

File No. 170864 Committee Item No. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date October 16, 2017

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Proj Overview 072517</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral CEQA 080117</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral PC 080117</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI 080117</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>PLN Transmittal 082817</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Hearing Notice 100617</u> |
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Completed by: Erica Major Date October 12, 2017
Completed by: Erica Major Date _____

1 [Planning Code, Zoning Map - Pier 70 Special Use District]

2
3 **Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special**
4 **Use District; making findings under the California Environmental Quality Act, and**
5 **making findings of consistency with the General Plan, the eight priority policies of**
6 **Planning Code, Section 101.1, and Planning Code, Section 302.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

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

15 Section 1. Planning and Environmental Findings.

16 (a) California Environmental Quality Act.

17 (1) At its hearing on August 24, 2017, and prior to recommending the proposed
18 Planning Code amendments for approval, by Motion No. 19976, the Planning Commission
19 certified a Final Environmental Impact Report (FEIR) for the Pier 70 Mixed-Use District Project
20 (Project) pursuant to the California Environmental Quality Act (CEQA) (California Public
21 Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Section
22 15000 et seq.), and Chapter 31 of the Administrative Code. A copy of said Motion is in Board
23 of Supervisors File No. 170930, and is incorporated herein by reference. In accordance with
24 the actions contemplated herein, this Board has reviewed the FEIR, concurs with its
25 conclusions, affirms the Planning Commission's certification of the FEIR, and finds that the

1 actions contemplated herein are within the scope of the Project described and analyzed in the
2 FEIR.

3 (2) In recommending the proposed Planning Code Amendments for approval by
4 this Board at its hearing on August 24, 2017, by Motion No. 19977, the Planning Commission
5 also adopted findings under CEQA, including a statement of overriding consideration, and a
6 Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion and MMRP are
7 in Board of Supervisors File No. 170930, and is incorporated herein by reference. The Board
8 hereby adopts and incorporates by reference as though fully set forth herein the Planning
9 Commission's CEQA approval findings, including the statement of overriding considerations.
10 The Board also adopts and incorporates by reference as though fully set forth herein the
11 Project's MMRP.

12 (b) At the same hearing on August 24, 2017, the Planning Commission, in Resolution
13 No. 19978, adopted findings that the actions contemplated in this ordinance are consistent, on
14 balance, with the City's General Plan and eight priority policies of Planning Code Section
15 101.1. The Board adopts these findings as its own. A copy of said Resolution is in Board of
16 Supervisors File No. 170930, and is incorporated herein by reference.

17 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
18 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
19 in Planning Commission Resolution No. 19978, and the Board incorporates such reasons
20 herein by reference.

21
22 Section 2. The Planning Code is hereby amended by adding Section 249.79, to read
23 as follows:

24 **SEC. 249.79. PIER 70 SPECIAL USE DISTRICT.**

1 **(a) Purpose and Boundaries.** To facilitate the City's long-term goal of redevelopment and
2 revitalization of a portion of Pier 70, a Special Use District entitled the "Pier 70 Special Use District"
3 (SUD) is hereby established. The boundaries of the SUD are shown on Sectional Map SU08 of the
4 Zoning Map. The purpose of this SUD is to give effect to the Development Agreement (DA) and
5 Disposition and Development Agreement (DDA) for the Pier 70 Mixed-Use Project (Project), as
6 approved by the Board of Supervisors by Ordinance No. _____ . The Project will provide
7 several benefits to the City, such as a significant amount of affordable housing, increased public access
8 and open space, facilities for small-scale manufacturing, extensive infrastructure improvements, and
9 replacement space for Noonan Building tenants, while creating jobs, housing, and a vibrant community
10 as contemplated under California Assembly Bill 418 (AB 418) (Stats. 2011, ch. 477), which made Pier
11 70-specific amendments to the Burton Act (Stats. 1969, ch. 1333).

12 **(b) Role of Port Commission.** The majority of the property within the SUD is under the
13 jurisdiction of the Port Commission, and Port lands are subject to land use controls additional to this
14 Municipal Code. As authorized under AB 418, the Port may hold, use, conduct, operate, maintain,
15 manage, administer, regulate, improve, sell, lease, encumber, and control nontrust lands and
16 improvements within the SUD for any purpose on conditions specified in AB 418. In the event of a
17 conflict between this Code and the Burton Act, AB 418, or the McAteer-Petris Act (Cal. Gov't Code §§
18 66600 et seq.), state law shall prevail.

19 **(c) Relationship to Design for Development.** The Pier 70 Design for Development (Design for
20 Development), adopted by the Planning Commission and Port Commission and as may be periodically
21 amended, sets forth Standards and Guidelines applicable within the SUD and is incorporated here by
22 reference. Any term used in this Section 249.79 and not otherwise defined in this Code shall have the
23 meaning ascribed to it in the Design for Development. The Port shall have exclusive jurisdiction and
24 approval rights over amendments to the Design for Development that affect only open space and right-
25 of-way development within the SUD, which include Design for Development, Chapter 3 (Open Space

1 Network); Chapter 4 (Streets and Streetscapes); Section 7.2 (Street Lighting); Section 7.3 (Open Space
2 Lighting); Section 7.6 (Wayfinding Signage); and Section 7.8 (Public Art). Other than as specified
3 above, the Port Commission and the Planning Commission may amend the Design for Development
4 upon initiation by either body or upon application by an owner or ground lessee of property within the
5 SUD, to the extent that such amendment is consistent with this Section, the General Plan, and the DA.
6 Both the Port Commission and Planning Commission shall approve any such amendment to the Design
7 for Development that does not exclusively affect the open space and right-of-way Chapters and
8 Sections of the Design for Development identified in this subsection (c) as being within the exclusive
9 jurisdiction of the Port Commission.

10 (d) **Relationship to Other Planning Code Provisions.** Applicable provisions of the Planning
11 Code shall control except as otherwise provided in this Section 249.79, the Design for Development,
12 and the DA (so long as the DA is in effect). In the event of a conflict between other provisions of the
13 Planning Code and the Design for Development or this Section 249.79 (and further subject to
14 subsection (e) below), this Section 249.79 and the Design for Development shall control.

15 (e) **Development Controls.** Development and uses of property within the SUD shall be
16 regulated by the controls contained in this Section 249.79 and in the Design for Development,
17 provided, however, that if there is any inconsistency between this Section and the Design for
18 Development, this Section shall control.

19 (f) **Definitions.** If not explicitly superseded by definitions established in this Section 249.79 or
20 the Design for Development, the definitions in this Code shall apply. Later amendments to the
21 definitions in this Code shall apply where not in conflict with this Section 249.79, the Design for
22 Development, or the DA. In addition to the specific definitions set forth elsewhere in this Section
23 249.79, the following definitions shall govern interpretation of this Section:

24 "Applicant" means the ground lessee, owner, or authorized agent of the owner or ground lessee
25 of a development parcel.

1 “Building Standards” means the standards applicable to Buildings and any associated
2 privately-owned open spaces within the SUD, consisting of the standards specified in subsection (h)
3 and the standards identified as such in the Design for Development.

