

1 [Balboa Park Station Area Plan – monitoring program.]

2
3 **Ordinance amending the Administrative Code Chapter 10E to establish the Balboa Park**
4 **Station Area Plan Monitoring Program for purposes of reviewing the effectiveness of**
5 **the Balboa Park Station Area Plan and implementation of specified improvements; and**
6 **adopting 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) In accordance with the actions contemplated herein, this Board adopted Ordinance
13 No. 60-09, that included findings pursuant to the California Environmental Quality
14 Act (California Public Resources Code sections 21000 et seq.). A copy of said Ordinance is
15 on file with the Clerk of the Board of Supervisors in File No. 090180 and is
16 incorporated by reference herein.

17 (b) The Board of Supervisors acknowledges Planning Commission Resolution No. 17779,
18 which recommended adoption of the Balboa Park Station Area Plan implementation and
19 monitoring program. A copy of said Planning Commission Resolution is on file with the Clerk
20 of the Board of Supervisors in File No. 090179.

21 Section 2. The San Francisco Administrative Code is hereby amended by amending
22 Chapter 10E as follows:

23 CHAPTER 10E: NEIGHBORHOOD AREA PLAN MONITORING

24 SEC. 10E.1. DOWNTOWN PLAN
25

1 (a) FINDINGS. The Board of Supervisors makes the following findings in support of
2 this ordinance.

3 (a1) The Planning Commission has adopted the Downtown Plan as part of the
4 General Plan of the City and County of San Francisco, and the Board of Supervisors, acting
5 upon the recommendation of the Planning Commission, has adopted amendments to the
6 Planning Code called for in the Downtown Plan.

7 (b2) The focus of the Downtown Plan is to prevent development where change would
8 diminish the City's character or livability but to allow appropriately scaled development that
9 would further the City's economic, fiscal and social objectives.

10 (c3) The Downtown Plan is based on certain assessments about the ability of the City
11 to absorb the impacts of growth in downtown San Francisco and the desirability of increasing
12 housing, ridesharing and transit use in light of the anticipated downtown growth. The
13 Downtown Plan proposes various actions which should be taken to achieve the following
14 goals: An increase in the City's housing supply by an average of 1,000 to 1,500 new housing
15 units per year; and increase in ridesharing to a point where the number of persons commuting
16 by auto or van rises from 1.48 to 1.66 persons per vehicle; and an increase in the use of
17 transit by downtown workers from 64 percent to 70 percent of all work trips.

18 (d4) The Downtown Plan recommends the adoption of a formal process for monitoring
19 progress toward Plan goals. This monitoring process is necessary to evaluate the
20 effectiveness of the Plan and the impacts of downtown growth, and to make any adjustments
21 deemed appropriate to the controls described in the Downtown Plan or to additions to the
22 City's infrastructure and services.

23 (e5) The purpose of this monitoring system shall be to determine whether the
24 infrastructure and support systems necessary to accommodate the growth of downtown,
25 particularly housing supply and transit capacity, have kept pace with development in the C-3

1 Districts. If downtown is growing at a faster pace than the necessary infrastructure and
2 support systems, it may become necessary to make further efforts to slow down the pace of
3 development, or devise additional mechanisms for providing required infrastructure and
4 support systems.

5 (f6) The Planning Department shall undertake a two-tiered monitoring program. The
6 two tiers are: ~~1A~~) An annual collection and reporting of data from selected sources that are
7 gathered on a regular basis, and ~~2B~~) every five years, a more extensive data collection effort
8 that includes an analysis of long-term policy indicators such as the TDR program, urban form
9 goals, any impact fee funds, and provides analysis of the Downtown Plan's policy objectives.
10 The annual monitoring should provide an early warning system for trends that may develop,
11 indicating a shortfall in the long range goals.

12 ~~SEC. 10E.2.~~ (b) ANNUAL REPORT. The Planning Department shall prepare an annual
13 report detailing the effects of downtown growth. The report shall be presented to the Board of
14 Supervisors, Planning Commission, and Mayor, and shall address: (1) the extent of
15 development in the C-3 Districts; (2) the consequences of that development; (3) the
16 effectiveness of the policies set forth in the Downtown Plan in maintaining San Francisco's
17 environment and character; and (4) recommendations for measures deemed appropriate to
18 deal with the impacts of downtown growth.

19 (a1) Time Period and Due Date. Reports shall be due by July 1st of each year, and
20 shall address the immediately preceding calendar year, except for the five year report, which
21 shall address the preceding five calendar years.

22 (b2) Data Source. The Planning Department shall assemble a data base for 1984 and
23 subsequent years for the purpose of providing the reports. City records shall be used
24 wherever possible. Outside sources shall be used when data from such sources are reliable,
25 readily available and necessary in order to supplement City records.

