



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315) First Source Hiring (Admin. Code)
 Jobs Housing Linkage Program (Sec. 313) Child Care Requirement (Sec. 314)
 Downtown Park Fee (Sec. 139) Other

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Planning Commission Resolution No. 18074

HEARING DATE: APRIL 15, 2010

Case No.: 2010.0194T

Project: **Impact Fees Clean-Up and Modifications**

Staff Contact: Steve Wertheim – (415) 558-6612
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Recommendation: **Approval**

INITIATING AMENDMENTS TO THE PLANNING CODE TO IMPROVE READABILITY AND EASE OF APPLICATION WITH REGARD TO IMPACT FEES, CREATE CONSISTENT DEFINITIONS AND APPLICATION ACROSS THE CODE, CREATE A MECHANISM TO CREDIT PROJECTS FOR THE IMPACTS OF EXISTING USES ON DEVELOPMENT SITES, PROMOTE ADAPTIVE RE-USE OF EXISTING BUILDINGS IN THE EASTERN NEIGHBORHOODS, AND CLARIFY THE IMPACT FEES ASSOCIATED WITH THE EASTERN NEIGHBORHOODS' ON-GOING "LEGITIMIZATION" PROGRAM.

PREAMBLE

WHEREAS, the City has adopted Area Plan Impact Fees in recent years in such areas as Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park; and

WHEREAS, each of these impact fees was adopted as part of separate Ordinances that also involved the creation of Area Plans, changes to height and zoning, and substantial amendments changes to the Planning Code; and

WHEREAS, the Code sections controlling impact fees often lacked clarity or differed in application between Area Plans in ways that made it difficult for the public to comprehend and staff to consistently implement the Code; and

WHEREAS, the impact fees controls do not contain a mechanism to credit project for the impacts of existing uses on development sites; and

WHEREAS, the impact fee structure did not sufficiently encourage adaptive re-use of existing buildings that represent an important resource in San Francisco; and

WHEREAS, the proposed legislation is intended to resolve the aforementioned issues; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 15, 2010; and

Whereas, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15273; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance:

MOVED, that pursuant to Planning Code Section 302(b), the Planning Commission Adopts a Resolution of Intent to Initiate amendments to the Planning Code.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced Planning Code amendments contained in the draft ordinance, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing on or after May 13, 2010.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on April 15, 2010.

Linda D. Avery
Commission Secretary

AYES: Antonini, Borden, Lee, Miguel, Moore, Sugaya

NOES: None

ABSENT: Olague