

1 [Administrative Code - Transit Center District Plan Monitoring and Interagency Planning and
2 Implementation Committee]

3 **Ordinance: 1) amending the San Francisco Administrative Code Section 10E.1 and**
4 **Sections 36.1 and 36.3 to address Plan monitoring and the Interagency Planning and**
5 **Implementation Committee role in the Transit Center District Plan public**
6 **improvements; and 2) making environmental findings.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are *strike-through 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. Findings.

12 (a) California Environmental Quality Act Findings.

13 (1) The Planning Commission, in Motion No. 18628 certified the Final Environmental
14 Impact Report for the Transit Center District Plan and related actions as in comply with the
15 California Environmental Quality Act (Public Resources Code Sections 21000 et seq.). A copy
16 of said Motion is on file with the Clerk of the Board of Supervisors in File No. 120665 and is
17 incorporated herein by reference.

18 (2) On May 24, 2012, the Planning Commission conducted a duly noticed public
19 hearing and, by Motion No. 18629, adopted findings pursuant to the California Environmental
20 Quality Act for the Transit Center District Plan and related actions. A copy of Planning
21 Commission Resolution No. 18629, including its attachment and mitigation monitoring and
22 reporting program, is on file with the Clerk of the Board of Supervisors in File No. 120665 and
23 is incorporated herein by reference. The Board of Supervisors hereby adopts the Planning
24 Commission's environmental findings as its own.

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1 (b) Planning Commission Recommendation.

2 (1) On May 24, 2012, after a duly noticed public hearing, the Planning Commission by
3 Resolution No. 18634 and 18635 recommended that the Board of Supervisors approve the
4 Administrative Code amendments set forth in this Ordinance with an associated
5 implementation plan for purposes of monitoring and implementation of the Transit Center
6 District Plan. Copies of Planning Commission Resolution Nos. 18634 and 18635 and related
7 documents are on file with the Clerk of the Board of Supervisors in File No. 120667 and are
8 incorporated herein by reference.

9 Section 2. The San Francisco Administrative Code is hereby amended by amending
10 Section 10E.1, to read as follows:

11 **SEC. 10E.1. DOWNTOWN PLAN.**

12 (a) Findings. The Board of Supervisors makes the following findings in support of
13 this ordinance.

14 (1) The Planning Commission has adopted the Downtown Plan as part of the
15 General Plan of the City and County of San Francisco, and the Board of Supervisors, acting
16 upon the recommendation of the Planning Commission, has adopted amendments to the
17 Planning Code called for in the Downtown Plan. The Planning Commission and Board of
18 Supervisors have adopted the Transit Center District Plan as a sub-area of the Downtown Plan, as well
19 as implementing Planning Code provisions.

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

23 (3) The Downtown Plan is based on certain assessments about the ability of the
24 City to absorb the impacts of growth in downtown San Francisco and the desirability of
25 increasing housing, ridesharing and transit use in light of the anticipated downtown growth.

1 The Downtown Plan proposes various actions which should be taken to achieve the following
2 goals: An increase in the City's housing supply by an average of 1,000 to 1,500 new housing
3 units per year; and increase in ridesharing to a point where the number of persons commuting
4 by auto or van rises from 1.48 to 1.66 persons per vehicle; and an increase in the use of
5 transit by downtown workers from 64 percent to 70 percent of all work trips.

6 (4) The Downtown Plan recommends the adoption of a formal process for
7 monitoring progress toward Plan goals. This monitoring process is necessary to evaluate the
8 effectiveness of the Plan and the impacts of downtown growth, and to make any adjustments
9 deemed appropriate to the controls described in the Downtown Plan or to additions to the
10 City's infrastructure and services.

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

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

1 (b) **Annual Report.** The Planning Department shall prepare an annual report
2 detailing the effects of downtown growth. The report shall be presented to the Board of
3 Supervisors, Planning Commission, and Mayor, and shall address: (1) the extent of
4 development in the C-3 Districts; (2) the consequences of that development; (3) the
5 effectiveness of the policies set forth in the Downtown Plan in maintaining San Francisco's
6 environment and character; and (4) recommendations for measures deemed appropriate to
7 deal with the impacts of downtown growth.

8 (1) **Time Period and Due Date.** Reports shall be due by July 1st of each year, and
9 shall address the immediately preceding calendar year, except for the five year report, which
10 shall address the preceding five calendar years.

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

15 (3) **Categories of Information.** The following categories of information shall be
16 included:

17 Commercial Space and Employment.

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

23 (B) Office Vacancy Ratio. An estimate of the current office vacancy rate in
24 the C-3 Districts and citywide.

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

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

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

8 (F) Business Formation and Relocation. An estimate of the rate of the
9 establishment of new businesses and business and employment relocation trends and
10 patterns within the City and the Bay Area.

11 Housing.

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

14 (H) Jobs/Housing Linkage Program. A summary of the operation of the
15 Jobs/Housing Linkage Program (formerly the Office Affordable Housing Production Program)
16 and the Housing Affordability Fund, identifying the number and income mix of units
17 constructed or assisted with these monies.

18 Transportation.

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

21 (J) Vehicle Occupancy Rates. An estimate of vehicle occupancy rates for
22 vehicles in or entering the City.

23 (K) Transit Service. An estimate of transit ridership for peak periods.

24 (L) Transit Impact Fee. A summary of the use of the transit impact
25 development fee funds, collected from development.

1 Fiscal.

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

4 (N) Transit Center District Revenues and Implementation of Improvements. A
5 summary of the total revenues from Transit Center District Plan fees, including the Open Space Impact
6 Fee and Transportation and Street Improvement Impact Fee, as well as from any Community Facilities
7 District within the Transit Center District Plan area boundaries, and a summary of expenditures on
8 public improvements as described in the Transit Center District Plan Program Implementation
9 Document.