4 “Executive Director” means the Executive Director of the Port of San Francisco.

5 “Historic Building” means one of the existing structures commonly known as Historic Building
6 2, Historic Building 12, or Historic Building 21, which are part of the Union Iron Works Historic
7 District (listed on the National Register of Historic Places).

8 “Horizontal Development” means construction of Public Facilities.

9 “Major Modification” means a deviation of 10 percent or more from any dimensional or
10 numerical standard in this SUD or in the Design for Development, except as explicitly prohibited per
11 subsection (i).

12 “Minor Modification” means a deviation of less than 10 percent from any dimensional or
13 numerical standard in this SUD or in the Design for Development, except as explicitly prohibited per
14 subsection (i), or from any non-numerical standard in the Design for Development.

15 “Proposition F” means the Union Iron Works Historic District Housing, Waterfront Parks,
16 Jobs and Preservation Initiative adopted by the voters on November 4, 2015.

17 “Public Facilities” include completed utility infrastructure; recreational, open space, and
18 public access areas; public rights-of-way; and other improvements in the public realm that will be
19 under City and Port jurisdiction when accepted.

20 “Vertical DDA” means a Vertical Disposition and Development Agreement between the Port
21 and an Applicant that sets forth contractual terms and conditions governing the Applicant’s
22 development of Vertical Improvements.

23 “Vertical Improvements” means new construction of a Building and any later expansion or
24 major alteration of or addition to a previously approved Building within the SUD.

25 (g) Uses.

1 (1) Permitted Uses. The following uses set forth in Table 249.79(g)(1) below shall be
 2 permitted as indicated within the SUD, where P means Permitted Use and NP means Non-permitted
 3 Use.

4
 5 Table 249.79(g)(1)

6 Land Uses

<u>Pier 70 SUD Parcels (as shown in Figures 1 and 2)</u>	<u>Residen- tial Uses</u>	<u>Institution- al Uses</u>	<u>Retail Uses</u>	<u>Office Uses</u>	<u>Entertain- ment, Arts, and Recreat- ion Uses</u>	<u>Industrial Uses</u>	<u>PDR Uses</u>	<u>Parking Lot</u>	<u>Parking Garage</u>
<u>2</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> <u>(12)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>12</u>	<u>NP</u>	<u>P</u>	<u>P(2)</u>	<u>P(3)(4)</u>	<u>P(6)(8)</u>	<u>P(9)</u>	<u>P(11)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>21</u>	<u>NP</u>	<u>P</u>	<u>P(2)</u>	<u>NP</u>	<u>P(6)(8)</u>	<u>P(9)</u>	<u>P(11)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>A</u>	<u>NP</u>	<u>P</u>	<u>P(2)</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)</u>	<u>P(11)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>B</u>	<u>NP</u>	<u>P</u>	<u>P(2)</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)</u>	<u>P(11)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>CI</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> <u>(12)</u>	<u>NP(13)</u>	<u>P</u>
<u>C2</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> <u>(12)</u>	<u>NP(13)</u>	<u>P</u>
<u>D</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u> <u>(12)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>E1</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u> <u>(12)</u>	<u>NP(13)</u>	<u>NP(14)</u>
<u>E2</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u>	<u>NP(13)</u>	<u>NP(14)</u>

							(12)		
<u>E3</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>E4</u>	<u>NP</u>	<u>P</u>	<u>P(2)</u>	<u>P(3)(4)</u>	<u>P(6)(8)</u>	<u>P(9)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>F/G</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>H1</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>H2</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>PKN</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>PKS</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>HDY3</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>	<u>NP(5)</u>	<u>P(7)(8)</u>	<u>P(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>
<u>HDY1/2</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(6)(8)</u>	<u>P(9)(10)</u>	<u>P(11)</u> (12)	<u>NP(13)</u>	<u>NP(14)</u>

Notes:

(1) Ground Floor Residential on Illinois Street is NP.

(2) Tourist Hotel is NP.

(3) Service, Medical is NP.

(4) Office Use is NP on Ground Floor.

(5) Office Use is P on Ground Floor only.

(6) Movie Theater is P if no more than three screens.

1 (7) Movie Theater is NP.

2 (8) Livery Stables are NP.

3 (9) Automobile Assembly, Food Fiber and Beverage Processing 1, Light Manufacturing, Metal
4 Working are P. Other Industrial Uses are NP.

5 (10) Food Fiber and Beverage Processing 1, Light Manufacturing are P on Ground Floor only
6 if Building contains Residential.

7 (11) PDR Automotive Services Station, Storage, Stable, and Utility Yard are NP. PDR
8 Automotive Service Station are P if Predominant Use is District Garage.

9 (12) PDR Uses not already restricted as NP herein are P on the Ground Floor only if Building
10 contains Residential

11 (13) Parking Lots are NP (except as provided for in Section 249.79(g)(3) as an interim use).

12 (14) Accessory Parking is P.

13 (2) Temporary Uses. The Executive Director may approve without a public hearing
14 any of the following uses ("Temporary Uses") for a period not to exceed 90 days, or for such longer
15 period of time as may be approved by the Executive Director under any Port lease or license: booths
16 for charitable, patriotic, or welfare purposes; markets; exhibitions, festivals, circuses, musical and
17 theatrical performances and other forms of live entertainment including setup/load-in and
18 demobilization/load-out; athletic events; open-air sales of agriculturally-produced seasonal
19 decorations such as Christmas trees and Halloween pumpkins; meeting rooms and event staging;
20 mobile food and temporary retail establishments; and automobile and truck parking and loading
21 associated with any authorized temporary use. The Executive Director may authorize recurring
22 Temporary Uses (such as a weekly farmers market) under a single authorization.

23 (3) Interim Uses. The Executive Director may approve any use listed in this section
24 ("Interim Use") without a public hearing for a period not to exceed five years if the Executive Director
25 finds that such Interim Use will not impede orderly development consistent with this Section 249.79, the

1 Design for Development, and the DA. Interim Uses are limited to uses in the existing Historic
2 Buildings, unimproved areas, and open spaces. Any Interim Use listed in this section that is integral to
3 development under the DA, DDA, or Vertical DDA, and is permitted by the Port under any Port lease
4 or license shall not require separate authorization as an Interim or Temporary use (for example, uses
5 incidental to environmental clean-up, demolition and construction, storage, and automobile and truck
6 parking and loading related to construction activities). Any authorization granted pursuant to this
7 Subsection 249.79(g)(3) shall not exempt the applicant from obtaining any other permit required by
8 law. Additional time for such uses may be authorized upon a new application. Interim Uses the
9 Executive Director may authorize include, but are not limited to:

10 (A) Retail activities, which may include the on-site assembly, production or sale
11 of food, beverages, and goods, the operation of restaurants or other retail food service in temporary
12 structures, outdoor seating, food trucks, and food carts;

13 (B) Temporary art installations, exhibits, and sales;

14 (C) Recreational facilities and uses (such as play and climbing structures and
15 outdoor fitness classes);

16 (D) Motor vehicle and bicycle parking;

17 (E) On-site assembly and production of goods in enclosed or unenclosed
18 temporary structures;

19 (F) Educational activities, including but not limited to after-school day camp and
20 activities;

21 (G) Site management service, administrative functions and customer amenities
22 and associated loading;

23 (H) Rental or sales offices incidental to new development; and

24 (I) Entertainment uses, both unenclosed and enclosed, which may include
25 temporary structures to accommodate stages, seating and support facilities for patrons and operations.

