

1 [Development Agreement Amendment - Treasure Island Community Development, LLC -  
Treasure Island]

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3 **Ordinance amending a Development Agreement between the City and County of San**  
4 **Francisco and Treasure Island Community Development, LLC, a California limited**  
5 **liability company, for the Treasure Island project and to amend the Financing Plan;**  
6 **making findings under the California Environmental Quality Act; making findings of**  
7 **consistency with the General Plan, and with the eight priority policies of Planning**  
8 **Code, Section 101.1(b); and making findings of public necessity, convenience, and**  
9 **welfare under Planning Code, Section 302.**

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

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

18 Section 1. Background and Findings.

19 (a) The City and County of San Francisco (the “City”) created the Treasure Island  
20 Development Authority (the “Authority”) in 1997 to serve as the entity responsible for the  
21 reuse and development of Naval Station Treasure Island, which encompasses Treasure  
22 Island (also referred to as “TI”) and portions of Yerba Buena Island (also referred to as “YBI”).

23 (b) On June 28, 2011, the Authority and Treasure Island Community Development,  
24 LLC (“Developer”) entered a Disposition and Development Agreement (the “Treasure  
25 Island/Yerba Buena Island DDA” or “DDA”). On the same date, the City and Developer  
entered a Development Agreement (the “DA”). The Board of Supervisors approved the DA in

1 Ordinance No. 95-11, Clerk of the Board of Supervisors File No. 110226. Ordinance  
2 No. 95-11 and related DA documents and approvals are on file with the Clerk of the Board  
3 and incorporated by reference in this ordinance.

4 (c) The DA, DDA, and the Special Use District in Planning Code Section 249.52  
5 contemplate a project (the "Project") on Treasure Island and Yerba Buena Island that includes  
6 up to 8,000 units of housing, 140,000 square feet of commercial and retail space, 100,000  
7 square feet of office space, and up to approximately 300 acres of parks and open space, a  
8 ferry terminal, new and upgraded streets, and extensive bicycle, pedestrian, and transit  
9 facilities.

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11 Section 2. Environmental Findings.

12 (a) On June 7, 2011 pursuant to Resolution No. 246-11, which was approved by the  
13 Mayor, the Board of Supervisors unanimously confirmed certification of the final  
14 environmental impact report ("FEIR") prepared for the Project under the California  
15 Environmental Quality Act ("CEQA," Public Resources Code Sections 21000 et. seq;) and the  
16 CEQA Guidelines (14 Cal. Code Regs. Sections 15000 et seq.), and made certain  
17 environmental findings, including adoption of a Mitigation Monitoring and Reporting Program  
18 and a Statement of Overriding Considerations. Said Resolution is on file with the Clerk of the  
19 Board of Supervisors in File No 110328.

20 (b) CEQA authorizes lead agencies to prepare addenda to previously-prepared  
21 environmental documents when they consider adopting a revised project, and the conditions  
22 for preparing subsequent or supplemental environmental review are not met (CEQA Section  
23 21166; Guidelines Sections 15162 and 15164).

24 (c) The Planning Department considered the impacts of the proposed amendments to  
25 the Development Agreement, as well as concurrent proposed amendments to the Planning

1 Code, Zoning Map, and Disposition and Development Agreement for the Project, and  
2 prepared an addendum to the FEIR.

3 (d) The addendum to the FEIR concluded that no supplemental or subsequent  
4 environmental review is required for the proposed amendments to the Development  
5 Agreement, Planning Code, Zoning Map, and Disposition and Development Agreement for the  
6 Project, because the environmental impacts of these actions were adequately identified and  
7 analyzed under CEQA in the FEIR, and the proposed amendments would not result in any  
8 new or more severe environmental impacts than were identified previously.