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

16 (c) **Five Year Report.** On March 15, 1990, and every fifth year thereafter by July
17 1st, the report submitted shall address the preceding five calendar years and, in addition to
18 the data described above, shall include, as deemed appropriate, a cordon count of downtown
19 oriented travel and an employer/employee survey and any other information necessary for the
20 purpose of monitoring the impact of downtown development. The five-year report shall
21 monitor long-term policy indicators such as the TDR program, urban form goals, any impact
22 fee funds, and provide analysis of the Downtown Plan's policy objectives. If the Planning
23 Department determines that early warnings from the annual reports indicate the need for
24 collection of a cordon count and employer/employee survey, it may include such data in any
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1 annual report, and may include an analysis of data for a period of time earlier than the
2 preceding calendar year.

3 (d) **Information to be Furnished.** It shall be the duty of the heads of all
4 departments, offices, commissions, bureaus and divisions of the City and County of San
5 Francisco, upon request by the Planning Department, to furnish such information as they may
6 have or be able to obtain relating to the matters to be included in the reports required herein.

7 Section 3. The San Francisco Administrative Code is hereby amended by amending
8 Sections 36.1 and 36.3, to read as follows:

9 **SEC. 36.1 APPLICABILITY.**

10 (a) The Planning Department is currently engaged in comprehensive planning of
11 areas of the City being referred to as the proposed Transit Center District, Market/Octavia, East
12 SOMA, West SOMA, Inner Mission, Lower Potrero/Showplace Square, and Central
13 Waterfront plan areas. These efforts are expected to lead to new or modified area plans of the
14 City's General Plan ("Area Plans") that address urban design, open space, transportation,
15 housing, and community facilities and present detailed rezoning and policy proposals that
16 cover land use, housing, community facilities, open space, and transportation. The boundaries
17 of these areas are generally as outlined in documents posted from time to time on the
18 Planning Department's web page.

19 (b) As part of the comprehensive planning leading to preparation and
20 adoption of each Area Plan, the Planning Department, and, in the West SOMA area, the
21 Planning Department with the advice and input of the Western SoMa Citizens Planning Task
22 Force, is analyzing the existing deficiencies and improvement needs of each area and the
23 deficiencies and improvement needs that will be created by or exacerbated by the new
24 development permitted by the proposed Area Plan. In the other areas covered by this
25 legislation, the Planning Department should also consider the advice and input of citizen

1 groups, Based on this analysis, the Planning Department shall prepare for each area a
2 document that identifies the various facilities, infrastructure and other community
3 improvements needed to address the identified conditions and needs (the "Community
4 Improvements Plan") and an implementation program that summarizes the estimated costs of
5 the various facilities and improvements identified in the Community Improvements Plan,
6 proposes specific funding strategies and sources to finance them, identifies the responsible
7 and supporting agencies, and outlines the steps, including as may be needed more detailed
8 planning, program design, and environmental evaluation, required to refine the proposals and
9 implement them (the "Implementation Program."). In the West SOMA area the City is
10 preparing the Community Improvements Plan and Implementation Program with the advice
11 and in put of the Western SoMa Citizens Planning Task Force. In the other areas covered by
12 this legislation, the Planning Department should also consider the advice and input of citizen
13 groups. The funding sources proposed in the Implementation Program may include, but are
14 not limited to, use of federal, State, and local public resources, community facility, community
15 benefit or other forms of assessment districts, and area-specific development impact fees, as
16 may be detailed in the final adopted respective area plans.

17 **SEC. 36.3. INTERAGENCY PLANNING AND IMPLEMENTATION COMMITTEES.**

18 For each area subject to the provisions of this Article, there shall be an
19 Interagency Planning and Implementation Committee that shall be comprised of
20 representatives of the departments, offices, and agencies whose responsibilities include
21 provision of one of more of the community improvements that are likely to be needed or
22 desired in a Plan Area. In addition to the Planning Department, these departments, offices,
23 and agencies shall, if relevant, include, but are not limited to, the County Transportation
24 Authority, Municipal Transportation Agency, Department of Public Works, Library
25 Commission, Redevelopment Agency or its successor agency, Mayor's Office of Economic and

1 Workforce Development, Mayor's Office of Community Development, Public Utilities
2 Commission, Department of Recreation and Parks, Department of the Environment, and the
3 Office of City Greening. Representatives from the Transbay Joint Powers Authority (TJPA) and Bay
4 Area Rapid Transit District (BART) shall be consulted when formulating recommendations regarding
5 implementation and funding related to the Transit Center District Plan. The Interagency Planning
6 and Implementation Committees shall be chaired by the Planning Director or his or her
7 designee. It shall be the responsibility of each such department, office, or agency to
8 participate, using its own administrative funds, in the preparation of that portion of a
9 Community Improvements Plan falling within its area of responsibility and, after Area Plan
10 adoption, to participate in the detailed design of the community improvement or improvements
11 and to seek the funding for its implementation as provided in the Implementation Program, as
12 amended from time to time.

13 Section 4. Effective Date. This ordinance shall become effective 30 days from the
14 date of passage.

15 Section 5. This section is uncodified. In enacting this Ordinance, the Board intends to
16 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
17 punctuation, charts, diagrams, or any other constituent part of the Administrative Code that
18 are explicitly shown in this legislation as additions, deletions, Board amendment additions,
19 and Board amendment deletions in accordance with the "Note" that appears under the official
20 title of the legislation.

21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 John D. Malamut
25 Deputy City Attorney

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