1 (~~6~~3) Categories of Information. The following categories of information shall be
2 included:

3 Commercial Space and Employment.

4 (~~7~~A) The amount of office space "Completed," "Approved," and "Under Construction"
5 during the preceding year, both within the C-3 Districts and elsewhere in the City. This
6 inventory shall include the location and square footage (gross and net) of those projects, as
7 well as an estimate of the dates when the space "Approved" and "Under Construction" will
8 become available for occupancy.

9 (~~2~~B) Office Vacancy Ratio. An estimate of the current office vacancy rate in the C-3
10 Districts and citywide.

11 (~~3~~C) Citywide and C-3 District Office Employment. An estimate of additional office
12 employment, by occupation type, in the C-3 Districts and citywide.

13 (~~4~~D) Tourist Hotel Rooms and Employment. An estimate of the net increment or
14 tourist hotel rooms and additional hotel employment in the C-3 Districts.

15 (~~5~~E) Retail Space and Employment. An estimate of the net increment of retail space
16 and of the additional retail employment relocation trends and patterns within the City and the
17 Bay Area.

18 (~~6~~F) Business Formation and Relocation. An estimate of the rate of the establishment
19 of new businesses and business and employment relocation trends and patterns within the
20 City and the Bay Area.

21 Housing.

22 (~~7~~G) Housing Units Certified for Occupancy. An estimate of the number of housing
23 units throughout the City newly constructed, demolished, or converted to other uses.

24 (~~8~~H) Jobs/Housing Linkage Program. A summary of the operation of the Jobs/Housing
25 Linkage Program (formerly the Office Affordable Housing Production Program) and the

1 Housing Affordability Fund, identifying the number and income mix of units constructed or
2 assisted with these monies.

3 Transportation.

4 (9I) Parking Inventory. An estimate of the net increment of off-street parking spaces
5 approved in C-3 Districts.

6 (10J) Vehicle Occupancy Rates. An estimate of vehicle occupancy rates for vehicles
7 in or entering the City.

8 (11K) Transit Service. An estimate of transit ridership for peak periods.

9 (12L) Transit Impact Fee. A summary of the use of the transit impact development fee
10 funds, collected from development.

11 Fiscal.

12 (13M) Revenues. An estimate of the net increment of revenues by type (property tax,
13 business taxes, hotel and sales taxes) from office, retail and hotel space.

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

20 ~~SEC. 10E.3. (c)~~ FIVE YEAR REPORT.

21 On March 15, 1990, and every fifth year thereafter by July 1st, the report submitted
22 shall address the preceding five calendar years and, in addition to the data described above,
23 shall include, as deemed appropriate, a cordon count of downtown oriented travel and an
24 employer/employee survey and any other information necessary for the purpose of monitoring
25 the impact of downtown development. The five-year report shall monitor long-term policy

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

6 ~~SEC. 10E.4.~~ (d) INFORMATION TO BE FURNISHED.

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

11 SEC. 10E.52. EASTERN NEIGHBORHOODS AREA PLANS MONITORING
12 PROGRAM.

13 (a) ~~Findings~~ FINDINGS.

14 (1) The Board of Supervisors and the Planning Commission have adopted the Eastern
15 Neighborhoods Area Plans as part of the General Plan of the City and County of San
16 Francisco as further described in Ordinance Nos. 297-08, 298-08, 299-08, copies of which are
17 on file with the Clerk of the Board of Supervisors in File Nos. 081152, 081153, 081154 and
18 are incorporated herein by reference. The Area Plans outline specific goals that cumulatively
19 frame the community's vision for the management of growth and development in the Eastern
20 Neighborhoods (East SoMa, Mission, Showplace Square/Potrero Hill, and Central
21 Waterfront).

22 (2) The Eastern Neighborhoods Area Plans introduce innovative policies and land use
23 controls to achieve the ~~p~~Plan goals. Successful realization of the ~~p~~Plan's goals requires a
24 coordinated implementation of land use controls, community and public service delivery, key
25 policies, and community infrastructure improvements.

1 (3) The Eastern Neighborhoods Area Plans also establish general public improvements
2 and amenities needed to meet the needs of both existing residents, as well as those needs
3 generated by new development, and identified these in the Eastern Neighborhoods Needs
4 Assessment. A copy of this document is on file with the Clerk of the Board of Supervisors in
5 File No. 081155 and is incorporated herein by reference.