9 (e) The Board of Supervisors has reviewed and considered the addendum and the  
10 FEIR, and concurs with the Planning Department analysis and conclusions, finding that the  
11 addendum adequately identified and analyzed the environmental impacts of the proposed  
12 amendments to the Development Agreement, Planning Code, Zoning Map, and Disposition  
13 and Development Agreement for the Project, and that no additional environmental review is  
14 required under CEQA Section 21166 and CEQA Guidelines Sections 15162-15164, for the  
15 following reasons:

16 (1) The Project with the proposed amendments will not have any new  
17 significant environmental effects or a substantial increase in the severity of previously  
18 identified significant impacts, beyond what was analyzed in the FEIR; and,

19 (2) No substantial changes have occurred with respect to the circumstances  
20 under which the Project would be carried out, with the proposed amendments, that would  
21 lead to new significant environmental effects, or a substantial increase in the severity of  
22 effects identified in the FEIR; and,

23 (3) no new information of substantial importance to the Project analyzed in  
24 the FEIR has become available, which would indicate that (i) the Project with the proposed  
25 amendments will have significant effects not discussed in the FEIR; (ii) significant

1 environmental effects identified in the FEIR will be substantially more severe; (iii) mitigation  
2 measures or alternatives found not feasible, which would reduce one or more significant  
3 effects, have become feasible but the City and TIDA refuse to implement them; or (iv)  
4 mitigation measures or alternatives, which are considerably different from those in the  
5 FEIR, will substantially reduce one or more significant effects, but the City and TIDA refuse  
6 to implement them.

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8 Section 3. General Plan and Planning Code Findings.

9 (a) On April 4, 2024, the Planning Commission, in Resolution No. 21541, adopted  
10 findings that the actions contemplated in this ordinance are consistent, on balance, with the  
11 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board  
12 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the  
13 Board of Supervisors in File No. 240198, and is incorporated herein by reference.

14 (b) Pursuant to Planning Code Section 302, this Board finds that this ordinance will  
15 serve the public necessity, convenience, and welfare for the reasons set forth in Planning  
16 Commission Resolution No. 21541, and the Board adopts such reasons as its own. A copy of  
17 said resolution is on file with the Clerk of the Board of Supervisors in File No. 240198 and is  
18 incorporated herein by reference.

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20 Section 4. Development Agreement Amendment.

21 (a) The Board of Supervisors approves an amendment to the Development  
22 Agreement, to revise Exhibit D, the Financing Plan, to make certain changes consistent with  
23 those changes being made to the Financing Plan as attached to the DDA, to describe the  
24 City's intent to accelerate revenues into the Project for the purpose of ensuring Stage 2 of the  
25 Project is financially feasible and proceeds and which changes to the DDA, through an

1 amendment to the DDA (the “DDA Amendment”), in addition to other changes, are being  
2 considered by the Board of Supervisors concurrently with the consideration of this Ordinance.

3 (b) The Board of Supervisors also approves certain other changes to DA Exhibit A,  
4 Project Site, to reflect revisions to the Marina lease boundaries; DA Exhibit B, Legal  
5 Description, to reflect revisions to the Marina lease boundaries; and, DA Exhibit C, Project  
6 Approvals, to reflect revisions to the Project Approvals consistent with amendments to certain  
7 documents as included in the DDA Amendment being considered concurrently with the  
8 consideration of this Ordinance.

9 (c) The Board of Supervisors authorizes the execution, delivery, and performance  
10 by the City of the amendment to the Development Agreement as follows: (i) the Director of  
11 Planning and (other City officials listed thereon) are authorized to execute and deliver the  
12 Development Agreement; and (ii) the Director of Planning and other applicable City officials  
13 are authorized to take all actions reasonably necessary or prudent to perform the City's  
14 obligations under the Development Agreement in accordance with the terms of the  
15 Development Agreement amendment.

16 (d) The Board of Supervisors finds that this ordinance satisfies the requirements of  
17 both Article 11 of the Development Agreement and Chapter 56 of the Administrative Code as  
18 governing the amendment of the Development Agreement.

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20 Section 5. Effective Date. This ordinance shall become effective 30 days after  
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

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1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
2 of Supervisors overrides the Mayor's veto of the ordinance.

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4 APPROVED AS TO FORM:  
5 DAVID CHIU, City Attorney

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7 By: /s/ HEIDI J. GEWERTZ  
8 HEIDI J. GEWERTZ  
9 Deputy City Attorney

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