1 (4) Nonconforming Uses. The Executive Director may allow the reasonable
2 continuance, modification, or expansion of existing uses and structures that do not comply with this
3 Section 249.79 or the Design for Development upon a determination that the use would not impede the
4 orderly development of the SUD consistent with this Section, the DA, the DDA, and any Vertical DDA.

5 (5) Ground Floor Frontages.

6 (A) Priority Retail Frontages. As listed below, a minimum of 50 percent of the
7 shaded Priority Retail Frontage zone shown in Figure 1 shall be occupied by the following uses (each,
8 a "Priority Retail" use) as defined in Section 2.2 of the Design for Development (Ground Floor Uses):

9 (i) Retail (including personal services and excluding medical services,
10 financial services, banks, real estate services, or retail automotive uses);

11 (ii) Bar and restaurant;

12 (iii) Arts activities;

13 (iv) PDR; and

14 (v) Entertainment.

15 (B) As an exception to the above, Parcel E4, due to its waterfront location, shall
16 require a minimum of 33 percent Priority Retail of the extent of the east and south frontages. The
17 Priority Retail uses on Parcel E4 may consolidate required linear feet on a single designated frontage.

18 (C) The minimum depth of regulated uses for all Priority Retail frontages is 25
19 feet from the subject façade. A maximum of 40 feet of lobby frontage per building may count towards
20 linear Priority Retail frontage requirement.

21 (D) Retail and Service Frontages. To embed a broader set of active uses
22 elsewhere on the site, including community facilities and personal services, Retail and Service
23 Frontages shall occur along the northern and southern waterfront edge, as well as along the 200-foot
24 portion of C1 facing Orton Plaza and on key gateways into the site from Illinois Street and corners
25 adjacent to the Maryland Street corridor between 21st and 22nd Streets, as shown in Figure 1.

1 Specified frontage zones shall be limited to the Priority Retail uses listed in 249.79(g)(5)(A) plus the
2 following additional uses (each, a "Priority Service Use") for a minimum of 50 percent of the shaded
3 Retail and Services frontage zone identified in Figure 1:

4 (i) Medical services;

5 (ii) Financial services and banks;

6 (iii) Fitness centers and gyms;

7 (iv) Institutions;

8 (v) Community facilities; and

9 (vi) Events and activity space.

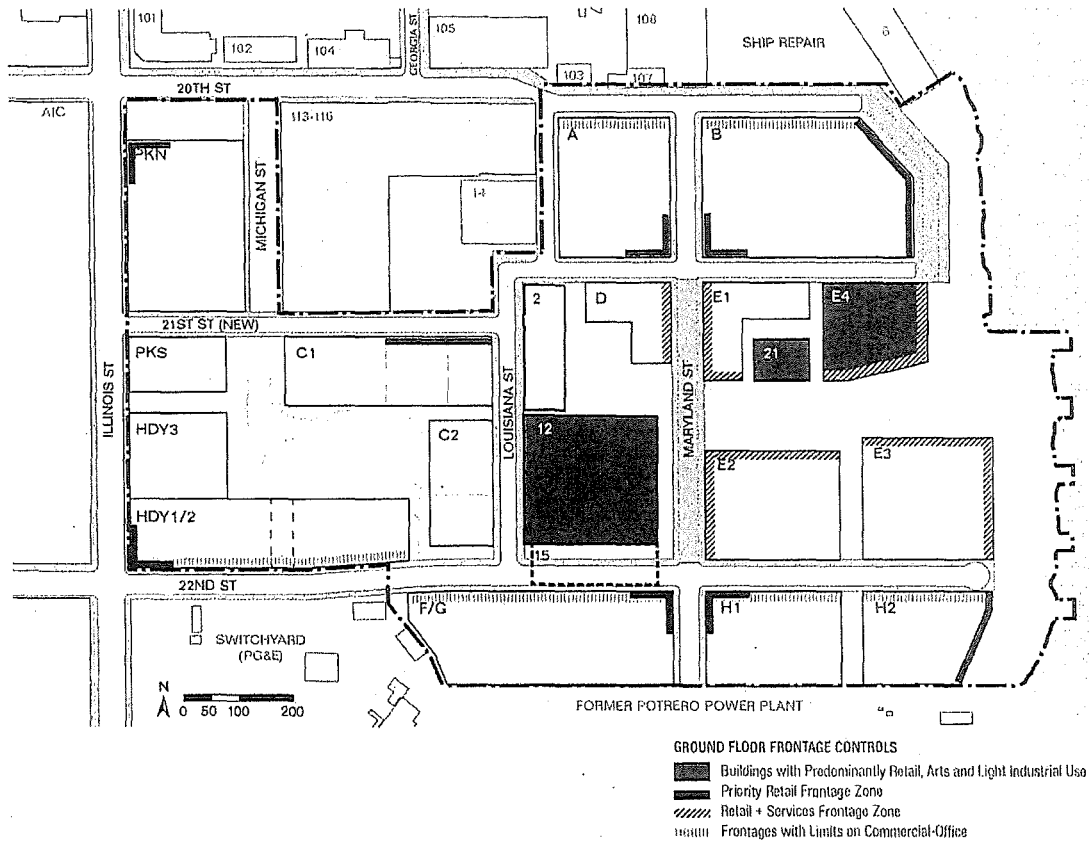
10 (vii) For C1 only, small offices up to 5,000 square feet.

11 (E) The minimum Retail and Service depth shall be 25 feet. If C1 is built as a
12 garage, the minimum depth shall be 20 feet to preserve parking layout feasibility.

13 (F) Office Frontages. Ground floor office uses on 20th and 22nd Streets, as
14 shown on Figure 1, shall not exceed 75 percent of the frontage for Parcels A, B, F, G, HDY, H1, and
15 H2. Remaining portions of those frontages shall provide usable spaces for a viable non-office use,
16 including all Priority Retail uses listed in 249.79(g)(5)(A) and Priority Service Uses listed in
17 249.79(g)(5)(D).

