

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Daniel Adams, Mayor's Office of Housing and Community Development
Anne Taupier, Executive Director, Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: July 3, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Lurie on June 24, 2025.

File No. 250697

Ordinance amending the Planning Code to create the 530 Sansome Mixed-Use Tower and Fire Station Special Use District, including a conditional use review and approval process allowing streamlined approval and exceptions from certain Planning Code requirements and the conditional rescission of an existing Article 10 landmark designation of 447 Battery Street within the Special Use District; revising the Zoning Map to increase the maximum height for Assessor's Parcel Block No. 0206, Lot Nos. 013, 014, and 017 within the Special Use District; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and general welfare under 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: john.carroll@sfgov.org.

cc:

Offices of Chair Melgar and Mayor Lurie
Lydia Ely, Mayor's Office of Housing and Community Development
Maria Benjamin, Mayor's Office of Housing and Community Development
Sheila Nickolopoulos, Mayor's Office of Housing and Community Development
Kyra Geithman, Mayor's Office of Housing and Community Development
Julia Sabory, Mayor's Office of Housing and Community Development
Alesandra Lozano, Office of Economic and Workforce Development

[Planning Code, Zoning Map - 530 Sansome Mixed-Use Tower and Fire Station Special Use District]

Ordinance amending the Planning Code to create the 530 Sansome Mixed-Use Tower and Fire Station Special Use District, including a conditional use review and approval process allowing streamlined approval and exceptions from certain Planning Code requirements and the conditional rescission of an existing Article 10 landmark designation of 447 Battery Street within the Special Use District; revising the Zoning Map to increase the maximum height for Assessor's Parcel Block No. 0206, Lot Nos. 013, 014, and 017 within the Special Use District; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

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. Planning and Environmental Findings.

(a) In companion legislation adopting a Development Agreement associated with the 530 Sansome Mixed-Use Tower and Fire Station 13 Development Project (also known as the 530 Sansome and 447 Battery Street Development Project), the Board of Supervisors adopted environmental findings pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.), the CEQA Guidelines (14 Cal. 22

1 Code Reg. Sections 15000 et seq.), and Chapter 31 of the Administrative Code. The Board
2 adopts these environmental findings as though fully set forth herein in relation to this
3 ordinance. A copy of said companion legislation is in Board of Supervisors File No.
4 _____ and it and its environmental findings are incorporated herein by reference.

5 (b) In companion legislation adopting General Plan amendments associated with the
6 530 Sansome Mixed-Use Tower and Fire Station 13 Development Project, the Board of
7 Supervisors adopted findings that the actions contemplated in this ordinance are consistent,
8 on balance, with the City's General Plan and eight priority policies of Planning Code Section
9 101.1. The Board incorporates these findings by reference and adopts these findings as
10 though fully set forth herein in relation to this ordinance. A copy of said companion legislation
11 is in Board of Supervisors File No. _____.

12 (c) In accordance with City Charter 4.135, the Historic Preservation Commission has
13 made a recommendation to the Board regarding amendments to Planning Code Article 10
14 and the conditional rescission of the landmark status of Landmark No. 299 in Appendix A to
15 Planning Code Article 10 that would be implemented by adoption of this ordinance, which
16 recommendation is set forth in Resolution No. _____, adopted after a public hearing
17 on July 16, 2025. A copy of said resolution is on file with the Clerk of the Board of
18 Supervisors in File No. _____ and is incorporated herein by reference. The Board
19 has considered the recommendation of the Historic Preservation Commission in adopting this
20 ordinance.

21 (d) Pursuant to Planning Code Section 302, the Board finds that the actions
22 contemplated in this ordinance will serve the public necessity, convenience, and welfare for
23 the reasons set forth in Planning Commission Resolution No. _____, adopted on July
24 17, 2025, and the Board adopts such reasons as its own. A copy of said resolution is on file
25

1 with the Clerk of the Board of Supervisors in File No. _____ and is incorporated
2 herein by reference.