6 (4) In order to ensure a Citywide commitment to implementation of the Eastern
7 Neighborhoods Area Plans, the implementing agencies identified in each Plan's
8 Implementation Matrix, including the Arts Commission, Department of Building Inspection
9 (DBI), Department of Public Health (DPH), Division of Emergency Services (DEM), Capital
10 Planning Committee, City Administrator's Office, Controller's Office, Department of Public
11 Works (DPW), Human Services Agency (HSA), Mayor's Office on Community Investment
12 (MOCI), Mayor's Office of Education, Mayor's Office of Housing (MOH), Office of Economic
13 and Workforce Development (OEWD), or successor offices, Planning Department, Port of San
14 Francisco, Public Utilities Commission (PUC), Recreation and Park Department (RPD), San
15 Francisco County Transportation Authority (SFCTA), San Francisco Unified School District
16 (SFUSD), San Francisco Municipal Transportation Agency (SFMTA), and other necessary
17 agencies, shall be responsible for making progress towards the Plan's policies and
18 implementation measures; for budgeting revenue towards such implementation where
19 possible; and for cooperating with the Planning Department to report on such progress.

20 (5) In order to ensure a balanced implementation of the Eastern Neighborhoods Area
21 Plans, the Planning Department shall institute a formal monitoring program for the Area Plan
22 policies and implementation measures. This monitoring program shall provide basic statistics
23 on development activity, housing construction, and infrastructure improvements in the Eastern
24 Neighborhoods Plan Areas, and shall evaluate the effectiveness of the Plans' implementation
25 according to growth in the Plan Areas.

1 (6) The purpose of this Monitoring Program shall be to provide rigorous monitoring and
2 review of the effectiveness of the Eastern Neighborhoods Area Plans, to ensure rational
3 growth in these neighborhoods, and to ensure implementation of improvements to accompany
4 this growth. The program shall monitor progress towards the Eastern Neighborhoods Area
5 Plans' objectives and policies, by evaluating advancement according to each Plan's matrix of
6 implementation actions; and measure the balance of growth against needed improvements,
7 according to standards established in the Eastern Neighborhoods Needs Assessment.

8 ~~SEC. 10E.6.~~ (b) REPORTING REQUIREMENTS.

9 (a1) By July 1st two years after ~~p~~Plan adoption, and on July 1st every five years
10 thereafter, the Planning Department shall prepare a report detailing development activity,
11 housing construction, and infrastructure improvements in the Eastern Neighborhoods Plan
12 Area. The information shall be presented to the Board of Supervisors, Planning Commission,
13 the Citizens Advisory Committee, and Mayor, and shall also include recommendations for
14 measures deemed appropriate to deal with the impacts of neighborhood growth.

15 (b2) Time Period and Due Date. Reporting shall be presented by July 1st two years
16 after ~~p~~Plan adoption to address the time period since ~~p~~Plan adoption; and by July 1st during
17 each required year thereafter to address the five calendar years immediately preceding.

18 (c3) Data Source. The Planning Department shall assemble data for the purpose of
19 providing the reports. City records shall be used wherever possible. Outside sources shall be
20 used when data from such sources are reliable, readily available and necessary in order to
21 supplement City records. When data is not available for the exact boundaries of the Plan
22 Area, a similar geography will be used and noted.

23 (d4) Eastern Neighborhoods Implementation Matrix. The report shall review progress
24 toward each implementation measure specified in each Plan's Implementation Matrix. Copies
25 of these matrices are on file with the Clerk of the Board of Supervisors in File No. 081155 and

1 are incorporated herein by reference. It shall evaluate the actions of each responsible
2 agency/ies according to the timeline specified in the Implementation Matrix, and recommend
3 amendments to implementation measures where relevant. All departments responsible for
4 implementation measures shall cooperate and furnish information relating to their
5 responsibilities as stated in the matrices.

6 (e5) Development Activity. The report shall detail all development activity in the Plan
7 Area over the Monitoring Period, including additions and deletions of residential and
8 commercial space, and shall include unit size and bedroom count of units constructed, retail
9 space and employment generated, conversions and other development statistics. The
10 monitoring program shall include the following categories of information:

11 (~~1A~~) Office Space. Amount of office space constructed in preceding years and related
12 employment.

13 (~~2B~~) Visitor and Hotel Space. Amount of hotel rooms constructed in preceding years
14 and related employment.

15 (~~3C~~) Retail Space. Amount of retail space constructed in preceding years and related
16 employment.

17 (~~4D~~) Business Formation and Relocation. An estimate of the rate of the establishment
18 of new businesses and business and employment relocation trends and patterns within the
19 City and the Bay Area.

20 (~~5E~~) Housing. An estimate of the number of housing units newly constructed,
21 demolished, or converted to other uses.

22 (~~6~~) Public Benefit. The report shall detail the construction of any improvements or
23 infrastructure as described in the Eastern Neighborhoods Public Benefits Program, a copy of
24 which is on file with the Clerk of the Board of Supervisors in File No. 081155 and is
25

1 incorporated herein by reference. The report shall include the following categories of
2 information:

3 (~~1A~~) Inclusionary Housing Program. A summary of the number and income mix of units
4 constructed or assisted through this program, an analysis of units constructed within each
5 alternative, including new alternatives established for the Eastern Neighborhoods UMU
6 districts.

