

File No. 180185 Committee Item No. 2
 Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date September 10, 2018

Board of Supervisors Meeting _____ Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <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 |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral CEQA 030618 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral PC 030618 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral PC 041018 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral CEQA 041818 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Hearing Notice 062918 |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Erica Major Date September 7, 2018
 Completed by: Erica Major Date _____

1 [Planning Code, Zoning Map - Central South of Market Special Use District]

2
3 **Ordinance amending the Zoning Map of the Planning Code to create the Central South**
4 **of Market (SoMa) Special Use District and make other amendments to the Height and**
5 **Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area**
6 **Plan, encompassing an area generally bounded on its western portion by Sixth Street,**
7 **on its eastern portion by Second Street, on its northern portion by the border of the**
8 **Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard**
9 **and Stevenson Streets), and on its southern portion by Townsend Street; affirming the**
10 **Planning Department's determination under the California Environmental Quality Act;**
11 **and making findings of consistency with the General Plan, and the eight priority**
12 **policies of Planning Code, Section 101.1.**

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

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

21 Section 1. Environmental and Planning Code Findings.

22 (a) On May 10, 2018 after a duly noticed public hearing, the Planning Commission
23 certified the Final Environmental Impact Report (EIR) for the proposed Central SoMa Area
24 Plan (the Project) by Motion No. 20182, finding the Final EIR reflects the independent
25 judgment and analysis of the City and County of San Francisco, is adequate, accurate and
objective, contains no significant revisions to the Draft EIR, and the content of the report and

1 the procedures through which the Final EIR was prepared, publicized, and reviewed comply
2 with the provisions of the California Environmental Quality Act (CEQA) (Public Resources
3 Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et
4 seq.) and Chapter 31 of the San Francisco Administrative Code. Copies of the Planning
5 Commission Motion and Final EIR are on file with the Clerk of the Board in File No. 180490
6 and are incorporated herein by reference.

7 (b) The Project evaluated in the Final EIR includes the proposed amendments to the
8 Planning Code and Zoning Map as well as amendments to the General Plan, adopting the
9 Central SoMa Area Plan and other related amendments. The proposed Planning Code and
10 Zoning Map amendments set forth in this ordinance are within the scope of the Project
11 evaluated in the Final EIR.

12 (c) At the same hearing during which the Planning Commission certified the Final EIR,
13 the Planning Commission adopted findings under CEQA regarding the Project's
14 environmental impacts, the disposition of mitigation measures, and project alternatives, as
15 well as a statement of overriding considerations (CEQA Findings) and adopted a mitigation
16 monitoring reporting program (MMRP), by Resolution No. 20183.

17 (d) At the same hearing, the Planning Commission, in Resolution No. 20184,
18 recommended the proposed Planning Code and Zoning Map amendments for approval and
19 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
20 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
21 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
22 the Board of Supervisors in File No. 180490, and is incorporated herein by reference.

23 (e) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
24 Zoning Map Amendment will serve the public necessity, convenience, and welfare for the
25

1 reasons set forth in Planning Commission Resolution No. 302, and the Board incorporates
2 such reasons herein by reference.

3 (f) The Board of Supervisors has reviewed and considered the Final EIR and the
4 environmental documents on file referred to herein. The Board of Supervisors has reviewed
5 and considered the CEQA Findings, and hereby adopts them as its own and incorporates
6 them by reference as though such findings were fully set forth in this Ordinance.

7 (g) The Board of Supervisors adopts the MMRP as a condition of this approval, and
8 endorses those mitigation measures that are under the jurisdiction of other City Departments,
9 and recommends for adoption those mitigation measures that are enforceable by agencies
10 other than City agencies, all as set forth in the CEQA Findings and MMRP.

11 (h) The Board of Supervisors finds that no substantial changes have occurred in the
12 proposed Project that would require revisions in the Final EIR due to the involvement of new
13 significant environmental effects or a substantial increase in the severity of previously
14 identified significant effects, no substantial changes have occurred with respect to the
15 circumstances under which the proposed Project is to be undertaken that would require major
16 revisions to the Final EIR due to the involvement of new environmental effects or a substantial
17 increase in the severity of effects identified in the Final EIR, and no new information of
18 substantial importance to the proposed Project has become available which indicates that (1)
19 the Project will have significant effects not discussed in the Final EIR, (2) significant
20 environmental effects will be substantially more severe, (3) mitigation measure or alternatives
21 found not feasible that would reduce one or more significant effects have become feasible or
22 (4) mitigation measures or alternatives that are considerably different from those in the Final
23 EIR would substantially reduce one or more significant effects on the environment.

1 (a) The San Francisco Planning Code is hereby amended by amending Zoning Use
 2 District Map ZN01 of the Zoning Map of the City and County of San Francisco, as follows:
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Description of Property		Use Districts to	Use Districts
Assessor's	Lot	be Superseded	Hereby Approved
Block			
3725	007, 014-015, 017-021, 029, 031, 033, 035, 102-103	MUR	MUG
3732	003-005, 008-009, 018, 023-026, 028- 030, 035, 040, 044-045, 048, 062, 064, 066-068, 080, 087-090, 090A, 091, 094-097, 099-103, 106-108, 110-112, 114, 117, 119, 125-127, 129-130, 137- 140, 143, 145A, 146-147, 149-200, 202-239, 261-265, 271-555, 561-759, 763-764	MUR	MUG
3733	014, 017-020, 020A, 021, 024-026, 028- 031, 034, 091-092, 145-158	WMUG	CMUO MUR
	093, 105	M-1	CMUO MUR
3750	003, 008, 073, 515-598	MUO	CMUO
	009, 013, 050, 054, 078, 081-082, 086	MUR	CMUO
3751	028-029, 033-034, 053-054, 150, 157- 158, 161-162, 165, 411-415, 420-522	MUO	CMUO
	105, 112, 155, 167-170, 173, 175-409	MUR	CMUO

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3752	001-003, 008-010, 051-054, 070, 076, 078-081, 083, 107, 109-126, 130-153, 156-392, 394-473, 501-502, 521-589	MUR	CMUO
	011, 011A, 014-015, 017-018, 026-028, 032-033, 036, 095, 590-617	WMUG	CMUO <u>MUR</u>
3753	001, 003-005, 006A, 007-010, 022, 024- 029, 033-034, 037, 041-042, 048-049, 056-063, 070-072, 075-079, 081-085, 089-090, 093-101, 106, 113-122, 129- 132, 138-139, 141-142, 145-148, 150, 152-165, 169-204, 207-239, 241-304, 311-312, 315-318, 328-344	MUR	MUG
3762	001, 003, 007-008, 011-012, 014, 016- 019, 021, 023-026, 032, 036-037, 040- 041, 043, 046, 048-049, 053-055, 058, 106, 108-109, 112-113, 116-119, 121- 124, 126-146	SLI	CMUO
3763	001, 105	SSO	CMUO
	006-009, 011-015, 015A, 015B, 015C, 032-034, 037, 078-080, 080A, 081, 093-096, 113, 116, 119-124	MUO	CMUO
	016-025	SLI	CMUO
	099-101	M-1	CMUO
	112	P	CMUO within 175 feet of Harrison

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			Street; remainder of lot to remain P
3775	001-002, 004-005, 008, 012, 015, 087, 089, 091-096, 099-101, 104-105, 164-171, 181-216	MUO	CMUO
	016-018, 020-022, 025, 072-073, 075, 078-081, 083-086, 122-136, 140-163	SLI	CMUO
3776	004-005, 007-008, 011, 015, 019-021, 024-025, 032, 034, 038-044, 049, 062, 077, 080, 093-094, 098-101, 105-106, 113-115, 117-118, 120-148, 151, 153-475	SLI	CMUO
3777	001-003, 017, 019-020, 030-034	SLI	CMUO
	005, 007, 009, 013, 023-027, 056-070, 073-174	RED	CMUO
	011, 028-029, 035-037, 042, 044-045, 050-051, 054-055	SALI	CMUO
	<u>028-029, 035-037, 042, 044, 047-049</u>	SALI	CMUO <u>MUG</u>
	052	P	CMUO
3786	027-028, 036-037	WMUO	CMUO
	035, 038, 321-322	MUO	CMUO
3787	001-008, 012-019, 021-024, 026, 028, 033, 036-037, 040, 040A, 044, 048-50,	SLI	CMUO

	052-139, 144-149, 151-159, 161-164, 166-218, 241-246		
	031	MUO	CMUO
3788	002, 006, 008-009, 009A, 037-039, 042-044, 049-073	MUO	CMUO
	010, 012-015, 020-024, 024A, 041, 045, 074-085, 088-107, 110-113, 131-226	SLI	CMUO

(b) The San Francisco Planning Code is hereby amended by amending Zoning Use District Map ZN08 of the Zoning Map of the City and County of San Francisco, as follows:

<u>Description of Property</u>		<u>Use Districts to</u>	<u>Use Districts</u>
<u>Assessor's</u>	<u>Lot</u>	<u>be Superseded</u>	<u>Hereby Approved</u>
<u>Block</u>			
3778	001, 001C, 001D, 001E, 001F, 016- 019, 022-023, 025-026, 032, 046A, 046B, 046C, 046D, 046E, 046F, 046G, 046H, 051-087	SALI	CMUO MUG
	001B, 002B, 004-005, 047-048	SALI	CMUO
3785	002, 002A, 003-004, 004A, 004B, 005, 022-024, 030-131	WMUO	CMUO
	009, 016-018, 132, 137-313	SALI	CMUO MUG
3786	014, 14B, 15-016, 018, 19A, 043-102, 161-262	WMUO	CMUO
	020, 104-160, 263-307	MUO	CMUO

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2 (c) The San Francisco Planning Code is hereby amended by amending Height and
3 Bulk District Map HT01 of the Zoning Map of the City and County of San Francisco, as
4 follows:
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<u>Description of Property</u>		<u>Height and</u>	<u>Height and</u>	<u>Additional</u>
<u>Assessor's</u>	<u>Lot</u>	<u>Bulk Districts</u>	<u>Bulk Districts</u>	<u>Information for</u>
<u>Block</u>		<u>to be</u>	<u>Hereby</u>	<u>Split Lots</u>
		<u>Superseded</u>	<u>Approved</u>	
3732	003	85-X	180-CS/300-CS	300 feet to a depth of 75 feet from 5th Street
	004	45-X/85-X	45-X/180-CS/300-CS	300 feet to a depth of 75 feet from 5th Street, 45 to a depth of 50 feet from Tehama Street
	005, 149	85-X	300-CS	
	099	45-X	45-X/180-CS	45 feet to a depth of 50 feet from Tehama Street
	100	45-X/85-X	45-X/180-CS	45 feet to a depth of 50 feet from Tehama Street

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	145A, 146	85-X	180-CS	
3733	014, 148-158	55-X	180-CS	
	017-020, 020A, 021, 024-026, 031, 034, 091-092, 145-147	55-X	85-X	
	028-030	55-X	130-CS	
	093, 105	130-L	180-CS	
3750	003	130-E	200-CS	
	008, 073, 086	85-X	200-CS	
	009	85-X	130-G	
	013	85-X	130-CS	
	090-509	85-X/130-G	130-G	
	515-598	130-E	200-CS	
3751	029, 150	85-X	45-X/85-X	85 feet to a depth of 80 feet from Harrison Street
	053-054	85-X	45-X	
	168	85-X	45-X/85-X	45 feet to a depth of 150 feet from Lapu Lapu Street
	169	85-X	45-X/85-X	45 feet to a depth of 150 feet from Lapu Lapu Street, 45 to a depth of

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				45 feet from Rizal Street
	173	130-G	OS	
3752	011, 011A	55-X	85-X	
	012, 014-015, 017-018, 026-028, 032-033, 036	55-X	45-X	
	095	55-X	45-X/85-X	85 feet to a depth of 85 feet from Harrison Street
	590-617	55-X	85-X	
3762	001, 032, 121	85-X	130-CS	
	003	55-X/85-X	130-CS	
	011-012, 014, 016-019, 021, 023-024, 040-041, 043, 046, 048-049, 053-055, 124, 126, 139-146	45-X	85-X	
	025	45-X	130-CS	
	026, 036-037, 118	55-X	130-CS	
	058, 119, 122-123	55-X	85-X	
	106	55-X	130-CS-160-CS	
	108-109, 117	55-X	85-X-160-CS	
	112	55-X/85-X	130-CS-160-	160 feet to a

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			CS/160-CS	depth of 250 feet from 4th Street
	113	45-X	130-CS-160- CS	
	116	45-X	85-X-160- CS/130-CS- 160-CS	130-160 feet to a depth of 350 feet from 4th Street
3763	001	40-X	350-CS	
	008-009, 017-018, 025, 037	65-X	85-X	
	011-015, 015A, 015B, 015C, 016, 032-034, 119-124	45-X	85-X	
	078-079	45-X	130-CS-350- CS	
	080, 080A, 081	65-X	130-CS-350- CS	
	093-096	65-X	130-CS	
	099-101	40-X	130-CS-350- CS	
	105	40-X	130-CS-200- CS	
	112	45-X	45-X/350-CS	350 to a depth of 175 feet from Harrison Street

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	113	85-X	350-CS	350 feet to a depth of 175 feet from Harrison Street
	116	65-X/85-X	130-CS	
3776	008, 011, 015, 019-021, 024, 077, 080, 113-114	65-X	85-X	
	025	85-X	200-CS	
	032, 117	85-X	130-CS	
	034, 038-044, 049, 118	65-X	130-CS	
	151	55-X/65-X	85-X	
	455	55-X/65-X	65-X/85-X	85 feet to a depth of 205 feet from Brannan Street
3777	005, 007, 009, 013, 023-027, 056-070	40-X	45-X	
	011	40/55-X	45-X/65-X	65 feet to a depth of 85 feet from Bryant Street

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017	65-X	45-X/65-X	65 feet to a depth of 80 feet from 4th Street
028-029	40/55-X	45-X	
035-036, 054-055	40/55-X	65-X	
037	40/55-X	45-X/65-X	65 feet to a depth of 80 feet from Brannan Street
042, 044	40/55-X	45-X/85-X	85 feet to a depth of 80 feet from Brannan Street
045	40/55-X	160-CS	
047-049	40/55-X	130-CS	
050	40/55-X	45-X/130-CS/160-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way, 45 feet in the area between the linear extension of the northwest edge of the Welsh Street right-of-

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				way and the linear extension of the southeast edge of the Welsh Street right-of-way
	051	40/55-X	45-X/130-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way
	052	40-X	<u>50</u> 45-X/130-CS/160-CS	130 feet to the depth of a linear extension of the northwest edge of the Welsh Street right-of-way, 160 feet to a depth of 345 feet from 5th Street
	073-174	40-X	45-X/65-X	65 feet to a depth of 80 feet from Brannan Street
3786	027-028, 036, 039	65-X	130-CS	

	035, 038, 321-322	85-X	250-CS	
	037	65-X	130-CS/200-CS	200 feet to a depth of 310 feet from 5th Street
3787	026, 028, 050	85-X	400-CS	
	144-149	55-X	65-X	
	161-164	55-X	400-CS	

(d) The San Francisco Planning Code is hereby amended by amending Height and Bulk District Map HT08 of the Zoning Map of the City and County of San Francisco, as follows:

Description of Property		Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved	Additional Information for Split Lots
Assessor's Block Number	Lot			
3778	001, 001C, 001D, 001E, 001F	40/55-X	85-X	
	001B, 002B, 004-005	40/55-X	270-CS	
	016	40/55-X	65-X	
	017-019, 022-023, 025-026, 032, 046A,	40/55-X	55-X	

	046B, 046C, 046D, 046E, 046F, 046G, 046H, 051-087			
	047-048	40/55-X	160-CS	
3785	002	65-X	160-CS	
	003	85-X	160-CS	
	002A, 004	65-X/85-X	85-X	
	009, 016	40/55-X	65-X/85-X	85 feet to a depth of 137.5 feet from Brannan Street
	017, 185-232	40/55-X	85-X	
	018, 135, 137-184, 233-313	40/55-X	65-X	
	132	40/55-X	160-CS	
3786	014	65-X/85-X	300-CS	
	015-016, 043-082, 104- 160, 263-307	85-X	130-CS	
	018, 19A, 020, 083- 102, 161-262	65-X	130-CS	
	014B	65-X/85-X	130-CS	

(e) The San Francisco Planning Code is hereby amended by amending Special Use District Map SU01 of the Zoning Map of the City and County of San Francisco, as follows:

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<u>Description of Property</u>		<u>Special Use</u>	<u>Special Use</u>
<u>Assessor's</u>	<u>Lot</u>	<u>District Hereby</u>	<u>District Hereby</u>
<u>Block</u>		<u>Superseded</u>	<u>Approved</u>
3704	025-026, 049-053	N/A	Central SoMa
3725	007, 014-015, 017-021, 025-026, 029, 031, 033, 035, 060-064, 079, 081, 102- 103	N/A	Special Use District
3732	003-005, 008-009, 018, 023-026, 028- 033, 035, 040, 044-045, 048, 062, 064, 066-068, 074, 076, 078, 080, 087-090, 090A, 091, 094-097, 099-103, 106-108, 110-112, 114, 117, 119, 122-127, 129- 130, 137-140, 143, 145A, 146-147, 149- 200, 202-239, 261-265, 271-555, 561- 759, 763-764	N/A	
3733	014, 017-020, 020A, 021, 024-026, 028- 031, 034, 091-092, 145-158	Western SoMa Special Use District	
	093, 105	N/A	
3750	003, 008-009, 013, 050, 054, 073, 078, 081-082, 086, 089-509, 515-598	N/A	
3751	028-029, 033-034, 053-054, 105, 112, 150, 155, 157-158, 161-162, 165, 167- 170, 173, 175-409, 411-415, 420-522	N/A	

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3752	001-003, 008-010, 051-054, 070, 076, 078-081, 083, 107, 109-126, 130-153, 156-392, 394-473, 501-502, 521-589	N/A
3752	011, 011A, 012, 014-015, 017-018, 026- 028, 032-033, 036, 095, 590-617	Western SoMa Special Use District
3753	001, 003-005, 006A, 007-010, 021-022, 024-029, 033-034, 037, 041-042, 048- 049, 056-063, 070-072, 075-079, 081- 085, 089-090, 093-101, 106, 113-122, 129-132, 138-139, 141-142, 145-148, 150, 152-165, 169-204, 207-239, 241- 304, 311-318, 328-344, 367-375	N/A
3760	001-002, 011-014, 016-017, 019-022, 024-026, 026A, 027-028, 035, 055, 059, 071, 081, 100, 105-108, 111-112, 114, 116-117, 119-129, 131, 134-141	Western SoMa Special Use District
3761	002, 005C, 006-007, 062-064	Western SoMa Special Use District
3762	001, 003-004, 007-008, 011-012, 014, 016-019, 021, 023-026, 032, 036-037, 040-041, 043, 046, 048-049, 053-055, 058, 106, 108-109, 112-113, 116-119, 121-124, 126-146	N/A

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3763	001, 006-009, 011-015, 015A, 015B, 015C, 016-025, 032-034, 037, 078-080, 080A, 081, 093-096, 099-101, 105, 112- 113, 116, 119-124	N/A
3775	001-002, 004-005, 008, 012, 015-018, 020-022, 025, 028-030, 032-033, 036, 038-040, 042, 046, 048-049, 053-055, 057-070, 072-073, 075, 078-081, 083- 087, 089, 091-096, 099-217, 219-224	N/A
3776	004-005, 007-008, 011, 015, 019-021, 024-025, 032, 034, 038-044, 049, 062, 077, 080, 093-094, 098-101, 105-106, 113-115, 117-118, 120-148, 151, 153- 475	N/A
3777	001-003, 017, 019-020, 030-034	N/A
3777	005, 007, 009, 011, 013, 023-029, 035- 037, 042, 044-045, 047-052, 054-070, 073-174	Western SoMa Special Use District
3786	027-028, 036-037, 039	Western SoMa Special Use District
3786	035, 038, 321-322	N/A
3787	001-005, 007-008, 012-019, 021-024, 026, 028, 031, 033, 036-037, 040, 040A, 044, 048-050, 052-139, 144-149,	N/A

	151-159, 161-164, 166-218, 241-246		
3788	002, 006, 008-009, 009A, 010, 012-015, 020-024, 024A, 037-039, 041-045, 049- 085, 088-107, 110-113, 131-226	N/A	

(f) The San Francisco Planning Code is hereby amended by amending Special Use District Map SU08 of the Zoning Map of the City and County of San Francisco, as follows:

<u>Description of Property</u>		<u>Special Use</u>	<u>Special Use</u>
Assessor's Block	Lot	<u>District Hereby Superseded</u>	<u>District Hereby Approved</u>
3778	001, 001B, 001C, 001D, 001E, 001F, 002B, 004-005, 016-019, 022-023, 025- 026, 032, 046A, 046B, 046C, 046D, 046E, 046F, 046G, 046H, 047-048, 051-087	Western SoMa Special Use District	Central SoMa Special Use District
3785	002, 002A, 003-004, 004A, 004B, 005, 009, 016-018, 022-024, 030-132, 135, 137-313	Western SoMa Special Use District	
3786	014, 014B, 015-016, 018, 019A, 043- 102, 161-262,	Western SoMa Special Use District	

3786	020, 104-160, 263-307	N/A	
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Section 3. Effective Date. 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.

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

By: 
PETER R. MILJANICH
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST
(Amended in Committee, 7/23/2018)

[Planning Code, Zoning Map - Central South of Market Special Use District]

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Currently, Zoning Use District Maps ZN01 and ZN08, Height and Bulk District Maps HT01 and HT08, and Special Use District Maps SU01 and SU08 reflect zoning districts, bulk and height controls and controls for the Western SoMa Special Use District.

Amendments to Current Law

The ordinance would amend Zoning Use District Maps ZN01 and ZN08, Height and Bulk District Maps HT01 and HT08, and Special Use District Maps SU01 and SU08 to create the Central SoMa Special Use District and the Central SoMa Mixed Use Office zoning district, and to make other amendments consistent with the Central SoMa Area Plan.

Background Information

The proposed ordinance is intended to be considered in conjunction with an ordinance to amend the Administrative Code and the Planning Code, and an ordinance to amend the General Plan, pursuant to the Central SoMa Plan.

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To: Mchugh, Eileen (BOS)
Subject: RE: Old Mint Central SoMa Letter

From: Son, Chanbory (CPC)
Sent: Tuesday, August 14, 2018 11:26 AM
To: Lau, Jon (ECN) <jon.lau@sfgov.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Frye, Tim (CPC) <tim.frye@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Chen, Lisa (CPC) <lisa.chen@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Andrew Wolfram <andrew@tefarch.com>; Aaron Jon Hyland - HPC <aaron.hyland.hpc@gmail.com>; Black, Kate (CPC) <kate.black@sfgov.org>; Ellen Johnck <Ellen@EllenJohnckConsulting.com>; Richard S. E. Johns <RSEJohns@yahoo.com>; Dianematsuda@hotmail.com; Jonathan Pearlman <jonathan.pearlman.hpc@gmail.com>; Rich Hillis (richhillissf@gmail.com) <richhillissf@gmail.com>; Melgar, Myrna (CPC) <myrna.melgar@sfgov.org>; 'Rodney Fong' <planning@rodneymfong.com>; Johnson, Milicent (CPC) <milicent.johnson@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Richards, Dennis (CPC) <dennis.richards@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>
Cc: Feliciano, Josephine (CPC) <josephine.feliciano@sfgov.org>; Chen, Lisa (CPC) <lisa.chen@sfgov.org>
Subject: Old Mint Central SoMa Letter

Everyone,
Please accept this letter on behalf of the Historic Preservation Commission regarding the Central SoMa Public Benefits Package and the Old U.S. Mint.

Sincerely,

**Chanbory Son, Executive Secretary
Commission Affairs**

San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Direct: 415.575.6926 | www.sfplanning.org
[San Francisco Property Information Map](#)



SAN FRANCISCO PLANNING DEPARTMENT

August 14, 2018

Land Use and Transportation Committee of the Board of Supervisors
City Hall, Legislative Chamber, Room 250
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Central SoMa Public Benefits Package and the Old U.S. Mint

Chair Katy Tang and Members of the Land Use and Transportation Committee,

At its August 1, 2018 hearing the Historic Preservation Commission (HPC) discussed the proposal to reduce the amount of potential funding from the Central SoMa Public Benefits Program towards the rehabilitation of the Old U.S. Mint (Old Mint), City Landmark No. 236. While a much greater investment is needed to realize the full potential of the Old Mint, the HPC strongly encourages the Land Use Committee to recommend retention of the 1% allocation (potentially \$20,000,000) considering its potential as a facility that supports the community and the City's history.

Built in 1874, The Old Mint is not only a locally-designated Landmark; it is listed as a National Historic Landmark, the highest recognition bestowed upon only the most significant places in America. In 1997, the federal government sold the Old Mint to the City of County of San Francisco for one dollar on the condition that it would be rehabilitated for public use. In 2015 the Old Mint was listed by the National Trust for Historic Preservation on its America's eleven most endangered places due to lack of investment. Despite stops and starts to revive the Old Mint, the City Family has made significant progress over the last three years by actively working with community partners to reposition the structure as one that represents the activity, safety, and stability of the surrounding neighborhood.

The HPC supports the many goals of the Public Benefits Package and agrees that the Central SoMa Plan should not shoulder the entire cost of rehabilitating the structure. The 1% allocation is a fraction of the total resources required to bring the Old Mint to current safety standards but remains a critical contribution to realizing its potential. As one of the most significant public buildings in the West, our community partners, along with the City family, are committed to sharing the financial responsibilities to reimagine the Old Mint as an anchor of safety, utility, and in service to the many communities that make up Central SoMa. The HPC strongly urges the Land Use Committee and the Board of Supervisors to retain the opportunity for the Old Mint to potentially capture \$20,000,000 from the Public Benefits Package commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wolfram".

Andrew Wolfram
President
Historic Preservation Commission

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

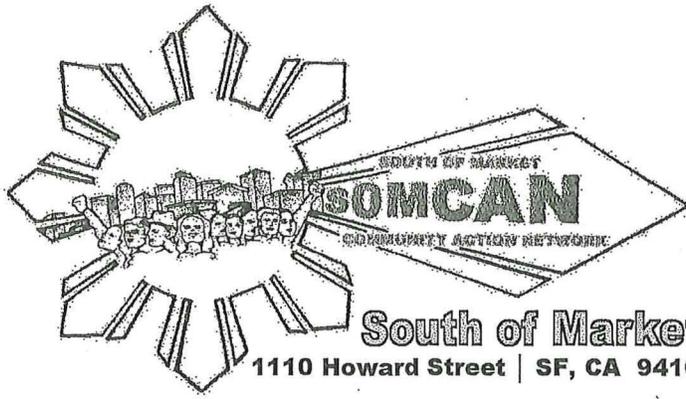
Fax:
415.558.6409

Planning
Information:
415.558.6377

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board of Supervisors
Historic Preservation Commission
Planning Commission
Jonas Ionin, Office of Commission Affairs
Jon Lau, Mayor's Office of Employment and Workforce Development
John Rahaim, Planning Department
Timothy Frye, Planning Department
Josh Switzky, Planning Department
Lisa Chen, Planning Department

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J COMMITTED +
PRESENT
IN COMM



South of Market Community Action Network
1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | www.somcan.org

Clerk of the Board of Supervisors
Environmental Review Officer
#1 Dr. Carlton B. Goodlett Place
Room #244
San Francisco, CA 94102

June 11, 2018

Via Hand Delivery

RE: Central SoMa Plan – Appeal of the 5/10/18 Planning Commission Decisions

Dear Clerk of the Board and the Members of the Board of Supervisors:

The South of Market Community Action Network (SOMCAN) appeals the following decisions concerning the Central SoMa Plan (“the Plan”). The Plan Area is bounded by Second Street on the east, Sixth Street on the west, Townsend Street on the south, and an irregular border that goes along Folsom, Howard, and Stevenson Streets to the north.

- 1) Certification of the Environmental Impact Report (EIR) and Adoption of Findings and Evaluation of Mitigation Measures and Alternatives and a Statement of Overriding Considerations

The final resolutions for the relevant appeals are attached as **Exhibit A**. Evidence in support of the appeals is attached as **Exhibits A-D**.

I. Citizens appeal the decisions made by the Planning Commission to certify the Environmental Impact Report (EIR) and adopt Findings and Evaluation of Mitigation Measures and Alternatives and a Statement of Overriding Considerations, State Clearinghouse No. 2013042070 (Exhibit A, Resolutions)

The appeals related to CEQA are filed on the following bases.

- The EIR is inadequate, incomplete, and deficient
- Inadequate and incomplete analysis of and failure to disclose the severity of the level of impact for the following environmental impacts:
 - Creation of a Second Financial District
 - Existing Youth and Family Special Use District
 - Transportation and Ride Hailing Companies
 - State Density Bonus Laws
 - Economic Impacts from Displacement and Increase in Vehicle Miles Travelled

- Residential Units Not Being Used as Traditional Housing
- The 5M Project
- New Office Space and Lack of Local Hiring Requirements
- Consideration of Continued PDR Uses
- Lack of Affordability of Housing Incentivized by the Plan and Socioeconomic Makeup of New Residents
- Open Space
- Stabilization of Non-Profit Organizations
- Health Impacts
- Density of Workers Based on Square Footage of Office Space and Auxiliary Jobs is Under Calculated
- Failure to adopt all feasible mitigations and alternatives
- Strong disagreement with Responses to Comments on the Draft Environmental Impact Report
- Inadequate and incomplete Findings, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations

II. Exhibits (Attached)

Exhibit A: Resolutions

20182 EIR Certification

20183 CEQA Findings

Exhibit B: Letters (including comments submitted on the Plan EIR during the EIR comment period)

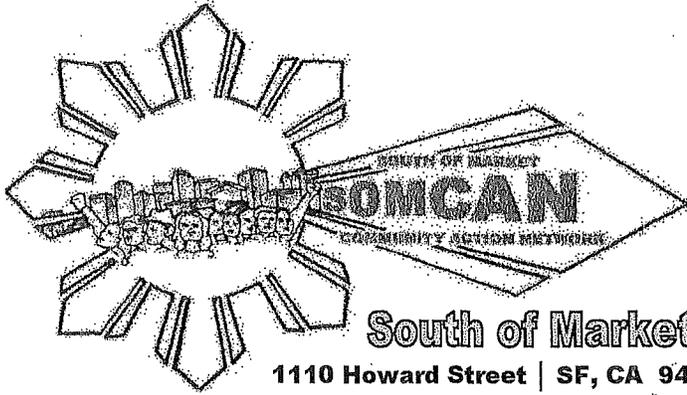
Exhibit C: Links to videos of hearings in which testimony was given on the Central SoMa Plan

Exhibit D: Transcript Planning Commission Hearing, May 10, 2018 on the Central SoMa Plan

Thank you,

Angelica Cabande

Organizational Director, South of Market Community Action Network



South of Market Community Action Network

1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | www.somcan.org

February 13, 2017

Lisa M. Gibson
Acting Environmental Review Officer
1650 Mission Street
Suite 400
San Francisco, CA 94103
and via e-mail Lisa.Gibson@sfgov.org

Re: Planning Department Case 2011.1356E
State Clearinghouse No. 2013042070

Dear Ms. Gibson:

The South of Market Community Action Network ("SOMCAN") is a multi-racial, community organization that educates, organizes, and mobilizes immigrant and low-income South of Market ("SoMa") residents to fight for improvements to their quality of life by engaging in the decision making processes that affect their neighborhood and greater San Francisco. Our mission is to build and support a strong, organized community that takes collective action to achieve equity, and social and economic justice. SOMCAN works to address gentrification and displacement issues in SoMa and San Francisco.

We respectfully submit this comment letter on the Central SoMa Plan Draft Environmental Impact Report (the "DEIR"), which encompasses the area of South of Market bounded by 2nd Street (east); 6th Street (west); Townsend Street (south); and an irregular border jogging between Folsom, Howard and Stevenson Streets (north).

Comment Period Extension Period Should Have Been Granted

Firstly, we object again on the grounds that there has been insufficient time for the public to review this nearly 700 page long technical document. We, along with other community members, submitted a letter dated February 3, 2017 requesting for an extension of the comment period, which Planning denied.

Since 2000, SOMCAN has worked to educate and organize the community particularly around land use issues. With only 60 days from the release of the DEIR to the closing of the comment period, and the fact that the DEIR was released on December 14, 2016 just prior to the holidays, there has not been enough time for our organization to complete a thorough review, technical and otherwise, of the DEIR, as well as present the contents to community members, and compile their feedback. This a fatal flaw and fundamental deficiency of this DEIR that it has not sufficiently been available to the public for review and comment.

A More Extensive and Thorough Public Review Needed of DEIR Given Relaxing of Project Level Reviews

This is not a project level EIR. This is a Plan Area EIR that comes to us in the new era of “by-right” development encouraged at the State level (there is once again legislation pending at the State level to allow development “by-right” without any project level environmental review or public hearings) and at our local level, with this Central SoMa Plan proposing a radical relaxing of development controls.

In the past, Area Plans have been written with the presumption that more detailed environmental review will be done as projects are proposed by developers during the implementation of the Area Plans. This will almost certainly not be the case here, yet the public has not been allowed a reasonable time to review this DEIR and provide comment; and Planning has ignored the fact that the City is reducing the public’s ability to comment on implementation of the Central SoMa Plan going forward.

The following are SOMCAN’s comments to the DEIR as we have best been able to compile them given the insufficient time Planning has afforded our organization to engage residents of SoMa in a thorough review and understanding of the contents of this DEIR.

SOMCAN’s areas of concern are:

- 1. The Central SoMa Plan Creates a Second Financial District at the Expense of Families, Youth and Seniors Living, Working and Going to School in SoMa.**
- 2. The Central SoMa Plan Disregards the *SoMa Youth and Family Special Use District***
- 3. The Inadequate Transportation Infrastructure and Impact of Ride Hailing Companies Within and Adjacent to the Plan Area of the DEIR are Not Fully Considered**
- 4. The Proposed Intensity of Development and Relaxing of Development Controls Have Not Been Evaluated With Respect to State Density Bonus Laws in the DEIR**
- 5. The Economic Impacts From Displacement Were Not Analyzed in the DEIR**
- 6. The DEIR Omits Analyses of the Current Trend of Residential Units Not Being Used as Traditional Housing**
- 7. The 5M Project Must be Included in the DEIR Analysis**
- 8. The Impacts of New Office Space and Lack of Local Hiring Requirements are Not Properly Presented or Studied in the DEIR**

9. **Consideration of Continued PDR Uses in Central SoMa is Inadequate**
10. **The DEIR Does Not Address the Lack of Affordability of Housing Incentivized By the Plan and the Socioeconomic Makeup of New Residents That Will Result**
11. **The Plan Continues to Provide an Inadequate Amount of Open Space in SoMa By Relying on POPOS**
12. **The Plan Does Not Address the Stabilization of SoMa based Non-Profit Organizations**
13. **The DEIR Does Not Adequately Study the Health Impacts from Increased Noise, Degraded Air Quality, Pedestrian Safety Hazards, and Increased Wind Speeds**

EXPLANATION OF CONCERNS:

1. The Central SoMa Plan Creates a Second Financial District at the Expense of Families, Youth and Seniors Living, Working and Going to School in SoMa

The area defined as the Central SoMa Plan Area is a neighborhood. While we are not opposed to further growth, we are opposed to Planning's proposed transformation of this neighborhood into a new Financial District. The scale of development and the mix of commercial, office and high end luxury development described in the Plan are not conducive to a healthy neighborhood.

There are many established aspects to what constitutes a healthy neighborhood that the DEIR should be studied against. We demand that this DEIR be studied against the City's Healthy Development Measurement Tool (HDMT), which was developed by Planning in partnership with the Department of Public Health and community organizations during the Eastern Neighborhoods rezoning¹. Please refer to the Eastern Neighborhoods Community Health Impact Assessment (ENCHIA)^{2,3}.

Youth, families and seniors in SoMa demand a family-friendly neighborhood, human scale, safety for pedestrians of all ages and abilities, with access to light and air, and neighborhood services close by. The Plan as proposed is completely out of character with the goal of sustaining Central SoMa as a neighborhood and a dynamic employment center co-existing in a mutually supportive way. Instead of building towards the long-established community and City goal of creating a family-friendly neighborhood in Central SoMa, the DEIR proposes a second Financial District, which will harm the health of existing and future populations.

