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.

NOTE: Additions are single-underline italics Times New Roman; deletions are strike through italics Times New Roman. Board amendment additions are double-underlined; Board amendment deletions are strikethrough normal.

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

Section 1. Findings.

(a) In accordance with the actions contemplated herein, this Board adopted Ordinance No. 60-09, that included findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). A copy of said Ordinance is on file with the Clerk of the Board of Supervisors in File No. 090180 and is incorporated by reference herein.

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

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

CHAPTER 10E: NEIGHBORHOOD AREA PLAN MONITORING
SEC. 10E.1. DOWNTOWN PLAN
(a) FINDINGS. The Board of Supervisors makes the following findings in support of this ordinance.

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

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

(e3) The Downtown Plan is based on certain assessments about the ability of the City to absorb the impacts of growth in downtown San Francisco and the desirability of increasing housing, ridesharing and transit use in light of the anticipated downtown growth. The Downtown Plan proposes various actions which should be taken to achieve the following goals: An increase in the City's housing supply by an average of 1,000 to 1,500 new housing units per year; and increase in ridesharing to a point where the number of persons commuting by auto or van rises from 1.48 to 1.66 persons per vehicle; and an increase in the use of transit by downtown workers from 64 percent to 70 percent of all work trips.

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

(e5) The purpose of this monitoring system shall be to determine whether the infrastructure and support systems necessary to accommodate the growth of downtown, particularly housing supply and transit capacity, have kept pace with development in the C-3...
Districts. If downtown is growing at a faster pace than the necessary infrastructure and support systems, it may become necessary to make further efforts to slow down the pace of development, or devise additional mechanisms for providing required infrastructure and support systems.

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

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

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

(b2) Data Source. The Planning Department shall assemble a data base for 1984 and subsequent years for the purpose of providing the reports. City records shall be used wherever possible. Outside sources shall be used when data from such sources are reliable, readily available and necessary in order to supplement City records.
(e) Categories of Information. The following categories of information shall be included:

Commercial Space and Employment.

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

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

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

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

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

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

Housing.

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

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

Transportation.

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

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

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

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

Fiscal.

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

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

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

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

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

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

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

(a) Findings

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

(2) The Eastern Neighborhoods Area Plans introduce innovative policies and land use controls to achieve the Plan goals. Successful realization of the Plan’s goals requires a coordinated implementation of land use controls, community and public service delivery, key policies, and community infrastructure improvements.
(3) The Eastern Neighborhoods Area Plans also establish general public improvements and amenities needed to meet the needs of both existing residents, as well as those needs generated by new development, and identified these in the Eastern Neighborhoods Needs Assessment. A copy of this document is on file with the Clerk of the Board of Supervisors in File No. 081155 and is incorporated herein by reference.

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

(5) In order to ensure a balanced implementation of the Eastern Neighborhoods Area Plans, the Planning Department shall institute a formal monitoring program for the Area Plan policies and implementation measures. This monitoring program shall provide basic statistics on development activity, housing construction, and infrastructure improvements in the Eastern Neighborhoods Plan Areas, and shall evaluate the effectiveness of the Plans’ implementation according to growth in the Plan Areas.
(6) The purpose of this Monitoring Program shall be to provide rigorous monitoring and review of the effectiveness of the Eastern Neighborhoods Area Plans, to ensure rational growth in these neighborhoods, and to ensure implementation of improvements to accompany this growth. The program shall monitor progress towards the Eastern Neighborhoods Area Plans’ objectives and policies, by evaluating advancement according to each Plan’s matrix of implementation actions; and measure the balance of growth against needed improvements, according to standards established in the Eastern Neighborhoods Needs Assessment.

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

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

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

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

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

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

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

(4A) Office Space. Amount of office space constructed in preceding years and related employment.

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

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

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

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

(6G) Public Benefit. The report shall detail the construction of any improvements or infrastructure as described in the Eastern Neighborhoods Public Benefits Program, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 081155 and is
incorporated herein by reference. The report shall include the following categories of information:

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

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

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

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

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

(F) Neighborhood Serving Businesses. An assessment of neighborhood serving businesses in the area, including their establishment, displacement, and economic health.
(g7) Fees and Revenues. The report shall monitor expenditure of all implemented fees, including the Eastern Neighborhoods Impact Fee and all Citywide fees, and tax revenue, as listed below. It shall report on studies and implementation strategies for additional fees and programming.

(4A) Impact Fee. A summary of the collected funds from the Eastern Neighborhoods Impact Fee collected from development, and a detailed accounting of its expenditure over that same period.

(3B) Fiscal Revenues. An estimate of the net increment of revenues by type (property tax, business taxes, hotel and sales taxes) from all uses.

(3C) Fee Adjustments.

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

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

(48) Agency Responsibilities. All implementing agencies identified in the Eastern Neighborhoods Implementation Matrix shall be responsible for:

(4A) Reporting to the Planning Department, for incorporation into the Monitoring report, on action undertaken in the previous reporting period to complete the implementation actions under their jurisdiction, as referenced in the Eastern Neighborhoods Implementation Matrix.
Providing an analysis of the actions to be completed in the next reporting period, for incorporation into the Monitoring report, including a description of the integrated approach that will be used to complete those tasks.