7 (~~2B~~) Jobs/Housing Linkage Program. A summary of the operation of the Jobs/Housing
8 Linkage Program (formerly the Office Affordable Housing Production Program) and the
9 Housing Affordability Fund, identifying the number and income mix of units constructed or
10 assisted with these monies.

11 (~~3C~~) Streetscape, Transportation, and Public Realm. A detailed description of any
12 transportation serving infrastructure completed in the preceding five years, including transit,
13 pedestrian, bike, traffic and other modes of transportation.

14 (~~4D~~) Open Space and Recreational Facilities. A summary of new parks, trails, public
15 rights-of-way, recreational facilities or activity space completed to serve the purposes of
16 recreation in the preceding five years, as well as any improvements to parks or recreational
17 facilities.

18 (~~5E~~) Community facilities. An assessment of the existing service capacity of community
19 services and facilities, and of any new services or facilities joining the neighborhood in the
20 past five years. This shall include a review of child care, library services and any other
21 categories deemed relevant, such as health care centers, human services, and cultural
22 centers.

23 (~~6F~~) Neighborhood Serving Businesses. An assessment of neighborhood serving
24 businesses in the area, including their establishment, displacement, and economic health.
25

1 (~~g~~Z) Fees and Revenues. The report shall monitor expenditure of all implemented fees,
2 including the Eastern Neighborhoods Impact Fee and all Citywide fees, and tax revenue, as
3 listed below. It shall report on studies and implementation strategies for additional fees and
4 programming.

5 (~~h~~A) Impact Fee. A summary of the collected funds from the Eastern Neighborhoods
6 Impact Fee collected from development, and a detailed accounting of its expenditure over that
7 same period.

8 (~~z~~B) Fiscal Revenues. An estimate of the net increment of revenues by type (property
9 tax, business taxes, hotel and sales taxes) from all uses.

10 (~~3~~C) Fee Adjustments.

11 (i) The City Planning Department shall review the amount of the Eastern
12 Neighborhoods fee against any increases in construction costs, according to changes
13 published in the Construction Cost Index published by Engineering News Record, or
14 according to another similar cost index should there be improvements to be funded through
15 the Eastern Neighborhoods Impact Fee as listed in the Eastern Neighborhoods Program.

16 (ii) The City Planning Department shall review the level of the Eastern
17 Neighborhoods housing requirements and fees to ensure they are not so high as to prevent
18 needed housing or commercial development.

19 (~~h~~8) Agency Responsibilities. All implementing agencies identified in the Eastern
20 Neighborhoods Implementation Matrix shall be responsible for:

21 (~~h~~A) Reporting to the Planning Department, for incorporation into the Monitoring report,
22 on action undertaken in the previous reporting period to complete the implementation actions
23 under their jurisdiction, as referenced in the Eastern Neighborhoods Implementation Matrix.

1 (2B) Providing an analysis of the actions to be completed in the next reporting period,
2 for incorporation into the Monitoring report, including a description of the integrated approach
3 that will be used to complete those tasks.

4 (i) To the extent the Agencies identified in the Implementation Matrix are outside
5 the jurisdiction of this Board, this Board hereby urges such Agencies to participate in this
6 process.

7 (j2) Budget Implications. In cooperation with the Annual Progress reports required by
8 Administrative Code Chapter 36.4, and prior to the annual budget process, the Board shall
9 receive a presentation by the Interagency Planning and Implementation Committee and its
10 member agencies to describe how each agency's proposed annual budget advances the
11 Plans' objectives, including specific projects called for by this section. The Board of
12 Supervisors shall give particular consideration to proposed agency budgets that meet the
13 implementation responsibilities as assigned by the City's General Plan, including the Eastern
14 Neighborhoods Implementation Matrix. Budget proposals that do not include items to meet
15 these implementation responsibilities shall respond to Board inquiries as to why inclusion was
16 not possible.

17 ~~SEC. 10E.7~~ (c) EASTERN NEIGHBORHOODS CAPITAL EXPENDITURE
18 EVALUATION.

19 (a1) Purpose. The Board of Supervisors and the Planning Commission have adopted
20 the Eastern Neighborhoods Area Plans in part to further the implementation of capital
21 improvements within the neighborhoods affected by new development, as described in the
22 Eastern Neighborhoods Public Benefits Program and incorporated herein by reference. A
23 Capital Expenditure Evaluation, in conjunction with the Plan's Monitoring Programs, will
24 provide a means to measure the balance of growth against these needed improvements, and
25 to evaluate the effectiveness of the Plans' implementation as growth occurs.

1 (~~b~~2) Controls.

