



# SAN FRANCISCO PLANNING DEPARTMENT

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## Exhibit VI-1: Administrative Code Amendments Case Report HEARING DATE: MAY 24, 2012

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CA 94103-2479

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**415.558.6377**

*Case No.:* **2007.0558EMTZU**  
*Transit Center District Plan –  
Approval of Amendments to the Administrative Code*

*Staff Contact:* Joshua Switzky - (415) 575-6815  
*joshua.switzky@sfgov.org*

*Recommendation:* **Approval**

### DESCRIPTION

The San Francisco Planning Department is seeking to adopt and implement the Transit Center District Plan.

For background on the Transit Center District Plan, see the accompanying Executive Summary staff report.

In addition to General Plan, Planning Code, and Zoning Map amendments related to the Plan, the Planning Commission and Board of Supervisors will consider and adopt a Plan Program Implementation Document. The Program Implementation document inventories the public improvements recommended by the Plan and lays out a Funding Program to allocate projected revenues from new and existing funding sources to these improvements. The Board of Supervisors, with input from the Interagency Plan Implementation Committee ("IPIC"), shall monitor and allocate revenues according to these proportional allocations based on actual revenues over time and the readiness of the various public improvements for expenditure.

Chapter 36 of the Administrative Code establishes the IPIC, a body which tracks existing and projected Plan revenues, makes recommendations on expenditures of Plan revenues, and coordinates City agency work programs to forward implementation of the Plan's improvement projects.

Amendments to the City's Administrative Code would add the Transit Center District Plan to the list of adopted plans that are administered and monitored through certain established procedures and review bodies. Proposed amendments to Chapter 36 would add the Plan to the list of plans for which the IPIC currently oversees implementation, including the Eastern Neighborhoods and Market & Octavia Plans (among others). The IPIC bases its recommendations on the Plan's Program Implementation Document. The proposed amendments also add the Transbay Joint Powers Authority (TJPA) and BART to the list of public agencies invited to participate in the IPIC, which is chaired by the Planning Director.

Chapter 10E establishes monitoring programs for various adopted plans, including the Downtown Plan. Reporting on outcomes and implementation of the Transit Center District Plan, adopted as a Sub-Area Plan of the Downtown Plan, would be explicitly incorporated into the existing monitoring program for the Downtown Plan required by Chapter 10E.

## **PRELIMINARY STAFF RECOMMENDATION**

Staff recommends adoption of the draft Resolution recommending approval of the draft amendments to the Administrative Code.

## **ENVIRONMENTAL REVIEW**

The Department published the Draft Environmental Impact Report on September 28, 2011. The Planning Commission will consider certification of the Final Environmental Impact Report on the Transit Center District Plan and adoption of CEQA Findings prior to consideration of this item at the hearing on May 24, 2012.

## **RELATED ACTIONS**

As part of its actions approving the Transit Center District Plan, the Planning Commission will consider Amendments to the General Plan, Planning Code, and Zoning Maps and approval of the Plan Program Implementation Document. These proposed actions are discussed in separate Staff Reports.

## **ATTACHMENTS**

Exhibit VI-2 Draft Resolution Recommending Approval of the draft Administrative Code Amendments  
Exhibit VI-3 Draft Administrative Code Amendments Ordinance



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution

HEARING DATE MAY 24, 2012

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### ADOPTING A RESOLUTION TO RECOMMEND AMENDMENTS TO THE SAN FRANCISCO ADMINISTRATIVE CODE PURSUANT TO THE ADOPTION OF THE TRANSIT CENTER DISTRICT PLAN

WHEREAS the San Francisco Planning Department is seeking to adopt and implement the Transit Center District Plan. In addition to General Plan, Planning Code, and Zoning Map amendments related to the Plan, the Planning Commission and Board of Supervisors will consider and adopt Administrative Code amendments relating to Plan monitoring and City decision-making regarding implementation of the Plan. Underlying these Administrative Code amendments is a Plan Program Implementation Document. The Program Implementation document inventories the public improvements recommended by the Plan and lays out a Funding Program to allocate projected revenues from new and existing funding sources to these improvements. In order to implement the public improvements recommended by the Plan and the Funding Program contained in the Program Implementation Document, certain amendments to the Administrative Code are required. These amendments incorporate the Transit Center District Plan into the purview of the Interagency Plan Implementation Committee, established in Administrative Code Chapter 36 to administer implementation of adopted area plans. Amendments to the Administrative Code also add requirements to report on implementation of the Transit Center District Plan as part of regular Downtown Plan Monitoring Reports.

Proposed amendments to the Administrative Code are attached hereto as Exhibits VI-3.

The Planning Commission incorporates by reference the general findings and overview concerning the Transit Center District Plan as set forth in Planning Commission Resolution No. \_\_\_\_\_ governing General Plan amendments.

Prior to considering relevant amendments to the General Plan, Planning Code, Zoning Maps and other actions related to implementing the Transit Center District Plan, the Planning Commission adopted Motion No. \_\_\_\_\_ certifying the Final Environmental Impact Report for the Transit

Resolution \_\_\_\_\_  
\_\_\_\_\_, 2012

**CASE NO. 2007.0558EMTZU**  
**Recommendation of Administrative Code Amendments**  
**Related to the Transit Center District Plan**

Center District Plan in accordance with the California Environmental Quality Act (CEQA). The Planning Commission also adopted Motion No. \_\_\_\_\_ adopting CEQA Findings related to the Transit Center District Plan.

