

1 [Planning Code - Updating Requirements for Institutional Master Plans]

2

3 **Ordinance amending the Planning Code to exempt Post-Secondary Educational**  
 4 **Institutions located outside of a residential district from the requirements for**  
 5 **Institutional Master Plans; require Post-Secondary Educational Institutions located**  
 6 **within a residential district to file Institutional Master Plans with a development**  
 7 **application; require updates to such plans only when the institution will increase by**  
 8 **10,000 square feet or by 25% of its total square footage (whichever is less); exclude**  
 9 **student housing from the definition of Post-Secondary Educational Institution; and**  
 10 **remove the three-month hold on hearing Conditional Use applications after an**  
 11 **Institutional Master Plan has been accepted; affirming the Planning Department's**  
 12 **determination under the California Environmental Quality Act; making findings of**  
 13 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
 14 **Section 101.1; and making findings of public necessity, convenience, and welfare**  
 15 **pursuant to Planning Code, Section 302.**

16 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
 17 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
 18 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
 19 **Board amendment additions** are in double-underlined Arial font.  
 20 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
 21 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
 22 subsections or parts of tables.

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

24 Section 1. Environmental and Land Use Findings.

25 (a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources

1 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
2 Supervisors in File No. \_\_\_\_ and is incorporated herein by reference. The Board affirms this  
3 determination.

4 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_,  
5 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
6 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
7 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
8 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

9 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
10 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in  
11 Planning Commission Resolution No. \_\_\_\_\_. A copy of said resolution is on file with the  
12 Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
13 reference.

14  
15 Section 2. Articles 1 and 3 of the Planning Code are hereby amended by revising  
16 Sections 102 and 304.5 to read as follows:

17  
18 **SEC. 102. DEFINITIONS.**

19 \* \* \* \*

20 ***Post-Secondary Educational Institution.*** An Institutional Education Use, public or  
21 private, that ~~is certified by the Western Association of Schools and Colleges,~~ provides post-secondary  
22 educational services, such as a college or university, and ~~has met the applicable provisions of~~  
23 Section 304.5 of this Code concerning institutional master plans is certified by the Western Association  
24 of Schools and Colleges or an equivalent certification body, as determined by the Planning Director.  
25 Such institution may include employee ~~or student, dormitories~~ and other housing operated by

1 and affiliated with the institution, but shall not include student housing. Such institution shall not  
2 have industrial arts as its primary course of study.

3 \* \* \* \*

4  
5 **SEC. 304.5. INSTITUTIONAL MASTER PLANS.**

6 (a) **Purposes.** The principal purposes of ~~the requirements for~~ institutional master plans  
7 ~~contained in this Section are: is to (1) To~~ provide notice and information to the Planning  
8 Commission, community and neighborhood organizations, other public and private agencies,  
9 and the general public as to ~~the an institution's development plans of each affected institution at an~~  
10 ~~early stage, and to give an opportunity for early and~~ when such information would allow for the  
11 meaningful involvement of these groups in ~~such the~~ plans ~~prior to substantial investment in~~  
12 ~~property acquisition or building design by the institution~~ without creating undue barriers to  
13 development.

14 — ~~(2) To enable the institution to make modifications to its master plan in response to~~  
15 ~~comments made in public hearings prior to its more detailed planning and prior to any request for~~  
16 ~~authorization by the City of new development proposed in the Master Plan; and~~

17 — ~~(3) To provide the Planning Commission, community and neighborhood organizations,~~  
18 ~~other public and private agencies, the general public, and other institutions with information that may~~  
19 ~~help guide their decisions with regard to use of, and investment in, land in the vicinity of the institution,~~  
20 ~~provision of public services, and particularly the planning of similar institutions in order to insure that~~  
21 ~~costly duplication of facilities does not occur.~~

22 (b) **When Required.** ~~Except as provided in subsection (b)(1), Each~~ Hospital and each  
23 Post-Secondary Educational Institution ("PSEI") in the City and County of San Francisco (for  
24 the purposes of this Section 304.5 collectively referred to as "institution(s)"); ~~including Group~~  
25 ~~Housing affiliated with and operated by any such institution~~ shall have on file with the Planning

1 Department a current Institutional Master Plan describing the existing and anticipated future  
2 development of that institution as provided in ~~S~~subsection (c) below. ~~Institutions of less than~~  
3 ~~50,000 square feet or of less than 100,000 square feet in the C-3 district may submit an Abbreviated~~  
4 ~~Institutional Master Plan as described in Subsection (d) below.~~ A PSEI proposing to develop in a  
5 Residential District shall submit an Institutional Master Plan to the Planning Department, or an  
6 Update as appropriate, when applying for an entitlement that requires Department or Planning  
7 Commission approval.