18 **Figure 1: Ground Floor Frontage Controls.**

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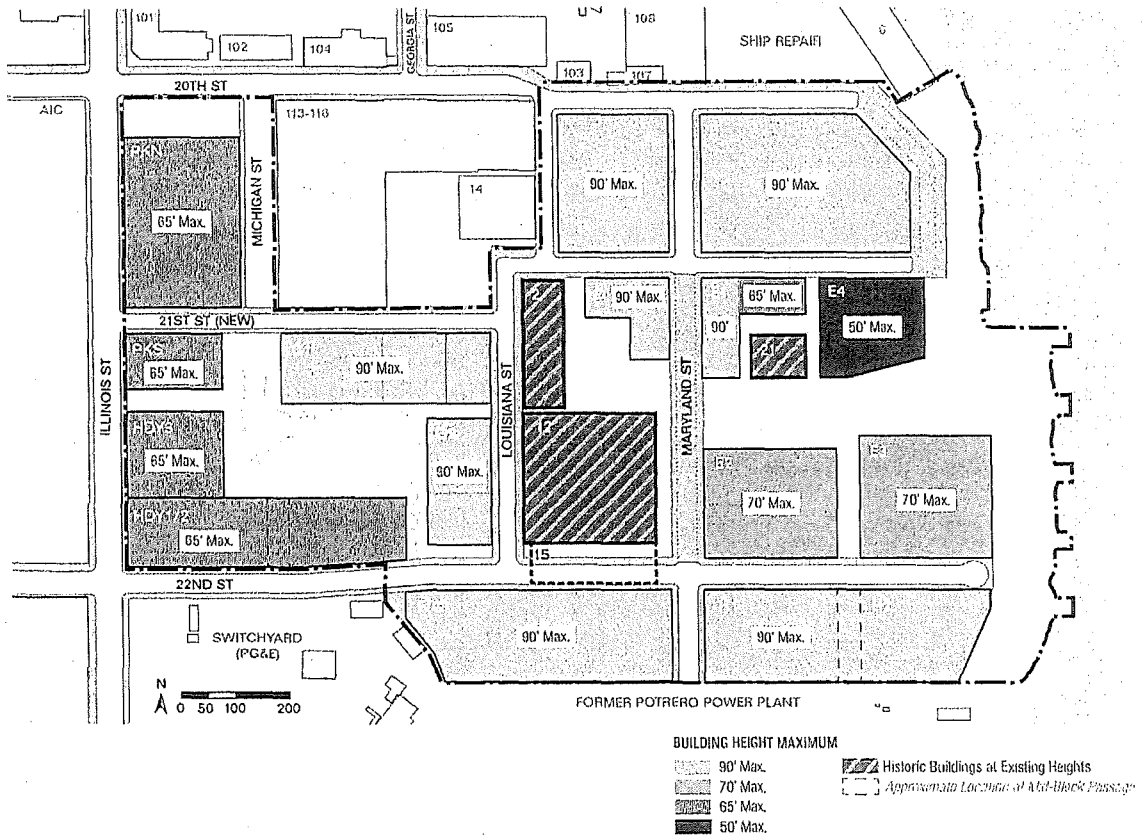


(h) Building Standards.

(1) Building Height and Bulk. *The height and bulk limits shall be as set forth on Sectional Map HT08 of the Zoning Map and as further limited and detailed in Figure 2 of this Section (Building Height Maximum) and the Design for Development.*

Figure 2: Building Heights Maximum.

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(2) Measurement of Height. Measurement of Height shall be governed by the controls set forth in Section 6.4 of the Design for Development (Maximum Building Height) and not as provided in Section 260.

(3) Lot Coverage and Rear Yards. Lots shall not be required to comply with any rear yard and lot coverage requirements set by this Code.

(4) Off-Street Parking. Off-street automobile parking shall not be required for any use. Total parking spaces for the SUD shall not exceed the maximum number of spaces listed in the table below. Planning will determine compliance with the off-street parking standards in accordance with

1 Subsection 249.79(l)(5) below. These requirements may be modified pursuant to implementation of the
2 Project's Transportation Demand Management (TDM) requirement, as set forth in the DDA.

3

4 **Table 249.79(h)(4)**

5 **Maximum Permitted Off-Street Parking**

6 <u>Residential Use</u>	<u>0.6 spaces per residential unit</u>
7 <u>Office Use</u>	<u>1 space per 1500 square feet of Gross Floor</u> 8 <u>Area</u>
9 <u>All Other Uses</u>	<u>None permitted</u>

10 (5) **Bicycle Parking.** The amount and design of bicycle parking required shall be
11 governed by the controls set forth in the Planning Code, whereas the location of required bicycle
12 parking shall be governed by the controls set in the Design for Development.

13 (6) **Dwelling Unit Density.** There shall be no density limit for any residential use.

14 (7) **Dwelling Unit Exposure.** The provisions of Section 140 shall not apply. Dwelling
15 units in new construction shall face onto one of the following open areas that is open to the sky:

16 (A) A public street, public alley, or mid-block passage (public or private) at
17 least 20 feet in width;

18 (B) An exterior courtyard or terrace at least 25 feet in width that is open to a
19 public street, public alley, mid-block passage (public or private);

20 (C) A public open space that is at least 25 feet in width, including Irish Hill, a
21 landscape feature;

22 (D) An interior courtyard at least 25 feet in width and a maximum height of 55
23 feet;

24 (E) An interior courtyard at least 40 feet in width without regard to height; or
25

1 (F) Undeveloped airspace over rooftops of either adjacent buildings within the
2 SUD or a building on the same parcel where such building has been built to the maximum height limit
3 allowed pursuant to this Section 249.79.

4 (8) Open Space for Dwelling Units. In addition to any publicly-accessible open spaces
5 described in the Design for Development, a minimum of 40 square feet of open space per dwelling unit
6 shall be provided on each residential building parcel. Such open space may be either private or
7 common space, and may be provided in the form of courtyards, terraces, rooftops, balconies, or other
8 facilities. The standards for open spaces shall be governed by the controls set forth in the Design for
9 Development and not as provided in Section 135.

10 (9) Permitted Obstructions. Permitted obstructions over the street, alley, yard, setback,
11 or open space (also referred to as Projections) shall be governed by the controls set forth in the Design
12 for Development and not as provided in Section 136.

13 (10) Streetscape Improvements. The streetscape and street tree planting requirements
14 shall be governed by the controls set forth in the Design for Development and not as provided in
15 Section 138.1(c).

16 (11) Off-Street Loading. The loading requirements of Article 1.5 of the Code shall not
17 apply. Off-Street loading shall be governed by the controls set forth in Section 5.5 and 5.6 of the Design
18 for Development, describing number of loading spaces, loading space locations and dimensions,
19 loading spaces for historic buildings, location of refuse and recycling, and loading access locations.

20 (12) Signage. The requirements of Article 6 of this Code, as well as the signage
21 guidelines of the Port, shall not apply. Building signage within the Special Use District shall be
22 regulated by Sections 7.5 (General Signage), 7.6 (Wayfinding Signage) and 7.7 (Building Signage) of
23 the Design for Development, regulating signage design and location for buildings and the public realm.
24 Signage regulations in the Design for Development supplement the following signage plans to be
25 approved by the Executive Director and the Planning Department pursuant to the DDA as follows: the

1 Pier 70 Public ROWs Signage Plan, the Pier 70 Park Parcels Signage Plan(s) and the Pier 70
2 Interpretive Signage Plan(s) to be approved by the Executive Director, and the Pier 70 Building
3 Signage Plan approved by both the Executive Director and Planning Director.

4 (13) **Inclusionary Housing Requirements.** The requirements of Section 415 shall apply
5 subject to the following provisions:

6 (A) For any Rental Housing Project, each housing development project shall
7 pay a fee based on the number of units equivalent to the 23% of the number of units in the principal
8 rental housing project. If the project sponsor is eligible and elects to provide on-site affordable rental
9 units, the number of affordable units constructed on-site shall be 20% of all units constructed on the
10 project site. The Rental Units shall have an affordable rent set at an average of 80% of Area Median
11 Income or less.