2 (~~1~~4) Reporting requirements. By July 1st five years after Plan adoption, and every five
3 years thereafter, the Planning Department shall submit to the Board of Supervisors and the
4 Office of the Controller an Eastern Neighborhoods Capital Expenditure Evaluation Report.
5 The Eastern Neighborhoods Capital Expenditure Evaluation Report shall specifically report
6 the amount of funds collected to date from the Eastern Neighborhoods Impact Fee. The
7 Capital Expenditure Evaluation Report shall also describe how these funds have been
8 allocated or spent for the purpose of developing capital projects as identified in the Eastern
9 Neighborhoods Priority Capital Project list. The Capital Expenditure Evaluation shall
10 specifically report on allocations of funds or expenditures, based on their percentages share
11 of the total fees collected to date, toward the following Eastern Neighborhoods Priority Capital
12 Project development activities: planning, design, environmental review, approval, and
13 implementation. For the purposes of this section, the "Eastern Neighborhoods Priority Capital
14 Project List" shall mean a list of capital projects which are a priority subset of the full Eastern
15 Neighborhoods Public Benefits Program as set forth in the Eastern Neighborhoods
16 Interdepartmental Memorandum of Understanding and amended from time to time by the
17 Planning Commission with advice from the Eastern Neighborhoods Citizens Advisory
18 Committee. A draft copy of said memorandum is on file with the Clerk of the Board of
19 Supervisors in File No. 081446 and is incorporated herein by reference,

20 (~~2~~B) Office of Controller Assessment. Within 60 days of receiving the Eastern
21 Neighborhoods Capital Expenditure Evaluation Report, the Controller shall assess whether
22 funds collected from the Eastern Neighborhoods Impact Fee are being effectively utilized for
23 capital projects included on the Eastern Neighborhoods Priority Capital Project List, and
24 whether such projects are successfully advancing towards implementation. For the purposes
25 of this section, "effectively utilized" shall mean approximately eighty percent of total Eastern,

1 Neighborhoods impact fees collected upon issuance of the Eastern Neighborhoods Capital
2 Expenditure Evaluation Report have been allocated to one or more of the projects identified in
3 the Eastern Neighborhoods Priority Capital Projects list, whether or not such projects have
4 been approved or completed. On or after the ten-year anniversary of Plan Adoption the
5 Controller shall also consider whether projects that were initially funded by the issuance of the
6 five year report, or any subsequent updated or revised report, have been fully funded and/or
7 completed, assuming sufficient funds are available from the Eastern Neighborhoods impact
8 fees collected to date.

9 (3C) Each year the Planning Department shall submit for inclusion into the City and
10 County of San Francisco Proposed Capital Plan for the current fiscal year, in accordance with
11 Sections 3.20 et seq., a schedule of capital improvements to be funded, developed and
12 implemented within the Eastern Neighborhoods, by neighborhood. That schedule shall
13 illustrate costs and revenue streams, total projects costs and the proposed timeline for
14 implementation.

15 ~~SEC. 10E.8.~~ (d) INTEGRATED PDR REPORTING.

16 (a1) The owner of any property subject to an Integrated PDR Notice of Special
17 Restrictions (NSR) recorded pursuant to Planning Code Section 328 is required to ensure
18 that any new tenants or new occupants of any space that is permitted as Integrated PDR
19 contact the Integrated PDR Program of the Office of Economic and Workforce Development
20 (OEWD), or its successor, to register their respective Integrated PDR business with OEWD's
21 Integrated PDR Program Database and that these same businesses continually update
22 OEWD's PDR Program Database on an annual basis.

23 (b2) Upon successful registration of a new Integrated PDR business, OEWD will
24 provide each individual Integrated PDR business registrant with a dated receipt
25 acknowledging that the subject Integrated PDR business has newly registered or updated

1 their existing registration with OEWD. This receipt shall be referred to as an "Integrated PDR
2 Registration Record" for purposes of this Section and Planning Code Section 328. If an
3 Integrated PDR business failed to register for an Integrated PDR Registration Record as of
4 December 31st of the subject year, the OEWD is prohibited from issuing a receipt for that
5 year.

6 (e3) It is the responsibility of the owner of any property subject to an Integrated PDR
7 NSR recorded pursuant to Planning Code Sections 328 to collect and retain copies of any
8 Integrated PDR Registration Records obtained by any tenant or occupant in a property
9 subject to this Section.

10 (d4) Property owners who cannot provide sufficient evidence in the form of Integrated
11 PDR Registration Records to demonstrate to the Planning Department that current and former
12 occupants of any Integrated PDR space have satisfied the initial registration and annual
13 reporting requirements outlined in this Section will not be eligible for any waivers or reductions
14 of Outstanding Discount-Program Fees as set forth in Planning Code Section 328.