3
4 Section 2. Article 2 of the Planning Code is hereby amended by adding Section
5 249.11, to read as follows:

6 **SEC. 249.11. 530 SANSOME MIXED-USE TOWER AND FIRE STATION SPECIAL USE**
7 **DISTRICT.**

8 *(a) Purpose. A Special Use District entitled “530 Sansome Mixed-Use Tower and Fire*
9 *Station Special Use District” (the SUD) is hereby established, the precise boundaries of which are*
10 *shown on Sectional Map SU01 of the Zoning Map. The purpose of the SUD is to implement the land use*
11 *controls for the 530 Sansome Mixed-Use Tower and Fire Station 13 Development Project (the Project),*
12 *which is subject to a Development Agreement, approved by the Board of Supervisors in the ordinance*
13 *contained in Board File No. _____ (the Development Agreement). The Project will provide*
14 *several benefits to the City, such as a new fire station, privately owned and maintained public street*
15 *improvements, and affordable housing contributions paid to the City earlier than otherwise required by*
16 *the Planning Code.*

17 *(b) Relationship to Other Planning Code Provisions. Applicable provisions of the Planning*
18 *Code shall control in the SUD except as otherwise provided in this Section 249.11. If there is a conflict*
19 *between other provisions of the Planning Code and this Section 249.11, this Section 249.11 shall*
20 *prevail.*

21 *(c) Relationship to the Development Agreement. This Section 249.11 shall be read and*
22 *construed consistent with the Development Agreement, and all development within the Project Site that*
23 *is subject to the Development Agreement shall satisfy the requirements of the Development Agreement*
24 *for so long as the Development Agreement remains in effect.*

1 (d) **Conditional Use.** Notwithstanding otherwise applicable use, design, project
2 authorization, or approval process requirements set forth for development projects in the underlying C-
3 3-O zoning district, a development project within the SUD may be approved pursuant to the conditional
4 use authorization provisions set forth in Section 304.8.

5 (e) **Conditional Rescission of Landmark Designation for 447 Battery Street.** The otherwise
6 applicable procedures for rescinding an Article 10 landmark designation do not apply in the SUD. The
7 Board of Supervisors rescinds the landmark status of the building at 447 Battery Street (Assessor's
8 Block 0206, Lot 002; "447 Battery Street"), which rescission shall be contingent and only effective
9 upon the City acquiring fee title to 447 Battery Street. Upon the City acquiring such fee title, the City
10 Attorney shall cause Landmark No. 299 in Appendix A to Planning Code Article 10 to be removed from
11 the Planning Code. Except as required under the California Environmental Quality Act, any new
12 legislation that would impose requirements for the historic preservation or rehabilitation of the
13 buildings within the SUD existing as of the effective date of the ordinance in Board File No. _____
14 creating the SUD shall not apply unless and until this Section 249.11(e) is amended accordingly or
15 eliminated.

16
17 Section 3. Article 3 of the Planning Code is hereby amended by adding Section 304.8,
18 to read as follows:

19 **SEC. 304.8. REVIEW PROCEDURES FOR PROJECTS IN THE 530 SANSOME MIXED-**
20 **USE TOWER AND FIRE STATION SPECIAL USE DISTRICT.**

21 (a) **Intent.** This Section 304.8 establishes a comprehensive and consolidated public review
22 process through which the Planning Commission shall review development projects in the 530 Sansome
23 Mixed-Use Tower and Fire Station Special Use District (the SUD).

24 (b) **Applicability.** The provisions of this Section 304.8 shall apply to any development
25 project within the SUD regulated by Planning Code Section 249.11.

1 (c) **Conditional Use Authorization.** The Planning Commission may approve a conditional
2 use authorization for any mix of proposed uses and authorize any exceptions to the Planning Code
3 reasonably necessary to implement a proposed development project, including exceptions from the
4 standards, procedures, and requirements of Articles 1.2, 1.5, 2, 2.5, 3, 4, and 6 of the Planning Code,
5 except as described in Section 304.8(e).

6 (d) **Approval.** The Planning Commission may act on a proposed conditional use
7 authorization in a single action regardless of the number of distinct properties involved or approvals
8 that would otherwise be required under Article 3 of the Planning Code, except as provided in Section
9 304.8(e). For avoidance of doubt, development projects that obtain a conditional use authorization
10 under this Section 304.8 shall not be required to obtain a separate authorization under Section 309 or
11 Section 303.