NOW, THEREFORE, BE IT RESOLVED, the Commission adopts and incorporates by reference the CEQA Findings in Commission Motion No. \_\_\_\_\_;

AND BE IT FURTHER RESOLVED, that the Planning Commission finds that the proposed amendments to the Administrative Code are necessary to implement the Transit Center District Plan;

AND BE IT FURTHER RESOLVED, that the Commission recommends the amendments to the Administrative Code hereto attached as Exhibit VI-3, and recommends their adoption by the Board of Supervisors.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on \_\_\_\_\_, 2012.

Linda D. Avery  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

1 [Transit Center District Plan – Administrative Code Plan Monitoring and IPIC]

2

3 **Ordinance 1) amending the San Francisco Administrative Code by amending Section**  
4 **10E.1 and Sections 36.1 and 36.3 to address Plan monitoring and the Interagency**  
5 **Planning and Implementation Committee (IPIC) role in the Transit Center District Plan**  
6 **public 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;  
10 Board amendment deletions are ~~strikethrough normal~~.

10

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

12 Section 1. Findings.

13 (a) California Environmental Quality Act Findings.

14 (1) The Planning Commission, in Motion No. \_\_\_\_\_ has determined that the  
15 actions contemplated in this Ordinance comply with the California Environmental Quality Act  
16 (Public Resources Code Sections 21000 et seq.). A copy of said Motion is on file with the  
17 Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
18 reference.

19 (2) On \_\_\_\_\_, 2012 by Resolution No. \_\_\_\_\_, the Planning  
20 Commission conducted a duly noticed public hearing and adopted findings pursuant to the  
21 California Environmental Quality Act for the Transit Center District Plan and related approvals.  
22 A copy of Planning Commission Resolution No. \_\_\_\_\_ is on file with the Clerk of the  
23 Board of Supervisors in File No. \_\_\_\_\_. The Board of Supervisors hereby adopts  
24 the Planning Commission's environmental findings as its own.

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1 (b) Planning Commission Recommendation.

2 (1) On \_\_\_\_\_, 2012, after a duly noticed public hearing, the Planning  
3 Commission by Resolution No. \_\_\_\_\_ recommended that the Board of Supervisors  
4 approve the Administrative Code amendments set forth in this Ordinance for purposes of  
5 monitoring and implementation of the Transit Center District Plan. A copy of Planning  
6 Commission Resolution No. \_\_\_\_\_ and related documents are on file with the Clerk of  
7 the Board of Supervisors in File No. \_\_\_\_\_ and are incorporated herein by  
8 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

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

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

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

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

1 The annual monitoring should provide an early warning system for trends that may develop,  
2 indicating a shortfall in the long range goals.

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

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

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

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

19 Commercial Space and Employment.

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

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

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

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

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

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

13 Housing.

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

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

20 Transportation.

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

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

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

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

4 Fiscal.

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

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

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

19 (c) **Five Year Report.** On March 15, 1990, and every fifth year thereafter by July  
20 1st, the report submitted shall address the preceding five calendar years and, in addition to  
21 the data described above, shall include, as deemed appropriate, a cordon count of downtown  
22 oriented travel and an employer/employee survey and any other information necessary for the  
23 purpose of monitoring the impact of downtown development. The five-year report shall  
24 monitor long-term policy indicators such as the TDR program, urban form goals, any impact

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1 fee funds, and provide analysis of the Downtown Plan's policy objectives. If the Planning  
2 Department determines that early warnings from the annual reports indicate the need for  
3 collection of a cordon count and employer/employee survey, it may include such data in any  
4 annual report, and may include an analysis of data for a period of time earlier than the  
5 preceding calendar year.

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

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

12 **SEC. 36.1 APPLICABILITY.**

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

22 (b) As part of the comprehensive planning leading to preparation and  
23 adoption of each Area Plan, the Planning Department, and, in the West SOMA area, the  
24 Planning Department with the advice and input of the Western SoMa Citizens Planning Task

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

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

22 For each area subject to the provisions of this Article, there shall be an  
23 Interagency Planning and Implementation Committee that shall be comprised of  
24 representatives of the departments, offices, and agencies whose responsibilities include

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1 provision of one of more of the community improvements that are likely to be needed or  
2 desired in a Plan Area. In addition to the Planning Department, these departments, offices,  
3 and agencies shall, if relevant, include, but are not limited to, the County Transportation  
4 Authority, Municipal Transportation Agency, Department of Public Works, Library  
5 Commission, Redevelopment Agency or its successor agency, Mayor's Office of Economic and  
6 Workforce Development, Mayor's Office of Community Development, Public Utilities  
7 Commission, Department of Recreation and Parks, Department of the Environment, and the  
8 Office of City Greening. Representatives from the Transbay Joint Powers Authority (TJPA) and Bay  
9 Area Rapid Transit District (BART) shall be consulted when formulating recommendations regarding  
10 implementation and funding related to the Transit Center District Plan. The Interagency Planning  
11 and Implementation Committees shall be chaired by the Planning Director or his or her  
12 designee. It shall be the responsibility of each such department, office, or agency to  
13 participate, using its own administrative funds, in the preparation of that portion of a  
14 Community Improvements Plan falling within its area of responsibility and, after Area Plan  
15 adoption, to participate in the detailed design of the community improvement or improvements  
16 and to seek the funding for its implementation as provided in the Implementation Program, as  
17 amended from time to time.

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

20 Section 5. This section is uncodified. In enacting this Ordinance, the Board intends to  
21 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,  
22 punctuation, charts, diagrams, or any other constituent part of the Administrative Code that  
23 are explicitly shown in this legislation as additions, deletions, Board amendment additions,  
24

1 and Board amendment deletions in accordance with the "Note" that appears under the official  
2 title of the legislation.

3  
4 APPROVED AS TO FORM:  
5 DENNIS J. HERRERA, City Attorney

6 By: \_\_\_\_\_  
7 John D. Malamut  
8 Deputy City Attorney

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