12 (B) For any housing development project consisting of Owned Units, each
13 project shall pay a fee based on the number of units equivalent to the 28% of the number of units in the
14 principal housing project.

15 (14) **Impact Fees.** Vertical Improvements within the SUD that are subject to the DA
16 shall be required to pay impact fees in accordance with the DA. In recognition of the high level of in-
17 kind improvements provided under the Design for Development and related project documents, all
18 other Vertical Improvements within the SUD, whether subject to the DA or not, shall not be required to
19 pay the Eastern Neighborhoods Impact Fees and Public Benefits Fund requirements set forth in Section
20 423.

21 (15) **Transportation Fee.** Vertical Improvements that are subject to the DA shall be
22 required to pay transportation fees in accordance with the DA, which fees shall be used by SFMTA in
23 accordance with the Transportation Plan attached to the DA. All other Vertical Improvements within
24 the SUD shall pay to SFMTA a "Transportation Fee" that SFMTA shall use to pay for uses permitted
25 by the TSF Fund under Section 411A.7, including SFMTA and other agencies' costs to design, permit,

1 construct, and install a series of transportation improvements in the area surrounding the Pier 70 SUD.
2 The Transportation Fee will be calculated for each Vertical Improvement at 100% of the applicable
3 TSF rate without a discount under Section 411A.3(d) as if it were a Project submitted under Section
4 411A.3(d)(3).

5 (i) **Modifications to Building Standards.** Modification of the Building Standards may be
6 approved on a project-by-project basis according to the procedures of set forth below.

7 (1) **No Modifications or Variances Permitted.** No modifications or variances are
8 permitted for (A) Maximum Height established under Section (h)(1); (B) maximum building stories
9 established in Standard 6.4.2 of the Design for Development (Maximum Stories); (C) maximum off-
10 street parking ratios (except as provided in subsection (l)(5) below); (D) minimum required bicycle
11 parking quantities established in Article 1.5 of Standard 5.1.1 of the Design for Development (Bicycle
12 Parking Capacity)the Planning Code; or (E) Standard 6.18.1 (Key Facades 200-350 Feet in Length)
13 and Standard 6.18.2 (Key Facades 350 Feet or More in Length) of the Design for Development
14 regulating architectural treatment of primary and secondary facades. Except as explicitly provided in
15 subsections (i)(2) and (3) below, no other standard set forth in this Section 249.79 or in the Design for
16 Development shall be modified or varied.

17 (2) **Minor Modifications.** The Planning Director may approve a Minor Modification
18 administratively by the procedures described in Subsection 249.79(l)(6)(A).

19 (3) **Major Modifications.** The Planning Commission shall hear any application for a
20 Major Modification according to the procedures described in subsection 249.79(l)(6)(B).

21 (j) **Review and Approval of Development Phases and Horizontal Development.** The Port
22 Commission shall grant a Phase Approval in accordance with the DDA for the Phase that includes the
23 applicable Vertical Improvements before Planning may approve an application for design review under
24 this Section 249.79.

1 **(k) Review and Approval of Open Space.** The Port Commission shall have exclusive
2 jurisdiction over the review of proposed publicly-owned open space within the SUD for consistency
3 with the Design for Development, including program, design, and the inclusion of any ancillary
4 structures. Any privately-owned publicly-accessible open space on any of the development parcels shall
5 be reviewed and approved by Planning as part of the associated Vertical Improvement.

6 **(l) Design Review and Approval of Vertical Improvements.**

7 **(1) Applications.** Applications for design review are required for all Vertical
8 Improvements prior to issuance of building permits. An application for design review shall be filed at
9 the Port by the owner or authorized agent of the owner of the property for which the design review is
10 sought. Each application shall include the documents and materials necessary to determine consistency
11 with this Section and the Design for Development, including site plans, sections, elevations, renderings,
12 landscape plans, and exterior material samples to illustrate the overall concept design of the proposed
13 buildings. If an Applicant requests a Major or Minor Modification, the application shall contain
14 descriptive material such as narrative and supporting imagery, if appropriate, that describes how the
15 proposed Vertical Improvement meets the intent of the SUD and Design for Development and provides
16 architectural treatment and public benefit that are equivalent or superior to strict compliance with the
17 standards.

18 **(2) Completeness.** Port and Planning staff shall review the application for
19 completeness and advise the Applicant in writing of any deficiencies within 30 days after receipt of the
20 application or, if applicable, within 15 days after receipt of any supplemental information requested
21 pursuant to this Section. Review by Port staff shall also include a review for compliance with the
22 requirements of the applicable Vertical DDA. If staff does not so advise the applicant, the application
23 shall be deemed complete.

24 **(3) Staff Design Review of Buildings.** Each application for Vertical Improvements
25 shall be subject to the administrative design review process set forth in this subsection (l). Upon a

1 determination of completeness (or deemed completeness), staff shall conduct design review and
2 prepare a staff report determining compliance of the Vertical Improvement with this Section 249.79
3 and the Design for Development, including a recommendation regarding any modifications sought.
4 Such staff report shall be delivered to the Applicant and any third parties requesting notice in writing,
5 shall be kept on file, and posted on the Department's website for public review, within 60 days of the
6 determination of completeness (or deemed completeness).

7 If staff determines that the Vertical Improvement is not compliant with the Design for
8 Development and this Section 249.79, it will notify the Applicant within the applicable 60-day period,
9 in which case, the Applicant may resubmit the Application and the requirements under Section(1)(1)
10 through Section (1)(3) apply anew, except the time for staff review shall be 30 days.

11 (4) **Port Review of Historic Buildings.** Port staff shall review schematic designs for
12 each Historic Building in accordance with the procedures set forth in the ground lease between Port
13 and the Applicant for the applicable Historic Building. Port staff review shall include a determination
14 of consistency with the Design for Development and applicable mitigation measures, including
15 compliance with Secretary of the Interior's Standards for the Treatment of Historic Properties.

16 (5) **Off-Street Parking.** It is the intent of this SUD that at full build-out of all parcels in
17 the SUD, the total number of off-street parking spaces within the SUD shall not exceed the applicable
18 maximum parking ratios specified in Table 249.79(h)(4) above. The maximum parking ratios shall not
19 apply to individual Vertical Improvements or parcels, but shall be considered cumulatively for the SUD
20 as a whole. To ensure compliance with the maximum parking ratios on a periodic basis during the
21 phased build-out of the SUD, the Planning Department shall not approve new off-street parking
22 proposed within a Vertical Improvement if it determines that the amount of off-street parking proposed
23 would cause the aggregate parking ratio in the SUD to be exceeded when taking into account the
24 amount of parking in the proposed Vertical Improvement plus the amount of parking for all Buildings
25 approved under this Section 249.79 as of the date of determination (without regard to whether or not

1 the Building has been constructed) at the following Development Increments: every 750 net new
2 housing units and every 400,000 gross square feet of non-residential uses in new or rehabilitated
3 buildings (each residential and non-residential threshold, a "Development Increment").
4 Notwithstanding the foregoing, a deviation of up to 10% above the maximum ratios shall be permitted
5 for all increments prior to final build out and not be considered a Major Modification, Minor
6 Modification, or otherwise inconsistent with this Section 249.79 or the Design for Development. For
7 any increment beyond the first, the Planning Director may disallow part or all of the 10% deviation
8 from the maximum ratios in consideration of expected build out of the SUD.

