

[Redevelopment Plan Amendment - Mission Bay South Block 4 East]

**Ordinance approving amendments to the Redevelopment Plan for the Mission Bay South Redevelopment Project to increase the maximum building height from 160 feet to 250 feet and to increase the number of dwelling units permitted on the northern one-half of Block 4 East (Assessor's Parcel Block No. 8711, Lot No. 029B) for the development of an affordable housing project; making findings under the California Environmental Quality Act; directing the Clerk of the Board of Supervisors to transmit a copy of this Ordinance upon its enactment to the Successor Agency; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

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

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco (the "Board of Supervisors" or "Board") hereby finds, determines, and declares, based on the record before it, including but not limited to, information contained in the Report to the Board of Supervisors on the Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project ("Report to the Board," on file with the Clerk of the Board of Supervisors in File No. 251223) regarding Block 4 East, that:

(a) On September 17, 1998, by Resolution No. 190-98, the former Redevelopment

1 Agency of the City and County of San Francisco (“Agency” or “Redevelopment Agency”)  
2 approved the Redevelopment Plan for the Mission Bay South Redevelopment Project (the  
3 “Redevelopment Plan”) to govern redevelopment in the Mission Bay South Redevelopment  
4 Project Area (the “Plan Area”). On the same date, the Agency adopted related documents,  
5 including Resolution No. 193-98 authorizing execution of an Owner Participation Agreement  
6 (“South OPA”) and related documents between Catellus Development Corporation, a  
7 Delaware corporation, and the Agency applicable to the Plan Area. FOCIL-MB, LLC, a  
8 Delaware limited liability company (“FOCIL”), entered into an Assignment, Assumption and  
9 Release Agreement, dated November 22, 2004, under which FOCIL assumed the rights and  
10 obligations of the prior owner under the South OPA.

11 (b) The Board of Supervisors approved and adopted the Redevelopment Plan by  
12 Ordinance No. 335-98 on November 2, 1998, and amendments to the Redevelopment Plan  
13 by Ordinance No. 143-13 on July 9, 2013, Ordinance No. 032-18 on March 6, 2018,  
14 Ordinance No. 128-20 on July 31, 2020, Ordinance No. 209-20 on October 9, 2020, and  
15 Ordinance No. 014-21 on February 12, 2021. Copies of these ordinances are in Clerk of the  
16 Board of Supervisors File Nos. 981441, 130458, 171280, 200575, 200815, and 201332  
17 respectively, and are incorporated herein by reference.

18 (c) On February 1, 2012, the State of California dissolved all redevelopment agencies  
19 in the state and established successor agencies to assume certain rights and obligations of  
20 the former agencies. Cal. Health & Safety Code §§ 34170 et seq. (“Redevelopment  
21 Dissolution Law”). On October 2, 2012, the Board of Supervisors delegated, by Ordinance  
22 No. 215-12, its authority under the Redevelopment Dissolution Law to the Successor Agency  
23 Commission, commonly referred to as the Commission on Community Investment and  
24 Infrastructure. The Successor Agency Commission is required to implement and complete,  
25 among other things, the surviving enforceable obligations of the former Redevelopment

1 Agency and is authorized to approve amendments to redevelopment plans as allowed under  
2 the Redevelopment Dissolution Law and subject to adoptions of such plan amendments by  
3 the Board of Supervisors. On January 24, 2014, the California Department of Finance finally  
4 and conclusively determined that the South OPA executed by the Redevelopment Agency on  
5 September 17, 1998, as approved by Resolution No. 190-98, with the developer of the Plan  
6 Area was an enforceable obligation of the successor to the Redevelopment Agency (the  
7 “Successor Agency”).