12 (e) **Criteria and Limitations.** A proposed development project must meet the criteria
13 applicable to conditional uses as stated in Section 303(c)(1) through (4). In addition, the project shall:

14 (1) On balance, affirmatively promote applicable objectives and policies of the
15 General Plan;

16 (2) Under no circumstances be excepted from any height limit established by the
17 applicable Height & Bulk District Map. Deviations from the measurement and exemption provisions of
18 Section 260 shall be consistent with the purposes and intent of Section 260, provided there is no limit
19 on deviations from percentage coverage limitations in Section 260(b);

20 (3) Obtain any applicable Project Authorization, as that term is defined in Section
21 320(n), for proposed office uses required under Sections 321 and 322;

22 (4) Require a hearing (including, as necessary, a joint hearing before the Planning
23 Commission and Recreation and Park Commission) as necessary to comply with Section 295;

24 (5) Under no circumstances include a General Advertising Sign;

1 (6) Except as to any modifications agreed to in a development agreement for the
2 project under Chapter 56 of the Administrative Code, comply with Article 4 of the Planning Code; and

3 (7) Comply with the provisions of Section 249.11.

4 (f) **Modifications to Conditional Use Authorization.** In granting a conditional use
5 authorization under this Section 304.8, the Planning Commission may authorize the Planning Director
6 to approve proposed modifications to the conditional use authorization, including proposed changes of
7 use and exceptions from the Planning Code in accordance with subsection (c), that the Planning
8 Director reasonably determines are within the intended scope of the previously approved conditional
9 use authorization.

10 (1) For purposes of this Section, “within the intended scope” means that:

11 (A) The project would continue to meet the criteria and limitations set forth
12 in subsection (e) of this Section 304.8;

13 (B) The proposed modifications to the project would not necessitate a
14 change to any condition imposed in the previously granted conditional use authorization;

15 (C) The proposed modifications would not increase the building envelope of
16 the project by more than 10 percent; and

17 (D) The project would remain in compliance with the Development
18 Agreement applicable to the project and approved by the Board of Supervisors in the ordinance
19 contained in Board File No. _____.

20 (2) Proposed modifications that, in the reasonable determination of the Planning
21 Director, do not meet all of the criteria set forth in subsections (f)(1)(A) through (f)(1)(D) above, shall
22 be promptly scheduled for a public hearing before the Planning Commission for review and approval.

23 (3) An owner may apply for modifications to the conditional use authorization
24 pursuant to this subsection (f) as to the building or portion of the building such owner owns without the
25

consent of any other owner of any portion of the project so long as the scope of the proposed modifications is limited to the building or portion of the building owned by the applicant.

Section 4. Article 10 of the Planning Code is hereby amended by revising Section 1004, to read as follows:

SEC. 1004. DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

* * * *

(d) Except as provided in Planning Code Section 249.11, ~~t~~The Board of Supervisors may amend or rescind a designation at any time, subject to all of the procedures set forth in this Article 10 for an original designation; provided, however, that in the event that a landmark is accidentally destroyed or is demolished or removed in conformity with the provisions of Section 1007, or is legally demolished or relocated after compliance with the provisions of this Article 10, the Planning Director may request the HPC to recommend to the Board of Supervisors that the designation be amended or rescinded, and in such case the procedures for an original designation set forth in Sections 1004.1 and 1004.2 hereof shall not apply.

* * * *

Section 5. The Planning Code is hereby amended in accordance with Planning Code Section 106 by revising Section Map HT01, as follows:

Assessor's Parcels (Blocks/Lots Numbers)	Height and Bulk District Superseded	New Height and Bulk District
Block 0206, Lots 013, 014, and 017	200-S	555-X

Section 6. The Planning Code is hereby amended in accordance with Planning Code Section 106 by revising Section Map SU01, as follows:

Assessor's Parcels (Blocks/Lots Numbers)	Special Use District Hereby Approved
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Block 0206, Lots 002, 013, 014, and 017	530 Sansome Mixed-Use Tower and Fire Station Special Use District
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Section 7. Effective and Operative Dates.

(a) This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) This ordinance shall become operative only on (and no rights or duties are affected until) the later of, (1) its effective date, as stated in subsection (a) above, or (2) the effective date of the ordinance approving the development agreement for the 530 Sansome Street and Fire Station 13 Development Project, adopted by the Board of Supervisors. A copy of said ordinance is on file with the Clerk of the Board of Supervisors in File No. _____.

Section 8. Scope of Ordinance.