9 **(6) Approvals and Public Hearings for New Development.**

10 (A) New Construction. Within 10 days after the delivery and posting of the staff
11 report in accordance with subsection (1)(3), the Planning Director shall approve or disapprove the
12 Vertical Improvement design and any Minor Modifications based on its compliance with this Section
13 249.79 and the Design for Development and the findings and recommendations of the staff report. If the
14 Vertical Improvement is consistent with the numeric standards set forth in this Section 249.79 and the
15 Design for Development, the Planning Director's discretion to approve or disapprove the Vertical
16 Improvement shall be limited to the Vertical Improvement's consistency with the non-numeric elements
17 of the Design for Development and the General Plan. Notwithstanding any other provisions of this
18 Section 249.79, the Planning Director may refer an Application that proposes modification to the non-
19 numeric elements of the Design for Development, even if not otherwise classified as a Major
20 Modification, to the Planning Commission as a Major Modification if the Planning Director determines
21 that the proposed modification does not meet the intent of the Standards set forth in the Design for
22 Development.

23 (B) Vertical Improvements Seeking Major Modifications. Upon delivery and
24 posting of the staff report under subsection (1)(3), the Planning Commission shall calendar the item for
25 a public hearing at the next regular meeting of the Planning Commission (or special meeting, at the

1 Planning Commission's discretion), subject to any required noticing, for any application for Vertical
2 Improvements seeking one or more Major Modifications and for any Vertical Improvement seeking
3 Minor Modifications that the Planning Director, in his or her sole discretion, refers as a Major
4 Modification. The Planning Commission shall consider all comments from the public and the
5 recommendations of the staff report and the Planning Director in making a decision to approve or
6 disapprove the Vertical Improvement design, including the granting of any Major or Minor
7 Modifications.

8 (C) Notice of Hearings. Notice of hearings required by subsection (B) above
9 shall be provided as follows:

10 (i) by mail not less than 10 days prior to the date of the hearing to the
11 Vertical Improvement applicant, to property owners within 300 feet of the exterior boundaries of the
12 property that is the subject of the application, using for this purpose the names and addresses as shown
13 on the citywide assessment roll in the Office of the Tax Collector, and to any person who has requested
14 such notice; and

15 (ii) by posting on the subject property at least 10 days prior to the date
16 of the hearing.

17 (m) Building Permit Approval. For projects subject to the jurisdiction of the Port, the Chief
18 Harbor Engineer shall review each building permit application for consistency with the authorizations
19 granted pursuant to this Section 249.79. For projects outside the jurisdiction of the Port, DBI shall
20 review each permit application for consistency with the authorizations granted pursuant to this Section
21 249.79. The Chief Harbor Engineer and DBI shall not issue any building permit for work within the
22 SUD that has not obtained design review approval in accordance with subsections (l)(6)(A) and (B)
23 above to the extent applicable, or is inconsistent with standards in this Section 249.79 or the Design for
24 Development.

1 (n) Change of Use. Before issuing any building permit or other permit or license, or for a
 2 permit of Occupancy that would authorize a new use, a change of use or maintenance of an existing use
 3 of any land or structure contrary to the provisions of this Section 249.79 or the Design for
 4 Development, the Chief Harbor Engineer or DBI, as applicable, shall refer the matter to the Planning
 5 Department for a consistency determination to be provided to the Chief Harbor Engineer or DBI, as
 6 applicable, within 15 days of referral.

7 (o) Discretionary Review. No requests for discretionary review shall be accepted by the
 8 Planning Department or heard by the Planning Commission for any Building in the SUD.

9
 10 Section 3. The Planning Code is hereby amended by revising Zoning Map ZN08,
 11 Height Map HT08, and Sectional Map SU08, as follows:

12 (a) To change the Zoning Map (ZN08) from M-2 to Pier 70 Mixed-Use District:

Assessor's Block	Lot	Current Zoning to be Superseded	Proposed Zoning to be Approved
4052	001 (partial)	M-2	Pier 70 Mixed Use District
4111	004 (partial)	M-2	
4110	001	M-2	
4110	008A	M-2	
4120	002	P	

19
 20 (b) To change the Zoning Map (HT08) from 40-X to 90-X:

Assessor's Block	Lot	Current Height/Bulk to be Superseded	Proposed Height/Bulk to be Approved
4052	001 (partial)	40-X	90-X
4111	004 (partial)	40-X	
4120	002	40-X	

1 (c) Sectional Map SU08 is hereby amended to create the new Pier 70 Special Use
2 District, bounded by the following streets:

3 (1) To the north, all lots fronting the southern side of and abutting the terminus
4 of 20th Street from Illinois Street to the shoreline, including lot 4110001, a portion of lot
5 4111004 - the southernmost portion south of a line roughly 95 feet from the southern parcel
6 border, and a portion of lot 4052001 – the southernmost portion south of a line roughly 1,100
7 feet from the southern parcel border, and excluding the northwestern corner roughly bounded
8 by a line running parallel to and roughly 265 feet south of 20th Street, and a line parallel to
9 and roughly 800 feet east of Illinois Street;

10 (2) To the east, all lots fronting the shoreline between 20th and 22nd Streets;

11 (3) To the south, all lots fronting the northern side of 22nd Street, and abutting
12 the terminus of 22nd Street from Illinois St to the shoreline;

13 (4) To the west, all lots fronting the eastern side of Illinois St, from 20th Street to
14 22nd Street.

15
16 Section 4. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.
20

21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By:

24 
25 ANDREA RUIZ-ESQUIDE
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - Pier 70 Special Use District]

Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; making findings under the California Environmental Quality Act, and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

Existing Law

The Pier 70 Mixed Use Project (Project) is proposed to be developed on several Port parcels that are currently designated as Heavy Industrial (M-2), and one parcel, currently owned by Pacific Gas & Electric Company, that is designated as Public (P).

Amendments to Current Law

This Ordinance adds Section 249.79 to the Planning Code. This section establishes the Pier 70 Special Use District (SUD), to regulate development of the Project. The purpose of the SUD is to facilitate the City's long-term goal of redevelopment and revitalization of a portion of Pier 70. The Project will provide several benefits to the City, such as a significant amount of affordable housing, increased public access and open space, facilities for small-scale manufacturing, extensive infrastructure improvements, and replacement space for Noonan Building tenants, while creating jobs, housing, and a vibrant community.

The SUD establishes development standards for the Project, in conjunction with the Design for Development document. The Design for Development document is adopted by the Planning and Port Commissions, and describes standards and guidelines applicable to the SUD in more detail.

