

LEGISLATIVE DIGEST

[Planning Code - Adopting Nexus Analysis for Certain Development Fees]

Ordinance amending the Planning Code to adopt the San Francisco Citywide Nexus Analysis supporting existing development fees, including fees in the Downtown and other Area Plans, to cover impacts of residential and commercial development in the areas of recreation and open space; pedestrian and streetscape improvements; childcare facilities; and bicycle infrastructure; making findings related to all of the fees in Article IV generally and certain development fees supported by the Nexus Analysis specifically; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Through the land use entitlement process, the Planning Department or Planning Commission imposes fees, known as development impact fees, as a condition of development approval on certain projects. The purpose of the fees is to mitigate the impacts of new residential or commercial development on things such as recreation and open space, pedestrian and streetscape infrastructure, childcare facilities, bicycle infrastructure. All development impact fees are located in Article IV of the Planning Code. Currently, many fees, especially in the Area Plans are supported by Area-specific analyses.

Amendments to Current Law

The proposed ordinance includes proposed changes to various sections of Article IV of the Planning Code. The Ordinance proposes to amend the Planning Code to adopt the San Francisco Citywide Nexus Analysis (Nexus Analysis) supporting existing development fees, including fees in the Downtown and other Area Plans, to cover impacts of residential and commercial development in four infrastructure areas: recreation and open space; pedestrian and streetscape improvements; childcare facilities; and bicycle infrastructure. The Ordinance also proposes to make findings, including findings required by State law, related to all of the fees in Article IV generally and certain development fees supported by the Nexus Analysis specifically.

In addition, this legislation proposes minor amendments to the administration of various impact fee programs to facilitate their administration. This Ordinance does not propose changes to the rate of fees; expand the geographic scope of any fees; change the way in which specific fees are expended; or modify the overall goals of the various impact fee programs.

Background Information

According to the Planning Department, the development of the Citywide Nexus analysis responds to two separate goals: (1) provide a common analysis to support fees in any geographic area of the City where the City imposes them; and (2) update the support for various fees under certain program administration requirements of the Planning Code.

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