8 (1) Exemptions.

9 (A) The requirements of this Section 304.5 shall not apply to a PSEI, or to any  
10 development of a PSEI, located outside of a Residential District specified under Section 201 of this  
11 Code.

12 (B) Institutions that occupy less than 50,000 square feet, or less than 100,000  
13 square feet in the C-3 district, may submit an Abbreviated Institutional Master Plan under subsection  
14 (d) in lieu of the full plan described in subsection (c).

15 ~~Thereafter, at intervals of two years, each such institution shall file an Update with the~~  
16 ~~Planning Department describing the current status of its Institutional Master Plan. The requirements~~  
17 ~~for an Update are provided in Subsection (f) below.~~

18 (2) Updates. ~~The Zoning Administrator shall be notified whenever the following occur~~  
19 ~~to determine whether a new Institutional Master Plan or a~~ An Update to an Institutional Master Plan  
20 (or "Update") as provided in subsection (f) shall be required as follows:

21 (A) Hospitals. ~~Following acceptance of its Institutional Master Plan, a Hospital~~  
22 ~~shall file an Update with the Planning Department every two years. If the Hospital proposes to~~  
23 ~~undertake or has undertaken there are significant revisions~~ development to the information that is not  
24 contained discussed in the existing Institutional Master Plan; ~~or 10 years have passed since the last~~  
25 ~~Institutional Master Plan was submitted and heard by the Planning Commission (as described by~~

1 Subsection (e) below, the Zoning Administrator shall determine whether a new Institutional Master  
2 Plan or an Update is required to fulfill the purpose stated in subsection (a) above. Significant  
3 revisions-development may include plans to construct new facilities ~~that were not previously~~  
4 ~~discussed in the Institutional Master Plan, plans to~~ or demolish existing facilities ~~that were not~~  
5 ~~discussed in the Institutional Master Plan~~, closure of an existing unit, opening of a new unit,  
6 ~~change in use of an existing unit or inpatient facility~~, an increase in the institution's size by 10,000  
7 square feet or 25% of total square footage (whichever is less), or significant changes in use of  
8 existing facilities or units that were not discussed in the Institutional Master Plan.

9 (B) PSEIs. If a PSEI already has an accepted Institutional Master Plan on file  
10 with the Department, the institution shall submit an Update with any subsequent application for an  
11 entitlement that requires Department or Planning Commission approval if the application proposes to  
12 increase the institution's presence in a Residential District by 10,000 square feet or by 25% of the  
13 institution's total square footage (whichever is less).

14 \* \* \* \*

15 (e) **Hearing and Acceptance of the Plan.** In a case in which a full Institutional  
16 Master Plan, or revision to such a plan, has been filed and the submission has been  
17 determined by the Planning Department to contain all information in accordance with  
18 ~~S~~subsection (c) above, the Planning Commission shall hold a public hearing on such plan or  
19 revisions. The Zoning Administrator shall set the time and place for the hearing within a  
20 reasonable period, but in no event shall the hearing date be less than 30 days nor more than  
21 180 days after the plan, or revisions, have been accepted for filing. An Institutional Master  
22 Plan shall be considered accepted when the Planning Commission hearing has closed.

23 In a case in which an abbreviated institutional master plan has been filed in accordance  
24 with ~~S~~subsection ~~(e)~~ (d) above, the Zoning Administrator shall report the filing to the Planning  
25 Commission, and the Commission may, at its option, either hold or not hold a public hearing

1 on such plan, as the Commission may deem the public interest to require. In the event a  
2 public hearing is to be held on ~~such~~ an abbreviated institutional master plan, the Planning  
3 Department or the Commission may require submission of additional information by the  
4 institution as deemed necessary for such hearing. An abbreviated Institutional Master Plan  
5 shall be considered accepted after the Zoning Administrator reports the filing to the Planning  
6 Commission, unless the Planning Commission requests a public hearing, ~~at~~in which case  
7 acceptance shall occur when the Planning Commission hearing has closed.