The Ordinance lists permitted, non-permitted, temporary, and interim uses on the Project site. It sets forth controls for development at the site, including ground floor and retail controls, building standards, maximum heights, off street parking, dwelling unit exposure, bicycle parking, open space, streetscape improvements, inclusionary housing, and others. It also includes mechanisms for modifying those standards in the future, on a case-by-case basis, and for reviewing and approving future development phases and horizontal development.

The Ordinance also amends the Zoning Map, to do the following: a) change the use of the site from M-2 (Heavy Industrial) and P (Public) to the Pier 70 SUD zoning; b) change the height in part of the site from 40-X to 90-X, and c) create the SUD in the sectional map.

Background Information

The Pier 70 Mixed Use Project is generally bounded by Illinois Street on the west, 22nd Street on the south, and San Francisco Bay on the north and east. The Project involves construction of infrastructure, public open space and other public facilities, new building construction, and rehabilitation of three significant historic resources, resulting in a mix of market-rate and affordable residential uses, commercial use, retail/arts/light-industrial uses, and shoreline improvements. The Planning Commission certified and approved a final environmental impact report on the Project under the California Environmental Quality Act (CEQA), adopted findings under the CEQA, including a Mitigation Monitoring and Reporting Plan (MMRP), and recommended the approval this Pier 70 Special Use District to the Board of Supervisors.

This Ordinance facilitates the orderly development of this site by establishing the SUD to accommodate and regulate Project development. By separate legislation, the Board is considering a number of actions in furtherance of the Project, including the approval of amendments to the City's General Plan and approval of a Development Agreement.

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Pier 70 Mixed Use Project Overview

July 25, 2017

Between 2007 and 2010 the Port led an extensive community process to develop the Pier 70 Preferred Master Plan, with the goal of redeveloping the site to bring back its historic activity levels through infill and economic development, and increasing access to the water and creating new open spaces, while maintaining the area's historic character and supporting its ship repair activities. The Pier 70 Preferred Master Plan was endorsed by the Port Commission in 2010. The Port then issued a Request for Developer Qualifications for the Waterfront Site infill development opportunity, representing a 28 acre portion of Pier 70. In 2011, after a competitive solicitation process, Forest City was named as master developer. In 2013, the Port Commission and the Board of Supervisors each unanimously endorsed a term sheet, outlining the proposed land plan and transaction terms for future development of Pier 70. In 2014, 73% of voters supported Proposition F, the 2014 ballot measure supporting Forest City's proposed vision for reuse of the area and enabling the Board of Supervisors to increase height limits at the project. Throughout this process, Forest City and the Port have undertaken extensive engagement and outreach efforts, hosting workshops, open houses, markets, tours, presentations and family events – more than 135 events at last count engaging over 75,000 people. These activating events have allowed visitors to experience Pier 70, and share their input as to its future, today rather than wait for Project improvements.

After a decade of outreach and concept development, the Pier 70 project has developed into a clear vision to reintegrate and restore the 28-Acre Site into the fabric of San Francisco, creating an active, sustainable neighborhood that recognizes its industrial past. As contemplated in the proposed Pier 70 SUD Design for Development, the future of the 28-Acre Site is envisioned as an extension of the nearby Dogpatch neighborhood that joins community and industry, engaging residents, workers, artists, and manufacturers into a lively mix of uses and activities. The Project will reflect this diversity and creativity, inviting all to the parks, which are lined with local establishments, restaurants, arts uses, and event spaces, each with individual identities. And as a fundamental premise, the Project will create public access to the San Francisco Bay where it has never previously existed, opening up the shoreline for all to enjoy.

New buildings within the site will complement the industrial setting and fabric in size, scale, and material, with historic buildings repurposed into residential use, spaces for local manufacturing and community amenities. The Project will include a diversity of open spaces at multiple scales, shaped by nearby buildings, framing the waterfront, and creating a platform for a range of experiences.

Project Statistics (Mid Point Program – Pier 70 SUD):

- 1,400,000 square feet of new office space
- 2150 new housing units (Approximately 1200 rentals and 950 condos)
- 400,000 square feet of active ground floor uses (traditional retail, arts uses, and PDR)
- Over nine acres of new public open space
- Preservation and rehabilitation of three historic buildings on site (2, 12, and 21)

Public Benefits:

The Supervisor's Office, OEWD, Port, and Forest City have negotiated a public benefit package that reflects the goals of the Southern Bayfront, and represents over \$750M dollars of public benefits. Key benefits include:

- **Affordable Housing:** Overall the project will result in 30% onsite affordability, with the following components:
 - Approximately 150 or more units of onsite rental inclusionary housing, representing 20% of the units in all onsite rental buildings. These units will be affordable to households from 55% TO 110% of area median income, with the maximum number possible at the time of their lottery rented to applicants under the Neighborhood Resident Housing Preference program.
 - Approximately 320 or more fully-funded units of permanently affordable family and formerly homeless housing, in three buildings developed by local nonprofits located close to transit and a children’s playground.
 - Estimated \$15- \$20M in revenue dedicated to HOPE SF projects, including Potrero Rebuild.
- **Transportation Funding and On-Site Services:** Transportation demand management on-site, facilities to support a new bus line through the project, an open-to-the-public shuttle service, and almost \$50 million in funding that will be used to support neighborhood-supporting transportation infrastructure. Commitment to reducing total auto trips by 20% from amount analyzed in Project environmental review document.
- **Workforce Development Program:** 30% local hiring commitment, local business enterprise (“LBE”) utilization, participation in OEWD’s “First Source” hiring programs, and funding to support expansion of CityBuild and TechSF with outreach to District 10 residents.
- **Rehabilitation of Historic Structures at Pier 70:** The Project will rehabilitate three key historic structures (Buildings 2, 12, 21) and include interpretive elements to enhance public understanding of the Union Iron Works Historic District in open space, streetscape and building design.
- **Parks:** The project will provide over 9 acres of new open space for a variety of activities, including an Irish Hill playground, a market square, a central commons, public art, a minimum 20k square feet active rooftop recreation, and waterfront parks along 1,380 feet of shoreline. Project will pay for maintenance of its own parks.
- **Retail and Industrial Uses:** The project will provide a 60,000 square foot local market hall supporting local manufacturing, is committing to a minimum of 50,000 square feet of on-site PDR space, and is developing a small business attraction program with OEWD staff.
- **A Centerpiece For the Arts:** The project will include an up to 90,000 square foot building that will house local performing and other arts nonprofits, as well as providing replacement, permanently affordable studio space for the Noonan building tenants. The development will provide up to \$20 million through fee revenue and a special tax for development of the building.
- **Community Facilities:** The Project will contribute up to \$2.5M towards creating new space to serve the education and recreational needs of the growing community from Central Waterfront, from Mission Bay to India Basin and Potrero Hill, as well as include on-site childcare facilities.
- **Site Sea Level Rise Protection:** The Project’s waterfront edge will be designed to protect buildings against the high-end of projected 2100 sea-level-rise estimates established by the state, and the grade of the entire site will be raised to elevate buildings and ensure that utilities function properly.
- **City Seawall Improvement Funding Stream:** The Project will include a perpetual funding stream of between \$1 and \$2 billion to finance future sea level rise improvements anywhere along the San Francisco waterfront.