15 (e5) OEWD, or its successor, shall make available summary reports of any and all
16 Integrated PDR business data collected pursuant to this program at the request of the
17 Planning Department staff or the Planning Commission, as necessary for their enforcement of
18 any provisions of the Planning Code or for general information.

19 (f6) OEWD, or its successor, shall provide a 5-year summary report on the status of
20 employment of disadvantaged workers, as defined in Planning Code Section 328(b)(2) and
21 the profile of all businesses registered under this program within 6 months of the 5-year
22 anniversary of the adoption of this Section. This summary report shall contain data on the
23 total number and types of businesses occupying Integrated PDR space, as well the total
24 percentage share of the total workforce employed by businesses occupying Integrated PDR
25

1 space that qualify as disadvantaged workers as of the 5-year anniversary of the effective date
2 of this Section.

3 ~~SEC. 10E.9.~~ (e) EASTERN NEIGHBORHOODS CITIZENS ADVISORY COMMITTEE.

4 (a) Establishment and Purpose. An Eastern Neighborhoods Citizens Advisory
5 Committee (CAC) is hereby established. Within 6 months of adoption of the Eastern
6 Neighborhoods Area Plan and related planning code changes, the Mayor and the Board of
7 Supervisors shall have appointed all members to the CAC. The CAC shall be the central
8 community advisory body charged with providing input to City agencies and decision makers
9 with regard to all activities related to implementation of the Eastern Neighborhoods Area
10 Plans. The CAC is established for the purposes of providing input on the prioritization of
11 Public Benefits, updating the Public Benefits program, relaying information to community
12 members in each of the four neighborhoods regarding the status of development proposals in
13 the Eastern Neighborhoods, and providing input to ~~p~~Plan ~~a~~Area monitoring efforts as
14 appropriate. The CAC shall be advisory, as appropriate, to the Planning Department, the
15 Interagency Planning & Implementation Committee (IPIC), the Planning Commission and the
16 Board of Supervisors. The CAC may perform the following functions as needed:

17 (1A) Collaborate with the Planning Department and the Interagency Plan
18 Implementation Committee on prioritizing the community improvement projects and identifying
19 implementation details as part of annual expenditure program that is adopted by the Board of
20 Supervisors;

21 (2B) Provide an advisory a role in a report-back process from the Planning Department
22 on enforcement of individual projects' compliance with the Area Plans standards and on
23 specific conditions of project approvals so that those agreements will be more effectively
24 implemented;

1 (~~3~~C) Collaborate with the Planning Department and relevant city agencies in the
2 monitoring of the Plans' implementation program at approximately every fifth year, in
3 coordination with the Monitoring Program required by the Administrative Code Section 10.E;
4 and provide input to Plan ~~a~~Area monitoring efforts for required time-series reporting.

5 (~~b~~2) Representation and Appointments.

6 (~~1~~A) The CAC shall consist of 13 members representing the diversity of the Eastern
7 Neighborhoods; key stakeholders, including resident renters, resident homeowners, low-
8 income residents, local merchants, established neighborhood groups within the ~~p~~Plan ~~a~~Area;
9 and other groups identified through refinement of the CAC process.

10 (~~2~~B) All members shall live, work, own property or own a business in the Eastern
11 Neighborhoods Plan Area they are appointed to represent.

12 (~~3~~C) The Board of Supervisors shall appoint a total of eight members to the CAC, with
13 two members representing each of the four Eastern Neighborhoods Plan Areas. Based on
14 this representational requirement and the Supervisorial District boundaries, the District 10
15 Supervisor shall nominate 4 CAC members, the District 6 Supervisor shall nominate 2 CAC
16 members, and the District 8 and District 9 Supervisors each shall nominate 1 CAC member.
17 The appointment of each of the Board's CAC nominees shall be confirmed by the full Board of
18 Supervisors.

19 (~~4~~D) The Mayor shall appoint a total of five members, with one member representing
20 each of the four neighborhoods, and one at-large member.

21 (~~5~~E) Members shall serve for two-year terms, but those terms shall be staggered such
22 that, of the initial membership, some members will be randomly selected to serve four year
23 terms and some will serve two year terms.

24 (~~6~~F) At the first official meeting of the CAC, which shall not occur until the entire 13
25 member CAC is appointed by the respective appointment process, a lottery shall be

1 conducted in order to randomly select four Board of Supervisors appointees and two Mayoral
2 appointees to serve four-year terms.

3 (~~7G~~) The Board of Supervisors or Mayor may renew a member's term.

4 (~~e3~~) Committees or Working Groups of the CAC: According to procedures set forth in
5 bylaws adopted by the CAC, the CAC may, at its discretion create subcommittees or working
6 groups based around geographic areas or functional issues. Each of these subcommittees or
7 working groups shall contain at least one CAC member, but may also be comprised of
8 individuals who are not members of the CAC.