8 (d) As set forth more fully in Section 1(g) of this ordinance, the Successor Agency  
9 Commission recommends approval of an amendment to the Redevelopment Plan (the “Plan  
10 Amendment”), which would increase the maximum building height from 160 feet to 250 feet  
11 and increase the number of dwelling units permitted on the northern one-half of Block 4 East  
12 within the Plan Area for the purpose of developing an affordable housing project in which all of  
13 the units, excluding managers’ units, are dedicated to lower income households, as defined  
14 by Section 50079.5 of the California Health and Safety Code. Block 4 East is bounded by 3rd  
15 Street on the east, Mission Rock Street on the north, China Basin Street on the south, and  
16 Block 4 West on the west.

17 (e) In accordance with Sections 33457.1 and 33352 of the Community Redevelopment  
18 Law (California Health and Safety Code Sections 33000 et seq., the “Redevelopment Law”),  
19 the Successor Agency has prepared the Report to the Board that includes information to the  
20 extent warranted by the Plan Amendment and made the Report to the Board available to the  
21 public on or before the date of the public hearing, noticed in accordance with Redevelopment  
22 Law Section 33452, on this ordinance approving the Plan Amendment; said hearing is  
23 referenced in Section 1(g) of this ordinance.

24 (f) On November 4, 2025, FOCIL, as the master developer of the Plan Area under the  
25 South OPA, consented to the approval of the Plan Amendment.

1 (g) Successor Agency Commission Action. On November 18, 2025, after holding a  
2 duly noticed public hearing in accordance with Redevelopment Law Section 33452, the  
3 Successor Agency Commission, by Resolution Nos. 30-2025 and 31-2025, approved the Plan  
4 Amendment as consistent with the Redevelopment Law, as amended by the Redevelopment  
5 Dissolution Law, approved the Report to the Board, and recommended that the Board of  
6 Supervisors adopt the Plan Amendment. The Successor Agency Commission has  
7 transmitted to the Board of Supervisors a certified copy of Resolution No. 31-2025 and its  
8 attached Report to the Board. Copies of these documents and Resolution No. 30-2025 are on  
9 file with the Clerk of the Board of Supervisors in File No. 251223, and are incorporated herein  
10 by reference.

11 (h) Environmental Findings. The Successor Agency, as lead agency under the  
12 California Environmental Quality Act ("CEQA"), has determined that the Plan Amendment is  
13 statutorily exempt from CEQA under Section 21080.40 of the California Public Resources  
14 Code as an action in furtherance of an affordable housing project dedicating all of its  
15 residential units to lower income households and meeting other criteria under the exemption.  
16 The Board of Supervisors, acting in its capacity as a responsible agency under CEQA, has  
17 reviewed and considered the Successor Agency's exemption determination, and hereby  
18 adopts and incorporates by reference such determination as though fully set forth in this  
19 ordinance.

20 (i) On December 4, 2025, the Planning Commission, in Motion No. \_\_\_\_\_,  
21 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
22 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
23 Board adopts these findings as its own. A copy of said Planning Commission Resolution is on  
24 file with the Clerk of the Board of Supervisors in File No. 251223, and is incorporated herein  
25 by reference.

1 (j) The Board of Supervisors held a public hearing on \_\_\_\_\_, 2026, on the  
2 adoption of the Plan Amendment in the Board Legislative Chamber at City Hall, 1 Dr. Carlton  
3 B. Goodlett Place, Room 250, San Francisco, California. The hearing has been closed.  
4 Notice of such hearing was duly and regularly published in a newspaper of general circulation  
5 in the City and County of San Francisco, once per week for three successive weeks prior to  
6 the date of such hearing in accordance with Redevelopment Law Section 33452. At such  
7 hearing, the Board considered the report of the Successor Agency Commission, the Planning  
8 Commission Motion No. \_\_\_\_\_, and all evidence and testimony regarding the Plan  
9 Amendment. The Board hereby adopts findings to the extent required by the Redevelopment  
10 Law as set forth in Section 5 of this ordinance.  
11

12 Section 2. Purpose and Intent. The purpose and intent of the Board of Supervisors  
13 with respect to the Plan Amendment is to increase the maximum building height and increase  
14 the number of dwelling units for an affordable housing project on the northern one-half of  
15 Block 4 East, which will contribute to, and complement, the overall goals and objectives of the  
16 Redevelopment Plan, facilitate the completion of redevelopment of the Plan Area, and  
17 increase affordable housing dedicated to lower income households consistent with the  
18 Redevelopment Dissolution Law.  
19