In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ BRIAN CROSSMAN
BRIAN CROSSMAN
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - 530 Sansome Mixed-Use Tower and Fire Station Special Use District]

Ordinance amending the Planning Code to create the 530 Sansome Mixed-Use Tower and Fire Station Special Use District, including a conditional use review and approval process allowing streamlined approval and exceptions from certain Planning Code requirements and the conditional rescission of an existing Article 10 landmark designation of 447 Battery Street within the Special Use District; revising the Zoning Map to increase the maximum height for Assessor's Parcel Block No. 0206, Lot Nos. 013, 014, and 017 within the Special Use District; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Existing Law

The Planning Code and Zoning Map currently designate the parcels at Block 0206, Lots 002, 013, 014, and 017, as part of the C-3-O (Downtown Office) District and the 200-S height & bulk district.

Amendments to Current Law

The proposed ordinance would amend Articles 2 and 3 of the Planning Code to create the "530 Sansome Mixed-Use Tower and Fire Station Special Use District" (the "SUD") consisting of Assessor's Block 0206, Lots 002, 013, 014, and 017, and establish a streamlined review and approval process for the project proposed pursuant to the development agreement for a new mixed-use tower and fire station within the SUD. The new SUD and review and approval procedures would facilitate exceptions from Planning Code requirements and a conditional rescission of landmark designation number 299 for the property at 447 Battery Street (Assessor's Block 0206, Lot 002.)

Specifically, the ordinance would adopt a new section 249.11, creating the SUD and authorizing approval of development projects within the SUD pursuant to a conditional use authorization ("CUA") under new section 304.8. Section 249.11 would also rescind the landmark designation for 447 Battery Street, contingent on the City acquiring fee title to 447 Battery Street, as contemplated in the development agreement. New section 304.8 would establish a comprehensive review process for approval of development projects within the SUD. Section 304.8 would authorize the Planning Commission to approve a CUA for any mix of proposed uses and exceptions from Articles 1.2, 1.5, 2, 2.5, 3, 4, and 6 of the Planning Code reasonably necessary to implement a proposed development project in the SUD. Under the ordinance, a project proposed in the SUD must meet the criteria for a CUA set forth in

section 303(c)(1) through (4) of the Planning Code and also meet certain additional criteria, including: promoting applicable objectives and policies of the General Plan; compliance with any height limit established by the applicable Height & Bulk District Map; obtaining any applicable Project Authorization for proposed office uses; hearings or joint hearings as necessary to comply with section 295; no General Advertising Signs; compliance with Article 4 of the Planning Code, except as to modifications agreed to in the development agreement; and compliance with the provisions of the SUD in section 249.11.

In granting the CUA, the Planning Commission may also authorize the Planning Director to approve modifications to the CUA that the Planning Director reasonably determines are within the intended scope of the CUA. These modifications could include proposed changes of use and exceptions from the Planning Code, provided that: the project would continue to meet the CUA criteria in sections 303 and 304.8; the modifications would not require a change to any condition of the CUA; the modifications would not increase the building envelope of the project by more than 10 percent; and the project would remain in compliance with the development agreement. If the Planning Director determines a proposed modification does not meet these requirements, section 304.8 requires the proposal be considered by the Planning Commission at a public hearing.

Additionally, the ordinance would amend section 1004 of Article 4 to reflect the exception in section 249.11 for conditional rescission of the landmark designation for 447 Battery Street. The ordinance would also amend Special Use District Section Map SU01 to approve and establish the 530 Sansome Mixed-Use Tower and Fire Station Special Use District for Block 0206, Lots 002, 013, 014, and 017, and amend Height & Bulk District Section Map HT01 to supersede the 200-S district with the 555-X district for Block 0206, Lots 013, 014, and 017.

Background Information

This ordinance is intended to facilitate the development of the project contemplated in the Development Agreement associated with the 530 Sansome Mixed-Use Tower and Fire Station 13 Development Project (also known as the 530 Sansome and 447 Battery Street Development Project). EQX Jackson SQ Holdco LLC ("Developer") proposes to build a mixed-use high-rise building at 530 Sansome (currently owned by the City and occupied by Fire Station No. 13) and parcels that it owns at 425 Washington Street and 439-445 Washington Street. Through an affiliate, Developer also has the right to purchase the real property located at 447 Battery Street. Pursuant to the development agreement, Developer would acquire the 530 Sansome property from the City, and in exchange, would convey fee title to the 447 Battery Street, where Developer would build a new fire station for the City at Developer's expense. In companion legislation, the Board of Supervisors will consider adoption the development agreement.

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