8 \* \* \* \*

9 ~~To facilitate accessibility of the Master Plan to the public, once an institutional master plan  
10 or abbreviated institutional master plan is determined by the Planning Department to contain all  
11 information in accordance with Subsection (c) above, the institution shall provide the Planning  
12 Department with ten (10) print versions of the document in addition to any other format deemed useful  
13 and appropriate for easy public accessibility.~~

14 Public testimony, as represented in the official minutes of the Planning Commission  
15 and written correspondence to the Commission, concerning the content of an Institutional  
16 Master Plan and revisions thereto, shall become a part of the Institutional Master Plan file at  
17 the Planning Department and shall be available for public review.

18 (f) **Update to the Plan.** ~~Every two years or sooner from the date of the most recent  
19 approval, the institution must submit an Update to the Planning Department. This An Update shall  
20 provide a description of describe all projects that: (1) an institution has ~~been~~ completed since ~~the~~  
21 ~~most recent~~ filing its Institutional Master Plan or last Update submission; (2) are ongoing, including  
22 a description of the status and estimated timetables for completion of such projects; (3) are  
23 scheduled to begin in the upcoming 24 months, including estimated timetables for the  
24 commencement, progress, and completion of such projects; and, (4) are no longer being  
25 considered by the institution.~~

1           The Update will not require a hearing, although the document will be made publicly  
2 accessible. Per Subsection (i) below, the Planning Department will not grant any permits or  
3 other entitlements to the Institution until the Update is considered complete. ~~The institution shall~~  
4 ~~provide the Planning Department with ten (10) print versions of the Update in addition to any other~~  
5 ~~format that is deemed useful and appropriate for easy public accessibility.~~

6           \* \* \* \*

7           (h) **Conditional Use Authorizations.** In the case of any institution subject to the  
8 institutional master plan requirements of this Section 304.5, the Planning Commission shall not  
9 authorize a no-conditional use or any other entitlement requiring Planning Commission action  
10 ~~required~~ for development by the institution ~~under Articles 2, 7 or 8 of this Code shall be authorized~~  
11 ~~by the Planning Commission~~ unless such development shall be as described in the Institutional  
12 Master Plan or ~~u~~Update, filed with the Planning Department, ~~and heard by the Planning~~  
13 ~~Commission as provided in this Section. Additionally, no hearing shall be held or consent calendar~~  
14 ~~item approved by the Commission on any such application for a new conditional use until three months~~  
15 ~~shall have elapsed after the date on which the public hearing is closed and the Institutional Master~~  
16 ~~Plan, is accepted.~~ The procedures for conditional use applications and other entitlements  
17 requiring Planning Commission action shall be those set forth in Section 303 and elsewhere in  
18 this Code.

19           \* \* \* \*

20           (i) **Permit Applications.** The Planning Department shall not approve any Development  
21 Application or building permit application for any construction pertaining to any development of  
22 any institution subject to this Section 304.5, with the exception of interior alterations which do  
23 not significantly intensify, change, or expand the use, occupancy, or inpatient services or  
24 facilities of the institution as determined by the Zoning Administrator, and are necessary to  
25 correct immediate hazards to health or safety, unless that institution has complied with all the

1 applicable requirements of ~~S~~subsections (b), (c), and (f) above with regard to its filing of an  
2 Institutional Master Plan or revisions thereto.

3  
4 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
8 additions, and Board amendment deletions in accordance with the “Note” that appears under  
9 the official title of the ordinance.

10  
11 Section 4. Effective Date. This ordinance shall become effective at 12:00 a.m. on the  
12 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor  
13 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
14 or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

15  
16 APPROVED AS TO FORM:  
17 DAVID CHIU, City Attorney

18 By: /s/ Kathy J. Shin  
19 KATHY J. SHIN  
20 Deputy City Attorney

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