20 Section 3. Plan Incorporation by Reference. The Redevelopment Plan as amended by  
21 this ordinance is incorporated in and made a part of this ordinance by this reference with the  
22 same force and effect as though set forth fully in this ordinance.  
23

24 Section 4. The Board of Supervisors approves the following amendments to the  
25 Redevelopment Plan for the Mission Bay South Redevelopment Project:

(a) Section 304.4 of the Redevelopment Plan is hereby amended as follows:

304.4 Number of Dwelling Units

The number of Dwelling Units in the Plan Area shall be approximately ~~3,440~~3,690 under this Plan. Of those ~~3,440~~3,690 Dwelling Units, 350 are allocated to the Hotel land use district and cannot be constructed on any site other than Block 1, ~~and~~ up to 21 are allocated to Blocks 29-30 in the Commercial Industrial/Retail land use district and cannot be constructed on any site other than Blocks 29-30, and 250 are affordable housing units allocated to the northern one-half of Block 4 East in the Mission Bay South Residential land use district and cannot be constructed on any site other than the northern one-half of Block 4 East, with the remaining Dwelling Units allocated to the Mission Bay South Residential land use district. The total number of Dwelling Units that may be constructed within the Hotel land use district must not exceed 350 Dwelling Units and must not preclude the development of a hotel within the Hotel land use district as provided for in Section 302.2.

(b) Section 304.5 of the Redevelopment Plan is hereby amended as follows:

304.5 Limitation on Type, Size and Height of Buildings

\* \* \* \*

The floor area ratio (FAR) for Commercial Industrial and Commercial Industrial/Retail shall be a maximum of 2.9:1, averaged over the entire area of these two land use districts combined, except that the area in Zones B-D shall be excluded from the calculation and except that if some or all of the additional Leasable square feet allocated to Parcel 7 of Block 43 is constructed, the maximum average of the FAR of 2.9:1 for Commercial Industrial and Commercial Industrial/Retail shall be increased to, but shall not exceed, 2.95:1, to account for the additional Leasable square feet allocated to Parcel 7 of Block 43. The floor area ratio for Zones B-D shall be a maximum of 2.9:1, calculated separately for each Zone. Maximum building height within the Plan Area is 160 feet, except that the maximum building height for

1 affordable housing on the northern one-half of Block 4 East in the Mission Bay South Residential land  
2 use district is 250 feet.

3 \* \* \* \*

4 (c) Attachment 2 of the Plan (Plan Area Map) is hereby amended to identify Mission  
5 Bay Block 4 East (“4E”), which is the parcel subject to the increases in dwelling units and  
6 height authorized under the Plan Amendment.

7  
8 Section 5. Further Findings and Determinations under Redevelopment Law. The  
9 Board of Supervisors hereby further finds, determines, and declares, based on the record  
10 before it, including but not limited to information contained in the Report to the Board that:

11 (a) Although significant improvements have occurred in the Project Area since  
12 adoption of the Redevelopment Plan, Block 4 East remains an undeveloped and blighted area  
13 currently used for surface parking. The Plan Amendment will improve or alleviate the physical  
14 and economic conditions in the Plan Area by increasing the number of affordable housing  
15 units and providing housing opportunities on an underutilized site, and thus will support the full  
16 economic use of Block 4 East, further activating and revitalizing the surrounding  
17 neighborhood.

18 (b) The development of up to an additional 250 affordable housing units on the  
19 northern one-half portion of Block 4 East will address a critical shortage of affordable housing  
20 in San Francisco. The San Francisco Housing Element describes the City’s unmet housing  
21 need as requiring the creation by 2031 of more than 82,000 housing units of which 46,000  
22 must be targeted to households with extremely low to moderate incomes. The City of San  
23 Francisco’s Regional Housing Need Allocation (“RHNA”) calls for an annual target housing  
24 production of 1,748 units for extremely low-income households and 861 units for very low-  
25 income households.

