
2           constructed or assisted through this program, an analysis of units constructed within each alternative,  
3           including new alternatives established for the Eastern Neighborhoods UMU districts.

4           (2) Jobs/Housing Linkage Program. A summary of the operation of the Jobs/Housing Linkage  
5           Program (formerly the Office Affordable Housing Production Program) and the Housing Affordability  
6           Fund, identifying the number and income mix of units constructed or assisted with these monies.

7           (3) Streetscape, Transportation, and Public Realm. A detailed description of any transportation  
8           servicing infrastructure completed in the preceding five years, including transit, pedestrian, bike, traffic  
9           and other modes of transportation.

10           (4) Open Space and Recreational Facilities. A summary of new parks, trails, public rights-of-  
11           way, recreational facilities or activity space completed to serve the purposes of recreation in the  
12           preceding five years, as well as any improvements to parks or recreational facilities.

13           (5) Community facilities. An assessment of the existing service capacity of community services  
14           and facilities, and of any new services or facilities joining the neighborhood in the past five years. This  
15           shall include a review of child care, library services and any other categories deemed relevant, such as  
16           health care centers, human services, and cultural centers.

17           (6) Neighborhood Serving Businesses. An assessment of neighborhood serving businesses in the  
18           area, including their establishment, displacement, and economic health.

19           (g) Fees and Revenues. The report shall monitor expenditure of all implemented fees, including  
20           the Eastern Neighborhoods Impact Fee and all Citywide fees, and tax revenue, as listed below. It shall  
21           report on studies and implementation strategies for additional fees and programming.

22           (1) Impact Fee. A summary of the collected funds from the Eastern Neighborhoods Impact Fee  
23           collected from development, and a detailed accounting of its expenditure over that same period.

1           (2) Fiscal Revenues. An estimate of the net increment of revenues by type (property tax,  
2 business taxes, hotel and sales taxes) from all uses.

3           (3) Fee Adjustments.

4           (i) The City shall review the amount of the Eastern Neighborhoods fee against any increases in  
5 construction costs, according to changes published in the Construction Cost Index published by  
6 Engineering News Record, or according to another similar cost index should there be improvements to  
7 be funded through the Eastern Neighborhoods Impact Fee as listed in the Eastern Neighborhoods  
8 Program.

9           (ii) The City shall review the level of the Eastern Neighborhoods housing requirements and fees  
10 to ensure they are not so high as to prevent needed housing or commercial development.

11           (h) Agency Responsibilities. All implementing agencies identified in the Eastern Neighborhoods  
12 Implementation Matrix shall be responsible for:

13           (1) Reporting to the Planning Department, for incorporation into the Monitoring report, on  
14 action undertaken in the previous reporting period to complete the implementation actions under their  
15 jurisdiction, as referenced in the Eastern Neighborhoods Implementation Matrix.

16           (2) Providing an analysis of the actions to be completed in the next reporting period, for  
17 incorporation into the Monitoring report, including a description of the integrated approach that will  
18 be used to complete those tasks.

19           (i) To the extent the Agencies identified in the Implementation Matrix are outside the  
20 jurisdiction of this Board, this Board hereby urges such Agencies to participate in this process.

21           (j) Budget Implications. In cooperation with the Annual Progress reports required by  
22 Administrative Code Chapter 36.4, and prior to the annual budget process, the Board shall receive a  
23 presentation by the Interagency Planning and Implementation Committee and its member agencies to  
24 describe how each agency's proposed annual budget advances the Plans' objectives, including specific  
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1 projects called for by this section. The Board of Supervisors shall give particular consideration to  
2 proposed agency budgets that meet the implementation responsibilities as assigned by the City's  
3 General Plan, including the Eastern Neighborhoods Implementation Matrix. Budget proposals that do  
4 not include items to meet these implementation responsibilities shall respond to Board inquiries as to  
5 why inclusion was not possible.

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8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

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11 By: \_\_\_\_\_  
12 John D. Malamut  
13 Deputy City Attorney

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