2. The Central SoMa Plan Disregards the *SoMa Youth and Family Special Use District*

¹ http://www.who.int/hia/conference/poster_bhatia_2.pdf

² <http://www.pewtrusts.org/en/multimedia/data-visualizations/2015/hia-map/state/california/eastern-neighborhoods-community>

³ <http://www.pewtrusts.org/~media/assets/2007/09/hiareportenchia.pdf?la=en>

The Central SoMa Plan incorporates areas that are covered under the *SoMa Youth and Family Special Use District*⁴ was adopted by the Board of Supervisors in January 2009. The *SoMa Youth and Family Special Use District*'s purpose is to expand the stock of affordable housing, as well as protect and enhance the health and environment of youth and families in SoMa. The Central SoMa Plan does not adequately take into account the *SoMa Youth and Family Special Use District* and instead of strengthening its controls, the DEIR undermines its goals.

We demand that as part of the Central SoMa Plan, projects within the *SoMa Youth and Family Special Use District* are required to undergo review and approval by resident groups and community organizations before they are considered by the Planning Department. We are demanding that this community approval process function similarly to other Special Use Districts in the City such as the *Bernal Heights Special Use District*.⁵

Planning has abused the *SoMa Youth and Family Special Use District* since it was established during the Eastern Neighborhood rezoning. These abuses including the re-mapping of the *SoMa Youth and Family Special Use District* by the Hearst and Forest City's 5M development, which covers five city blocks near 5th and Mission Streets. The 5M project gained approval in December 2015 for a large office tower by re-mapping the boundaries of the *SoMa Youth and Family Special Use District* with justifications by the Planning Department that this Special Use District does not have strong controls. SOMCAN, along with several other community-based organizations, have been demanding strong controls since *before 2009* for the *SoMa Youth and Family Special Use District* so we can protect youth, families and seniors in the neighborhood. Planning has ignored our calls to strengthen this *SoMa Youth and Family Special Use District* through the Central SoMa rezoning process. The Central SoMa Plan must be revised to address this deficiency.

The environmental impact of displacement is clear and further criticized in our point #5 below. As long as Planning continues to promote the displacement of youth, families and seniors from Central SoMa in favor of large scale office and luxury housing developments, there will be an increasing and compounding environmental impact which has not been studied or reported in the DEIR. We demand that Planning revises the Central SoMa Plan in partnership with the community to strengthen the controls of the *SoMa Youth and Family Special Use District* in order to stabilize and grow our economically and racially diverse community.

3. The Inadequate Transportation Infrastructure and Impact of Ride Hailing Companies Within and Adjacent to the Plan Area of the DEIR are Not Fully Considered

The transportation infrastructure within and adjacent to the plan area of the Central SoMa DEIR lags far behind the infrastructure needs of both past and current growth. This is true, even if you factor in the transportation improvements that are underway, such as the Central Subway.

⁴ http://sf-planning.org/sites/default/files/FileCenter/Documents/1479-SoMa_YFZ_SUD_Legislation.pdf

⁵ http://masonkirby.com/wp-content/uploads/2010/03/nwbhdrb_infopacket.pdf

The Central SoMa Plan is predicated on the construction of the Central Subway that connects Central SoMa with Chinatown. The Central Subway addresses a transit need that is long overdue as public transit for SoMa has been inadequate for decades. Because of years of lack of infrastructure improvements, the Central Subway is addressing a past need, not a present or future need. As State Senator Scott Wiener has said, "San Francisco's unfunded transportation needs are billions and billions of dollars" because "MTA has a long history of not moving quickly enough on important capital projects"⁶ Thus, even with the new Central Subway, the transportation infrastructure will continue to be inadequate.

There is also mention of the construction of the new Transbay Terminal just to the east of the Central SoMa Plan Area. However, Transbay Terminal won't be completed for some time, and it is unclear whether it will connect with CalTrain. Also, proximity to BART should not factor into the Central SoMa Plan because it runs down Market Street which is two to three long blocks north of the Central SoMa Plan Area. BART is not only far from the Plan Area, it has its own issues with capital obsolescence, and is hardly in condition to accommodate dramatic growth.

The DEIR is also negligent in assessing the new impacts of ride-hailing/ Transportation Network Company (TNC) services like Uber and Lyft. The references in the DEIR on pages IV.D-65 and IV.D-76 are completely inadequate. Their impact can in no way be equated with bicycles in terms of traffic or environmental impact. Their vehicles circle endlessly as they aim to be proximate to the next person who orders their services such as rides and food deliveries. As more office space and more residences are built in the Plan Area, the volume and impacts from these services will increase dramatically. The DEIR completely ignores this environmental impact.

The increase in ride-hailing/ TNC traffic not only increases "Vehicle Miles Traveled" (the new CEQA standard in assessing traffic impacts) it will also impact the "Level of Service" (the CEQA previous standard) at many intersections. It will also impact pedestrian safety in ways that have not been studied. All of these omissions-- inadequately evaluating the transportation infrastructure needs of the current and increased future population and the lack of proper analysis of ride-sharing traffic-- make the DEIR dangerously deficient.

4. The Proposed Intensity of Development and Relaxing of Development Controls Have Not Been Evaluated With Respect to State Density Bonus Laws in the DEIR

In 2016, the City passed the "Density Done Right" legislation allowing 100% affordable housing developments to apply for a significant increase in height and number of units without any rezoning. Also during 2016, legislation passed at the State level to enable developers throughout California to more easily take advantage of State Density Bonus incentives.

The DEIR references these laws on p. II-22 but only in reference to increased heights. It's unclear how the State Density Bonus will or will not be applied to heights and to unit counts for

⁶ <http://www.sfexaminer.com/wiener-proposes-major-fundraising-legislation-for-transportation-agencies-statewide/>

market rate developments, especially in light of Planning's approval of the project at 333 12th Street, the first housing development in San Francisco to be approved with applying the State Density Bonus. The DEIR also references the Density Bonus for affordable housing projects on p. VI-2 but says that the increased number of units has not been considered for the DEIR. The DEIR is incomplete if it does not completely study the impacts of increased heights and increased number of units for both affordable and market rate housing.

The DEIR must also completely disclose to the public where developers are eligible to use either the State Density Bonus Program, or the San Francisco "Density Done Right" program. The DEIR must clearly indicate on maps where those sites are located, and must compare the new proposed zoning and its resulting intensity of use with the potential intensity of use if developers take either the State or Local density bonus. The DEIR must compare the relative impacts of these two scenarios on the environment. Without these analyses for each project within the plan area, as well as the overall impacts, the DEIR is inadequate.

5. The Economic Impacts From Displacement Were Not Analyzed in the DEIR

Regardless of the assertions in the DEIR, there are environmental impacts due to displacement of residents from their homes or small businesses in SoMa, especially when considering the huge increase in "Vehicle Miles Traveled" that will result with this proposed Central SoMa Plan.

There are several ways that the Central SoMa Plan encourages displacement in an area already suffering from increased no-fault evictions and skyrocketing rents. A UC Berkeley study in collaboration with UCLA shows that SoMa is undergoing "advanced gentrification."⁷ Gentrification happens when more affluent people replace less wealthy people. The DEIR encourages luxury, high end housing in SoMa, which in turn encourages the price of other housing to increase. Landlords of adjacent properties begin to charge more rent to cash in on the new populations in the nearby luxury condos or new high-end shops.

The DEIR upzones large swaths of Central SoMa. Upzoning of property increases the values of the underlying land, which leads to increased costs for residential and commercial tenancies and increased sale prices. Therefore existing residents or small businesses that are paying less than the new market rate will be forced out. Upzoning incentivizes tearing down existing housing and existing small businesses so that developers can maximize the new build-out potential of that property. Coupled with the relaxing of local controls and push to have less local approval hearings, there will be less incentive for developers to provide "right to return" or provide increased levels of affordability to existing residents or businesses that will be forced out when the buildings are torn down.

There are no new protections being implemented by the DEIR for existing tenants and community serving institutions and businesses. Other than the push to preserve certain historic areas and buildings, there are no new protections in place to prevent displacement that the City

⁷ <http://www.urbandisplacement.org/map/sf>

knows will occur due to the new development that will be incentivized by this Central SoMa Plan (as exhibited in Plan Bay Area “Communities of Concern”). As shown in a University of California Berkeley report on transit oriented development and gentrification⁸⁹, areas in the Bay Area that have convenient access to transit are areas most likely to suffer gentrification and displacement, including SoMa.¹⁰ The Central SoMa Plan talks about increasing land values as a primary reason for the underlying elements of the Central SoMa Plan, yet it does not adequately take into account the fact that increased land values cause speculation and displacement. The increased land values presented in the Central SoMa Plan’s various “menu” options is a recipe for massive displacement of existing residents and small businesses.

Large-scale displacement creates a significant environmental impact when considering CEQA’s “Vehicle Miles Travelled” standard. Working class and lower income households get displaced outside San Francisco and their commutes increase, increasing their “Vehicle Miles Travelled.” When people who work in SoMa are displaced, they will often retain their employment in SoMa, therefore their “Vehicle Miles Travelled” will increase. Many existing residents in SoMa can not afford the luxury homes that are and will be built in SoMa and access to affordable housing is extremely limited, so if for any reason they need to move out, it’s highly unlikely they will move be able to stay in the neighborhood.

Furthermore, much of the luxury housing that gets built doesn’t provide housing even though it’s approved by Planning to be residential housing units. When these units are used as “pied-a-terres” or “short term rentals” or “corporate rentals” or “student housing”, they are not helping to alleviate any housing shortage, because although they are approved by Planning as residential use, they are not in fact used for residential purposes. Therefore people are being displaced and commuting farther for work, meanwhile the new housing units aren’t necessarily supporting residents being able to live in homes close to their work.

Replacing low income residents with higher income residents replaces a population with lower car ownership with a population that has a higher rate of car ownership.^{11 12} More affluent people are also more likely to use ride-hailing/ TNC services than public transit. They have access to the smartphone-based apps and can pay more for a ride than public transit riders. This puts more single vehicles on the road that are idling and circling in their competition for fare-paying customers. There are also tech shuttles that service SoMa residents to take them to their offices on the Peninsula. The impacts of the increased “Vehicle Miles Travelled” caused by the new, more affluent populations which is encouraged in the DEIR is not considered in the document.

⁸ <http://ucconnect.berkeley.edu/transit-oriented-development-and-commercial-gentrification-exploring-linkages>

⁹ <http://www.urbandisplacement.org/map/sf>

¹⁰ <http://communityinnovation.berkeley.edu/reports/Gentrification-Report.pdf>

¹¹ <http://socrates.berkeley.edu/~raphael/BerubeDeakenRaphael.pdf>

¹² <http://www.sciencedirect.com/science/article/pii/S0965856400000185>

This means that gentrification has a “quadruple” environmental impact by lengthening the commute times of people working in SoMa from their new place of residence outside of San Francisco; replacing these people with a population more likely to own and use automobiles; increasing the number of people living in SoMa as a “bedroom” community for their commute on a shuttle to the Peninsula; and increasing use of ride-hailing/ TNC services whose vehicles constantly idle and circle in competition for rides. None of these impacts of gentrification on the environment have been studied, which is a significant flaw in the DEIR.

6. The DEIR Omits Analyses of the Current Trend of Residential Units Not Being Used as Traditional Housing

Cities across the US and even Canada are learning that developers are not producing housing units to be used for housing people. Many cities are now fully realizing the negative impacts of the push to “build, build, build”, an ideology fully embraced by this Central SoMa Plan. Footnoted here are examples of Vancouver¹³ and New York City¹⁴ that show that in world where real estate is solely developed as a commodity and home-sharing is corporatized, often new condos are not being occupied by local residents, or any people at all. Also footnoted is a map of vacant units in San Francisco indicating that many of our City’s vacant units are in SoMa.¹⁵

We are not opposed to building new housing, but we feel that it is environmentally important to ask the question, who are we building new housing for? Without adequate controls and enforcement in place:

- SRO’s in SoMa will not continue to be used as open and accessible affordable housing options;
- new condos will be affordable only as high end luxury housing or sitting vacant because they are owned by investors who have no intention of living in these units;
- new condos will be used as commercial “short term rentals” instead of as residential use;
- new condos will be used as “corporate rentals” instead of as residential use; and
- other buildings will be used as “student housing” instead of residential use.

The inadequacy of the DEIR is that it studies the impacts of residential development as though it will be used for residences. The environmental impacts of corporate rentals, short term rentals and other commercial uses are different from residential uses. Without sufficient controls and enforcement, there is no way to ensure that new housing that is incentivized to be built under this new land use Plan will be used as housing.

7. The 5M Project Must be Included in the DEIR Analysis

¹³ <http://www.theglobeandmail.com/real-estate/vancouver/dark-windows-illuminate-problems-in-vancouvers-real-estate-market/article31822833/>

¹⁴ <https://www.nytimes.com/2015/02/08/nyregion/stream-of-foreign-wealth-flows-to-time-warner-condos.html>

¹⁵ <http://www.antievictionmappingproject.net/vacant.html>

The DEIR has moved 5M from being “Plan-induced growth to cumulative growth” per footnote on p. IV-5. The problem is that 5M is the largest single development within the boundaries of the Central SoMa Plan Area. It created new rules for development (its own Special Use District) that were based on recommendations from a draft version of the Central SoMa Plan.

Furthermore, new development in the Central SoMa Plan Area is being proposed in this Plan at a scale that is conversely driven by the scale of development that Planning pushed to approve for 5M. With 5M being the largest single development in Central SoMa, they must be considered together in the Central SoMa Plan. They have linked, not dissociated as separate, cumulative impacts. 5M is not built and its construction timeline is not clear. 5M should be studied as a principal contributor to the environmental impacts of the Central SoMa Plan. The omission of any analyses of the impacts of the 5M project in the DEIR is a critical flaw of the DEIR.

8. The Impacts of New Office Space and Lack of Local Hiring Requirements are Not Properly Presented or Studied in the DEIR

The DEIR is inadequate on the grounds that it does not incorporate all the City’s policies with respect to office space development controls. Page III-19 of the DEIR details the City’s pipeline of office developments with respect to Planning Code Section 321, which caps large office construction at 950,000 square feet per year. The way that this section III.C.2 is presented is unclear since there is additional office space development that is not subject to this cap because the cap only applies to “large office.” Furthermore, this section of the DEIR fails to incorporate the voter approved Proposition O passed in November of 2016, which significantly increased the large office cap to include an increased amount of office space at the Shipyard. The Plan is focused on constructing a massive amount of new office space and essentially makes SoMa a second Financial District (this is true for all the Project Alternatives as well). The DEIR’s lack of clarity on how it will comply with Prop M requirements, especially in light of the passage of Proposition O, is a critical flaw.

Given the intensity of new high-end office space that is being proposed, the fact that “local hiring and training goals” are still in the section of the DEIR called “Areas of Controversy and Issues to be Resolved” (p. S-79) is not only offensive to the community, but is potentially very damaging environmentally. With this approach, Planning is saying that new jobs in SoMa will be for people who are not current residents which indicates an in-migration of new people. Planning is also saying that current residents of SoMa will have to move somewhere else to find work. What are the environmental impacts of all this forced migration? This is not analyzed in the DEIR. Also, as new, more affluent people move into SoMa displacing current residents who live and work in SoMa, how much farther will those displaced workers have to travel and what is the resulting environmental impact? Again this is not analyzed in the DEIR.

9. Consideration of Continued PDR Uses in Central SoMa is Inadequate

Page S-4 of the DEIR clearly indicates that Planning has not created an actual plan for Production, Distribution and Repair (PDR) uses in its vision for Central SoMa. This has historically been one of San Francisco's most important areas for PDR uses, which ensured a diversification of the economic base of the city and job opportunities for people with trade credentials, not just advanced university degrees.

The DEIR indicates that it is removing "protective zoning" for PDR, but there is no complete report of how much PDR has been lost since the implementation of the Eastern SoMa Plan, which was in part intended to protect against the loss of PDR. Creating "incentives to fund, build, and protect PDR uses" is problematic since features that appear to be incentives today will quickly not be incentives tomorrow depending on land use, financial, and capitalization macro conditions that are driving the development market at any particular time.

There are many innovative mixed-use building types, but the prospect of "require(ing) PDR space as part of large commercial developments" seems to be a limited application. It would be important to understand what precedent there is for such a mix of uses in new developments and how likely it would be to have PDR on the ground level of a large commercial tower. What kind of PDR would it be? Who would be employed?

For all PDR, we are concerned that there be increasing job opportunities for SoMa residents and diversification of San Francisco's economy. This will protect San Francisco against "boom and bust" cycles; it will ensure that there is less regional impact on the environment that comes when sectors of the economy are segregated geographically; and will therefore result in less "Vehicle Miles Traveled."

The Plan calls for adding technology jobs to SoMa, yet these jobs are largely inaccessible to existing community residents. SoMa needs a diversity of job types in the neighborhood that are not only accessible to community residents but provide a living wage that can support workers to stay in the neighborhood. This is highlighted especially in the types of jobs provided by production, distribution, and repair businesses that provide jobs for working class residents and are jobs that cannot afford to be lost. PDR businesses also provide essential support to other industries and sectors so should be proximate to those other functions for them to be viable and effective. More consideration of continued PDR use is required in the DEIR.

10. There is No Proof that the Plan will Accomplish its Goal of Alleviating Housing Prices or Maintaining a Diversity of Residents

The Plan states as one of its main goals accommodating housing demand and addressing such demand to alleviate housing prices. The Plan, however, does not provide any studies or figures that support the claim that new development will drive down housing costs. As a result, the goal of the Plan of maintaining the diversity of residents, here in terms of socioeconomic makeup, appears empty. The Plan would cause a greater increase in the number of people living and working in the area than would be seen without the Plan, as shown in the DEIR. As the DEIR states on page V-10, "what effect development under the Plan would have on housing

affordability is a matter of considerable controversy,” and that “the influx of real estate investment and higher income, residents may increase gentrification of a neighborhood, with displacement of households being a negative outcome.”

Further study must be done regarding what effects new housing development will have on housing prices if the Plan is serious about its commitment to maintaining a diversity of residents in the area. If new housing development under the Plan-- the majority of which is market-rate-- cannot be proven to bring down housing prices, the Plan will then only work to exacerbate the gentrification and displacement crisis in the area. Studies must be done to address these facts if the Plan is to move forward in meeting its core goals, especially as they relate to affordability and maintaining a diversity of residents.

11. The Plan Continues to Provide an Inadequate Amount of Open Space in SoMa By Relying on POPOS

The SoMa is the most open space deficient neighborhood in San Francisco¹⁶, along with the neighboring Tenderloin. Instead of providing sufficient, green and publicly accessible open space, Planning has been defaulting to providing new open space for SoMa through Privately Owned Public Open Spaces (POPOS)¹⁷. POPOS have a negative impact on the community for many reasons:

- These spaces aren't truly open to the public, activity is discouraged and hours are limited;
- POPOS are not protected by the Proposition K Shadow Ordinance because they are not open spaces owned by the City's Rec and Park Department;
- Because there's no Prop K protection, it's difficult to establish a standard of shadow protection for these open spaces because CEQA is not specific on this matter;
- These spaces do not represent the type of open space that is public and accessible for use by youth, families, and seniors (like a public park); and
- POPOS overly regulate the types of activities allowed and have restrictive hours that limit access;

SoMa has such a lack of places for public recreation and truly accessible open spaces that there must be a clear plan for creating new public open spaces that are owned and managed by Rec and Park.

12. The Plan Does Not Address the Stabilization of SoMa based Non-Profit Organizations

The Central SoMa Plan has no provision for stabilizing nonprofit organizations in the neighborhood. As studied by Supervisor Kim, MOHCD, and the Northern California Community

¹⁶ http://default.sfplanning.org/publications_reports/library_of_cartography/OpenSpaceMap.pdf

¹⁷ <http://sf-planning.org/privately-owned-public-open-space-and-public-art-popos>

Loan Fund, the escalation in property values, and the lack of commercial rent control has put nonprofit organizations at imminent risk of displacement.¹⁸¹⁹

By encouraging the construction of a second financial district, commercial rents will become increasingly more expensive placing nonprofit organizations even more at risk. Low income and immigrant communities in SoMa rely on many of these nonprofit organizations for basic services and to be able to survive in the community. Without these organizations, SoMa residents will be further at risk for displacement.

As noted elsewhere in this letter, displacement does result in environmental impacts. Therefore, the DEIR is deficient in that it does not recommend strategies for stabilizing nonprofit organizations in SoMa.

13. The DEIR Does Not Adequately Study the Health Impacts from Increased Noise, Degraded Air Quality, Pedestrian Safety Hazards, and Increased Wind Speeds

On page V-3, section V.B.6 "Wind" it says that "Subsequent future development anticipated under the Plan could alter wind in a manner that substantially affects public areas." Organizations that work with seniors and people with disabilities in SoMa are concerned that any increase in wind speeds caused by the heights and bulk of the proposed buildings in Central SoMa will cause a hardship and injury to seniors and people with disabilities at both public open spaces and in the public rights of way.

Noise in SoMa is already the worst in the City.²⁰ Any increase in noise levels from construction incentivized by the Central SoMa Plan (p. VI-44 says it would be "significant" and that Mitigation Measure M-NO-2a "would be insufficient to reduce the construction-related noise impacts to a less than significant level" on p VI-45). Noise levels especially from construction activity have not been studied in the DEIR. Also after construction, the degraded air quality from increased traffic, increased idling from vehicles stuck in traffic or increased ride-hailing vehicles, or from increased truck traffic will all have detrimental impacts.

We are also concerned about the vulnerability of seniors and people with disabilities while walking in the neighborhood to injury from vehicle collisions. Providing sidewalk extensions may help in some areas, but the extent of increase in automobile traffic is under-reported in the DEIR, and the potential incidents of pedestrian injuries from automobiles is also underestimated. These environmental impacts are not sufficiently studied in the DEIR.

Conclusion: Preparation of the DEIR Did Not Sufficiently Allow for Public Input

¹⁸ <https://www.ncclf.org/npdmitigation/>

¹⁹ <https://sfgov.legistar.com/View.ashx?M=F&ID=2730532&GUID=77CFF0CE-7AC6-4569-ACEE-D2568711018F>

²⁰ http://default.sfplanning.org/publications_reports/library_of_cartography/Noise.pdf

The Central SoMa Plan DEIR is inadequate and should be revised with the additional suggested studies and recirculated to address the critical flaws we outlined above. Going forward, a version of the Central SoMa Plan that creates a family-friendly neighborhood would be SOMCAN's preferred alternative. We are recommending that Planning study a new alternative that supports growth of SoMa in a way that supports the needs of current and future youth, families and seniors. None of the alternatives currently outlined in the plan supports this vision or these needs, and instead will reshape SoMa to be San Francisco's second Financial District with little regard to the protection of the environment of existing residents, small businesses, non-profits and PDR spaces.

The preparation of this DEIR did not adequately allow for incorporation of community input. For example, the boundaries of the Central SoMa Plan changed significantly during 2016, and the public was not sufficiently noticed. Despite SOMCAN's history in engaging with a diverse and large constituency in SoMa, SOMCAN was not provided an opportunity to participate in TODCO's "community alternative", and therefore we can not endorse this alternative. While the Mid-Rise Alternative has intriguing elements, it does not come close to being a vision that we can embrace. The changes in boundaries, the brief public comment on the published DEIR all make it impossible for the SOMCAN, its members and the larger SoMa community to adequately assess the Plan or any of its proposed alternatives.

As a public disclosure document, the Central SoMa DEIR is wholly insufficient and a new alternative should be studied that fully supports families and seniors in SoMa, and the DEIR should be recirculated for public input and review.

Sincerely,

Angelica Cabande
SOMCAN
Organizational Director

Joseph Smooke
SOMCAN
Board Chair

CENTRAL SOMA PLAN

LEGISLATIVE AMENDMENTS PROPOSED BY SUPERVISOR KIM AT 7/23 LAND USE & TRANSPORTATION COMMITTEE

180184
180185
180453
7/23/18

SUBMITTED IN CONJUNCTION

#	Sec.	Legislation Page/Line	Change	Rationale
HOUSING SUSTAINABILITY DISTRICT				
[File no. 180453 - Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District]				
1	343(d)(7)	pg 10, lines 14-21	Modify project eligibility to require that projects seeking approval pursuant to this Section 343 elect the On-Site Affordable Housing Alternative under Sections 415.5(g)(1)(A). Projects not subject to Section 415 shall provide no less than 10% of dwelling units as units affordable to very low or low income families.	To incentivize production of on-site affordable housing units.
2	343(g)(5)	pg 13, line 25 to pg 14, line 3	Clarify the discretionary review requirement to specify that as long as the Planning Commission has delegated its authority to the Planning Department to review applications for projects subject to this Section 343, the Planning Commission shall not hold a public hearing for discretionary review of projects subject to this Section 343.	This clarifying amendment specifies that the Commission will not hold a hearing for discretionary review of these projects as long as the Planning Commission has delegated its review authority to the Planning Department. This amendment would clarify that the Board of Supervisors is not purporting to unilaterally delegate the Commission's permit review authority.
3	343(g)(6)	pg 14, line 18 to pg 16, line 2	Establish expiration of approval: Approval of a project pursuant to this Section 343 shall expire if the project sponsor has not procured a building permit or site permit for construction of the project within 30 months of the date of the Department's issuance of a written decision pursuant to subsection (g)(2) of this Section 343. If the Planning Director finds that the project sponsor has demonstrated good faith in its efforts to obtain the first site or building permit for the project, the Planning Director may extend the approval for the project for a maximum of six additional months. Such deadline shall additionally be extended in the event of any appeal of such approval for the duration of the appeal, and in the event of litigation seeking to invalidate the approval for the duration of the litigation.	To reduce delays in housing production by requiring approved projects to commence construction within a reasonable timeline.
ZONING MAP				
[File no. 180184 - Planning Code, Zoning Map - Central South of Market Special Use District]				
4	Section 2, subsection (c)	pg 15, line 13	Amend Height and Bulk District Map HT01 for the development on Assessor's Block 3777, Lot 052 to increase the permitted height/bulk from 45-X to 50-X.	With a special height exemption pursuant to Section 263.32 (eligible for properties that provide 100% affordable housing), this would allow the affordable housing building at 595 Brannan to achieve a height of 70', thus enabling an extra floor of affordable units.
PLANNING CODE & ADMINISTRATIVE CODE				
[File no. 180184 - Administrative, Planning Codes - Central South of Market Area Plan]				
5	249.78(c)(5)(B)	pg 65, line 21; pg 67, lines 8-9 and 14-27	Amend the PDR Requirements to: (1) remove grocery stores from the definition of "community building space"; (2) require that the 25% space reduction for below market rate PDR space provide the lower rent for the life of the development project; and, (3) when a development application is submitted, require the project sponsor to demonstrate that they notified existing PDR tenants about the proposed project and provided them with information about the PDR Relocation Fund (as described in the Central SoMa Implementation Program Document) and PDR Sector Assistance for Displaced Businesses available from the Office of Economic and Workforce Development (OEWD) or its successor agency.	To incentivize provision of below market rate PDR space and to support existing PDR businesses with relocation.
6	263.33(c)(2)	pg 84, line 24	Allow the development on Assessor's Block 3763, Lot 105 to receive the special height exemption for residential use, in addition to hotel.	To encourage housing production by allowing flexibility for this site to be developed as housing in addition to, or instead of, a hotel.
7	329(e)(3)(A)	pg 98, lines 20-23	Include donation of land for satisfaction of Jobs-Housing Linkage fee pursuant to Section 413.7 as a qualified amenity provided by Key Sites, if the value of the land donated is equal to or greater than the fee amount owed.	Corrects oversight based on benefits proposed by Key Sites.

#	Sec.	Legislation Page/Line	Change	Rationale
8	329(e)(3)(B)(i v)	pg 99, lines 1-4	On the Key Site identified in Section 329(e)(2)(E), allow exception to the lot coverage limits in Section 249.78(d)(4), the street frontage requirements in Section 145.1, and the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r).	Certain exceptions were developed recognizing the specific needs and opportunities of certain Key Development Sites. However, these exceptions should not be broadly applicable to all the Key Sites.
9	329(e)(3)(B)(v i)	pg 99, lines 7-10	On the Key Site identified in Section 329(e)(2)(H), remove the exception to the protected pedestrian-, cycling-, and transit-oriented street frontage requirements of Section 155(r). Add possible exemptions to include the street frontage requirements in Section 145.1, and the required ground floor commercial uses in Section 145.4.	
10	413.7(a)	pg 101, lines 21-23	Clarify that projects that satisfy all or a portion of the Jobs-Housing Linkage fee via land dedication pursuant to Section 413.7 may receive a credit against such requirements up to the value of the land donated.	The code as introduced was contradictory, as it specified that projects could meet part or all of their Jobs-Housing Linkage fee obligation through land dedication, but later said the proposed land must be equal to or greater in value than the fee obligation. This clarification is consistent with our other land dedication policies.
11	840 (Table 840)	pg 186, line 22 to pg 190, line 13	Make conforming edits to the MUG General District Zoning Control Table to correct numbering and cross-references, and to add references to various requirements in the Central SoMa SUD.	Conforming edits to address the zoning amendments introduced on July 16th.
12	841 (Table 841)	pg 192, line 6 to pg 195, line 21	Make conforming edits to the MUR General District Zoning Control Table to correct numbering and cross-references, and to add references to various requirements in the Central SoMa SUD.	Conforming edits to address the zoning amendments introduced on July 16th.
13	848	pg 208, lines 1-6	Correct the residential off-street parking code references in the CMUO District Zoning Control Table.	Corrects cross-references.
14	Uncodified section	pg 216, lines 5-18	For a residential Tower on Block 3786, Lot 035, the following controls shall apply, provided the project meets its Inclusionary Housing requirements pursuant to Planning Code Section 415 by providing BMR units entirely on-site:(a) A 5-foot setback is required for the Tower Portion for the entire frontage along Fourth Street, and a 25-foot setback is required for the Tower Portion for the entire southwest property line frontage directly opposite the property at Block 3786, Lot 322.(b) The residential Tower may have a horizontal separation of not less than 40 feet from the Tower Portion of an approved or proposed Tower on Block 3786, Lot 322.(c) The maximum Gross Floor Area of any residential Tower floor shall be 12,500 gross square feet.(d) The maximum length of a Residential tower shall be 165 feet.	To facilitate an increase in residential units in the tower at 636 4th Street, provided the project provides affordable housing units on-site.
IMPLEMENTATION PROGRAM DOCUMENT [ADOPTED BY REFERENCE]				
15	Public Benefits Program	n/a	Amend the Implementation Program Document to: (1) In the Cultural Preservation and Community Services category, create a \$10million PDR Relocation Fund and subtract \$5million from the Restoration of the US Mint building; and, (2) subtract \$5million from the Environmental Sustainability & Resilience category (\$4 million from "Enhanced stormwater management in complete streets" and \$1million from "Water recycling and stormwater management in parks").	To support existing PDR businesses and mitigate the impacts of displacement by providing relocation assistance, including business services and support with rent and moving costs.
16	Key Development Site Guidelines	n/a	Edit the description of Key Development Site 3 to specify that the hotel may be developed as a residential building, and to remove the reference to 500 hotel rooms.	Conforming amendment with item #6 (Section 263.33) above.

CENTRAL SOMA PLAN

AMENDMENTS PROPOSED BY SUPERVISOR KIM AT 7/16 LAND USE & TRANSPORTATION COMMITTEE

= non-substantive edits

#	Sec.	Page / Line	Change	Rationale / Notes
1	Section 2, Finding (d)	pg 8, lines 1-16	Add a finding establishing intent for the Board of Supervisors to revise the jurisdiction and composition of Citizen Advisory Committees (CACs) to guide Plan implementation.	To advance future legislation to revise the Eastern Neighborhoods CAC and split it into two bodies, one serving the three SoMa Plan Areas (East, Central, and West SoMa), and one serving the southern Plan Areas (Mission, Showplace Square / Potrero Hill, and Central Waterfront). A process would be developed to incorporate the recommendations of neighborhood stakeholders and community members.
2	Section 2, Finding (e)	pg 8, lines 17-24	Add a finding establishing intent for the Board of Supervisors to develop a "Good Jobs Policy."	To advance future legislation to promote good jobs with living wages in the Plan area.
3	128.1(b)	pg 20, line 25; pg 21, line 1-2	Clarify the FAR definition for Transferable Development Rights to exclude: - lot area devoted to land dedicated to the City for public parks or recreation centers - lot area devoted to development of affordable housing buildings	Clarifying amendment
4	128.1(c)	pg 21, line 15	Reverse the terms "Development Lot" and "Transfer Lot"	Corrects drafting error in sequence of terms.
5	132.4(d)(1)(B)(iv)	pg 24, lines 1-2	Increase allowed streetwall architectural modulation from five feet to eight feet.	Preserves the sense of a substantial edifice while allowing for inset balconies.
6	135.3	pg 32, lines 10-12	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.	Corrects drafting error to properly cross-reference Section 138.
7	138(a)(2)	pg 33, lines 2-3	Clarify that retail uses are not required to provide POPOS.	Corrects drafting error to include retail uses. Retail uses (like institutional uses) would still need to provide usable open space per Section 135.3.
8	138(d)(2), subsections (A) & (B); 138(e)(2)	pg 35, line 14-19; pg 37, line 19-21	Update references to point to appropriate subsections.	Corrects drafting error in references within Section 138.
9	138(d)(2)(B)(i)	pg 36, lines 4-5	Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.	Facilitates architectural creativity in projects while maintaining the goal of having outdoor POPOS feel outdoors.
10	138(d)(2)(F)(ii)	pg 36, lines 13-14	Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.	This change would facilitate the creation of mezzanines within the POPOS.
11	151.1	pg 42, lines 4-6	Change parking requirements to up to 0.25 spaces/unit principally permitted or up to 0.5 spaces/unit with a Conditional Use Authorization.	To limit parking in this transit-rich district, in keeping with the citywide TDM program.
12	155(F)(2)(ff)	pg 51, line 7	Update reference to point to 329(e)(3)(B).	Corrects drafting error in references
13	155(u)	pg 52, lines 1-5	Add to the Driveway Loading and Operations Plan (DLOP) the requirement that projects include a Passenger Loading Plan. Whereas the DLOP focuses on issues within the building, the PLP would focus on on-street loading issues.	The Passenger Loading Plan is a new concept aimed at minimizing the impact of passenger drop-offs, particularly on high injury corridors. All of the projects required to do such a Plan would also be required to undertake the DLOP, so there's synergy in merging the two efforts.
14	249.78(c)(1)	pg 64, lines 18-23	Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as long there is a doorway every 25 feet.	Active use requirements are to ensure proper street activation. However, some flexibility may be beneficial in the case of micro-retail uses (i.e., uses less than 1,000 square feet), along narrow streets and alleys, and on small corner lots where the requirements of one frontage impinge on the perpendicular frontage.
15	249.78(c)(1)(D)	pg 64, line 16-17	Add that hotels are allowed as an active commercial use per 145.4.	Hotels generally have very active ground floors, including lobbies, bars, and restaurants.
16	249.78(c)(4)	pg 65, lines 6-9	Modify the Micro-Retail definition to require that spaces measure no less than 100 gross square feet, and modify the requirement so that it applies to new non-residential development only.	To provide a minimum micro-retail size to ensure usable retail space, and to allow maximum flexibility for residential projects.
17	249.78(c)(4)	pg 65, line 9; 12	Key site exception - Micro Retail requirements (c)(4) - make it clear that it refers to "lots" not "sites."	Clarifying amendment

18	249.78(c)(5)	pg 66 line 7-12	Clarify the PDR replacement language to include that the requirement would only apply to the nonresidential portion, and would exclude residential & POPOS.	Clarifying amendment
19	249.78(c)(5)(B)	pg 65, lines 20-22; pg 66, line 19	Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses. Amend the eastern boundary of the area where the off-site PDR requirement may be satisfied from Embarcadero Street to Second Street.	Like PDR, these uses are beneficial to the community and can only pay limited rent. The eastern boundary for off-site PDR replacement is being amended to conform with the Plan area boundary.
20	249.78(d)(3)(C)	pg 69, lines 3-6	Allow projects the flexibility to provide their living and solar roof elements of subsections 249.78(d)(3)(C)(i)-(v) on any rooftops within the subject project, provided the equivalent amount of square footage is provided.	To allow some flexibility
21	249.78(d)(5)(C)	pg 70, lines 5-6	Clarify lot merger restrictions to exempt the Key Site identified in 329(e)(2)(C), consistent with the Key Development Site Guidelines.	Clarifying amendment
22	249.78(d)(7)	pg 72, line 1	Wind standard - clarify that projects must meet the Nine Hour Criterion with mitigations	Clarifying amendment
23	249.78(d)(9)	pg 72, line 16-25; pg 73, line 1-3	In the Central SoMa SUD, - allow units above 85' in height to meet exposure requirements if they are 15' back from the property line, - allow 10% of units at or below 85' to have an exposure of 15'x15' instead of 25'x25'; and, - do not require the increase in setback at every horizontal dimension that increases of 5' at each subsequent floor.	These changes would make a rule of commonly granted exceptions.
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44	418.7(b)(2)	pg 107, lines 20-23	Update SoMa Stabilization Fund to reference Central SoMa Implementation Program Document	Change necessary to legalize the funding structure proposed by the Plan.
45	426	pg 120; lines 4-9	Clarify that the POPOS in-lieu fee should not be charged where exceptions from design standards are granted.	Clarifying amendment

46	434	pg 132, line 9 through pg 134, line 4	Section that describes the purpose, ability, and requirements of the Central SoMa Mello-Roos Community Facilities District (CFD). This CFD should be applicable to projects that (1) include new construction or net additions of more than 40,000 gross square feet, (2) the project site includes residential development in Central SoMa Development Tiers B and C and/or non-residential development in Central SoMa Development Tier C; and, (3) the proposed project is greater in size than what would have been allowed without the Central SoMa Plan.	This language was always proposed for inclusion but was not ready for discussion until this time.
47	848	pg 202, lines 8-20	Add a cross-reference in the CMUO table to the residential lot coverage requirements in 249.78.	Non-substantive amendment but not included in the Case Report
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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



July 6, 2018

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

RE: Housing Sustainability District Ordinance

Dear Members of the Board of Supervisors:

Thank you for submitting the City and County of San Francisco's ("San Francisco") proposed ordinance establishing a housing sustainability district in central south of Market ("HSD-Central SOMA"). This letter serves as the preliminary determination by the Department of Housing and Community Development (HCD) required pursuant to Government Code (Gov. Code) section 66202.