1 (c) The carrying out of the Plan Amendment will effectuate the purposes and policies of  
2 the Redevelopment Dissolution Law, which was amended in 2023 to allow San Francisco to  
3 use a limited form of property tax increment to finance the construction of affordable housing  
4 units to replace those units that the former Redevelopment Agency of the City and County of  
5 San Francisco had destroyed and never replaced.

6 (d) The Plan Amendment will allow redevelopment of the area in conformity with  
7 Redevelopment Law, as amended by the Redevelopment Dissolution Law, and in the  
8 interests of the public peace, health, safety, and welfare.

9 (e) For the reasons set forth in Section 1(i), of this ordinance, the Plan Amendment is  
10 in conformity with the General Plan of the City and County of San Francisco, including the  
11 priority policies in City Planning Code Section 101.1.

12 (f) The carrying out of the Plan Amendment will promote the public peace, health,  
13 safety, and welfare of the community and would effectuate the purposes and policy of  
14 Redevelopment Law, as amended by the Redevelopment Dissolution Law.

15 (g) The Plan Amendment does not authorize the condemnation of real property.  
16 Under Redevelopment Law, the authority to condemn real property provided for in the  
17 Redevelopment Plan expired on November 2, 2010.

18 (h) No persons will be displaced, temporarily or permanently, from housing facilities as  
19 a result of the Redevelopment Plan or Plan Amendment. Accordingly, no residential  
20 relocation plan is required.

21 (i) There are no non-contiguous areas in the Plan Area.

22 (j) The Plan Amendment does not change the boundaries of the Plan Area and,  
23 therefore, does not include any additional area for the purpose of obtaining any allocation of  
24 tax increment revenues from the Plan Area pursuant to Redevelopment Law Section 33670.

25 (k) The Plan Amendment does not change the time limitation on the Redevelopment

1 Plan.

2  
3 Section 6. Official Plan. As required by Redevelopment Law Sections 33457.1 and  
4 33367, the Board of Supervisors hereby approves and adopts the Redevelopment Plan, as  
5 amended by the Plan Amendment, as the official redevelopment plan for the Plan Area.  
6

7 Section 7. Continued Effect of Previous Board of Supervisors Ordinances as  
8 Amended. Ordinance Nos. 335-98, 143-13, 032-18, 128-20, 209-20, and 014-21 are  
9 continued in full force and effect as amended by this ordinance.  
10

11 Section 8. Transmittal of Redevelopment Plan as Amended. The Clerk of the Board of  
12 Supervisors shall without delay (a) transmit a copy of this ordinance to the Successor Agency,  
13 whereupon the Successor Agency shall be vested with the responsibility for carrying out the  
14 Redevelopment Plan as amended, and (b) record or ensure that the Successor Agency  
15 records a notice of the approval and adoption of the Plan Amendment pursuant to this  
16 ordinance, containing a statement that proceedings for the redevelopment of the Plan Area  
17 pursuant to the Plan Amendment have been instituted under the Redevelopment Law.  
18

19 Section 9. Effective Date. In accordance with Redevelopment Law Sections  
20 33378(b)(2) and 33450, this ordinance shall become effective 90 days after enactment.  
21 Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance  
22 unsigned or does not sign the ordinance within 10 days of receiving it, or the Board of  
23 Supervisors overrides the Mayor's veto of the ordinance.  
24

25 Section 10. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors

1 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
2 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the  
3 Redevelopment Plan for the Mission Bay South Redevelopment Project that are explicitly  
4 shown in this ordinance as additions, deletions, Board amendment additions, and Board  
5 amendment deletions in accordance with the “Note” that appears under the official title of the  
6 ordinance.

7  
8 APPROVED AS TO FORM:  
9 DAVID CHIU, City Attorney

10 By: /s/ Peter Miljanich  
11 PETER MILJANICH  
12 Deputy City Attorney

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