9 (~~d4~~) Staffing for Eastern Neighborhoods Citizens Advisory Committee: The Planning
10 Department or Interagency Plan Implementation Committee shall designate necessary
11 staffing from relevant agencies to the CAC, as needed to complete the responsibilities and
12 functions of the CAC described in this code. To the extent permitted by law, staffing and
13 administrative costs for the CAC shall be funded through the Eastern Neighborhoods Public
14 Benefits Fund. Staff shall participate in the Interagency Planning and Implementation
15 Committee as set forth in Administrative Code Section 36.

16 (~~e5~~) The Eastern Neighborhoods CAC will automatically terminate on December 31,
17 2020, unless the Board of Supervisors extends the CAC's term by Ordinance.

18 SEC. E.3. BALBOA PARK STATION AREA PLAN MONITORING.

19 (a) FINDINGS.

20 (1) The Planning Commission has adopted the Balboa Park Station Area Plan as part of the
21 General Plan of the City and County of San Francisco. The Area Plan outlines specific goals that
22 cumulatively frame the community's vision for the management of growth and development in the Plan
23 Area. The Balboa Park Station Area Plan introduces innovative policies and land use controls to
24 achieve the Plan goals. Successful realization of the Plan's goals requires a coordinated
25 implementation of land use controls, community and public service delivery, key policies, and

1 community infrastructure improvements. The Balboa Park Station Area Plan also establishes general
2 public improvements and amenities needed to meet the needs of both existing residents, as well as those
3 needs generated by new development.

4 (2) In order to ensure a balanced implementation of the Balboa Park Station Area Plan, the
5 Planning Department shall institute a formal monitoring program for the Plan's implementation
6 measures and policies. This monitoring program shall provide basic statistics on development activity,
7 housing construction, and infrastructure improvements in the Balboa Park Plan Area, and shall
8 evaluate the effectiveness of the Plans' implementation according to growth in the Plan Area.

9 (3) The purpose of this Monitoring Program shall be to provide monitoring and review of the
10 effectiveness of the Balboa Park Area Plan, to ensure implementation of improvements to accompany
11 this growth. The program shall monitor progress towards the Plans' objectives and policies, by
12 evaluating advancement according to the Plan's matrix of implementation actions and measure the
13 balance of growth against needed improvements.

14 (b) REPORTING REQUIREMENTS.

15 (1) By July 1st two years after Plan adoption, and on July 1st every five years thereafter, the
16 Planning Department shall prepare a report detailing development activity, housing construction, and
17 infrastructure improvements in the Plan Area. The information shall be presented to the Board of
18 Supervisors, Planning Commission and shall also include recommendations for measures deemed
19 appropriate to deal with the impacts of neighborhood growth.

20 (2) Time Period and Due Date. Reporting shall be presented by July 1st two years after Plan
21 adoption to address the time period since plan adoption; and by July 1st during each required year
22 thereafter to address the five calendar years immediately preceding.

23 (3) Data Source. The Planning Department shall assemble data for the purpose of providing
24 the reports. City records shall be used wherever possible. Outside sources shall be used when data
25 from such sources are reliable, readily available, and necessary in order to supplement City records.

1 When data is not available for the exact boundaries of the Plan Area, a similar geography will be used
2 and noted.

3 (4) Balboa Park Implementation Matrix. The report shall review progress towards each
4 implementation measure specified in the Plan's Implementation Matrix, adopted by reference with the
5 Area Plan. It shall evaluate the actions of each responsible agency/ies according to the timeline
6 specified in the Implementation Matrix, and recommend amendments to implementation measures
7 where relevant. All departments responsible for implementation measures shall cooperate and furnish
8 information relating to their responsibilities as stated in the matrices.

9 (5) Development Activity. The report shall detail all development activity in the Plan Area over
10 the Monitoring Period, including additions and deletions of residential and non-residential space, and
11 shall include unit size, retail space and employment generated, conversions, and other development
12 statistics. The monitoring program shall include the following categories of information:

13 (A) Retail Space. Amount of retail space constructed in preceding years and related
14 employment.

15 (B) Business Formation and Relocation. An estimate of the rate of the establishment of
16 new businesses and business and employment relocation trends and patterns within the City and the
17 Bay Area. An assessment of neighborhood serving businesses in the Plan Area, including their
18 establishment, displacement, and economic health.

19 (C) Housing. An estimate of the number of housing units newly constructed,
20 demolished, or converted to other uses.

21 (6) Public Benefits. The report shall detail the construction of any improvements or
22 infrastructure as described in the Balboa Park Community Improvements Program, including the
23 following categories of information:

1 (A) Streetscape, Transportation, and Public Realm. A detailed description of any
2 transportation-serving infrastructure completed in the preceding five years, including pedestrian, bike,
3 traffic and other modes of transportation.