HCD has preliminarily determined that the proposed HSD-Central SOMA ordinance addresses the requirements of housing sustainability districts, pursuant to Gov. Code, §§ 66200 through 66210. Please note that HCD's determination is only preliminary and may be subject to change for reasons including, but not limited to, the preparation of guidelines, new information in an adopted ordinance, certification of compliance, or other subsequent submittals (Gov. Code, § 66209). In addition, HCD has not conducted a full review of any design review standards for consistency with Gov. Code § 66207. Finally, please be aware that the Legislature has not appropriated funds for a zoning incentive payment and as a result, San Francisco is not entitled to a zoning incentive payment pursuant to Gov. Code, § 66202, subdivision (a)(2) or § 66204, subdivision (b) at this time.

Once the proposed HSD-Central SOMA ordinance takes effect, please submit an acknowledgement of such to HCD. Additionally, in the event the Legislature appropriates funds for zoning incentive payments, San Francisco should submit an application for a zoning incentive payment, including all of the information required by Gov. Code, §§ 66202, subdivisions (a) and (b), and 66204, subdivision (b).

HCD commends San Francisco for its leadership in advancing the state's housing goals, including with this implementation of AB 73 (Chiu) to streamline and incentivize housing production. Streamlining and production incentives such as housing sustainability districts are critical tools to increase housing supply and affordability, while conserving existing housing stock affordable to lower income households. HCD applauds San Francisco's long-standing commitment, innovation and success in promoting the development, conservation and preservation of affordable housing.

180490
180185
180453
180184
180617
SUBMITTED IN
COMMITTEE
7/16/18

San Francisco Board of Supervisors
Housing Sustainability District Ordinance
Page 2

If HCD can provide any additional assistance, or if you or your staff have any questions,
please contact Paul McDougall, Housing Policy Manager, at paul.mcdougall@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary Olmstead". The signature is fluid and cursive, with a long horizontal stroke at the end.

Zachary Olmstead
Deputy Director

**CENTRAL SOMA PLAN
AMENDMENTS PROPOSED BY SUPERVISOR KIM AT 7/16 LAND USE & TRANSPORTATION COMMITTEE**

180184
180185
7/16/18

SUBMITTED IN
COMMITTEE

= non-substantive edits

#	Sec.	Page / Line	Change	Rationale / Notes
1	Section 2, Finding (d)	pg 8, lines 1-16	Add a finding establishing intent for the Board of Supervisors to revise the jurisdiction and composition of Citizen Advisory Committees (CACs) to guide Plan implementation.	To advance future legislation to revise the Eastern Neighborhoods CAC and split it into two bodies, one serving the three SoMa Plan Areas (East, Central, and West SoMa), and one serving the southern Plan Areas (Mission, Showplace Square / Potrero Hill, and Central Waterfront). A process would be developed to incorporate the recommendations of neighborhood stakeholders and community members.
2	Section 2, Finding (e)	pg 8, lines 17-24	Add a finding establishing intent for the Board of Supervisors to develop a "Good Jobs Policy."	To advance future legislation to promote good jobs with living wages in the Plan area.
3	128.1(b)	pg 20, line 25; pg 21, line 1-2	Clarify the FAR definition for Transferable Development Rights to exclude: - lot area devoted to land dedicated to the City for public parks or recreation centers - lot area devoted to development of affordable housing buildings	Clarifying amendment
4	128.1(c)	pg 21, line 15	Reverse the terms "Development Lot" and "Transfer Lot".	Corrects drafting error in sequence of terms.
5	132.4(d)(1)(B)(iv)	pg 24, lines 1-2	Increase allowed streetwall architectural modulation from five feet to eight feet.	Preserves the sense of a substantial edifice while allowing for inset balconies.
6	135.3	pg 32, lines 10-12	Clarify that satisfaction of POPOS under 138 satisfies the open space requirements of 135.3.	Corrects drafting error to properly cross-reference Section 138.
7	138(a)(2)	pg 33, lines 2-3	Clarify that retail uses are not required to provide POPOS.	Corrects drafting error to include retail uses. Retail uses (like institutional uses) would still need to provide usable open space per Section 135.3.
8	138(d)(2), subsections (A) & (B); 138(e)(2)	pg 35, line 14-19; pg 37, line 19-21	Update references to point to appropriate subsections.	Corrects drafting error in references within Section 138.
9	138(d)(2)(E)(i)	pg 36, lines 4-5	Allow up to 10% of outdoor POPOS to be under a cantilevered portion of the building if the building is at least 20 feet above grade.	Facilitates architectural creativity in projects while maintaining the goal of having outdoor POPOS feel outdoors.
10	138(d)(2)(F)(ii)	pg 36, lines 13-14	Allow up to 25% of indoor POPOS to have ceiling height of less than 20 feet.	This change would facilitate the creation of mezzanines within the POPOS.
11	151.1	pg 42, lines 4-6	Change parking requirements to up to 0.25 spaces/unit principally permitted or up to 0.5 spaces/unit with a Conditional Use Authorization.	To limit parking in this transit-rich district, in keeping with the citywide TDM program.
12	155(r)(2)(II)	pg 51, line 7	Update reference to point to 329(e)(3)(B).	Corrects drafting error in references
13	155(u)	pg 52, lines 1-5	Add to the Driveway Loading and Operations Plan (DLOP) the requirement that projects include a Passenger Loading Plan. Whereas the DLOP focuses on issues within the building, the PLP would focus on on-street loading issues.	The Passenger Loading Plan is a new concept aimed at minimizing the impact of passenger drop-offs, particularly on high injury corridors. All of the projects required to do such a Plan would also be required to undertake the DLOP, so there's synergy in merging the two efforts.
14	249.78(c)(1)	pg 64, lines 18-23	Allow "active uses" to only be to a depth of 10 feet from the street (as opposed to the current standard of 25 feet) for 1) micro-retail uses on minor streets, 2) along minor streets as long there is a doorway every 25 feet.	Active use requirements are to ensure proper street activation. However, some flexibility may be beneficial in the case of micro-retail uses (i.e., uses less than 1,000 square feet), along narrow streets and alleys, and on small corner lots where the requirements of one frontage impinge on the perpendicular frontage.
15	249.78(c)(1)(D)	pg 64, line 16-17	Add that hotels are allowed as an active commercial use per 145.4.	Hotels generally have very active ground floors, including lobbies, bars, and restaurants.
16	249.78(c)(4)	pg 65, lines 6-9	Modify the Micro-Retail definition to require that spaces measure no less than 100 gross square feet, and modify the requirement so that it applies to new non-residential development only.	To provide a minimum micro-retail size to ensure usable retail space, and to allow maximum flexibility for residential projects.
17	249.78(c)(4)	pg 65, line 9, 12	Key site exception - Micro Retail requirements (c)(4) - make it clear that it refers to "lots" not "sites."	Clarifying amendment

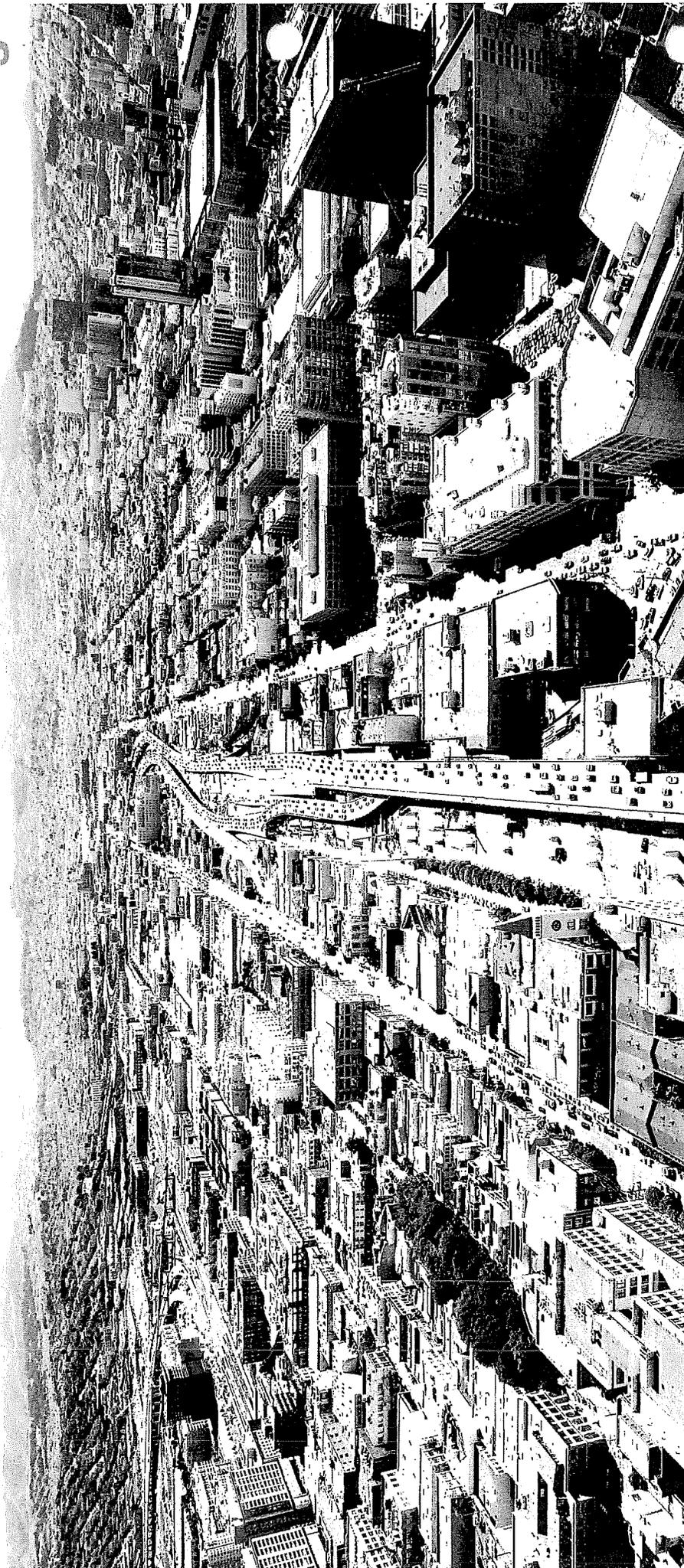
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18	249.78(c)(5)	pg 66 line 7-12	Clarify the PDR replacement language to indicate that the requirement would only apply to the nonresidential portion, and would exclude residential & POPOS.	Clarifying amendment
19	249.78(c)(5)(B)	pg 65, lines 20-22; pg 66, line 19	Expand the uses allowed to fulfill the PDR requirements of large office projects to also include nonprofit community services, city-owned public facilities, and Legacy Businesses. Amend the eastern boundary of the area where the off-site PDR requirement may be satisfied from Embarcadero Street to Second Street.	Like PDR, these uses are beneficial to the community and can only pay limited rent. The eastern boundary for off-site PDR replacement is being amended to conform with the Plan area boundary.
20	249.78(d)(3)(C)	pg 69, lines 3-6	Allow projects the flexibility to provide their living and solar roof elements of subsections 249.78(d)(3)(C)(i)-(v) on any rooftops within the subject project, provided the equivalent amount of square footage is provided.	To allow some flexibility
21	249.78(d)(5)(C)	pg 70, lines 5-6	Clarify lot merger restrictions to exempt the Key Site identified in 329(e)(2)(C), consistent with the Key Development Site Guidelines.	Clarifying amendment
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<http://centralsoma.sfplanning.org>

San Francisco
Planning



CENTRAL SOMA

PLAN & IMPLEMENTATION STRATEGY

Board of Supervisors - Land Use & Transportation Committee Hearing
July 9, 2018

Submission
IN COMMENT

18049c
180185
180453
180184
180618
7/16/18

TODAY'S PRESENTATION

1 **Overview of the Central SoMa Plan**

- » Plan vision & goals
- » Public Benefits package

2 **Plan Evolution**

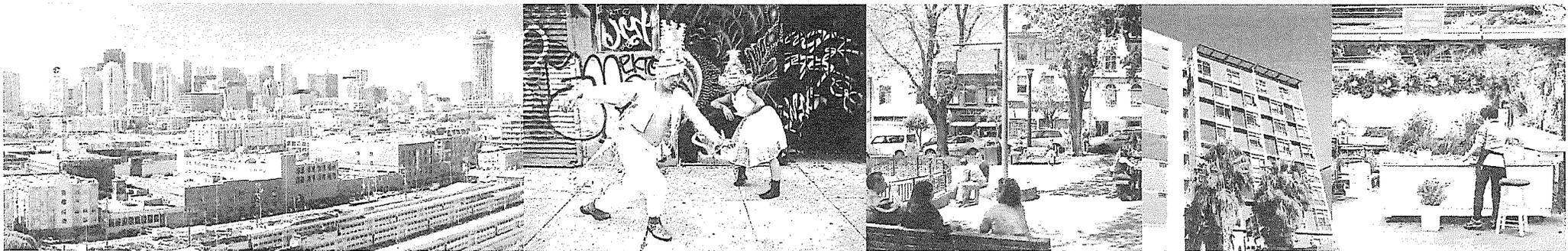
- » Changes from 2016 Draft Plan through May 10th Planning Commission Adoption

3 **Planning Commission Recommendations**

4 **Conclusion**

TODAY'S ACTIONS

1. **Amendments to the General Plan (180490)**
2. **Amendments to the Planning Code and Administrative Code (180184)**
3. **Amendments to the Zoning Map (180185)**
4. **Approval of the Housing Sustainability District (180453)**
5. **Amendments to the Special Tax Financing Law (180612)**



CENTRAL SOMA PLAN - CONTENTS

General Plan
Planning Code & Administrative Code
Zoning Map
Implementation Program <i>(adopted by reference)</i>

- Creation of the Central SoMa Plan
- Amendments to East SoMa & Western SoMa Plans
- Planning Code: creation of the Central SoMa Special Use District (SUD)
- Admin Code: PDR protection
- Amendments to Height and Bulk District Maps
- Amendments to Zoning Use District Maps
- Implementation Matrix
- Public Benefits Program
- Guide to Urban Design
- Key Development Sites Guidelines
- Key Streets Guidelines

(continued on next page)

CENTRAL SOMA PLAN - CONTENTS

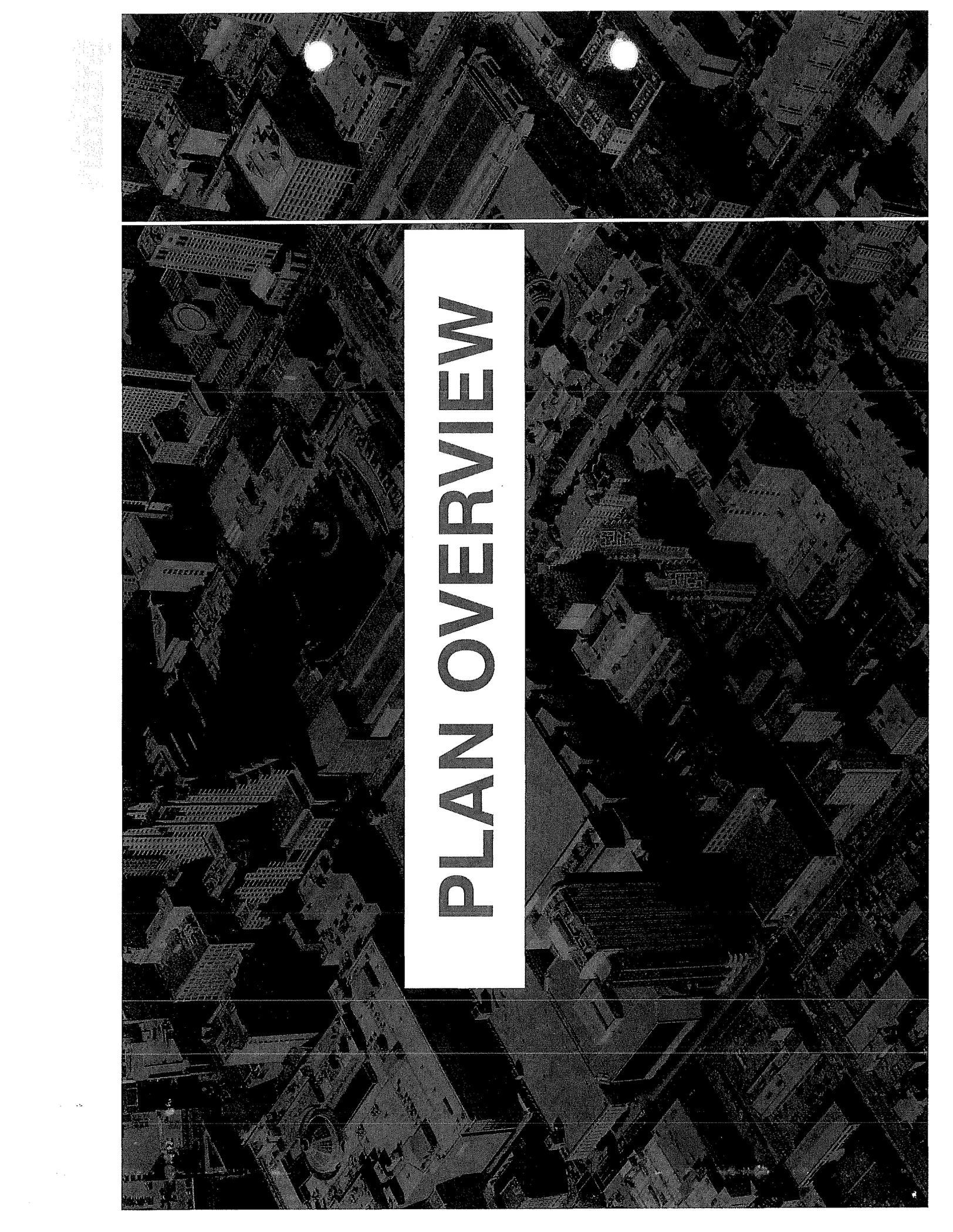
Special Tax District

- Amendments to Administrative Code Special Tax Financing Law
- Resolutions of Intention (ROIs) and Ordinances to establish the Central SoMa Special Tax District*

Housing Sustainability District

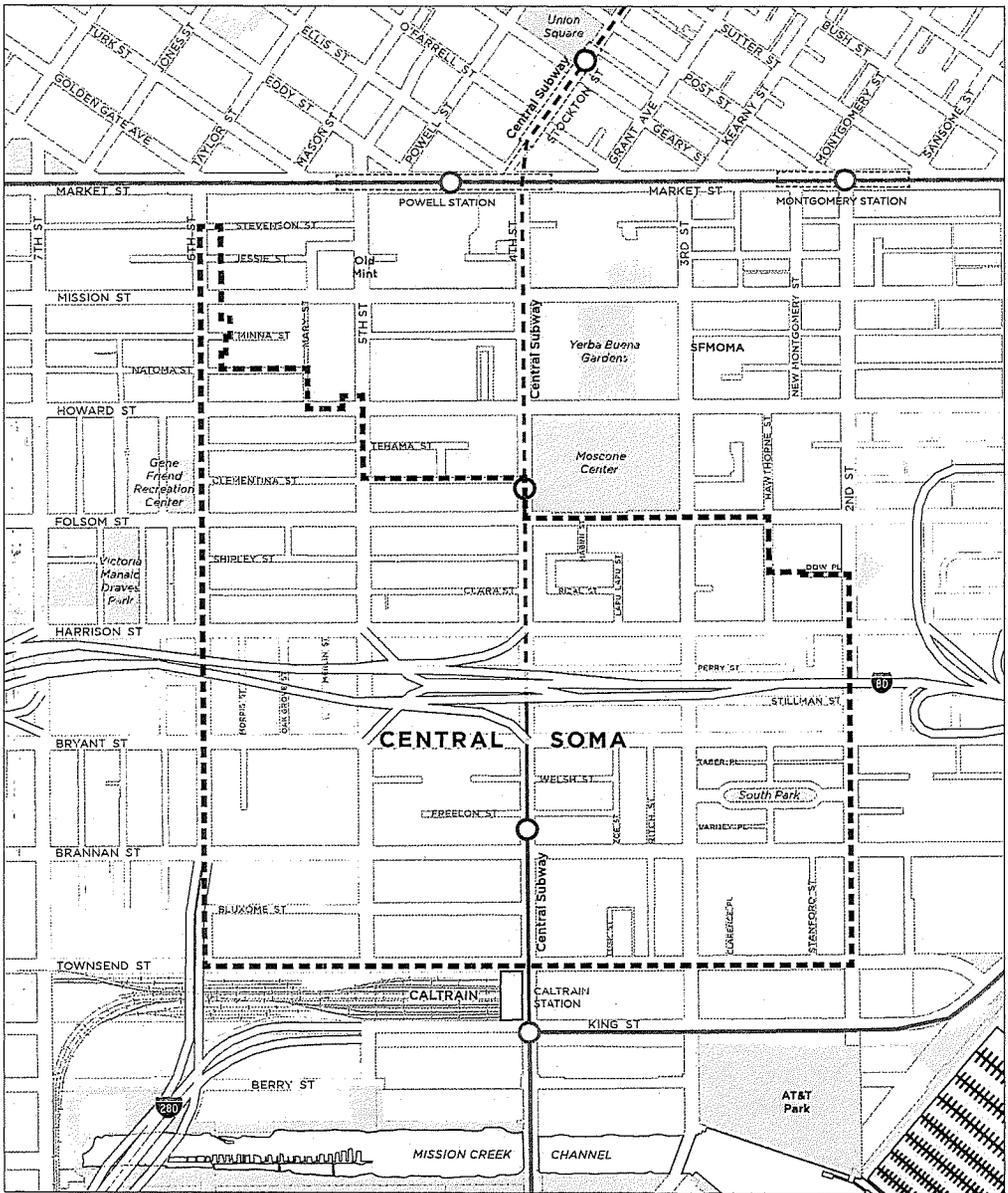
- Amendments to Business & Tax Regulations and Planning Codes to create a Central SoMa Housing Sustainability District (HSD), pursuant to California AB73

* Trailing legislation

An aerial, black and white photograph of a dense urban city grid, likely New York City. The image shows a complex pattern of buildings, streets, and parks. Two bright circular spots are visible in the upper portion of the image. A white vertical bar is centered horizontally, containing the text 'PLAN OVERVIEW' in a bold, sans-serif font.

PLAN OVERVIEW

PLAN AREA



PLAN VISION
A sustainable neighborhood:
socially, economically,
environmentally

-  Central Subway under construction, expected to open in 2019
-  BART/Muni Metro Subway
-  Muni Metro (Surface)

PLAN STRATEGY

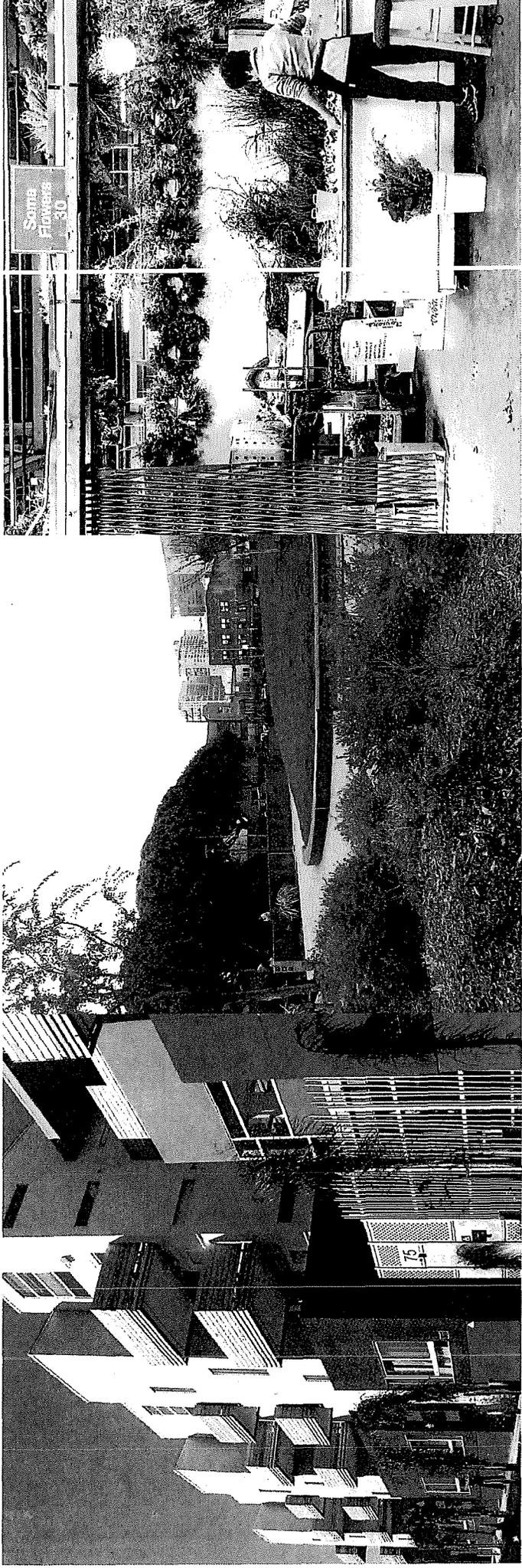
Accommodate
Demand



Provide
Public Benefits

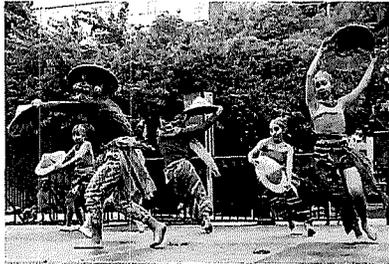


Respect and
Enhance
Neighborhood
Character



PLAN PHILOSOPHY

keep what's great



**Diversity of
Residents
and Jobs**



**Diversity of
Buildings and
Architecture**



**Abundant Local
and Regional
Transit**



**Renowned
Culture and
Nightlife**

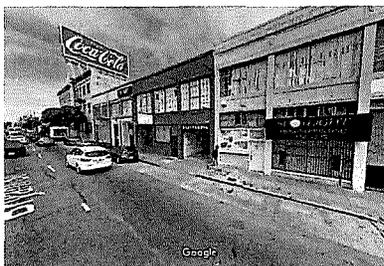
address what's not



**Unaffordable
Rents**



**Unsafe and
Unpleasant
Streets**



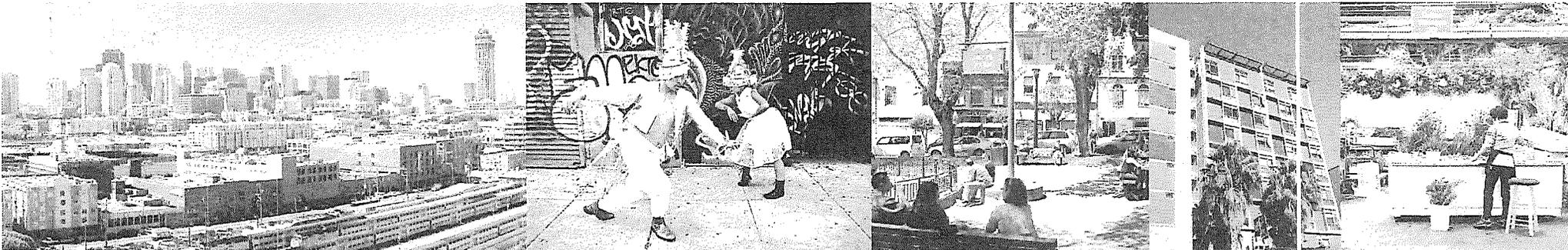
**Lack of Public
Parks and
Greenery**



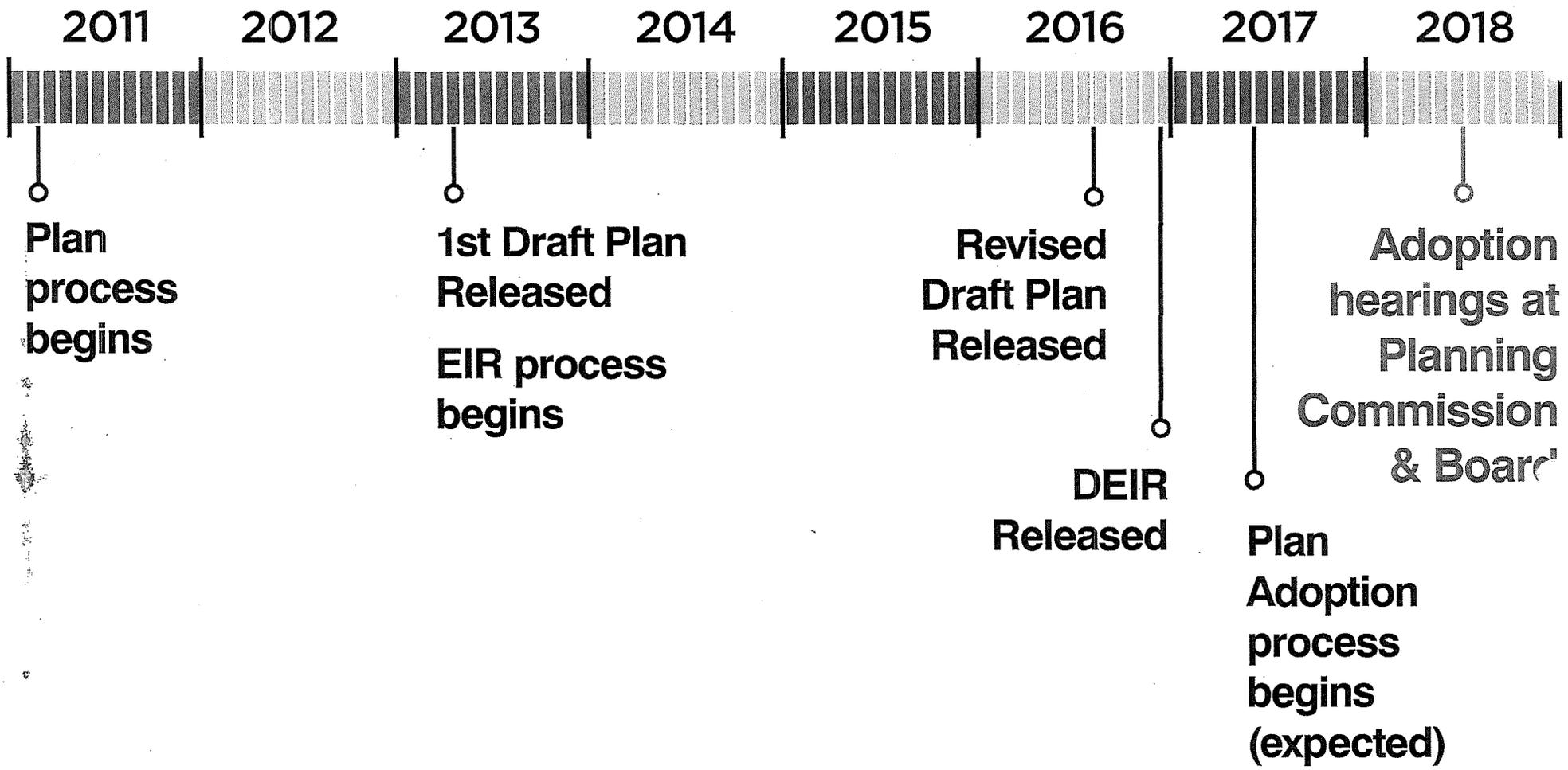
**Inefficient Zoning
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PLAN GOALS

1. Accommodate a Substantial Amount of Jobs and Housing
2. Maintain the Diversity of Residents
3. Facilitate an Economically Diversified and Lively Jobs Center
4. Provide Safe and Convenient Transportation that Prioritizes Walking, Bicycling, and Transit
5. Offer an Abundance of Parks and Recreational Opportunities
6. Create an Environmentally Sustainable and Resilient Neighborhood
7. Preserve and Celebrate the Neighborhood's Cultural Heritage
8. Ensure that New Buildings Enhance the Character of the Neighborhood and the City



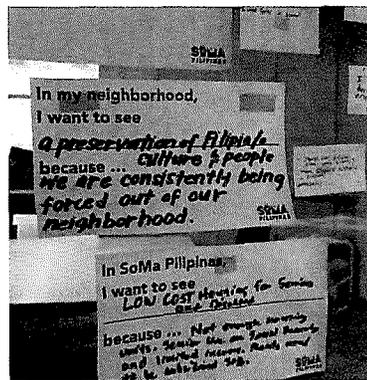
PLAN TIMELINE



OUTREACH PROCESS: 2011 - 2018



- 15 public workshops, office hours, charrettes, walking tours
- Public surveys
- 17 hearings at Planning Commission & Historic Preservation Commission
- 2 informational hearings at Board of Supervisors (Land Use Committee)



OUTREACH: ADVOCACY GROUPS (PARTIAL LIST)

77 Dow Place HOA

Alliance for Better District 6

Arden HOA

Asian Neighborhood Design

California Culture and Music Association

Central City SRO Collaborative

Central Subway Outreach Committee

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Walk SF

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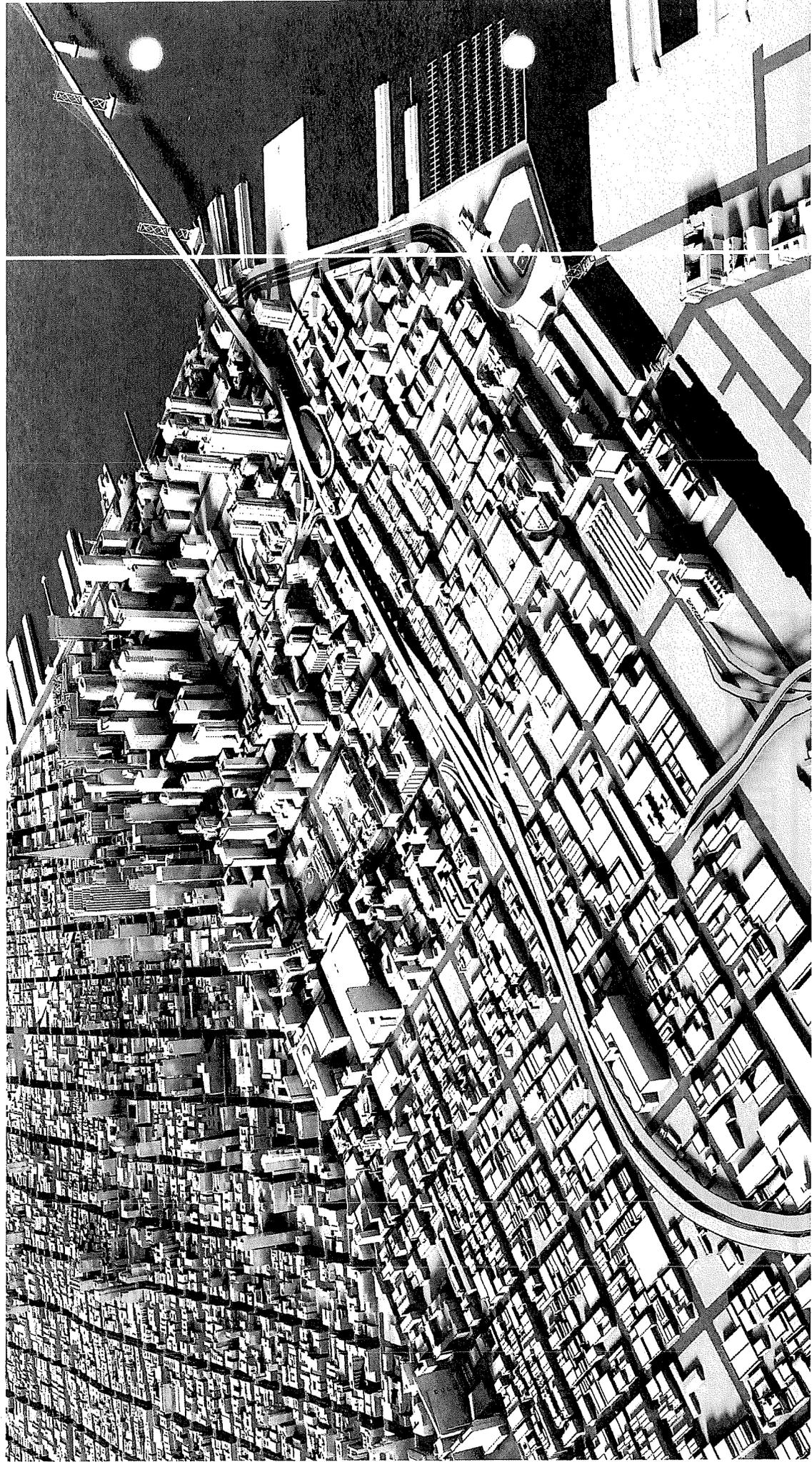
Western Soma Taskforce