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

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

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

(a1) Purpose. The Board of Supervisors and the Planning Commission have adopted the Eastern Neighborhoods Area Plans in part to further the implementation of capital improvements within the neighborhoods affected by new development, as described in the Eastern Neighborhoods Public Benefits Program and incorporated herein by reference. A Capital Expenditure Evaluation, in conjunction with the Plan’s Monitoring Programs, will provide a means to measure the balance of growth against these needed improvements, and to evaluate the effectiveness of the Plans’ implementation as growth occurs.
(b2) Controls.

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

(2B) Office of Controller Assessment. Within 60 days of receiving the Eastern Neighborhoods Capital Expenditure Evaluation Report, the Controller shall assess whether funds collected from the Eastern Neighborhoods Impact Fee are being effectively utilized for capital projects included on the Eastern Neighborhoods Priority Capital Project List, and whether such projects are successfully advancing towards implementation. For the purposes of this section, “effectively utilized” shall mean approximately eighty percent of total Eastern.
Neighborhoods impact fees collected upon issuance of the Eastern Neighborhoods Capital Expenditure Evaluation Report have been allocated to one or more of the projects identified in the Eastern Neighborhoods Priority Capital Projects list, whether or not such projects have been approved or completed. On or after the ten-year anniversary of Plan Adoption the Controller shall also consider whether projects that were initially funded by the issuance of the five year report, or any subsequent updated or revised report, have been fully funded and/or completed, assuming sufficient funds are available from the Eastern Neighborhoods impact fees collected to date.

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

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

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

(b) Upon successful registration of a new Integrated PDR business, OEWD will provide each individual Integrated PDR business registrant with a dated receipt acknowledging that the subject Integrated PDR business has newly registered or updated
their existing registration with OEWD. This receipt shall be referred to as an "Integrated PDR
Registration Record" for purposes of this Section and Planning Code Section 328. If an
Integrated PDR business failed to register for an Integrated PDR Registration Record as of
December 31st of the subject year, the OEWD is prohibited from issuing a receipt for that
year.

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

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

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

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

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

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

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

(fB) Provide an advisory role in a report-back process from the Planning Department
on enforcement of individual projects' compliance with the Area Plans standards and on
specific conditions of project approvals so that those agreements will be more effectively
implemented;
(3C) Collaborate with the Planning Department and relevant city agencies in the monitoring of the Plans' implementation program at approximately every fifth year, in coordination with the Monitoring Program required by the Administrative Code Section 10.E; and provide input to Plan area monitoring efforts for required time-series reporting.

(b2) Representation and Appointments.

(bA) The CAC shall consist of 13 members representing the diversity of the Eastern Neighborhoods; key stakeholders, including resident renters, resident homeowners, low-income residents, local merchants, established neighborhood groups within the Plan area; and other groups identified through refinement of the CAC process.

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

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

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

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

(6E) At the first official meeting of the CAC, which shall not occur until the entire 13 member CAC is appointed by the respective appointment process, a lottery shall be
conducted in order to randomly select four Board of Supervisors appointees and two Mayoral
appointees to serve four-year terms.

\( (\text{2G}) \) The Board of Supervisors or Mayor may renew a member’s term.

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

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

\( (\text{e5}) \) The Eastern Neighborhoods CAC will automatically terminate on December 31,
2020, unless the Board of Supervisors extends the CAC’s term by Ordinance.

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

\( (\text{a}) \) FINDINGS.

\( (\text{l}) \) The Planning Commission has adopted the Balboa Park Station Area Plan as part of the
General Plan of the City and County of San Francisco. The Area Plan outlines specific goals that
cumulatively frame the community’s vision for the management of growth and development in the Plan
Area. The Balboa Park Station Area Plan introduces innovative policies and land use controls to
achieve the Plan goals. Successful realization of the Plan’s goals requires a coordinated
implementation of land use controls, community and public service delivery, key policies, and
community infrastructure improvements. The Balboa Park Station Area Plan also establishes general public improvements and amenities needed to meet the needs of both existing residents, as well as those needs generated by new development.

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

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

(b) REPORTING REQUIREMENTS.

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

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

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

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

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

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

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

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

(6) Public Benefits. The report shall detail the construction of any improvements or infrastructure as described in the Balboa Park Community Improvements Program, including the following categories of information:
(A) Streetscape, Transportation, and Public Realm. A detailed description of any transportation-serving infrastructure completed in the preceding five years, including pedestrian, bike, traffic and other modes of transportation.

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

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

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

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

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

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

(C) Fee Adjustments.

(i) The Planning Department shall review the amount of the Balboa Park impact fee against any increases in construction costs, according to changes published in the Construction Cost Index published by Engineering News Record, or according to another similar cost index should there be improvements to be funded through the Balboa Park Impact Fee as listed in the Balboa Park Community Improvements Program.
The Planning Department shall review the level of the Balboa Park Impact Fee to ensure that it is not so high as to prevent needed housing or commercial development.

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

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

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

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

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

By: 
John D. Malamut
Deputy City Attorney
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
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.

Date Approved

4/17/09

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom