[Updating Infill Opportunity Zone for Congestion Management Planning]

Resolution updating the area designated as an Infill Opportunity Zone for Congestion Management Planning in the City and County of San Francisco under California Government Code, Section 65088 et seq.

WHEREAS, State congestion management law requires Congestion Management Agencies (CMAs) to establish Level of Service (LOS) (private vehicle delay) standards for a designated countywide network of roadways; and

WHEREAS, State Senate Bill 1636 (Figueroa 2002) ("SB 1636") allowed local jurisdictions to designate eligible areas as Infill Opportunity Zones ("IOZs") to allow CMAs to utilize alternate methods to measure and mitigate roadway congestion within an IOZ instead of using traditional LOS measures, pursuant to California Government Code, Section 65088 et seq.; and

WHEREAS, The Board of Supervisors previously designated an IOZ (Resolution No. 494-09, File No. 091335) in December 8, 2009 (“previously designated IOZ”) pursuant to the requirements for designating an IOZ set forth in SB 1636; and

WHEREAS, State Senate Bill 743 (Steinberg 2013) (“SB 743”) revised the definition of “IOZ”; and

WHEREAS, The San Francisco County Transportation Authority (“Authority”) identified the area eligible for designation as an IOZ in the City and County of San Francisco (“City”) under SB 743 ("eligible area") in the map on file with the Clerk of the Board of Supervisors in File No. 240758, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, The eligible area is on the whole larger than the previously designated IOZ, though some areas within the previously designated IOZ will no longer fall within an IOZ after updating the area designated as an IOZ in the City ("IOZ update"); and

WHEREAS, The previously designated IOZ no longer aligns with the current definition of "IOZ" set forth in California Government Code, Section 65088.1(e); and

WHEREAS, The IOZ update would allow the Authority, as Congestion Management Agency, to better support the City's Transit First Policy, land use planning efforts, compact land use pattern, and multimodal transportation system through Congestion Management Program ("CMP") practices; and

WHEREAS, On December 19, 2023, the Planning Department determined that the IOZ update is consistent with the San Francisco General Plan ("General Plan"), and with the eight priority policies of Planning Code, Section 101.1 because: (1) it will directly support policy objectives of the General Plan, including, but not limited to, Objectives 3.B, 4.B, 4.C, 5.A, and 5.B of the Housing Element and Objectives 1, 2, 3, 10, 11, 12, 14, 15, 18, and 19 of the Transportation Element; and (2) it will complement City efforts to promote infill housing, transit-oriented development, and mixed-use commercial developments in proximity to multimodal transportation infrastructure consistent with the City's General Plan and priority policies; and

WHEREAS, A copy of the Planning Department determination is on file with the Clerk of the Board of Supervisors in File No. 240758, and is incorporated herein by reference; and

WHEREAS, The Board of Supervisors finds the eligible area, as identified in the map on file with the Clerk of the Board of Supervisors in File No. 240758, which is hereby declared to be part of this Resolution as set forth fully herein, to be eligible for designation as an IOZ; and

WHEREAS, The Board of Supervisors' eligibility finding is supported by analysis conducted by Authority staff, which is on file with the Clerk of the Board of Supervisors in File No. 240758, and which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, Designating the eligible area as an IOZ would align San Francisco's IOZ with the current California Government Code, Section 65088 et seq. as amended by SB 743; now, therefore, be it

RESOLVED, That the Board of Supervisors finds that the IOZ update is, on balance, consistent with the General Plan; and, be it

FURTHER RESOLVED, That the eligible area is hereby designated an IOZ within the meaning of California Government Code, Section 65088 et seq.