Yerba Buena Alliance

Yerba Buena Community Benefit District

YIMBY Action

VISUALIZATION - EXISTING DEVELOPMENT



3-D Model of Existing Buildings (2016)

Digital Model by Skidmore, Owings, & Merrill

VISUALIZATION - POTENTIAL DEVELOPMENT

Central SoMa Development Potential

Anticipated Projects Outside of Central SoMa

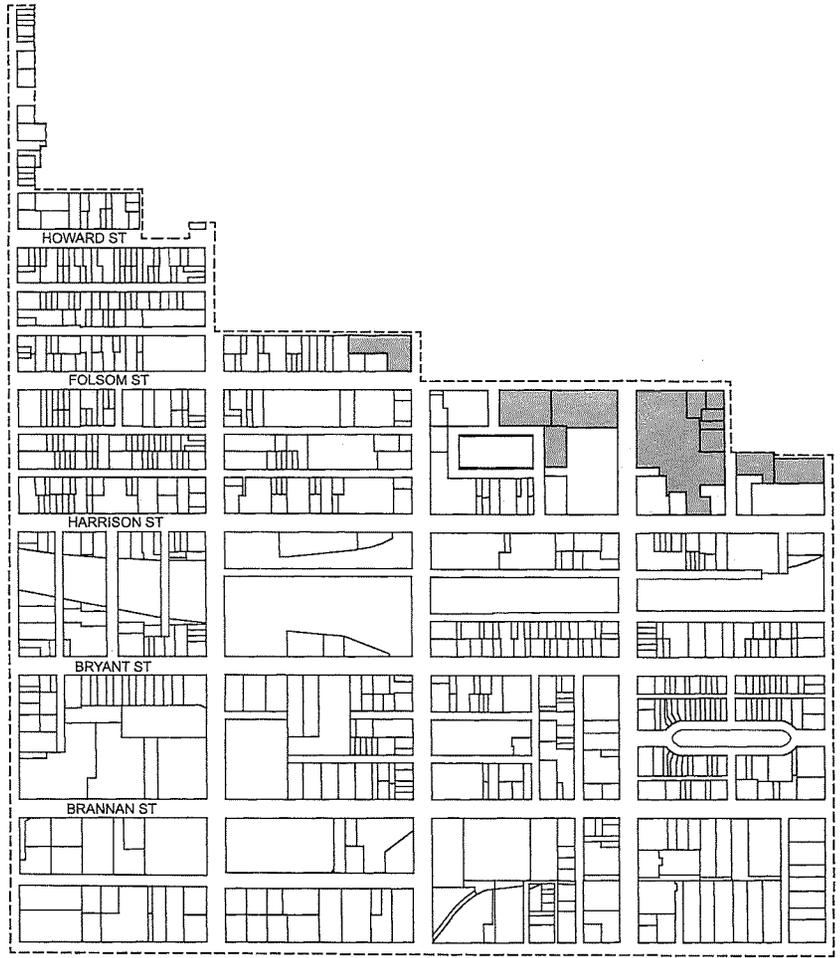
- 33,000 jobs
- 8,300 housing units



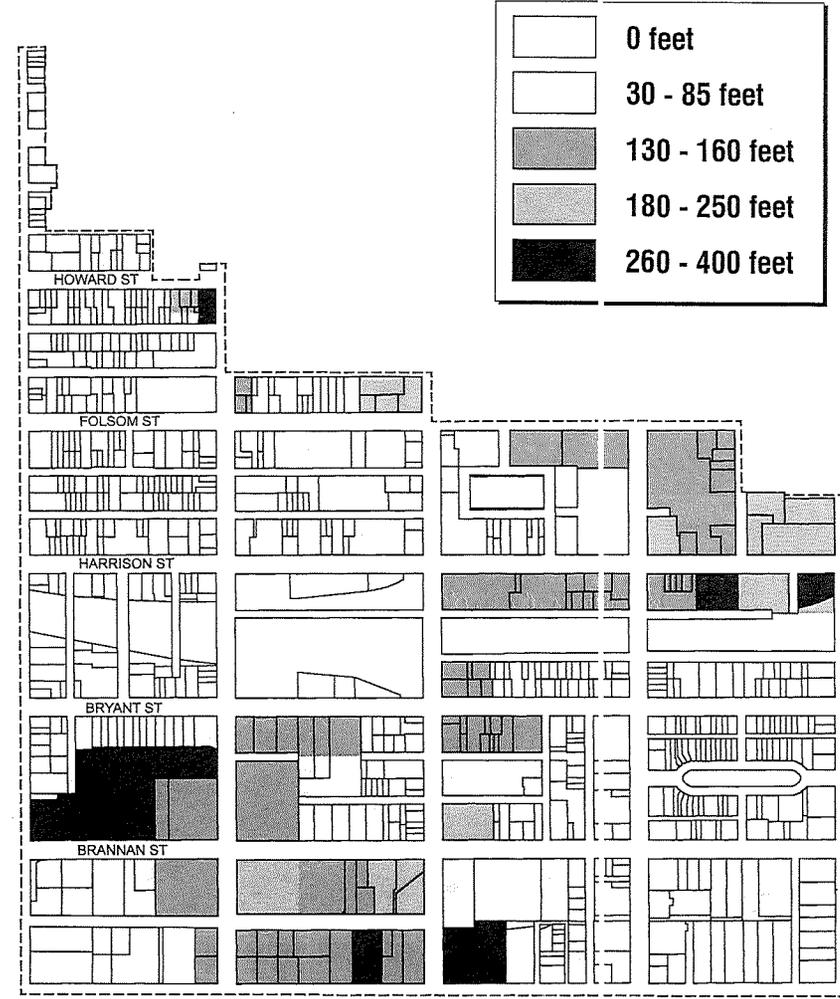
3-D Model of Potential Development

Digital Model by Skidmore, Owings, & Merrill

EXISTING AND PROPOSED DEVELOPMENT CAPACITY



Existing Development Capacity



Proposed Development Capacity

	0 feet
	30 - 85 feet
	130 - 160 feet
	180 - 250 feet
	260 - 400 feet

PUBLIC BENEFITS PACKAGE

No Plan = \$500 million in Public Benefits

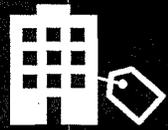
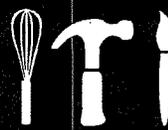
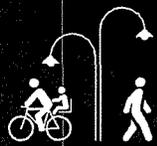
Central SoMa Plan = \$2.2 Billion in Public Benefits

**400% increase due
to the Plan**

**Plus ~\$1 billion in
increased General
Fund tax revenues**

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

PUBLIC BENEFITS PACKAGE

	<p>Affordable Housing 33 percent of total units</p>	<p>\$940 million</p>
	<p>Transit investment in both local and regional service</p>	<p>\$500 million</p>
	<p>Parks and Recreation transformative improvements such as parks, plazas, and recreation centers</p>	<p>\$185 million</p>
	<p>Production, Distribution, & Repair (including Arts) no net loss of PDR space due to the Plan</p>	<p>\$180 million</p>
	<p>Complete Streets safe and comfortable streets for people walking and biking</p>	<p>\$110 million</p>

(continued on next page)

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

PUBLIC BENEFITS PACKAGE (CONTINUED)

	<p>Community Services & Cultural Preservation funding towards community facilities and programs (e.g. health clinics, job training) and preservation of the Old Mint and other historic buildings</p>	<p>\$110 million</p>
	<p>Environmental Sustainability a healthy, resilient, green, and resource-efficient neighborhood</p>	<p>\$70 million</p>
	<p>Schools and Childcare funding to support growing population</p>	<p>\$65 million</p>
	<p>TOTAL</p>	<p>\$2.16 billion</p>

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

NEW FUNDING SOURCES: RESIDENTIAL (2018 RATES)

NEW REQUIREMENT	TIER A (15'-45' height increase)	TIER B (50'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	\$0	\$10	\$0
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	CONDO: \$3.30 (2% escalation)	CONDO: \$5.50 (2% escalation)
Community Facilities Fee (\$/GSF)		RENTAL: \$0	RENTAL: \$0

NOTE: Projects must meet all existing requirements (e.g. affordable housing, Eastern Nbhds Fee, etc.)

NEW FUNDING SOURCES: NON-RESIDENTIAL (2018 RATES)

NEW REQUIREMENT	TIER A & B (15'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	Office >50k sq ft: \$21.50 All other projects: \$41.50	Office >50k sq ft: \$0 All other projects: \$20
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	\$2.75 (4% escalation annually for 25 years, 2% thereafter)
Transferable Development Rights (Floor Area Ratios)	0	1.25 FAR
Community Facilities Fee (\$/GSF)		\$1.75
POPOS	1 sq ft for every 50 GSF of development	
Production, Distribution, and Repair (PDR)	Office >50k: greater of 0.4 FAR or Sec. 202.8 (Prop X)	

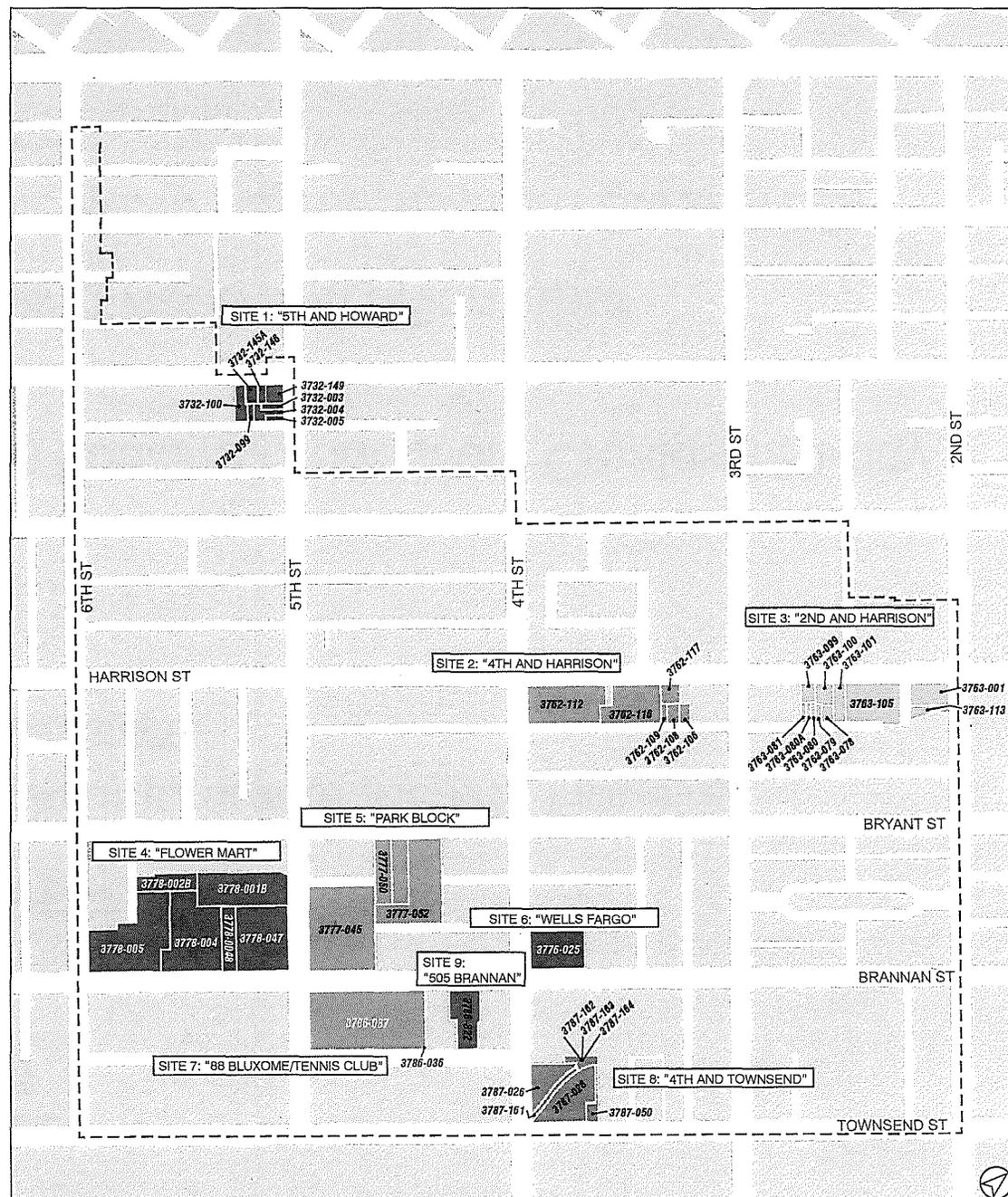
NOTE: Projects must meet all existing requirements (e.g. affordable housing, Eastern Nohds Fee, etc.)

KEY DEVELOPMENT SITES

PURPOSE

Larger sites where we have crafted more flexible / site-specific zoning in exchange for a greater amount of public benefits, including:

- affordable housing
- parks & recreational facilities
- community facilities
- low-rent / extra PDR
- bike & ped improvements



HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA HSD OVERVIEW

- Enacts California AB73 (Chiu) to create the first Housing Sustainability District in the state

BENEFITS

- Incentivizes & streamlines housing production: Creates 120-day ministerial process
- Incentivizes use of prevailing wage and union labor
- Qualifies SF for 'zoning incentive payments' from State (TBD)

HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA HSD MEETS AB73 REQUIREMENTS

- District must provide 20% BMR units (Central SoMa provides 33%)
- District must have an approved EIR to address environmental impacts
- Projects must provide 10% on-site BMR units
- Projects must meet wage and labor standards
 - » Pay prevailing wages (projects <75 units)
 - » Use skilled and trained workforce (projects 75+ units)

HOUSING SUSTAINABILITY DISTRICT

Planning

CENTRAL SOMA LOCAL PROGRAM (Sec. 343)

- Projects that are NOT eligible:
 - » Projects over 160 ft (unless 100% affordable)
 - » Article 10 or 11 historic properties
 - » Properties containing existing units
 - » Projects with >25,000 GSF of office space

HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA LOCAL PROGRAM (Sec. 343)

- 120-Day Review Process:
 - » Before applying: demonstrate compliance with EIR Mitigation Measures
 - » Design review
 - » Informational hearing
 - » Progress requirement: once approved, must seek a site/building permit within 36 months of approval, or seek an extension

SPECIAL TAX DISTRICT - LEGISLATIVE ACTION

Administrative Code Chapter 43, Section 10: Special Tax Financing Law

Proposed amendments would enable the City to spend Central SoMa Special Tax revenues on eligible Facilities and Services*, which may include, but are not limited to:

- Grants to nonprofit/public social service organizations
- Environmental sustainability, including air quality mitigation and technical studies/guidelines
- Park programming and activation

***NOTE:** As identified in the forthcoming Resolutions of Intention, or ROIs

An aerial, black and white photograph of a city grid, likely New York City, showing a dense pattern of buildings and streets. A white rectangular box is centered on the page, containing the title text. Two white circular marks are visible at the top of the page, resembling hole punches.

PLAN EVOLUTION: 2016 DRAFT THROUGH CPC ADOPTION

PLAN EVOLUTION DURING ADOPTION PROCESS

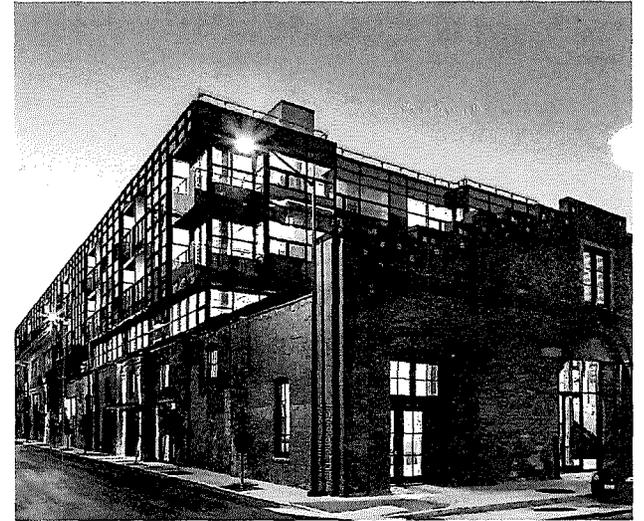
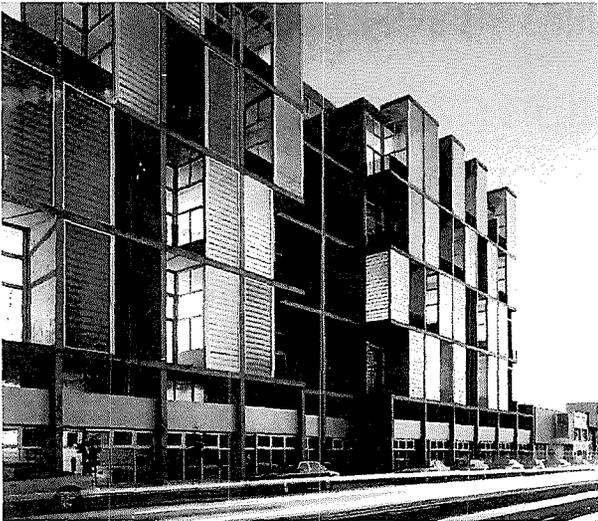
KEY AREAS

- Jobs-Housing Balance
- Public Benefits Package
- Development Requirements

JOBS - HOUSING BALANCE

WHAT WE HEARD

- Maximize housing production, especially affordable units
- Streamline the production process
- Produce / protect affordable housing units upfront through aggressive site acquisition



JOBS - HOUSING BALANCE

HOW THE PLAN EVOLVED

- Housing production is now maxed out at the EIR cap (+17%, from 7100 to 8300 units)
- Central SoMa will be the state's 1st Housing Sustainability District (HSD) under AB73
- Some Key Sites are pursuing land dedication for affordable housing
- Continuing to work with MOHCD to leverage City programs:
 - » Acquisition / rehabilitation to stabilize existing units
 - » Securing additional housing locations in the broader SOMA neighborhood

PUBLIC BENEFITS

WHAT WE HEARD

- Maximize affordable housing (also see previous section)
- Provide funding for social/cultural programming (not just facilities)
- Plan for future capital needs at Yerba Buena Gardens
- Fund neighborhood cleaning & maintenance
- Work with SFUSD to support existing schools and plan for future growth
- Support development of Good Jobs (e.g. living wage and/or unionized) for low-income households
- Keep the Prop X Conditional Use for PDR replacement

PUBLIC BENEFITS

HOW THE PLAN EVOLVED

- Increased housing = +230 more affordable units (2900 total)
- Additional \$70 million for public benefits from CFD (see below)
- A Good Jobs goal was added to General Plan amendments;

ADDITIONAL FUNDING CATEGORIES

\$/YR

\$/25 YRS

Social & cultural programming (continue SoMa Stabilization Fund)	\$1,000,000	\$25 million
Park and greenery maintenance and activation	\$600,000	\$15 million
Capital for cultural amenities (e.g. Yerba Buena Gardens)	N/A	\$15 million
Neighborhood cleaning	\$350,000	\$8.75 million
Bessie Carmichael School supplemental services	\$250,000	\$6.25 million
TOTAL		\$70 million

PUBLIC BENEFITS

OTHER TOPICS REQUIRING DISCUSSION

- Eastern Neighborhoods Community Advisory Committee (CAC) & SoMa Stabilization CAC
 - » Because adjusting the CAC will require significant consideration of responsibilities and allocation of funding from projects, this will return to the Planning Commission and the Board as trailing legislation.
- Staff are working with SFUSD to assess future school capacity needs and how growth here and Citywide may be accommodated
- The Good Jobs goal may need to be fleshed out through trailing legislation

PUBLIC BENEFITS

OTHER TOPICS REQUIRING DISCUSSION (CONT.)

- NOTE: There is no need for a Conditional Use requirement for PDR replacement under Prop X, since PDR replacement is explicitly required.
 - » In addition, any CU requirement applied to housing would make them ineligible for the Housing Sustainability District, affecting ~75% of units impacted (up to 1/2 of total units)

DEVELOPMENT REQUIREMENTS

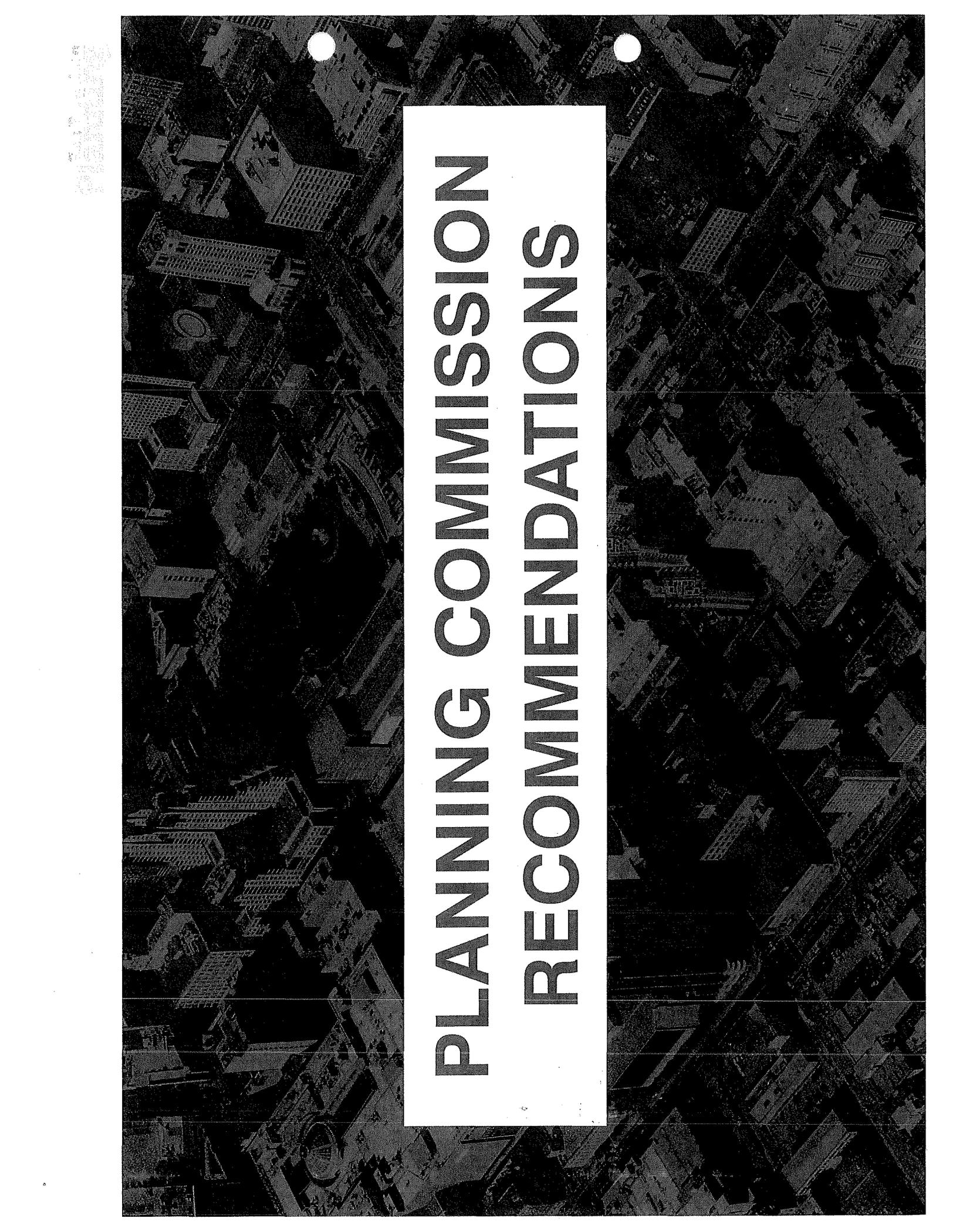
WHAT WE HAVE HEARD

- Changing financial market has made some projects less feasible, particularly rental housing
- Want greater flexibility / exceptions (e.g. similar to a Planned Unit Development)

DEVELOPMENT REQUIREMENTS

HOW THE PLAN EVOLVED

- Dropped the Mello-Roos Special Tax on rental housing to improve financial feasibility (\$1.75/sq ft)
- NOTE: Kept current zoning structure (no PUD-type exceptions possible)
 - » However, site-specific exceptions were crafted for individual Key Sites in Section 329(e).

An aerial, black and white photograph of a city grid, likely New York City, showing a dense pattern of buildings and streets. A white rectangular box is centered vertically and horizontally, containing the title text. Two white circular punch holes are visible at the top edge of the page.

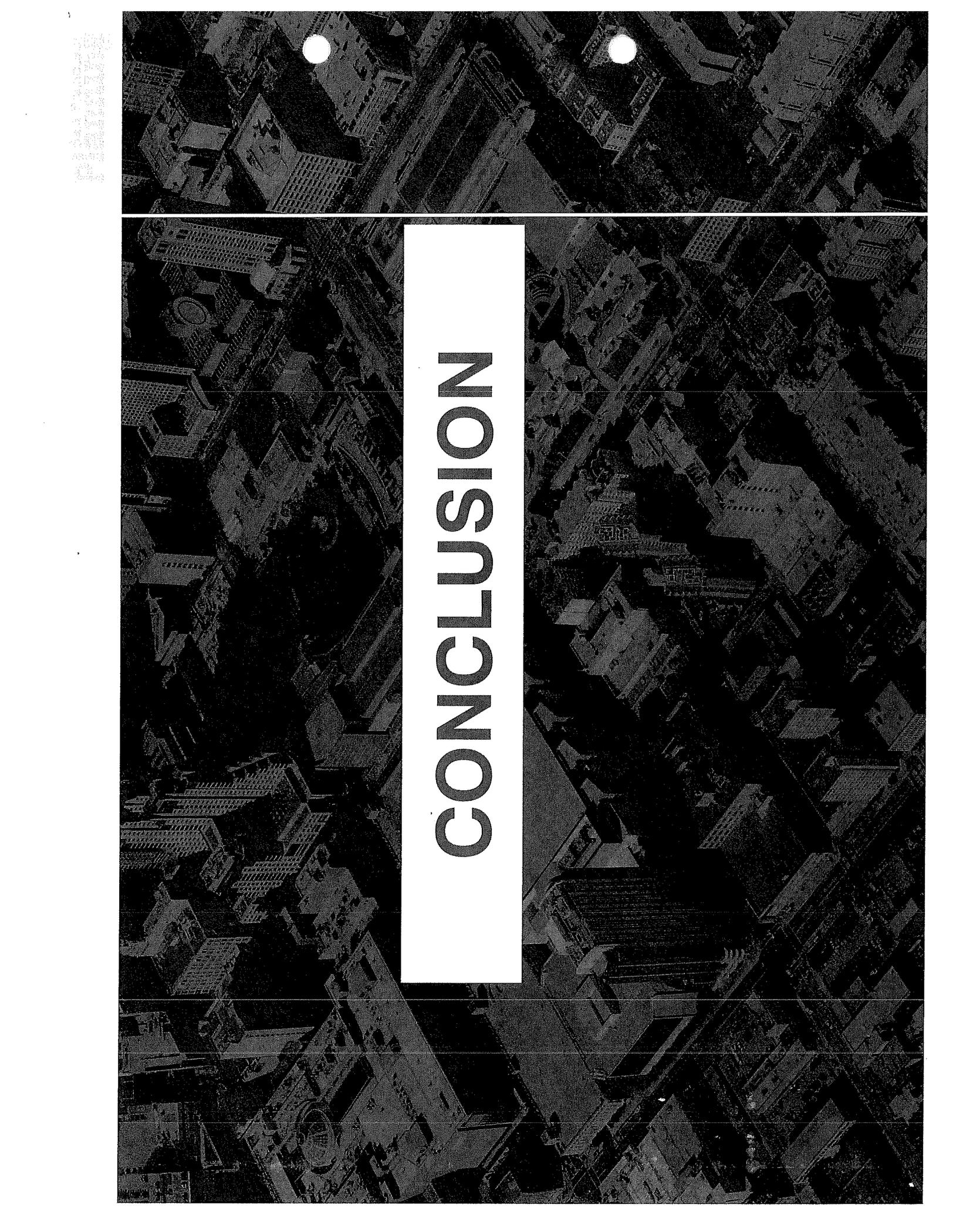
PLANNING COMMISSION RECOMMENDATIONS

PLANNING COMMISSION RECOMMENDATIONS - 5/10/18 ADOPTION HEARING

Change	Rationale
POPOS Design Exceptions	To allow greater flexibility and diversity of POPOS design.
Passenger & Freight Loading	To streamline and improve processes for reviewing passenger and freight loading.
Transportation Demand Management	To allow some relief for projects that have been designed assuming the same level of grandfathering as the citywide TDM ordinance.
Active Uses on Ground Floors	To allow some flexibility for micro-retail and hotel uses.
Alternate Uses in PDR Replacement Space	To support other desirable uses that cannot pay high rents.

PLANNING COMMISSION RECOMMENDATIONS - 5/10/18 ADOPTION HEARING

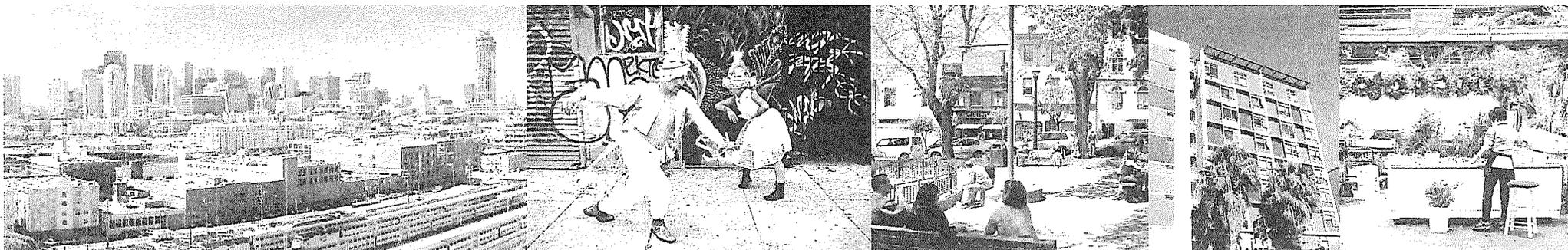
Change	Rationale
Key Development Sites	To craft exceptions to specific key sites, and to add an additional key site (505 Brannan Street)
Park Fee Waiver at 598 Brannan Street	To enable construction of a park on land currently owned by SFPUC.
Central SoMa Mello-Roos Special Tax District	To establish the purpose and application of the proposed Mello-Roos Special Tax District in Central SoMa.
SoMa Stabilization Fund	To allow Mello-Roos tax revenues to accrue to the fund.
Community Advisory Committee (CACs)	To split the existing Eastern Neighborhoods CAC into two more manageable geographies.
Other Clarifying Amendments	To correct and clarify the code amendments.

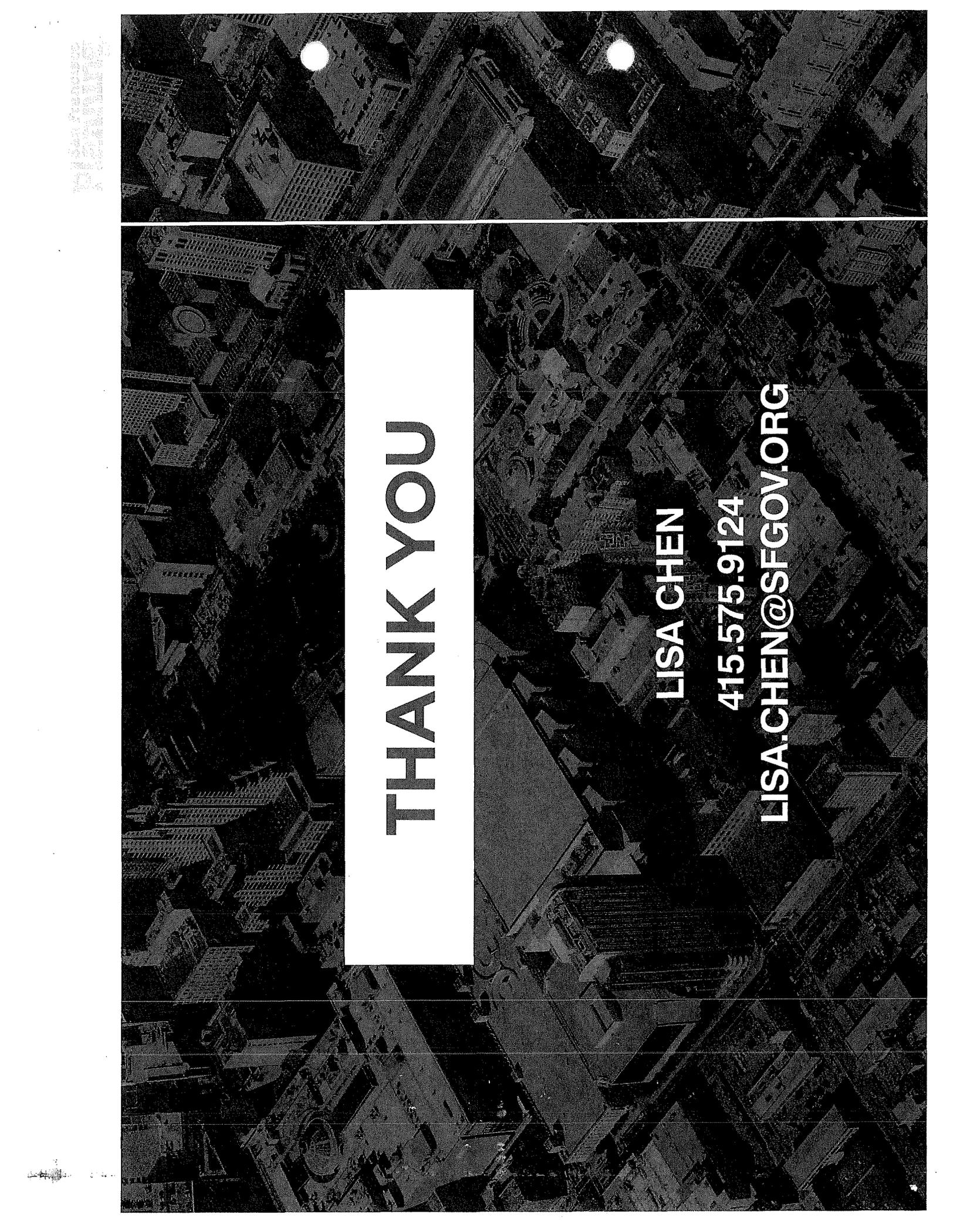
An aerial, black and white photograph of a dense urban landscape, likely a city center, showing numerous skyscrapers and buildings. A white vertical bar is superimposed over the center of the image, containing the word "CONCLUSION" in a bold, sans-serif font. Two white circular marks are visible at the top edge of the image, resembling punch holes.

CONCLUSION

TODAY'S ACTIONS

1. **Amendments to the General Plan (180490)**
2. **Amendments to the Planning Code and Administrative Code (180184)**
3. **Amendments to the Zoning Map (180185)**
4. **Approval of the Housing Sustainability District (180453)**
5. **Amendments to the Special Tax Financing Law (180612)**



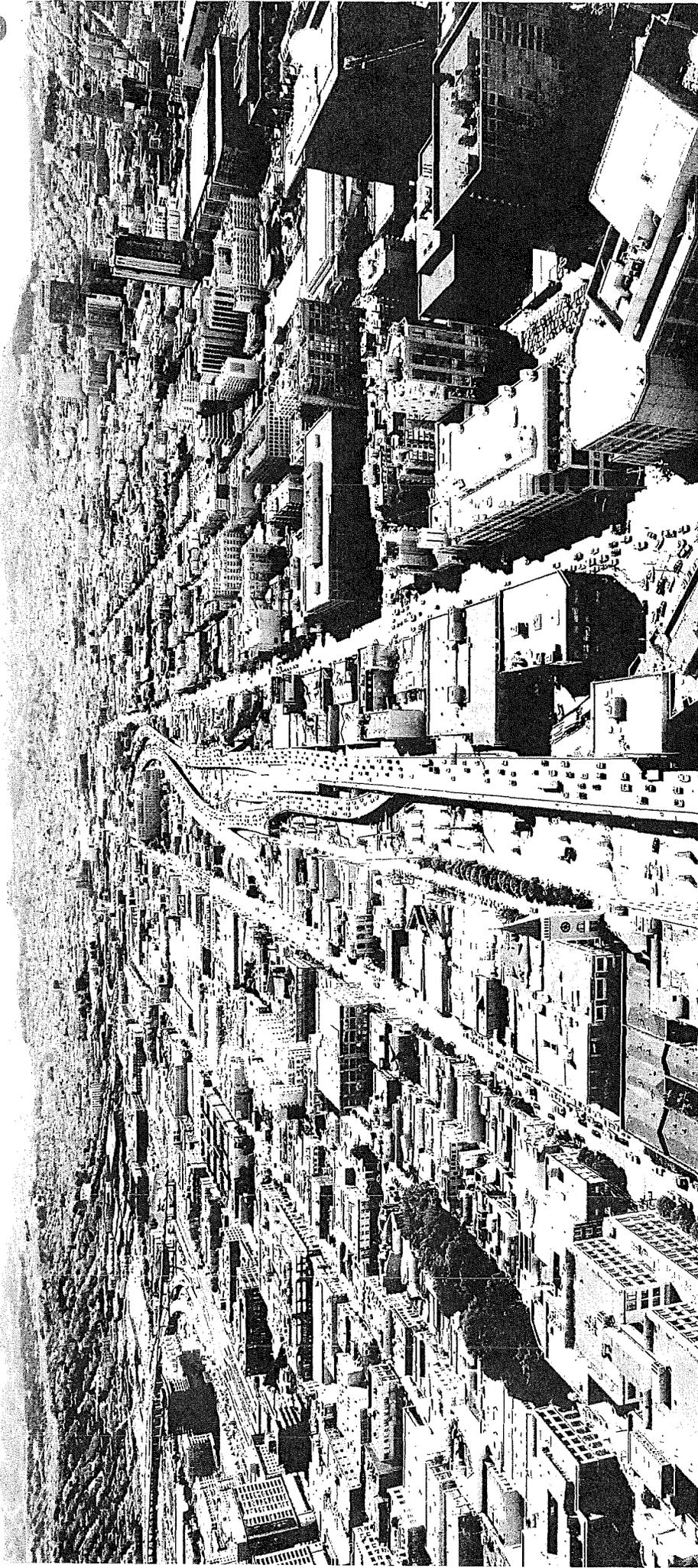
An aerial, black and white photograph of a city grid, likely San Francisco, showing a dense pattern of buildings and streets. A white vertical bar is centered on the page, containing the text 'THANK YOU'. To the right of the bar, the name 'LISA CHEN', a phone number '415.575.9124', and an email address 'LISA.CHEN@SFGOV.ORG' are listed vertically. Two white circular punch holes are visible at the top of the page.

THANK YOU

LISA CHEN

415.575.9124

LISA.CHEN@SFGOV.ORG



CENTRAL SOMA

PLAN & IMPLEMENTATION STRATEGY

Board of Supervisors - Land Use & Transportation Committee Hearing
July 9, 2018

180490
180185
180453

TODAY'S PRESENTATION

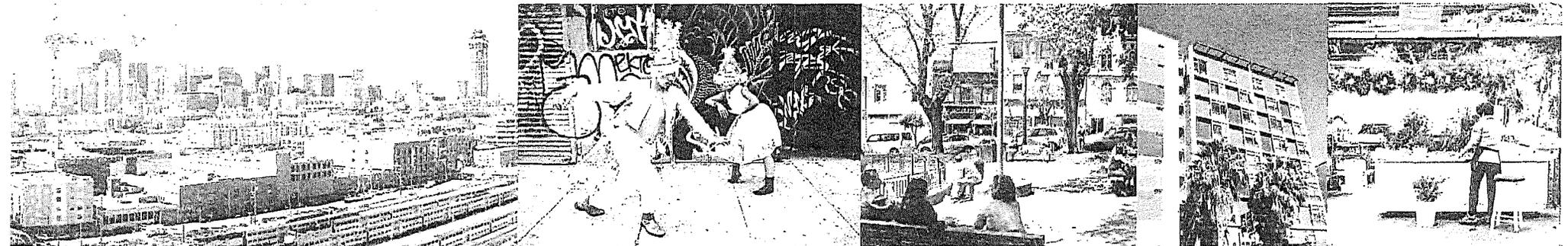
- 1 Overview of the Central SoMa Plan**
 - » Plan vision & goals
 - » Public Benefits package
- 2 Plan Evolution**
 - » Changes from 2016 Draft Plan through Planning Commission Adoption
- 3 Planning Commission Recommendations**
- 4 Conclusion**

TODAY'S ACTIONS

Hearing to consider:

1. Amendments to the General Plan
2. Amendments to the Zoning Map
3. Approval of the Implementation Program
4. Approval of the Housing Sustainability District (HSD)

Note: Amendments to the Planning Code and Administrative Code were referred on 7/9 from Rules Committee to Land Use & Transportation, to be heard on 7/16.



CENTRAL SOMA PLAN - CONTENTS

General Plan

- Creation of the Central SoMa Plan
- Amendments to East SoMa & Western SoMa Plans

Planning Code & Administrative Code

- Planning Code: creation of the Central SoMa Special Use District (SUD)*
- Admin Code: PDR protection and Special Tax Financing Law*

Zoning Map

- Amendments to Height and Bulk District Maps
- Amendments to Zoning Use District Maps

Implementation Program

- Implementation Matrix
- Public Benefits Program
- Guide to Urban Design
- Key Development Sites Guidelines
- Key Streets Guidelines

* Considered at Rules Committee on 7/9

(continued on next page)

CENTRAL SOMA PLAN - CONTENTS

	Special Tax District
Housing Sustainability District	

- Resolutions of Intention (ROIs) and Ordinances to establish the Central SoMa Special Tax District*
- Amendments to Business & Tax Regulations and Planning Codes to create a Central SoMa Housing Sustainability District (HSD), pursuant to California AB73

* Will be considered at GAO Committee on 7/18

PLAN OVERVIEW

PLAN STRATEGY

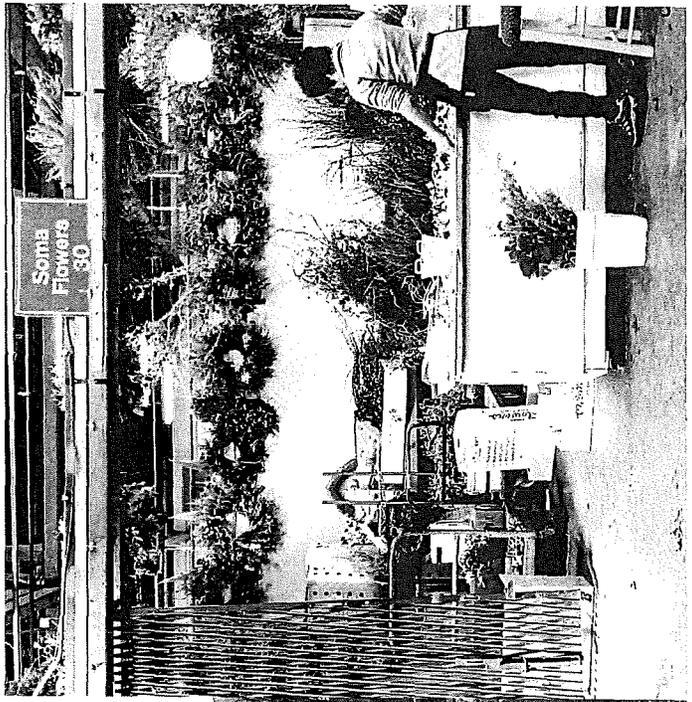
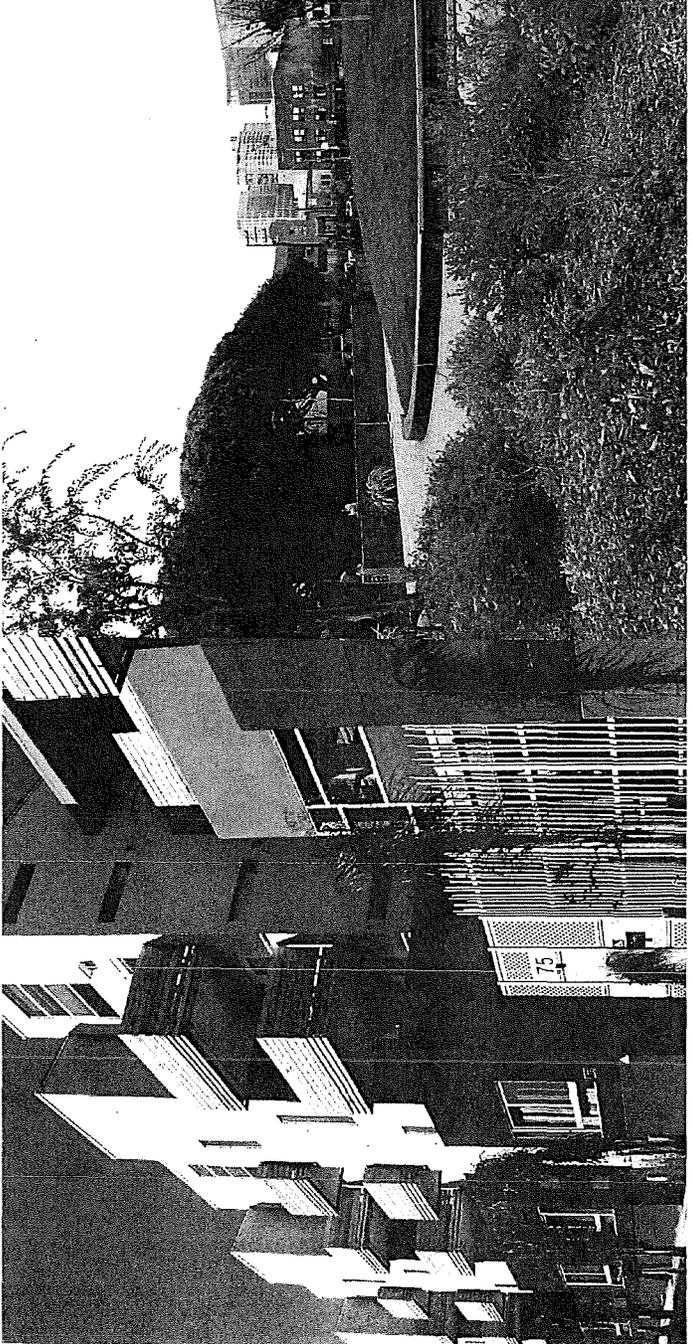
*Accommodate
Demand*



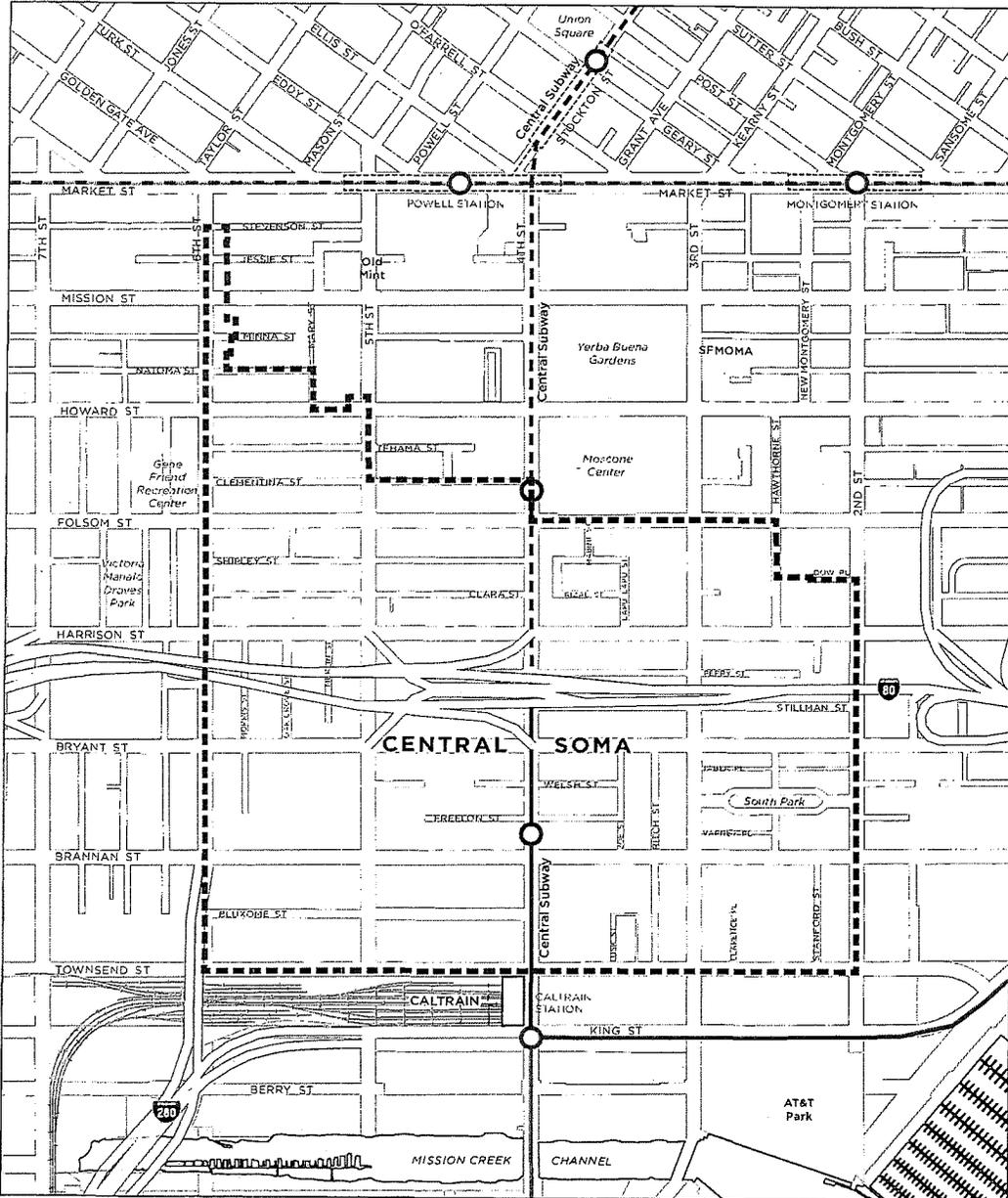
*Provide
Public Benefits*



*Respect and
Enhance
Neighborhood
Character*



PLAN AREA

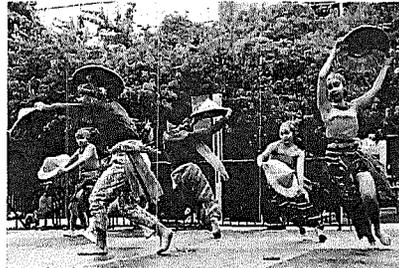


PLAN VISION
A sustainable neighborhood:
socially, economically,
environmentally

- Central Subway under construction, expected to open in 2019
- BART/Muni Metro Subway
- Muni Metro (Surface)

PLAN PHILOSOPHY

keep what's great



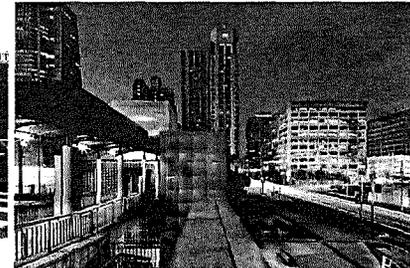
Diversity of Residents and Jobs



Diversity of Buildings and Architecture



Abundant Local and Regional Transit



Renowned Culture and Nightlife

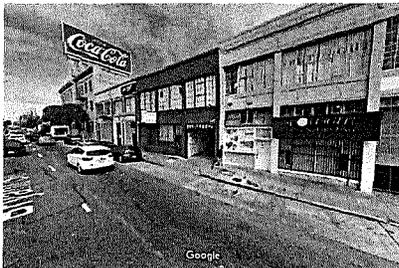
address what's not



Unaffordable Rents



Unsafe and Unpleasant Streets



Lack of Public Parks and Greenery



Inefficient Zoning and Insufficient Funding

PLAN GOALS

Goal 1 **Accommodate a Substantial Amount of Jobs and Housing**

Goal 2 **Maintain the Diversity of Residents**

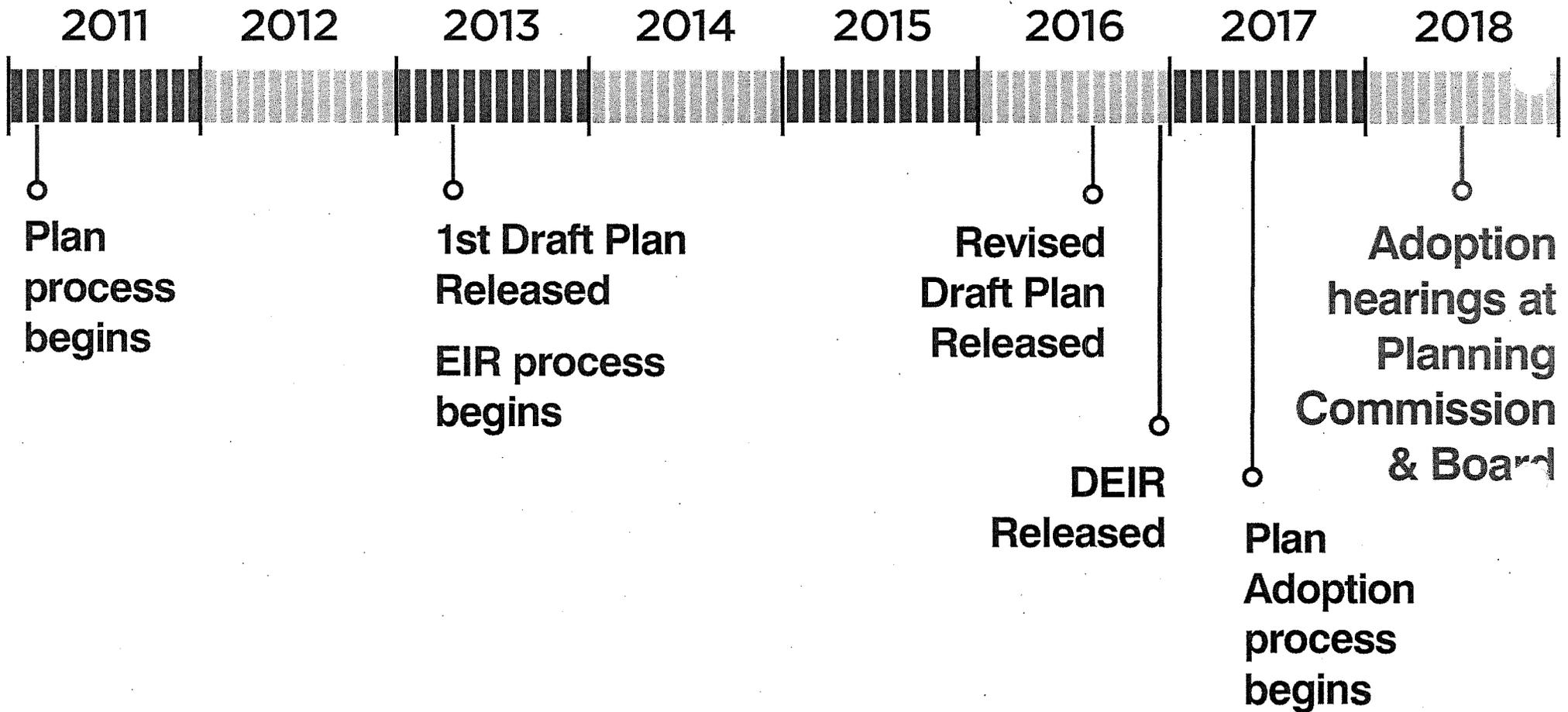
Goal 3 **Facilitate an Economically Diversified and Lively Jobs Center**

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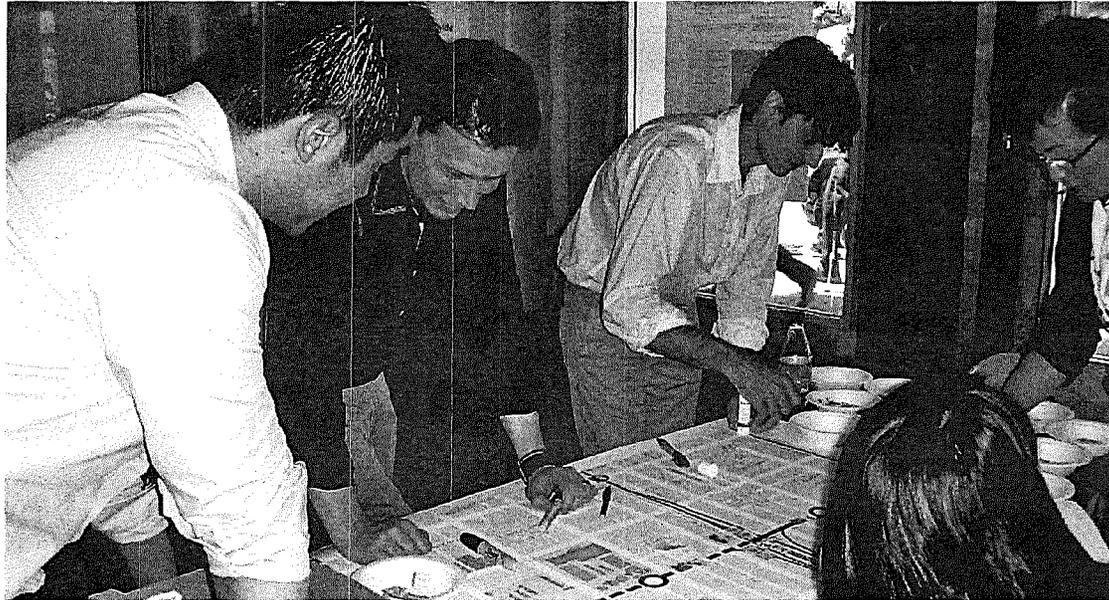
PLAN GOALS

- Goal 5* **Offer an Abundance of Parks and Recreational Opportunities**
- Goal 6* **Create an Environmentally Sustainable and Resilient Neighborhood**
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- Goal 8* **Ensure that New Buildings Enhance the Character of the Neighborhood and the City**

PLAN TIMELINE



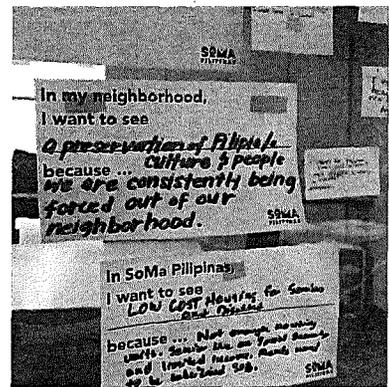
OUTREACH PROCESS: 2011 - 2018



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and C
Trans;
Priori
Bicyc



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Asian Neighborhood Design

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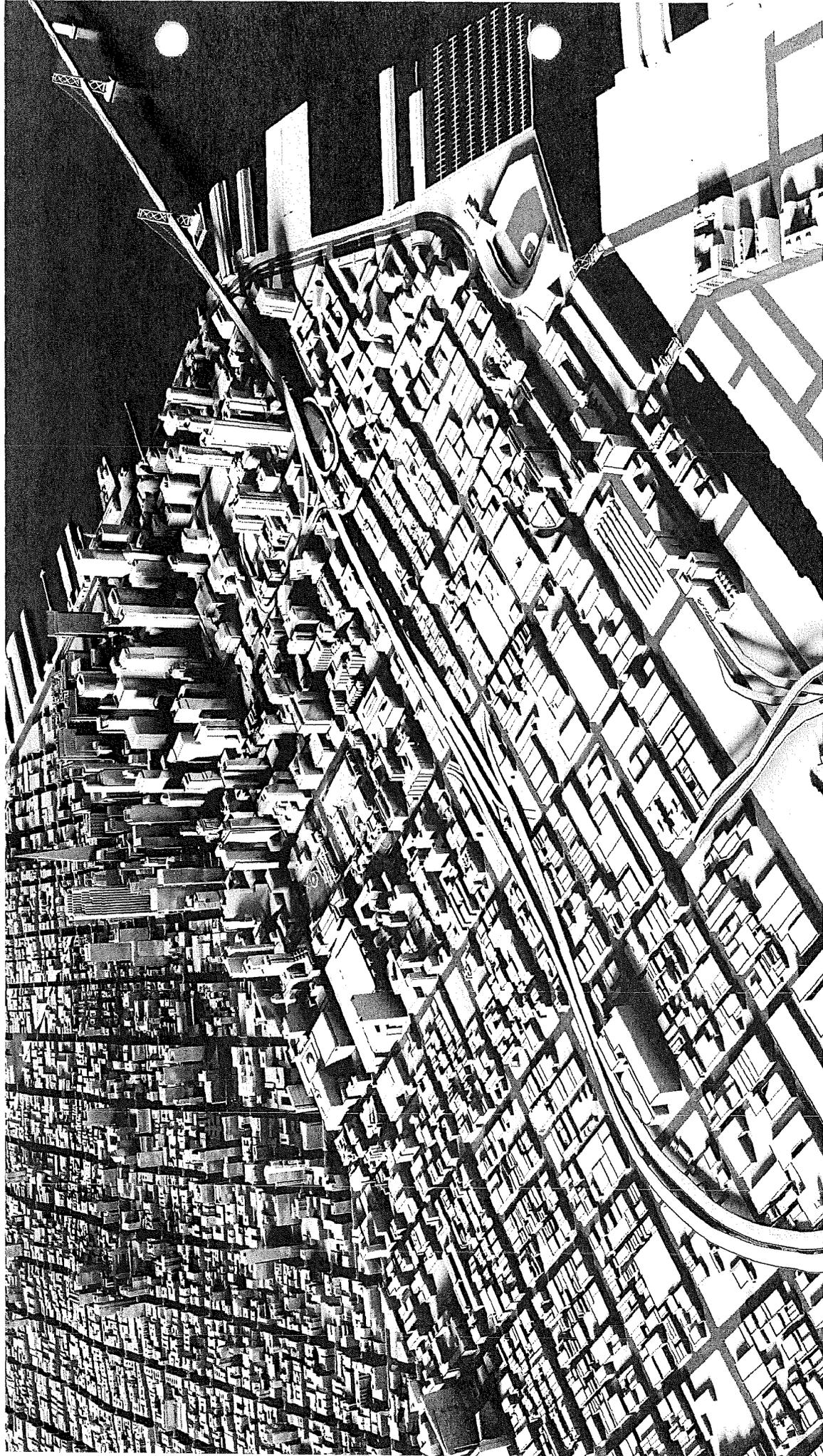
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Central SoMa Development Potential
Anticipated Projects Outside of Central SoMa

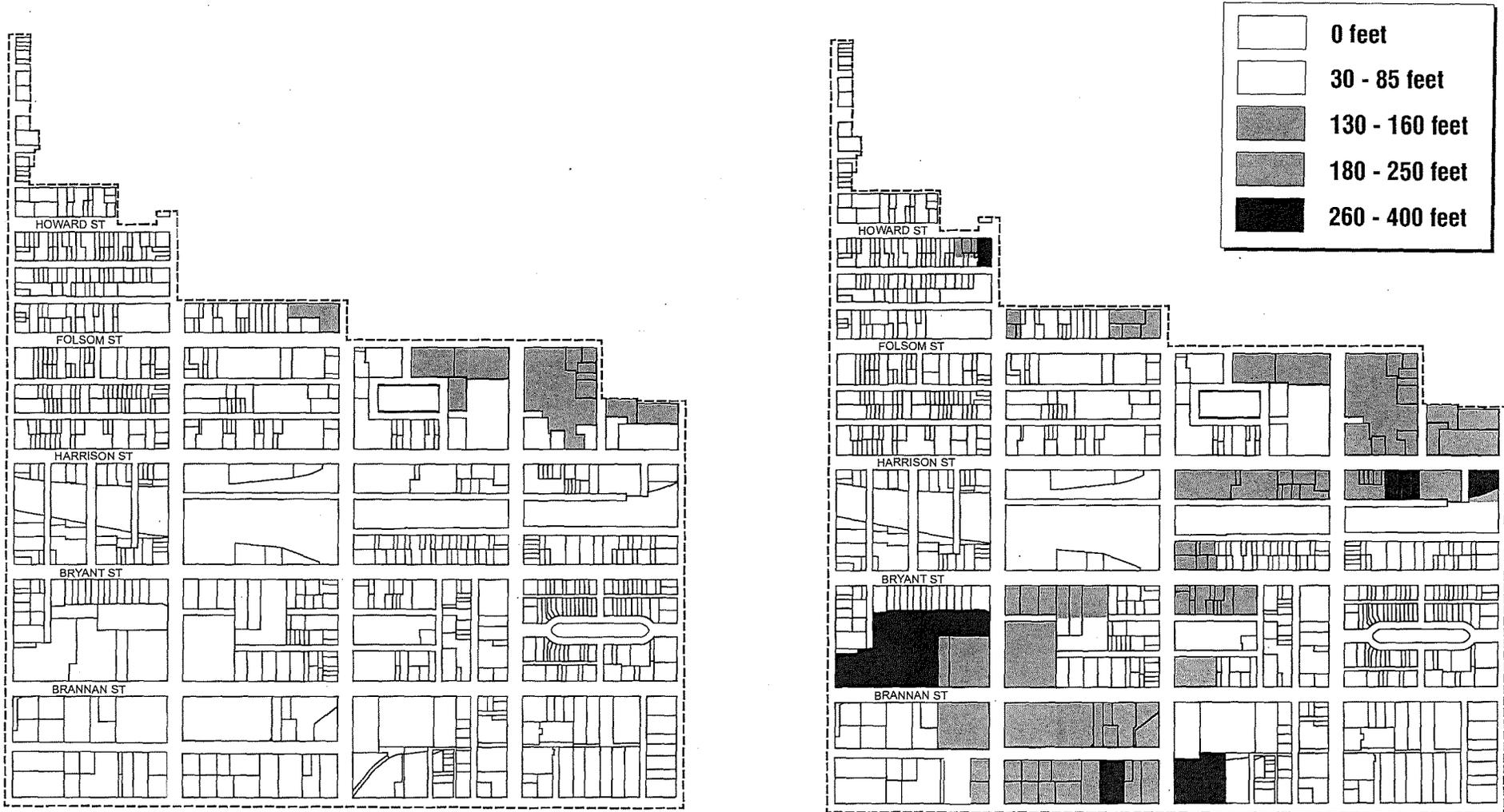
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- 8,300 housing units



3-D Model of Potential Development

Digital Model by Skidmore, Owings, & Merrill

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Existing Development Capacity

Proposed Development Capacity

PUBLIC BENEFITS PACKAGE

No Plan = \$500 million in Public Benefits

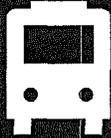
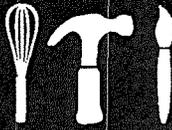
Central SoMa Plan = \$2.2 Billion in Public Benefits

**400% increase due
to the Plan**

**Plus ~\$1 billion in
increased General
Fund tax revenues**

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

PUBLIC BENEFITS PACKAGE

	<p>Affordable Housing 33 percent of total units</p>	<p>\$940 million</p>
	<p>Transit investment in both local and regional service</p>	<p>\$500 million</p>
	<p>Parks and Recreation transformative improvements such as parks, plazas, and recreation centers</p>	<p>\$185 million</p>
	<p>Production, Distribution, & Repair (including Arts) no net loss of PDR space due to the Plan</p>	<p>\$180 million</p>
	<p>Complete Streets safe and comfortable streets for people walking and biking</p>	<p>\$110 million</p>

(continued on next page)

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

PUBLIC BENEFITS PACKAGE (CONTINUED)

	<p>Community Services & Cultural Preservation funding towards community facilities and programs (e.g. health clinics, job training) and preservation of the Old Mint and other historic buildings</p>	<p>\$110 million</p>
	<p>Environmental Sustainability a healthy, resilient, green, and resource-efficient neighborhood</p>	<p>\$70 million</p>
	<p>Schools and Childcare funding to support growing population</p>	<p>\$65 million</p>
	<p>TOTAL</p>	<p>\$2.16 billion</p>

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

PUBLIC BENEFITS: FUNDING SOURCES

FUNDING SOURCE

AMOUNT

Direct provision of benefits (e.g. on-site BMR units)	\$836 million
Central SoMa Special Tax District (NEW)	\$354 million
Eastern Neighborhoods Infrastructure Fee	\$240 million
Transportation Sustainability Fee	\$220 million
Jobs-Housing Linkage Fee	\$210 million
Affordable Housing Fee	\$180 million
Central SoMa Infrastructure Fee (NEW)	\$40 million
School Impact Fee	\$26 million
Child Care Fee	\$32 million
Central SoMa Community Facilities Fee (NEW)	\$20 million
TOTAL	\$2.16 billion

NOTE: Public benefits package represents funds raised over the life of the plan (estimated as 25 years) in 2017 dollars.

NEW FUNDING SOURCES: RESIDENTIAL (2018 RATES)

NEW REQUIREMENT	TIER A (15'-45' height increase)	TIER B (50'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	\$0	\$10	\$0
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	CONDO: \$3.30 (2% escalation)	CONDO: \$5.50 (2% escalation)
Community Facilities Fee (\$/GSF)		RENTAL: \$0	RENTAL: \$0

NOTE: Projects must meet all existing requirements (e.g. affordable housing, Eastern Nbhds Fee, etc.)

NEW FUNDING SOURCES: NON-RESIDENTIAL (2018 RATES)

NEW REQUIREMENT	TIER A & B (15'-85' height increase)	TIER C (90'+ height increase)
Central SoMa Community Infrastructure Fee (\$/GSF)	Office >50k sq ft: \$21.50 All other projects: \$41.50	Office >50k sq ft: \$0 All other projects: \$20
Mello-Roos Special Tax District (CFD; \$/GSF/yr)	\$0	\$2.75 (4% escalation annually for 25 years, 2% thereafter)
Transferable Development Rights (Floor Area Ratios)	0	1.25 FAR
Community Facilities Fee (\$/GSF)		\$1.75
POPOS	1 sq ft for every 50 GSF of development	
Production, Distribution, and Repair (PDR)		Office >50k: greater of 0.4 FAR or Sec. 202.8 (Prop X)

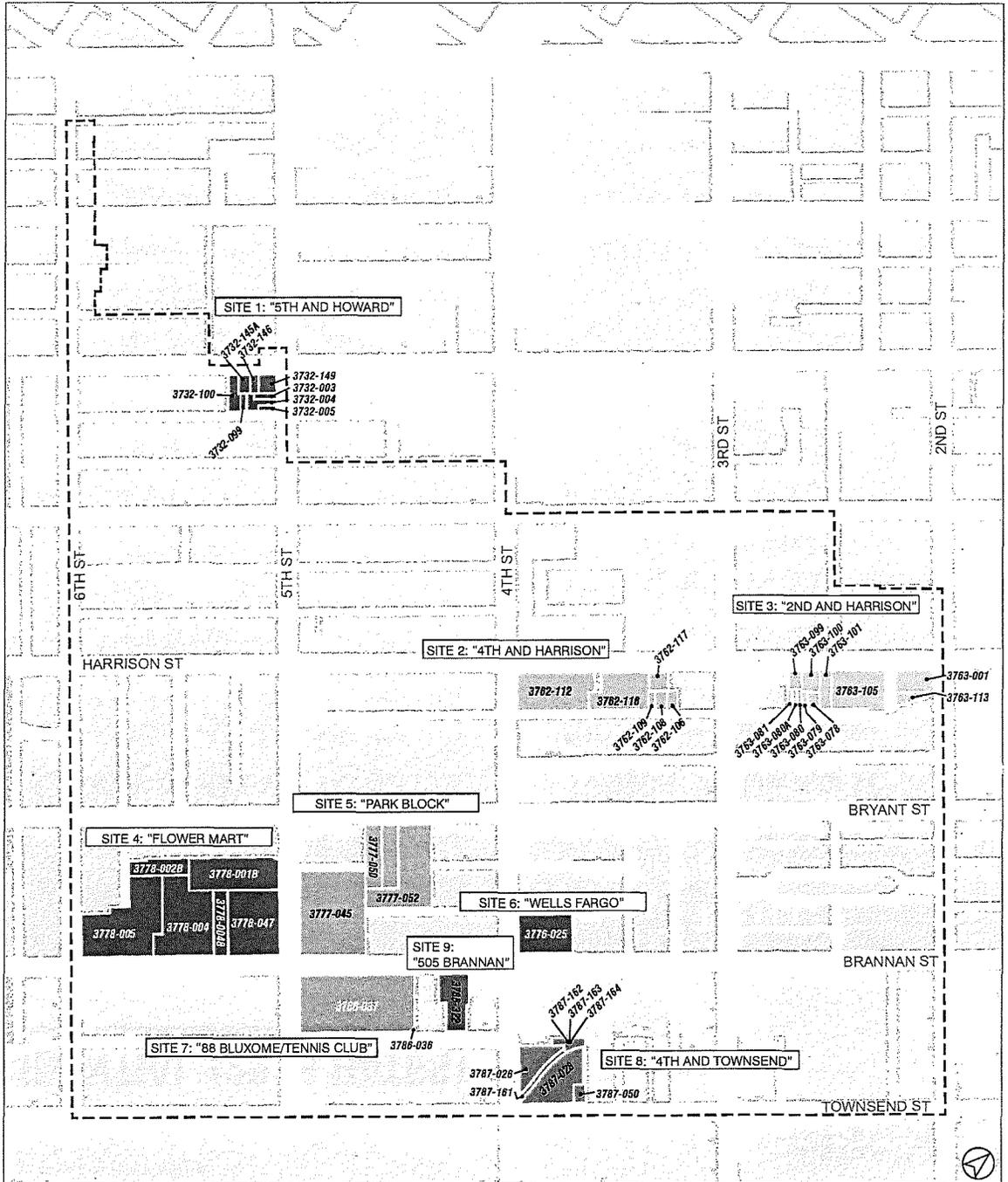
NOTE: Projects must meet all existing requirements (e.g. affordable housing, Eastern Nbhds Fee, etc.)

KEY DEVELOPMENT SITES

PURPOSE

Larger sites where we have crafted more flexible / site-specific zoning in exchange for a greater amount of public benefits, including:

- affordable housing
- parks & recreational facilities
- community facilities
- low-rent / extra PDR
- bike & ped improvements



HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA HSD OVERVIEW

- Enacts California AB73 (Chiu) to create the first Housing Sustainability District in the state

BENEFITS

- Incentivizes & streamlines housing production: Creates 120-day ministerial process
- Incentivizes use of prevailing wage and union labor
- Qualifies SF for 'zoning incentive payments' from State (TBD)

HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA HSD MEETS AB73 REQUIREMENTS

- District must provide 20% BMR units (Central SoMa provides 33%)
- District must have an approved EIR to address environmental impacts
- Projects must provide 10% on-site BMR units
- Projects must meet wage and labor standards
 - » Pay prevailing wages (projects <75 units)
 - » Use skilled and trained workforce (projects 75+ units)

HOUSING SUSTAINABILITY DISTRICT

CENTRAL SOMA LOCAL PROGRAM (Sec. 343)

- Projects that are NOT eligible:
 - » Projects over 160 ft (unless 100% affordable)
 - » Article 10 or 11 properties
 - » Properties containing existing units
 - » Projects with >25,000 GSF of office space

HOUSING SUSTAINABILITY DISTRICT**CENTRAL SOMA LOCAL PROGRAM (Sec. 343)**

- 120-Day Review Process:
 - » Before applying: demonstrate compliance with EIR Mitigation Measures
 - » Design review
 - » Informational hearing at Planning Commission
 - » Progress requirement: once approved, must seek a site/building permit within 36 months of approval, or seek an extension

**PLAN EVOLUTION: 2016
DRAFT THROUGH CPC
ADOPTION**

PLAN EVOLUTION DURING ADOPTION PROCESS

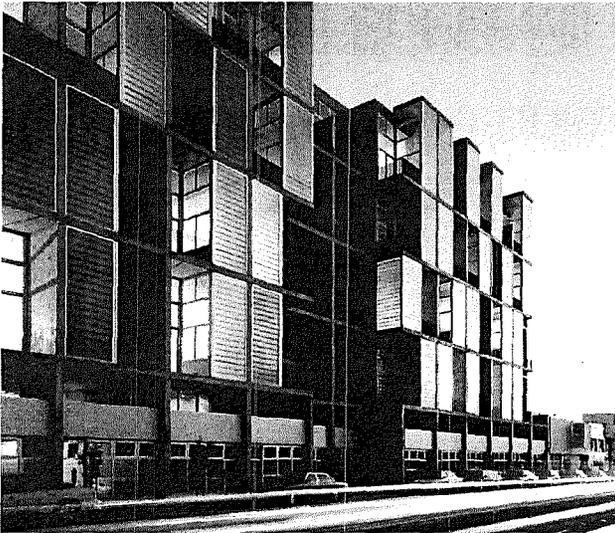
KEY AREAS

- Jobs-Housing Balance
- Public Benefits Package
- Development Requirements

JOBS - HOUSING BALANCE

WHAT WE HEARD

- Maximize housing production, especially affordable units
- Streamline the production process
- Produce / protect affordable housing units upfront through aggressive site acquisition



JOB - HOUSING BALANCE

HOW THE PLAN EVOLVED

- Housing production is now maxed out at the EIR cap (+17%, from 7100 to 8300 units)
- Central SoMa will be the state's 1st Housing Sustainability District (HSD) under AB73
- Some Key Sites are pursuing land dedication for affordable housing
- Continuing to work with MOHCD to leverage City programs:
 - » Acquisition / rehabilitation to stabilize existing units
 - » Securing additional housing locations in the broader SOMA neighborhood

PUBLIC BENEFITS

WHAT WE HEARD

- Maximize affordable housing (also see previous section)
- Provide funding for social/cultural programming (not just facilities)
- Plan for future capital needs at Yerba Buena Gardens
- Fund neighborhood cleaning & maintenance
- Work with SFUSD to support existing schools and plan for future growth
- Support development of Good Jobs (e.g. living wage and/or unionized) for low-income households
- Keep the Prop X Conditional Use for PDR replacement

PUBLIC BENEFITS

HOW THE PLAN EVOLVED

- Increased housing = +230 more affordable units (2900 total)
- Additional \$70 million for public benefits from CFD (see below)
- A Good Jobs goal was added to General Plan amendments

ADDITIONAL FUNDING CATEGORIES

	\$/YR	\$/25 YRS
Social & cultural programming (continue SoMa Stabilization Fund)	\$1,000,000	\$25 million
Park and greenery maintenance and activation	\$600,000	\$15 million
Capital for cultural amenities (e.g. Yerba Buena Gardens)	N/A	\$15 million
Neighborhood cleaning	\$350,000	\$8.75 million
Bessie Carmichael School supplemental services	\$250,000	\$6.25 million
TOTAL		\$70 million

PUBLIC BENEFITS

OTHER TOPICS REQUIRING DISCUSSION

- Eastern Neighborhoods Community Advisory Committee (CAC) & SoMa Stabilization CAC
 - » Because adjusting the CAC will require significant consideration of responsibilities and allocation of funding from projects, this will return to the Planning Commission and the Board as trailing legislation.
- Staff are working with SFUSD to assess future school capacity needs and how growth here and Citywide may be accommodated
- The Good Jobs goal may need to be fleshed out through trailing legislation

PUBLIC BENEFITS**OTHER TOPICS REQUIRING DISCUSSION (CONT.)**

- NOTE: There is no need for a Conditional Use requirement for PDR replacement under Prop X, since PDR replacement is explicitly required.
 - » In addition, any CU requirement applied to housing would make them ineligible for the Housing Sustainability District, affecting ~75% of units impacted (up to 1/2 of total units)

DEVELOPMENT REQUIREMENTS

WHAT WE HAVE HEARD

- Changing financial market has made some projects less feasible, particularly rental housing
- Want greater flexibility / exceptions (e.g. similar to a Planned Unit Development)

DEVELOPMENT REQUIREMENTS

HOW THE PLAN EVOLVED

- Dropped the Mello-Roos Special Tax on rental housing to improve financial feasibility (\$1.75/sq ft)
- NOTE: Kept current zoning structure (no PUD-type exceptions possible)

PLANNING COMMISSION RECOMMENDATIONS

PLANNING COMMISSION RECOMMENDATIONS - 5/10/18 ADOPTION HEARING

- POPOS Design Exceptions
- Passenger & Freight Loading
- TDM Grandfathering
- Active Uses on Ground Floors
- Alternate Uses in PDR Replacement Space

PLANNING COMMISSION RECOMMENDATIONS - 5/10/18 ADOPTION HEARING

- Key Site Guidelines
- Park Fee Waiver for Park at 598 Brannan Street
- Central SoMa Special Tax District
- Public Oversight: Eastern Neighborhoods CAC & SoMa Stabilization CAC
- Other clarifying amendments

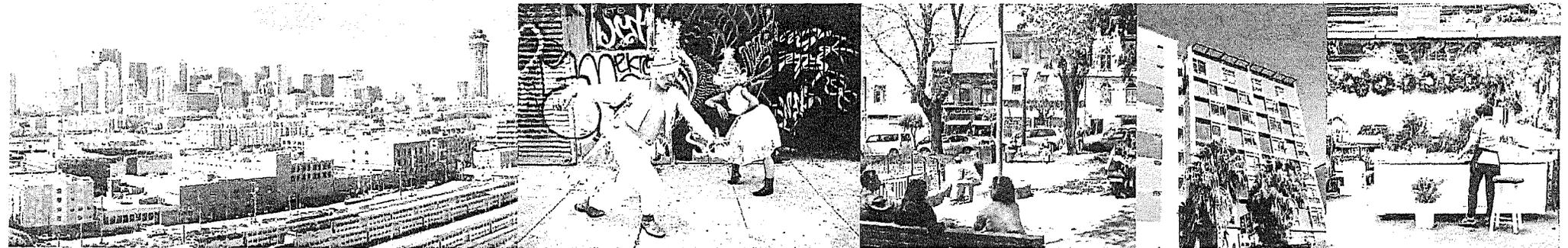
CONCLUSION

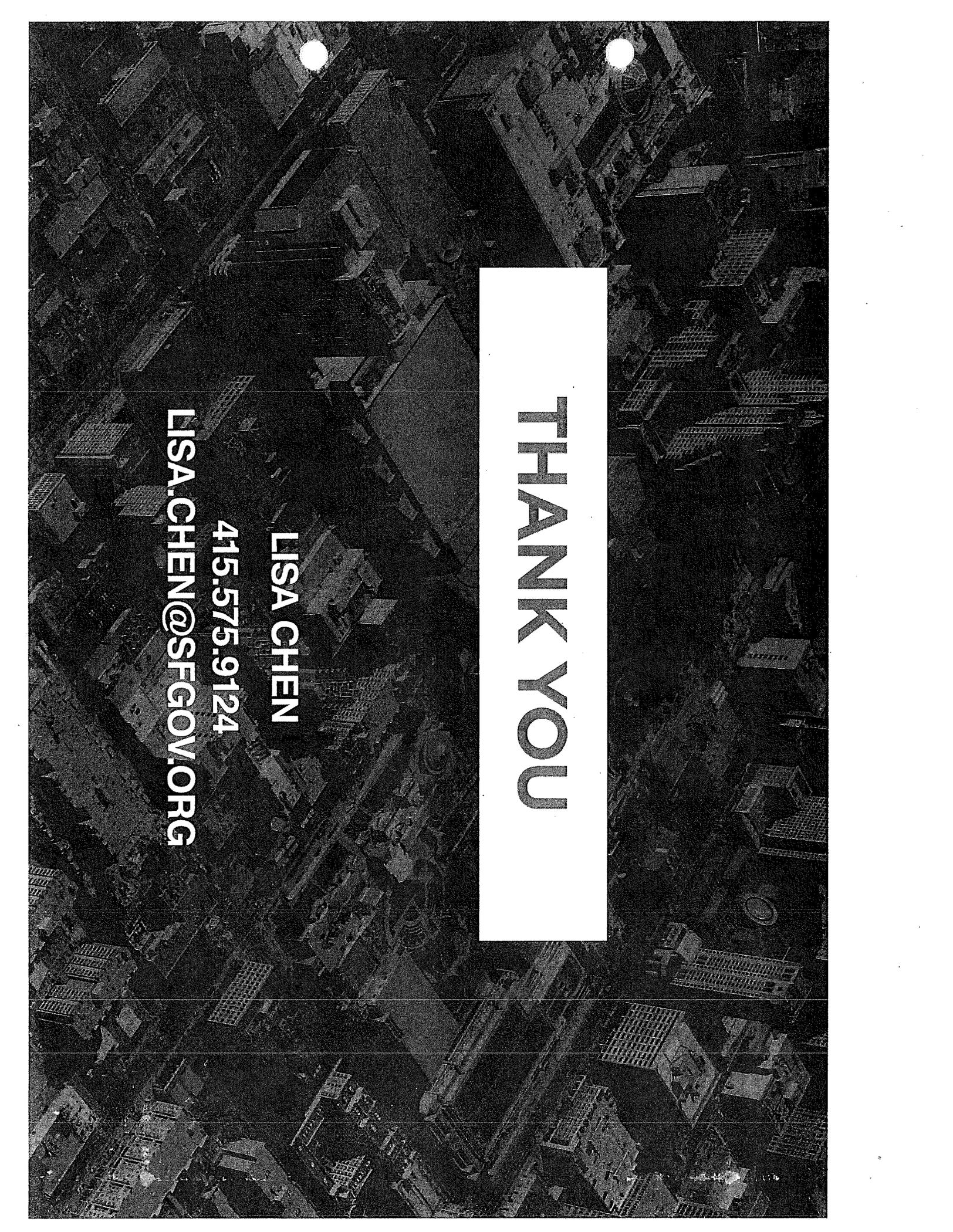
TODAY'S ACTIONS

Hearing to consider:

1. Amendments to the General Plan
2. Amendments to the Zoning Map
3. Approval of the Implementation Program
4. Approval of the Housing Sustainability District (HSD)

Note: Amendments to the Planning Code and Administrative Code were referred on 7/9 from Rules Committee to Land Use & Transportation, to be heard on 7/16.



An aerial, black and white photograph of a dense urban area, likely San Francisco, showing numerous buildings and streets. A white rectangular box is centered horizontally and vertically, containing the text 'THANK YOU' in a bold, sans-serif font. Two circular punch holes are visible at the top edge of the page.

THANK YOU

LISA CHEN

415.575.9124

LISA.CHEN@SFGOV.ORG



SAN FRANCISCO FLOWER MART

180490
180185
180453
180184
180617

SUBMITTED IN COMM
7/16/18

June 29, 2018

Dear President Cohen and Members of the SF Board of Supervisors,

My name is Jeanne Boes, General Manager and Chief Operations Officer of the San Francisco Flower Mart LLC (SFFM). SFFM is the master tenant of the historic wholesale flower market at 6th & Brannan Streets in SoMa. I represent our members/ownership group and our 50+ tenants which make up the San Francisco Flower Mart. I am writing to express our support for the Central SoMa Plan and the Flower Mart Project.

To give you a brief history, the San Francisco Flower Mart has operated in the City of San Francisco since 1912. We were founded by groups of immigrant flower farmers to the Bay Area, Chinese, Italian and Japanese farmers of California cut flowers and plants. We have relocated our market four times over the years in SF, going from selling at the foot of Lotta's Fountain to our current location at 6th and Brannan Streets. These farmers even supported and worked their Japanese neighbors' farms during World War II, when Japanese Americans were relocated to internment camps. We have always stayed together in SF!

We are now at another transition in our life in the City, preparing to relocate to a temporary location at 2000 Marin Street, as our partner Kilroy Realty builds-out the new Flower Mart. We are eternally grateful for the support of both Supervisor Jane Kim, and Supervisor Aaron Peskin. These Supervisors worked tirelessly to assure that the temporary location of the SFFM will be at 2000 Marin Street and not at Piers 19 & 23 on the crowded, busy Embarcadero. This temporary site will assure the viability of our tenants during the buildout of the new Flower Mart at 6th & Brannan Streets.

Here is a snapshot of the SF Flower Mart. We are part of a \$26 billion US Industry; with retail sales in the US totaling \$7,500,000,000. This means we generate hundreds of millions of dollars annually in the City of San Francisco.

We house over 50 small businesses in the market (vendors), 26 of these vendors qualify as "Legacy Businesses" in SF. They are purveyors of cut flowers, potted plants, blooming plants and floral supply products. Products in our market at one time were only from the immediate Bay Area, now flowers come from all over the world. These products are delivered to our marketplace via the aid of the trucking and transportation industry. We are heavily reliant on semi-trucks and box trucks to receive and distribute our products.

In addition to showing our full support for the Plan and the Project, we want to bring attention to couple of very important issues as they relate to the viability of the wholesale flower market, parking and zoning requirements.



SAN FRANCISCO FLOWER MART

We employ over 350 blue-collar workers in the Flower Mart, and most of these workers drive their vehicles to work. They currently park on the surrounding streets and alley ways, with no cost to them. Our business depends on the use of personal vehicles -- vans, and box trucks. We are heavily reliant on transportation; public transportation is not an option for our vendors. In addition to the inaccessibility of public transit during our early morning hours, our vendors often arrive with trucks full of product. We operate during the hours of:

12 am to 3 pm, Monday, Wednesday and Friday

5 am to 3 pm, Tuesday, Thursday and Saturday

Our peak hours of operation run from 5-6 am to 12-1 pm Monday-Friday.

We have over 4,300 registered buyers ("Badgeholders"), most of which are small business owners, who operate in every surrounding county of the Bay Area, including SF. Our customers load their vehicles with the product they purchase at the SFFM and deliver the product back to their businesses via personal vehicles, small trucks, or vans. Currently, our parking lot holds 144 customer cars and trucks and is often double parked to accommodate demand. Our vendors park their box trucks on the streets surrounding the market.

In the New Flower Mart Project we have been promised 150 car spaces and 25 truck parking spaces within the parking garage dedicated to the SFFM -- there is no way we can operate with less than that. In addition to those spaces within the project, we will also need to use the parking and loading spaces proposed on the streets surrounding the market for the early morning and late night hours.

Another issue that has been brought to our attention is the zoning requirement for PDR use to have transparent windows and doors on 60% of the ground floor street frontage. Looking at the current design and customer flow, either the windows would look into the refrigeration units causing temperature variations along with sunlight which would damage the product. Our perishable products need regulated stable environments to maximize shelf life. The other option would have the windows opening into the back-of-house of the vendor's operation, resulting in a lack of privacy and security. This requirement would negatively affect the operations of our vendors in the market.

We urge you to approve the Central SoMa Plan, and the Flower Mart Project, which will allow our vendors to continue to grow and thrive for another 100 years in SF. Please also consider the exceptions for the Flower Mart Project related to the two issues described above.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeanne Boes".

Jeanne Boes
General Manager, Chief Operations Officer
SAN FRANCISCO FLOWER MART LLC

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

The table below identifies issues in the proposed Central SoMa Planning Code amendments ordinance (BOS File No. 180184) that are of particular concern to the proposed Flower Mart Project. Suggested revisions are indicated in red.

Topic	Draft Planning Code Section:	Issue	Suggested Revision
SFFM Proposed Amendments not Addressed by Planning Commission			
Parking	Proposed § 329(e)(3)(B)	<p>The proposed ordinance does not provide an exception from the parking standards for the Key Sites, even though those properties are required to provide large PDR spaces, the future tenants of which are likely to require large amounts of parking.</p> <p>In particular, the success of the replacement Wholesale Flower Market will depend in large part on the provision of adequate parking (as required by KRC’s agreement with the Wholesale Flower Market tenants) to accommodate a high volume of wholesale customers moving large amounts of goods. We propose the addition of an exception that would allow Key Sites to receive an exception to provide additional parking for wholesale /distribution uses.</p>	<p>Proposed § 329(e)(3)(B) should be amended to allow Key Sites to seek an exception from the maximum accessory parking requirements in order to provide sufficient parking for large scale wholesale and distribution uses.</p> <p><i>(B) Exceptions. . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the accessory parking maximums set forth in Section 151.1, such that the Key Site identified in Section 329(e)(2)(F) may provide accessory parking for Wholesale Sales and Distribution uses up to a rate of one car per each 750 square feet of Gross Floor Area.</i></p>
Transparent Fenestration of PDR	Proposed §§ 249.78(c)(1)(E) and 329(e)(3)(B)	<p>The Proposed § 249.78(c)(1)(E) applies the transparency and fenestration requirements of existing Code Section 145.1 to PDR uses.</p> <p>The types of uses that occupy PDR space often involve machinery, noise, and abnormal operating hours, and are not the type of uses enhanced by ground floor transparency—nor are they the kinds of uses for which ground floor windows would enhance the pedestrian environment.</p>	<p>Proposed § 329(e)(3)(B) should be amended to allow Key Sites to seek an exception from the requirement that PDR uses meet the transparency and fenestration requirements contained in § 249.78(c)(1)(E).</p> <p><i>(B) Exceptions. . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the requirement that PDR uses meet the transparency and fenestration requirements established in Section 249.78(c)(1)(E).</i></p>

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 SUDAN (7/20/18)
 IN
 CWM MATHIE

POPOS	Amended § 138; Proposed § 329(e)(3)(B)	<p>Under proposed § 329(e)(3)(B), Key Sites may seek an exception from “the requirement that POPOS be open to the sky established in Section 138(d)(2)(B).” But it is § 138(d)(2)(E)(i) that requires at grade open space to be open to the sky.</p> <p>Proposed § 138(d)(2)(B) requires that projects “on sites of 40,000 square feet or more and located south of Bryant Street shall provide the required open space outdoors and may not pay an in-lieu fee.”</p>	<p>Proposed § 329(e)(3)(B) regarding open space exceptions that should be corrected as follows:</p> <p><i>(B) Exceptions. . . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(BE)(i); or the commercial orientation of large sites established in Section 249.78(c)(6).</i></p>
POPOS & Open Space In-Lieu Fee	Amended § 426	As amended, § 426 states that an in-lieu fee is required for each square foot of POPOS and non-residential open space that is required but not provided.	<p>Amended § 426 should be revised such that an in lieu fee would not be required where a project obtains an exception only from the qualitative standards of the POPOS requirements, but where the project provides the amount of POPOS mandated by the Code. We suggest the following amendment:</p> <p><i>. . . In the CMUO District, the usable open space requirement of Section 135.3 and the POPOS requirement of Section 138 may be satisfied through payment of a fee of \$890 for each square foot of required usable open space not provided. Payment of a fee shall not be required for any square footage of usable open space or POPOS that is provided in the amount required, but for which a variance or exception is granted for design standards otherwise applicable to such open space or POPOS . . .</i></p>
Living and Solar Roofs	Proposed §§ 249.78(d)(3) and 329(e)(3)(B)	Proposed § 249.78(d)(3) requires that Central SoMa buildings that are 160-foot-tall or less provide at least 50% of the roof area as living roof and comply with Building Code Section 5.201.1.2, which sets forth the requirements for solar systems on non-residential buildings.	<p>Proposed § 329(e)(3)(B) should allow for a Key Sites exception from the living roof and solar requirements as long as a comparable amount of required living roof and/or solar system area is provided elsewhere on the property.</p> <p><i>(B) Exceptions. . . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the living and solar roofs requirements established in Section 249.78(d)(3), so long as a comparable amount of required living and/or solar roof area is provided elsewhere on the property.</i></p>

Tower Separation	Proposed §§ 132.4(d)(3) and 329(e)(3)(B)	Proposed § 329(e)(3)(B) states that Key Sites can seek an exception for the tower separation requirements in § 132.4, and Planning staff has advised that Key Sites are not required to meet the 4 criteria listed in proposed § 132.4(d)(3) in order to obtain this exception. However, this should be clarified in the Code language.	Proposed § 132.4(d)(3) should be amended to clarify that Key Sites can obtain an exception from the tower separation requirements without meeting the four criteria set forth in proposed § 132.4(d)(3)(B): <i><u>Through the procedures of Section 329, the Planning Commission may reduce the separation required under subsection (A) if it finds that a Tower project meets all of the following criteria. Key Sites, as identified in § 329(e)(2), are not required to comply with the following criteria in order to obtain a reduction of the Building Separation requirements set forth in subsection (A), as the Key Sites are eligible for a general exception from the Building Separation requirements pursuant to § 329(e)(3)(B).</u></i>
Key Sites Exceptions, Generally	Proposed § 329(d)(12)	The proposed language eliminates the ability of Central SoMa SUD projects to seek the PUD exceptions under § 304, which are currently available to LPA projects pursuant to existing § 329(d)(12). The Central SoMa Plan requires or encourages a mix of PDR, office, retail, and residential in a relatively dense environment, all while striving for a dense, walkable, and transit-oriented neighborhood. Some measure of flexibility in applying prescriptive Code standards is necessary in order to facilitate building typologies and mixes of uses that are relatively novel.	Revise amended § 329(d)(12) to allow Key Sites projects to seek PUD-type exceptions (as set forth in § 304) via an LPA: Where not specified elsewhere in this Ssubsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, <i><u>except that such modifications shall not be permitted for non-Key Sites projects in the Central SoMa Special Use District. Those projects on Key Sites, as identified in subsection (e) below, may obtain exceptions from those Code requirements that could be otherwise be modified as a Planned Unit Development.</u></i>



SPUR

San Francisco | San Jose | Oakland

July 6, 2018

Land Use & Transportation Committee
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: July 9, 2018 Agenda Items Nos. 6, 7 & 8
Central SoMa Plan Amendments to the General Plan, Planning Code and Zoning Maps
(Board File Nos. 180490, 180185, 180453)

Dear Supervisors Tang, Kim and Safaí:

Thank you for the opportunity to weigh in with SPUR's support for the Central SoMa Plan. SPUR is very pleased to see that the approval of the Central SoMa Plan and its implementing actions are finally before you. We urge you to approve this ambitious plan as quickly as possible. The city has been working with the community for several years to get this Plan completed, and it is time to get it across the finish line.

Why should the Central SoMa Plan be approved? What do we see are its merits?

1. **Central SoMa is the right location for jobs:** Central SoMa is an area that is key to San Francisco and to the region. It lies adjacent to the Financial District, an existing dense jobs center, and it holds the most links to regional transportation infrastructure. Downtown San Francisco is the area in the region with the lowest rate of driving to work and one of the few places within the region where people can and do commute by public transportation.

This is therefore the right place — from an environmental standpoint, a jobs agglomeration standpoint and others — for accommodating a significant amount of growth for both jobs and housing, but particularly for the 40,000 jobs this Plan contemplates.

2. **The Central SoMa Plan helps to address the housing shortage and the affordability crisis:** With recent amendments, this plan now accommodates 8,300 homes, which is an increase from what was originally planned. Additionally, the housing sustainability district, which uses David Chiu's AB 73 from last year, will help expedite the production of these units which have already been considered through this planning process.

We would also support future efforts to add housing in the Central SoMa Plan and elsewhere in San Francisco and the region without coming at the expense of jobs in regional-transit locations.

- 3. The Central SoMa Plan provides for unprecedented public benefits:** The growth accommodated by this Plan is expected to one day fund up to \$2 billion in public benefits towards affordable housing, transportation, open space, sustainability and many other needs for the city and this neighborhood. These benefits will be transformative...once the Plan is approved and once that development moves forward. But we have been waiting for the plan's completion for long enough. In the meantime, the economy has been shifting, construction costs have been rising and the feasibility of development moving forward is now shakier than it was a few years ago.

In that spirit, now is better than later. Displacement of both residents and businesses from San Francisco is happening in part because there is more competition for homes and office space. Quote unquote "normal" office jobs for nonprofits, engineering and architecture firms and other businesses are being shifted to downtown Oakland in the best case, but also to more suburban locations or other regions, because of the increased cost to lease office space in San Francisco.

The Central SoMa Plan is a thoughtful and ambitious plan to improve the neighborhood for residents, workers and visitors. It will increase housing opportunities, provide significant affordability, expand green space, transform the experience of being on the street, maintain a vital mix of uses, allow a diverse mix of businesses to remain in San Francisco and more. SPUR urges you to support this Plan as quickly as possible in order to set in motion the processes that will bring these benefits to Central SoMa, San Francisco and the region.

Thank you for your consideration. Let me know if you have any questions.

Res:



Kristy Wang
Community Planning Policy Director

cc: SPUR Board of Directors
Mayor Mark Farrell and staff
Supervisor London Breed and staff
John Rahaim, Lisa Chen / Planning Department

180185

From: Kaushik Roy <kaushik234@hotmail.com>
Sent: Friday, June 22, 2018 7:52 PM
To: Major, Erica (BOS)
Subject: Please stop the high-rise at the Xing of 4th St and Townsend St

Dear Erica,

I am a resident at a nearby residential complex (The Beacon, 260 King St). Learnt that there is a proposal to build a high-rise at the intersection of 4th St and Townsend St. Please think about it for a second - this place is already overcrowded and resources (roads, parking, people, transportation) are already stressed. Adding another high-rise would add more stress to the system and resources. Furthermore, it would look ugly and it will be unhealthy. The little sunlight that I get will be gone.

How would you feel if you were in my shoes? Please stop the construction of the high-rise.

Thank you very much.

Kaushik Roy
260 King St #1401
San Francisco CA 94107

180184

180185

180490



T 510.836.4200
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410 12th Street, Suite 250
Oakland, Ca 94607

www.lozeaudrury.com
richard@lozeaudrury.com

June 26, 2018

Via E-mail and First Class Mail

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
Board.of.Supervisors@sfgov.org

Re: Central SOMA Neighbors and SFBlu Objection to Designating the One Vassar Project as a Key Development Site in Central SOMA Plan

Dear Supervisors,

I am writing on behalf of the Central SoMa Neighbors (“CSN”) and SFBlu to object to the proposal to designate the One Vassar Project, located at 400 2nd Street, as a “key development site” pursuant to the Central SOMA Plan. The purpose of designating key development sites in the Central SOMA Plan is to “maximize public benefits” at certain large underutilized lot areas within the Plan area and to “ensure that their development directly *delivers* critical public benefits.” Central SOMA Plan and Implementation Strategy, Part II, Draft Key Development Site Guidelines, p. 170 (emphasis added). Key sites that are included in the final Central SOMA Plan would be subjected to a streamlined approval process in exchange for delivering critical public benefits. CSN and SFBlu oppose the inclusion of the One Vassar Project as a key development site in the Central SOMA Plan because rather than delivering public benefits, the One Vassar Project, as currently proposed, will adversely affect the 2nd and Harrison area.

First, CSN and SFBlu do not believe the potential public benefits cited in the Implementation Strategy are likely to come to fruition. No commitments have been forthcoming from the developer of the site. The excessive height limits proposed for this Project are not necessary to secure potential public benefits from this site. Indeed, CSN and SFBlu do not believe there is any public benefit in constructing a large hotel at this site. Numerous other hotel projects already are underway or will be spurred on by the Central SOMA Plan in other more appropriate locations. Accelerating the approval of this controversial Project will lessen the likelihood that public pressure would be brought to bear to ensure any heightened public benefits from the Project.

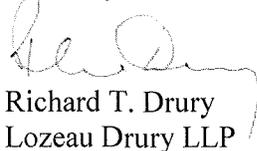
Second, rather than provide public benefits to the area around 2nd Street and Harrison Street, the One Vassar Project and its 4,000 plus commercial and residential occupants will

overwhelm the surrounding neighborhood and degrade the quality of life of existing residents. CSN and SFBlu are concerned that the number of occupants envisioned by this Project in this location is out of balance with the surrounding area. In order to restore consistency in this portion of the Central SOMA Plan, the One Vassar Project parcel should be limited to a maximum height of 130-feet. CSN and SFBlu believe that height limit would better balance the number of commuters and visitors accessing the Project, be more in keeping with adjacent projects, and ensure that the Project provides public benefits rather than disproportionately overwhelm public transit and the local neighborhood.

Third, it is CSN's and SFBlu's understanding that the One Vassar project does not intend to further a clear public benefit of ensuring good jobs in either the construction or operation of the Project. CSN and SFBlu are extremely concerned that identifying this site at this planning stage for special treatment as a key development site is premature. It is our understanding that the Planning Commission has endorsed the preparation of Community Good Jobs Employment Plans ("Good Jobs Plans") for any non-residential development over 25,000 square-feet. *See, e.g.* <https://hoodline.com/2018/05/planning-commission-unanimously-approves-central-soma-plan>. These Good Job Plans would be subject to public review and comment prior to a project being considered for approval by the Planning Department. The Good Jobs Plan would provide details of a project's strategy for providing permanent jobs for SOMA residents paying good living wages and benefits. The plan would also explain how a project planned to engage with the local, concerned community and other civic and labor organizations. Prior to identifying this site as a key development site, the City should require the One Vassar Project to prepare a Good Jobs Plan in order to identify and lock in actual public benefits to the community of this oversized development proposal, not merely the potential for such benefits.

Given the current likelihood that the One Vassar Project, as currently designed and envisioned will more likely bestow significant burdens rather than benefits on this portion of Central SOMA, CSN and SFBlu respectfully request that the Board of Supervisors remove this site from the list of key development sites currently proposed in the Central SOMA Plan.

Sincerely,



Richard T. Drury
Lozeau Drury LLP

on behalf of Central SoMa Neighbors and SFBlu

RE: Land Use And Transportation Committee

File Nos. 180185 and 180490

I received a notice of public hearing from the Clerk of the Board of Supervisors. My name is spelled Paul Tieck, not Paul Tiger.

The area being discussed at the July 9 public hearing is within walking distance of the Caltrain station. This area should not have any height limit at all. Securing a permit to build any kind of structure should not take three years. This is more than twice the 16 months it took to build the Empire State Building. The hundreds of pages of obstruction for the sake of obstruction that is cluttering the planning code needs to be replaced with an easy – to – understand set of incentives and guidelines for getting quick approval of a development project.

The minimum requirements for securing a building permit should be proof of liability insurance,

an engineering plan for making sure that the foundation of the proposed new building will stay in one place

a way has been figured out to prevent damage to the foundations of neighboring structures during construction of the project,

having a licensed contractor lined up to carry out the proposed project,

showing in writing that a plan for managing traffic around the construction site has been agreed upon.

BOARD OF SUPERVISORS
SAN FRANCISCO

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BY 

If half or more of the area of a proposed new project is set aside for long – term residential use, it should get priority of review over other projects that will have less than half of the area set aside for residential use.

Any residential project that

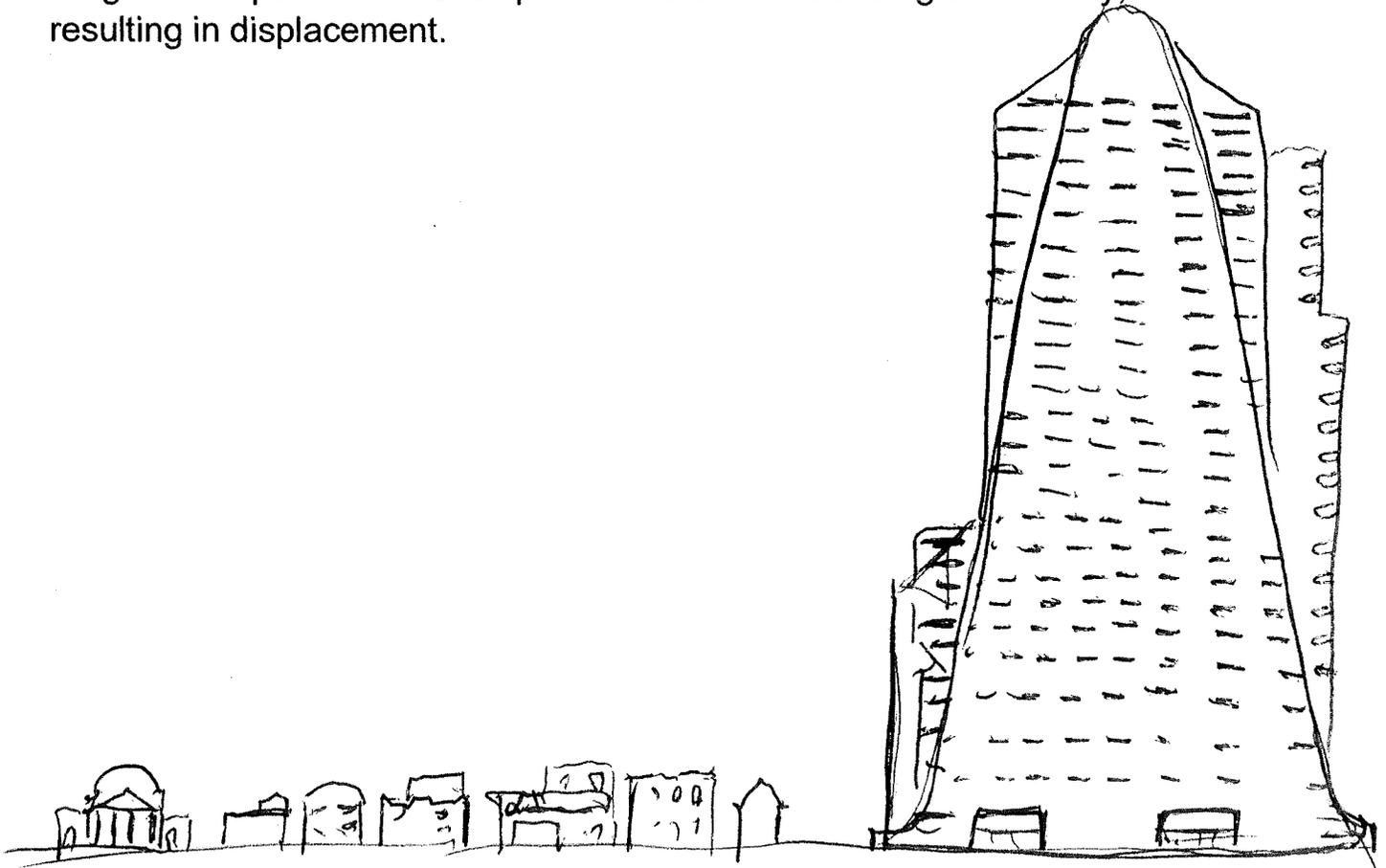
meets the minimum requirements for a building permit as outlined above,
is located within a third of a mile of a major transit hub { like Caltrain },
comes with a plan in writing to provide affordable replacement housing for
any people currently living on the site,
and comes with a written agreement to set aside at least 15% of the new
units as affordable to people within the surrounding neighborhood earning
less than half of the median income for the area

should be given over – the – counter approval.

A residential unit that has someone living in it should be taxed at a lower rate than a vacant residential unit, or any space that is not used for residential purposes.



Height limits push new development into the surrounding community, resulting in displacement.



Stacking new housing units dozens of stories high results in much less community displacement. When a big highrise residential structure is completed, it will have hundreds of empty units in it. There will be empty housing units on the market. The new highrise will create **vacuum** in the housing market.

Paul Troch 1/7/2013 [PG 31]

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 proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, July 9, 2018

Time: 1:30 p.m.

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

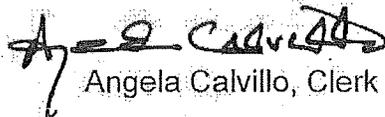
Subjects: **File No. 180185.** Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 180490. Ordinance amending the General Plan by adding the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street; making conforming amendments to the Commerce and Industry Element, the Housing Element, the Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Paul Tiger
370 Turk St. #159
San Francisco, CA 94102

Land Use and Transportation Committee
File Nos. 180185 and 180490
June 28, 2018
Page 2

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters 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 these matters, 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 these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, July 6, 2018.



Angela Calvillo, Clerk of the Board

DATED/PUBLISHED/MAILED/POSTED: June 28, 2018

180185

REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin
dfrattin@reubenlaw.com

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2018 JUN -4, PM 2:59
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June 1, 2018

Delivered Via Email and U.S. Mail

President London Breed
San Francisco Board of Supervisors
London.Breed@sfgov.org
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

**Re: Central SoMa Zoning Amendments
BOS File No. 180185
Flower Mart Project**

Dear President Breed and Supervisors:

We are writing on behalf of Kilroy Realty Corporation (“KRC”), which proposes to build a new long-term home for the Wholesale Flower Market as part of a mixed-use anchor development in the Central SoMa Plan Area. Throughout the lengthy process of drafting the Central SoMa Plan (the “Plan”), KRC has worked in close consultation with Planning Department staff to design a project that promotes the Plan’s objectives. While we strongly support passage of the Plan, and encourage the Board of Supervisors to incorporate the modifications recommended by the Planning Commission on May 10, the zoning amendments (“Zoning Legislation”) require further changes to allow the Flower Mart project to fulfill its objectives and create a new state-of-the-art Wholesale Flower Market that will be leased at below-market rates.

Suggested redline modifications are attached to this letter, the incorporation of which would address the following concerns that were not addressed by the Planning Commission in its May 10 recommendations:

- **As written, the Code does not allow enough accessory parking to fulfill KRC’s legally binding commitments to the Wholesale Flower Market.** Kilroy is bound by an agreement with the Wholesale Flower Market tenants and management to provide 25 truck parking and 150 vehicle parking spaces. However, the Zoning Legislation allows for a maximum of 69 accessory parking spaces for the Wholesale Flower Market use. The success of the replacement Wholesale Flower Market depends on the provision

of adequate parking to accommodate a high volume of wholesale customers. It is crucial that the Zoning Legislation include a Key Sites exception that would allow additional accessory parking for wholesale/distribution uses on the Flower Mart site.

- **Prohibiting sufficient accessory parking will subject the Wholesale Flower Market to costly Mello-Roos taxes.** The proposed Central SoMa Mello-Roos District exempts accessory parking from special taxes. If an exception is not available to provide additional accessory parking for the Wholesale Flower Market, KRC would have to seek conditional use approval for a “parking garage” that would be subject to special taxes. This runs contrary to the Plan goal of providing a functional and successful replacement Flower Market and unfairly taxes the subsidized space KRC is providing to the Flower Market tenants.
- **Ground-floor transparency requirements conflict with the operational needs of the Wholesale Flower Market.** The Zoning Legislation requires 60 percent of the ground-floor street frontage of PDR uses to have transparent windows and doors that allow views into the interior of buildings. However, many PDR uses involve machinery, noise, late operating hours, or have other operational characteristics and needs that may not be compatible with ground-floor transparency requirements.

As applied to the Wholesale Flower Market, required ground-floor transparency along 5th Street would conflict with the operational needs of the Wholesale Flower Market. Vendor stalls have traditionally been oriented to the interior and layout needs may change over time. Requiring open and unobstructed windows along 5th Street will preclude the flexible use of the Wholesale Flower Market space, and will prevent the Wholesale Flower Market vendors from using the east end of the building for functions that may include storage, refrigeration equipment, and internally-oriented display structures. The Zoning Legislation should be amended to allow exceptions from PDR transparency requirements.

- **For clarity, the Board should correct a cross-reference to the Key-Sites exception allowing exceptions from the requirement for POPOS to be open to the sky.** The Flower Mart site is constrained by the need to provide a 115,000-square-foot, single-story replacement building for the Wholesale Flower Market, along with new vehicular through access on the block. To accommodate these features and required POPOS, portions of upper floors cantilever over approximately 25 percent of the Flower Mart POPOS. The ordinance provides for a Key Sites exception for “the requirement that POPOS be open to the sky established in Section 138(d)(2)(B).” However, the cross-referenced section does not refer to the open-sky requirement and should be revised to reference Section 138(d)(2)(E)(i).
- **In-lieu POPOS fee should not be charged where exceptions from design standards are granted.** As amended, Section 426 states that an in-lieu fee of \$890 is required for each square foot of POPOS and non-residential open space that is required but not

provided. This section should be amended to clarify that the in-lieu fee only applies when open space is not provided at all, i.e., that no fee is due where the requisite amount of open space is provided but exceptions are granted from design standards like the openness-to-the-sky requirement above.

- **Living and solar roofs requirements should allow Key Sites flexibility to maximize usable rooftop open space while furthering the intent of the requirements.** Proposed Section 249.78(d)(3) requires that nonresidential buildings 160 feet or less provide at least 50% of the roof area as living roof and/or solar energy systems. In order to allow projects to maximize usable outdoor open spaces, the Zoning Legislation should allow these features to be located on taller buildings on the site, so long as a comparable amount of living roof area is provided.
- **The criteria for Key Sites tower separation should be revised for clarity.** The Zoning Legislation is intended to grant the Planning Commission broader discretion to grant exceptions for tower separation on Key Sites than on other sites. However, the draft code section establishing the criteria for tower separation exceptions does not make clear the distinction between non-Key Sites and Key Sites. The Zoning Legislation should be revised for clarity.
- **Central SoMa Key Sites should be able to seek the Planned Unit Development exceptions currently available to Eastern Neighborhoods projects through the LPA process.** The Central SoMa Plan encourages building typologies and mixes of uses that are relatively novel—requiring or incentivizing a mix of PDR, office, retail, and residential in a relatively dense environment, all while striving for a dense, walkable, and transit-oriented neighborhood. However, the Zoning Legislation includes highly prescriptive design requirements, and strikes a longstanding provision that allows the Planning Commission discretion to grant case-by-case exceptions beyond a limited number of specifically listed exceptions. In practice, this will constrain architectural responses to neighborhood context and the needs of specialized tenants. Continuing the Planning Code’s allowance for PUD-type exceptions will facilitate designs that are high-quality, functional for tenants, and marketable.

In closing, we respectfully urge you to amend the Zoning Legislation as outlined above and encourage you to support the changes recommended by the Planning Commission, particularly the following that are critical to the Flower Market Project:

- 1) Clarification that Key Sites projects may seek the exceptions generally available to projects obtaining an LPA under the existing Section 329(d).
- 2) Amendment that would require projects that filed applications before September 4, 2016, to meet 75% of the otherwise applicable TDM target. Though this amendment should clarify that the 75% grandfathering that applies to any project

that submitted an Environmental Evaluation Application before September 4, 2016.

- 3) Elimination of the requirement for retail uses to provide POPOS.
- 4) Addition of a subsection in Section 329(d) enabling exceptions for the freight loading requirements set forth in Sections 154 and 155.
- 5) Addition of a subsection in Section 329(d) enabling exceptions from the wind control requirements set forth in Section 249.78(d)(7).

Thank you for your consideration and attention to these concerns.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Daniel A. Frattin

cc: Supervisor Cohen (Malia.Cohen@sfgov.org)
Supervisor Stefani (Catherine.Stefani@sfgov.org)
Supervisor Fewer (Sandra.Fewer@sfgov.org)
Supervisor Peskin (Aaron.Peskin@sfgov.org)
Supervisor Ronen (Hillary.Ronen@sfgov.org)
Supervisor Safai (Ahsha.Safai@sfgov.org)
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Lisa Chen, Planning Department (Lisa.Chen@sfgov.org)
Sarah Dennis-Phillips, OEWD (Sarah.Dennis-Phillips@sfgov.org)
Bobbi Lopez, Legislative Aide to Supervisor Kim (Barbara.Lopez@sfgov.org)
Erica Major, Clerk, Land Use Committee (erica.major@sfgov.org)
Mike Grisso, Project Sponsor (MGrisso@kilroyrealty.com)
Alexandra Stoelzle, Project Sponsor (AStoelzle@kilroyrealty.com)

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

The table below identifies issues in the proposed Central SoMa Planning Code amendments ordinance (BOS File No. 180184) that are of particular concern to the proposed Flower Mart Project. **Suggested revisions are indicated in red.**

Topic	Draft Planning Code Section:	Issue	Suggested Revision
SFFM Proposed Amendments not Addressed by Planning Commission			
Parking	Proposed § 329(e)(3)(B)	<p>The proposed ordinance does not provide an exception from the parking standards for the Key Sites, even though those properties are required to provide large PDR spaces, the future tenants of which are likely to require large amounts of parking.</p> <p>In particular, the success of the replacement Wholesale Flower Market will depend in large part on the provision of adequate parking (as required by KRC’s agreement with the Wholesale Flower Market tenants) to accommodate a high volume of wholesale customers moving large amounts of goods. We propose the addition of an exception that would allow Key Sites to receive an exception to provide additional parking for wholesale /distribution uses.</p>	<p>Proposed § 329(e)(3)(B) should be amended to allow Key Sites to seek an exception from the maximum accessory parking requirements in order to provide sufficient parking for large scale wholesale and distribution uses.</p> <p><i>(B) Exceptions. . . . <u>the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the accessory parking maximums set forth in Section 151.1, such that Key Sites may provide accessory parking for Wholesale Sales and Distribution uses up to a rate of one car per each 750 square feet of Gross Floor Area.</u></i></p>
Transparent Fenestration of PDR	Proposed §§ 249.78(c)(1)(E) and 329(e)(3)(B)	<p>The Proposed § 249.78(c)(1)(E) applies the transparency and fenestration requirements of existing Code Section 145.1 to PDR uses.</p> <p>The types of uses that occupy PDR space often involve machinery, noise, and abnormal operating hours, and are not the type of uses enhanced by ground floor transparency—nor are they the kinds of uses for which ground floor windows would enhance the pedestrian environment.</p>	<p>Proposed § 329(e)(3)(B) should be amended to allow Key Sites to seek an exception from the requirement that PDR uses meet the transparency and fenestration requirements contained in § 249.78(c)(1)(E).</p> <p><i>(B) Exceptions. . . . <u>the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the requirement that PDR uses meet the transparency and fenestration requirements established in Section 249.78(c)(1)(E).</u></i></p>

POPOS	Amended § 138; Proposed § 329(e)(3)(B)	<p>Under proposed § 329(e)(3)(B), Key Sites may seek an exception from “the requirement that POPOS be open to the sky established in Section 138(d)(2)(B).” But it is § 138(d)(2)(E)(i) that requires at grade open space to be open to the sky.</p> <p>Proposed § 138(d)(2)(B) requires that projects “on sites of 40,000 square feet or more and located south of Bryant Street shall provide the required open space outdoors and may not pay an in-lieu fee.”</p>	<p>Proposed § 329(e)(3)(B) regarding open space exceptions that should be corrected as follows:</p> <p><i>(B) Exceptions. . . . <u>the requirement that POPOS be open to the sky established in Section 138(d)(2)(BE)(i); or the commercial orientation of large sites established in Section 249.78(c)(6).</u></i></p>
POPOS & Open Space In-Lieu Fee	Amended § 426	As amended, § 426 states that an in-lieu fee is required for each square foot of POPOS and non-residential open space that is required but not provided.	<p>Amended § 426 should be revised such that an in lieu fee would not be required where a project obtains an exception only from the qualitative standards of the POPOS requirements, but where the project provides the amount of POPOS mandated by the Code. We suggest the following amendment:</p> <p><i>. . . In the CMUO District, the usable open space requirement of Section 135.3 and the POPOS requirement of Section 138 may be satisfied through payment of a fee of \$890 for each square foot of required usable open space not provided. <u>Payment of a fee shall not be required for any square footage of usable open space or POPOS that is provided in the amount required, but for which a variance or exception is granted for design standards otherwise applicable to such open space or POPOS . . .</u></i></p>
Living and Solar Roofs	Proposed §§ 249.78(d)(3) and 329(e)(3)(B)	Proposed § 249.78(d)(3) requires that Central SoMa buildings that are 160-feet-tall or less provide at least 50% of the roof area as living roof and comply with Building Code Section 5.201.1.2, which sets forth the requirements for solar systems on non-residential buildings.	<p>Proposed § 329(e)(3)(B) should allow for a Key Sites exception from the living roof and solar requirements as long as a comparable amount of required living roof and/or solar system area is provided elsewhere on the property.</p> <p><i>(B) Exceptions. . . . <u>the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the living and solar roofs requirements established in Section 249.78(d)(3), so long as a comparable amount of required living and/or solar roof area is provided elsewhere on the property.</u></i></p>

Tower Separation	Proposed §§ 132.4(d)(3) and 329(e)(3)(B)	Proposed § 329(e)(3)(B) states that Key Sites can seek an exception for the tower separation requirements in § 132.4, and Planning staff has advised that Key Sites are not required to meet the 4 criteria listed in proposed § 132.4(d)(3) in order to obtain this exception. However, this should be clarified in the Code language.	Proposed § 132.4(d)(3) should be amended to clarify that Key Sites can obtain an exception from the tower separation requirements without meeting the four criteria set forth in proposed § 132.4(d)(3)(B): <i>Through the procedures of Section 329, the Planning Commission may reduce the separation required under subsection (A) if it finds that a Tower project meets all of the following criteria. <u>Key Sites, as identified in § 329(e)(2), are not required to comply with the following criteria in order to obtain a reduction of the Building Separation requirements set forth in subsection (A), as the Key Sites are eligible for a general exception from the Building Separation requirements pursuant to § 329(e)(3)(B).</u></i>
Key Sites Exceptions, Generally	Proposed § 329(d)(12)	The proposed language eliminates the ability of Central SoMa SUD projects to seek the PUD exceptions under § 304, which are currently available to LPA projects pursuant to existing § 329(d)(12). The Central SoMa Plan requires or encourages a mix of PDR, office, retail, and residential in a relatively dense environment, all while striving for a dense, walkable, and transit-oriented neighborhood. Some measure of flexibility in applying prescriptive Code standards is necessary in order to facilitate building typologies and mixes of uses that are relatively novel.	Revise amended § 329(d)(12) to allow Key Sites projects to seek PUD-type exceptions (as set forth in § 304) via an LPA: Where not specified elsewhere in this S subsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, <i>except that such modifications shall not be permitted for non-Key Sites projects in the Central SoMa Special Use District. <u>Those projects on Key Sites, as identified in subsection (e) below, may obtain exceptions from those Code requirements that could be otherwise be modified as a Planned Unit Development.</u></i>

180185

REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin
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June 8, 2018

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1 Dr. Carlton B. Goodlett Place, Room
244 San Francisco, Ca 94102-4689

**Re: Central SoMa Zoning Amendments
816 Folsom – citizenM**

Dear President Breed and Supervisors:

We are writing on behalf of citizenM, which owns the property at 816 Folsom Street (“Property”), between 4th and 5th Streets. CitizenM proposes to demolish the existing commercial building at the Property and construct a 180-foot-tall, 18-story hotel with 208 guestrooms (the “Project”). The Central SoMa Plan permits heights up to 180 feet on the Property; however, numerous and complex design regulations result in a substantial loss of development potential and drive up construction costs. At 816 Folsom, the net result is to reduce hotel room count by 33 rooms and add a 15% cost premium over the design that might be allowed with minor exceptions. On other small residential sites which are critical to achieving housing goals within the Plan Area, these same regulations will increase the cost of building new housing, while diminishing the amount that can be built.

Minor exceptions from Planning Code restrictions have traditionally been available through the Large Project Authorization (“LPA”), which gives the Planning Commission discretion to grant reasonable exceptions that improve design in response to unique site constraints or conditions on neighboring properties. The proposed ordinance to implement the Central SoMa Plan (the “Ordinance”) would eliminate this flexibility. Relying on the Plan itself, property owners have been operating under the understanding that MUO zoning controls—with the usual exceptions—would apply to their parcels. **Until March of this year, there was no indication that many of the exceptions available in the MUO District would be eliminated, along with the flexibility that is crucial for the development of small sites within the Plan area.**

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While we strongly support passage of the Plan, there are still specific aspects of the legislation that should be amended to allow greater design flexibility. Suggested redline modifications are attached to this letter, the incorporation of which would address the following issues:

- **The PUD-type exceptions traditionally available to Eastern Neighborhoods projects should be allowed in Central SoMa.** The proposed Code language eliminates Planning Commission's discretion to grant PUD-type exceptions through the LPA process. These exceptions have been available for nearly ten years since the Eastern Neighborhoods Plan was adopted and have been exercised judiciously by the Planning Commission. Taking away this flexibility will be a substantial impediment to small sites, and in the case of housing projects, will likely result in decreased density and higher costs.
- **Elimination of PUD-type exceptions is contrary to the reasonable expectations of property owners that relied on the Central SoMa Plan documents.** The Plan released in 2016 established that a number of WS MUG properties, including 816 Folsom, would be rezoned to MUO. Not until the Planning Department released a draft zoning package in March 2018 did it become clear that CMUO zoning would apply instead, and that PUD-type exceptions would not be available as they are in the MUO District. Given the number of highly prescriptive design standards the Ordinance imposes, the elimination of this key tool for flexibility came as a surprise and diminishes the feasibility of development on a number of sites.
- **Tower setback requirements would drastically limit development potential on small lots.** Proposed Section 132.4(d) mandates a 15-foot setback for towers above 85 feet. On a small lot like 816 Folsom, a 15-foot setback would limit the maximum floorplate size to only 3,500 square feet, resulting in substandard room sizes. (See massing diagrams attached at **Exhibit A**.) It may also be beneficial in some instances to reduce setbacks on one side to benefit adjoining neighbors and regain lost area on another side where neighbors would not be impacted. The Ordinance should allow exceptions: minor changes may benefit neighboring properties and make it possible to realize additional density, while still achieving the design intent of the setback requirements.
- **The skyplane requirements are not clearly drafted and, depending on their interpretation, could seriously impede the development of smaller projects.** Like the setback requirements, the skyplane requirements are overly burdensome for small sites. At 816 Folsom, which is only 80 feet deep and 100 feet wide, an 80% apparent mass reduction applies to the non-tower portion of the building, i.e. the portion below 85 feet. It is unclear how this can be implemented consistent with the street wall articulation requirement or while allowing construction of a tower above. Before they are written into the Code, the impact of these controls should be clearly explained to decision-makers and the Code language should be carefully vetted for clarity. Exceptions from these complex requirements should be available for all sites.

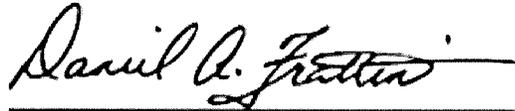
- **Streetwall and tower setback requirements applied in tandem cause building misalignment and increase construction costs on small lots.** The Ordinance requires that buildings be built to the property line up to 65 feet and that towers include a 15-foot setback above 85 feet. On some sites, these requirements result in misalignment of the building interior between the tower and podium and would necessitate a transfer of the risers and possibly the structure. This has two consequences for buildings. First, the more complex structural requirements will increase construction costs, which have dramatically increased in the last several years. Second, transferring risers and structures may take up additional space in the building, i.e. increasing height to accommodate non-habitable space. (See section diagram at **Exhibit B**.) Combined with height limits, this may cause some buildings to lose a habitable floor of development.
- **Payment of in lieu fee for non-residential open space and POPOS should not require a variance.** Section 329 does not allow for an exception from non-residential open space or POPOS requirements. The Ordinance provides for an in-lieu fee to fund large-scale community-serving open space. But paying the fee would first require these non-residential projects to obtain a variance, which requires a demonstration of hardship. This can be difficult to justify for new construction. If the City prefers open space fees to small POPOS, it should allow for an open space exception rather than require a variance for fee-out projects.
- **Ordinance should be clarified to avoid double-charging in-lieu fee for open space and POPOS.** As existing and amended, Section 135.3 allows POPOS to satisfy the on-site open space requirements. Accordingly, the amended Section 426 should be modified to clarify that projects that satisfy their open space and POPOS requirements via payment of the in lieu fee will not be double charged for open space and POPOS separately.
- **If a variance is required to pay the in lieu fee for POPOS and open space, then on-site POPOS design standards should be made more feasible for small lots.** As written in the Ordinance, the POPOS requirements are burdensome and cannot be feasibly implemented for the smaller Central SoMa projects. If a straightforward fee-out option is not provided, the Code should provide for rooftop POPOS on small properties and/or scale back the indoor POPOS requirements so as to eliminate the 2,500 square foot minimum area requirement and reduce the mandated floor-to-ceiling height to 15 feet.

The Ordinance should either give the Planning Commission greater discretion to modify prescriptive standards as it considers the unique needs of particular sites, especially the smaller properties, or provide for exceptions for the requirements that are particularly problematic, as outlined herein.

Thank you for your consideration and attention to these concerns.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

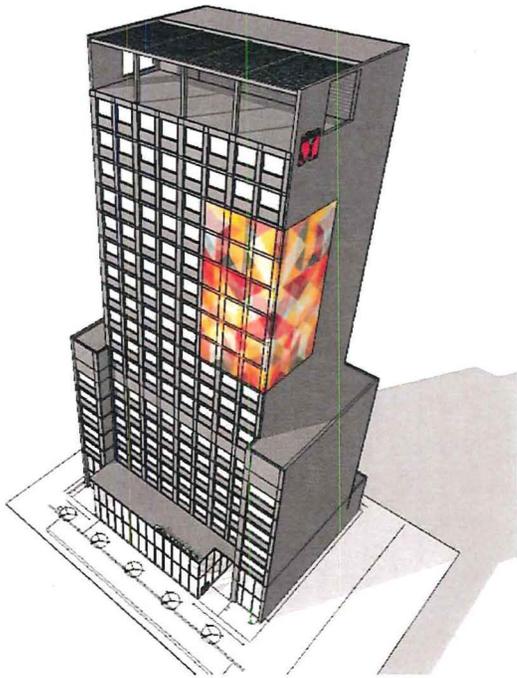
A handwritten signature in black ink, reading "Daniel A. Frattin", written in a cursive style. The signature is positioned above a solid horizontal line.

Daniel A. Frattin

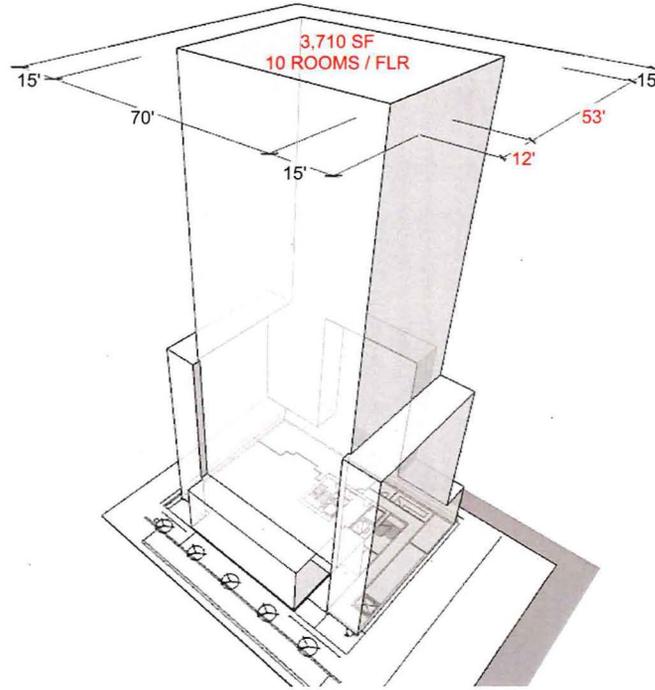
cc:

Supervisor Cohen (Malia.Cohen@sfgov.org)
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Supervisor Fewer (Sandra.Fewer@sfgov.org)
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Bobbi Lopez, Legislative Aide to Supervisor Kim (Barbara.Lopez@sfgov.org)

EXHIBIT A
Massing Diagram

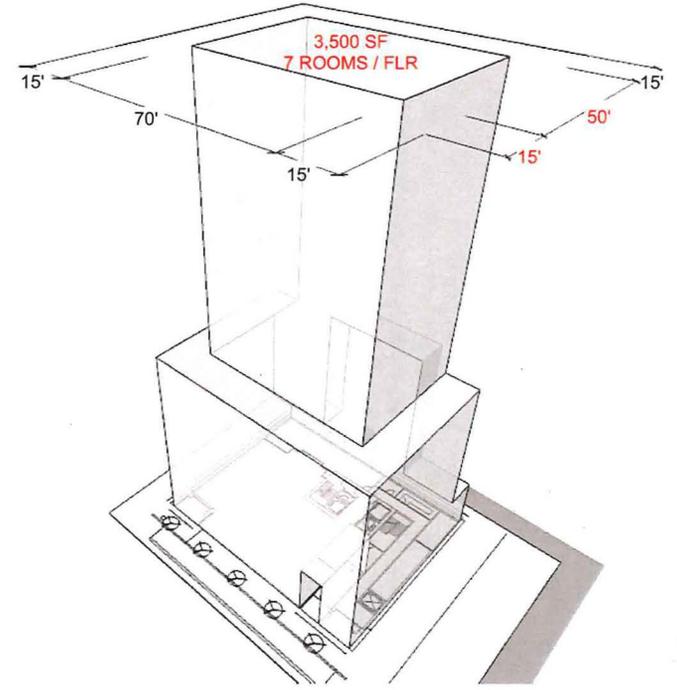


PROPOSED BUILDING



PROPOSED BUILDING (MASSING DIAGRAM)

at tower:
11 floors at 10 rooms / floor = 110 rooms



PER CODE (MASSING DIAGRAM)

at tower:
11 floors at 7 rooms / floor = 77 rooms

Δ -33 rooms
-16%

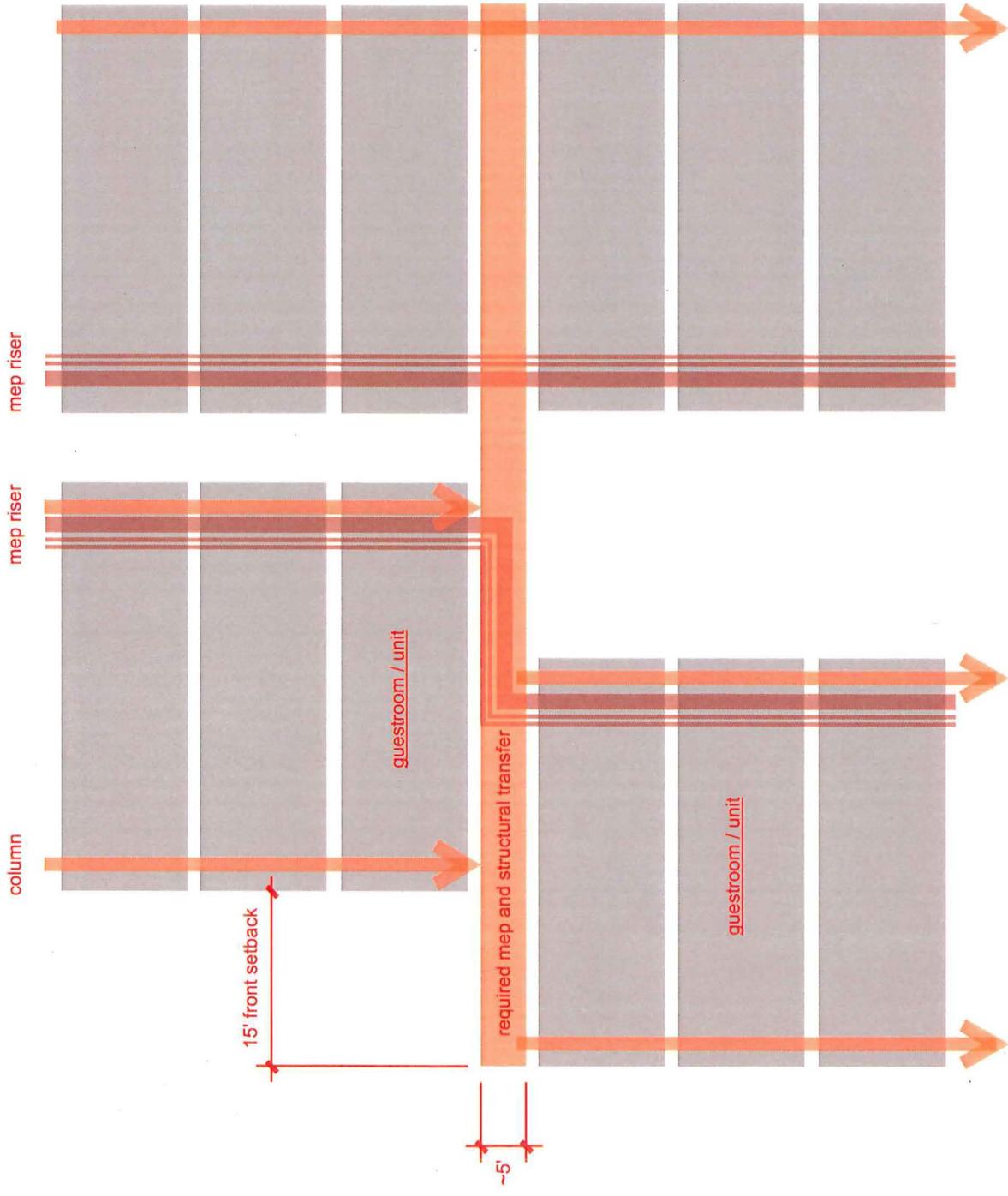


EXHIBIT B
Section Diagram

EXHIBIT C

Suggested Code Modifications

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

The table below identifies issues in the proposed Central SoMa Planning Code amendments ordinance (BOS File No. 180184) that are of particular concern to the proposed hotel project at 816 Folsom Street. Suggested revisions are indicated in **red**.