4 (B) Open Space and Recreational Facilities. A summary of new parks, trails, public
5 rights-of-way, recreational facilities or activity space completed to serve the purposes of recreation in
6 the preceding five years, as well as any improvements to parks or recreational facilities.

7 (C) Community facilities. An assessment of the existing service capacity of community
8 services and facilities, and of any new services or facilities joining the neighborhood in the past five
9 years. This shall include a review of child care, library services, and any other categories deemed
10 relevant, such as health care centers, human services, and cultural centers.

11 (D) Neighborhood Serving Businesses. An assessment of neighborhood serving
12 businesses in the area, including their establishment, displacement, and economic health.

13 (7) Fees and Revenues. The report shall monitor expenditure of all implemented fees,
14 including the Balboa Park Impact Fee and all Citywide fees, and tax revenue, as listed below. It shall
15 report on studies and implementation strategies for additional fees and programming.

16 (A) Impact Fee. A summary of the collected funds from the Balboa Park Impact Fee
17 collected from development and a detailed accounting of its expenditure over that same period.

18 (B) Fiscal Revenues. An estimate of the net increment of revenues by type (property tax,
19 business taxes, hotel and sales taxes) from all uses.

20 (C) Fee Adjustments.

21 (i) The Planning Department shall review the amount of the Balboa Park impact fee
22 against any increases in construction costs, according to changes published in the Construction Cost
23 Index published by Engineering News Record, or according to another similar cost index should there
24 be improvements to be funded through the Balboa Park Impact Fee as listed in the Balboa Park
25 Community Improvements Program.

1 (ii) The Planning Department shall review the level of the Balboa Park Impact Fee to
2 ensure that it is not so high as to prevent needed housing or commercial development.

3 (8) Agency Responsibilities. All implementing agencies identified in the Balboa Park
4 Implementation Matrix shall be responsible for:

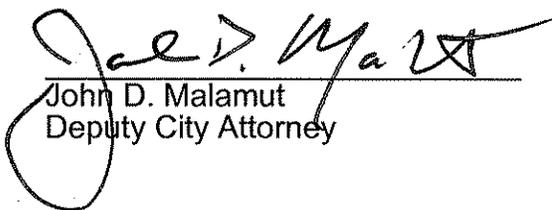
5 (A) Reporting to the Planning Department, for incorporation into the Monitoring
6 report, on action undertaken in the previous reporting period to complete the implementation actions
7 under their jurisdiction, as referenced in the Balboa Park Implementation Matrix.

8 (B) Providing an analysis of the actions to be completed in the next reporting period,
9 for incorporation into the Monitoring report, including a description of the integrated approach that
10 will be used to complete those tasks.

11 (i) To the extent the Agencies identified in the Implementation Matrix are outside the
12 jurisdiction of this Board, this Board hereby urges such Agencies to participate in this process.

13 (9) Budget Implications. In cooperation with the Annual Progress reports required by
14 Administrative Code Chapter 36.4, and prior to the annual budget process, the Board shall receive a
15 presentation by the Interagency Planning and Implementation Committee and its member agencies to
16 describe how each agency's proposed annual budget advances the Plans' objectives, including specific
17 projects called for by this section. The Board of Supervisors shall give particular consideration to
18 proposed agency budgets that meet the implementation responsibilities as assigned by the City's
19 General Plan, including the Balboa Park Implementation Matrix. Budget proposals that do not include
20 items to meet these implementation responsibilities shall respond to Board inquiries as to why inclusion
21 was not possible.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: 
4 John D. Malamut
5 Deputy City Attorney

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 090179

Date Passed:

Ordinance amending the Administrative Code Chapter 10E to establish the Balboa Park Station Area Plan Monitoring Program for purposes of reviewing the effectiveness of the Balboa Park Station Area Plan and implementation of specified improvements; and adopting environmental findings.

March 31, 2009 Board of Supervisors — PASSED ON FIRST READING

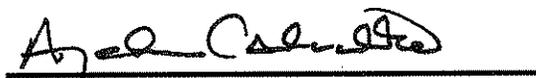
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 7, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

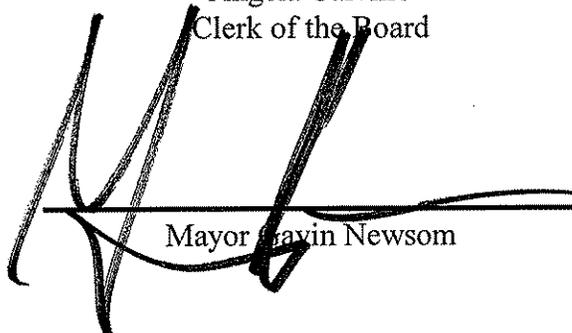
File No. 090179

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

4/17/09
Date Approved



Mayor Gavin Newsom