

**REVISED LEGISLATIVE DIGEST**  
*(Substituted – October 15, 2024)*

[Planning Code - Transit Center District Open Space Impact Fee Waiver for 524 Howard Street, LLC]

**Ordinance amending the Planning Code to waive the Transit Center District Open Space Impact Fee for 524 Howard Street, LLC's development project at 524 and 530 Howard Street in recognition of the project's proposed construction of a pedestrian bridge connecting to the Transbay Transit Center's rooftop park; affirming the Planning Commission's determination under the California Environmental Quality Act; and adopting General Plan consistency findings, priority policy findings under Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings under Planning Code, Section 302.**

Existing Law

Planning Code Sections 424.6 et seq. govern the Transit Center District Plan open space development impact fees. Planning Code Section 138(j), which only applies to mixed-use projects, addresses how the Planning Department should approach public connections to the rooftop park on the Transbay Transit Center from adjacent buildings and count such connections as contributing to a project's open space requirements. The development project at 524 and 530 Howard Street (the "Project") proposes to build a pedestrian bridge connection over Natoma Street to the Transit Center. The Project is a fully residential project that includes 672 dwelling units, with 68 dwelling units dedicated to households earning no more than 50% AML (area median income).

Amendments to Current Law

The legislation would amend Planning Code Sections 424.6 et seq. for this Project to waive the open space impact fees, approximately \$2.3 million, subject to the Project's developer paying the equivalent amount to the Transbay Joint Powers Authority for the bridge connection to the Transit Center. The fee waiver would be conditioned upon various subsequent actions, including compliance with the general terms of Planning Code Section 138(j). The ordinance would make various findings, including environmental findings and consistency findings with the General Plan and Planning Code Section 101.1 priority policies.

Background Information

This legislation is related to a companion ordinance that would vacate the airspace above Natoma Street and convey the property to the Transbay Bay Joint Powers Authority to accommodate the construction and use of the pedestrian bridge from the Project to the rooftop park at the Transit Center.

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