The Project's commitment to these benefits will be memorialized in the Development Agreement, which must be recommended for approval by the Planning Commission, and the Disposition and Development Agreement, which will be approved by the Port Commission, before seeking final approval from the Board of Supervisors.

Zoning and Design Controls:

The DA and DDA are part of a larger regulatory approvals package that also includes a Planning Code text amendment creating a Special Use District ("SUD") for the Project Site, conforming Zoning Map amendments for height and to establish the Special Use District and a Design for Development (D4D) which will detail development standards and guidelines for buildings, open space and streetscape improvements. Under the Design for Development, the following components of the Project will be subject to review and approval as follows:

- **New Development:** New buildings will be reviewed by Planning Department staff, in consultation with Port staff, for consistency with the standards and guidelines in the Design for Development, with a recommendation to the Planning Director who will approve or deny applications for proposed new buildings;
- **Historic Rehabilitation:** Historic rehabilitation of Buildings 2, 12 and 21 will be reviewed by Port staff, in consultation with Planning Department staff, for consistency with Secretary of the Interior's Standards for Treatment of Historic Properties ("Secretary's Standards") and the standards and guidelines in the Design for Development as part of the Port's building permit process, with a recommendation to the Port Executive Director, who will approve or deny plans for proposed historic rehabilitation projects; and
- **Parks and Open Space:** Design of parks and open space will undergo public design review by a design advisory committee appointed by the Port Executive Director, with a recommendation to the Port Commission, which will approve or deny park schematic designs.

Project Approvals:

The approvals relating to the proposed Project include:

1. Entitlements, including certification and approval of a Final Environmental Impact Report ("EIR"), adoption of a Special Use District and its accompanying Design for Development, amendments to the City's General Plan, Planning Code and Zoning Map, and a Development Agreement.
2. Implementing Documents, including a Disposition and Development Agreement (DDA) governing the transaction between the Port and Forest City, setting forth Forest City's obligations for horizontal development, including infrastructure, affordable housing and jobs, and establishing the timing for vertical development; and a Financing Plan setting forth the financial deal, including public financing and disposition of land proceeds.
3. Public Financing approvals, including establishment of an infrastructure financing district (IFD) project area to support construction of infrastructure and rehabilitation of historic structures, an Infrastructure and Revitalization Financing District (IRFD) to support onsite affordable housing, and a series of community facilities districts (CFD) which will fund construction of infrastructure, maintenance of streets and open space, construction of the arts building, and combat sea level rise along the seawall.
4. a Trust Exchange that requires approval and implementation of a Compromise Title Settlement and Land Exchange Agreement and an amendment to the Burton Act Transfer Agreement with the California State Lands Commission ("State Lands") consistent with the requirements of AB 418.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

August 1, 2017

File No. 170864

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On July 25, 2017, Mayor Lee introduced the following proposed legislation:

File No. 170864

Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; making findings under the California Environmental Quality Act, and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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August 1, 2017

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On July 25, 2017, Mayor Lee introduced the following proposed legislation:

File No. 170864

Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; making findings under the California Environmental Quality Act, and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

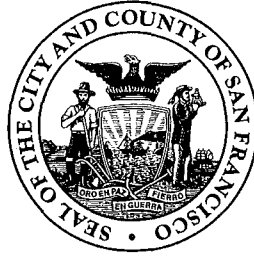
Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Lisa Gibson, Acting Environmental Review Officer
AnMarie Rodgers, Senior Policy Advisor
Laura Lynch, Environmental Planning
Joy Navarrete, Environmental Planning

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MEMORANDUM

TO: Elaine Forbes, Executive Director, Port Department
Amy Quesada, Commission Secretary, Port Commission
Tom Hui, Director, Department of Building Inspection
Ed Reiskin, Executive Director, Municipal Transportation Agency
Jose Cisneros, Treasurer, Office of the Treasurer and Tax Collector
John Rahaim, Director, Planning Department

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: August 1, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Lee on July 25, 2017:

File No. 170864

Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; making findings under the California Environmental Quality Act, and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

c: Daley Dunham, Port Department
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection
Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Amanda Kahn Fried, Office of the Treasurer and Tax Collector
Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Laura Lynch, Planning Department

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: October 16, 2017

Time: 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Pier 70 Mixed Use Project

File No. 170930. Ordinance amending the General Plan to revise Maps 4 and 5 of the Urban Design Element to refer to the Pier 70 Mixed-Use Project Special Use District; adopting findings under the California Environmental Quality Act, and Planning Code, Section 340; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 170864. Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; making findings under the California Environmental Quality Act, and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 13, 2017.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

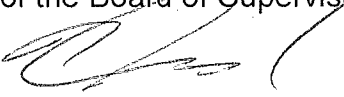
DATED/PUBLISHED/POSTED: October 6, 2017

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE

RECEIVED
7/25/2017 @ 5:50pm

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: *for* Mayor Edwin M. Lee 
RE: Pier 70 Project
DATE: July 25, 2017

Attached for introduction to the Board of Supervisors is legislation for the Pier 70 Project:

- Resolution of Intention to Issue Bonds in an Amount Not to Exceed \$273,900,000, \$196,100,000 and \$323,300,000 for Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4, respectively, City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco).
- Resolution of Intention to establish Sub-Project Area G-2, Sub-Project Area G-3 and Sub-Project Area G-4 of City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco).
- Resolution authorizing and directing the Executive Director of the Port of San Francisco, or designee of the Executive Director of the Port of San Francisco to prepare an infrastructure financing plan for City and County of San Francisco Infrastructure Financing District No. 2 (Hoedown Yard) and determining other matters in connection therewith.
- Resolution of Intention to establish City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard) on land within the City and County of San Francisco commonly known as the Hoedown Yard to finance the construction of affordable housing within Pier 70 and Parcel K South; to call a public hearing on October 24, 2017 on the formation of the district and to provide public notice thereof; and determining other matters in connection therewith.
- Resolution of intention to issue bonds for City and County of San Francisco Infrastructure and Revitalization Financing District No. 2 (Hoedown Yard) and determining other matters in connection therewith.
- Ordinance approving a Development Agreement between the City and County of San Francisco and FC Pier 70, LLC, for 28 acres of real property located in the Pier 70 area; waiving certain provisions of the Administrative Code, Planning Code, and Subdivision Code; and adopting findings under the California Environmental Quality Act, public trust findings, and findings of consistency with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b).

- Ordinance amending the Planning Code and the Zoning Map to add the Pier 70 Special Use District; and making findings, including findings under the California Environmental Quality Act and findings of consistency with the General Plan, the eight priority policies of Planning Code Section 101.1, and Planning Code Section 302.

Please note that the legislation is co-sponsored by Supervisor Cohen.

I respectfully request that these items be calendared in Land Use Committee on October 16, 2017.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
7/25/2017 @ 5:50pm
A

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Cohen

Subject:

Planning Code, Zoning - Pier 70 Special Use District

The text is listed:

Attached

Signature of Sponsoring Supervisor: *Malia Cohen*

For Clerk's Use Only