Topic	Planning Code Section	Issue	Suggested Revision
Issues not Flagged for Modification by the Planning Commission			
PUD-Type Exceptions	Proposed § 329(d)(12)	<p>The proposed language eliminates the ability of Central SoMa SUD projects to seek PUD exceptions under § 304, which are currently available to LPA projects pursuant to existing § 329(d)(12).</p> <p>Central SoMa projects need the same flexibility to ask for minor exceptions from highly prescriptive Code requirements that are difficult to apply to small sites and to those with unique site constraints. Providing for the PUD exceptions will facilitate the achievement of designs that are high-quality, functional for tenants, and marketable.</p>	<p>Revise amended § 329(d)(12) to allow Central SoMa projects to seek PUD-type exceptions (as set forth in § 304) via an LPA:</p> <p>Where not specified elsewhere in this subsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, except that such modifications shall not be permitted for projects in the Central SoMa Special Use District.</p>
Streetwall Articulation	Proposed § 132.4(d)(1)	<p>The streetwall articulation requirements mandate that new projects be built up to the property line up to 65 feet in height. Application of the streetwall articulation requirements in tandem with the tower setback requirements creates building misalignment that drives up construction costs.</p>	<p>Revise proposed § 132.4(d)(1)(B) to allow a permitted streetwall setback above the ground floor on sites that are less than 100 feet deep.</p> <p style="text-align: center;"><u>(B) Permitted Streetwall Setbacks. Notwithstanding the requirements of subsection (A), any building may be recessed from the property line as follows:</u></p> <p style="text-align: center;"><i>(i) To the extent necessary to accommodate any setback required by this Code;</i></p> <p style="text-align: center;"><i>(ii) For portions of residential buildings with walk-up dwelling units that have setbacks in accordance with the <u>Ground Floor Residential Guidelines</u>;</i></p> <p style="text-align: center;"><i>(iii) For publicly-accessible open space built pursuant to the <u>requirements of Section 138</u>; or</i></p> <p style="text-align: center;"><i>(iv) For building <u>façade architectural articulation and modulation up to a maximum depth of 5 feet</u>;</i></p>

			<u><i>(v) Above the ground floor on parcels less than 100 feet deep, up to a maximum depth of 12 feet.</i></u>																				
Tower Setbacks	Proposed § 132.4(d)(2)(B)	The proposed language mandates a 15-foot setback for towers for the portion above 85 feet. On small parcels, this setback will drastically limit floorplate sizes and will prevent projects from shifting massing so as to avoid undesirable conditions for adjacent properties.	<p>Revise proposed § 132.4(d)(2)(B) to provide a reduced setback where the Commission finds that a 15-foot setback would unduly restrict the development potential of a site, so long as at least an 8-foot setback is provided.</p> <p><u><i>(B) For Towers in the CS Bulk District, along all property lines, a 15-foot setback is required for the Tower Portion for the entire frontage. This setback may be reduced for obstructions permitted according to Section 136. Pursuant to Section 329, the Planning Commission may grant a modification to this setback requirement as applied to a proposed project if it finds that (1) a 15-foot setback would unduly restrict the development potential of the site and (2) that a setback of no less than five (5) feet is provided along all property lines.</i></u></p>																				
Skyplane	Proposed § 270(h)	The proposed apparent mass controls applicable in a height district above 160 feet are not clearly drafted. Table 270(h) applies an 80% apparent mass reduction requirement to the non-tower portion of a building, i.e. the portion below 85 feet. It is unclear how this can be implemented consistent with the street wall articulation requirement or while allowing construction of a tower above.	<p>Table 270(h) should be revised to clarify how the apparent mass reduction requirements apply in a height district above 160 feet.</p> <table border="1" data-bbox="1129 841 1936 1276"> <thead> <tr> <th colspan="5"><u><i>Table 270(h)</i></u></th> </tr> <tr> <th colspan="5"><u><i>Apparent Mass Reduction</i></u></th> </tr> <tr> <th><u><i>Building Frontage</i></u></th> <th><u><i>Side of the Street</i></u></th> <th><u><i>Height District</i></u></th> <th><u><i>Base Height</i></u></th> <th><u><i>Apparent Mass Reduction</i></u></th> </tr> </thead> <tbody> <tr> <td><u><i>Major Street</i></u></td> <td><u><i>All</i></u></td> <td><u><i>Above 160 feet</i></u></td> <td><u><i>85 feet</i></u></td> <td><u><i>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</i></u></td> </tr> </tbody> </table>	<u><i>Table 270(h)</i></u>					<u><i>Apparent Mass Reduction</i></u>					<u><i>Building Frontage</i></u>	<u><i>Side of the Street</i></u>	<u><i>Height District</i></u>	<u><i>Base Height</i></u>	<u><i>Apparent Mass Reduction</i></u>	<u><i>Major Street</i></u>	<u><i>All</i></u>	<u><i>Above 160 feet</i></u>	<u><i>85 feet</i></u>	<u><i>None for the Tower Portion, as defined in Section 132.4. 80% for the remainder of the building, using a Height limit of 160 feet for purposes of this calculation.</i></u>
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Skyplane	Proposed § 270(h); Amended § 329	If the apparent mass reduction requirements apply to towers in 180-foot height districts, an exception should be provided for small sites. At 816 Folsom, which is only 80 feet deep and 100 feet wide, an 80% apparent mass reduction will substantially decrease the development potential of the site.	<p>Revise amended § 329(d) to allow the Planning Commission to provide a modification from the skyplane requirements for sites with less than 10,000 square feet.</p> <p>(d) Exceptions. As a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:</p> <p>* * * *</p> <p><i>(12) Within the Central SoMa SUD, exception from the Apparent Mass Reduction requirements required by Section 270(h)(2) for projects on a Major Street with a parcel area of less than 10,000 square feet.</i></p> <p>(13) Where not specified elsewhere in this Subsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, <u>except that such modifications shall not be permitted for projects in the Central SoMa Special Use District.</u></p>
POPOS & Open Space Exception	Amended §§ 426 & 329(d)	<p>Neither the existing nor the proposed § 329 provides for an exception from non-residential open space or POPOS requirements. While § 426 provides for payment of an in lieu fee, non-residential projects would first need to obtain a variance, which is difficult to justify for new construction.</p> <p>The Code should allow for an open space/POPOS exception rather than require a variance for these projects.</p>	<p>Revise amended § 329(d) to allow for an exception from the non-residential and POPOS requirements for Central SoMa projects that pay the in lieu fee rather than provide on-site open space.</p> <p>(d) Exceptions. As a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:</p> <p>* * * *</p> <p><i>(12) Exception from non-residential usable open space requirements in the CMUO District. In circumstances where such exception is granted, a fee shall be required pursuant to the standards in Section 426.</i></p> <p><i>(13) Exception from POPOS requirements in the CMUO District. In circumstances where such exception is granted, a fee shall be required pursuant to the standards in Section 426.</i></p> <p>(14) Where not specified elsewhere in this Subsection (d), modification of other Code requirements which that could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is</p>

			located, <u>except that such modifications shall not be permitted for projects in the Central SoMa Special Use District.</u>
POPOS	Amended § 138(d)(2)(F);	<p>The POPOS requirements are burdensome and cannot be feasibly implemented for the smaller Central SoMa projects.</p> <p>If a straightforward fee-out option is not provided, the Code should provide for rooftop POPOS on small properties and/or scale back the indoor POPOS requirements so as to eliminate the 2,500 square foot minimum area requirement and reduce the mandated floor-to-ceiling height to 15 feet.</p>	<p>Revised proposed § 138(d)(2)(F) to eliminate the 2,500 square foot minimum area for indoor POPOS and reduce the minimum floor-to-ceiling height to 15 feet.</p> <p><u>(F) All indoor open spaces provided at street grade shall:</u></p> <p>(i) Have a minimum area of 2,500 square feet;</p> <p>(ii) Have a minimum floor-to-ceiling height of 2015 feet;</p> <p>(iii) Provide openings directly to a sidewalk or other publicly-accessible outdoor space and, weather permitting, be accessible without the need to open doors;</p> <p>(iviii) Be situated, designed, and programmed distinctly from building lobbies or other private entrances to the building;</p>

180185

From: Michael Verity <mverity@reubenlaw.com>
Sent: Friday, June 01, 2018 1:53 PM
To: Breed, London (BOS)
Cc: Daniel Frattin
Subject: Central SoMa Zoning Amendments
Attachments: Ltr - Sup. Breed re Central SoMa Comments 6.1.18.pdf

Dear President Breed and Supervisors:

At the request of Daniel Frattin, please find attached a letter, which asks the Board of Supervisors to address certain concerns regarding the Central SoMa Plan Zoning Amendments as they apply to the Flower Mart Project.

Thank you very much for your attention to this matter.

Best regards,

Mike

REUBEN, JUNIUS & ROSE, LLP

Michael Verity
Assistant to Daniel A. Frattin
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REUBEN, JUNIUS & ROSE, LLP

Daniel Frattin
dfrattin@reubenlaw.com

June 1, 2018

Delivered Via Email and U.S. Mail

President London Breed
San Francisco Board of Supervisors
London.Breed@sfgov.org
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

**Re: Central SoMa Zoning Amendments
BOS File No. 180185
Flower Mart Project**

Dear President Breed and Supervisors:

We are writing on behalf of Kilroy Realty Corporation (“KRC”), which proposes to build a new long-term home for the Wholesale Flower Market as part of a mixed-use anchor development in the Central SoMa Plan Area. Throughout the lengthy process of drafting the Central SoMa Plan (the “Plan”), KRC has worked in close consultation with Planning Department staff to design a project that promotes the Plan’s objectives. While we strongly support passage of the Plan, and encourage the Board of Supervisors to incorporate the modifications recommended by the Planning Commission on May 10, the zoning amendments (“Zoning Legislation”) require further changes to allow the Flower Mart project to fulfill its objectives and create a new state-of-the-art Wholesale Flower Market that will be leased at below-market rates.

Suggested redline modifications are attached to this letter, the incorporation of which would address the following concerns that were not addressed by the Planning Commission in its May 10 recommendations:

- **As written, the Code does not allow enough accessory parking to fulfill KRC’s legally binding commitments to the Wholesale Flower Market.** Kilroy is bound by an agreement with the Wholesale Flower Market tenants and management to provide 25 truck parking and 150 vehicle parking spaces. However, the Zoning Legislation allows for a maximum of 69 accessory parking spaces for the Wholesale Flower Market use. The success of the replacement Wholesale Flower Market depends on the provision

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of adequate parking to accommodate a high volume of wholesale customers. It is crucial that the Zoning Legislation include a Key Sites exception that would allow additional accessory parking for wholesale/distribution uses on the Flower Mart site.

- **Prohibiting sufficient accessory parking will subject the Wholesale Flower Market to costly Mello-Roos taxes.** The proposed Central SoMa Mello-Roos District exempts accessory parking from special taxes. If an exception is not available to provide additional accessory parking for the Wholesale Flower Market, KRC would have to seek conditional use approval for a “parking garage” that would be subject to special taxes. This runs contrary to the Plan goal of providing a functional and successful replacement Flower Market and unfairly taxes the subsidized space KRC is providing to the Flower Market tenants.
- **Ground-floor transparency requirements conflict with the operational needs of the Wholesale Flower Market.** The Zoning Legislation requires 60 percent of the ground-floor street frontage of PDR uses to have transparent windows and doors that allow views into the interior of buildings. However, many PDR uses involve machinery, noise, late operating hours, or have other operational characteristics and needs that may not be compatible with ground-floor transparency requirements.

As applied to the Wholesale Flower Market, required ground-floor transparency along 5th Street would conflict with the operational needs of the Wholesale Flower Market. Vendor stalls have traditionally been oriented to the interior and layout needs may change over time. Requiring open and unobstructed windows along 5th Street will preclude the flexible use of the Wholesale Flower Market space, and will prevent the Wholesale Flower Market vendors from using the east end of the building for functions that may include storage, refrigeration equipment, and internally-oriented display structures. The Zoning Legislation should be amended to allow exceptions from PDR transparency requirements.

- **For clarity, the Board should correct a cross-reference to the Key-Sites exception allowing exceptions from the requirement for POPOS to be open to the sky.** The Flower Mart site is constrained by the need to provide a 115,000-square-foot, single-story replacement building for the Wholesale Flower Market, along with new vehicular through access on the block. To accommodate these features and required POPOS, portions of upper floors cantilever over approximately 25 percent of the Flower Mart POPOS. The ordinance provides for a Key Sites exception for “the requirement that POPOS be open to the sky established in Section 138(d)(2)(B).” However, the cross-referenced section does not refer to the open-sky requirement and should be revised to reference Section 138(d)(2)(E)(i).
- **In-lieu POPOS fee should not be charged where exceptions from design standards are granted.** As amended, Section 426 states that an in-lieu fee of \$890 is required for each square foot of POPOS and non-residential open space that is required but not

provided. This section should be amended to clarify that the in-lieu fee only applies when open space is not provided at all, i.e., that no fee is due where the requisite amount of open space is provided but exceptions are granted from design standards like the openness-to-the-sky requirement above.

- **Living and solar roofs requirements should allow Key Sites flexibility to maximize usable rooftop open space while furthering the intent of the requirements.** Proposed Section 249.78(d)(3) requires that nonresidential buildings 160 feet or less provide at least 50% of the roof area as living roof and/or solar energy systems. In order to allow projects to maximize usable outdoor open spaces, the Zoning Legislation should allow these features to be located on taller buildings on the site, so long as a comparable amount of living roof area is provided.
- **The criteria for Key Sites tower separation should be revised for clarity.** The Zoning Legislation is intended to grant the Planning Commission broader discretion to grant exceptions for tower separation on Key Sites than on other sites. However, the draft code section establishing the criteria for tower separation exceptions does not make clear the distinction between non-Key Sites and Key Sites. The Zoning Legislation should be revised for clarity.
- **Central SoMa Key Sites should be able to seek the Planned Unit Development exceptions currently available to Eastern Neighborhoods projects through the LPA process.** The Central SoMa Plan encourages building typologies and mixes of uses that are relatively novel—requiring or incentivizing a mix of PDR, office, retail, and residential in a relatively dense environment, all while striving for a dense, walkable, and transit-oriented neighborhood. However, the Zoning Legislation includes highly prescriptive design requirements, and strikes a longstanding provision that allows the Planning Commission discretion to grant case-by-case exceptions beyond a limited number of specifically listed exceptions. In practice, this will constrain architectural responses to neighborhood context and the needs of specialized tenants. Continuing the Planning Code’s allowance for PUD-type exceptions will facilitate designs that are high-quality, functional for tenants, and marketable.

In closing, we respectfully urge you to amend the Zoning Legislation as outlined above and encourage you to support the changes recommended by the Planning Commission, particularly the following that are critical to the Flower Market Project:

- 1) Clarification that Key Sites projects may seek the exceptions generally available to projects obtaining an LPA under the existing Section 329(d).
- 2) Amendment that would require projects that filed applications before September 4, 2016, to meet 75% of the otherwise applicable TDM target. Though this amendment should clarify that the 75% grandfathering that applies to any project

that submitted an Environmental Evaluation Application before September 4, 2016.

- 3) Elimination of the requirement for retail uses to provide POPOS.
- 4) Addition of a subsection in Section 329(d) enabling exceptions for the freight loading requirements set forth in Sections 154 and 155.
- 5) Addition of a subsection in Section 329(d) enabling exceptions from the wind control requirements set forth in Section 249.78(d)(7).

Thank you for your consideration and attention to these concerns.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Daniel A. Frattin

cc: Supervisor Cohen (Malia.Cohen@sfgov.org)
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Mike Grisso, Project Sponsor (MGrisso@kilroyrealty.com)
Alexandra Stoelzle, Project Sponsor (AStoelzle@kilroyrealty.com)

Central SoMa Zoning Analysis – Suggested Planning Code Amendments

The table below identifies issues in the proposed Central SoMa Planning Code amendments ordinance (BOS File No. 180184) that are of particular concern to the proposed Flower Mart Project. Suggested revisions are indicated in red.

Topic	Draft Planning Code Section:	Issue	Suggested Revision
SFFM Proposed Amendments not Addressed by Planning Commission			
Parking	Proposed § 329(e)(3)(B)	<p>The proposed ordinance does not provide an exception from the parking standards for the Key Sites, even though those properties are required to provide large PDR spaces, the future tenants of which are likely to require large amounts of parking.</p> <p>In particular, the success of the replacement Wholesale Flower Market will depend in large part on the provision of adequate parking (as required by KRC’s agreement with the Wholesale Flower Market tenants) to accommodate a high volume of wholesale customers moving large amounts of goods. We propose the addition of an exception that would allow Key Sites to receive an exception to provide additional parking for wholesale /distribution uses.</p>	<p>Proposed § 329(e)(3)(B) should be amended to allow Key Sites to seek an exception from the maximum accessory parking requirements in order to provide sufficient parking for large scale wholesale and distribution uses.</p> <p><i>(B) Exceptions. . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the accessory parking maximums set forth in Section 151.1, such that Key Sites may provide accessory parking for Wholesale Sales and Distribution uses up to a rate of one car per each 750 square feet of Gross Floor Area.</i></p>
Transparent Fenestration of PDR	Proposed §§ 249.78(c)(1)(E) and 329(e)(3)(B)	<p>The Proposed § 249.78(c)(1)(E) applies the transparency and fenestration requirements of existing Code Section 145.1 to PDR uses.</p> <p>The types of uses that occupy PDR space often involve machinery, noise, and abnormal operating hours, and are not the type of uses enhanced by ground floor transparency—nor are they the kinds of uses for which ground floor windows would enhance the pedestrian environment.</p>	<p>Proposed § 329(e)(3)(B) should be amended to allow Key Sites to seek an exception from the requirement that PDR uses meet the transparency and fenestration requirements contained in § 249.78(c)(1)(E).</p> <p><i>(B) Exceptions. . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the requirement that PDR uses meet the transparency and fenestration requirements established in Section 249.78(c)(1)(E).</i></p>

POPOS	Amended § 138; Proposed § 329(e)(3)(B)	Under proposed § 329(e)(3)(B), Key Sites may seek an exception from “the requirement that POPOS be open to the sky established in Section 138(d)(2)(B).” But it is § 138(d)(2)(E)(i) that requires at grade open space to be open to the sky. Proposed § 138(d)(2)(B) requires that projects “on sites of 40,000 square feet or more and located south of Bryant Street shall provide the required open space outdoors and may not pay an in-lieu fee.”	Proposed § 329(e)(3)(B) regarding open space exceptions that should be corrected as follows: <i><u>(B) Exceptions. . . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(BE)(i); or the commercial orientation of large sites established in Section 249.78(c)(6).</u></i>
POPOS & Open Space In-Lieu Fee	Amended § 426	As amended, § 426 states that an in-lieu fee is required for each square foot of POPOS and non-residential open space that is required but not provided.	Amended § 426 should be revised such that an in lieu fee would not be required where a project obtains an exception only from the qualitative standards of the POPOS requirements, but where the project provides the amount of POPOS mandated by the Code. We suggest the following amendment: <i><u>. . . In the CMUO District, the usable open space requirement of Section 135.3 and the POPOS requirement of Section 138 may be satisfied through payment of a fee of \$890 for each square foot of required usable open space not provided. Payment of a fee shall not be required for any square footage of usable open space or POPOS that is provided in the amount required, but for which a variance or exception is granted for design standards otherwise applicable to such open space or POPOS . .</u></i> =
Living and Solar Roofs	Proposed §§ 249.78(d)(3) and 329(e)(3)(B)	Proposed § 249.78(d)(3) requires that Central SoMa buildings that are 160-foot-tall or less provide at least 50% of the roof area as living roof and comply with Building Code Section 5.201.1.2, which sets forth the requirements for solar systems on non-residential buildings.	Proposed § 329(e)(3)(B) should allow for a Key Sites exception from the living roof and solar requirements as long as a comparable amount of required living roof and/or solar system area is provided elsewhere on the property. <i><u>(B) Exceptions. . . . the requirement that POPOS be open to the sky established in Section 138(d)(2)(B); or the commercial orientation of large sites established in Section 249.78(c)(6); or the living and solar roofs requirements established in Section 249.78(d)(3), so long as a comparable amount of required living and/or solar roof area is provided elsewhere on the property.</u></i>

Tower Separation	Proposed §§ 132.4(d)(3) and 329(e)(3)(B)	Proposed § 329(e)(3)(B) states that Key Sites can seek an exception for the tower separation requirements in § 132.4, and Planning staff has advised that Key Sites are not required to meet the 4 criteria listed in proposed § 132.4(d)(3) in order to obtain this exception. However, this should be clarified in the Code language.	Proposed § 132.4(d)(3) should be amended to clarify that Key Sites can obtain an exception from the tower separation requirements without meeting the four criteria set forth in proposed § 132.4(d)(3)(B): <i><u>Through the procedures of Section 329, the Planning Commission may reduce the separation required under subsection (A) if it finds that a Tower project meets all of the following criteria. Key Sites, as identified in § 329(e)(2), are not required to comply with the following criteria in order to obtain a reduction of the Building Separation requirements set forth in subsection (A), as the Key Sites are eligible for a general exception from the Building Separation requirements pursuant to § 329(e)(3)(B).</u></i>
Key Sites Exceptions, Generally	Proposed § 329(d)(12)	The proposed language eliminates the ability of Central SoMa SUD projects to seek the PUD exceptions under § 304, which are currently available to LPA projects pursuant to existing § 329(d)(12). The Central SoMa Plan requires or encourages a mix of PDR, office, retail, and residential in a relatively dense environment, all while striving for a dense, walkable, and transit-oriented neighborhood. Some measure of flexibility in applying prescriptive Code standards is necessary in order to facilitate building typologies and mixes of uses that are relatively novel.	Revise amended § 329(d)(12) to allow Key Sites projects to seek PUD-type exceptions (as set forth in § 304) via an LPA: Where not specified elsewhere in this Ssubsection (d), modification of other Code requirements which <i>that</i> could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located, <i>except that such modifications shall not be permitted for non-Key Sites projects in the Central SoMa Special Use District. Those projects on Key Sites, as identified in subsection (e) below, may obtain exceptions from those Code requirements that could be otherwise be modified as a Planned Unit Development.</i>

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 proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, July 9, 2018

Time: 1:30 p.m.

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

Subjects: **File No. 180185.** Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 180490. Ordinance amending the General Plan by adding the Central South of Market (SoMa) Area Plan, generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area, and on its southern portion by Townsend Street; making conforming amendments to the Commerce and Industry Element, the Housing Element, the Urban Design Element, the Land Use Index, and the East SoMa and West SoMa Area Plans; and making environmental findings, including adopting a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters 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 these matters, 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 these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, July 6, 2018.

A handwritten signature in black ink that reads "Angela Calvillo". The signature is stylized, with the first letter of each word being large and prominent.

Angela Calvillo, Clerk of the Board

DATED/PUBLISHED/MAILED/POSTED: June 28, 2018

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. 544-5227

PROOF OF MAILING

Legislative File No. 180185 and 180490

Description of Items: Planning Code, Zoning Map - Central South of Market Special Use District and General Plan Amendments - Central South of Market Area Plan - 227 Notices Mailed

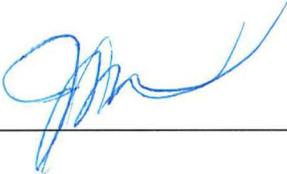
I, Jocelyn Wong, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: June 29, 2018

Time: 11:03 am

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

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

April 18, 2018

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

Dear Commissioners:

On April 10, 2018, Mayor Farrell introduced the following substitute legislation:

File No. 180185-2

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Lisa Gibson, Environmental Review Officer
AnMarie Rodgers, Senior Policy Advisor
Laura Lynch, Environmental Planning
Joy Navarrete, Environmental Planning

Central SoMa Area Plan: Economic Impact Report



CITY & COUNTY OF SAN FRANCISCO

Office of the Controller
Office of Economic Analysis

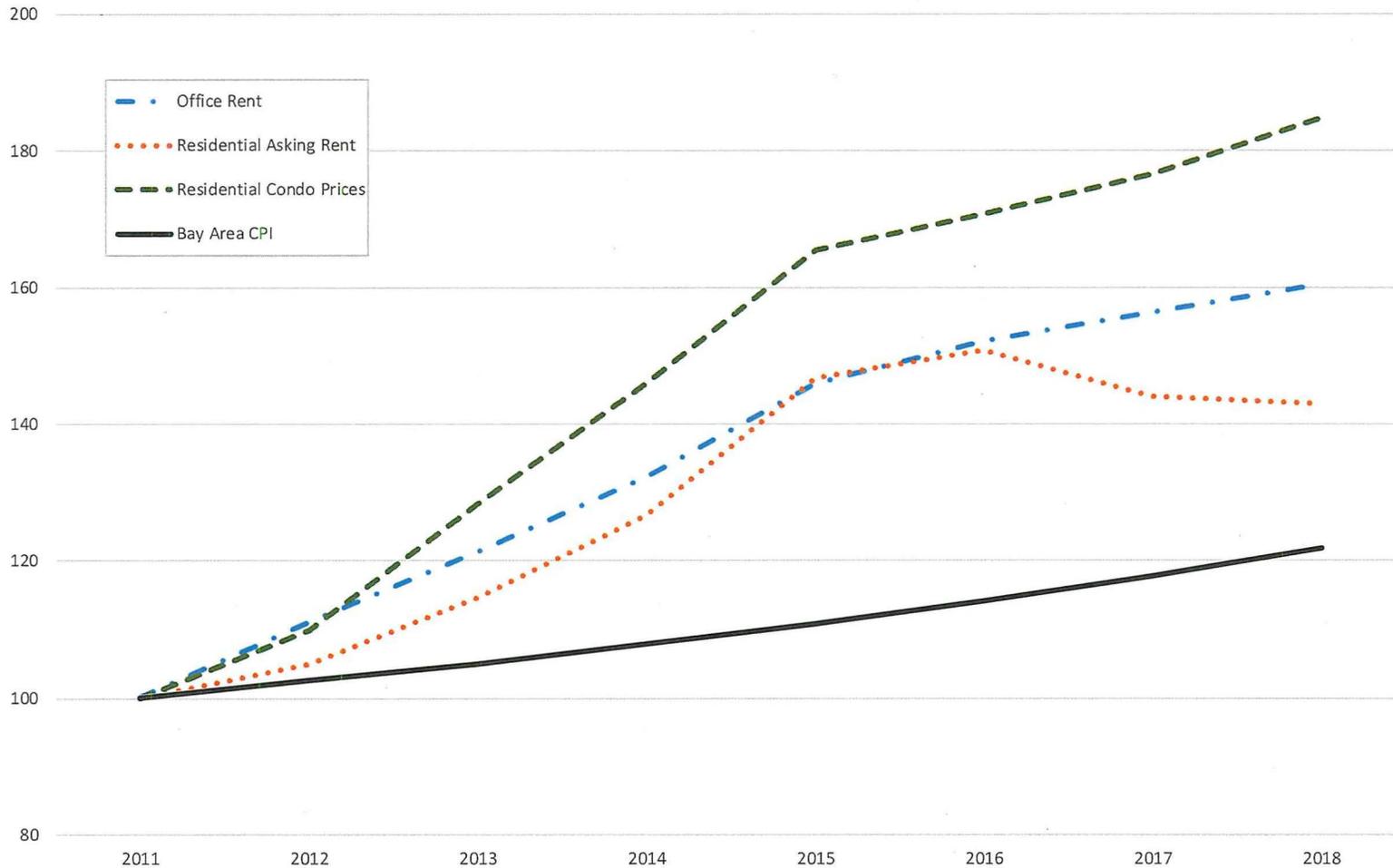
Items #180184 & #180185

07.24.2018

- The proposed legislation would make changes to the City's Planning and Administrative Codes to enact the Central SoMa plan, an area plan that has been under development for several years.
- The plan generally covers the area between Second and Sixth Street, and Market and King streets in the South of Market neighborhood.
- The new Central Subway passes through the center of the area, making it more accessible to residents and workers. The proposed plan accommodates demand for new employment and residential space, by taking advantage of the new transit infrastructure.
- The Office of Economic Analysis (OEA) has prepared this report after determining that the proposed tax increase might have a material impact on the City's economy.
- This report is based on the status of the legislation as of May, 2018, and may not reflect all amendments made since that time.

Background: Housing Prices and Office Rents

Price Trends in San Francisco Real Estate, 2011-2018
(2011=100)



The plan has been developed during a period of unprecedented growth in housing prices and office rents in San Francisco.

From 2011 to 2018, residential asking rates have grown twice the rate of inflation, office rents have grown three times, and condos have grown four times the rate of inflation.

This rapid price growth in both residential and commercial real estate is an indication of significant unmet demand in both sectors.

Sources: For condo prices and residential rents; Zillow. For office rents, REIS. For CPI, Bureau of Labor Statistics.

Economic Impact Factors

- The Central SoMa plan will affect city life and government in a number of ways, including transportation, environment, urban form, cultural heritage, and neighborhood amenities.
- This report is focused on the overall economic impact of the plan, at build-out. As such, two elements of the plan are especially relevant:
 1. The increase in amount of development that would be permitted by changes in zoning in the plan area. This would support new employment and population in the city.
 2. The plan provides for many public benefits, funded through exactions on new development. This spending on public benefits will also lead to economic growth in the city.

Broader impacts of the public benefits, such as how they may affect environmental and health outcomes, neighborhood quality, property values, etc. are not considered.

Amount of New Development

- The proposed plan would increase potential development in the area through a combination of relaxed of land use controls, an increase of height limits, and changes to bulk limits.
- The Planning department conservatively estimates that approximately 5.8 million additional square feet of non-residential space (including office, retail, replacement PDR, and hotels), and 5.4 million square feet of additional residential space, could be accommodated through the plan.
- This is not the total amount that would be built, but the difference between what will likely be built under the new zoning controls, and what would likely have been built under the old zoning controls.

Public Benefits Funding

- The plan's public benefits are provided in three ways:
 - Requiring developers to directly provide them in new development.
 - Establishing new fees and taxes on development, including a Community Facilities District (CFD) tax, a Central SoMa infrastructure impact fee, and a Community Facilities fee.
 - Generating additional funding through existing exactions, such as the Eastern Neighborhoods impact fee, the Jobs-Housing linkage fee, or the Transportation Sustainability Fee.
- Cumulatively, these measures are expected to generate approximately \$2 billion in funding for public benefits when the plan is fully built-out. The CFD tax is a property tax that will continue in perpetuity.
- The plan also requires new development to replace lost Production, Distribution, and Repair (PDR) space, and to purchase Transferable Development Rights (TDR) from historic properties in the plan area. These requirements primarily serve to neutralize potential negative effects of the plan, and are not considered in this analysis.

REMI Model Estimate

- The OEA's REMI model was used to estimate the combined impact of the following changes to the San Francisco economy. Each impact was considered to phase in gradually over a 25-year period beginning in 2019:
 - 15,000 office and retail jobs created, distributed across 10 different office-using industries and retail trade, associated with \$5.0 billion in new non-residential development.
 - 12,200 new residents who are be expected to occupy the new housing, created by \$6.6 billion in new residential investment.
 - \$940 million in affordable housing subsidy, reducing the housing burden of low-income households, and freeing up additional consumer spending in the local economy.
 - \$500 million in transit spending and investment.
 - \$538 million in other facility and infrastructure construction.
- The REMI model calculates the multiplier effects associated with each of these direct impacts, to estimate the total economic impact of the plan.

REMI Model: Aggregate Results

- Overall, the plan is projected to have a large, positive economic impact on the city over the next 25 years, assuming the projects remain financially feasible and the development occurs within that time frame.
- As shown on page 10, citywide job growth resulting from the plan is expected to be 3.0% larger in 2043, through creation of 32,190 additional jobs. The city's GDP is expected to \$7.8 billion larger, a 3.1% increase, at build-out.
- Total job creation across the city will significantly exceed the jobs that would be created within Central SoMa. As detailed on pages 12-13, multiplier effects will create jobs across the city, in most industry sectors.

REMI Model: Wages, Prices, & Incomes

- The growth in office space and employment will raise the demand for labor in San Francisco, particularly in office and closely-related industries.
- Since growth in the labor force is constrained, new employment demand will raise wages. As shown on the next page, average earnings of all workers in San Francisco are projected to be 0.8% higher as a result of this plan, at build-out.
- At the same time, this will also raise demand for housing in the city, leading to higher housing prices, although this will be partially offset by the new housing provided for in the plan.
- As shown on the next page, wage growth is expected to outweigh the effect of higher housing prices. The real per capita income of San Francisco residents, in today's dollars and including the effect of housing prices, is expected to be \$539 more than it would be without the plan.

REMI Model Results

	Numeric Difference from Baseline Projection, by 2043	Percent Difference from Baseline Projection, by 2043
Aggregate Impacts		
Total Employment in San Francisco	+32,190	+3.0%
San Francisco GDP (2017 \$)	+\$7.8 billion	+3.1%
Wage and Price Changes		
Average Annual Earnings (2043 \$)	+\$2,326	+0.8%
Citywide housing prices	+2.0%	+2.0%
Real Per Capita Personal Income (2017 \$, including the effect of housing prices)	+\$539	+0.4%

REMI Model: Impacts by Industry

- As a growing, high-paying industry, the technology industry is likely to occupy a significant share of new office space developed in the Central SoMa plan area.
- However, the total number of technology industry jobs in the city is not projected to grow disproportionately because of the plan. While the industry may prefer new space in an area where it is already concentrated, it can also more easily afford high rents, and would likely continue to grow rapidly, even in the absence of new office space in the plan area.
- As shown on the next page, on a percentage basis, retail trade, administrative services, and construction are expected to add the most jobs citywide. Professional, scientific, and technical services, the city's largest sector which includes most technology employment, will add the most jobs in absolute terms, but not in percentage terms.
- The manufacturing industry is the only industry not expected to add jobs, mainly because of its sensitivity to labor costs. Other PDR industries, like wholesale trade and transportation, are projected to add more jobs than manufacturing would lose.

Projected Employment Change by Industry

12

	Numeric Difference from Baseline Projection, by 2043	Percent Difference from Baseline Projection, by 2043
Professional, Scientific, and Technical Services	8,181	3.8%
Finance, Insurance, Real Estate	4,500	3.8%
Retail Trade	3,566	5.6%
Administrative and Waste Management Services	3,398	5.4%
Government	2,929	2.6%
Education and Health Services	2,250	1.6%
Leisure & Hospitality	1,778	1.6%
Construction	1,564	4.3%
Information	1,427	2.7%
Other Services, except Public Administration	1,015	2.4%
Management of Companies and Enterprises	799	2.9%
Wholesale Trade, Transportation, Warehousing	749	1.7%
Manufacturing	-18	-0.2%

The Balance of Housing and Office Uses

13

- The emphasis on office has led to suggestions that the imbalance between jobs and housing harms city residents, by raising housing prices.
- The results of this analysis suggest that, while housing prices will rise because of the employment growth, this is only half of the story.
- Housing affordability depends on incomes, as well as housing prices. Increasing employment, in a constrained housing market, will make the labor market more favorable to workers, and put upward pressure on wages.
- The growth real per capita incomes, after accounting for housing price inflation, indicates that the plan will make housing more affordable in San Francisco, on average.
- The fact both office rents and housing prices have grown much faster than inflation this decade is an indication of unmet demand for both types of real estate.

- In contrast to most other major area plans in the city over the last 15 years, the Central SoMa plan places a greater emphasis on accommodating the demand for new office development, and supporting employment growth. This emphasis will lead to both a substantial increase in the number of jobs in the city, and higher wages for employees.
- On a percentage basis, lower-paying office uses like Administrative Services, as well as retail trade and construction, are projected to add the most jobs across the city. Professional, scientific, and technical services, the city's largest sector which includes most technology employment, will add the most jobs in absolute terms.
- While the planned growth is also likely to raise housing prices, the growth in wages is expected to outweigh this. Per capita real incomes of city residents, after accounting for housing and other inflation, are projected to be \$539 a year higher when the plan is fully built-out. Higher incomes will lead to slightly more affordable housing, despite rising housing prices.

Staff Contact

Ted Egan, Ph.D., Chief Economist

ted.egan@sfgov.org

BOARD of SUPERVISORS



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

April 18, 2018

File No. 180185-2

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

Dear Ms. Gibson:

On April 10, 2018, Mayor Farrell introduced the following substitute legislation:

File No. 180185-2

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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



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

March 6, 2018

File No. 180185

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

Dear Ms. Gibson:

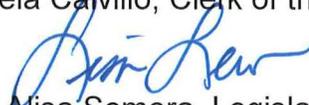
On February 27, 2018, Mayor Farrell introduced the following proposed legislation:

File No. 180185

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

for By:  Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

Attachment

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

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

March 6, 2018

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

Dear Commissioners:

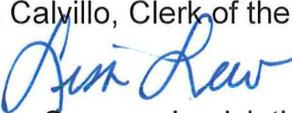
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Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

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

for By:  Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

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

BOARD of SUPERVISORS



City Hall
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Fax No. 554-5163
TDD/TTY No. 554-5227

July 26, 2018

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

Dear Commissioners:

On July 23, 2018, the Land Use and Transportation Committee amended the following ordinances. The Office of the City Attorney has advised that these ordinances requires an additional Planning Commission hearing:

File No. 180185 Planning Code, Zoning Map - Central South of Market Special Use District

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 180453 Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District

Ordinance amending the Business and Tax Regulations and Planning Codes to create the Central South of Market Housing Sustainability District (encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally tracks Folsom, Howard, or Stevenson Streets), and on its southern portion by Townsend Street) to provide a streamlined and ministerial approval process for certain housing projects within the District meeting specific labor, on-site affordability, and other requirements; creating an expedited Board of Appeals process for appeals of projects within the District; and making approval findings under the California Environmental Quality Act, findings of public convenience, necessity, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

File No. 180184 Administrative, Planning Codes - Central South of Market Area Plan

Ordinance amending the Administrative and Planning Codes to give effect to the Central South of Market Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; making approval findings under the California Environmental Quality Act, including adopting a statement of overriding considerations; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302, 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



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

- c: John Rahaim, Director
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- Devyani Jain, Deputy Environmental Review Officer
- AnMarie Rodgers, Director of Citywide Planning
- Dan Sider, Director of Executive Programs
- Aaron Starr, Manager of Legislative Affairs
- Joy Navarrete, Environmental Planning
- Laura Lynch, Environmental Planning

OFFICE OF THE MAYOR
SAN FRANCISCO



MARK FARRELL
MAYOR

TO:  Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Farrell
RE: Substitute Ordinance – File 180185 - Planning Code, Zoning Map -
Central South of Market Special Use District
DATE: April 10, 2018

Attached for introduction to the Board of Supervisors is a substitute ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by Sixth Street, on its eastern portion by Second Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Should you have any questions, please contact Andres Power (415) 554-5168.

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2018 APR 10 PM 1:56
BY 

Introduction Form

By a Member of the Board of Supervisors or Mayor

BOARD OF SUPERVISORS
SAN FRANCISCO

2018 FEB 27 PM 4:03
Time stamp
or meeting date

BY AK

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):

Mayor Farrell; Kim

Subject:

Ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

The text is listed:

Attached

Signature of Sponsoring Supervisor:

OFFICE OF THE MAYOR
SAN FRANCISCO



MARK FARRELL
MAYOR

TO:  Angela Calvillo, Clerk of the Board of Supervisors
FROM: Mayor Farrell
RE: Central South of Market (SoMa) Special Use District
DATE: February 27, 2018

BY _____
2018 FEB 27 PM 4:52
BOARD OF SUPERVISORS
SAN FRANCISCO

Attached for introduction to the Board of Supervisors is an ordinance amending the Zoning Map of the Planning Code to create the Central South of Market (SoMa) Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Central SoMa Area Plan, encompassing an area generally bounded on its western portion by 6th Street, on its eastern portion by 2nd Street, on its northern portion by the border of the Downtown Plan Area (an irregular border that generally jogs along Folsom, Howard and Stevenson Streets), and on its southern portion by Townsend Street; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Please note that this legislation is co-sponsored by Supervisor Kim.

Should you have any questions, please contact Andres Power (415) 554-5168.